



KABALE UNIVERSITY

GUILD CONSTITUTION

AS AMMENDED IN MAY 2017

TABLE OF CONTENTS

FOREWORD.

DECLARATION.

PREAMBLE.

Arrangement of Chapters

Arrangement of Articles

Arrangement of Chapters

Chapter One:	The Constitution.
Chapter Two:	The Guild.
Chapter Three:	Organs of Government.
Chapter Four:	The Guild Representative Council.
Chapter Five:	Guild Cabinet/Executive.
Chapter Six:	Guild Advisors.
Chapter Seven:	The Care - Taker Government.
Chapter Eight:	The Guild/ Constitutional Tribunal.
Chapter Nine:	Guild Standing Committees.
Chapter Ten:	Guild Elections.
Chapter Eleven:	Termination of Office.
Chapter Twelve:	Finance.
Chapter Thirteen:	Affiliation.
Chapter Fourteen:	Meetings.
Chapter Fifteen:	General Provisions Relating to Procedure in the GRC.
Chapter Sixteen:	Constitutional Amendments.
Schedules:	Appendices.

Table of Contents

Contents

GUILD CONSTITUTION	i
FOREWARD	xii
THE CONSTITUTION OF KABALE UNIVERSITY STUDENTS' GUILD.	1
DECLARATION	1
PREAMBLE	1
CHAPTER ONE	3
THE CONSTITUTION	3
1. Supremacy of the Guild Constitution.	3
4. Promotion of awareness of this Constitution.	4
CHAPTER TWO	5
THE GUILD, OBJECTIVES AND MEMBERSHIP	5
5. The Name	5
6. Independence of the Guild	5
7. Headquarters	5
8. Purpose	5
9. Aims and Objectives	5
9) Membership	6
10) Rights and Obligations	8
2. Rights of Associate, Honorary and Life members.	8
11) Termination of membership	8
CHAPTER THREE	10
ORGANS OF GOVERNMENT	10
12) General Assembly	10

CHAPTER FOUR	11
THE GUILD REPRESENTATIVE COUNCIL.....	11
13. Guild Representative Council.	11
14. Independence of the Guild Representative Council ...	11
15. Composition of the GRC	11
16. Powers and responsibilities of the GRC.	12
17. Conduct of members of the GRC.	13
18. Qualification of Members of the GRC	13
19. The Speaker and Deputy Speaker of the GRC/General Assembly (G.C).	14
20. Election of the Speaker and Deputy Speaker.	14
21. Qualifications for the Speaker and Deputy Speaker. ..	15
22. Grounds for vacating the Office of Speaker and/ or ... Deputy Speaker	15
23. Functions and Powers of the Speaker and Deputy Speaker	16
24. The Games Union	17
CHAPTER FIVE	18
GUILD CABINET	18
25. The Guild Cabinet	18
26. Functions of the Guild Cabinet	19
27. Tenure of office of the Guild Cabinet.	19
28. Handing over of office by the Guild Cabinet.	19
29. The President	20
30. Notification by the President on Leaving the Campus...21	
31. President to address the GRC on Guild Affairs	22
32. Terms of Office for President/Guild member of the ... GRC	22
33. Powers of the President to act during Emergency	23

34.	Vice President	23
35.	Acting President	24
36.	Absence of the Guild President.	24
38.	Prime Minister and Deputy Prime Minister	25
39.	The Minister for Internal affairs	26
40.	The Minister for External Affairs.	27
40.	The Minister for Finance	27
41.	The Minister of Social Affairs, Culture and Mobilization	28
42.	The Minister for Information and Computer Technology	29
43.	The Minister for Health	29
44.	The Minister for Justice and Constitutional Affairs. ..	30
45.	The Minister for Education	30
CHAPTER SIX		31
GUILD ADVISORS		31
46.	The Guild Advisors.	31
47.	The Financial Advisor	31
49.	The Legal Advisor.	31
CHAPTER SEVEN		33
CARE-TAKER GOVERNMENT.		33
50.	Care-Taker Government	33
CHAPTER EIGHT		34
THE GUILD/CONSTITUTIONAL TRIBUNAL		34
51.	Establishment of the Guild/ Constitutional Tribunal ..	34
52.	Independence of the Tribunal	34
53.	Composition of the Tribunal	34
54.	Roles, Powers and Functions of the Tribunal	35

55.	General Rules Relating to the Guild Tribunal	35
56.	Constitution of the Guild Tribunal	36
57.	Guild Tribunal as a Forum for Dispute Resolution	36
58.	Removal of a member of the Tribunal	36
59.	Enforcement of Judgment/ Orders/ Ruling of the Tribunal	37
CHAPTER NINE		38
GUILD STANDING COMMITTEES		38
60.	Guild Standing Committees	38
61.	Committee for Internal Affairs	39
62.	Committee for External Affairs.....	39
63.	Committee for Finance	40
64.	Committee for Information and Computer Technology..	40
65.	Committee for Social Affairs, Culture and Mobilization.	40
66.	Committee for justice and constitutional affairs	41
67.	Committee for academic affairs	41
68.	Committee for Gender	41
69.	Guild Disciplinary Committee	41
70.	Functions and Powers of the Disciplinary Committee...	42
71.	Principles of Leadership and Integrity	43
72.	Removal of Committee Members	43
CHAPTER TEN		45
GUILD ELECTIONS		45
73.	Electoral Commission	45
74.	Functions and powers of the Electoral Commission...	45
75.	Composition and Conduct of Electoral Commission ..	46
76.	Qualification of Officers to the Commission.....	46
77.	Grounds of Disqualification	47

78.	Duties/ functions of the officers of the Commission;..47
(4)	The commissioner for finance shall .....48
(5)	The commissioner for public Relations shall .....48
79.	Guild Elections .....49
80.	Guild Presidential and GRC Election Process .....50
81.	Guild Presidential and GRC Election Regulations.....51
82.	The Executive and other Guild Officers. ....51
83.	By-Elections 52
84.	General Principles governing the Guild Elections ....52
85.	Electoral Offences .....53
86.	Qualifications and Requirements for Presidential Candidates .....53
87.	Guild Presidential and Guild Representative Council .. Election Process .....55
88.	Guild Presidential and GRC Election Regulations ....56
89.	Procedure at Presidential Elections .....57
90.	The Executive and other Guild Officers.....58
91.	Death before assuming office .....59
92.	Disappearance of the President .....59
93.	President and GRC Election Petitions Tribunal .....60
94.	Swearing -in.....61
CHAPTER ELEVEN	.....62
TERMINATION OF OFFICE	.....62
95.	Resignation .....62
96.	Suspension and Dismissal .....62
97.	Grounds for Removal of the President .....63
98.	A Vote of No Confidence .....64
99.	Procedure for the Removal of the President .....66
100.	Other Provisions relating to the Removal of a person

	from Office	68
101.	Vote of No Confidence in the Speaker or/and Deputy Speaker	69
102.	When the Office of a Minister becomes vacant	72
103.	Grounds of vacating a seat by a Member of the GRC	72
104.	Grounds for Recalling a Member of the GRC	73
CHAPTER TWELVE	.....	75
FINANCE	.....	75
105.	Collection of Revenue	75
106.	Budgeting	73
107.	Supervision and Authorization of Finances.	76
109	Auditing	78
CHAPTER THIRTEEN:	.....	79
AFFILIATION	.....	79
108.	Affiliation	79
CHAPTER FOURTEEN	.....	80
MEETINGS	.....	80
109.	Convening of meetings	80
110.	Frequency	80
111.	Notice of Meetings	80
112.	Presiding at meetings.	81
113.	Frequency.	82
114.	Notice of Meetings other than those convened to debate motion of no confidence.	82
117.	Presiding at meetings.	83
118.	Quorum.	83
119.	Order of Business.....	84
120.	Suspension of Standing Orders.	85
121.	Breaches of Order.	85

122	Motions.....	86
122.	Amended Motion.	86
124.	Order of Procedure	87
125.	Right of Reply	87
126.	Procedure	87
127.	Withdrawals	87
128.	Closing Debate	88
129.	Adjournment.	88
130.	Voting.	89
131.	Notice of Motion.....	89
132.	Rescinding a Resolution.....	89
133.	Exemption.	90
CHAPTER FIFTEEN		91
GENERAL PROVISIONS RELATING TO PROCEDURE IN THE GRC.		
134.	Language.....	91
135.	Whips.....	91
136.	Sitting Arrangement in the GRC.....	91
137.	Sitting of the GRC.....	92
138.	Minister to attend the GRC to answer questions.....	92
139.	Statement by Ministers.....	92
140.	Statement by Members.....	93
141.	Personal Explanations.....	93
142.	Withdrawal of Motions/Petitions.....	93
143.	Close of Debate.....	94
144.	Sub judice Rule.	94
145.	Use of Unbefitting Language	95
146.	Policy Statements.....	95
147.	Ceremonial Speeches and Speeches by Distinguished .	

Personalities.....	96
148. Contempt of Council.....	96
149. Minutes.....	96
150. Records.....	96
151. Ad hoc Committees.....	96
CHAPTER SIXTEEN	97
CONSTITUTIONAL AMENDMENTS	97
152. Constitutional Amendment.....	97
153. Interpretation	98
154. Breach of the Constitution.....	98
APPENDICES.....	99
APPENDIX1: SWEARING IN.....	99
1. The President	99
2. The Speaker	99
3. The Executive /General Secretary And G.R.C Members.....	99
4. GRC Members	99
5. The Electoral Commission.....	99
APPENDIX 2	100
HANDING -OVER	100
APPENDIX 3	101
ELECTORAL RULES AD REGULATIONS	101
APPENDIX 4	102

FOREWORD BY THE CHAIRMAN OF UNIVERSITY COUNCIL, HON MANZI TUMUBWEINEE

The Kabale University Guild Constitution has an indispensable part to play in the political, social growth and development of the University. Student political activism in higher Institutions of learning is real and needs direction and support by the University council, Senate, Management, Staff and the student community itself.

The council is ready and willing to give due guidance to the Student Guild by continually supporting them whenever necessary.

What makes the Guild Constitution unique and relevant is the fact that the students, Management and the University Council have actively contributed to the making of this constitution until its final approval. It also clearly reflects the Mission of the University:

“To excel in generation and dissemination of relevant knowledge and skills development for lifelong learning and community service.”

Thanks

Hon. Manzi Tumubweinee

Chair, Kabale University Council

THE CONSTITUTION OF KABALE UNIVERSITY STUDENTS' GUILD

DECLARATION

WE, KABALE UNIVERSITY GUILD DO HEREBY DECLARE THAT;
The Constitution has been approved and adopted, by KABALE
UNIVERSITY COUNCIL as required

Under the Universities and other Tertiary Institutions Act, 2001 (as
amended) as the Constitution of Kabale University students' Guild
on this ----- day of.....2017.

PREAMBLE

WHEREAS, the Students' Guild of Kabale University recognizes that
the Management of the University is vested in the University Council
as embodied in the Universities and other Tertiary Institutions Act,
2001 (amended).

AND WHEREAS, the Students' Common Room (SCR) Executive and
Committees therein do hereby recognize the same with the aim
to further the interests of the Guild members at all levels and in
any other proper manner advocated by the general body of the
Guild, while the individual University Hostels retain some measure
of valid identity.

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

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

DO HEREBY declare, adopt, bind and give to ourselves and our successors, this Constitution as THE CONSTITUTION OF KABALE UNIVERSITY STUDENTS' GUILD on thisday of2017.

CHAPTER ONE

THE CONSTITUTION

1. Supremacy of the Guild Constitution.

(1) This Constitution shall, under the legal authority of the University Charter; be the supreme law and shall have binding force and effect on all students, authorities, bodies and Management of Kabale University.

(2) If any other regulation enacted by the Guild, Policy and Practice, Custom or Management decision is inconsistent with the provisions of this Constitution, the Constitution shall prevail and such law, custom or practice shall be declared unconstitutional and inconsistent with the provisions of this Constitution.

2. This Constitution shall, be subject to the Constitution of the Republic of Uganda, 1995 and any other laws enacted by Parliament, University Rules and Regulations, Policies and Practices of the University as shall be enacted or put in place from time to time.

3. Defence of the Constitution.

(1) It shall be the responsibility of the Kabale Students Guild and all students of Kabale University to defend this Constitution and ensure its observance at all times.

- (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 actions as provided in this Constitution and any other laws of Uganda.
- (3) It is prohibited for any person or group of persons to take or retain control of Kabale University Students' Guild except as provided for in this Constitution.
- (4) If this Constitution is suspended or overturned either by the Management of Kabale University or any other Authority, the students of Kabale University shall ensure that the same is restored at all costs.

4. Promotion of awareness of this Constitution.

- (1) The Guild shall ensure awareness of this Constitution by:
 - (a) Printing and distributing copies to the University Libraries, Offices and Students Common places.
 - (b) Uploading and maintaining an electronic copy of the Constitution on the University and Guild websites and all other social platforms.
 - (c) Through informing students of the existence of this Constitution and availing both electronic copies and soft copies to new students during orientation week.

CHAPTER TWO

THE GUILD, OBJECTIVES AND MEMBERSHIP

5. The Name

The students' Body shall be called and known as **“The Kabale University Students' Guild,”** hereinafter referred to as **‘THE GUILD’**.

6. Independence of the Guild

The Guild shall be an independent students' Body and shall not be subject to unnecessary interferences or directions from any person or authority.

7. Headquarters

The Headquarters of the Guild shall be at Kabale University main campus at Kikungiri, in Kabale District.

8. Purpose

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

9. Aims and Objectives

The aims and objectives of the Guild shall be:-

- (a) To establish an efficient students' government.
- (b) To work with the University Administration in all matters affecting the Guild members, and to promote matters of

interest to the University.

- (c) To contribute to management of the University by securing representation on organs of the University Administration.
- (d) In consultation with the University Administration, to negotiate with the Government and other bodies, in matters affecting the Guild and its members.
- (e) To encourage and promote worthy traditions and academics and social life in the University.
- (f) To cultivate worthy qualities among members, to train and prepare them for future service to the nation and its communities.
- (g) To act as a link between the students of Kabale University and other Universities across the globe.
- (h) To work in co-operation with other student and non-Student external organizations and establish friendly relations and understandings for the benefit of the University and the country.

Membership

1. *Full membership*

- a. Full members shall be Undergraduates, Graduates, and Diplomas, Certificates or Research, Post Graduates, who have been;
 - i. Fully admitted and,
 - ii. Duly registered for the academic year/semester; and,

- iii. Duly subscribed to the Guild.
- b. The following shall be excluded from full membership;
 - i. University Staffs,
 - ii. Students on indefinite suspensions,
 - iii. Students on ‘dead year’ and those who have been rightfully expelled from the University.

2. Associate membership

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

3. Honorary Members

Shall be Persons who are elected by the Guild and are not full or associate members.

4. Life membership

Shall be obtained by individuals who meet the following requirements:

- (a) A former full member nominated by the Guild Representative Council (herein after referred to as the GRC) with reasons in writing as to why he or she was appointed.
- (b) Payment of a subscription fee recommended by the GRC and approved by the University Council.
- (c) Person(s) of high moral character and proven integrity.

1) **Rights and Obligations.**

1. *Rights of Full Members*

Any person who is a full member of the Guild has the right to:

- (a) Participate fully in the proceedings of the General Assembly.
- (b) Elect and be elected to any organ of the Guild Government.
- (c) Be elected, nominated or appointed to be a delegate or representative of the Guild in any of the Guild's undertakings;
- (d) Express his/her opinion in a proper manner.

2. Rights of Associate, Honorary and Life members.

Every Associate, Honorary and Life member has the right to make use of the Guild facilities with the consent of the Executive Committee.

3. *Obligations of all members*

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

2) **Termination of membership**

Membership to the Guild ceases upon occurrence of any of the following:

- 1. Absence of valid registration for the Academic Year/ Semester in question.
- 2. Failure or refusal to pay subscription fees.

3. Being granted a dead year.
4. Suspension from the University (for as long as is still standing).
5. Expulsion from the University.
6. Death or on any other ground which is deemed reasonable and equitable.

CHAPTER THREE

ORGANS OF GOVERNMENT

3) General Assembly

1. The General meeting of the Guild shall be called “GENERAL ASSEMBLY.”
2. The General Assembly shall be a decision making organ, an informative and consultative forum, provided that decisions which require action by Council or Government shall be channeled through the Guild Representative Council.
3. Notice of a General Meeting shall be given to members as follows;
 - a. Seven (7) days for an Ordinary Meeting and,
 - b. Two (2) days for an emergency meeting.
4. Assembly in Faculties /Institutes/Schools/University Hostels shall be convened as follows:
 - a. After giving at least twenty-four (24) hours’ notice for Ordinary Meetings and,
 - b. Twelve (12) hours’ notice of emergency meetings to the Head of Department concerned.

CHAPTER FOUR

THE GUILD REPRESENTATIVE COUNCIL

13. Guild Representative Council.

1. There shall be a Guild Representative Council of the Guild Government herein after referred to as the “GRC”.
2. The Composition, functions, and powers of the GRC shall be as prescribed in this Constitution.
3. The term of office of the GRC shall run from one GUILD election till the GRC is dissolved or otherwise removed from office, in accordance with the Constitution.

14. Independence of the Guild Representative Council

Subject to the provisions of this Constitution and the University Rules and Regulations, the GRC shall be independent and shall not, in the performance of its duties, be subject to directions or control of any Person or Authority.

15. Composition of the GRC

(1) *The GRC shall be composed of:*

- (a) The Speaker.
- (b) Deputy Speaker.
- (c) Representatives from schools/Institutes/college and faculties.

- (d) Representatives of University Hostels.
- (e) The Chairperson of the Games Union.
- (f) Two representatives (1female and 1 male) of persons with disabilities.
- (g) Recess
- (h) Post graduate
- (i) Chief Fresher

(2) Ex-Officio Members

- a) The following shall be ex-officio members of the GRC.
 - (i) The Guild President.
 - (ii) The Legal Advisor.
 - (iii) Any member of the Guild, appointed member of the Executive that is not a member of the GRC.
- b) Ex-officio members shall have no right to vote.

16. Powers and responsibilities of the GRC.

The GRC shall:

- (1) Elect Officers as provided for in this Constitution and shall have powers to remove the same in a simple Majority Vote.
- (2) Be the sole Legislative Organ of the Guild.
- (3) Shall provide an oversight role including but not limited to sanctioning and approving the policies of the Cabinet.

- (4) Pass a vote of no confidence in against the President, the Executive and or any Minister as provided for under this Constitution.
- (5) Deliberate on all matters that affect the members of the Guild and resolve measures to be taken to address the same.
- (6) Elect Standing and Ad-hoc Committees as need may arise.

17. Conduct of members of the GRC.

- 1) A member of the GRC shall behave well at all material times both in public and private life and in association with others. The following shall amount to acts of misconduct:
 - a. Conflict between personal interest and official duties
 - b. Engaging in acts of corruption.
 - c. Engaging in any act that lowers or demeans the office he or she is holding at the time in question.
 - d. Not engaging in any act or omission that violates the provisions of this Constitution.
- 1) Any person who by his direct or indirect conduct or through his or her agent contravenes Clause (1) of the Article shall be subjected to the a disciplinary hearing by the disciplinary Committee of the Guild which may according to the circumstance of the case caution him or her, suspend, dismiss or otherwise remove him or her from office on grounds stipulated in this Constitution.

18. **Qualification of Members of the GRC**

- 1) A person shall qualify as a member of the GRC when he or she is;
 - a. A registered Student of Kabale University
 - b. A continuing student of Kabale University
- 1) A student shall not qualify to contest for election as a member of the GRC if he or she is:
 - a. Not a full member of the Guild.
 - b. If he or she is on suspension.
 - c. If he or she exhibits non-permissible conduct as prescribed in the University Regulations.
 - d. He or she is in his final year of study
 - e. If he or she is on a dead year or dead Semester.
 - f. If he or she is insane or has been previously convicted of any offence of a moral character.

19. **The Speaker and Deputy Speaker of the GRC/General Assembly (G.C).**

- 1) There shall be a speaker and deputy speaker of the GRC
- 2) Members of the GRC shall elect the speaker and deputy speaker during their first sitting after assuming office.

20. **Election of the Speaker and Deputy Speaker.**

- 1) The Speaker shall be elected from among the members of the Guild Representative Council.

- 2) The Deputy Speaker shall be elected among the members of the GRC only.
- 3) The outgoing Speaker shall preside over the elections of the incoming Speaker and Deputy Speaker of the GRC.

21. Qualifications for the Speaker and Deputy Speaker.

The qualifications stipulated in Article 17 of this Constitution shall apply to the positions of Speaker and Deputy Speaker of the GRC.

22. Grounds for vacating the Office of Speaker and/ or Deputy Speaker

- (1) The Speaker or Deputy Speaker shall vacate his or her office, if:
 - a. His/ her term of office comes to an end as stipulated in this Constitution.
 - b. He/ she ceases to be a full member of the Guild
 - c. He or she is appointed a Guild Minister.
 - d. He or she resigns office in writing addressed to Dean of Students who shall inform the GRC
 - e. He or she is removed by resolution of the GRC supported by not less than two thirds of all members of the Council.
- (2) The Speaker or Deputy Speaker may be removed by resolution of the GRC, supported by not less than two-thirds (2/3) of all members of the GRC basing on one or more of the following causes:

- a) Abuse of Office or willful violation of the oath of allegiance or any provisions of this Constitution.
- b) Misconduct or behaviour bringing or likely to bring the Office of the Speaker, and/or Deputy Speaker into ridicule, contempt or disrepute.

23. Functions and Powers of the Speaker and Deputy Speaker.

(1) The Speaker shall:

- a) Call and preside over all meetings of the GRC and the General Assembly after notifying the Guild President
- b) Nominate and present to GRC five names from among the Guild for each of the positions for the Clerk and the Deputy Clerk to GRC.
- c) Upon which the GRC shall listen to presentations by the nominees and, using a simple majority procedure, vote for the Clerk and the Deputy Clerk to the GRC.

(1) Appoint the Clerk and Deputy Clerk to GRC.

(2) Have the powers to punish members for late coming, absenteeism, misconduct and/ or use of improper language during meetings in accordance with the Constitution.

- a. The power to punish members in (3) above shall be exercised judiciously.

(3) Dissolve the GRC and the Executive at least one week before the presidential and the GRC nominations.

(4) Hold Office until the end of the first GRC meeting following the elections as provided for this Constitution.

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

24. The Games Union

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

CHAPTER FIVE

GUILD CABINET

25. The Guild Cabinet

- (1) There shall be a Guild Executive Committee composed of the following:
 - (a) The President
 - (b) The Vice President
 - (c) The Prime Minister
 - (d) The Deputy Prime Minister
 - (e) The Minister for Internal Affairs.
 - (f) The Minister for Finance.
 - (g) The Minister for Social Affairs, Culture and Mobilization.
 - (h) The Minister for External Affairs.
 - (i) The Minister of Health and Environment
 - (j) The Minister for Education.
 - (k) The Minister for Justice and constitutional Affairs
 - (l) The Minister for Gender and Persons with Disability
 - (m) The Minister for Information and Computer Technology
 - (n) Any other Minister as shall be approved by at least 2/3 of the total membership of the G.R.C, the General Assembly and the University Council.

(2) Only directly elected members of the GRC shall be eligible to be appointed as ministers with exception of two (2) members from the Guild who are not members of the GRC.

26. Functions of the Guild Cabinet

The Cabinet shall be the Executive arm of the Guild Government and shall be collectively:

- (1) Answerable to the GRC.
- (2) Be responsible for the day to day running of the activities of the Guild.
- (3) Implement the decisions of the GRC and General Assembly.
- (4) Shall be responsible to address student's issues that may arise with time.
- (5) Initiate policies and carry them out after the approval of the GRC.
- (6) Have powers to deal with emergency matters, but shall seek ratification from the GRC at their next meeting.

27. Tenure of office of the Guild Cabinet.

The Guild Cabinet shall hold office for only one year, and shall be deemed *functus officio* once a new Guild president is elected.

28. Handing over of office by the Guild Cabinet.

1. The Guild Cabinet including but not limited to the Guild president and the vice president shall hand over office within five (5) days after the elections are concluded and all cabinet

members shall hand over and vacate their respective offices with immediate effect.

2. That any attempt by any member of the guild cabinet to refuse to hand over power either singly or in association with other members shall be treated to run contrary to the provisions of this Constitution and such members shall be subject to the disciplinary committee of the University.

29. **The President**

2.0.0.1. The Guild President shall;

- a) Be the Executive Head of the Guild
 - b) Be the Head of the Executive
 - c) Be Ex-officio member of the G.R.C
 - d) Form the executive as specified in Article 7(3).
 - e) Preside over meetings of the Executive.
 - f) In case of an even vote, have a casting vote as well as an original vote during Executive meetings.
 - g) Be an ex- officio member of all Guild Committee.
 - h) Delegates powers to any members of the Executive whenever the Vice-president cannot deputize.
 - i) Be co-signatory to all Guild Financial transactions and takes charge of the Ministry of Finance when the Ministry of Finance is not available.
- 2) In the Executive, the Guild President shall have the power to:

- (i) Reshuffle the Executive
 - (ii) Remove any member(s) of the Executive from office and replace him/her/them according to article 9 (6) and article 10(2) (a).
- 3) In case of emergencies and extra ordinary circumstances, the Guild President shall have the power to:
- a) Call emergency meetings of the Executive
 - b) In consultation with the Dean of Students, the Guild Legal Advisor and with the approval of the GRC, take emergency decision(s) on behalf of the Guild.
- 4) Be one of the Students' Representatives on the University council.
- 5) Have the duty to abide by, uphold and safeguard this Constitution and Rules and Regulations of the University and to promote the welfare of the students and protect the integrity of the University.
- (2) The President may from time to time by a Statutory Instrument, assign his or her duties to cabinet Minister who shall take responsibility of such functions of the Guild Government as stated in the instrument of assignment.

30. Notification by the President on Leaving the Campus.

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

31. President to address the GRC on Guild Affairs

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

32. Terms of Office for President/Guild member of the GRC

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

- (c) If the incumbent dies or resigns or ceases to hold office.
- (5) The President may resign or be removed from the office as provided for by this Constitution.
- (6) The occurrence of either event in Clause 4(c) and (d) of this Article prematurely ends the term of office for the President in question.

33. Powers of the President to act during Emergency

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

34. Vice President

- (1) There shall be a Vice President of Kabale University Guild.

(2) The Vice President shall:

- (a) Deputize for the President and act as President when the President is absent.
- (b) Perform any other duties as he or she may be assigned by the Guild president.

35. Acting President

- (1) In the event of the President and or the Vice President having not delegated his/her or their powers to any member of the executive to act as President, the remaining members of the Executive shall appoint one from among themselves to act as president, provided such acting president shall act for a maximum of fifteen weeks.
- (2) On the expiry of the fifteen weeks, new presidential elections shall be held in accordance with article 9.
- (3) In the event of death of the President or physical or mental incapacity of the same, serious enough to impair the proper execution of his duties as president, the vice-president shall act for a maximum period of 15 (fifteen) weeks and thereafter elections for the president shall be held.

36. Absence of the Guild President.

In the event that the Guild President dies, resigns, or is removed from office under this Constitution:

- (1) The speaker shall assume the office of President and organize elections within fourteen days.

- (2) Elections for the President under this article shall be held within one (1) months after the death, resignation or removal of the President.
- (3) No elections shall be held under this article if the residual term of the President is two months or less.
- (4) Whenever the President is for any reason unable to perform the functions of the office of President, the Vice President shall perform those functions until the President is able again to perform those functions.
- (5) Where the President and the Vice President are both unable to perform the functions of the office of President, the Speaker shall perform those 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 office of President under clause (1) of this article, appoint a person to the office of Vice President, subject to the approval of the GRC.
- (7) A person appointed under clause (6), of this article, shall, before assuming the duties of the office of Vice President take and subscribe the oaths in respect of that office under this Constitution.

38. Prime Minister and Deputy Prime Minister

- (1) There shall be a Guild Prime Minister.
- (2) The Prime Minister shall:
 - (a) Be the Secretary to the Guild Executive

- (b) Keep a register of and be responsible for all Guild Property.
 - (c) Be Chairperson of the Property, Business and Establishment Committee.
 - (d) In consultation with the President, call meetings, prepare and circulate agenda for the Executive.
 - (e) Be in charge of the day-to-day running of the Guild.
 - (f) Perform any other duties that he /she may be assigned by the Guild President.
 - (g) Report to the GRC on any matter whenever there is need.
 - (h) Coordinate all Ministers and require reports and monthly performance reviews from them.
 - (i) Oversee all ministries' duties and report to the President.
- (3) There shall be a Deputy Prime Minister who shall:
- (a) Deputize the Prime Minister
 - (b) Be the secretary to all the Guild Ad-hoc Committees.
 - (c) Perform any other duties that he /she may be assigned by the Prime Minister.

39. The Minister for Internal affairs

- (1) There shall be a Guild Minister for Internal Affairs.
- (2) The Guild Minister for Internal Affairs shall:
 - (a) Be Chairperson of the Students Welfare Committee

- (b) Be a member of the student /Staff Consultative Committee
- (c) Sit on various policy making bodies and Committees on behalf of the Vice-President if the Vice -President is unable to attend.
- (d) Be responsible for the day today operation of the amenities and facilities on campus
- (e) Contact the University Administration from time to time with regard to the welfare of students.
- (f) Contact any other body or bodies on the campus that may have interest in the students' welfare.
- (g) Perform any other duties that she/he may be assigned by the Guild President.

40. The Minister for External Affairs.

- (1) There shall be a Guild Minister for External Affairs.
- (2) The Guild Minister for Internal Affairs shall:
 - (a) Be chairperson of the International Affairs Committee.
 - (b) Be responsible for International Affairs outside Africa.
 - (c) Perform any other duties that he/she may be assigned by the Guild President.

40. The Minister for Finance

- (1) There shall be a Guild Minister for Finance:

(2) The Guild Minister for Finance shall:-

- (a) Be Chairperson of the Committee for Finance
- (b) Look after the Financial matters of the Guild
- (c) Be co-signatory to all Financial transactions
- (d) Take initiative of raising Guild funds with the approval of the Executive.
- (e) Seek advice on Guild financial affairs from G.R.C, the Finance Committee, Financial Advisor and University Administration and act accordingly.
- (f) Perform any other duties that he/she may be assigned by the Guild President.

41. The Minister of Social Affairs, Culture and Mobilization

- (1) There shall be Guild Minister for Social Affairs, Culture and Mobilization.-
- (2) The Guild Minister for Social Affairs, Culture and Mobilization shall:
 - (a) Be Chairperson of the committee for Entertainment
 - (b) Co-ordinate booking for socials and entertainment that fall within the Jurisdiction of the Guild on the campus.
 - (c) Organize all entertainment for or under ministry or organ of the Guild and shall give financial account thereof at the end of each calendar year to the Minister of Finance.
 - (d) Be responsible for the Guild band and the Film Board and their Finances.

- (e) Be Chairperson of the Culture and Mobilization Committee
- (f) Be responsible for culture and mobilization activities of students.
- (g) Perform any other duties that he/she may be assigned by the Guild President.

42. The Minister for Information and Computer Technology

- (1) There shall be a Guild Minister of Information and Computer Technology. The Guild Minister of Information and Computer Technology shall:
 - (a) Be Chairperson of the Committee for information.
 - (b) Be responsible for the Guild Official news and production of official publications.
 - (c) Either edit the official publications or appoint an editor or editors from amongst members of the Committee for Information.
 - (d) Publication of the Students' Magazine or Newsletters.
 - (e) Perform any other duties that he/she may be assigned by the Guild President.

43. The Minister for Health

- (1) There shall be a Guild Minister for Health:-
- (2) The Minister for Health shall:
 - (a) Be Chairperson of the Committee of Health.

- (b) Be responsible for the health welfare of students
- (c) Liaise with the University Hospital on matters concerning health.
- (d) Perform any other duties that he/she may be assigned by the Guild President.

44. The Minister for Justice and Constitutional Affairs.

- (1) There shall be a Guild Minister for Justice and Constitutional Affairs:-
- (2) The Minister for Justice and Constitutional Affairs shall:
 - (a) Be the Chairperson of the Justice and Constitutional Affairs Committee
 - (b) Be Secretary to the Constitutional Tribunal
 - (c) Be responsible for the registration and coordination of the affiliated associations of the Guild.
 - (d) Perform any other duties that he/she may be assigned by the Guild President.

45. The Minister for Education

- (1) There shall be a Guild Minister for Education who shall:-
 - (a) Be chairperson of Academic Affairs committee.
 - (b) Be responsible for Academic welfare of the students
 - (c) Liaise with the Academic Registrar's office and faculty representatives in respect of students' academic affairs.
 - (d) Perform any other duties that she/he may be assigned by the Guild President.

CHAPTER SIX

GUILD ADVISORS

46. The Guild Advisors.

- (1) There shall be Advisors to the Guild Cabinet-nominated by the cabinet and approved by the GRC
- (2) The Advisors to the Guild Cabinet shall include but not be limited to:
 - (a) The Financial advisor.
 - (b) The Legal Advisor.
 - (c) And other advisors who shall be appointed by the cabinet with approval of the GRC.

47. The Financial Advisor

There shall be a Financial Advisor to the Guild who shall be the University Bursar and shall be an Advisor to the Guild on matters concerning finance.

49. The Legal Advisor.

- (1) There shall be a Legal Advisor:
- (2) The Legal Advisor shall:
 - (a) Be chosen from amongst the professionally qualified lawyers on the academic staff of Kabale University.
 - (b) Be elected by the G.R.C in its first meeting from a list of 3 names submitted by the minister of justice and constitutional Affairs.

- (c) Be a non-voting member of the Disciplinary Committee.
 - (d) Be a member of the petition Tribunal
 - (e) Be a member of the Care-Taker Government
- (3) The Legal Advisor shall advise the Guild on legal matters that may arise within the Guild Cabinet, the GRC and the General Assembly.
- (4) He or she shall be in office until the end of the first G.R.C meeting following the Next General election.
- (5) He shall be a member of the constitution interpretation Adhoc committee established in this Constitution.
- (6) He or she shall be a non-voting member of the Justice and Constitutional Affairs Committee.

CHAPTER SEVEN

CARE-TAKER GOVERNMENT.

50. Care-Taker Government

- (1) In the absence of the Guild President and the Executive, The Vice Chancellor shall elect a five member interim Care Taker Government for 3 months.
- (2) Before a Care-taker Government is appointed, the Vice Chancellor shall, by a Statutory Instrument, declare the organs in clause (1) above to be non-existent and state the reasons as to why such organs are not in place.
- (3) Management shall not, except as provided in this Constitution remove the President and the Executive and put in place a Care Taker Government.

CHAPTER EIGHT

THE GUILD/CONSTITUTIONAL TRIBUNAL

51. Establishment of the Guild/ Constitutional Tribunal

- (1) There shall be a Quasi-judicial organ of the Guild Government called the “Guild/Constitutional Tribunal:-
- (2) The Guild Tribunal shall be voted into office during the second session of the GRC.
- (3) The Tribunal shall have such powers like other tribunal which include but not limited to making recommendations to the relevant Guild Council’s Disciplinary Committee.

52. Independence of the Tribunal

- (1) The Tribunal shall be independent in all dealings and shall not follow any direction from any person or authority including the Guild President, except that it shall report to the GRC.
- (2) All organs of the Guild shall accord the Tribunal the support needed to discharge their duties as per this Constitution.

53. Composition of the Tribunal

- (1) The Guild Tribunal shall be composed of:
 - (a) The Legal Advisor who shall be an Ex-Officio Member
 - (b) Five students elected by the GRC, who should be persons of high moral character and proven integrity.

- (c) A student holding any political position/office in the University, be it at school, college or Club/association level is not eligible to become a member of the Guild Tribunal.
- (2) Prior endorsement by the Dean of the relevant School shall be a pre-requisite for one to participate in the electoral process in (1) (b) above.
- (3) The five members elected in (1) (b) above shall elect a Chairperson from among themselves.
- (4) The elected members shall be presented to the GRC by the Minister of Justice and Constitutional Affairs.

54. Roles, Powers and Functions of the Tribunal

- (1) In the event of any organ of the Guild failing to act as stipulated in this Constitution any third (1/3) can petition and any two thirds can remove.

55. General Rules Relating to the Guild Tribunal

- (1) Members of the Guild Tribunal shall serve until another Tribunal is constituted.
- (2) A member of the Guild Tribunal shall only serve once and may not be re-elected.
- (3) Only persons of high moral character and with a CGPA of not less than 3.2 shall serve on the Guild Tribunal.
- (4) The Guild Tribunal shall regulate its rules of procedure but none of these rules shall be contrary to the principles of natural justice, the University Regulations and this Constitution.

56. Constitution of the Guild Tribunal

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

57. Guild Tribunal as a Forum for Dispute Resolution

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

58. Removal of a member of the Tribunal

- (1) A member of the Tribunal may be removed from office for any of the following;
 - a. Immoral Character
 - b. Corrupt Tendencies
 - c. Continued failure to make independent decisions
 - d. Evidence of a criminal record.

- e. Insanity as determined by a competent authority.
 - f. Being found guilty in any tribunal
- (2) A petition that a member should be removed from office shall be lodged with the Speaker, who will present it to the GRC which shall make a ruling in writing within 14 days from the date the complaint is lodged.
 - (3) That a member against whom a complaint is lodged shall be entitled to a fair hearing before the Tribunal and shall be availed an opportunity to present his or her defence.
 - (4) If found guilty, the member petitioned against shall be dully removed.
 - (5) The remaining members may constitute the Guild Tribunal, are not more than two.
 - (6) In such an event, a new Guild Tribunal shall be constituted within 30 days, subject to prior vetting by the Committee on Justice and Constitutional Affairs.

59. Enforcement of Judgment/ Orders/ Ruling of the Tribunal

- (1) The decisions of the Guild Tribunal shall be binding on all members of the Guild and shall be enforceable by all organs and authorities of the Guild.
- (2) In the event that a party has failed to adhere to the orders and direction of the Guild Tribunal, the matter may be referred to the GRC for action or further to management.

CHAPTER NINE

GUILD STANDING COMMITTEES

60. Guild Standing Committees

- (1) All Guild Ministries shall have Standing Committees appointed by the respective Ministers subject to approval by the GRC:
- (2) The Standing Committees shall be responsible to the GRC.
- (3) The composition of each Committee shall be the respective line Minister as Chairperson; and, any other three members unless otherwise stated, and approved by the GRC.
- (4) Every committee shall be composed of at least three members of GRC and other guild members unless otherwise stated.
- (5) No one shall be a member of more than two committees.
- (6) For avoidance of doubt, no minister shall appear on any committee other than that under his/ her office/ ministry.
- (7) The Guild President shall be an ex-officio member of each and every committee.
- (8) The Guild President shall not be a member of any ad-hoc committee set up for the sole purpose of enhancing financial accountability.
- (9) **The Guild Standing Committees shall include but not**

limited to;

- a. Committee for Internal affairs
- b. Committee for External affairs
- c. Committee for Finance
- d. Committee for Information and computer Technology
- e. Committee for Social Affairs, Culture and Mobilization.
- f. Committee for Justice and Constitutional Affairs.
- g. Committee for Academic Affairs
- h. Committee for academic
- i. Guild Disciplinary committee

61. Committee for Internal Affairs

- (1) There shall be a committee for internal affairs which shall be headed by a person appointed by the Minister and approved by the GRC
- (2) The Committee for Internal Affairs shall be responsible for students affairs within the University.

62. Committee for External Affairs.

- (1) There shall be a committee for External Affairs which shall be headed by a person appointed by the Off-campus Minister and approved by the GRC.
- (2) The Committee shall be responsible for;

- a. Off-campus Students 'affairs.
- b. Establishing and fostering relations with students' Organizations in and outside Uganda. Africa.

63. Committee for Finance

- (1) There shall be a committee for finance which shall be chaired by an individual appointed by the Minister for Finance and approved by the GRC.
- (2) The committee for Financial shall watch over the finances and so do such other work as the GRC may deem fitting within the scope of the committee.

64. Committee for Information and Computer Technology

- (1) There shall be a Guild Committee for information and technology which shall be chaired by any person appointed by the Minister in Charge of Information and technology and approved by the GRC.
- (2) The Committee for Information shall be responsible for publishing Guild publications and communications and other financial duties as the G.R.C may determine from time to time.

65. Committee for Social Affairs, Culture and Mobilization

- (1) There shall be a Guild Committee for Social Affairs, Culture and Mobilization which shall be chaired by any person appointed by the Minister in Charge of social Affairs, Culture and Mobilization and approved by the GRC
- (2) The committee shall deal with social and cultural mobilization activities of the Guild as may be arranged

from time to time.

66. Committee for justice and constitutional affairs

- (1) There shall be a Guild Committee for Justice and Constitutional Affairs which shall be chaired by any person appointed by the Minister for Justice and Constitutional Affairs and approved by the GRC
- (2) The Committee shall deal with constitutional matters of the Guild and its affiliated associations.
- (3) The Committee shall ~~also~~ discharge any other obligations as may be delegated to it by the Minister or the GRC.

67. Committee for academic affairs

- (1) There shall be a Guild Committee for Academic Affairs which shall be chaired by any person appointed by the Minister in Charge of Academics and approved by the GRC
- (2) The Committee shall deal with students' academic affairs and welfare.

68. Committee for Gender

- (1) There shall be a Guild Committee for Gender and persons with Disabilities which shall be chaired by any person appointed by the Minister in Charge of Gender and persons with Disabilities and approved by the GRC.
- (2) The committee shall deal with the welfare of female students.

69. Guild Disciplinary Committee

- (1) There shall be a Guild Disciplinary Committee of Kabale University Guild which shall be chaired by a person appointed by all Ministries and approved by the GRC.
- (2) The Chairperson of the committee shall be a person of high Moral character and proven integrity and must have no previous record of indiscipline.

70. Functions and Powers of the Disciplinary Committee

- (1) The Committee shall be responsible for:
 - (a) The behavior and actions of Guild members that may be deemed injurious to the good name of the Guild, the University and violation of any of the Guild Rules.
 - (b) Any cases of Guild members or Ministers who mishandle Guild Finances. If the measures to be taken against such members or Ministers are outside the powers or jurisdiction of the Guild, the Guild shall request the University Administration to adopt appropriate measures on its behalf.
2. The Committee shall have the following powers:
 - (a) Investigate or cause Investigation of all complaints reported against members of the Guild and shall hear such complaints and make its decision.
 - (b) Pass binding decisions on all members of the Guild which may include but not limited to a caution,

suspension from the Guild or removal of such person from the Guild.

- (c) The Committee may on its volition based on evidence cause an investigation into the affairs of any ministry and shall where there are actions of indiscipline, the Committee may cause such members or offices to be prosecuted before it.

71. Principles of Leadership and Integrity

- (1) The following principles of Leadership and Integrity shall guide the Committees and the Tribunal:
 - (a) Students' welfare shall be paramount in all matters that come before the Tribunal/Committee.
 - (b) Objectivity and impartiality in decision making.
 - (c) Manner that promotes public confidence in the integrity of the office
 - (d) Non-discrimination on any grounds.
 - (e) Truth and Reconciliation.

72. Removal of Committee Members

- (1) A committee member shall be removed by the Chairperson of the Respective Committee only on grounds of:
 - a. Financial Misconduct
 - b. Incompetence
 - c. Insanity

- d. Conduct which contradicts morality and negatively affects the image of the Guild and the Ministry in particular.
- (2) A written petition by the Chairperson shall be submitted to the Speaker who may refer the matter to the Guild Tribunal.
- (3) A member of the Guild may petition the Speaker to have a committee member removed.

CHAPTER TEN

GUILD ELECTIONS

73. Electoral Commission

- (1) There shall be an Electoral Commission elected by the GRC within the first 14 days of the second semester.
- (2) Persons elected to the Electoral Commission should be of High Moral Character and Proven Integrity and shall be having a CGPA of not less than 3.0 in their last semester results.
- (3) The outgoing Guild President, the Speaker, the Ministers and members of the GRC shall not be eligible for election to the Electoral Commission.
- (4) In the event of the there being no outgoing GRC the care-taker Government shall appoint the Electoral Commission.
- (5) Former GRC members in the outgoing Council should write a letter of resignation to the Electoral Chairperson before nomination of candidates.

74. Functions and powers of the Electoral Commission.

The Committee shall be responsible for:

- (1) Arranging free and fair Guild elections in accordance with this Constitution, any other applicable law, University policies and the regulations.
- (2) Declaring the winner of the Elections.

- (3) Organizing By- Elections for post declared to be vacant.
- (4) Compile, maintain, revise and update the voters register.
- (5) Hear and determine election complaints arising before and during polling.
- (6) Formulate and implement educational programmes relating to Elections; and
- (7) Perform any other such functions as may be prescribed by this Constitution and the GRC.

75. Composition and Conduct of Electoral Commission

The Electoral Commission shall consist of the following:

- (1) Chairperson
- (2) Vice-Chairperson
- (3) Secretary
- (4) Commissioner for Finance
- (5) Commissioner for Public Relations

76. Qualification of Officers to the Commission.

- (1) Any person shall be eligible to hold any Office of the Commission specified in Article 75 above if he or she is in his or her final year of study;
- (2) A person shall be eligible for election to any office of the Commission if he/she:
 - i. Is of high moral character and proven integrity;

- ii. Possesses considerable experience and has demonstrated competence in conduct of student affairs.

77. Grounds of Disqualification

A person shall not be eligible for appointment as an officer of the Commission if:

- i. He or she is a Member of Parliament
- ii. He or she is a Member of Guild Executive; or
- iii. He or she has a criminal record or has ever been convicted by a body of competent jurisdiction including the Tribunal or University Disciplinary Committee and that decision was not overturned in an appeal.

78. Duties/ functions of the officers of the Commission;

(1) The Chairperson shall:

- i. Coordinate all the commission work and that of his or her officers.
- ii. Preside overall meetings of the Commission.
- iii. Ensure that regular, free and fair elections are held.
- iv. Supervise and oversee the duties of the commissioners and other members of the commission.

(2) The vice chairperson shall:

- i. Assist the chairperson on all matters of the

commission

- ii. Act as the chairperson wherever the chairperson is absent
- iii. Perform any other duties that may be assigned by the commission chairperson.

(3) The secretary to the commission shall

- i. Take and keep minutes of the commission
- ii. Manage and keep a proper registry of all votes
- iii. Handle all correspondences of the commission and
- iv. Perform any other duties that may be assigned by the commission chairperson.

(4) The commissioner for finance shall

- i. Receive and manage all commission finances
- ii. Keep proper records of the commission's account looks and
- iii. Give a financial report of the commission
- iv. Perform any other duties assigned by the Chairperson

(5) The commissioner for public Relations shall

- i. Disseminate information about elections.
- ii. Liaise the media on behalf of the commission

- iii. Perform any other duties that may be assigned by the commission to enable it perform its functions
- (6) **The members of the Electoral Commission shall be sworn-in by the Dean of Students before the commencement of their duties.**
- (7) **The GRC may remove a Commissioner from office on any the following grounds:**
 - i. Inability to perform his or her duties arising out of physical incapacity;
 - ii. Indiscipline or misconduct; or
 - iii. Incompetence.

79. Guild Elections

- (1) All Guild Elections shall be by secret ballot, simple majority system and on the principle of one person, one vote.
- (2) Whenever there is a tie, in any Guild Elections, elections are repeated until a candidate obtains a simple majority.
- (3) A student who has been convicted by a Court of law for an offence involving moral turpitude shall not be eligible for nomination to Guild Offices.
- (4) All former serving members of the previous Guild Council should have resigned before nominations of the incoming Guild council.

80. Guild Presidential and GRC Election Process

- (1) The Guild Presidential and GRC elections shall take place on different days determined by the Electoral Commission but within the **first Sixty** days of the second semester.
- (2) No member of the guild who has not been a full member of the guild for at least two consecutive full semesters on normal progress as determined by the Senate shall be eligible to stand for election to the Presidency of the Guild.
- (3) The election shall be conducted at polling stations under the supervision of the electoral commission, viz. Guild Presidential elections at Faculties /Institutes and the GRCs at their respective constituencies.
- (4) The Chairperson of the Electoral commission in consultation with the Dean of Students shall:
 - a) Announce the Nomination day
 - b) Call for the nominations of the Guild Presidential candidates at least 14 (fourteen) days before polling day.
- (5) Nominations for the Guild President elections signed by the candidates, proposed and seconded by 100 members of the electorate shall be submitted in writing to the chairperson of the electoral Commission on Nomination day.
- (6) No candidate will be allowed to withdraw from the candidacy to presidency within 12 (twelve) hours of the General Assembly as provided below.
- (7) Guild presidential Candidates may have at most 2 (two)

election agents at each polling station. The names of all agents must be known to the Returning officer at least one day before the polling day.

- (8) Every Institute /Faculty shall return two members of the GRC elected by members of the Institute/ Faculty.
- (9) The chairperson of the Electoral Commission shall announce and cause to be published the results of the Elections not later than one hour after receiving the results from all the polling stations.

81. Guild Presidential and GRC Election Regulations.

- 1) All Guild Presidential candidates shall address student gatherings at the main Campus. The dates and period of these addresses shall be determined and published by the Electoral Commission.
- 2) All GRC members will be elected within ten (10) days of the elections of the Guild President and under supervision of the Electoral Commission.

82. The Executive and other Guild Officers.

- (1) The Guild President elect shall form his/her Executive from among the members of the GRC
- (2) The Guild President elect shall make known his/her choice to the Guild members before he/she is sworn -in.

- (3) The speaker shall be elected in the first GRC meeting from amongst the members of the Guild and assume his/her duties immediately after meeting.
- (4) The Deputy speaker shall be elected in the first GRC meeting amongst the members of the GRC
- (5) Members to the various committees shall be elected in the second GRC meeting as per the guide lines in the constitution.
- (6) The GRC shall elect a Guild Advisor and Legal Advisor from three people nominated for each office in their first meeting.
- (7) The President shall approach the persons elected as in (f) for acceptance of their respective offices.

83. By-Elections

- (1) All by-Elections shall:
 - (a) Be conducted by the Electoral Commission.
 - (b) Take place whenever an office or seat falls vacant.
 - (c) Take place within fourteen (14) days of the office or seat falling vacant

- (d) Follow the same procedures as provided for that particular office or seat to be filled.

84. General Principles governing the Guild Elections

- (1) The Guild elections shall be;
 - (a) Free and fair
 - (b) All persons shall be at liberty to participate in the same
 - (c) The Electoral Commission shall not discriminate against any person intending to contest in who contests in the Guild Elections
- (2) That incase one thinks that the above principles have been violated by the electoral commission of officers of the commission, he shall petition the tribunal for redress.

85. Electoral Offences

- (1) The following shall constitute electoral offences:
 - a) Campaigning outside the hours stipulated by the Electoral Commission
 - b) Campaigning outside the areas stipulated by the Electoral Commission
 - c) Defacing University buildings
 - d) Littering the compound/ roads with campaigning materials
 - e) Instigating any form of violence

- f) Making noise outside stipulated campaigning time
 - g) Interfering with traffic flow on roads on Campus and/ or highways
 - h) Hindering pedestrians from enjoying a peaceful walk along roads on Campus and/ or highways
 - i) Soliciting funds either to be voted for or to vote for a candidate.
 - j) Any form of interference with the electoral process
- (2) A student found guilty of committing any of the electoral offences in Clause 1 above shall be guilty and may, upon conviction by appropriate tribunal, be dully punished. However, the punishment shall not go beyond a suspension for a year.
- (3) A student who has been convicted by a court of Law for an offence involving moral turpitude shall not be eligible for nomination to any guild office.
- (4) A student serving a prison sentence of three or more months shall not be eligible for nomination to any guild office.

86. Qualifications and Requirements for Presidential Candidates

- (1) In order to participate in the Guild Presidential nomination process as a potential candidate, a student must meet the following substantive requirements:
- (a) Meets the requirement for membership to the GRC, as provided for in Article 16 of this Constitution.

- (b) Be able and willing to affirm and subscribe to the University Regulations as well as this Constitution.
 - (c) Be a full member of the guild for at least two consecutive semesters
 - (d) Have a CGPA of 2.8 and above
 - (e) Have no pending retake(s) in their entire academic record for the study programme being undertaken at Kabale University.
 - (f) Have a progressive academic status verified by the Academic Registrar.
- (2) The Electoral Commission shall strictly adhere to these provisions, Article 87 and the entire Constitution in evaluating and declaring any applicant duly nominated or otherwise.

87. Guild Presidential and Guild Representative Council Election Process

- (1) The Guild Presidential and GRC elections shall take place on different days, at least ten (10) from the date the guild Presidential elections are conducted as may be determined by the electoral commission but within the first sixty days of the second semester except where extension of the period shall, for compelling reasons, have been granted by the University Management.
- (2) The elections shall be conducted at polling stations under the supervision of the electoral commissioner, viz. Guild Presidential elections at schools/institutes and the GRC elections at their respective constituencies, for the avoidance of doubt, GRC elections, shall be conducted

by the commission elected as per this constitution.

- (3) The Chairperson of the Electoral Commission, in consultation with the management shall:
 - (a) Announce the nomination days
 - (b) Call for nominations of Guild presidential candidates at least 14 days before polling day.
- (4) Presidential election rallies shall begin at least 24 hours after verification of all presidential candidates.
- (5) Nominations for Guild Presidential elections signed by candidates, proposed by and seconded by 50 members of the electorate shall be submitted to the Electoral Commission on the nomination day.
- (7) Guild Presidential candidates may have at most 2 (two) election agents at each polling station. The names of all agents must be known to the returning officer at least one day before the polling day.
- (8) No candidate will be allowed to withdraw from the candidacy of presidency within 12 (twelve) hours to the election.
- (9) Every institutes/school or faculty shall return two members of the GRC elected by registered members of the institute/school.
- (10) The Chairperson of the Electoral Commission shall

announce the results of the elections not later than four (2) hours after receiving the results from all the polling stations.

- (11) The Chairperson of the Electoral Commission shall publish the results of the elections not later than eighteen (16) hours after receiving the results from all the polling stations.

88. Guild Presidential and GRC Election Regulations

- (1) All Guild Presidential candidates shall address students' gatherings at the Main Campus, Nyabikoni Campus and hostels; and also have a minimum of three Presidential debates before the polling day.
- (2) The dates and periods of these addresses shall be determined and published by the electoral commission.
- (3) Other electoral Rules and Regulations as shall be provided by the Electoral Commission.
- (4) GRC elections shall be conducted within ten (10) days after the Presidential elections.
- (5) Elections for other leaders in Schools/Institutes/ Colleges shall be conducted after the GRC elections or in accordance with their Constitutions.

89. Procedure at Presidential Elections

- (1) If only one candidate for Guild President is nominated, that candidate shall be declared elected unopposed.
- (2) If two or more candidates for Guild President are

nominated, an election shall be held in each and every College, School of Faculty.

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

90. The Executive and other Guild Officers.

- (1) The Guild President elect shall form his/her Executive from among the members of the GRC
- (2) The Guild President elect shall make known his/her choice to the Guild members before he/she is sworn-in.
- (3) The speaker shall be elected in the first GRC meeting

from amongst the members of the Guild and assume his/her duties immediately after meeting.

- (4) The Deputy speaker shall be elected in the first GRC meeting amongst the members of the GRC
- (5) Members to the various committees shall be elected in the second GRC meeting as per the guide lines in the constitution.
- (6) The GRC shall elect a Guild Advisor and Legal Advisor from three people nominated for each office in their first meeting.
- (7) The President shall approach the persons elected for acceptance of their respective offices.

91. Death before assuming office

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

92. Disappearance of the President

- (1) Where the Guild President disappears, whether before assuming or after assuming office for more than two months (60 days) without being heard of by persons who would naturally hear from him for that period, the office of the Guild President shall be declared vacant

and a fresh election, shall be held.

- (2) In case the Guild President re-surfaces after the expiry of two months (60 days) but before the fresh election has been conducted and gives a genuine or reasonable ground for his disappearance to the GRC, the election shall be cancelled and he shall resume his office.
- (3) In the event that he/she resurfaces after the election has been conducted or on the day of election, the election shall proceed, the candidate who wins the election shall be the Guild President elect.

93. President and GRC Election Petitions Tribunal

- (1) There shall be a petition Tribunal consisting of the Dean of Students, Legal Advisor and the Financial Advisor.
- (2) A candidate or any other member of the Guild may lodge a petition to the Tribunal whenever he/she thinks that there has been a contravention of any election procedure during the elections.
- (3) The petition must be lodged within 3 (three) days after elections, and must be signed by at least 200 members of the Guild.
- (4) The Chairperson of the Tribunal shall notify, within 24 hours, the members of the guild that a petition has been lodged.
- (5) The Tribunal shall sit to make a ruling on the petition within four days thereafter.
- (6) The hearing of the petition shall be in camera and the ruling shall be announced within 24 hours after the

hearing.

- (7) No candidate or any other member of the Guild shall be allowed to have legal representation when putting his/her case.
- (8) The Tribunal's ruling shall be final.

94. **Swearing -in.**

- (1) The President- elect, the Executive and members of the G.R.C shall be sworn-in, in that order, by the Vice Chancellor.
- (2) The ceremony shall take place in the presence of Students, University staff and any other invited guests at least 24 hours before the first G.R.C meeting.
- (3) The President Elect shall notify members of the Guild of the ceremony at least 3 (three) days before it takes place.
- (4) All those taking the oath shall swear to abide by the Constitution (Citation -Appendix 1.)

CHAPTER ELEVEN

TERMINATION OF OFFICE

95. Resignation

- (1) Whenever there is an occasion for the resignation of the Executive to be tendered, the President shall tender the resignation of the same collectively to the G.R.C through the speaker.
- (2) All resignations shall be in writing and in accordance with the provisions of this Constitution.

96. Suspension and Dismissal

- (1) The President shall have power to suspend or dismiss a member of the Cabinet. The duration of suspension shall be at the discretion of the President and shall not in any case exceed 30 (thirty) days. The dismissal or suspension should be genuine and exercised in a judicious way and with regard to the interest of all Guild members.
- (2) The Speaker shall have power to suspend a member who fails to attend 3 (three) consecutive GRC meetings without satisfactory reasons. The period of suspension shall not exceed 2 sessions.
- (3) If the GRC feels that a member merits dismissal, the case shall be referred to the members of the constituency to which the member is a representative to the GRC, which members shall give the ruling. The member shall be deemed withdrawn if she/he loses the vote. This vote shall be organized by the Electoral Commission in a form described under this Constitution.

- (4) Prior to dismissal, a member shall be accorded a right to a fair and speedy hearing which shall include but not limited to, allowing him or her to present his or her defence to the allegations against him or her.

97. Grounds for Removal of the President

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

98. A Vote of No Confidence

A vote of no confidence in the Guild President and/or the Executive and/or a Cabinet Minister may be moved against any one or all of them.

(1) *In and by the GRC*

- a. Any member of the GRC shall be entitled to move a vote of no confidence in the President and/or the Executive and/or a Cabinet Minister.
- b. A petition of a vote of no confidence in the President or/and the Executive or/and the Cabinet Minister coming from the GRC must be supported by at least one third of the GRC.
- c. For the motion of no confidence to be carried out, it shall require at least two-thirds of the total membership of the GRC by secret ballot.
- d. In the event of the motion of no confidence being carried as provided in under this Article, the Executive shall resign within three (3) days.
- e. Should the Executive refuse to resign within the three (3) days provided in this Article the Executive must make a written appeal within the three (3) days, to the Speaker who shall make arrangements for the motion of no confidence to be put to the vote by the Guild.
- f. Should the Executive not resign within the days as provided in (d) of this Article; and further fail to make a written appeal to the Speaker within three (3) days as provided for in (e) of this Article, then

the Executive shall automatically be deemed out of office and thereafter the Care-Taker Government will assume office.

- g. If the Guild endorses the vote of no confidence by two-thirds($\frac{2}{3}$) majority in a secret ballot, or in the event of the President and Executive being out of office as provided in (e) and (f) of this section, new elections for the president shall be held within fifteen (15) days from the day of vacation of office.
- h. If the vote of no confidence of the GRC is rejected by the Guild in secret ballot, all the members of the GRC, other than members of the Executive and Ex-officio of the GRC shall resign and new elections shall take place within thirty (30) days.

(2) *In and by the Guild*

- (a) A vote of no confidence in the President and/or the Executive by the Guild shall require a petition signed by at least a one-fifth ($\frac{1}{5}$) of the members of the Guild to the Speaker.
- (b) The Speaker shall cause the list of the signatories to be displayed on Institutes/ School/ College/faculty Notice boards within forty-eight (48) hours of receipt of the petition.
- (c) After twenty-four hours' display of the signatories, the Speaker shall give notice of a General Assembly meeting to take place within seven (7) days to hear the petition and the President's defence.

- (d) The quorum for such a meeting shall be a quarter (1/4) of the whole Guild membership.
- (e) If no quorum is realized, the vote of no confidence shall be deemed lost and there shall be no voting taken at this meeting.
- (f) After the meeting of the General Assembly, the Speaker shall conduct a secret ballot on the motion of no confidence within forty-eight (48) hours.
- (g) The vote of no confidence shall be carried out if at least two-thirds (2/3) majority of the members of the Guild vote for it in the secret ballot.
- (h) In the event of a vote of no confidence being carried out as provided for in (g) above, the President and the Executive shall instantaneously vacate their offices and fresh elections for the President shall be held within thirty (30) days.

99. Procedure for the Removal of the President

- (1) The President may be removed from office by a resolution of the GRC on grounds prescribed under Article 83 of this Constitution.
- (2) A motion for resolution for the removal of the President shall be initiated by a petition in writing to the Speaker, signed by not less than one third (1/3) of all the members of the GRC, indicating their intention of moving a motion for a resolution for the removal of the President on the grounds stipulated in Article 97 of this Constitution.

- (3) A member who is desirous of moving a motion for the removal of the President shall notify the Speaker in writing of his or her intention, specifying the grounds for the proposed motion and giving detailed particulars supporting such ground.
- (4) Any signature appended to the petition shall not be withdrawn.
- (5) For purposes of a petition, the Guild Tribunal shall investigate the petition and establish whether there is a prima facie case for the removal of the President. The Tribunal's investigation shall be carried out within a period of seven (7) consecutive days.
- (6) The Speaker shall within fifteen (15) hours upon receipt of the report on the findings of the Guild Tribunal, notify all members of the Council and the Guild of the same.
- (7) If the Guild Tribunal's finding is that there is a prima facie for the removal of the President, the Speaker shall, after the tabling of the report, cause the motion to be formally moved and debated.
- (8) The meeting to discuss the motion shall be held within three days after the receipt of the report of the Guild Tribunal.
- (9) The petitioner shall be entitled to present his/her case and the President shall thereafter tender in his/her defence either personally or may be represented.
- (10) If the Guild Tribunal finds that there is no prima facie case made against the President, the Speaker shall report

this finding to the GRC and no debate shall ensue on the matter.

- (11) The President is entitled to appear in person and be heard or to be assisted or represented by a lawyer or other experts or persons of his or her choice during the proceedings of the GRC relating to the motion for his/her removal.
- (12) If the GRC passes the motion for the removal of the President by not less than two-thirds (2/3) majority of all members of the Council, the President shall be deemed out of office, unless he/ she appeals to the Guild, through the Speaker, against the removal from office.
- (13) In the event that the President does not appeal against removal from office as stated herein or he/ she appeals and loses the appeal, the Speaker shall inform the Electoral Commission to organize fresh elections within thirty (30) days in accordance with this Constitution.
- (14) Subject to the provision of the Constitution, the Guild Tribunal shall have regard first to the procedural requirement of this Constitution.

100. Other Provisions relating to the Removal of a person from Office

- (1) The person being removed from office shall be entitled to appear before the Guild Tribunal in person and shall be entitled to legal representation.
- (2) The person being removed from office shall be availed with the report of the Guild Tribunal together with any other evidence adduced at least five (5) days before the debate on the motion.

- a. Debate on the motion for the removal of a person from office shall take precedent over all other debates on the order paper for the day.
- b. The Speaker shall call upon the chief petitioner to present his/ her case and thereupon the person being removed from office may offer to answer the issues raised against him/her.
- c. The person being removed from office shall be given chance to respond to any new matters that arise during the debate. The party likely to be affected by the decision will be given chance to give closing remarks especially on issues that might have arisen during the debate. A vote will thereupon ensue.
- d. During the debate any member may, with leave of the Speaker and on giving adequate notice, produce additional evidence, in support of his or her argument.
- e. When the Speaker is satisfied that the motion has been adequately debated, the Speaker shall call upon the person who is being removed from office to answer issues raised in the debate, and then call upon the chief petitioner, to wind up debate.

101. Vote of No Confidence in the Speaker or/and Deputy Speaker

- (1) A Vote of no confidence in the Speaker or/and the Deputy Speaker shall be moved after a petition duly signed by at least twenty-five per cent (25%) of all the members of the GRC.

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

102. When the Office of a Minister becomes vacant

The office of a minister shall become vacant, when:

- (1) The appointment of the holder of the office is revoked
- (2) The holder:
 - (a) Resigns.
 - (b) When he or she become insane.
 - (c) When he or she is suspended from the University.
 - (d) When he gets a dead year.
- (3) Grounds and Procedure for Censuring a Minister
 - (1) A minister can be censured for:
 - (a) Abuse of office or willful violation of the Oath of Allegiance or Oath of office
 - (b) Misconduct or misbehavior
 - (c) An on-going failure to perform basic functions of the office
 - (d) Mismanagement; or
 - (e) Incompetence
 - (2) After censure has been passed in a Minister, the President shall, unless the Minister resigns his or her office, revoke the appointment.
 - (3) Proceedings for censure of a Minister shall be initiated by a petition to the President through the Speaker signed by not less than a third (1/3) of the all members of the GRC

giving notice that they are dissatisfied with the conduct or performance of the minister and intend to move a motion of or a resolution of censure and setting out particular grounds in support of the motion.

- (4) The President shall upon receipt of the petition cause a copy of it to be given to the Minister in question.
- (5) A Minister in respect of whom a vote of censure is debated under Clause (2) of this Article is entitled, during the debate, to be heard in his or her defence.

103. **Grounds of vacating a seat by a Member of the GRC**

- (1) A member of the GRC shall vacate his or her seat in the GRC, under one or more of the circumstances below:
 - (a) If he or she resigns his or her office in writing signed by him or her, addressed to the Speaker.
 - (b) If that student is absent for any period when the GRC is meeting and is unable to offer satisfactory explanation to the relevant GRC committee for his or her absence.
 - (c) If that student is found guilty by the Guild Tribunal of violation of the Constitution and the punishment imposed is or includes the vacation of the office of a member of the GRC. The tribunal shall recommend such removal to the electorate/Constituency with a recommendation that he /she is not fit for office at the end.
 - (d) If a person is appointed to public office and uses that office in a manner which conflicts with his or her

being a member of the GRC. (e) Upon dissolution of the GRC.

(e) If he or she is suspended or expelled from the University.

(f) If he or she becomes insane.

(2) A student who is serving or has been sentenced to serve a sentence of more than two months shall be deemed to have vacated office and the relevant authorities shall thereupon notify the Electoral Commission to conduct fresh elections to fill the vacancy.

104. Grounds for Recalling a Member of the GRC

(1) Subject to the provision of this Article, a member of the electorate of any faculty, school or college shall have the right to recall their member of the GRC.

(2) A member of the Council may be recalled from the office on any of the following grounds:

(a) An on-going failure to perform basic functions of his/her office.

(b) Misconduct or misbehavior likely to bring hatred, ridicule, contempt or disrepute to the office.

(c) Persistent desertion of the electorate without reasonable cause.

(3) The recall of a member of the GRC shall be limited by a petition in writing setting out the grounds and signed by at least two thirds of the registered voters of the constituency or of the interest group referred to in clause

- (1) of this Article, and shall be delivered to the Speaker.
- (4) On the receipt of the petition referred to in clause (3) of this article, the Speaker shall, within five days require the Tribunal to conduct a public inquiry into the matters alleged in the petition and the Tribunal shall expeditiously conduct the necessary inquiry and report its findings to the Speaker within seven (7) days.
- (5) The Speaker shall, upon receipt of the report, declare the seat vacant, if the Tribunal reports that it is satisfied from the inquiry and that the petition was justified.

CHAPTER TWELVE

FINANCE

105. Collection of Revenue

The source of Revenue shall be:-

- (1) Subscription from members of the Guild.
- (2) Fundraising activities of the Guild
- (3) Grants, donations, bequests and trusts.
- (4) Interests and profit from the Guild property and Capital
- (5) Registration of affiliate associations and
- (6) Nomination fees
- (7) Any other source or means approved by the G.R.C.

106. Budgeting

- (1) The Minister of Finance with the committee shall prepare and lay before the G.R.C during the third G.R.C session estimates of all revenue and expenditure including those Magazines as would have been presented by its Chief Editor, (the Budget) for the whole year the Government is in office for approval.
- (2) Grants, donations, nomination fees for elections or any legal entitlement shall be banked on the Guild Account and declared to the Dean of Students.
- (3) The Guild Representative council shall pass a Guild Budget before the beginning of each fiscal year which budget shall reflect the objective of this constitution to promote the general welfare of all students of Kabale University and shall have separate subheadings for, the expenses,

emoluments, refreshments, transportation and other incidental expenses of the conducting the government which do not directly benefit the wider student body.

- (4) The budget so approved as in (c) above shall be submitted to the Financial Advisor to the Guild who will present it to the University council for facilitation.
- (5) Copies of the approved and ratified budget shall be made available to all faculties, colleges, schools and to the University officials concerned.

107. Supervision and Authorization of Finances.

- a. All Guild expenditure shall be done under the approval of the Guild Parliament and in accordance with the Guild Budget.
 - b. The Guild funds shall be kept in an authorized account of the Guild.
 - c. The Guild minister of Finance shall keep up to date book of accounts indicating the income and expenditure of the Guild through and or by any minister or official or any member of the Guild.
 - d. The Minister for Finance shall deposit all monies with the bank/ All finances should be deposited on the Guild Account
 - e. No Guild official shall keep Guild monies for longer than three days unless specific official authority has been granted by the Dean of students.
- (1) The authority to withdraw or authorize withdrawing Guild money shall rest with the minister of Finance in conjunction with the Guild president and the Dean of students.

- f. The Guild Cheques shall be signed by the Dean of students as the principal signatory, the Minister for Finance and Guild President. Where one signatory other than the principal is not available; the financial Advisor shall sign.
 - g. All financial transactions shall be made in the names of the Guild.
- (1) The Minister for Finance shall receive and keep any receipt or written evidence.
 - (2) The Finance minister shall present a signed Balance sheet for endorsement by the Financial Advisor to be submitted to the G.R.C at the end of their term of office.
 - (3) Before any of the Guilds incurs any expenditure, the estimates of the expenditure shall be discussed and approved by finance committee, which finance committee shall meet and receive an account of such approved expenditure.
 - (4) The Minister of Finance shall submit monthly financial reports to the Financial Advisor.
 - (5) In the event of temporary absence or physical incapacity of minister for Finance, the president shall carry on his duties for such a time, as the minister himself shall be unable to carry out the duties.
 - (6) In the event of the Guild minister for Finance resigning before his term of office comes to an end, the minister shall handover a signed financial statement to his successor. Such a financial statement must be approved by the finance committee.
 - (7) The Executive may authorize reallocation of funds within

the cost centers of the Guild Budget and must report such expenditure to the following G.R.C meeting for approval.

- (8) All transactions of the Guild follow the laid down procedures of procurement and disposal of public assets.

108 Accountability

- 1). The Guild budget shall be approved by Management and the Student Welfare Committee.
- 2). The University Bursar will demand for accountability before any more money is released to the Guild.
- 3). The Finance Committee of the Guild should always convene to make the relevant requisitions and accountabilities and also provide minutes to that effect.
- 4). The Finance Secretary/Minister should always be one of the signatories to effect any financial transactions and should be responsible for accounting for the income and expenditures.

109 Auditing

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

CHAPTER THIRTEEN:

AFFILIATION

108. Affiliation

- (1) Any registered student's organization in the university shall be affiliated to the Guild, having been approved by the GRC and the vice-chancellor provided that;-
- a) All its members are members of the guild;
 - b) Its constitution is in line with the aims and aspirations of the Guild and the University
 - c) It has not less than thirty-five (35) members.

CHAPTER FOURTEEN

MEETINGS

109. Convening of meetings

- (1) All guild meetings including the General Assembly, GRC and Executive shall be held in accordance with the provisions of this Constitution.
- (2) Meetings of the GRC shall be open to all full members of the Guild unless the GRC decides otherwise.
- (3) All notices of meetings shall be dated and duly signed including the name, registration number and course of the student calling the meeting.

110. Frequency

- (1) The Executive shall meet as often as there is need but not less than 3 (three) times during a semester.
- (2) The GRC shall meet at least twice a semester.
- (3) Committees shall meet at least once in a Semester

111. Notice of Meetings

The following notice periods shall apply to meetings other than those than those convened to Debate a motion (s) of no confidence.

- (1) The Executive members shall be given at least:
 - (a) Three (3) days of notice for ordinary meetings
 - (b) Twelve (12) hours' notice for emergency meetings.

- (c) GRC members shall be given at least.
 - (d) Four (4) days' notice for ordinary meetings
 - (e) Twenty -four (24) hours' notice for emergency meetings.
- (2) If at least $\frac{1}{3}$ (a third) of the G.R.C members sign their names in favor of a meeting, the General Secretary shall call a meeting not later than four (4) days after the list of signatures has been handed to him.
 - (3) Members shall be given 5 (five) days' notice for ordinary meetings and at least 24 hours for emergency meetings of the General Assembly.
 - (4) If at least $\frac{1}{10}$ (a tenth) of the Guild members sign the petition in favor of the General Assembly , the speaker, after giving the due notice to the Vice-Chancellor, shall convene a meeting to be held not later ten (10) days from the date of receiving the petition.

112. Presiding at meetings.

- (1) The Speaker shall preside at the subsequent GRC meetings after his election.
- (2) The Speaker shall preside over all General Assembly meetings.
- (3) In the absence of the Speaker, the Deputy speaker shall deputize.
- (4) In the absence of the Speaker and Deputy Speaker, the members present and forming a quorum shall appoint an Acting Speaker from among themselves to preside over

the GRC or General Assembly meetings.

- (5) The election for the Acting speaker under this clause shall be supervised by the Prime Minister.

113. Frequency.

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

114. Notice of Meetings other than those convened to debate motion of no confidence.

- (1) The Executive members shall be given at least:
 - a) Three (3) days 'notice for ordinary meetings;
 - b) Six (6) hours' notice for emergency meetings;
- (2) GRC members shall be given at least:
 - (a) Four (4) days' notice for ordinary meetings
 - (b) Twenty-four (24) hours' notice for emergency meetings
- (3) If at least a tenth (1/10) of the Guild members sign the petition in favour of a General Assembly, the Speaker, after giving due notice to the Vice Chancellor, shall convene a meeting to be held not later than ten (10)

days from the date of receiving the petition.

- (4) The notice shall include matters to be discussed inform of an agenda.
- (5) No resolution shall have a force of law or any binding nature on the Guild or any members, where such a meeting is convened in disregard of these provisions.

117. Presiding at meetings.

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

118. Quorum.

- (1) The quorum of the General Assembly meeting shall be at least ten per cent (10%) of the members of the Guild.

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

119. Order of Business.

- (1) The agenda shall be read by the Speaker or whoever is presiding at the beginning of each meeting.

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

120. Suspension of Standing Orders.

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

121. Breaches of Order.

- (1) A member is guilty of a breach of order if he/she: (a) Uses language not befitting usage in Council, and refuses to withdraw it or offer a satisfactory apology; (b) disobeys a lawful order from the Speaker; (c) Conducts him/herself in

a manner unbecoming of a member of the GRC.

- (2) Any member who commits a breach of order may, on being declared by the Speaker to be guilty of disorderly conduct, be punished by being discontinued from sitting and participating in the on-going meeting.

122. **Motions.**

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

122. **Amended Motion.**

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

124. Order of Procedure.

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

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

125. Right of Reply

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

126. Procedure

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

127. Withdrawals

Once a motion or an amendment has been accepted by the

Speaker/ Chairperson, it shall not be withdrawn without the consent of two-thirds (2/3) of the members present.

128. Closing Debate

- (1) The motion that “no vote be taken on this question”, “we proceed to the next business”, “the question be put”, may only be moved and seconded by members who have not previously spoken on the same subject at any time during the debate.
- (3) No speeches shall be allowed on such motions.
- (4) If the motion “That the question be put” is lost, the mover of the original motion shall have the right to reply in accordance with the Constitution, before the question is put.
- (5) If any of the motions mentioned in Clause (1) of this Article or the motion of adjournment is defeated, Ten (10) minutes shall elapse before it can be accepted by the Speaker, except when he deems the circumstances to have materially altered within that time.

129. Adjournment.

- (1) Adjournment of meetings or debates under discussion may be moved only by a member who has not spoken on the question.
- (2) He must confine his remarks to the question only. The mover of the motion upon which the adjournment has been moved shall be allowed the right of reply on the question of adjournment which shall not prejudice his right of reply on his own motion.

- (3) Once the motion of adjournment is lost, it shall not be moved again, save in accordance with the constitution.
- (4) The Speaker shall declare the meeting adjourned if there are present (besides the Speaker) less than the quorum necessary for the meeting to be conducted.

130. **Voting.**

Save as otherwise provided in this Constitution;

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

131. **Notice of Motion.**

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

132. **Rescinding a Resolution.**

- (1) No resolution shall be rescinded or amended in the meeting at which it is passed.

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

133. Exemption.

The Executive Committee and other Committees of the Guild are exempted from Standing Orders which do not specifically mention them.

CHAPTER FIFTEEN

GENERAL PROVISIONS RELATING TO PROCEDURE IN THE GRC

134. **Language.**

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

135. **Whips**

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

136. **Sitting Arrangement in the GRC.**

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

137. Sitting of the GRC.

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

138. Minister to attend the GRC to answer questions.

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

139. Statement by Ministers.

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

140. Statement by Members.

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

141. Personal Explanations.

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

142. Withdrawal of Motions/Petitions.

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

forced or be put in the situation that indulges him/her to withdrawal the petition.

143. **Close of Debate.**

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

144. **Sub judice Rule.**

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

145. **Use of Unbefitting Language.**

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

146. **Policy Statements.**

- (1) Each minister shall cause preliminary estimates to be prepared and submitted to the finance ministry.

(2) A policy statement made under clause (1) shall be in a form prescribed by the Minister responsible for Finance and shall reflect specific data about the extent of achievement of the targeted objectives using the money received and reports provided.

(3) The estimated expenditure of the Tribunal shall be submitted to the Council and defended by the Minister for Justice and Constitutional Affairs.

147. Ceremonial Speeches and Speeches by Distinguished Personalities.

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

148. Contempt of Council.

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

149. Minutes.

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

150. Records.

(1) The clerk shall:

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

151. Ad hoc Committees.

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

CHAPTER SIXTEEN

CONSTITUTIONAL AMENDMENTS

152. **Constitutional Amendment.**

The Guild Constitution amendments shall be initiated through the Guild Representative Council

(1) A person or a group of persons desirous of amending any constitutional provision(s) shall lodge a petition with the Speaker.

(2) The Speaker shall notify the Minister of Justice and Constitutional Affairs to look into the merits of the petition.

(3) If the Minister of Justice and Constitutional Affairs is satisfied that there is need for constitutional amendment, he/ she will convene the Justice and Constitutional Affairs Committee to study the petition and make proposals to the GRC.

(4) Copies of the proposed changes shall be sent to all members of the GRC at least seven (7) days before the meeting in which they are to be discussed.

(5) Any proposed changes in the Constitution shall first require the approval by two-thirds (2/3) majority of all members of the GRC.

(6) The changes shall not be effective unless and until they are recommended by the Students Affairs Committee of Council and approved by the University Council.

(7) The approved changes shall be embodied in the amended Constitution.

(8) No amendment shall be valid unless the procedural requirement is adhered to.

153. Interpretation.

(1) Unless otherwise provided in this Constitution, interpretation is vested in the Speaker and his/her interpretation shall be final and conclusive provided his/ her interpretation is not challenged by at least a half (1/2) of the members present at the meeting.

(2) In case of the Speaker's interpretation being successfully challenged, the tribunal shall sit and give its interpretation on the same provision and its interpretation shall be final.

154. Breach of the Constitution.

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

APPENDICES

APPENDIX1: SWEARING IN

1. The President

“I.....swear that I shall discharge my duties as Guild President of Kabale University student’s Guild with all honesty and to the best of my ability, abiding fully by the constitution. So help me God”

2. The Speaker

‘I.....swear that I shall discharge my duties as Guild Speaker of Kabale University students’ Guild with all honesty and to the best of my ability, abiding fully by the constitution. So help me God

3. The Executive /General Secretary And G.R.C Members

“I.....swear that I shall discharge my dutiesKabale University students’ Guild with all honesty and to the best of my ability ,abiding fully by the constitution .So help me God”

4. GRC Members

We the members of the GRC..... swear that we shall discharge our duties with honesty and to the best of our ability, abiding fully by the Constitution. May God help us.

5. The Electoral Commission.

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

APPENDIX 2

HANDING -OVER

1. The out-going President

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

Signed

Out-going Guild President

Signed.....

In-coming Guild President

Date.....

APPENDIX 3

ELECTORAL RULES AD REGULATIONS

- a) The Electoral Commission shall draw up a program for nominations, campaigns and voting, and every candidate in co-cooperation with the other members of the Guild shall strictly abide by it.
- b) Any candidate who shall be found guilty of instigating any form of violence, or guilty of any other form of misconduct shall be disqualified by the Electoral Commission in consultation with the care-taker Government
- c) Disciplinary action shall be taken by the University Disciplinary Committee against any students who interferes with the smooth running f the Electoral Process or is found guilty of any form of Electoral malpractice.
- d) There shall be no campaigning at any time beyond 7:00p.m.

APPENDIX 4

TRANSITIONAL CLAUSE

This Constitution will be effective for the New Guild Cabinet of 2018/2019

However the Guild 2017/2018 will be responsible to carry out elections as guided by this constitution

