

**UNIVERSITY OF NAIROBI**

**THE SONU CONSTITUTION**

**REVIEWED MARCH 2015**

# **THE CONSTITUTION OF THE STUDENTS' ORGANISATION OF THE UNIVERSITY OF NAIROBI (SONU) 2014**

## **ARRANGEMENT OF ARTICLES**

### **PREAMBLE**

### **PART ONE- NAME, INTERPRETATION AND OBJECTIVES**

- 1- Name
- 2- Registered Office of SONU
- 3- Interpretation
- 4- Aims and Objectives

### **PART TWO- MEMBERSHIP**

- 5- Membership
- 6- Rights, Privileges and Duties of Members
- 7- Duties of Members
- 8- Cessation of Membership
- 9- Suspension

### **PART THREE- ORGANS OF SONU**

- 10- Organs of SONU
- 11- General Meetings
- 12- Parliament
- 13- Halls and Non-resident Representatives
- 14- Faculty, School or Institute Representatives
- 15- The SONU Secretariat
- 16- The Executive

### **PART FOUR ó ELECTIONS**

- 17-Advisor
- 18- Elections
- 19-Qualification of Candidates
- 20- Electoral Commission
- 21- Nomination Procedure for Elections
- 22- Voting
- 23- Constituencies
- 24- Election Petition Panel
- 25- Election Petitions
- 26- Swearing-In

27- By-Elections

PART FIVE- FINANCE

28- Revenue

29- Expenditure

30- Financial Year

31- Annual Accounts

32- Audit and Audit Report

33- Campus Decentralization Funds (CDF)

PART SIX- BREACH OF THE CONSTITUTION AND DISPUTE RESOLUTION

34- Breach of the Constitution and SONU Disciplinary Committee

35- Dispute Resolution

PART SEVEN- IMPEACHMENT, RIGHT OF RECALL AND DISSOLUTION.

36-IMPEACHMENT

37- RIGHT OF RECALL OF CAMPUS REPRESENTATIVE

38- Dissolution

39- Amendment of the Constitution

PART EIGHT- AFFILIATION

40- Eligibility for Affiliation

41- Subscriptions by SONU Affiliates

42- Rights of SONU Affiliates

PART NINE- RULES AND REGULATIONS, TRANSITION AND MISCELLAENEOUS

43- Rules and Regulations

44- Transitional Provisions

SCHEDULES

SCHEDULE 1 HALL REPRESENTATIVES

SCHEDULE 2 NON-RESIDENT CONGRESSES (ONE FEMALE, ONE MALE)

SCHEDULE 3 FACULTIES/SCHOOLS/INSTITUTES REPRESENTATIVES

SCHEDULE 4 CONGRESS NOMINATIONS

## **PREAMBLE**

WE the students of the University of Nairobi desiring to constitute ourselves as an organization to secure for ourselves and our posterity academic freedom, excellence, liberty and our welfare,

HUMBLY submitting to God and recognizing our responsibility before Him, humanity and to ourselves,

HONOURING the selfless efforts, drawbacks and successes of the founding and succeeding members,

PROUD of the diversity of backgrounds and cultures of members, united by a common purpose and aspirations,

GUIDED by the national values of governance, principles of leadership and integrity as spelt out in Article 10 of the Constitution of Kenya 2010,

GUIDED by reason, courtesy, and genuine search of all virtues to live in comradeship, peace and to develop salubrious concord with other student bodies, persons, institutions and all who believe in the ideals of justice, equality and truth,

RECOGNISING the supreme authority of the University Council and Senate under the Universities Act, No. 42 of 2012, Laws of Kenya, the University of Nairobi Charter 2013, the University of Nairobi Statutes, Regulations Governing The Organization Conduct and Discipline Of Students made there under and other related and relevant laws of the land in all activities and organizations of the University,

ADOPT, ENACT and give this Constitution to ourselves and our future generations as our supreme governing law.

**COMRADES POWER!**

## **PART ONE**

### **NAME, INTERPRETATION AND OBJECTS**

#### **Article 1: Name**

The name of the Organization shall be Studentsø Organisation of the University of Nairobi (hereinafter known and referred to as SONU or the Organisation).

#### **Article 2: Registered Office of SONU**

The headquarters of the Organisation shall be at the SONU Building at the University Main Campus, P.O. Box 30197 00100, Nairobi or such other place as the Parliament may determine.

#### **Article 3: Interpretation**

In this Constitution, unless the context otherwise requires-

õAnnual Accountsö means the balance sheet and the statement of income and expenditure;

õ*bona fide* Memberö means and include only the duly paid up members;

õChancellorø Courtö refers to the Chancellorø Court situated at main Campus of the University of Nairobi;

"Constitution" refers to the Constitution of SONU

õMain Campusö means the Main Campus of the University of Nairobi;

õMember of Staffö includes academic and non-academic staff members of the University of Nairobi;

õParliamentö means the body comprising the Executive and the elected Congress persons as set out in Schedules 1 and 2 attached hereto;

õStanding Ordersö means the Standing Orders of SONU Parliament;

“Secretariat of SONU Parliament” means the Clerk, Hansard Editor, Sergeant-at-Arms and their Deputies as well as any other such personnel under Article 15;

“Senate” refers to the University of Nairobi Senate as defined in under the Universities Act, No. 42 of 2012, Laws of Kenya and the Charter of the University of Nairobi and the University of Nairobi Statutes;

“Special Needs” shall be used to identify students with disability as defined under Article 260 of the Constitution of the Republic of Kenya 2010;

“Student” means a student as defined in the Universities 42 2012 210;

“Student Organization” means the students council provided for under the Universities Act, No. 42 of 2012, Laws of Kenya and the University of Nairobi Charter 2013,;

“The Council” means the Council of the University established under the Universities Act, No. 42 of 2012, Laws of Kenya, and the Charter of the University of Nairobi;

“University” means the University of Nairobi as defined under the Universities Act, No. 42 of 2012, Laws of Kenya and the University of Nairobi Charter 2013,;

“University Administration” shall mean and include all the administrative bodies and persons of the University of Nairobi as defined under the Universities Act, No. 42 of 2012, Laws of Kenya, the University of Nairobi Charter 2013; and relevant provisions of the University Statutes.

“University Financial Regulations” means the financial regulations of the University of Nairobi;

“University Management Board” shall have the same meaning as provided for under Statute XII and relevant provisions the University Statutes;

#### **Article 4: Aims and Objectives**

1. The aims and objectives of SONU shall be:

(a) to use all lawful, proper and prudent means to ensure that members' aspirations and interests are realized;

(b) to promote students' welfare;

(c) to seek and undertake representation and/or participation in the organs of the University;

(d) to work in close solidarity with other students' organizations within the University and to establish friendly relations and understanding with other relevant organizations whose objectives are similar to the Organization's.

(e) to seek, enhance and maintain the freedom of conscience, expression, association, academic liberty and all the rights and privileges accruing to members by virtue of their humanity, ethnicity, age, status, gender, sex, citizenship and any other relevant criteria.

(f) to promote the enjoyment of the freedoms, rights and privileges referred to in paragraph (d) above;

(g) to work hand in hand with the University Administration or other University bodies concerned with the enhancement of members' standard of living and improvement of facilities at the University;

(h) to encourage student academic research and the development of their artistic and professional talents;

(i) to improve and preserve high academic standards in the University;

(j) to improve the student-lecturer relationship by developing and enhancing mutual confidence among the students and lecturers;

(k) to publish and distribute magazines, journals or other publications through which students can express views, thoughts and creative talents;

(l) to raise funds through any lawful means for purposes of achieving the aims and objectives of SONU;

(m) to participate in community service in compliance with the University's objects; and

(n) to carry out such other activities as may be incidental to the achievement of the above objectives.

## **PART TWO: MEMBERSHIP**

### **Article 5: Membership**

#### 1) Ordinary Membership

Ordinary membership shall be open to all undergraduate students in the University of Nairobi as follows:

a) Government Sponsored Students duly admitted by the Senate (otherwise known as Module One) who shall pay an annual subscription fee of five percent (5%) of tuition fees or five hundred Kenya shillings (KES. 500), whichever is the lower, or such amount as may be proposed from time to time by Parliament and approved by Council.

b) Self Sponsored Students duly admitted by Senate (otherwise known as Module Two students) who shall pay an annual subscription fee of five percent (5%) of tuition fees or one thousand Kenya shillings (KES.1000), whichever may be lower, or such an amount as may be proposed from time to time by Parliament and approved by the Council.

#### 2) Associate Membership

a) Associate membership shall be open to all duly admitted Post Graduate students of the University and any other undergraduate students of the University under any other module, or any member of staff who is a student.



PROVIDED that such post-graduate students and any undergraduate students who are also members of staff at the University shall not be members of SONU.

- b) Associate members shall pay an annual subscription fee of one thousand Kenya Shillings (KES1000) or such amount as may be proposed by from time to time by Parliament and approved by the University Senate and Council.

### 3) Honorary Membership

- a) The Organization may, by a resolution passed by at least half of all the Members of Parliament, invite any past members of the Organisation or any person who, on the recommendation of the Parliament and approved by Senate and Council, has rendered valuable service and/or contribution to the Organisation or the University, to become an honorary member of the Organisation.
- b) Any former member may apply to the Executive to be an honorary member of the Organisation.
- c) The Executive shall vet such applications and present proper applications to Parliament for recommendation to Senate and Council for approval.
- d) A person invited to join the Organisation as an honorary member may choose a class of honorary membership as follows:
  - i. Gold membership at a subscription fee of KES.20, 000 or as may be proposed by Parliament from time to time and approved by Senate and Council.
  - ii. Silver membership at a subscription fee of KES.10, 000 or as may be proposed by Parliament from time to time and approved by Senate and Council.
  - iii. Bronze membership at a subscription fee of KES.5, 000 or as may be proposed by Parliament from time to time and approved by Senate and Council.
- e) An honorary member shall serve for a term of three years renewable upon satisfactory performance and proposal by Parliament and subsequent approval by Senate and Council.

PROVIDED that an honorary member shall not have the right to vote or be eligible to hold any office of SONU.

## **Article 6: Rights, Privileges and Duties of Members**

### **1) Ordinary Members**

- a) Subject to Article 18 of this Constitution, an ordinary member may seek election to any office or position established in this Constitution and shall be entitled to vote at SONU elections.
- b) At least two thirds of ordinary members may petition the Secretary General to call the Annual General Meeting.
- c) An ordinary member shall have the right to access all relevant information relating to the affairs of the Organisation including books and records of accounts, audit reports and minutes of meetings in so far as such access shall be reasonable.
- d) An ordinary member shall have the right to take part in all legal, valid and legitimate activities organized and run by the Organisation for its members.

### **2) Associate Members**

- a) Upon obtaining signatures of at least two thirds of registered members, an Associate member may petition the Secretary General to call the Annual General Meeting.
- b) An Associate member shall have the right to access all relevant information relating to affairs of the Organisation including books and records of accounts, audit reports and minutes of meetings in so far as it shall be reasonable.
- c) An Associate member shall have the right to take part in all legal, valid and legitimate activities organized and run by the Organisation for its members.

### **3) Honorary Members**

- a) An Honorary member may be appointed as an Advisor to the Organisation as provided for in Article 17.
- b) Honorary members may take part in any legal, valid and legitimate activities organized and run by the Organisation for its members.

### **Article 7: Duties of Members**

Every member shall so comply and abide by the letter and spirit of this Constitution.

### **Article 8: Cessation of Membership**

Membership shall cease where an Ordinary or Associate member or Honorary Member, as the case may be:

- a) Retires upon completion of the degree programme at the University, or voluntarily prior to such completion, or voluntarily in the case of Honorary members.
- b) Ceases to be a student on account of transfer to another university, or death, or suspension for a period longer than three weeks; expulsion or discontinuation by the University or for any other reason including mental infirmity;
- c) In the event of death of an Honorary Member or where Parliament is of the opinion that the Honorary Member has not complied with the letter and spirit of this Constitution and upon approval by Senate and Council such honorary membership shall cease.
- d) Where a member is disqualified under any written law or their continued membership is deemed by SONU Senate and Council as being in any way detrimental to the Organisation or the University.

### **Article 9: Suspension**

- 1) A Member may be suspended by Parliament at the recommendation of the Disciplinary Committee established under Article 34 of this Constitution for a duration deemed just and reasonable.
- 2) Suspension shall take effect if Parliament resolves that such a Member as mentioned in section 1 above should be so suspended only on the grounds that their conduct has adversely affected the reputation or dignity of SONU or the University or that they have contravened any of the provisions of this Constitution.

**PROVIDED** that a Member whose suspension is proposed shall have the right to a fair hearing, including the right to appear, address, submit, call witnesses or any other conduct consistent with fair administrative action, the rules of natural justice, the rules of access to justice and in accordance with the letter and spirit of the Constitution of Kenya 2010 and this Constitution.

**PROVIDED FURTHER** that a Member shall not be suspended for more than fifteen (15) weeks from the date of the written notice of suspension.

## **PART THREE: ORGANS OF SONU**

### **Article 10: Organs of SONU**

- a) Members in General Meetings;
- b) Parliament;
- c) The Executive.

### **Article 11: General Meetings**

#### **1) Classes of General Meetings**

There shall be three classes of general meetings of SONU, that is

- a) The Annual General Meeting, hereinafter referred to as AGM;
- b) The Special General Meeting, hereinafter referred to as SGM and;
- c) Extra-ordinary General Meeting, hereinafter referred to as *Kamukunji*.

#### **2) Annual General Meeting (AGM)**

- a) The Annual General Meeting shall be held not later than (12) twelve months following the last AGM.
- b) Notice in writing of such AGM, accompanied by the Annual Report and Accounts and the Agenda for the meeting shall be sent to all members in not less than twenty-one (21) days before the date of the meeting and, where practicable, the notice of the meeting shall be advertised in the press not less than fourteen (14) days before the date of the meeting.
- c) The Annual Report and Accounts as set out in Articles 31 and 32 of this Constitution shall be tabled at the AGM and shall be open for inspection by members.
- d) An AGM may also be requisitioned for a specific purpose by a request to the Secretary-General by not less than one hundred (100) members and such meeting shall be held within twenty one (21) days of the date of the requisition.
- e) The notice for such meeting shall be sent out as stipulated in sub-section (b) of this section and no matter shall be discussed other than that stated in the requisition.

f) The Agenda of any AGM, other than that requisitioned under paragraphs (d) and (e) hereof shall consist of the following:

- i. Confirmation of minutes of the previous AGM;
- ii. Tabling of Annual Reports and Accounts;
- iii. Presentation of the Auditor's Report;
- iv. Consideration and adoption of Annual Reports and Accounts;
- v. Such other matters as the Executive may decide or as to which notice shall have been given in writing by a member or members to the Secretary General at least four weeks before the date of the meeting;
- vi. Handing over;
- vii. Any other business proposed with the approval of the Chairman.

### **3) Special General Meeting (SGM)**

(a) A SGM may be called for any specific purpose by the Parliament through the Secretary General.

(b) Notice in writing of such meeting and agenda shall be sent to all members not less than seven (7) days before the date of such meeting.

### **4) Extra-Ordinary General Meeting (*Kamukunji*)**

a) A *Kamukunji* shall be called for any purpose or regarding any emergency by the Chairman or in their absence the Vice-Chairman or in their absence, any other member or members of the Executive.

b) The quorum of the *Kamukunji* shall be those members present at the meeting, provided that its decisions shall be subject to the approval of Parliament.

### **5) Quorum for General Meetings**

Quorum for General Meetings except the *Kamukunji* shall be five hundred (500) Members other than Honorary Members.

### **6) Supreme Authority**

The Annual General Meeting shall be the supreme decision-making body of SONU

## **Article 12: Parliament**

1) Establishment And Composition of Parliament

a) There shall be a Parliament of SONU.

b) Parliament shall consist of:

- i) Congress persons consisting of Halls Representatives and Faculty, Institute or School Representatives;
- ii) Speaker as the presiding officer;
- iii) The Executive.

## 2) Powers and Functions of Parliament

Parliament shall have the powers subject to this Constitution to:

- a) enact rules and regulations for SONU;
- b) deliberate on and resolve issues of concern to the members;  
to consider and propose amendments to this Constitution to be approved by the AGM and the Council;
- c) under the guidance of the University Finance Officer, propose budgetary allocations for legitimate members' activities, including allowances and remuneration of SONU officials, for approval by the University management;
- d) approve policy and agenda of the Executive;
- e) review the conduct of the officers of SONU;
- f) review allowances and remuneration of SONU officials from time to time, subject to the approval of the University Management Board;
- g) subject to this Constitution, delegate functions to any organ of SONU; and
- h) carry out any other duty that may be incidental to performance of its functions.

## 3) Procedures and Proceedings of Parliament

- a) Subject to this Constitution, the procedures and proceedings of Parliament shall be governed by the Standing Orders of SONU Parliament.
- b) The Parliament shall meet at least twice in a semester.

## 4) Parliamentary Committees

Parliament shall act through committees as provided for in the Standing Orders of SONU Parliament.

## 5) The Speaker.

a) The Speaker shall:

- i. Be the head of SONU Parliament;
- ii. Be a Member of Parliament and perform all the relevant functions of a member of Parliament under this Constitution;
- iii. Receive motions from members and communicate Parliamentary sessions as provided for in the Standing Orders of SONU Parliament;
- iv. Organise Parliamentary sessions and call for special meetings of Parliament as provided for under the Standing Orders of SONU Parliament;
- v. Declare a seat vacant for purposes of by-elections as provided for under Article 26 of this Constitution.
- vi. Act as a link between SONU Parliament and the Executive;
- vii. Be an *ex officio* member and shall chair the meetings of the Secretariat.<sup>1</sup>
- viii. Subject to this Constitution perform any other duties as delegated to them by Parliament

6) Deputy Speaker

There shall be Deputy speaker who shall deputise the Speaker and perform any other duties as delegated to him or her by the speaker and/or Parliament.

7) Clerk

a) There is established the Office of the Clerk.

b) The clerk shall:

- i. Be the head of the SONU Secretariat;<sup>2</sup>
- ii. Be the secretary during Secretariat meetings;
- iii. Convene the First meeting of Parliament
- iv. Table the list of all elected SONU officials when the first House of Parliament meets;
- v. Administer the oath or affirmation of allegiance to the new speaker in the presence of the assembled House;
- vi. Publish the agenda of the House in the form of an order paper;
- vii. Conduct the counting of votes in the election of the Speaker of the House

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<sup>1</sup> Cf. clerk

<sup>2</sup> Cf. speaker

### **Article 13: Halls, Non-resident Representatives and International Students' Representative**

- 1) There shall be Halls Representatives from each constituency as provided for in Schedule 1.
- 2) There shall be two non-resident representatives of opposite gender from every constituent campus.
- 3) The Halls Representatives and non-resident representatives:
  - a) Shall be Members of Parliament and perform all functions of Parliament under this Constitution;
  - b) Shall generally articulate the special needs, aspirations and interests of their respective constituencies;
  - c) Shall collect views from their respective constituencies and present them to Parliament for appropriate action;
  - d) May constitute, sit and perform duties of Parliamentary Committees as provided for under the Standing Orders of SONU Parliament;
  - e) Shall represent SONU in the Strategic Management Units of their respective constituencies;
  - f) Shall represent SONU in any other relevant committee in their constituencies;
  - g) Shall represent SONU in Disciplinary Boards of their respective constituencies;
  - h) May be members of Executive Committees as provided for in Article 16 of this Constitution;
  - i) Shall attend all Parliamentary and organisation meetings unless prevented by sufficient reason made known to the Parliament;
  - j) Subject to this Constitution, shall perform any other functions or duties as delegated to them by Parliament.
- 4) **That the international students be represented in SONU by two students to be nominated by the Association of International Students**

### **Article 14: Faculty, School or Institute Representatives**

- 1) There shall be Faculty/School/Institute Representatives from each constituency as provided for in Schedule 2 attached hereto.
- 2) Each Faculty, School or Institute outlined in Schedule 2 shall have at least one representative from members outlined in Article 15 of this Constitution.



3) The duly elected Representatives:

- a) Shall be Members of Parliament and perform all functions of Parliament under this Constitution;
- b) Shall generally articulate the special academic needs, aspirations and interests of their respective constituencies;
- c) Shall collect views from their respective constituencies and present them to Parliament for appropriate action;
- d) May constitute, sit and perform duties of Parliamentary Committees as provided for under the Standing Orders of SONU Parliament;
- e) Shall represent SONU in any other relevant committee in their constituencies;
- f) May be members of Executive Committees as provided for in Article 16 of this Constitution;
- g) Shall attend all Parliamentary and organisation meetings unless prevented by sufficient reason made known to the Parliament;
- h) Shall subject to this Constitution perform any other functions or duties as delegated to them by Parliament.

**Article 15: The SONU Secretariat**

- 1) There is established the SONU Secretariat herein referred to as "The Secretariat"
- 2) The Secretariat shall compose of:
  - a) The Speaker

The Speaker shall:

- i. Be the head of SONU Parliament;
- ii. Be a Member of Parliament and perform all the relevant functions of a member of Parliament under this Constitution;
- iii. Receive motions from members and communicate Parliamentary sessions as provided for in the Standing Orders of SONU Parliament;
- iv. Organise Parliamentary sessions and call for special meetings of Parliament as provided for under the Standing Orders of SONU Parliament;
- v. Declare a seat vacant for purposes of by-elections as provided for under Article 26 of this Constitution.
- vi. Act as a link between SONU Parliament and the Executive;
- vii. Be an *ex officio* member and shall chair the meetings of the Secretariat.<sup>3</sup>

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<sup>3</sup> Cf. clerk

viii. Subject to this Constitution perform any other duties as delegated to them by Parliament.

b) Deputy Speaker

There shall be Deputy Speaker who shall deputise the Speaker and perform any other duties as delegated to him or her by the speaker and/or Parliament.

c) Clerk

a) There is established the Office of the Clerk.

b) The clerk shall:

- i. Be the head of the SONU Secretariat;<sup>4</sup>
- ii. Be the secretary during Secretariat meetings;
- iii. Convene the First meeting of Parliament
- iv. Table the list of all elected SONU officials when the first House of Parliament meets;
- v. Administer the oath or affirmation of allegiance to the new Speaker in the presence of the assembled House;
- vi. Publish the agenda of the House in the form of an order paper;
- vii. Conduct the counting of votes in the election of the Speaker of the House

d) Deputy Clerks

There shall be two Deputy Clerks who shall be of opposite gender.

e) Hansard Editor

There shall be a Hansard Editor of female gender.

f) Deputy Hansard Editor

There shall be three Deputy Hansard Editors who shall be of female gender.

g) Sergeant-at-Arms

There shall be two Sergeant-at-Arms.

h) Deputy Sergeant-at Arms

There shall be four Deputy Sergeant-at-Arms.

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<sup>4</sup> Cf. Speaker

i) Nominated Members

- i. There shall be one Public Relations Officer of female gender.
- ii. There shall be one Corporate Affairs Officer of male gender.
- iii. The two above shall be nominated by the SONU Chairman.
- iv. The three signatories of SONU shall nominate one office assistant each.
- v. Nominated members as provided for in Schedule 4 (attached) should of take care of Gender, Ethnicity, Minority and Special Needs (including persons with disability) considerations as provided for under the Constitution of Kenya 2010.

**Article 16: The Executive**

**1) Composition**

The Executive shall consist of the following officials:

- a) Chairman
- b) Vice-Chairman
- c) Secretary General
- d) Secretary Special Needs
- e) Organising Secretary
- f) Secretary Finance
- g) Secretary Academic Affairs
- h) Secretary Gender Affairs
- i) Secretary Sports and Entertainment
- j) Secretary Legal Affairs
- k) Secretary Health and Environment
- l) Secretary Accommodation and Catering
- m) One Campus Representative from each of the following campuses:
  - i. Parklands Campus
  - ii. Lower Kabete Campus
  - iii. Upper Kabete Campus
  - iv. Medical School Campus
  - v. Chiromo Campus
  - vi. Kikuyu Campus

- vii. Main Campus, CHSS
- viii. Main Campus, CAE
- ix. Kenya Science Campus
- x. Mombasa Campus
- xi. Kisumu Campus
- xii. Any other Campus that may be established under the University of Nairobi Charter and Statutes.

## **2) Powers and Functions of the Executive**

The Executive:

- a) Shall be responsible for the day to day running of SONU;
- b) Shall implement decisions of the Parliament;
- c) Shall have powers to deal with emergency matters, but shall report to and seek the ratification of Parliament at the next immediate meeting of Parliament;
- d) Shall deal with any petition lodged to it by any member through the office of the Secretary General on account that any organ of SONU has failed to act as stipulated in the Constitution;
- e) Shall appoint members of the sub-committees as provided for in this Constitution;
- f) May subject to this Constitution, and where it deems appropriate, appoint an *ad hoc* committee for any named specific task; Provided the committee shall dissolve upon the completion of the named specific task;
- g) Shall meet as often as there is need but at least twice in a month;
- h) Shall handle, manage or deal with any matters directly affecting or incidental to the governance of SONU;
- i) Shall be the appointing authority of the Secretariat of SONU Parliament or any other such personnel and;
- j) Shall subject to this Constitution perform any other functions delegated to it by the Parliament.

## **3) THE CHAIRMAN**

1. There is established the office of the Chairman of SONU,
2. The Chairman:
  - a) Shall be the head of SONU and the Executive and shall, subject to this Constitution, be responsible for all matters on behalf of SONU;

- b) Shall convene Executive and SONU meetings and shall unless incapacitated by reason of illness or any other sufficient cause preside over such Executive and general meetings in accordance with this Constitution and the SONU Standing Orders;
  - c) Shall sign the minutes of Executive and SONU meetings;
  - d) Shall be an ex-officio member of all standing committees and
  - e) *ad hoc* committees;
  - f) Shall be a co-signatory to all SONU cheques and other negotiable instruments;
  - g) Shall represent SONU in the Senate and the University Council;
3. The Chairman shall have the following emergency powers:
- a) To call an emergency meeting of the Executive and/or Parliament **PROVIDED** that the meeting of the Parliament shall be called through the Speaker;
  - b) To take emergency decisions on behalf of SONU in extra-ordinary circumstances when the Executive or the Parliament cannot be consulted.

Provided that the Chairman shall seek the approval of the Parliament and the Executive as the case may be and communicate their decision to the Executive as soon as reasonably practicable.

- c) Chair and nominate members of the Special Investigations Committee provided for under this Constitution, for appointment by the Executive;
4. The Chairman shall articulate the policies of SONU and provide exemplary leadership;
5. The Chairman shall subject to this Constitution, carryout any other duties that may be delegated to them by the Executive or Parliament provided that such duty or responsibilities are consistent with the Constitution of Kenya 2010 and laws of Kenya.

#### 4) **THE VICE-CHAIRMAN**

- a) There is established the office of Vice-Chairman of SONU.
- b) The Vice-Chairman- shall:
  - i) Be the principal assistant to the Chairman and shall deputize the Chairman in his or her absence.

- ii) In consultation with the Chairman be in charge of resource mobilization and income generating activities and projects of the organization and shall prepare proposals for raising finances and resources for the organization.
- iii) Be in charge of all administrative and internal administration matters of The organization;
- iv) Develop and organize leadership training programmes; in consultation with the SONU Chairman
- v) In consultation with the Special Needs secretary, ensure welfare of needy as well as physically challenged members and members with disability;
- vi) Attend all Executive and organization meetings unless prevented by sufficient reason made known to the Executive;
- vii) In consultation with the Security Department of the University be in charge of security matters of the Organization.
- viii) Subject to this Constitution perform duties as delegated to them by the Chairman and/or the Executive and/or parliament.

## **5) THE SECRETARY ACADEMIC AFFAIRS**

1. There is established the office of Secretary Academic Affairs.
2. The Secretary Academic Affairs shall:
  - i) In consultation with the DVC (Academic Affairs) deliberate on academic issues;
  - ii) Work with the Director, Library and Information Services and be a representative in the Senate Library and Bookshop Committee, Time-Tabling Committee and Board of Common Undergraduate Courses;
  - iii) Coordinate Senate Students Representatives;
  - iv) Be the head of SONU Faculty Representatives Committee;
  - v) Appoint and chair the Academic Affairs Committee as stipulated under this Constitution;
  - vi) Participate in the planning, organization and management of academic, social, counseling, career and work study programmes;
  - vii) Attend all Executive and organization meetings unless prevented by sufficient reason made known to the Executive;
  - viii) Subject to this Constitution perform such other duties as may be delegated to them by the Chairman and/or the Executive.

## **6) THE SECRETARY GENERAL**

1. There is established the office of the Secretary General.

2. The Secretary General shall:

i) Be the Secretary of SONU Executive and the Organization;

ii) Take minutes of all Executive meetings and the Organization's general meetings;

iii) In consultation with the Chairman, be responsible for all general correspondence and safe keeping of minutes on behalf of the organization;

iv) Subject to this Constitution, keep all records and documents of the Organization including keeping files, registers and minutes of SONU;

v) Keep an accurate register of members and make it available for purposes of dissolution, vote of no confidence, elections and other purposes;

vi) In consultation with the Chairman and the Organizing Secretary, draw the SONU program of activities;

vii) Be the co-signatory to all SONU instruments and/ or documents ejusdem generis with the Chairperson or any other officer as stipulated under this Constitution;

viii) Be the co-chair of External Affairs Committee together with the Organizing Secretary;

ix) Attend all Executive and organization meetings unless prevented by sufficient reason made known to the Executive; and

x) Subject to this Constitution perform duties as delegated to them by the Executive and/or by the Chairman.

## **7) THE ORGANISING SECRETARY**

a) There is established the office of the Organising Secretary.

b) The Organizing Secretary shall:

i) Be the Organizing Secretary of SONU Executive and the organization ;

ii) Oversee the actual organization of SONU activities;

iii) In conjunction with the Chairman and Secretary General, draw SONU annual program of activities;

iv) Together with the Secretary General, co-chair and nominate members of External Affairs Committee;

v) Be the SONU Public Relations Officer in consultation with the Secretary General of SONU ;

vi) Attend all Executive and organization meetings unless prevented by sufficient reason made known to the Executive;

vii) Subject to this Constitution perform such duties as may be delegated to them by the Executive and/or by the Chairman.

## **8) THE SECRETARY FINANCE**

a) There is established the office of the Secretary Finance.

b) The Secretary Finance shall:

i) Be the Treasurer of SONU;

ii) Be in charge of management of finances of the organisation.

iii) Shall keep proper books of accounts and avail them for audit and inspection;

iv) Together with the Chair and Secretary General, be the signatory to all SONU bank cheque(s) and other negotiable instruments;

v) Under the guidance of the University Finance Officer, draw the annual budget of

SONU table it before the Executive and the Parliament for approval;

vi) Prepare annual account of SONU and liaise with the internal auditor during the period of audit;

vii) Ensure that the audited accounts are tabled before the AGM;



- viii) Prepare any other financial report as the Executive and Parliament may from time to time demand;
- ix) Ensure that sufficient internal controls exist to protect the assets of SONU;
- x) Attend all Executive and the organisation's meetings unless otherwise prevented by sufficient reason made known to the Executive;
- xi) Subject to this Constitution perform duties as delegated to them by the Executive and/or by the SONU Chairman

## **9) THE SECRETARY LEGAL AFFAIRS**

- a) There is established the office of the Secretary Legal Affairs.
- b) The Secretary for Legal Affairs shall:
  - i) Be the SONU Secretary in charge of legal affairs;
  - ii) Be the Legal Officer of SONU; iii) Be advisor to SONU on legal matters;
  - iv) Represent SONU in all Disciplinary Committees of the University where members are involved from Senate to the halls,  
PROVIDED that the Secretary for Legal Affairs may delegate representation to a Disciplinary Committee to any other SONU official;
  - v) Be the chair and nominate members of the of the Legal Affairs Committee provided for under this Constitution, for appointment by the Executive;
  - vi) Carry out any legal investigations or actions as may be mandated by Parliament;
  - vii) Be co-signatory to all SONU Memoranda of Understanding, contracts, treaties and all other legal instruments *ejusdem generis* (as the context requires);
  - viii) Attend all Executive and Organisation meetings unless prevented by sufficient reason made known to the Executive;
  - ix) Subject to this Constitution perform such other duties as may be delegated to them by the Executive.

## **10) SECRETARY SPECIAL NEEDS**

- a) There is established the office of the Secretary Special Needs.
- b) The Secretary for Special Needs shall undertake the following duties:
  - i. Represent the interests of students with special needs in the senate;
  - ii. Be the representative of students with special needs in all university committees formulating and implementing disability policies;

- iii. Be the chair and nominate members of the of the Special Needs Committee as provided for under this Constitution, for appointment by the Executive;
- iv. Be a link between SONU and representatives of other special needs professional bodies;
- v. Represent students with special Needs in the SWA Management Board;
- vi. Together with the Vice-Chairman ensure welfare of needy as well as students with disabilities;
- vii. Attend all Executive and organization meetings unless prevented by sufficient reason made known to the Executive;
- viii. Subject to this Constitution perform such other duties as may be delegated to them by the Executive and/or by the SONU Chairman.

## **11) SECRETARY HEALTH AND ENVIRONMENT**

- a) There is established the office of Secretary Health and Environment.
- b) The Secretary for Health and Environment shall:
  - i. Be the SONU Secretary in charge of Health and Environment;
  - ii. Be in charge of health and environment matters;
  - iii. Be a link between the SONU and University of Nairobi Health Services (UONHS) and represent SONU in committees of UONHS;
  - iv. In consultation with the University management shall be a link between the Organization and health and environment stake holders and shall take part in projects initiated by the University and the stakeholders;
  - v. Initiate projects designed towards on health and environmental awareness, protection, conservation and sustainability;
  - vi. Be the chair and appointing authority of the health and environment affairs committee;
  - vii. Attend all Executive and Organisation meetings unless prevented by sufficient reason made known to the Executive;
  - viii. Subject to this constitution perform such other duties as may be delegated to them by the Executive;

## **12) SECRETARY ACCOMODATION AND CATERING**

- a) There is established the office of the Secretary Accommodation and Catering.
- b) The Secretary Accommodation and Catering shall:
  - i) Be the SONU Secretary in charge of accommodation and catering;
  - ii) Be in charge of all accommodation and catering matters;
  - iii) Be a link between the organization and Student Welfare Authority (SWA) and represent SONU in SWA management board meetings;
  - iv) Be a member of SWA management Committee;
  - v) Be the chair and appointing authority of the Accommodation and Catering Affairs Committee;
  - vi) Be the chair and nominate members of the Meals and Accommodation Committee under this Constitution for approval by the Executive;
  - vii) Attend all Executive and the organization's meetings unless prevented by sufficient reason made known to the Executive;
  - viii) Subject to this Constitution perform such other duties as may be delegated to them by the Executive and/or by the Chairman.

## **14) SECRETARY SPORTS AND ENTERTAINMENT**

- a) There is established the office of Secretary Sports and Entertainment.
- b) The Secretary for Sports and Entertainment shall:
  - i) Be the SONU Secretary in charge of sports and entertainment;
  - ii) Liaise with the Office of the Dean of Students and the University Sports Department to ensure members' welfare in matters pertaining to sports and entertainment;
  - iii) Develop Sports and Entertainment policy of the Organization;
  - iv) Be the chair and nominate members of the Sports and Entertainment Committee, as provided for under this Constitution, for appointment by the Executive;
  - v) Represent SONU in all University Sports Council and all Sports Department Committees;
  - vi) Represent SONU in the management of the University Choir;
  - vii) Represent SONU in the management of the University Sports Teams;

- viii) Work in conjunction with the Secretary Accommodation and Catering to ensure provision of social services;
- ix) Work in conjunction with the Secretary for Gender Affairs to ensure provision of cultural and implementation of program
- x) Attend all Executive and organization meetings unless prevented by sufficient reason made known to the Executive;
- xi) Subject to this Constitution perform duties as delegated to them by the Executive and/or by the Chairman

## **15) SECRETARY GENDER AFFAIRS**

- a) There is established the office of Secretary Gender Affairs.
- b) The Secretary for Gender Affairs shall:
  - i) Be the SONU Secretary in charge of Gender Affairs;
  - ii) Develop the gender policy of SONU;
  - iii) Work in conjunction with all Secretaries to ensure provision of cultural and implementation of program;
  - iv) Be the chair and nominate members of the Gender Affairs Committee as provided for under this Constitution, for appointment by the Executive;
  - v) Act as a link between SONU and be the SONU representative in any University organisation concerned with gender issues;
  - vi) Attend all Executive and organisation meetings unless prevented by sufficient reason made known to the Executive;
  - vii) Subject to this Constitution perform such other duties as may be delegated to them by the Executive and or by the Chairman.

## **16) CAMPUS REPRESENTATIVES**

- a) There is established the office of Campus Representative.
- b) Each Campus Representative shall:
  - i) Generally articulate the special needs, aspirations and interests of their respective Campuses;
  - ii) Represent SONU in the College Academic Board of their campus;

- iii) Represent SONU in the Strategic Management Unit of their campus;
- iv) Represent SONU in Senate;
- v) Represent SONU in College Disciplinary Boards;
- vi) In consultation with the Vice-Chairman be in charge of resource mobilisation for campus based SONU activities;
- vii) Under the guidance of the College Principal, be in charge of the funds provided for under Campus Decentralization Funds in Article 34 of this Constitution in their respective campus;
- viii) Take part in all the other duties and functions of the Executive;
- ix) Attend all Executive and organisation meetings unless prevented by sufficient reason made known to the Executive;
- x) Subject to this Constitution perform such other duties as may be delegated to them by the Executive.

- c) **There is established the office of Deputy Campus Representative for Mombasa, Kisumu and Lower Kabete Campuses only.**
- d) The Deputy Campus Representative shall deputise the Campus Representative for the respective Campus (Mombasa and Kisumu)
- e) **The Deputy Campus Representative shall be the running mate of the Campus representative during elections.**
- f) **The Campus Representative and the Deputy Campus representatives of Kisumu and Mombasa Campuses shall not be of the same gender.**
- g) **In Lower Kabete, the Campus Representative and the Deputy Campus Representative shall be from different modules of study (Module I/Module II) and gender**

#### **Article 17: Advisor**

There shall be an Advisor who shall be a gold member of SONU and proposed who shall be a gold member of SONU and proposed by SONU Executive and approved by the council;

The advisor shall:

- a) give the executive and Parliament appropriate advise on technical issues which may arise from time to time;
- b) be the trustee of SONU for purposes of dissolution as provided for in Article 38;
- c) give SONU any other assistant where they may be needed;

PROVIDED that the advisor shall not

- i. be remunerated;
- ii. sit with the Parliament except for purposes of advising the Parliament;
- iii. vote in any SONU meeting

## **PART FOUR – ELECTIONS**

### **Article 18: Elections**

- 1) Elections shall be held between April 15th and May 15th of every year.
- 2) Parliament shall be dissolved by the Chairman through a motion one month before election date.
- 3) If the Chairman fails to dissolve Parliament, Parliament shall stand dissolved within two (2) days after the date on which it should have passed a motion of dissolution.

### **Article 19: Qualification of Candidates**

- 1) All candidates for SONU elections shall be paid up ordinary members of SONU.
- 2) A candidate contesting for a post in Parliament as a Halls Representative shall be a resident of the constituency that he or she is Contesting for.
- 3) A candidate contesting for a post of Faculty/ School/ Institute representative shall be a student of the constituency that they are contesting for.
- 4) A candidate shall stand for one position in an election.
- 5) A student shall stand for election in any executive position if he or she has been a member of SONU for at least one academic year, and upon successful completion of first year of study.**
- 6) A candidate shall not be eligible to contest for the same executive position in which he/she has served for 2 consecutive years.**
- 7) A student who should be available to serve for the entire term and shall be left with one full academic year.
- 8) A candidate contesting SONU elections must be of good conduct and must have a good academic record and must obtain a clearance letter from the respective Dean/Director of Faculty or School or Institute. The electoral commission shall clear the candidates on the aforementioned grounds.**

- 9) The following seats shall be reserved for the minority gender in the previous Executive:
- i. Secretary Gender Affairs
  - ii. Secretary Academic Affairs
  - iii. Secretary Finance
  - iv. Secretary Health and Environment
- 10) The SONU Chairman and Vice-Chairman shall be running mates and shall not be of the same gender.

### **Article 20: Electoral Commission**

- 1) There shall be an Electoral Commission to conduct and supervise SONU elections.
- 2) The Electoral Commission shall consist of outgoing SONU Executive officials who are not vying in the elections and 12 University Staff Commissioners.
- 3) For purposes of section 2, an outgoing official contesting in the elections shall be replaced by an outgoing senior official from the same campus.
- 4) The Speaker shall be the senior most person in the Commission, followed by the members of the Secretariat, Faculty Representative, and Halls Representative in that order from and for their respective campuses.

PROVIDED that when there is more than one person eligible, the person of the higher level of study must and shall be considered first.

PROVIDED that whenever there is more than one person eligible in the highest level of study, the Members of Parliament shall vote for one.

- 5) The twelve (12) Staff Commissioners shall be appointed and approved by senate.

PROVIDED THAT there shall be one representative from every campus.

- 6) There shall be a Chairperson of the Electoral Commission who shall be appointed by the DVC Student Affairs from among the staff commissioners and approved by senate.
- 7) The Chairperson of the Electoral Commission shall be the head of the Electoral Commission.
- 8) There shall be a Lead Commissioner elected from amongst the Student Commissioners who shall work hand in hand with the Chairperson of the Electoral Commission.
- 9) The Electoral Commission is mandated to undertake all activities related or incidental to the election.
- 10) Any regulations governing the conduct of campaigns by candidates and their supporters shall be published by the Electoral Commission. Once published, any such regulations may not be amended during the same election.
- 11) The rules shall be availed to and be signed by validly nominated candidates.
- 12) The Electoral Commission shall be the sole interpreter of any such regulations, subject to the complaints procedures outlined in the Constitution.
- 13) The Electoral Commission shall organize campaign debates in all the campuses for contestants for the Executive seats.

#### **Article 21: Nomination Procedure for Elections**

- 1) Nomination papers shall be picked from the Electoral Commission nineteen (19) days prior to the election date.
- 2) The nomination fee shall be non-refundable and shall be equivalent to fifty percent (50%) of the monthly allowance for the outgoing office holder for a similar post.
- 3) The fees shall be collected by the University Finance Officer on behalf of the Electoral Commission SONU.



- 4) Nomination papers for Executive posts shall be signed by the candidate, the candidate's proposer and five hundred (500) seconders.
- 5) Nomination papers for other Parliament members shall be signed by the candidate, a proposer and fifty (50) seconders.
- 6) Candidates shall submit duly signed nomination papers to the Electoral Commission between nine (9) to twelve (12) days prior to the election date between 8 am and 5 pm.
- 7) The nomination papers shall be returned in designated places in the contestants' respective campuses.
- 8) The Electoral Commission shall announce within two (2) days and cause to be prominently published immediately thereafter successfully nominated candidates.
- 9) Official campaigns shall begin immediately after the publication of the list of nominees by the Electoral Commission and shall last for seven (7) days ending 24 hours before the elections date.
- 10) A candidate validly nominated may withdraw his or her candidature by a written notice signed by the candidate and attested by three witnesses, one of whom shall be a person mentioned under section 3 and 4 of this Article.

## **Article 22: Voting**

- 1) SONU elections shall be by secret ballot, simple majority system and on the principle of one member one vote.
- 2) The ballot boxes shall be transparent, of a fixed number, counted, certified and recorded.

Notwithstanding the provisions in section 2, the Electoral Commission may consider electronic voting

- 3) For purposes of identification, students shall be required to produce a valid student and national identity card or a passport.
- 4) The electoral roll or register shall be prepared by the University.
- 5) Immediately after voting, the votes shall be counted at the respective polling stations.
- 6) The counting shall be presided over by the Returning Officer.
- 7) Candidates or their agents have the right to witness the counting and tallying
- 8) The tallying shall be presided over by the Electoral Commission.

- 9) Tallying shall be done at such place as may be determined from time to time by the Electoral Commission.
- 10) Whenever there is a tie in elections such elections, shall be held afresh until a candidate obtains a simple majority.
- 11) A candidate shall be entitled to a maximum of three recounts.
- 12) The candidate who gets a simple majority shall be declared the winner.
- 13) The Chairman of the Commission in consultation with the Electoral Commission shall announce the election results within one (1) day and cause them to be prominently published immediately thereafter.<sup>5</sup>

### **Article 23: Constituencies**

- 1) The election to the posts of the Executive shall be done by universal and equal suffrage.
- 2) The election of the other Parliament members shall be done by their constituents in their constituencies as provided for in Schedules ONE and TWO; and the candidates shall campaign only within their constituencies.
- 3) The election shall be conducted at such polling stations as may be determined by the Electoral Commission.

### **Article 24: Election Petition Panel**

- 1) There shall be an Independent Election Petition Panel, hereinafter referred to as the Panel.
- 2) The Panel shall consist of 1 student representative from every campus of the University of Nairobi appointed by the outgoing SONU officials and 2 members of staff appointed by Senate.
- 3) The Chair of the Panel shall be appointed by Senate.
- 4) The Chair of the Panel shall not be a member of staff or a student of the University of Nairobi.
- 5) The Chair of the Panel shall be an advocate of the High Court of Kenya of at least ten years standing with a background, expertise, experience and

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<sup>5</sup> **En**

integrity in constitutional law, constitutional democracy, electoral law, electoral processes and election petitions.

6) The Panel shall be constituted before dissolution of Parliament.

**Article 25: Election Petitions**

1) A Petition may be lodged with the Panel by a candidate or any member of SONU on any of the following grounds:

a) whenever such a candidate or member has reason to believe or has evidence that there has been a contravention of any election procedure or rule during the election period;

b) whenever there is an allegation of bribing of voters, intimidation and/or harassment of voters and/or candidates;

c) whenever there is an allegation that a candidate has otherwise breached the Constitution of Kenya 2010, the Public Office Ethics Act, the Anti-Corruption and Economic Crimes Act, any written law or this Constitution.

2) Senate may provide for the procedure of handling election petitions.

3) Petitioner may bring a petition regarding nominations, campaigns and/or elections.

4) A Petition must be lodged not later than three (3) days after the elections and must be signed by at least 20 constituency members in petitions for Parliament; or at least one hundred (100) members of SONU for the other positions or any other matter.

5) The Chairperson of the Panel shall notify the parties concerned and constituency members of the petition within forty eight (48) hours of lodging of the petition.

6) The Panel shall sit at such places as it may determine from time to time.

7) The Panel shall determine petitions expeditiously, but within not more than 14 days after the lodging of the petition.

8) The petitioner or the respondent may be allowed to have legal representation.

- 9) The hearing of the petition shall be *inter partes* (all parties present) save where a party fails to attend without any reasonable excuse, in which case an *ex parte* (only one party absent) hearing may be held.
- 10) The decision of the Panel shall be final and binding and shall be submitted to the Speaker.
- 11) The Speaker shall upon receiving the Panel's decision nullifying the election declare the seat vacant.
- 12) The by-election shall be conducted under the provision on vacancy and by-elections, and the relevant provisions of the Constitution.

### **Article 26: Swearing-In**

- 1) The elected officials shall be sworn in by the Chief Legal Officer of the University of Nairobi or such other person as may be appointed by Senate after the announcement of the results subject to clause 3 and certificates issued to the winning candidates.
- 2) The ceremony shall take place in public at the Chancellor's Court or at such other place as may be designated by the Electoral Commission.
- 3) The swearing in ceremony shall take place between the hours of 8.00am and 5.00 pm and not later than 24 hours after the announcement of results.
- 4) Elected officials shall take office upon being sworn in.

### **Article 27: By-Elections**

- 1) A vacancy and by-election shall be held whenever an office or seat falls vacant by reason of:-
  - (a) a successful petition
  - (b) cessation of studentship through expulsion from, or discontinuation by the University
  - (c) imprisonment for a term longer than three months
  - (d) death or physical or mental infirmity Parliament
  - (e) contravention of the Constitution of Kenya 2010 and any other relevant law.
  - (f) resignation, or suspension from the University for a period longer than three months.
- 2) The by-election shall take place within fourteen (14) days of the office or

seat falling vacant and shall follow the same procedure as provided for in Part Four of this Constitution;

- 3) A by-election shall not be held unless there are at least three months to the next General Election;
- 4) Where the seat of an Executive member falls vacant, the remaining members of Executive shall appoint another Executive member in an acting capacity for the vacant seat, subject to the approval of Parliament;
- 5) Where the seat of a Congress person falls vacant, the remaining members of Parliament from that campus shall appoint another Congress person from their campus in an acting capacity for the vacant seat subject to the approval of Parliament.
- 6) Senate to the applicable law, Senate shall provide guidelines on the conduct, supervision and management of bye-elections.

## **PART FIVE: FINANCE**

### **Article 28: Revenue**

SONU shall secure its revenue from lawful sources including:

- a) Membership fees;
- b) Allocations from the University;
- c) Donations;
- d) Grants;
- e) Income from business premises duly approved by the university management board.
- f) Any other lawful means.

### **Article 29: Expenditure**

The expenditure of SONU shall be approved in the first instance by the University Management Board on the recommendation of Parliament and expended on a day to day basis by the Chairman, Secretary Finance with the guidance of the Finance Committee, the Executive and the overall guidance of the University Finance Officer.

### **Article 30: Financial Year**

The financial year of SONU shall run from July 1st to June 30th as that of the University

### **Article 31: Annual Accounts**

- 1) Under the guidance of the University Finance Officer and in compliance with the University Financial Regulations, the Treasurer shall prepare Annual Accounts and present them to Finance Committee which shall discuss and table them at the AGM after they have been audited by the National Audit Office.
- 2) Such accounts shall be signed by the Chairperson and Treasurer and in absence of the Chairperson by another member of the Finance Committee.

### **Article 32: Audit and Audit Report**

- 1) The University Auditor shall at all times have access to books and records of SONU and shall be entitled to receive all relevant information necessary to complete the audit of SONU accounts.
- 2) The auditor shall table their report at the AGM and shall state in it whether or not SONU has kept proper books of accounts.

### **Article 33: Campus Decentralisation Funds (CDF)**

- 1) With the University Management's approval, every financial year SONU shall prepare an annual budget, for finances to be used for campus based activities in each campus through the Campus Representative.
- 2) Members shall be entitled to apply for the said funds for activities approved by the University Management through their respective Campus Representatives and the College Principals.
- 3) Parliament shall propose rules and regulations, for approval by the University Management Board, to ensure equitable distribution and accounting of the funds by the recipients in compliance with the University Financial Regulations.

## **PART SIX: BREACH OF THE CONSTITUTION AND DISPUTE RESOLUTION**

### **Article 34: Breach of the Constitution and SONU Disciplinary Committee**

- 1) There is hereby established the SONU Disciplinary Committee.
- 2) Any person or group of members breaching the SONU Constitution shall be subject to disciplinary proceedings of the SONU Disciplinary Committee.
- 3) Parliament shall make rules to govern the Disciplinary Committee's composition and proceedings.

**Article 35: Dispute Resolution**

1) All disputes regarding the interpretation and implementation of this Constitution shall, as provided by Article 159 of the Constitution of Republic of Kenya 2010, first be solved through the following:

- a) Good offices
- b) Mediation
- c) Conciliation
- d) Negotiation

2) Where such methods as described above fail, parties shall proceed to arbitration.

3) For purposes of Section 2 above, there shall be an Arbitrator who shall be appointed by the Parliament from among members of the University staff on the recommendation of Parliament, subject to the approval of the Vice Chancellor

**PART SEVEN: IMPEACHMENT, RIGHT OF RECALL AND DISSOLUTION.**

**ARTICLE 36: IMPEACHMENT**

1) A Member of the SONU Parliament supported by at least two thirds of all Members of Parliament may move a motion for impeachment of any member of the Executive other than the Campus Representatives:-

- a) on the ground of gross violation of the SONU constitution, the Constitution of Kenya or any other written law; or
- b) where there are serious reasons for believing that the official has committed a crime under any other written law; or
- c) for gross misconduct

2) If a motion under clause one (1) is supported by at least two thirds of all the Members of the SONU Parliament, the Speaker of the Parliament shall convene a

meeting of the Parliament to hear charges against the official.

3) The Parliament may by special resolution appoint a Special Committee comprising eleven of its members to investigate the matter and report back to Parliament within ten days whether it finds the particulars of the allegations against the official to have been substantiated.

4) The official shall have the right to appear and be represented before the Special Committee during its investigation.

5) If the Special Committee reports that the particulars of any allegation against the official-

a) Have not been substantiated further proceedings shall not be taken in respect of that allegation; or

b) Have been substantiated, the Parliament shall after according the official the opportunity to be heard, vote on the impeachment charges.

6) If at least two thirds of all members of Parliament vote to uphold any impeachment charge, the official shall cease to hold office.

### **ARTICLE 37: RIGHT OF RECALL OF CAMPUS REPRESENTATIVE**

1) There shall be a right to recall Campus Representatives.

2) A Campus Representative shall be recalled on the following grounds:

a) Gross misconduct; or

b) Inability to perform duties assigned to him due to mental incapacitation; or

c) Gross violation of the Constitution of Kenya 2010, this Constitution and any other written law.

3) The procedure for recall shall be as follows:

a) A member of the concerned campus supported by at least two thirds of the members of SONU from that campus, can lodge a petition to SONU Parliament.

b) Once the petition is received by the SONU Parliament, the Speaker shall appoint a Committee of eleven members to investigate the allegation.

c) The Committee shall report to Parliament the findings within a period of seven days and may recommend that the Representative be recalled.

d) The matter shall thereafter be subjected to a vote: if two-thirds of members of SONU Parliament vote in support of the motion, the Representative shall stand recalled.



### **Article 38: Dissolution**

1. The Organisation shall not dissolve except by a resolution passed by AGM by a vote of at least two thirds (2/3) of all SONU members.

2. Where such a motion to dissolve is duly passed, SONU shall cease existence whereafter the Advisor shall settle any debts or lien owing a first and paramount consideration; the assets or profits thereof shall be bequeathed to student organisation, youth movement, union or project which has a similar mandate as the AGM or SGM dissolving SONU shall decide.

### **Article 39: Amendment of the Constitution**

1) Any Member of Parliament may propose an amendment of the Constitution by bringing to Parliament for debate a motion to amend the Constitution.

2) Parliament shall pass the motion by a two thirds majority of the Members.

3) Any amendment to this Constitution shall be effected when approved by at least two-thirds of the *bona fide* members of SONU and the Council.

## **PART EIGHT: AFFILIATION**

### **Article 40: Eligibility for Affiliation**

Any registered student organisation in the University may be affiliated to SONU upon its application for affiliation to the Executive and approval by Parliament **PROVIDED** that:

- a) All its members are members of SONU and **PROVIDED** further that the Executive shall consider each case on its own merits without prejudice to the foregoing section;
- b) Its membership is not limited by racial, tribal, sex, age or other identity;
- c) Its constitution is not repugnant to the aims and aspirations of SONU and the University;
- d) It has not less than (50) fifty.

### **Article 41: Subscriptions by SONU Affiliates**

Such organisations as mentioned in Article 40 above after having so affiliated shall

remit to SONU Treasurer an annual subscription of Kenya shillings two thousand (KES 2,000/=) or such figures as may be determined by the Parliament

**Article 42: Rights of SONU Affiliates**

Affiliated organizations may be eligible for financial aid on application to the Treasurer and approval by the Parliament.

**PART NINE: RULES AND REGULATIONS, TRANSITION AND MISCELLANEOUS**

**Article 43: Rules and Regulations**

**SCHEDULE 1** Subject to this Constitution, Parliament shall have the power to enact other rules and regulations for implementing this Constitution.

**SCHEDULE 1** Such rules shall be consistent with this Constitution.

**Article 44: Transitional Provisions**

1) This Constitution shall come into effect once it has been adopted by senate and approved by Council.

2) Upon enactment of this Constitution, the Constitution of the Students' Organization of the University of Nairobi 2011 shall cease to apply save as where provided for under this Constitution.

3) Where under this Constitution Parliament is required to make rules and/or regulations, the existing rules and/or regulations shall apply until such a time as when Parliament makes other rules and/or regulations.

4) All acts which have been constitutionally undertaken by the Executive and Parliament shall be regarded to be valid under this Constitution.

5) That elections shall be held between the 15<sup>th</sup> of March and 15<sup>th</sup> of April in the year 2014 following which this constitution shall be effected in the following years.

**SCHEDULE 1  
HALL REPRESENTATIVES**

**UNDER ARTICLE 13**

CONSTITUENCY	REPRESENTATIVES ALLOCATED
MAIN CAMPUS	
BOX WOMENS HALL	2
MAMLAKA A	1
MAMLAKA B	1
HOUSES	1
PREFABS 1-5	2
PREFABS 6-10	2
HALL 1	1
HALL 2	1
HALL3	1
HALL 4	1
HALL 5	1
HALL 6	1
HALL 7	1
HALL 8	1
HALL 9	2
HALL 10	2
HALL 11	2
HALL 12	2
HALL 13	2
STELLA AWINJA	2
STATE HOUSE ROAD HOSTEL	1
PARKLANDS CAMPUS	
PARKLANDS HOSTELS	3
PARKLANDS	1
PARKLANDS DIASPORA	1
UPPER KABETE	
MANDELA	2
TANA A	2
TANA B	2
TANA C	2
WAKULIMA	2
SOWETO	2

MUGABE	2
CHIROMO CAMPUS	
CHIROMO HOSTEL D	2
CHIROMO HOSTEL A,B AND C	2
LOWER KABETE	
NAROK	1
MASAKU	1
SAGANA	1
JOGOO	1
MALINDI	1
KAPENGURIA	1
MERU	1
MASENO	1
NEW YORK	2
BLOCK A-D	1
KIANGOMBE	1
SAGANA	1
KIKUYU CAMPUS	
PIONEER 1-6	3
KIMBERLEY WING A	2
KIMBERLY WING B	2
KIMBERLEY WING C	2
PIONEER 7-11	3
ANNEX	1
MEDICAL SCHOOL	
SOWETO	4
MAIN BLOCKS	4
NON RESIDENTS	4
KENYA SCIENCE	8

**SCHEDULE 2****NON-RESIDENT CONGRESSES (ONE MALE, ONE FEMALE)**

CAMPUS	NUMBER
MAIN CAMPUS CHSS	2
MAIN CAMPUS CAE	2
PARKLANDS	2
LOWER KABETE	2
UPPER KABETE	2
KIKUYU	2
KENYA SCIENCE	2
CHIROMO	2
MOMBASA	2
KISUMU	2

**SCHEDULE 3****UNDER ARTICLE 14****FACULTIES/SCHOOLS/INSTITUTES REPRESENTATIVES**

	CONSTITUENCY	NO OF SEATS
1	SCHOOLOF BIOLOGICAL SCIENCES	2
2	SCHOOLOF PHYSICAL SCIENCES	2
3	SCHOOL OF ENGINEERING	2
4	SCHOOL OF COMPUTING AND INFORMATICS	2
5	SCHOOL OF MATHEMATICS	2
6	SCHOOL OF BUILT ENVIRONMENT	2
7	SCHOOL OF ARTS AND DESIGN	2
8	SCHOOL OF PHARMACY	2
9	SCHOOL OF MEDICINE	2
10	SCHOOL OF NURSING	2
11	SCHOOLPF DENTAL SCIENCES	2
12	SCHOOL OF LAW	2
13	SCHOOL OF BUSINESS	2
14	SCHOOLOF ECONOMICS	2
15	SCHOOL OF EDUCATION	2
16	FACULTY OF VETERINARY MEDICINE	2

17	FACULTY OF AGRICULTURE	2
18	SCHOOL OF CONTINUING & DISTANCE EDUCATION	2
19	FACULTY OF ARTS	3
20	IAGAS	2
21	KENYA SCIENCE CAMPUS	2
22	KISUMU CAMPUS	3
23	MOMBASA CAMPUS	4
24	SCHOOL OF JOURNALISM	2
25	INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES	2
	TOTAL	52

**SCHEDULE 4  
CONGRESS NOMINATIONS**

**UNDER ARTICLE 15 & 16**

	OFFICE	NO
1	CHAIRMAN	5
2	VICE-CHAIRMAN	3
3	SECRETARY GENERAL	3
4	SECRETARY FINANCE	3
5	ORGANISING SECRETARY	2
6	SECRETARY SPECIAL NEEDS	2
7	SECRETARY ACADEMIC AFFAIRS	2
8	SECRETARY LEGAL AFFAIRS	2
9	SECRETARY HEALTH & ENVIRONMENT	2
10	SECRETARY ACCOMODATION & CATERING	2
11	SECRETARY GENDER AFFAIRS	2
12	SECRETARY SPORTS & ENTERTAINMENT	2
13	CAMPUS REPRESENTATIVES	22
14	SPEAKER	0
15	CLERK	0
	TOTAL	52