



**MAASAI MARA UNIVERSITY
STUDENTS' ASSOCIATION.**

“MMUSA”.

**THE AMENDED
CONSTITUTION,
DECEMBER,2019**

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PREAMBLE

By the Provision of Universities (Amendment) Act, 2016, the Maasai Mara University Charter 2013, the Rules and Regulations governing the student conduct and discipline;

We, the members of” MMUSA”, who form an integral part of Maasai Mara University, a microcosm of society that is as rich as it is diverse in intellectual pursuits, personal devotions, moral credence, and cultural heritage,

HUMBLY submitting to the supremacy of the Almighty God and recognizing our responsibility before Him, humanity and to ourselves,

DESIRING to constitute ourselves as an organization to secure for our posterity and ourselves Academic freedom, excellence, equality, integrity, innovation, and our welfare,

HONOURING the selfless efforts, downsides, 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 principles, reason, courtesy, and genuine search of all virtues to live in comradeship, peace and to develop salubrious concord with other student bodies, the person(s), institutions and all who believe in the ideals of justice, equality, and truth,

RECOGNIZING the supreme authority of the University Council governed and other relevant laws of the land in all activities and organizations of the University,

ADOPT, ENACT and give this Constitution to our future generations and ourselves.

GOD BLESS “MMUSA”.

Definition of Terms.

In this Constitution, unless the context otherwise requires;

Act: Means the University (Amendment) Act, 2016.

Academic Year: Means a period of two (2) semesters of study and examination as designated by the Senate. Provided, however, that the Senate may designate different dates and different period of such academic year.

Article: It is a provision within a chapter of this Constitution elaborating specific issues in the constitution.

Bonafide student: a student who is duly registered of Maasai Mara University, and currently on session.

Campus: Means a campus established by the University pursuant to an order made under section 6 of the Charter.

Committee: Is a convened working group of “MMUSA” for a specific purpose within the protocol.

Charter: Means Maasai Mara University Charter granted under Section 19 of the Act.

Dean: Means a person elected or appointed by the Council as a Dean of a school/faculty or Faculty as provided in the Statutes.

Dean of Students: Means a person appointed by the Council to be in charge of Students Welfare as provided for in the Statutes.

Dissolve: To come to completion of the responsibility, that has been tasked to a committee.

Electoral College: This will refer to a department in the school and will be represented by Delegates.

Disability: Means any physical, sensory, mental, epileptic, albinism or other impairment condition or illness that has or is perceived by the community to have substantial or long-term effect on an individual’s ability to carry out ordinary day-to-day activities.

Department: A subsection of the school or faculty that specializes in a discipline.

Treasurer: Means a person appointed by the Council to be in charge of financial matters of the University as provided by the Statute.

Head Office: Means the office at the Main Campus of Maasai Mara University.

Independent Student Electoral Commission (“ISEC”): Means the Board established to manage Students Elections.

Presiding Officer: Means an officer in charge of a Polling Station.

Registrar Academics Affairs: Means a person appointed by the Council to assist a Deputy Vice-Chancellor as provided by the Statute.

Rejected Vote: Means that vote that is obliterated, damaged, and ambiguous or ineligible that it cannot be deciphered the candidate for whom it was cast.

Secretary: Means a person appointed by the Council to be designated as a secretary in the University as provided in the Statutes.

Senate: Means the Senate of the University established under the Charter.

Semester: Means the University Senate may determine a period of study normally consisting of sixteen weeks or its equivalent in contact hours as from time to time.

“MMUSA”: Maasai Mara University Student Association.

Main campus: refers to the physical location of Maasai Mara University in Narok

Needy student: A student who is financially constrained.

Organs: The arms of governance, which include S.C, A.G.M, S.G.M and Baraza Electoral colleges:

Spoilt Vote: is an invalid vote, that which has not been cast.

Statutes: Means the statutes of Maasai Mara University, the Laws that govern the University.

Student: A person duly registered by the university as a learner for the purpose of obtaining an academic qualification of the university.

Student Council (S. C): The executive arm of student leadership.

Student Handbook: The rules and regulations governing the conduct of students of the university.

Student Organization: An organization of the students recognized by the Council as being an organization representative of the Students of the University and as provided by section 21 of the Charter.

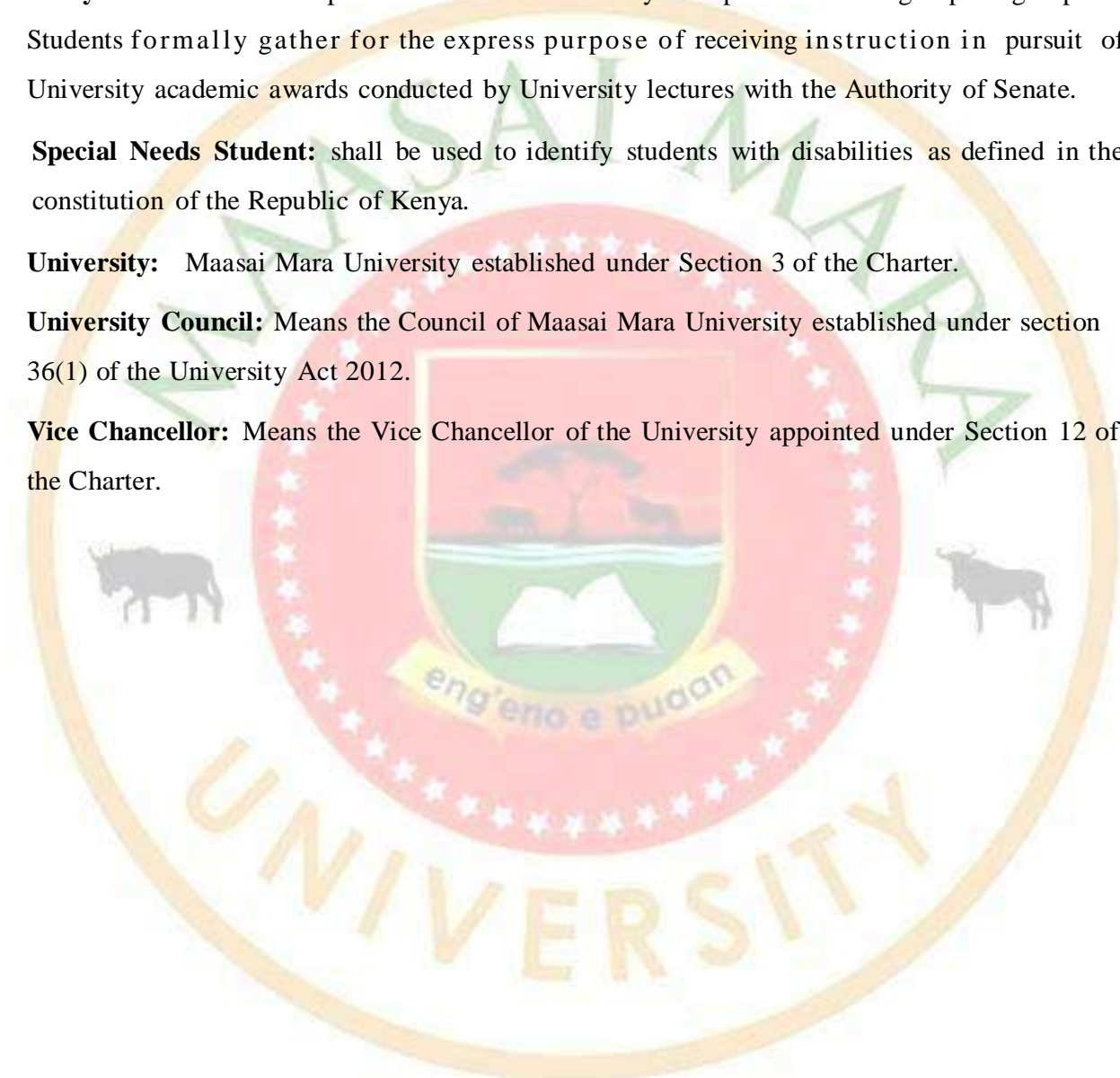
Study Center: Means a place outside the University Campuses where a group or groups of Students formally gather for the express purpose of receiving instruction in pursuit of University academic awards conducted by University lectures with the Authority of Senate.

Special Needs Student: shall be used to identify students with disabilities as defined in the constitution of the Republic of Kenya.

University: Maasai Mara University established under Section 3 of the Charter.

University Council: Means the Council of Maasai Mara University established under section 36(1) of the University Act 2012.

Vice Chancellor: Means the Vice Chancellor of the University appointed under Section 12 of the Charter.



CHAPTER ONE

NAME, SCOPE OF OPERATION AND OBJECTIVES

ARTICLE 01: NAME

We the students of Maasai Mara University hereby declare that there shall be established at Maasai Mara University, a student’s organization to be known as **“MAASAI MARA UNIVERSITY STUDENTS ASSOCIATION”**, hereinafter known as **“MMUSA”**. To act and function in accordance with provisions of this constitution and within the provisions of Section 41 of the Universities Act 2012, Section 18 of the Universities (Amendment) Act 2016, the Maasai Mara Universities Statutes, Maasai Mara Charter and the Laws of the land.

ARTICLE 02: SCOPE OF OPERATION

1. The headquarters of **“MMUSA”** shall be located at the Main Campus of Maasai Mara University P.O Box 861-20500, Narok.
2. This Constitution is and shall remain the supreme law at all faculties, schools, colleges, campuses, and any other institution of Maasai Mara University as determined by the University Senate, to work towards the good of the students.
3. This constitution shall be binding to the Bonafide students of Maasai Mara University and no person may claim or exercise authority except as authorized under this constitution.
4. Every member of Maasai Mara University Student Association (MMUSA) has an obligation to respect, uphold and defend this constitution, and any attempt to establish a Maasai Mara University student association otherwise than in compliance with this constitution is void.

ARTICLE 03: GOVERNANCE

The Maasai Mara University Student Association, (MMUSA) subscribes to the letter and spirit of the Maasai Mara University Student Association, (MMUSA) Constitution, 2019 and its operations shall be underpinned by the need for equality, equity, integrity, and ethnic balance, inclusions of person with disabilities, marginalized groups and gender representations.

The Student Council, (S.C) shall be the primary representatives of the entire Maasai Mara University Students body;

1. The Student Council, (S.C) shall represent the entire Maasai Mara University student body, or a population of the organization, in any dealings with other bodies of the University and in non-university affairs.
 - a) However, the secondary and tertiary leadership shall also represent the students in their respective areas of jurisdiction.
 - b) No other organization, governing body or person including the chairperson and/or any other Student Council member of Maasai Mara University, shall exercise this right in matters not directly affecting Maasai Mara University students.
2. A matter shall be construed as directly affecting Maasai Mara University students only if there is at least one Maasai Mara University student who is affected by the matter in a substantially different manner that would be the case if he or she were not a university student.
3. The provisions (1) may be waived for a specific issue for a one-year period following passage of a referendum specifically authorizing a body to act on that specific issue.

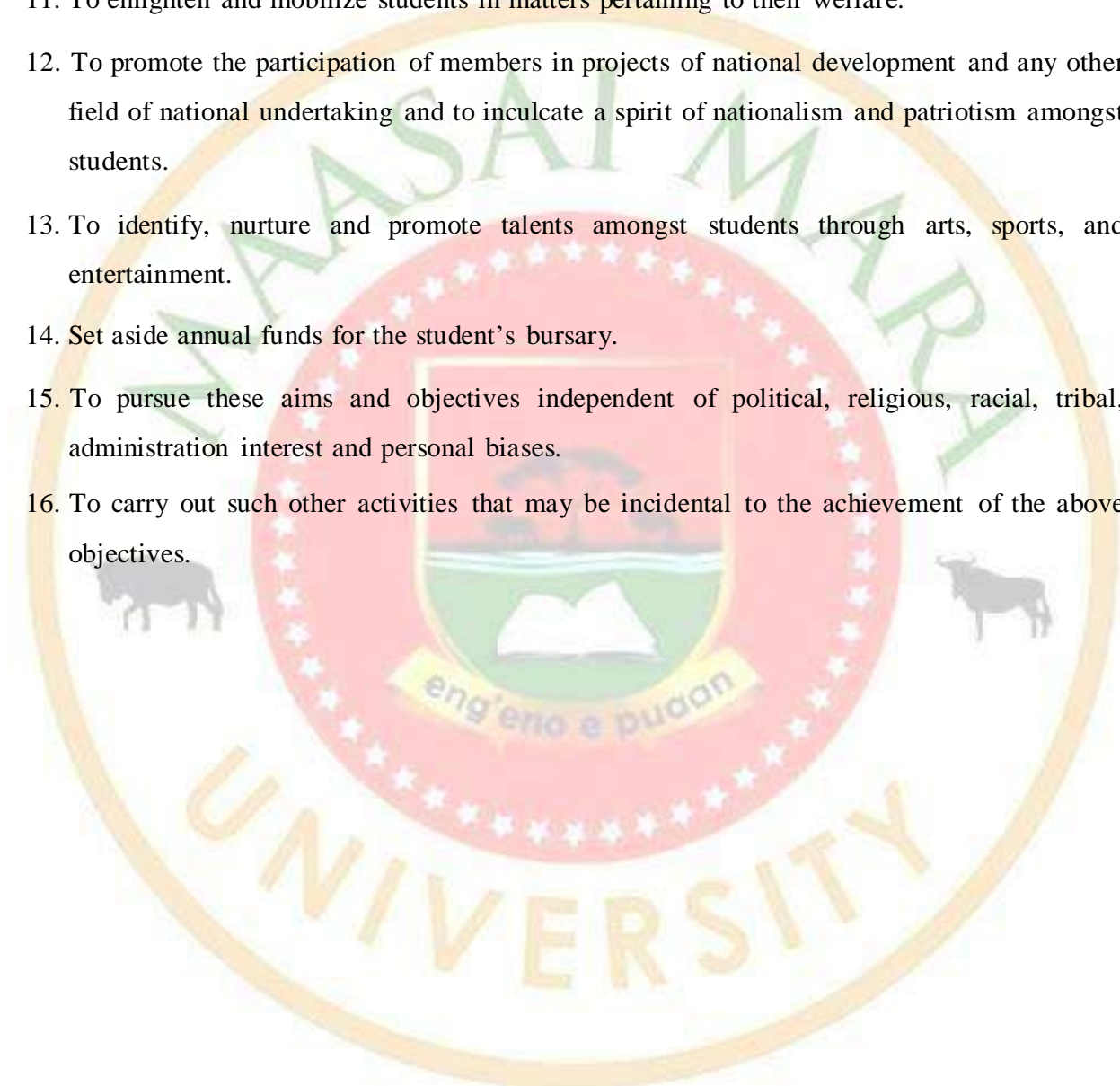
ARTICLE 04: AIMS AND OBJECTIVES OF “MMUSA”

The aims and objectives of Maasai Mara University Students Association, (MMUSA) shall be;

1. To establish and maintain an efficient Students' organization.
2. To use all lawful, proper and prudent means to ensure that member aspirations and interests are protected.
3. 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 humanity, age, status, sex, citizenship, disability, and any other relevant criteria.
4. To promote the academic welfare of the students at Maasai Mara University.
5. To ensure the rights of students in academics, disciplinary, administration, healthcare, catering, accommodation, social welfare, and security are not violated.
6. To liaise with and foster co-operation between students and the University administration.
7. To establish and maintain a cordial relationship with the community and other bodies with similar objectives within and outside Kenya.
8. To seek representation and/or participation in all relevant organs of the University administration as per the university statutes.

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9. To discuss and declare an opinion upon any matter affecting members and to transmit such opinions to the relevant authorities appropriately.
10. To raise funds through any lawful means for the purposes of achieving the aims and objectives of Maasai Mara University Students Association, (MMUSA) and accounting to the latter.
11. To enlighten and mobilize students in matters pertaining to their welfare.
12. To promote the participation of members in projects of national development and any other field of national undertaking and to inculcate a spirit of nationalism and patriotism amongst students.
13. To identify, nurture and promote talents amongst students through arts, sports, and entertainment.
14. Set aside annual funds for the student’s bursary.
15. To pursue these aims and objectives independent of political, religious, racial, tribal, administration interest and personal biases.
16. To carry out such other activities that may be incidental to the achievement of the above objectives.



MEMBERSHIP

ARTICLE 5: MEMBERSHIP

There shall be three categories of Maasai Mara University Student Association “MMUSA” members;

1. Ordinary membership

Ordinary member(s) shall be any student(s) admitted to Maasai Mara University for course leading to the qualification of an award of a certificate, diploma, or undergraduate degree and shall make payment of registration and subscription fees as stated in article 8, section 6.

2. Associate membership

Any individual(s), organization(s), or former student(s) with similar objectives to those of “MMUSA” may be granted associate membership upon expressing interest for membership subject to approval by the Students’ Council with at least two thirds (2/3) majority of members presents.

3. Honorary membership:

a) The organization through the Students’ Council may invite any past members of “MMUSA” who rendered valuable service and/or contribution to the Organization or University, to become an honorary member(s) of the organization.

b) Any former member of “MMUSA” may also apply to be an honorary member of the Organization subject to approval by at least two-thirds (2/3) of the Students’ Council members present.

ARTICLE 06: CESSATION OF MEMBERSHIP

1. A person shall cease to be a member of “MMUSA” when he/she ceases to be a student of Maasai Mara University unless otherwise stated in Article 5.
2. A person shall cease to be an “MMUSA” member in case he/she transfers to another University, dies or is expelled from Maasai Mara University.
3. A person who ceases to be a member of “MMUSA” shall not be entitled to a refund of or compensation for any membership fee, or donations made to “MMUSA”.

ARTICLE 07: RIGHTS AND DUTIES OF MEMBERS

Subject to provisions of this constitution unless stated to the contrary, ordinary members shall have the following rights and duties within “MMUSA”:

1. Right to vote in “MMUSA” elections;
2. Right to be elected or nominated in any of “MMUSA” office as provided under Article (11), Article (19) of this constitution.
3. Right to be elected, nominated or appointed to be a delegate or representative of “MMUSA” in any forum.
4. Right to freedom of worship.
5. Every member shall have a fair and equitable right to access “MMUSA” services and facilities if such access shall not be through unlawful means such as access by use of physical force, the occupation of building or misuse of “MMUSA” facility or service.
6. The right to inspect books of accounts according to Article 49.
7. Every member shall have the right to take part in all activities and enjoy all the facilities of “MMUSA” without hate and/or hindrance.
8. The right to seek clarification on any other matter pertaining to the organization.
9. Section (1) and (2) shall apply irrespective of campus except when contemplated as in Article 11.
10. The right to freedom of association, speech, and expression; however, this freedom shall not extend to:
 - a) Spreading hate that constitutes ethnic incitement, vilification of others or incitement to cause harm,
 - b) Causing physical harm and destruction of property;
 - c) Propaganda.
 - d) Incitement to violence.

11. The right to equality and freedom from discrimination. All students shall be treated equally and the university shall not discriminate any member of “MMUSA” on any ground; including race, gender, pregnancy, marital status, health status, ethnic or social culture, dressing, disability, language, and religion.
12. Right to access clean water, conducive learning, and residential environment.
13. Right to security and protection by the university within the campus and its premises.
14. Right to privacy of residential premises shall be respected and only inspected in a humane manner.
15. Every student shall have the right to peacefully and unarmed, to assemble, to demonstrate, to picket and to present petitions to the university authority as provided in Article 37 of the 2010 Kenya constitution.
16. In case, a student dies while off session, his/her family should get the support of Ksh 20,000 from the “MMUSA”.
17. In case, a student dies while in session besides to section 16, the administration shall cater for the rest of the expenses.

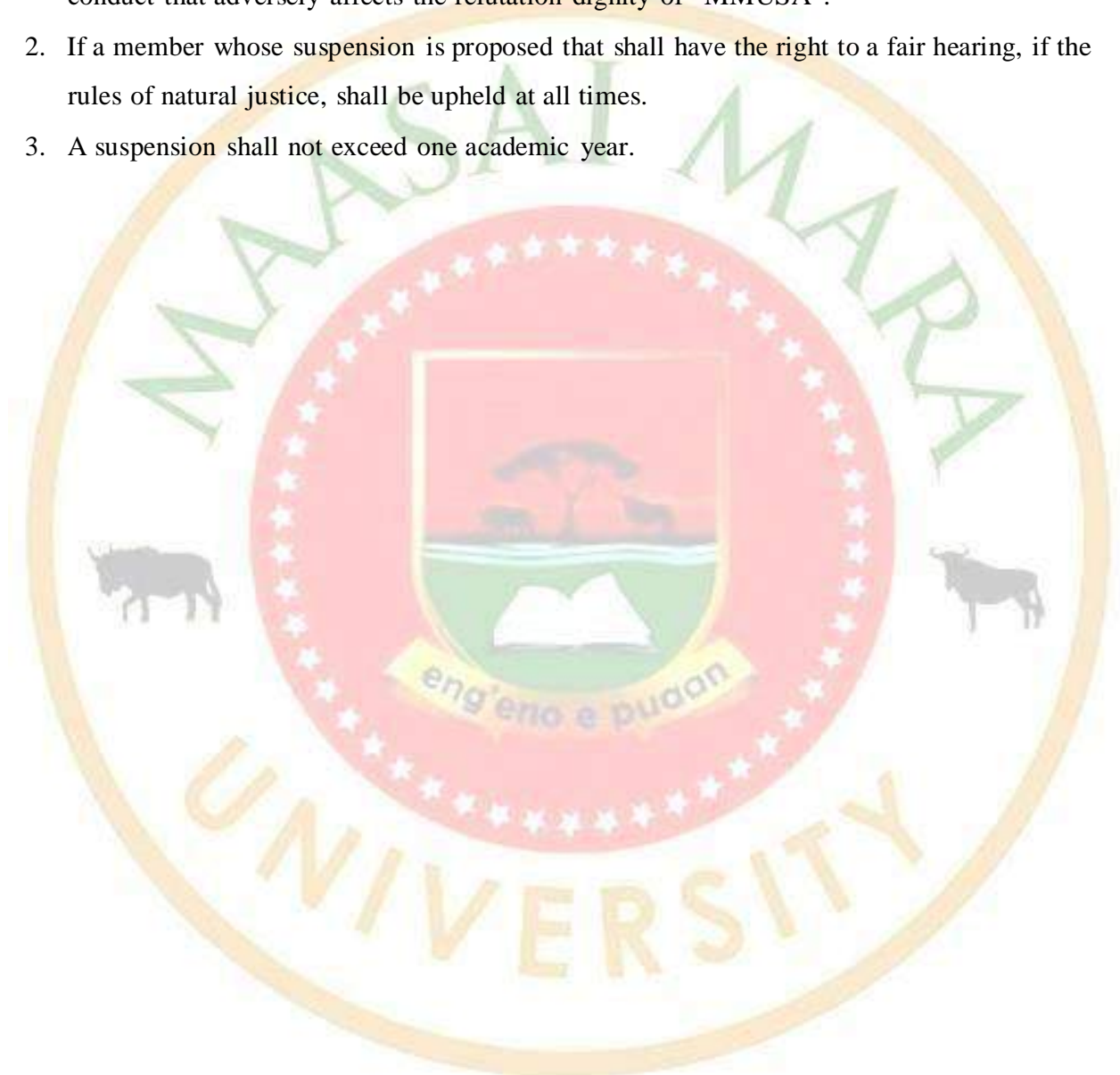
ARTICLE 08: OBLIGATIONS OF ALL MEMBERS

1. Every member shall solemnly abide themselves by the letter and spirit of this constitution.
2. Every member shall recognize the “MMUSA” officials as the legitimate representatives of the student body and shall abide by all constitutional decisions made by the Students Council.
3. Every member shall respect the property of “MMUSA”, the University and the public and any member who causes damage to the property of “MMUSA”, the University or the public shall be subjected to appropriate disciplinary action.
4. Any member found with an offense shall be subject to the disciplinary provisions of the University and the laws of Kenya.
5. Every member shall be required to honor his/her financial obligations to “MMUSA”.
6. Every “MMUSA” member shall be required to pay a subscription fee of Ksh. 600 per academic year, which shall be transferred to the “MMUSA” account. The amount shall be transferred to “MMUSA” account immediately the student makes the first fees payment.

ARTICLE 09: SUSPENSIONS

A member shall be suspended, at the recommendation of a special probe committee, (SPC) as stipulated in this constitution. A duration as provided hereunder.

1. A suspension shall be recommended on grounds of contravention of this constitution and/or conduct that adversely affects the refutation dignity of “MMUSA”.
2. If a member whose suspension is proposed that shall have the right to a fair hearing, if the rules of natural justice, shall be upheld at all times.
3. A suspension shall not exceed one academic year.



CHAPTER THREE

ARTICLE 10: THE ORGANS OF MAASAI MARA UNIVERSITY STUDENT ASSOCIATION, “MMUSA” SHALL BE-

1. All members of the Maasai Mara University Student Association, “MMUSA.”
2. The Students’ Council.
3. Any standing committee that shall be appointed or elected from time to time.

ARTICLE 11: MEETINGS OF MAASAI MARA UNIVERSITY STUDENT ASSOCIATION, “MMUSA.”

Categories of “MMUSA” Meetings

There shall be three (3) categories of meetings of “MMUSA”, that is;

1. ANNUAL GENERAL MEETING, (A.G.M).

- a) All “MMUSA” members shall be entitled to attend the A.G.M.
- b) The A.G.M. shall take place fourteen (14) days before the end of the term of the sitting S.C.
- c) The S.C shall call the A.G.M through a notice issued by the S.C.
- d) Notice in writing of such A.G.M, accompanied by the Annual S.C Report and Accounts and the Agenda for the meeting shall be sent to all members in not less than 21 (twenty - one) days before the date of the meeting. Where practicable, the notice of the meeting shall be advertised on the notice boards, university websites and social media not less than 14 (fourteen) days before the date of the meeting.
- e) Notice of such A.G.M shall also be served to the Dean of Students and Chief Security Officer.
- f) The Annual S.C Report and Accounts as set out in Article (28) of this Constitution shall be tabled at the A.G.M and shall -be open for inspection by members.
- g) Every decision at the A.G.M shall be by at least two-thirds majority (2/3).
- h) Voting at the A.G.M shall be by secret ballot unless 2/3 majority of members resolve otherwise.
- i) The Agenda of any A.G.M shall consist of the following:

- a) Confirmation of minutes of the previous Annual General Meeting.
- b) Tabling of Annual Reports and Accounts.
- c) Presentation of the Auditor's Reports.
- d) Consideration and adoption of Annual Reports and Accounts.
- e) Such other matters as the S.C may decide or as to which a member or members shall have given notice in writing to the Secretary General at least 14 days from the day of notification.
- f) Any other business.
- j) The quorum for the Annual General Meeting shall be at least 40% (forty percent) of all “MMUSA” members.
- k) Notices for holding an Annual General Meeting or a Special General Meeting shall be issued by the Secretary-General or, in his or her absence, by any other member of the Student Council as shall be determined by the S.C when time to hold an Annual General Meeting or Special General Meeting is due.

2. SPECIAL GENERAL MEETING, (S.G.M).

- a) Subject to the provisions of this Constitution, any ordinary member may at any one-time petition the S.C to convene a Special General Meeting by a written proposal for the S.G.M signed by not less than two-thirds (2/3) of ordinary members of “MMUSA” in session indicating their official names, registration numbers, and signatures and copies. Served to The Dean of Students, The Registrar Academic Affairs and the Chief Security Officer who should consent in writing and submitted to the S.C within fourteen days (14) prior to the proposed day of the meeting and show details of the Agenda for the meetings. The S. C shall be obliged to respond within seven (7) days of the proposal being served. If the S.C fails to call the Special General Meeting, the said student will petition the Dean of Students to call the Special General Meeting within seven (7) days.
- b) Notice in writing of the Special General Meeting and agenda shall be sent to all Members not less than seven (7) days before the date of such meeting.
- c) The quorum for the Special General Meeting shall be at least 35% of all “MMUSA” members in session.
- d) Any other member of the student council shall issue a notice through the Secretary-General or in the absence of the Secretary-General; issue a notice of the Special General Meeting.

3. EXTRAORDINARY GENERAL MEETING (herein referred to as BARAZA)

- a) A baraza shall be called for any purpose or purposes of an emergency nature by the Chairperson or in his/her absence the Vice Chairperson, or any other member of the S.C.
- b) The quorum of the baraza shall be those members present at the meeting if its decisions shall be subject to the approval of the Student Council.

ARTICLE 12: STUDENT COUNCIL

1. ESTABLISHMENT OF THE STUDENTS’ COUNCIL

- a) There shall be a Students’ Council of “MMUSA”.
- b) Subject to the provisions of this Constitution, the Student Council shall be the chief administrative and managerial organ of “MMUSA”.
- c) The office of the Student Council shall be located at the main campus of Maasai Mara University.
- d) Ordinarily, meetings of the S. C shall be held at the main campus of the University.
- e) At no given time shall the S.C members be more than two-thirds (2/3) of the same gender.

2. MEMBERS OF THE STUDENTS’ COUNCIL, (S.C)

According to the University Act 2012 Article 41, and the University’s (amendment) Act 2016, Article 18 (1a) the Students’ Council shall consist of;

Section 41 of the Universities Act 2012,

Students' Association.

41. (1) Every university shall have a students' association.

(2) The functions of a Students' Council shall be to—

(a) oversee and plan, in consultation with the Senate, students' activities for the promotion of academic, spiritual, moral, harmonious communal life and social well-being of all students;

(b) Draw to the attention of the appropriate authority, where necessary, special needs form particular students;

(c) Offer suggestions to the Senate or its equivalent on matters affecting the well-being of students, and

(d) Undertake such other functions as provided in its governance instrument as approved by the Council.

(3) Every University shall have a Students' Council elected by the Students Association, and not more than one-third of the Council shall be of the same gender where applicable.

Section 18, (1a) University's (Amendment) Act 2016.

Amendment of section 41 of no. 42 of 2012.

(1A) A students' association shall be governed by a students' council comprising-

(a) A Chairperson;

(b) A Vice-Chairperson who shall be of the opposite gender with the Chairperson;

(c) A Treasurer;

(d) A Secretary-general who shall be the secretary of the Council' and

(e) Three other members to represent the special interests of students.

“MMUSA” leadership.

A Chairperson;

A Vice Chairperson *(who shall be of the opposite gender with the Chairperson);*

A Treasurer;

A Secretary-General *(who shall be the Secretary to the Council);*

And three other members to represent the special interests of students.

The three representatives should hold the positions of;

1. Secretary academics and editorial.
2. The Secretary Entertainment, sports, and gender.
3. The Secretary health, catering and special needs.

3. AUTHORITY AND RESPONSIBILITY OF THE STUDENTS' COUNCIL

a) The Student Council shall have the authority and responsibility provided for it in this Constitution and in particular shall—

- i. Be responsible for the day-to-day running of “MMUSA”.

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- ii. Ensure that all members uphold this Constitution and that this Constitution is free from all willful interference.
- iii. Make policies and by-laws for the proper operation of “MMUSA” and its organs.
- iv. Shall implement decisions of the organs of “MMUSA”.
- v. Appoint representatives of “MMUSA” to committees of the University not expressly provided for in this Constitution.
- vi. Shall deal with any petition lodged to it by any member on account that any organ of “MMUSA” has failed to act as stipulated in the Constitution.
- vii. May subject to this Constitution, and where it deems appropriate, appoint an independent ad hoc committee for any named specific task; provided the committee shall dissolve upon the completion of the named specific task.
- viii. Appoint and supervise other persons to manage “MMUSA” assets.
- ix. Keep accurate and timely records of “MMUSA”.
- x. Shall handle, manage or deal with any matters directly affecting or incidental to the governance of “MMUSA”.
- xi. In the case of an emergency, the Student Council may make decisions, provided that such decisions are made in the best interest of “MMUSA”.
- xii. All S.C members shall remain in residence on the main campus provided freely by the university but only when they are in session.
- xiii. Ensure quality products and services are offered at the Student Center.
- xiv. Warn and/or suspend a member of the Students’ council upon substantial proof of misconduct. Such a suspension period shall not exceed two consecutive S.C meetings.
- xv. While in line of duty according to this constitution, university statutes and the Kenya constitution, the SGC leaders in articulation of students affairs to the administration shall at all times be in the nature of innocence.

4. QUALIFICATIONS FOR ELECTION TO THE STUDENT COUNCIL.

To qualify for election to the Student Council, an aspirant must:

- a) Be nominated by ordinary members in conformity with Article 5 and Article 6 of this constitution;
-

- b) To contest, a prospective candidate should demonstrate that class work would not suffer by obtaining an average mean mark of credit pass (60%) for **normal** students and (50%) for the **disabled** in the previous University examinations.
- c) Be within the normal time frame for completion of the Undergraduate Program selected at the time of initial registration;
- d) A First-Year student intending to contest should have obtained credit pass (60%) average of first semester results. The fulfillment of the above requirements shall be confirmed by the Dean of the respective Faculty/School;
- e) Must get clearance from the School as in 4(b), the finance office with 60 percent of the semester’s fees, Security office and Health Unit.

5. DISQUALIFICATIONS FOR ELECTION TO THE S.C.

A member shall be disqualified for election to the Student Council if at the time for election he/she—

- a) Has ever been suspended from the University and the suspension has not been revoked.
- b) Is a member of the Independent Student Electoral Commission (“ISEC”) of Maasai Mara University or the Elections Appeals Committee.
- c) Has previously been removed from office for violation of this Constitution.
- d) Is in the final year/level of study.
- e) Has received more than two (2) warning letters from the University for contravening the provisions governing student conduct as contained in its Statutes, Regulations, joining instructions, or the current students guide. Rules and regulations governing the conduct of students in halls of residence or any subsequent student guides that replace it.
- f) Has been convicted of a criminal offense by a court of law in the Republic of Kenya or any other nation.
- g) Has received an academic warning within the last two semesters.

6. EXECUTIVE AUTHORITY OF “MMUSA”

- a) The executive authority of “MMUSA” must be exercised for the benefit of “MMUSA” members according to this constitution, the laws of the Republic of Kenya, the University statutes, regulations, and joining instructions, the current Students guide, Rules and

regulations governing conduct of students in halls of residence, “MMUSA” financial policy or any subsequent guides and any other relevant statutes.

- b) Executive authority in “MMUSA” is vested in the S.C and may be exercised either directly or indirectly by the S.C.

7. MEETINGS OF THE STUDENTS’ COUNCIL

- a) Normally, the Students’ Council shall meet at most (4) times a semester.
- b) The President shall convene every meeting of the S.C in a manner to be determined by the S.C during its first meeting following inauguration to the office.
- c) The quorum for the commencement and holding of a meeting by the S.C shall be two-thirds of the members who should be present for not less than half the entire time of the meeting.
- d) A member who fails to attend at least two meetings of the S.C without apology shall lose his/her financial allowance for that month.
- e) At a meeting of the Students’ Council, the following shall preside—
 - i. The chairperson;
 - ii. In the absence of the chairperson, the vice chair;
 - iii. In the absence of both the chairperson and the vice chair, any other member of the S.C elected by members at that time.
- f) Every meeting of S.C shall be called by a three days' notice in writing to every member and accompanied by the agenda drawn by the Secretary-General upon being instructed to do so by the chairperson who shall have been requested by not less than two thirds (2/3) of S. C members. If there is a need for an emergency meeting, such a meeting may be called with the consent of at least 60 % (Sixty percent) of the total numbers of S. C members evidenced by signatures, and reasonable notice thereof given. Provided further that;
 - i. Where the Secretary-General is unable to call a meeting as provided under Clause (g), the chairperson shall instruct one of the members to call the meeting.
 - ii. Where the chairperson is unable to call a Meeting upon being requested to do so by a notice by not less than 2/3 of the total S.C membership; the other members may convene a meeting and appoint a temporary chairperson thereto.

iii. Unless the contrary is stated in this Constitution, all decisions of the S.C shall be by voting with at least 2/3 majority support.

8. DECISIONS IN THE STUDENTS’ COUNCIL

- a) The chair shall have a deciding vote for all members.
- b) Any matter proposed for a decision during a meeting of the S.C shall be determined by at least 2/3 vote of the members present.
- c) Regarding a matter proposed for a decision during a meeting of the S.C, the chair at the meeting shall have a deciding vote but not an original vote.

9. PRIVILEGES OF THE STUDENTS’ COUNCIL MEMBERS

- a) The S.C is entitled to a token of appreciation of Kshs 20,000 each at the end of their term in office.
- b) The S.C members on official duties outside campus and outside their normal duties shall be entitled to a night out allowance of Ksh 3500 Chairperson and other S.C member’s Ksh 3000, East Africa 7000 for Chairperson, 6000 for other S. C members. Africa and outside Africa, 10000 for Chairperson and 9000 for other S. C members

10. DUTIES OF STUDENTS’ COUNCIL OFFICE BEARERS: - THE CHAIRPERSON

There shall be the office of the Chairperson in the Students ‘Council.

- a) The chairperson shall be the head of “MMUSA” and the head of Students’ Council and shall, subject to this constitution, be answerable for all matters on behalf of “MMUSA”.
- b) The chairperson shall exercise authority and responsibility as provided in this constitution and in particular shall:
 - i. Preside over the Annual General Meetings and Special General Meetings.
 - ii. Preside over the meetings of the Students’ Council.
 - iii. Be an ex-officio member of every Students’ Council committee established in accordance with the provisions of this constitution if the said committee shall not have been established to probe his office or person.
 - iv. Be responsible for the overall administration of “MMUSA”.

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- v. Represent “MMUSA” at national and international levels on issues relevant to “MMUSA” interest if such representation is reported to the Students’ Council.
- vi. Be the custodian of this constitution and ensure that it is free of willful and malicious interference.
- vii. Sign the confirmed minutes of Students’ Council and “MMUSA” meetings.
- viii. Be the official spokesperson of the overall student organization “MMUSA” and shall undertake media correspondence on “MMUSA” matters only after the approval by the S.C.
- ix. Have the following emergency powers:
 - 1. To call an emergency meeting of the Students’ Council and/or extra-ordinary General Meeting (Baraza).
 - 2. To take emergency decisions on behalf of “MMUSA” in ordinary circumstances when the Students’ Council cannot be consulted. She/he shall, however, report to the S.C and communicate the outcome of the decision to “MMUSA”.
- x. Together with the Dean of Students, sign any contractual agreements with individuals and organizations on behalf of “MMUSA” after the approval of Students’ Council.
- xi. Chair and nominate members of the Special Investigations Committee, provided for under this Constitution, Article (13) for appointment by the Students’ Council in Consultation with the Dean of Students.
- xii. Delegate and or assign duties to any member(s) of the S. C or ordinary “MMUSA” Member subject to the approval of the S. C;
- xiii. Subject to this constitution, carry out any other duties that may be delegated to him/her by the Students’ Council provided that such duty or responsibility is consistent with the laws of the land;
- xiv. Address students on the plans and progress of “MMUSA” at least twice a semester. This should happen at the beginning and end of the semester.
- xv. Shall dissolve the S. C upon completion of the term as stated in this constitution
- xvi. Manage and regularly update “MMUSA” website and social media accounts.
- xvii. Be an automatic member of the Senate.

THE VICE CHAIRPERSON

There shall be the office of the vice chairperson in the Students’ Council. The vice- chairperson shall have authority and responsibility as provided in this Constitution and in particular shall—

- a) In the chairperson’s absence and upon his acknowledgment, assume and act on the authority and responsibility of the chairperson;
- b) Be responsible overall “MMUSA” property;
- c) In consultation with the Secretary Treasury, be in charge of resource mobilization and income generating activities and projects of the organization;
- d) Prepare in consultation with the Secretary Treasury proposals for raising finances and resources for the organization,
- e) Be a secretary to the Tendering, Investment, and Assets committee,
- f) To co-ordinate general student’s welfare services like transport, Benevolence, sickness, and funerals in liaison with relevant directors and authorities and work-study programs.
- g) Coordinate and facilitate community service and related projects; Receive and record requests for financial assistance by members and in particular deal with matters affecting needy students;
- h) As the Chairperson of the students Welfare Committee of the S. C, liaise with the appropriate offices of the University for Proper Catering, Accommodation, and security services;
- i) Communicate with members and related departments concerning matters Related to his / her committee in a manner to be determined by the S.C;
- j) Subject to this Constitution, perform any other duties as delegated to Him/her by the chairperson and/or the S. C.
- k) Work in close liaison with relevant departments and help to identify and provide appropriate solutions to student's problems in the area of accommodation and security within and outside the university.
- l) Work in close liaison with the office of the chief security officer to ensure students' security.
- m) Keep in safe custody all equipment and facilities acquired for students' security affairs.
- n) With relevant departments, he/she shall formulate and implement policies related to the students’ security affairs.
- o) Is an automatic member of Students’ bursary allocation committee

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- o) Coordinate the welfare of students’ living outside the university compound.
- p) Ensure that student’s accommodation is up to recommended standards.
- q) Will ensure a student who dies while not in session “MMUSA” will send to the bereaved family Ksh 20,000. He will take the money and condolences.

THE SECRETARY GENERAL.

There shall be the office of the secretary general in the S.C.

The secretary general shall exercise authority and responsibility as provided in this constitution and in particular shall-

- a) Record minutes which true and accurate records of the proceedings of the meeting of the A.G.M and the S.G.M;
- b) Maintain and have custody of all correspondence and records of the S.C Subject to the approval of the S.C;
- c) Ensure that decisions made by the S.C are implemented by the various members and committees;
- d) Maintain contacts with other universities and to be responsible for foreign affairs;
- e) Be the official spokesperson of the S.C;
- f) Be in charge of the employed staff of “MMUSA”;
- g) Upon being instructed by the chairperson, draw the agenda for the S.C meetings and issue notices of the same.
- h) Calls for a special general meeting to dissolve the Students’ Council,
- i) Arrange venues for the meetings and sittings of the Students’ Council.
- j) Liaise with the office of the Dean of Students and Student Affairs, in coordinating the activities of clubs and societies;
- k) Be the custodian of the office of the S.C.
- l) From time to time, perform any duty as may be assigned to him/her by the Chairperson or the S.C.

THE SECRETARY TREASURY

There shall be the office of Secretary for Treasury in the S.C. The Secretary Treasury shall exercise such authority and have a responsibility as provided in this constitution and in particular shall.

- a) Keep in proper, true, accurate and up-to-date accounts records of every financial transaction of “MMUSA” in liaison with the S.C.
- b) Be a mandatory signatory to all financial requisition and financial documents of the S.C; to make, funds available for the payments of all official commitments subject to the semester budget.
- c) Within a month of assuming office Collect, harmonize committee budget proposal,
- d) Be the chair of Tendering, Investment, and Assets committee of the S.C.
- e) At the beginning of every semester, present the semester budget to the Dean of students.
- f) Pursuant to Article (50) of this constitution, avail “MMUSA” books of Accounts to the University's Internal Auditor.
- g) Present audited financial statements to the Students’ Council at its last sitting before the A.G.M.
- h) Pursuant to Article (11) present an audited annual financial report to the A.G.M.
- i) As the chairperson of the finance and investment committee, ensures, that proper and efficient financial services are provided;
- j) Communicate with members and the departments concerning matters related to his/ her committee in a manner to be determined by the S.C;
- k) Ensure that all “MMUSA” subscription fee from the University and all its campuses are remitted and deposited in the “MMUSA” bank account.
- l) Perform any other duty as shall be assigned from time to time by the S.C;
- m. Is an automatic member of Students’ bursary allocation committee

THE SECRETARY FOR ACADEMIC AND EDITING.

There shall be the office of the secretary academic and editing in the S.C.

The Roles of the secretary academics and editing shall be;

Exercise the authority and have the responsibility as provided in this constitution and in particular, he/she shall-

- a) Work with the student's representation and faculty boards with regards to academic problems facing the students in all faculties, schools and Maasai Mara University;

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- b) Receive all complaints about academic programs from students and submit them to the Registrar Academic Affairs.
- c) Be a member of the student’s editorial and chair of academic committees as established under Article (13) of this constitution.
- d) Promote awareness among the members regarding students’ related policies, procedures, and regulations of the university.
- e) liaise with the class representatives or school’s academic committees on academic matters;
- f) Advocate for the provision of high-quality academic facilities resources and services for effective and better academic Programs of the university;
- g) As the chairperson to the academic and editing committees of Maasai Mara University S.C, ensure high standards are set and maintained in the provision of academic facilities;
- h) Participate in the planning, organization, and management of academic, social, counseling and career;
- i) Liaise with the ICT department of the University for quality ICT services.
- j) Inform and educate all members of “MMUSA” through the publication of the “MMUSA” newsletter;
- k) Call for and receive articles from the contributors for the newsletter publication;
- l) Oversee the editing, printing, publishing, sale, and distribution of the newsletter and/or articles in conjunction with the editorial board;
- m) Liaise with the university’s Public Relations Office to supervise all official “MMUSA” publications ;
- n) Is a member of the Senate;
- o) Perform any other related duties that may from time to time be assigned to him or her by the S.C.

THE SECRETARY ENTERTAINMENT, SPORTS AND GENDER.

There shall be the office of the secretary for sports, gender, and entertainment in the S.C. The Secretary shall exercise authority and responsibility as provided in this constitution as follows;

- a) Provide free entertainment to all student’s subject to approval by the S.C as well as arrange for the payment of entertainment in collaboration with relevant signatories to “MMUSA” accounts.
- b) Organize friendly games with other universities in liaison with captains and take care of games, sports, and entertainment equipment’s of “MMUSA”.
- c) Draw up a comprehensive sports program in liaison with respective captains and develop the entertainment and sports policy of the association.
- d) Represent and accompany “MMUSA” teams in all game, sports and entertainment activities within and outside the university.
- e) Be a member of the gender, culture and sports committee.
- f) Represent “MMUSA” in the management of the sports teams and the entertainment clubs.
- g) Liaise with appropriate offices for proper gender and cultural affairs of the association.
- h) Perform any other duties as may be assigned by S.C.

THE SECRETARY FOR HEALTH, CATERING AND SPECIAL NEEDS.

There shall be the office of the secretary for health and environment, a seat reserved for a disabled female candidate as provided in this constitution and in particular shall:

- a) Liaise with the health department and identify any problems, forward them to the relevant authority to provide efficient health services.
- b) Coordinate and facilitate community service and related projects in conjunction with other S.C members.
- c) Facilitate the maintenance and conservation of the environment.
- d) Recommend the introduction of relevant health services.
- e) Be the chairperson of the Gender, culture and special Needs committee
- f) Represent members with special needs to the S.C and deal with other welfare in the university.
- g) Advice “MMUSA” and the appropriate university body on ways of implementing progressive national & international policies regarding people with Special Needs within the university.
- h) Ensure that the students catering department is up to the recommended standards.
- i) Perform any other duty that may be assigned by the students’ council.

ARTICLE 13: THE STANDING COMMITTEES OF S. C.

There shall be the following committees of the S.C:

1. EDITORIAL COMMITTEE

- a. The S.C shall establish, on behalf of “MMUSA” produce a registered Students' Newsletter, The Pearl, which shall be published annually.
- b. The secretary academics and editing shall be the editor of the newsletter.
- c. The Editorial Board of the Students' Newsletter shall consist of;
 - i. Secretary Academic and editing shall be the chair.
 - ii. The chairperson.
 - iii. Seven to eleven ordinary “MMUSA” members appointed through a competitive interview by the S.C with relevant skills in editorial work where not more than half should be of the same gender.
 - iv. The Editorial Committee shall in their first meeting “MMUSA” elect among themselves the secretary to the committee.
- d. The S.C shall be responsible for the financial control of the Editorial committee, but all the Editorial policies will be the Committee’s responsibility.
- e. A representative from the department of media film and communication shall be the patron of the committee.

ROLES OF EDITORIAL COMMITTEE

- i. Establishment and production of “MMUSA” registered student’s newsletter.
- ii. Receive articles and news from the “MMUSA” members for a newsletter publication.
- iii. Shall approve the articles and photographs to be used in the newsletter.
- iv. Shall distribute, sell and collect cash from the sales of the newsletter.

2. TENDERING, INVESTMENTS AND ASSETS COMMITTEE

There shall be a Tendering, Investments and Assets committee of the S.C. The committee shall consist of:

- a) The Secretary Treasury (*who shall be the chairperson*).
- b) The Vice Chairperson (*who shall be its secretary*).
- c) Secretary-General.
- d) Dean of students (*who is an ex-official member*).

- e) Security Officer.
- f) The chairperson.

Tendering will be guided by the university amendment act 2016.

ROLES OF THE TENDERING, INVESTMENTS AND ASSETS COMMITTEE

- i. Advertisement for tenders.
- ii. Receive an application for tendering.
- iii. Interview applicants of the tender.
- iv. Announce in an official written document signed from the office of the treasury, the successful applicants for tenders
- v. Ensure the tendering premises are always maintained and conducive for business

3. STUDENTS' WELFARE COMMITTEE

There shall be a Students' Welfare committee of the S.C. a)

Vice-chairperson (*who will be the chair*).

- b) Secretary academic and editing
- c) Secretary Health, Gender and Special Needs.
- d) Secretary Treasury
- e) The S.C chairperson

ROLES OF THE STUDENTS' WELFARE COMMITTEE.

This committee shall be responsible for all students' welfare in health, accommodation and security matters concerning “MMUSA”.

4. THE LEGAL AFFAIRS COMMITTEE

The legal affairs committee shall be composed of;

- a) The University legal officer (*who will be the chairperson and shall have deciding vote*
- b) The University counselor (*who will be the secretary*),
- c) The Dean of Students.
- d) The University Chaplain
- e) A member from the Security office

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- f) The executive arm of the S.C who will be four in number.
- g) The decision of the committee shall be reached by at least two-thirds (2/3) majority of the committee members present.

The legal affairs committee shall;

- i. Advise the Organization on legal matters in accordance with this constitution
- ii. Represent the “MMUSA” members whenever their rights and privileges are violated within or outside the University.
- iii. Oversee, manage, and coordinate all legal affairs of “MMUSA”.
- iv. Any other duty assigned to it in accordance with this constitution.
- v. The expenses of any legal suits will be charged on “MMUSA” account.

5. GENDER, CULTURE AND SPECIAL NEEDS COMMITTEE

There shall be a Gender and Culture Committee of the S.C. The committee shall oversee all gender, special needs and cultural affairs of “MMUSA”. The committee shall consist of;

- a) The Secretary health catering and special needs, (*who shall be its chairperson*).
- b) The Secretary of Sports and Games.
- c) The Secretary-Treasurer
- d) Vice Chairperson.

6. ACADEMIC COMMITTEE

- a) Secretary academics and editing (*who will be the chairperson of the committee*).
- b) Vice-chairperson
- c) The chairperson (*who is the secretary*).
- d) Secretary Gender, sports, and Entertainment
- e) Secretary Treasury
- f) The secretary general
- g) Secretary health.

ROLE OF THE ACADEMIC COMMITTEE

- i. Receive students’ academic complaints and channel to the registrar academics affairs.
- ii. Organize talks, seminars, and workshops in coordination with heads of academic departments.
- iii. Promote awareness among “MMUSA” members regarding student-related policies, procedures, and regulations of the university at the school level.

7. ELECTION APPEALS COMMITTEE. (E.A.C)

- a. There shall be a “MMUSA” Election Appeals Committee herein referred to as E.A.C established in line with this constitution, three working days before the polling day, facilitated by the Dean of Students and the Chief Returning officer.

The Election Appeals Committee shall be composed of;

- i. The University Ombudsman who shall be the chairperson
 - ii. The Christian union chair.
 - iii. The Muslim chair.
 - iv. The Seventh Day Adventist chair.
 - v. The Catholic Association chair.
 - vi. The legal officer, and;
- b) The Dean of students or His/Her representative.
- c) The Election Appeals Committee shall exercise authority, has a responsibility as provided for in this constitution, and in particular, shall:
- i. Review any written petition against the election result within 24 (twenty-four) hours following the announcement of such results.
 - ii. Hear oral and written evidence in the petition from all affected parties;
 - iii. Within 2 (two) days of receipt of such petitions, uphold or nullify the results as it may determine and notify the electoral commission;
 - iv. Any resolution made by the E.A.C shall be final, binding and conclusive.
 - v. Expenses for the appeal will be charged “MMUSA” account.
 - vi. In the event that no appeal is received within the prescribed time or the E.A.C has completed its work in accordance with this section, then the committee shall stand dissolved.
- d) Any appeal should be done in writing to the Chairperson of the Elections Appeals Committee within 24 working hours in case there is no appeal.

8. TRANSITION COMMITTEE

- a. During the three (3) days following the Electoral Commission's announcement of the election results, the Dean of Students, shall constitute and meet with the Transition Committee supervising the handing over of the instruments of office by the outgoing members of the Students' Council to the incoming members of the Students' Council.
- b. The Transition Committee shall consist of:
 - i. The Dean of Students
 - ii. Senior Legal Officer.
 - iii. The Registrar Academic Affairs.
 - iv. Outgoing members of the Students' Council, whose attendance is mandatory.
 - v. Incoming members of the Students' Council.

9. SPECIAL PROBE COMMITTEE, (SPC)

There shall be establishment of the special probe committee here in referred to as the SPC, which shall;

- a) Investigate controversial issue(s) that might have led or may lead to student unrest. It shall submit its reports/ findings through its secretary to the S.C. The S.C shall deliberate upon the findings and recommendations and act on them accordingly.
- b) Handle any disciplinary matters relating to “MMUSA” members whose behavior and actions shall be deemed dangerous to the good name of the organization.

10. AD HOC COMMITTEES

This provision is to stipulate the conduct and decorum of all S.C created committees;

This committee shall be independent and uninfluenced by the appointing authority and the S. C, and the decisions made by the committee shall be considered binding to “MMUSA”.

- a) They shall all receive an appointment, stipulating the task, responsibilities, time, and amount to be paid on completion of the task.
- b) They will sign the appointment letter in the presence of the appointing authority and the letter will be stamped and signed by the Dean of students.
- c) In their first sitting, they shall elect a Chairperson, a Vice chairperson and a Secretary.
- d) They shall establish written rules that will be guiding the meetings;
- e) Decision-making will be done with a 2/3 majority, in case of a tie, the process will be repeated until a decision is met.

- f) After completion of the task, they will submit a written report to the appointing authority.
- g) The submission of the report will be done by the Secretary of the committee.



CHAPTER FOUR

SPECIAL BODIES OF MAASAI MARA UNIVERSITY STUDENTS ASSOCIATION,

“MMUSA”.

There shall be established at the main campus of the University, special bodies of “MMUSA”. Subject to the Provisions of this constitution, the special bodies shall consist of the following:

1. Students Electoral College (Delegates)
2. Students’ Academic Council

ARTICLE 14: ARTICLE 14: STUDENTS ELECTORAL COLLEGE (DELEGATES)

There shall be established the Students Electoral College in Maasai Mara University.

1. THE COMPOSITION OF THE STUDENTS ELECTORAL COLLEGE

a) The Students Electoral College shall consist of College Representatives; as stated in 2 below

2. ELECTED STUDENTS REPRESENTATIVES FROM ELECTORAL COLLEGES According to the University Amendment Act 2016,

1(c) and 1(d);

a) Electoral Colleges for purposes of electing student representatives shall include:

i). Academic departments.

ii). University Campuses.

b) Elected Students Representatives shall be drawn from Electoral Colleges as follows:

i.) Three (3) representatives from each academic departments and campuses with more than 1000 students.

ii) One male and one female student representatives from each campus/ department with students between 500 and 1000.

iii) One (1) representative for campuses or departments with less than 300 students.

3. QUALIFICATIONS FOR ELECTION TO THE STUDENT ELECTORAL COLLEGE MEMBER.

One qualifies to be elected to Students Electoral College Member if at the date of nomination for election such a person:

a) Is a bonafide student of “MMUSA”.

b) Is registered in the Electoral College area (department) the member seeks to represent.

c) To contest, a prospective candidate should demonstrate that class work would not suffer by obtaining an average mean mark of credit pass (60%) for normal students and (50%) for the disabled in the previous University examinations.

d) A first-year student intending to contest should have the provisions of 3(c) of the available academic results.

e) Not be a member of “ISEC”.

f) Have been cleared by the “ISEC”.

g) Not have been proven guilty in a disciplinary case in the university

h) Not have held a position in S.C for two terms in “MMUSA ”or any other university in Kenya

4. FUNCTIONS OF THE STUDENT’S ELECTORAL COLLEGE MEMBER

Student Electoral College member shall: -

- a) Vote the SGC into office

ARTICLE 15: DISSOLUTION OF THE STUDENTS ELECTORAL COLLEGE MEMBERS

The Students Electoral College Members shall stand dissolved at the close of the voting exercise.

ARTICLE 16: STUDENTS’ ACADEMIC COUNCIL.

There shall be established a Students’ Academic Council within Maasai Mara University and under this Constitution.

1. The Secretary Academics and Editorial who shall be the chairperson.
2. The Secretary Health, Catering and Special needs who shall be the Secretary.
3. All the Class Representatives in Maasai Mara University.
 - a) The council shall meet twice every semester to discuss matters of students;
 - b) The council shall be the consultation body for all academic matters;
 - c) They shall forward and deliberate all matters concerning the students’ academic issues.
 - d) They shall be the reporting body to the students over all examination rules;
 - e) They will liaise with respective department address to all issues on Marks;
 - f) To ensure all C.AT’s shall be returned to the students before the begin of any examination.

CHAPTER FIVE

ELECTIONS

ARTICLE 17: ELECTION OF “MMUSA” OFFICIALS

1. The elections of every “MMUSA” official shall be conducted once every year. This shall happen on Thursday of the second week of February. This can be extended for not more than 14 days.
2. Every ordinary member of “MMUSA” shall be entitled to one vote, stand for elections, and hold office in a manner that allows for the practical and effective functioning of “MMUSA”;
3. Elections shall be free, fair and conducted by secret ballot;

ARTICLE 18: COMPOSITION AND ESTABLISHMENT OF THE INDEPENDENT STUDENTS' ELECTORAL COMMISSION.

There shall be the INDEPENDENT STUDENTS' ELECTORAL COMMISSION here in known and referred to as “ISEC”.

1. “ISEC” shall normally be competitively appointed, constituted and established between the Last weeks of January every year to start its work.
2. Membership to the “ISEC” shall be open to every “MMUSA” ordinary member who shall have expressed interest by applying in their own handwriting to the Dean of students and they should be fourth years.
3. All shortlisted candidates shall be vetted by a competent panel of interviewers as shall be put in place by the Dean of students.

“ISEC” shall be composed of:

- a) The Chief Returning Officer and the Deputy Returning Officer who shall all be appointed by the Dean of Students.
- b) The Dean of students as a Coordinator:
 - i. Fifteen to Twenty Eight members consisting of competent students appointed after interviews by the panel put in place by Dean of Students

- ii. One should be exclusively for a person with a special need,
4. “ISEC” in its first sitting once constituted shall elect from among them a Chairperson and a Secretary.

Eligibility for “ISEC” membership:

- a) For one to be eligible for membership of “ISEC”, he/she must not have served in S.C at any given time;
- b) He/she must demonstrate high integrity.
- c) He/she should not have served in “ISEC” at any given time. This shall not apply to Returning Officer and Presiding officers.
- d) Should be the fourth year.

ARTICLE 19: AUTHORITY AND RESPONSIBILITIES OF “ISEC”

The “ISEC” shall act on authority and responsibility given to it in this constitution and in particular shall:

- 1. In liaison with the Dean of students, prepare the budget for the elections,
- 2. Conduct and supervise “MMUSA” elections,
- 3. Promote free and fair elections,
- 4. Determine and announce the dates for nominations and elections.
- 5. Prepare the voter register based on the nominal roll, ballot papers, transparent ballot boxes and designation of polling stations, and properly label the ballot boxes and locate them strategically.
- 6. Request that the Finance Department officially verify payment of university fees and registration of aspirants.
- 7. Request that the Registrar Academic Affairs officially verify the academic qualification of aspirants.
- 8. Verify all nominations for candidates according to the procedures it shall establish in the Election Code, which the commission shall revise as the need arises.

9. Conduct a one-day seminar for cleared candidates to familiarize them with the University Statutes, regulation's, joining instructions, this constitution, the current Students Guide: Rules and regulations governing the conduct of students in halls of residence or any subsequent student guides that shall replace it and the electoral code.
10. Regulate methods of campaigning.
11. Provide a voting procedure that is understandable and precise, and ensure that the presiding officer at each polling station announces the results of the voting.
12. “ISEC” shall have powers to investigate and may dismiss a member of “ISEC” where there shall be evidence of misconduct or reasonable dissatisfaction from “MMUSA” members, and such decisions shall be final.
13. “ISEC” shall publish the list of successfully nominated candidates and the disqualified candidates and shall post such notices of qualification together with such reasons visibly and numerously displayed in the university.
14. The nomination papers for the post of Chairperson, Secretary General, and Secretary Treasury and Finance must be signed by at least 1000 signatures, of ordinary “MMUSA” members while for the other posts shall be signed by at least 500 signatures of ordinary “MMUSA” members. For those vying for electoral colleges should collect at least 200, signatures of ordinary “MMUSA” members.
15. The Independent Student's Electoral Commission shall be the sole overseer of elections of the “MMUSA”.
16. “ISEC” has the power to warn candidates of disqualification and to disqualify them for violations of the electoral code as established by this constitution and “ISEC”.
16. A decision by “ISEC” to disqualify an aspirant for candidacy or a candidate for election shall be final and binding.
17. “ISEC” shall take any other actions it deems necessary to ensure that the elections are transparent, fair, peaceful and credible.

ARTICLE 20: ELECTION PROCEDURES

1. The Students’ Council shall be dissolved immediately after the appointment of the “ISEC” and simultaneous announcement to that effect by the incumbents and the returning officer at a special general meeting convened for that purpose and for the announcement of the election date.
2. “ISEC” shall therefore in the period not more than two (2) days after the dissolution of S.C:
 - a) Declare all positions open for the contest;
 - b) Announce the dates of election;
 - c) Call for nomination of candidates to the positions declared open for the contest;
 - d) Receive nomination papers from aspiring candidates;
 - e) Determine and publish the names of candidates qualified or otherwise disqualified;
 - f) Conduct civic education to all members of “MMUSA”;
3. “ISEC” shall officially designate a period not more six (6) days for campaigns before the election date.
4. Elections shall normally be held on the seventh (7) day after the opening of the campaigns provided the day does not fall on a weekend or a public holiday.
5. If only one candidate has been nominated for a position, that candidate shall be declared elected unopposed at the end of the nomination period.
6. Within Twenty-four (24) hours after the nomination, a candidate may withdraw his/her candidature by submitting a signed statement of withdrawal to the Independent Student Electoral Commission.
7. A candidate may nominate two polling agents who shall witness the voting at each polling station and, thereafter, only one of the candidate's agents shall be allowed to witness the counting of ballot papers.
8. A candidate may be personally present during the counting of ballot papers, and he/she shall not be barred from witnessing the counting of ballot papers.
9. A candidate shall be declared the winner upon acquiring the highest number of votes cast.

10. The Chairperson of “ISEC” shall post all election results visibly and at numerous locations throughout the University within twelve hours following the official announcement of the results.
11. The Dean of Students shall officially communicate the results of the elections to the university community.
12. Appeals must be lodged with the Election Appeals Committee Chairman before the expiry of twenty-four hours (24) following the announcement of the election result and dispensed immediately within 24 hours
13. The Chairperson candidate shall have a running mate (vice chairperson) who shall not be of the same gender and the two shall be treated as one

ARTICLE 21: NOMINATION PROCEDURE

1. A member may only contest for one post; thus, he/she can only be nominated for one post,
2. Contestants should submit their nomination paper at the date set by the “ISEC”,
3. The names of all nominated candidates shall be put up on University notice boards by the Chief Returning Officer after the nominations are complete,
4. The Chief Returning Officer shall prepare and post on notice boards a statement showing the names of persons who have been disqualified, as provided in Article 11 and Article 19 giving reasons for any such disqualification,
5. Where no candidate meets the nomination criterion, the Chief Returning officer shall extend the nomination period,
6. A candidate may withdraw his/her candidature by notice of withdrawal signed by him/her and handed at the place designated for the delivery of nomination papers within forty-eight (48) hours before the nomination day, made public and signed by the Chief Returning Officer.

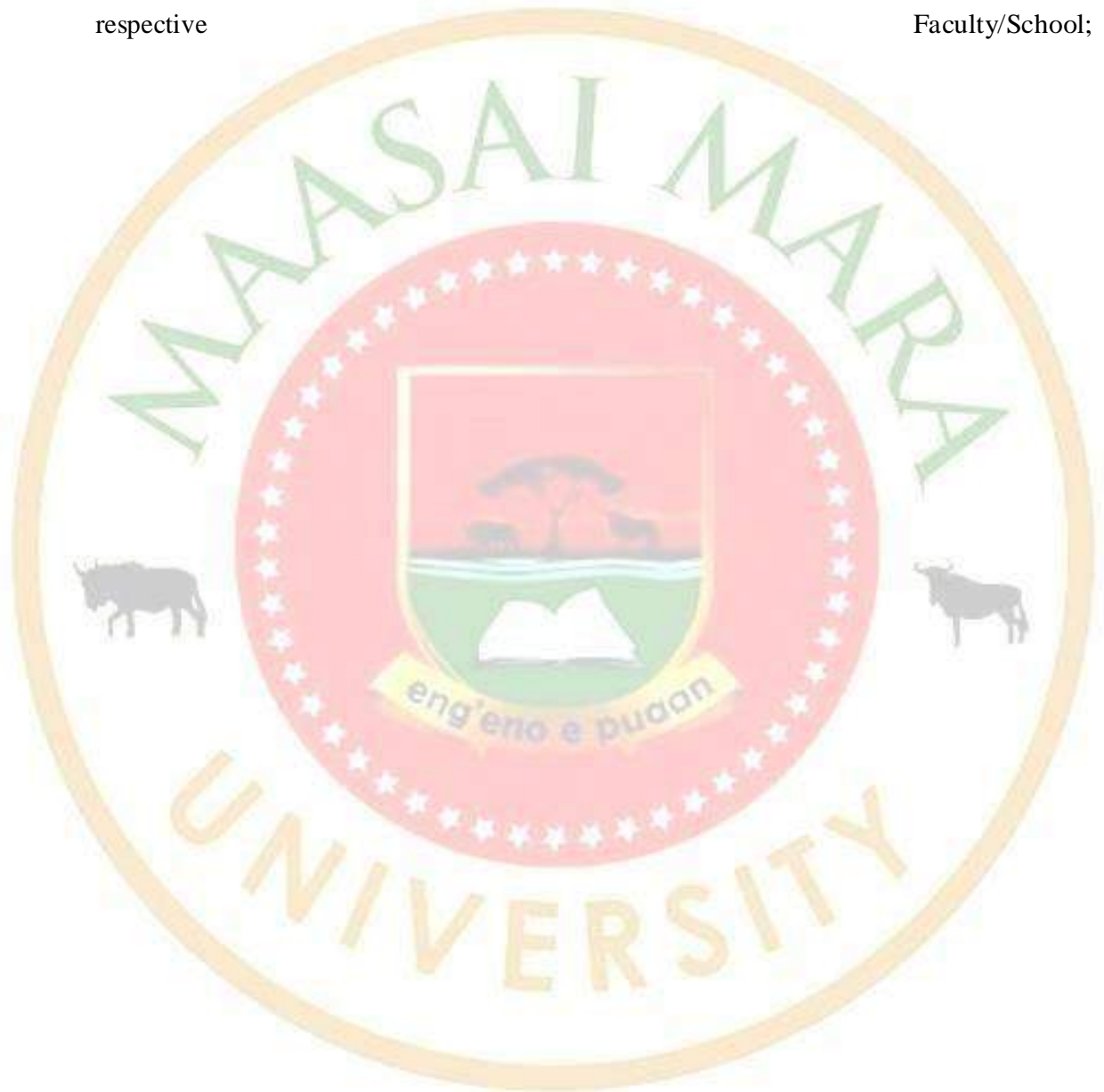
ARTICLE 22: ELIGIBILITY OF CANDIDATES IN THE ELECTIONS.

All ordinary members of “MMUSA” shall be eligible to contest for any post in the Students’ council declared vacant provided that: -

1. One shall not have suffered from mental infirmity;

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2. Any students who will NOT be available to serve for the entire term shall NOT contest for any position;
3. A first-year student intending to contest should have obtained credit pass (60%) average of half units of the C.A.T marks.
4. The fulfillment of the above requirements shall be confirmed by the Dean of the respective Faculty/School;



5. The tenure of service in the Students’ Council shall be one term of one academic year but one shall be allowed to contest for a second term and not more. One can contest in a different capacity which will still be considered a second term.
6. Where no candidate meets the nomination criterion, the Chief Returning officer shall extend the nomination period,
7. A candidate may withdraw his/her candidature by notice of withdrawal signed by him/her and handed at the place designated for the delivery of nomination papers within forty-eight (48) hours before the nomination day, made public and signed by the Chief Returning Officer within the next forty-eight (48) hours.
8. Each candidate should be endorsed by registered 1000 students for Executive S.C, 500 for the rest of the S.C position and 200 students for the position of departmental delegate

ARTICLE 23: ELECTION OFFENSES:

1. An election offense shall disqualify a candidate;
2. For the purpose of this section, an election offense shall include, and not limited to: a) Rigging,
 - b) Harassment and use of violence,
 - c) Intimidation,
 - d) Bribing and/or vote to buy,
 - e) Giving false information,
 - f) Sorcery and magic,
 - g) Slurs based on ethnicity, religion, gender or mode of study
 - h) Provocative and use of inciting sentiments,
 - i) Campaigning before the official campaign period,
 - j) Campaigning on the polling day and/or any other act of omission or commission that defeats the tenets of free and fair elections,
 - k) Evidence of sponsorship by the university administration.

- 1) Unauthorized vehicular processions inside and outside the University. Candidates shall be required to forward their request to conduct such processions to the “ISEC” subject to approval to ensure that they don't cause disruptions;

ARTICLE 24: SPOILT VOTES:

1. During the counting of ballot papers, a spoilt vote shall not be tallied on to any of the candidate;
2. A spoilt vote shall mean that which is;
 - a) Obliterated, or damaged or ambiguous or illegible and it cannot be determined which candidate to whom it was cast.
 - b) A vote found in a wrong ballot box shall also be treated as spoilt.

ARTICLE 25: RE-RUN OF ELECTION

1. In case of a tie between in an election of the members of the S.C or Member of Electoral Colleges (Delegates); the chairperson of the “ISEC” shall call for a re-run of the tying contestants within seven (7) days after the election;
2. Where elections are nullified, the chairperson of the electoral commission shall issue a notice for a re-run of elections of the election within 7 (seven) days after the earlier election.
3. In case of a re-run, the Chairperson Candidates shall not be allowed to change running mates.

ARTICLE 26: DISSOLUTION OF THE ELECTORAL COMMISSION

1. The Independent Students Electoral Commission shall stand dissolved if there is no election petition against election results and they shall submit their returns to the Dean of Students when new officials are inaugurated into office;
2. In the event of a petition against election outcome by any person then the “ISEC” shall wait to act on the resolution reached by the Elections Appeal Committee of the said petition before it is dissolved.

ARTICLE 27: BY-ELECTION

1. By-election will be conducted at any time of the academic year in the event of any office falling vacant before the next general election is done as long as the dean of students has seen it reasonable and approved;
2. Any vacancy shall be announced by the Chairperson of the Students' Council in conjunction with the Chief Returning officer appointed specifically for that by-election;
3. The by-election shall be conducted within the next 14 days after the declaration of the vacancy;
4. The by-elections shall be conducted in accordance with election procedures as laid down in this constitution where those who were in “ISEC” would be called on to preside over the By-election

ARTICLE 28: TRANSITION

The Students' Council shall carry out the constitutional duties necessary for the proper functioning of “MMUSA” in the period between the return of nomination papers and the inauguration of the new Students' Council in a caretaker capacity.

CHAPTER SIX

FINANCE AND INVESTMENTS

ARTICLE 29: SOURCES OF FINANCE

1. The finance of “MMUSA” shall be obtained from;
 - a) “MMUSA” membership and subscription fees.
 - b) Revenues earned from “MMUSA” investments;
 - c) Fundraising activities and donations;
 - d) Allocation from the University and;
 - e) Any other lawful sources as proposed by the S.C with the approval of the University Senate.
2. “MMUSA” shall NEVER at any time borrow money from any institution other than the University administration.

ARTICLE 30: COLLECTION OF REVENUES

Collection of “MMUSA” revenues shall be done for onward remission to the “MMUSA” bank account, in a manner prescribed by the University Council such that,

1. Membership fee shall be paid once upon registration for the first year of study at the University and;
2. Subscription fee shall be paid once in the first semester of the academic year.
3. All other revenues as stipulated in Article 30 above and shall be remitted to the “MMUSA” bank account and the original receipts be submitted to the office of the Dean of Students and a copy to the Finance Secretary.
4. Person(s) running businesses in “MMUSA” premises shall deposit rent directly to “MMUSA” bank account by 5th of every month.
5. In case of donations or fundraising, the Secretary Finance will deposit the money on behalf of “MMUSA” and submit original receipts to the Dean of Students.

ARTICLE 31: EXPENDITURE

1. All money received for the purpose of “MMUSA” must be spent with thrift and stewardship to provide maximum benefits to “MMUSA” members.
2. S.C members sitting in such meetings will not be entitled to any sitting allowance.
3. The finance of “MMUSA” shall be administered by the S.C in accordance with semester budget drawn by S.C and approved by the Dean of students.

ARTICLE 32: “MMUSA” BANK ACCOUNT.

1. There shall be an independent “MMUSA” Bank Account that is managed by the University on behalf of “MMUSA” where all monies will be kept.
2. The signatories to the “MMUSA” bank account shall be-
The University approved signatories but the approvals are only done by the S.C and Dean of Students and DVC AF&S.

ARTICLE 33: BOOKS OF ACCOUNTS

1. “MMUSA” shall maintain proper books of accounts that shall be made available for audit.
2. “MMUSA” accounts shall be audited by the University's Internal Auditor two weeks before the A.G.M.
3. The books of account and balance sheet shall be approved by the S.C and presented to the auditor who shall make a report for consideration later by S.C.
4. The audited accounts and balance sheet shall be published after approval by Maasai Mara University “S.C” not later than seven calendar days before the A.G.M.
5. An ordinary member of “MMUSA” can request to have up-to-date proper books of account that shall be made available upon request with a notice thereof of 14 days.

ARTICLE 34: MANAGEMENT OF “MMUSA” FUNDS

Other regulations governing the management of “MMUSA” funds shall be contained in the Policies and Statues of the University

ARTICLE 35: TENDERING, INVESTMENTS, AND ASSETS OF “MMUSA”

1. The S.C shall:
 - a) Determine the appropriate goods and services that are needed
 - b) Determine how “MMUSA” can invest for profit;
 - c) Direct the management of “MMUSA” investments and assets
 - d) Award tenders through a competitive tendering process, which shall include advertisement of tenders, reception of applications at a fee as, shall be determined by the S.C, the opening of tenders, evaluation and awarding tenders.
 - e) Check prices, quality, quantity, safety, regulations, and documentation of the tendered businesses.
2. The term of operation at the “MMUSA” premises shall be one calendar year before going through another cycle of a competitive tendering process again.
3. The tendering process shall kick off between one (1) to two (2) weeks after the inauguration of a new S.C.
4. The “MMUSA” finance and investment committee shall undertake to give reports to S.C of every undertaking through the office of the secretary Treasury.
5. The “MMUSA” tendering board shall stand dissolved following resolution by at least two-thirds majority members of S.C present to dissolve it but may be subject to the approval of the S.C be reconstituted subject to Article 13 (2) and re-established in the meeting after dissolution.
6. Any increase in Tender application fee shall be reviewed by S.C from time to time and approved by the office of the Dean and University Senate.
7. All “MMUSA” money shall be deposited in a bank account opened and maintained for that purpose.
8. The Finance and Investment Committee shall make policies and frameworks to foresee income-generating activities subject to the approval of Maasai Mara University Students’ Council.

9. Tenders shall only be awarded to groups of ordinary “MMUSA” members and not individual students.
10. The tendering process shall be considerate of gender and “MMUSA” members with special needs.
11. The sitting S.C shall not be eligible to apply for any tender.
12. The tendering board shall undertake measures to curb monopoly.

ARTICLE 36: REMUNERATION OF OFFICE BEARERS

- a) Each member of the S.C shall be paid the corresponding amount of monthly allowances as presented in Table 1.

Table 1: Schedule of Allowances for members of S.C of “MMUSA”.

Position	The amount in Ksh.
Chairperson	10,000(per month)
Vice Chairperson	8000(per month)
Secretary General	9000(per month)
Secretary Treasury	8000(per month)
Secretary Academics and Editing	7000(per month)
Secretary Catering health & special needs	7000(per month)
Secretary Sports, Gender & entertainment	7000(per month)

- b) All Students Electoral College Members (delegates) are entitled a sum **Kshs 3000** and certificate of merit upon the completion of the election process and the **official** announcement of the election results
- c) The Students’ academic council shall be entitled to a sitting allowance of 500 for each two sittings, in an academic year.

CHAPTER SEVEN

MISCELLANEOUS

ARTICLE 37: CONDUCT AND DISCIPLINE OF STUDENTS' COUNCIL MEMBERS:

1. All S.C members shall conduct themselves with the highest standards of integrity, personal discipline and honor and in particular shall;
 - a) Respect the rights and privileges of the members of the organization at all times;
 - b) Refrain from any conduct that might bring the organization into disrepute or public odium;
 - c) Carry themselves in all public places with such dignity as befits their status as student leaders;
 - d) They must refrain from all gossip, backbiting, rumor mongering and distortion of truth or spreading of lies;
 - e) Their utterances must reflect the ideas, philosophy, policy, and programs of “MMUSA”.
2. Any S.C member's conduct may be discussed in any S.C meeting called for that purpose and disciplinary measures taken against him provided that:
 - a) The member shall have been given reasonable notice to defend himself/herself before the students’ council at a meeting;
 - b) It shall have been confirmed that member is guilty of violating Articles 11 section 4 or any section thereof.
3. A member whose conduct is under discussion shall not participate in the voting in such cases; The Students’ Council shall only have powers to:
 - a) Warn or caution the member(s) in writing or verbally through the Chair of the meeting as provided in Article 12(4).
 - b) Suspend the member(s) from S.C meetings by a resolution adopted and signed by three quarters or more of its total membership.
4. In case of gross misconduct, the S.C member involved shall be subjected to necessary disciplinary measures by the university.

ARTICLE 38: REMOVAL FROM OFFICE

1. A member of the Students’ Council shall be removed from office for Gross Misconduct; not limited to;
 - a) Blatant violation of the provisions of this constitution;
 - b) Financial mismanagement;
 - c) Failure to carry out the duties of the office as specified by this Constitution and/or its by-laws;
 - d) Failure to meet the requirements of office as determined by this Constitution e) Insanity
 - f) Any other form of incapacitation.
2. In the event of Section 1 above;
 - a) A motion shall be proposed by a “MMUSA” member (s) and signed by at least 2/3 of the total bonafide “MMUSA” members in session and the proposal to be submitted to the Dean of Students.
 - b) A motion may be proposed by a member of S.C and supported by at least 2/3 of the whole S.C. Such a motion will then be submitted to the Dean of Students.
 - c) The motion as contemplated in (a) and (b) above will be served in writing to the official (s) affected by the Dean of Students immediately.
 - d) The affected official (s) shall have the right to appeal in writing before the Legal Affairs Committee within 3 days after being served with the motion.
 - e) The Legal Affairs Committee shall give its verdict in writing to the affected person and the S.C within 72 hours after receiving the appeal.
 - f) If the Legal Affairs Committee rules in favor of the affected person (s), the Dean of Students shall reinstate the affected person within 24 hours after receiving the verdict from the committee.
 - g) If the Legal Affairs committee rules in favor of the motion mover, the Dean of Students shall declare that office vacant within 24 hours and call for a by-election as provided in Article 28.

3. In case of removal from office of the Chairperson as contemplated in this article, the running mate will serve in their capacities for the rest of the term.

ARTICLE 39: VOTE OF NO CONFIDENCE

1. In the event of any misconduct in accordance with article 22, a vote of no confidence shall be proposed and the Dean shall, therefore, declare the office in question vacant and a by-election called in accordance with article (24) of this constitution
2. The said motion must be served to the official(s) affected.
3. The affected official(s) shall have the right to defend himself/herself before the Legal Affairs Committee against such removal within three (3) days of being served with the motion.
4. The Dean of Students shall conduct a referendum within Seven (7) days giving all ordinary members entitled to vote on the motion.

ARTICLE 40: DISSOLUTION OF S.C

1. A vote-of-no-confidence against the S.C may be initiated through a precisely stated petition bearing the names, class year, and the signatures of at least 2/3of the class representatives
 - a) The petition shall be handed to the Dean of Students within a period of two (2) weeks of the intended date of ousting. The Dean of Students shall investigate the allegations and shall call a General Meeting of the students to discuss the petition within seven (7) days after receiving the petition.
 - b) The class representatives shall then vote on the petition.
 - c) The Students' Council shall then be dissolved by a resolution passed at a general meeting of members by a vote of two-thirds (2/3) of the class representatives.

d) On the dissolution of the Students’ Council, the office shall remain vacant until a by-election is conducted as provided in Article 28 of this constitution.

2. When the term of service of one academic year ends.

ARTICLE 41: RESIGNATION

1. A member wishing to resign from the students’ council shall tender his/her resignation by a notice giving reasons at a meeting and to the president of the S.C who shall table the notice to the S.C immediately.
2. The Dean of students shall have the power to accept or reject any resignation from a member of the S.C and in the case where he/she accepts, a by-election is carried out.

ARTICLE 42: THE UNIVERSITY LEGAL COUNSEL

The Legal Counsel shall;

1. Through the legal affairs committee, advise the organization on legal issues in accordance with this constitution
2. Witness the swearing-in ceremony as provided under (Article 47) of this constitution;
3. Interpret the constitution in case of any disagreement.
4. The interpretation of this constitution shall be subordinate to the University Statutes and policies.

ARTICLE 43: AMENDMENT

1. This constitution may be amended only by at least 2/3 (two-thirds) majority of members present and voting at an S.G.M convened for that purpose provided that for the purpose of constitution amendment the quorum will be at least 40% (forty percent) of the total “MMUSA” Membership. The Secretary-General on behalf of the S.C shall bring the proposal for amendment forward.
2. Any ordinary member of “MMUSA” may also move a motion for an amendment to the constitution in accordance with Article 11 section (2).

“MMUSA” CONSTITUTION

3. Such a motion should be forwarded to the Secretary General of “MMUSA” and published at least two weeks prior to the S.G.M constituted to consider and decide on the proposed amendment in accordance with Article 11 section (2)

ARTICLE 44: DISPOSAL OF ASSETS IN THE EVENT OF DISSOLUTION OF THE ORGANIZATION

1. Property of the Organization

Should this organization cease to exist, all its property after paying creditors shall be held in trust by the University for a period of not less than five years. If any general student organization is formed and recognized within a five-year period by a majority vote of registered students at the University during an election in which over 30% of the said students voted, then all such property so held shall remain and belong to this successor organization. If no such general student organization succeeds to represent organization within the specified five years, unqualified title to all the property of the organization shall then be vested in the University.

2. Property in the Custody of the organization

Should this organization cease to exist, property in the custody of the organization, including monies deposited in the Students' Organizations Fund “MMUSA” Bank Account, shall, if the owner organization continues in existence, be held by the University for the Owner Organization upon the same terms and conditions as the organization holding such property.

ARTICLE 45: INTERPRETATION

1. In case of any disagreement/s on any article or section of this constitution amongst members of S.C or ordinary members, the legal counsel shall interpret the Constitution.
2. In case of disagreement(s) between members of S.C or ordinary members and the University Administrators, the Kenya National Registrar of Societies office. Such interpretation shall be binding to all parties thereto.
3. This constitution shall be read and construed in consistency with the laws of Kenya and Maasai Mara University Statutes.

ARTICLE 46: SWEARING IN

1. The swearing-in ceremony shall be held at the first Special General Meeting and shall be presided over by the Dean of Students in the Presence of Legal Counsel.

2. Citation of the pledge of Commitment:

I having been elected asOf the Students' Organization of Maasai Mara University do hereby swear and pledge that; I shall uphold and defend the constitution of Students' Organization of Maasai Mara University;

I shall seek to defend and respect the democratic rights and Liberties of all “MMUSA” members; I shall execute my duties with due diligence and competence as provided for in this constitution without fear or favor, hate or hindrance, and without personal biases, I shall serve all members equally irrespective of race, creed, color, gender or tribe, and I shall not compromise the rights and privileges of any member. I swear this pledge with full knowledge of my responsibilities and bind myself by the same. So, help me, God.

Signed by:

On thisday of 20.....

Before me

SCHEDULE: TRANSITIONAL ARRANGEMENTS

- a) Due to the change in election from September to the Second week of February occasioned by the revision of the Constitution of “MMUSA”, the Affairs of “MMUSA” shall remain under the University Management Board through the Dean of Students.
- 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 held under this constitution provided that the MMUSA officers currently in office have no power to alter or amend this constitution before the general elections are held under this constitution
- c) Upon enactment of this constitution through the election held on The Second week of February, the University Management Board through the Dean of Students shall then hand over The Affairs of “MMUSA” to the new administration of “MMUSA”.

Given through the Students’ Council Chairperson on the 5th the day of November 2019.

.....Signature.

To the Dean of Students on the 5th day of November 2019

..... Signature.