



THE AGA KHAN UNIVERSITY

**CONSTITUTION OF THE
AGA KHAN UNIVERSITY STUDENTS' ASSOCIATION
(AKUSA)**

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**THE AGA KHAN UNIVERSITY STUDENTS' ASSOCIATION
CONSTITUTION, 2020**

PREAMBLE

WE the students of the Aga Khan University, Kenya desiring to constitute ourselves as an association to secure for ourselves and our posterity academic freedom, excellence, liberty and welfare,

RECOGNISING the selfless efforts, drawbacks and successes of the founding and succeeding members of the students' association,

PROUD of our pluralistic nature demonstrable in the diversity of backgrounds and cultures of members of the students' association, and united by a common purpose and aspirations,

GUIDED by the vision of the Chancellor of the Aga Khan University, and the humanitarian mission and core principles of the University,

DETERMINED to adhere to the national values and principles of governance, principles of leadership, compassion and integrity,

GUIDED by reason, courtesy, and genuine search of all virtues to live in comradeship, peace and to develop wholesome collaboration with other student bodies, persons, institutions and all who believe in the ideals of equal access, excellence in education and creation of new knowledge,

ADOPT, ENACT and give this Constitution to ourselves and future students of the Aga Khan University, Kenya.

Dated: May 4, 2020

PRELIMINARY

Citation

This Constitution may be cited as the Aga Khan University Students Association, Kenya 2020.

Interpretation

In this Constitution, unless the context otherwise requires.

‘Charter’ means Charter of the Aga Khan University.

‘Core values’ means core values of the Aga Khan University.

‘Council’ means Board of Trustees of the Aga Khan University.

‘Constitution’ refers to the Constitution of AKUSA.

‘Member’ means a student of the Aga Khan University in Kenya enrolled in a programme of study approved by the Council.

‘Senate’ means Kenya Academic Council/Senate as described in the Charter.

‘Services’ means duties and responsibilities of SEC members.

‘Student welfare’ means mental, physical and emotional well-being of students.

‘University Administration’ means the Office of the Vice Chancellor, Academic and/or the Office of Student Affairs & Services.

‘Vision’ means the University’s vision statement.

Not-for-profit Statement

This is not-for-profit association.

Statement of Political Neutrality

This association shall not be affiliated to any political organization within and outside Kenya.

Statement of Non-discrimination

This association shall not discriminate based on sex, race, color, sexual orientation, gender

identity and gender expression, religion, age, marital status, national origin, disability, or veteran status, recruitment of members, participation in activities of the association, or opportunities to hold office.

Statement of Compliance with University Regulations

This association shall comply with all Aga Khan University in Kenya and campus policies and regulations and local, and state laws.

Statement of Non-Hazing

As per University Policy #028 (*Student Anti-Harassment Policy*), this association will not conspire to engage in hazing, or commit any act that causes or is likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to any fellow student or person attending the institution.

Statement of Misinterpretation

In case of disagreement of any section or clause of this constitution amongst members of Students Executive Council (SEC) or members of this association, the Aga Khan University in Kenya Legal Officer will appoint two members of the University community who must have legal knowledge, and who together shall interpret the constitution.

CHAPTER ONE

SECTION 1: NAME OF THE ASSOCIATION

Pursuant to Section 41 of the Universities (Amendment) Act 2016, Section 18 of AKU Charter 2020, the association of students of the Aga Khan University in the Republic of Kenya shall be known as **Aga Khan University Students' Association** hereafter referred to as **AKUSA or the Association**; duly registered with the Registrar of Societies.

SECTION 2: SCOPE OF OPERATION AND LOCATION OF REGISTERED OFFICE

- a) This Constitution shall be applicable to all students in the Colleges, Schools, Faculties, Campuses, Centers, and Institutes now and in the future of the Aga Khan University.
- b) The head office of AKUSA shall be situated at the main campus of the Aga Khan University in Kenya.

SECTION 4: MANDATE

The Association shall have the following mandate for the students of the Aga Khan University:

- a) To represent, advocate for, and enhance the interest and welfare of the students.
- b) To serve as a platform for students of Aga Khan University in Kenya to engage in activities for their academic, spiritual, moral, harmonious communal life and social well-being.
- c) To promote high ethical standards, integrity, honesty, transparency and cohesion among the students.

SECTION 5: THE OBJECTIVES OF THE ASSOCIATION

The objectives of the Association include: To:

- a) Establish, foster and maintain an effective and efficient student representation in the Aga Khan University organs subject to provisions of Universities Act 2016, AKU Charter and Statutes.
- b) Liaise with the University Administration to cultivate, encourage and promote high standards of scholarship and social-cultural values among students.

- c) Develop and inculcate positive attitudes and virtues towards the University community through participation in Aga Khan University activities, community service, co-curricular activities and other related projects in accordance with the Aga Khan University in Kenya objectives.
- d) Promote the participation of Aga Khan University students in projects of national interest and foster cohesion and the spirit of nation building.
- e) Strive to advocate for equitable social, economic and spiritual welfare of students.
- f) Nurture innovative and responsible leadership among students.
- g) Coordinate publication and distribution of online magazines, journals or other publications through which students can express their views, thoughts and creative talents.
- h) Work with and foster mutually beneficial linkages and cooperation with other student bodies and relevant organizations with similar objectives.
- i) Encourage student academic research and development of professional skills and talents through participation in student-led research forums to showcase their research projects and professional achievements.
- j) Promote mutually beneficial student-faculty relationships.
- k) With approval from the Vice Provost Student Affairs and Services, through relevant departments of the Aga Khan University, raise funds through lawful means in accordance with Aga Khan University and policies and use these funds to achieve stated objectives of the Association.
- l) Represent the student association in any forums in which their input and/or presence is invited.
- m) Carry out activities incidental to achieving the above objectives.

CHAPTER TWO

SECTION 6: MEMBERSHIP

- a) All students enrolled in academic programmes at Aga Khan University that have been approved by the Council shall be members of the Association.
- b) Members shall pay an annual subscription fee of one thousand Kenya shillings (KES. 1000), or such amount as may be determined from time to time by Students' Executive Council and approved by the Senate.

SECTION 7: CESSATION OF MEMBERSHIP

- a) Any member of AKUSA shall cease to be a member upon successful completion of studies and subsequent clearance and graduation or when such a member ceases to be a student at the Aga Khan University.

CHAPTER THREE

SECTION 8: RIGHTS AND FREEDOMS OF MEMBERS

- a) A member may seek election to any office or position established in this Constitution and shall be entitled to vote at AKUSA elections.
- b) A member of the Association shall have the right to access all relevant information relating to the affairs of the Association including books and records of accounts, audit reports and minutes of meetings, after providing a written notice.
- c) A member shall have the right to take part in all activities organized by the Association.
- d) Subject to Chapter 4 of the Constitution of Kenya 2010, AKUSA members shall have the right to freedom of religion, belief and opinion, the right to freedom of association on campus, the right to freedom of expression, which does not extend to hate speech, inciting or carrying out violence and political rallies, and the right, peacefully and unarmed, to assemble and to present petitions to AKUSA organs and to the University Administration through the appointed officer of the Aga Khan University.
- e) The rights and freedoms in this chapter may only be limited in terms of legal rules of general application, which, for purposes of this section, are deemed to include Aga Khan University in Kenya regulations, rules and policies.

SECTION 9: DUTIES OF MEMBERS

AKUSA, K members shall endeavor to:

- a) Promote the objectives of the Association as provided under CHAPTER 2 of this Constitution.
- b) Take part in all the activities of the Association.
- c) Abide by all the decisions made under this Constitution.
- d) Pay annual subscription fee as stipulated in CHAPTER 2 of this Constitution.
- e) Respect, uphold and defend this constitution.
- f) Protect the University and its reputation.

CHAPTER FOUR

SECTION 10: AKUSA, K ORGANS AND MEETINGS

The following shall be the Organs of AKUSA;

- a) The Students Executive Council.
- b) The Congress.
- c) AKUSA Electoral Commission.
- d) Members in General Meetings.

There shall be three categories of meetings of AKUSA members;

- a) The Annual General Meeting hereinafter referred to as AGM.
- b) The Special General Meeting, hereinafter referred to as SGM, and,
- c) The Consultative Meetings (Baraza).

- d) All official meetings of AKUSA, that is, AGM, SGM and SEC meetings and any other meetings shall be conducted in English and translated accordingly for the benefit of special interest groups such as the deaf.

SECTION 11: THE ANNUAL GENERAL MEETING

- a) The AGM shall take place during the 4th week of July.
- b) The AGM shall be called by giving at least 14 (fourteen) days' notice by the Secretary General in consultation with the Chairperson.
- c) Notice convening the AGM shall be accompanied by:
 - (i) The Agenda;
 - (ii) The minutes of the last AGM;
 - (iii) The Annual Report and Accounts.
- d) The AGM shall be duly constituted with the presence of one third of bona fide members.
- e) The agenda of the AGM as presented by the Secretary General shall be, but not limited to;
 - (i) Approve minutes of the last AGM as presented by the outgoing Secretary General.
 - (ii) Receive the annual financial report from the outgoing Treasurer.
 - (iii) Receive an overall report on operations from the outgoing Chairperson.
 - (iv) The SEC shall stand dissolved at the close of the AGM.
- f) Every decision during the AGM shall be by a simple majority of the present members.

SECTION 12: SPECIAL GENERAL MEETING

The SGM may be called for any specific purpose, including discussion and resolution of matters that are of urgent nature and cannot wait for the AGM.

- a) SGM shall be called through the Secretary General.

- b) Notice of SGM and Agenda shall be issued not less than 7 (seven) days before the date of such meeting.
- c) The SGM shall be held as and when need arises to deliberate on specific issues that emerge during the semester.
- d) In case of failure of the Secretary General to call for the SGM, the Chairperson shall convene the meeting in the prescribed manner.

In the event (c) and (d) fails, any member of AKUSA can call for a meeting upon collection of 25% signatures of members and upon notification to the Director of Student Experience.

SECTION 13: THE CONSULTATIVE MEETING (STUDENTS' BARAZA)

- a) Students' Baraza may be called at any given time for any purpose(s) of an emergency nature by the Chairperson or in his/her absence the Secretary General.
- b) Where matters are not unanimously agreed at such consultative meeting, voting may be required.
- c) For voting purposes, the Quorum of the consultative meeting shall be by those members present at the meeting.

CHAPTER FIVE

SECTION 14: THE STUDENTS' EXECUTIVE COUNCIL (SEC)

The SEC shall comprise of:

- a) The Chairperson.
- b) The Vice Chairperson, who shall be of the opposite gender with the chairperson and not from the same academic entity.
- c) The Secretary General.
- d) Treasurer.

- e) Academic Secretary.
- f) Sports and Entertainment Secretary.
- g) Pluralism Secretary.

SECTION 15: QUALIFICATION TO STUDENT EXECUTIVE COUNCIL AND THE CONGRESS

A member of AKUSA qualifies for election into any of the SEC positions or the congress upon fulfillment of the following conditions:

- a) Be a bona fide student of AKU in good academic and behavioural standing.
- b) Not a member of AKUSA Electoral Commission.
- c) Not have held position in SEC or Congress for two terms at AKU or any other University in Kenya.

SECTION 16: AUTHORITY AND RESPONSIBILITY OF THE STUDENT EXECUTIVE COUNCIL

The SEC members shall hold office for a term of one (1) academic year running from September to August with elections in August, and may seek re-election for another one final term.

The SEC shall have the authority and responsibility provided in this Constitution, and in particular:

- a) The SEC shall be fully responsible for the general administration of AKUSA including preparation of annual budget and returns.
- b) Ensure all members uphold this Constitution, and that the constitution is free from willful interference.
- c) Formulate policies and/or by-laws in conformity with the Aga Khan University in Kenya regulations, for the proper running and operation of its organs as shall be determined from time to time.
- d) Implement resolutions.

- e) Shall have mandate to incur expenses and raise funds, subject to the provisions of Section 5 (k).
- f) Keep accurate and up-to-date records of AKUSA activities and financial accounts.
- g) Oversee and plan, in consultation with the Director of Student Experience students' activities for the promotion of academic, spiritual, moral, harmonious communal life and social well-being of all students.

SECTION 17: PRIVILEGES OF SEC OFFICE BEARERS

- a) The SEC Office bearers shall be eligible for nomination to relevant Aga Khan University committees and other ad-hoc committees and task forces as may be established from time to time.
- b) Other privileges may be accorded to the SEC at the discretion of the Senate, including access to relevant leadership trainings.
- c) Other privileges as agreed by resolution at the AGM.

SECTION 18: SEC MEETINGS AND DECISIONS AT SEC MEETINGS

- a) SEC regular meetings shall be four times per year. Special meetings shall be convened when need arises.
- b) The SEC meetings shall be called by a seven-day notice by the Secretary General in consultation with the Chairperson.
- c) The quorum for the commencement and conduct of a meeting of the SEC shall be 50% plus 1 of the members.
- d) SEC meeting shall be presided over by the Chairperson, in the absence of the Chairperson, the Vice Chairperson, in the absence of the Chairperson and the Vice Chairperson, any other member of the SEC elected by the members present at that time.
- e) Proceedings of meetings shall be documented and records kept by the Secretary General.
- f) Decisions in SEC meetings shall only be valid upon approval by a simple majority of the votes of quorate members present (50% plus 1).

SECTION 19: THE CHAIRPERSON

Subject to the provisions of Universities (Amendment) Act, 2016 and the Charter, unless specifically stipulated otherwise in this Constitution, the duties and responsibilities of the Chairperson shall be as follows:

- a) Responsible for the overall administration of the SEC.
- b) Act as the custodian of the AKUSA Constitution and ensure that the constitution is free from willful and malicious interference.
- c) Preside over the AGM, SGM, SEC meetings and consultative meetings of AKUSA, K.
- d) Represent AKUSA at Aga Khan University meetings in which the Association's representation is required.
- e) Be a signatory to AKUSA financial transactions and documents.
- f) Ensure existence of proper and cordial relationship between the various organs of AKUSA and the Aga Khan University in Kenya, in general.
- g) Delegate and assign duties to members of the SEC or other members of the Association.
- h) Make emergency decisions, with due consultation provided that such decisions are in the best interest of members of AKUSA.
- i) Exercise prudent oversight of the expenditure of funds of the Association
- j) Coordinate sourcing of funds for activities of the Association in liaison with the Director of Student Experience.

SECTION 20: THE VICE CHAIRPERSON

Subject to provisions of Universities (Amendment) Act, 2016 and the Charter, unless specifically stipulated otherwise in this Constitution, the duties and responsibilities of the Vice Chairperson shall be:

- a) Deputize the Chairperson in the exercise of the latter's duties.

- b) In absence of the Chairperson assume, and act on, the authority and responsibility of the Chairperson, except being a signatory to the financial accounts.
- c) Represent AKUSA at the meetings of the Aga Khan University where students' welfare matters are discussed.
- d) In charge all student welfare matters in relation to the functions of the Association.
- e) Coordinate and facilitate community service and related projects in liaison with relevant entities of the Aga Khan University including the Aga Khan University Hospital, Nairobi.
- f) Perform any other duty as may be assigned from time to time by the Chairperson.

SECTION 21: SECRETARY GENERAL

Subject to provisions of the Universities (Amendment) Act, 2016 and the Charter, unless specifically stipulated otherwise in this Constitution, the duties and responsibilities of the Secretary General shall be:

- a) Record the minutes of the AGM, SGM, SEC meetings and Consultative Meetings of AKUSA.
- b) Maintain and have custody of all correspondences and records of AKUSA.
- c) Be a signatory to financial accounts of the Association.
- d) Publicize notice of meetings of the Association as required by this Constitution.
- e) Perform such other functions as may be assigned by the Chairperson, subject to approval by the SEC.
- f) Be the spokesperson of the AKUSA.

SECTION 22: TREASURER

Subject to provisions of the Universities (Amendment) Act, 2016 and the Charter, unless specifically stipulated otherwise in this Constitution, the duties and responsibilities of the Treasurer Secretary shall be:

- a) To maintain proper book keeping and accurate records of financial transactions of the Association.
- b) A mandatory signatory to all AKUSA financial documents and transactions of accounts.
- c) To make funds available for the payments of all budgeted and approved expenses of AKUSA in accordance with the Aga Khan University's purchasing and supplies procedures.
- d) To present annual audited financial accounts of the Association to the AGM.
- e) To present quarterly financial reports to members.
- f) To prepare and present the proposed budget of the Association to the SEC for approval.
- g) Within 30 days of assuming office and in consultation with the Chairperson, collect and harmonize the Association's budget proposal.
- h) Serve as the custodian of the Association's income generating activities.
- i) To perform such duties and functions as may be assigned to him/her from time to time by the Chairperson.

SECTION 23: PLURALISM SECRETARY

Subject to provision of Universities (Amendment) Act 2016 and the Charter, unless specifically stipulated otherwise, in this Constitution the duties and responsibilities of the Pluralism Secretary shall be:

- a) Advocate for the rights and specific needs of students with disabilities among the student population within the Aga Khan University.
- b) Ensure that principles of inclusion and diversity are upheld in clubs and activities.
- c) Monitor and recommend review on policies affecting persons living with disabilities among the student population.
- d) Advocate for gender equity in representation and provision of services and opportunities by the Association and the Aga Khan University at large.
- e) Advocate for the rights of international students.

- f) Subject to this Constitution perform duties as delegated to him/her by the Chairperson.

SECTION 24: ACADEMIC SECRETARY

Subject to provision of the University (Amendment) Act 2016 and the Charter, unless specifically stipulated otherwise in this Constitution the duties and responsibilities of the Academic Secretary shall be: -

- a) To liaise with class representatives, academic heads, entity deans and the Associate Registrar in the furtherance of students' academic achievement and success.
- b) To advocate for, encourage and facilitate relevant academic activities such as seminars, lectures, speeches/talks, exhibitions, quizzes, conferences and research symposia on campus.
- c) In liaison with the Office of the University Registrar, Student Experience and SEC, help facilitate orientation of new students and provide information relating to academic life on campus.
- d) Perform any other duty as may be assigned to him/her from time to time.

SECTION 25: ENTERTAINMENT AND SPORTS SECRETARY

Subject to Commission for University Education, University Standards and Guidelines 2014, unless specifically stipulated otherwise in this Constitution, the duties and responsibilities of Entertainment and Sports Secretary shall be:

- a) To organize, coordinate and ensure equitable access to recreational facilities and activities in consultation with the relevant Aga Khan University in Kenya offices/authorities.
- b) To liaise with relevant offices in coordinating sports events, fetes, entertainment, games contests, friendly matches and cultural events and other recreational activities for students and the Aga Khan University community.
- c) To liaise with the Treasurer to pay for entertainment and recreational activities organized by AKUSA and organize farewell to graduating students.
- d) To work hand in hand with the team captains, coaches and clubs such as drama, choir etc. in arranging activities with the objective of entertainment and intra- and inter-University competitions.

- e) A member of the relevant AKUSA committee as established under this Constitution responsible for publishing students' work.
- f) By virtue of his/her office shall be a member of AKUSA committee responsible for shows and exhibitions on campus.
- g) To perform any other relevant duty as may be assigned to him/her by the Chairperson.

SECTION 26: REMOVAL FROM OFFICE OF THE STUDENT EXECUTIVE COUNCIL.

- a) Any SEC member may be removed from office on the following grounds;
 - (i) Gross violation of the constitution
 - (ii) Financial misappropriation
 - (iii) Negligence of duty
 - (iv) Academic probation
- b) The SEC official shall have the right to appeal against such removal to the Director of Student Experience within two days of being served with the removal resolution.
- c) Upon being served with a petition of appeal, the Director of Student Experience shall, within seven days, appoint a team drawn from among the student body and University staff to convene a referendum in which members of AKUSA shall be entitled to vote.
- d) The SEC member shall be deemed to be finally removed from office if 51% (fifty-one per cent) or more of the total votes cast in the referendum are in favor of his/her removal upon which event fresh elections for the post shall be called within two weeks.

SECTION 27: CESSATION FROM SEC OFFICE

One ceases to become a member of SEC on the following grounds;

- a) Death.
- b) Resignation.
- c) Suspension from the Aga Khan University.
- d) Expulsion from the Aga Khan University.

- e) Removal by vote of no confidence.

CHAPTER SIX

SECTION 28: ESTABLISHMENT COMPOSITION AND DUTIES OF CONGRESS

The name of this committee shall be **CONGRESS OF THE AGA KHAN UNIVERSITY STUDENTS' ASSOCIATION**

- a) The Congress shall be composed of representatives each drawn from the existing academic Colleges, Schools, Faculties, Campuses, Centers, and Institutes.
- b) Any member of the Association may seek this office through a departmental election.
- c) The Congress shall elect members of the Student Executive Council within seven (7) days of their election.
- d) 50% plus 1 of members of the Congress who possess votes shall constitute quorum.
- e) The congress shall be responsible for provision of checks and balances to the SEC.

CHAPTER SEVEN

SECTION 29: GENERAL PRINCIPLES OF AKUSA ELECTIONS

- a) The electoral system is based on the twin principles of equality of the vote and the right of every member to vote, stand for election and hold elective office.
- b) Elections must be free and fair, conducted through secret ballot and must ensure fair representation of all members.
- c) The rules and regulations governing the conduct and discipline of students of the Aga Khan University shall apply.
- d) The electoral system shall comply with provisions of Article 81 of the Constitution of Kenya 2010.

SECTION 30: TYPES OF ELECTIONS

There shall be two types of elections:

- a) General Election which shall be held annually upon dissolution of SEC and the Congress.
- b) By-Election which shall be held whenever an office or seat falls vacant as defined in Section 27.

SECTION 31: ELECTION OF CONGRESS

Each member representing an existing academic Colleges, Schools, Faculties, Campuses, Centers, and Institutes shall be elected by universal suffrage of registered members of that particular academic College, School, Faculty, Campus, Centre, or Institute.

SECTION 32: ELECTION OF THE SEC

For purposes of complying with section 41 of the Universities (Amendment) Act, 2016 on student leaders' elections:

- a) Members of SEC shall be elected through existing academic Colleges, Schools, Faculties, Campuses, Centres, and Institutes system by the representatives referred to as Congress within 7 days of the Congress elections.
- b) Each candidate vying for the position of chairperson shall nominate a running mate of opposite gender, different academic College, School, Faculty, Campus, Centre, and Institute for the office of vice chairperson.

SECTION 33: THE ELECTORAL COMMISSION

There shall be an Electoral Commission consisting of seven persons who shall serve on part- time basis:

- a) The Commission shall consist of the Chairperson and six other Commissioners appointed by the Office of Student Experience from among members of staff and students. The Office shall stagger the appointment of Commissioners to ensure continuity.
- b) The Chairperson and the Vice Chairperson shall be members of staff.
- c) The student Commissioners shall be final year students, of good academic standing and fulfil the requirements of chapter six of the Constitution of Kenya 2010.

- d) The student Commissioners shall be by application to the Office of Student Experience, and upon appointment serve for one term only.
- e) The Commission shall, in the performance of its functions not be subject to the direction or control of any person or authority, but shall observe the principle of public participation and the requirement for consultation with stakeholders.
- f) The Commission shall be assisted by staff drawn from the office dealing with student experience/affairs matters.
- g) The Commission shall appoint the returning officers, polling clerks and any other personnel to support the election.
- h) Where necessary, the Commission shall appoint the election observers drawn from the Commission on Administrative Justice and The National Gender and Equality Commission.

SECTION 34: FUNCTIONS OF THE ELECTORAL COMMISSION OF AKUSA

The Electoral Commission shall;

- a) Conduct and supervise the Association's elections in accordance with the Elections Regulations.
- b) Facilitate the observation, monitoring and evaluation of elections.
- c) Regulate the amount of money that may be spent by or on behalf of a candidate in respect of any election.
- d) Develop and enforce a code of conduct for candidates contesting elections.
- e) Use appropriate technology and approaches in the performance of its functions.
- f) Determine the timetable for elections in consultation with the Senate.
- g) Supervise the preparation of the voters' register, ballot papers, ballot boxes and the designation and preparation of polling stations.
- h) Prepare the budget for elections.
- i) Verify and vet all nominations for candidates to ensure compliance with the qualifications guidelines.
- j) Prepare and post a list of all eligible candidates in all the campuses.

- k) Conduct civic and voter education for student and candidates.
- l) The commission may form its committees to enable it carry out its functions

CHAPTER EIGHT

SECTION 35: SOURCES OF FINANCE

Finance of the Association shall be derived from:

- a) AKUSA Membership subscription fees as provided in this Constitution.
- b) Fund raising activities and donations in line with the policies on fund raising established by the Aga Khan University.
- c) Any other source identified by SEC and approved by the University Administration.

SECTION 36: COLLECTION OF REVENUE

Collection of subscription fees shall be done by the Aga Khan University Finance Office for onward transmission to AKUSA designated account/vote in a manner approved by the Senate

- a) Subscription fee shall be paid at the beginning of the academic year during which a member is registered for studies at the Aga Khan University.
- b) Collect any other revenues and remit them to AKUSA account in consultation with the Treasurer who shall then report to the SEC.

SECTION 37: EXPENDITURE AND PETTY CASH

- a) The Aga Khan University procedures of withdrawing funds shall apply.
- b) All monies received shall be managed properly, in a transparent and accountable manner as shall be approved by the SEC to provide maximum benefit to AKUSA.
- c) Any expenditure of funds in excess of the provisions of the budget shall be proposed for approval by SEC and all budgetary allocations must be within financial ability.

- d) Not more than 30% of AKUSA funds shall be used to cater for allowances of Congress and SEC.
- e) SEC, in consultation with the Aga Khan University Finance Office, will allocate 20% of funds to be used to initiate Development and Investment projects within the University for the benefit of Students.
- f) 30% of the AKUSA funds shall be used in organizing AKUSA events such as entertainment, fetes, contests, community service and any other student led activities.
- g) Subject to the decision of SEC, 20% of the funds shall be used to support the needy and vulnerable students and for any other Corporate Social Responsibilities (CSR).
- h) The Treasurer shall keep such amounts for petty cash for immediate expenses as may be determined by the SEC from time to time.
- i) The Treasurer shall be required to account for spending of any withdrawn petty cash to the SEC as approved before any other petty cash is withdrawn from the AKUSA account before any other withdrawal of funds can be approved.

SECTION 38: SIGNATORIES TO AKUSA ACCOUNT

- a) AKUSA, K may, subject to provision of University (Amendment) Act, 2016, the Charter and Statutes and approval by the Aga Khan University Finance Office, operate any type of bank account for convenience and profitability, as may be determined by the SEC and in any event four (4) signatories to the account shall be:
 - (i) The Treasurer, who shall be a mandatory signatory,
 - (ii) The Chairperson or in the absence of Chairperson, the Secretary General.
 - (iii) The Associate Registrar & Director of Student Experience.
 - (iv) The Aga Khan University Finance Manager who shall be a mandatory signatory.
- b) Funds shall be secured after duly signed documentation by the Chairperson of the Association.

SECTION 39: BOOKS OF ACCOUNTS AND ADITING AKUSA, K BOOKS OF ACCOUNTS

The treasurer shall maintain proper books of accounts that shall be available for audit.

- a) The AKUSA accounts shall be audited by the Aga Khan University's Regional Internal Auditor on quarterly basis subject to provisions of the University Act.
- b) The books of AKUSA accounts shall be made available by the Treasurer and presented to the auditor who shall make a report for consideration by members.
- c) The audited accounts and balance sheet shall be published not later than seven calendar days before the AGM.
- d) All monies shall be deposited in the AKUSA account.

CHAPTER NINE

SECTION 40: CLUBS AND SOCIETIES

- a) All registered students' societies and clubs within Aga Khan University in Kenya shall be affiliated to AKUSA.
- b) The procedure of forming clubs shall be in accordance with the Rules and Regulations governing the Conduct and the Discipline of the students of Aga Khan University.
- c) The leadership of clubs and societies shall liaise with Gender and Special Interest Secretary to champion and foster their objectives and welfare
- d) The SEC shall recommend for the deregistration of any club which shall be done by the Director of Student Experience if:
 - (i) The objectives of such a club are inconsistent with this constitution.
 - (ii) The office bearers on behalf of the members notify the SEC of its own decision to cease operation.
 - (iii) The membership falls below Five (5) members.
- e) However, before de-registration, the SEC through the Gender and Special Interest Secretary shall issue a warning in writing to the club on their objective(s) which is/are inconsistent with the constitution and/or the decline in the membership of the club/society.

- f) The Patron or the Chairperson of the Club or Society may be allowed to defend the objective(s) which is/are inconsistent with the constitution or may be allowed to change or do away with the objective(s).
- g) Upon failure to do away with or change the objective(s) in question and failure to have at least five (5) members, the SEC shall recommend for de-registration of the club/society.
- h) All clubs and societies shall be allowed to have meetings within the Aga Khan University compound subject to approval by the Aga Khan University Security Officer.

CHAPTER TEN

SECTION 41: AMENDMENTS AND REVIEW OF THE CONSTITUTION

- a) Any Member of AKUSA may propose a review of the Constitution by writing to the Secretary General
- b) Proposal for amendment shall be brought forward by the Secretary General on behalf of SEC.
- c) Any Member of AKUSA may propose a review of the Constitution by writing to the Secretary General.
- d) The Secretary General shall table the proposal for debate by SEC through a motion within seven days.
- e) SEC shall pass the motion by at least two thirds majority of all the members.
- f) The SEC shall form an Independent Constitution Review Commission (ICRC) comprised of not more than 15 (Fifteen) members.
- g) The ICRC shall be comprised of members chosen on merit through a competitive process overseen by the Director of Student Experience.
- h) The ICRC will on its first sitting shall elect two executive members namely the Chairman, Secretary to head its affairs, collect views of members and make recommendations for amendment to the SEC.
- i) Any review of this Constitution shall be effected when approved by a simple majority of bona fide members through a referendum.
- j) There shall be periodic review of the constitution after every 5 years.

CHAPTER ELEVEN

SECTION 42: TRANSITION CLAUSE

Upon dissolution of SEC, the outgoing Chairperson, Secretary General and the Treasurer shall remain in office in acting capacity until the new SEC is duly sworn in.

SECTION 43: HANDING OVER AND TAKING OVER

- a) Newly elected members to the Students Executive Council shall be inaugurated into office, in a swearing in ceremony held within the Aga Khan University, presided over by the Deputy Vice Chancellor, Academic Affairs or his duly designated officer within three working days from the day of their election.
- b) In case of an appeal, the swearing in ceremony shall take place within 24 hours of rendering petition result.
- c) Within three working days after the swearing ceremony, the Associate Registrar & Director of Student Experience shall chair the committee overseeing and presiding over the handing over of instruments of office from the outgoing members of the Students Executive Council to the newly elected members of the SEC.
- d) Handing over shall be presided over by the Associate Registrar & Director of Student Experience, in the presence of:
 - (i) Internal Auditor.
 - (ii) Incoming SEC and members of Congress.
 - (iii) Outgoing members of the Students Executive Council whose attendance is mandatory.
 - (iv) Aga Khan University Security Officer.

SECTION 44: AKUSA CONSTITUTION TRANSITIONAL ARRANGEMENTS

- a) This constitution shall take effect upon its approval by the Senate and adoption by the SEC.
- b) All existing offices immediately before the coming into force of this Constitution shall continue to execute and exercise their authority and responsibility until the next general elections are held under this constitution provided that the officers currently in office have no power to alter or amend this Constitution before the general elections are held under this Constitution.

- c) Any new office created in this Constitution shall only be implemented by operation of law through the first general election held under the provisions of this Constitution.
- d) There shall be the Constitutional Transitional Committee to be constituted of the following:
 - (i) Director of Student Experience who shall preside over as its convener.
 - (ii) Members of the Constitutional Review Committee that took charge of the re-writing of this Constitution, except any such member who will be a candidate in next general election.
 - (iii) Two members from the outgoing Student Executive Council, none of whom will be a candidate for the first elections held under this Constitution.
 - (iv) The Aga Khan University Legal Officer attached to the Constitution Review Committee during re-writing of the Constitution; and who will be an ex officio member.
 - (v) A member of staff appointed by the Vice Chancellor, Academic Affairs.
- e) The Constitutional Transitional Committee will constitute after this Constitution is approved by the Senate and will stand dissolved two months after the inauguration and first sitting of the first Congress elected under this Constitution.
- f) The Constitutional Transitional Committee shall be established to oversee the initial implementation of this Constitution; and interpreting the new Constitution and oversee the handing over of office from the current structure to the new structure; and assist in drafting provisional rules and regulations for the operations of the Congress.
- g) The Constitution Transitional Committee shall form the Electoral Commission organizing the first elections held for the first time under this Constitution.
- h) The Constitutional Transitional Committee's mandate shall cease upon the inauguration of SEC and after its first sitting, provided that if any issue arises, it may be reconstituted as an ad hoc committee for those issues that may arise.