



THE TECHNICAL UNIVERSITY OF KENYA



CONSTITUTION

OF THE

STUDENTS ASSOCIATION OF
THE TECHNICAL UNIVERSITY OF KENYA

2018 (REVISED 2024)

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The Constitution of the Students Association of the Technical University of Kenya (*SATUK*) is anchored on the following legal foundations:

THE UNIVERSITIES ACT, 2012
(Cap 42 of 2012 of the Laws of Kenya)

THE UNIVERSITIES (AMENDMENT) ACT, 2016
(No. 48 of 2016)

**CHARTER OF THE TECHNICAL UNIVERSITY OF KENYA,
2013**

AND

THE STATUTES OF THE UNIVERSITY, 2019

**THE CONSTITUTION OF THE STUDENTS ASSOCIATION
OF THE TECHNICAL UNIVERSITY OF KENYA**

THE UNIVERSITIES ACT, 2012
[Cap 42 of 2012 of the Laws of Kenya]

THE UNIVERSITIES (AMENDMENT) ACT, 2016
(No. 48 of 2016)

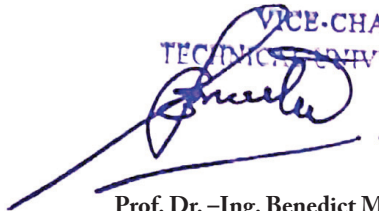
**CHARTER OF THE TECHNICAL UNIVERSITY OF KENYA,
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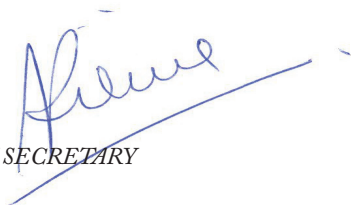
In exercise of the legal provisions of the instruments mentioned hereinbefore, this revised CONSTITUTION OF STUDENTS ASSOCIATION OF THE TECHNICAL UNIVERSITY OF KENYA promulgated on 24th day of January, 2018 (revised 2024) is signed on this 06 day of March, 2024.

VICE-CHANCELLOR
TECHNICAL UNIVERSITY OF KENYA



Prof. Dr. -Ing. Benedict M. Mutua
VICE-CHANCELLOR

Witness:



Ruth Kirwa
UNIVERSITY SECRETARY

PART ONE

PRELIMINARY

ARTICLE 1: SHORT TITLE

This Students Association Constitution may be cited as “the Constitution of Students Association of the Technical University of Kenya, 2018 (revised 2024)”.

ARTICLE 2: INTERPRETATION

In this Constitution, unless the context requires otherwise:

“**Act**” means

The *Universities Act, Number 42 of 2012* of the Laws of Kenya;

The *Universities (Amendment) Act, Number 48 of 2016* of the Laws of Kenya.

“**Association**” means

Students Association of the Technical University of Kenya.

“**Board**” means

Unless otherwise stated, the Board shall mean a body established under the articles of this Constitution.

“**Bona fide student**” means

A student registered at the Technical University of Kenya and fully paid requisite school fees and signed the nominal roll.

“**Charter**” means

The Charter of The Technical University of Kenya under the Act.

“**Committee**” means

A body of at least three persons convened to accomplish some specific purpose, typically with formal protocols.

“**Disability**” includes

any physical, mental, or visual impairment or any other impairment, condition or illness that has, or is perceived by significant sectors of the community to have, a substantial or long-term effect on an individual’s ability to carry out ordinary day-to-day activities;

“**International Student**” means

a person who is not a Kenyan citizen or a permanent resident in the Republic of Kenya registered by the University to receive instructions in a particular area of study with a view to obtaining a qualification from the University.

“**SATUK**” means

Students Association of the Technical University of Kenya.

“**SATUK Council**” means

The *SATUK Council* is referred to in Article 8 of this Constitution.

“Semester” means

Semester means a period within the academic year of the University during which units of an academic programme are taught and examined, which period shall not be less than Twelve (12) and not more than Sixteen (16) continuous weeks.

“Statutes” means

Statutes of the Technical University of Kenya.

“Student with a disability” means

A student registered by the National Council for Persons with Disabilities (NCPWD) as having a disability.

“Student with special needs” means

A student with motor, hearing, visual or other impairments who requires adaptive support to access education.

“University” means

The Technical University of Kenya, established under *Section 19* of the Act.

“University Council” means

the Council of the Technical University of Kenya.

“Vice-Chancellor” means

the Vice-Chancellor of the Technical University of Kenya.

ARTICLE 3: MANDATE

- a) To represent, advocate for, and enhance the interest and welfare of students of the Technical University of Kenya;
- b) To provide selected services and academic leadership to the Technical University of Kenya students; and
- c) To aspire to the highest moral and ethical standards, integrity, honesty and transparency in all matters related to the Constitution.

ARTICLE 4: OBJECTIVES

- a) To promote and protect the rights of the students in academics, disciplinary actions, administration and health services, catering and accommodation, social welfare services and security;
- b) To work in solidarity with the students’ fraternity in championing and promoting the enjoyment of the freedom of rights and privileges and developing a sense of responsibility towards society and the nation;
- c) To promote and mainstream integration of persons with special needs in the Technical University of Kenya;
- d) In consultation with the University’s management, honour student body members who have made outstanding contributions to the University in academic and extracurricular activities;
- e) To promote and enhance the flow of information in the University through a central information dissemination centre;

- f) To strengthen and broaden external linkages in collaboration with the office in charge of networks, partnerships and linkages;
- g) To encourage students to engage in creative and innovative academic and technological research, present research papers and/or participate in symposiums, seminars and conferences locally and internationally;
- h) To raise funds through lawful means to achieve the aims and objectives of *SATUK* to Article 7.
- i) To build and promote a community of care that undertakes philanthropic activities; and
- j) To organise, promote and encourage students to participate in co-curriculum activities.

ARTICLE 5: VALUES AND PRINCIPLES OF THE ASSOCIATION

- a) Integrity and transparency;
- b) Gender, diversity, equity and inclusion;
- c) Respect for the rule of law;
- d) Good governance;
- e) Accountability and transparency;
- f) National unity and patriotism;
- g) Excellence;
- h) Environmental sustainability;
- i) Social responsibility; and
- j) Collaboration and cooperation.

PART TWO

MEMBERSHIP AND MEMBERSHIP FEE

ARTICLE 6: MEMBERSHIP AND MEMBERSHIP FEE

1. Membership

- a) This Constitution shall provide for membership. Membership shall be open to all bona fide students admitted to the Technical University of Kenya as per the University's regulations, and shall pay an annual subscription fee of one thousand Kenya Shillings (Kshs. 1000/=), which is subject to review from time to time; and
- b) Membership shall cease upon completion of programmes (graduation) at the Technical University of Kenya, or upon transfer to another University, expulsion or discontinuation, or for any other reason, including mental infirmity.

2. Rights of Members

- a) Each member is entitled to a soft copy of the *SATUK* Constitution accessible through the students' portal upon registration. Copies in Braille and large font shall be available to the visually-challenged. An annotated video will be provided for deaf persons;
- b) Each member is entitled to active participation in the Association's legal, valid and legitimate activities;
- c) Each member is entitled to seek an elective position established in this Constitution.
- d) Each registered member is eligible to vote;
- e) Each member shall have the right to access all relevant information relating to affairs of the Association, including books and records of accounts, audit reports and minutes of meetings so far as it is reasonable;
- f) Each member shall have the right to express opinions, suggestions, complaints, compliments and ideas properly and lawfully; and
- g) Each member shall have the right to access all *SATUK* University services available to students.

3. Obligations of Members

- a) All members shall recognise the *SATUK* officials as the validly and legitimately elected through this Constitution as representatives of the student body;
- b) Every member shall be required to honour his/her financial obligation to *SATUK*; and
- c) Every member shall respect the property of *SATUK*, the Technical University of Kenya and the public.

4. Discipline and Suspension of Membership

- a) Any member who causes damage to the *SATUK*, University or public properties shall be liable to disciplinary action by the University and/or the Laws of Kenya;
- b) Every member shall ensure that his/her conduct does not adversely affect the reputation or dignity of *SATUK*, the University, or the public. Any member whose behaviour is adverse shall be liable to disciplinary action by the University and/or the Laws of Kenya; and

- c) Any member accused of indiscipline shall be summoned in writing by the University Management Board and subject to the relevant the Technical University of Kenya student disciplinary process outlined in the applicable regulations.

ARTICLE 7: FINANCES OF SATUK

1. Sources

SATUK shall secure revenue from the following sources:

- a) Membership fees;
- b) Donations and fundraising;
- c) Grants;
- d) Allocations from the University; and/or
- e) Lawful business undertakings.

2. SATUK Vote

- a. There shall be a designated *SATUK* vote where all revenue shall be accounted for.
- b. Appropriation from the vote shall have the mandatory signatories for the Authority to Incur Expenditure (AIE) as follows:
 - 1. *SATUK* Chairperson;
 - 2. *SATUK* Secretary General; and
 - 3. *SATUK* Finance Secretary.

3. Expenditure

- a) The Finance Secretary shall prepare a draft annual budget estimate of the *SATUK*, which shall be approved by the *SATUK* Council every academic year;
- b) The University shall also approve the *SATUK* budget before the commencement of the financial year to which the academic year relates;
- c) The *SATUK* financial year shall be for twelve months (12). This provision shall be read together with Article 21 (c);
- d) The approved *SATUK* budget shall guide the expenditures; and
- e) All expenditures shall be accompanied by a set of approved minutes, which the Dean of Students shall further endorse.

4. SATUK Allowances

- a) During *SATUK* workshops, trips and related activities organised by the students' Association, *SATUK* shall cater for accommodation expenses of the students and will provide pocket money of not more than Kenya Shillings One Thousand Five Hundred (Kshs. 1,500/=) per student per day, which is subject to review from time to time;
- b) *SATUK* workshops, trips and related activities outside Nairobi shall attract an allowance of not more than Kenya Shillings Two Thousand (Kshs. 2,000/=) per student per day; and
- c) If the University Management causes *SATUK*-related activities, then the Management shall cater for the expenses of the students based on the rates approved by the University.

SATUK officials shall enjoy a monthly stipend at the rates shown below:

No.	POSITION	KSHS PER MONTH
1.	Chairperson	13,000
2.	Vice-Chairperson	10,500
3.	Secretary-General	10,000
4.	Finance Secretary	8,500
5.	Academic Secretary	8,500
6.	Sports, Entertainment and Culture Secretary	8,500
7.	Gender and Social Welfare Secretary	8,500
8.	Faculty Representatives	6,000
9.	Hostel Representatives	6,000
10.	International Students' Representative	6,000
11.	PWD Representative	6,000

5. Audit of *SATUK* Vote

- a) The University's internal auditor shall subject *SATUK*'s financial statements to audit one (1) month before the AGM;
- b) The audited accounts and balance sheet shall be published after approval by the *SATUK* Council and posted on the students' portal not later than seven (7) days before the AGM;
- c) *SATUK* shall maintain proper records of books of accounts and all relevant financial documents thereto, which shall be available for audit and scrutiny; and
- d) Quarterly financial reports shall be prepared and submitted to the Dean of Students.

PART THREE

ORGANS OF SATUK

ARTICLE 8: ORGANS OF SATUK

The organs of the *SATUK* shall be:

- a) The Council; and
- b) The Board

ARTICLE 9: THE SATUK COUNCIL

ESTABLISHMENT OF THE *SATUK* COUNCIL

- a) There is established *SATUK* Council which shall be the supreme organ of the Association;
- b) Subject to the provisions of this Constitution, the *SATUK* Council shall be the chief administrative and managerial organ of *SATUK*;
- c) The office of the *SATUK* Council shall be located at the Main Campus of the Technical University of Kenya; and
- d) Meetings of the *SATUK* Council shall be held, unless otherwise indicated, at the main campus of the University.

COMPOSITION OF THE *SATUK* COUNCIL

The Council shall consist of:

1. Chairperson¹;
2. Vice-Chairperson;
3. Secretary-General;
4. Finance Secretary;
5. Academic Secretary;
6. Sports, Entertainment and Culture Secretary; and
7. Gender and Social Welfare Secretary.

A member of the *SATUK* Council shall cease to hold office if he/she ceases to be a member of *SATUK* as provided for in this Constitution.

ARTICLE 10: FUNCTIONS OF THE SATUK COUNCIL

The *SATUK* Council shall have the authority and responsibility provided for it in this Constitution and, in particular, shall:

- a) Be responsible for the day-to-day running of *SATUK*;
- b) Ensure transparent and accountable operations of *SATUK* vote and that accurate liabilities and expenses of *SATUK* are well kept together with other documents and books of accounts;

¹ Each candidate vying for the Chairperson's post shall nominate, as a candidate for Vice-Chairperson, a person of the opposite gender qualified for election as prescribed by this Constitution.

- c) In liaison with the Dean of Students, initiate collaboration with associations and institutions outside the University;
- d) Oversee all investments and expenses of *SATUK*;
- e) Ensure that all members uphold this Constitution, its by-laws, rules and regulations;
- f) Represent the students during Senate meetings as long as the Senate deliberations do not touch on matters considered by the Chairperson of the Senate to be confidential or related to examinations, the general discipline of students, and other related issues;
- g) Nominate a representative of the *SATUK* Council in beneficial collaborations with associations outside the University in consultation with the University Management;
- h) Further functions of the Council are as enumerated in *Section 41* of the *Universities Act, 2012, viz.:*
 - i) 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;
 - ii) Draw to the attention of the appropriate authority, where necessary, the special needs of particular students;
 - iii) Offer suggestions to the Senate on matters affecting the well-being of students; and
 - iv) Undertake such other functions as provided in its governance instrument.

ARTICLE 11: MEETINGS OF THE SATUK COUNCIL

- a) Meetings of the *SATUK* Council shall be held when necessary. No sitting allowances shall be drawn for *SATUK* Council meetings;
- b) The Chairperson shall convene every meeting of the Council in a manner to be determined by the Council during its first meeting following its inauguration into office;
- c) The quorum for the commencement and holding of a meeting by the Council shall be two-thirds (2/3) of the members who should be present for at least half the entire duration of the meeting;
- d) The Secretary-General shall record all deliberations of the meetings as Minutes, which the Chairperson shall sign at the next meeting. Alterations to the Minutes shall be made below the Chairperson's signature to not interfere with the original record. The Chairperson will then sign again and update the final record;
- e) At a meeting of the Council, the following shall preside:
 - i) The Chairperson;
 - ii) In the absence of the Chairperson, the Vice-Chairperson;
 - iii) In the absence of the Chairperson and the Vice-Chairperson, any other member of the *SATUK* Council elected by members present;
 - iv) In the event that the meeting does not have quorum or the quorum is not maintained, the meeting will stand adjourned; and
- f) A copy of meeting notifications and minutes of each Council meeting shall be forwarded to the Dean of Students.

ARTICLE 12: ROLES AND RESPONSIBILITIES OF THE STUDENTS COUNCIL

1. THE CHAIRPERSON

There shall be a Chairperson of *SATUK*. The Chairperson shall have authority and responsibility as provided in this Constitution and in particular:

- a) Preside over all meetings of the Council and any emergency meetings;
- b) Address at the invitation of the University Management, public functions of the University;
- c) Be a co-signatory to all *SATUK* financial requisitions;
- d) Represent *SATUK* at the Senate and the Students' Disciplinary Committee, unless he/she is the subject of a disciplinary hearing, then provisions of this Constitution shall apply;
- e) Represent the students' interests in relevant University decision-making organs and meetings provided by the University statutes;
- f) With the consent of the *SATUK* Council and the Management of the University, represent *SATUK* at the national and international levels on issues relevant to students' interests;
- g) Ensure proper and cordial relations among the various organs of *SATUK* and the University administration;
- h) In consultation with the *SATUK* Council, identify exemplary students in different fields for an award;
- i) Have a casting vote in the event of a tie;
- j) Establish networks and collaborations with external entities in consultation with University Management; and
- k) Perform other duties assigned him/her by the *SATUK* Council provided it does not violate this Constitution.

2. THE VICE-CHAIRPERSON

There shall be a Vice-Chairperson of *SATUK* and shall be of the opposite gender to the Chairperson. The Vice-Chairperson shall:

- a) Deputise the Chairperson in executing the Chairperson's functions and perform the functions conferred by this Constitution and any other functions of the Chairperson as the Chairperson may assign;
- b) In the absence of the Chairperson, assume the roles and responsibilities of the Chairperson;
- c) In conjunction with club officials, coordinate activities of registered clubs, associations and professional chapters in the University; and
- d) Subject to this Constitution, perform duties as delegated by the *SATUK* Council.

3. THE SECRETARY-GENERAL

There shall be a Secretary General of *SATUK*. The Secretary-General shall have authority and responsibility as provided in this Constitution and as delegated to him/her by the *SATUK* Council and, in particular, shall:

- a) Be the Secretary of the Council and keep accurate records of the proceedings of every Council meeting;

- b) In consultation with the Chairperson, issue notice for meetings and general correspondences on behalf of *SATUK*;
- c) Be a representative of *SATUK* to the Senate and the University Students' Disciplinary Committee; and
- d) Subject to this Constitution, perform duties as delegated by the *SATUK* Council.

4. THE FINANCE SECRETARY

There shall be a Finance Secretary of *SATUK*. The Finance Secretary shall have authority and responsibility as provided in this Constitution, and in particular shall:

- a) Be a mandatory signatory of the *SATUK* financial requisitions;
- b) Ensure that every payment and expenditure is within the approved *SATUK* budget;
- c) Keep accurate and timely records of all *SATUK* financial transactions;
- d) Ensure that *SATUK*'s books of accounts are kept in safe custody; and
- e) Subject to this Constitution, perform duties as delegated by the *SATUK* Council.

5. THE ACADEMIC SECRETARY

There shall be an Academic Secretary of *SATUK*. The Academic Secretary shall have authority and responsibility as provided for in this Constitution and, in particular, shall:

- a) Chair the Academic Committee;
- b) Attend to issues arising directly from the academic interests of the members;
- c) Participate in the allocation of bursaries to needy students;
- d) Create awareness among the members regarding the University's student-related policies, procedures, and regulations;
- e) Liaise with Faculty representatives on academic matters;
- f) Participate in planning, organising and managing academic, career and work study programmes;
- g) Be a representative of *SATUK* in the Senate; and
- h) Subject to this Constitution, perform other duties as delegated to him/her by the *SATUK* Council.

6. SPORTS, ENTERTAINMENT & CULTURE SECRETARY

There shall be a Sports, Entertainment and Culture Secretary of *SATUK* who shall perform the following functions:

- a) Chair the Sports, Entertainment and Culture *Ad hoc* Committees;
- b) Oversee *SATUK* sports, entertainment and cultural activities of its members.
- c) Coordinate and promote the formation of sports clubs;
- d) Liaise with the University Sports Department to ensure members' welfare in sports-related matters is realised;
- e) Represent *SATUK* in the management of the University sports teams; and
- f) Subject to this Constitution, perform duties as delegated to him/her by the *SATUK* Council.

7. GENDER AND SOCIAL WELFARE SECRETARY

There shall be a Gender and Social Welfare Secretary of *SATUK*, who shall perform the following functions:

- a) Chair the Gender and Social Welfare Committee;
- b) Represent the interests of members with special needs in the *SATUK* Council;
- c) Facilitate registration of persons with disability, from TU-K to the National Council for People with Disabilities (NCPWD) and maintain updated records of members with special needs;
- d) In liaison with the Dean of Students, coordinate activities related to student bereavement, counselling, health, catering and accommodation needs and assistance for needy students as per the relevant policy; and
- e) Subject to this Constitution, perform other duties as delegated to him/her by the *SATUK* Council.

ARTICLE 13: THE SATUK BOARD

1. COMPOSITION OF *SATUK* BOARD

The *SATUK* Board shall consist of the *SATUK* Council and ten (10) other members comprising six (6) Faculty Representatives, two (2) Hostel Representatives, one (1) representative of International Students, and one (1) representative of People with Disabilities (PWD).

2. ROLES OF FACULTY REPRESENTATIVES - ACADEMIC SUPPORT

The Faculty Representative – Academic Support shall be in charge of a Faculty’s academic matters and play a crucial role in representing the interests and concerns of fellow students within that specific Faculty and its constituent departments. Their roles shall be to:

- a) Advocate for students’ academic needs, concerns, and interests within the Faculty;
- b) Act as a liaison between students and their respective Faculty Dean;
- c) Participate in Faculty or departmental Committees related to academic matters;
- d) Collaborate with Faculty members and administrators to enhance student academic support services; and
- e) Collaborate with other student leaders, such as those responsible for student affairs, to address issues that overlap academic and non-academic matters.

3. ROLES OF FACULTY REPRESENTATIVES – WELFARE SUPPORT

- a) Advocate for students’ social and emotional well-being within the Faculty;
- b) Foster a sense of community and belonging within the Faculty;
- c) Collaborate with relevant campus personnel to ensure students can access wellness resources, such as fitness facilities, mental health services, and counselling centres;
- d) Advocate for campus safety and security measures that enhance students’ physical and emotional safety within the Faculty;
- e) Collect feedback from students on social welfare and wellbeing-related issues; and
- f) Run campaigns and initiatives to raise awareness about social issues, such as substance abuse, sexual assault prevention, or responsible partying.

4. ROLE OF HOSTEL/ HALL REPRESENTATIVES

There shall be a Hostel/Hall representative who shall perform the following functions:

- a) Liaise with the Gender and Social Welfare Secretary to ensure student accommodation is catered for;
- b) Liaise with the Dean of Students to get information about students' accommodation;
- c) Sensitise students to observe a high standard of hygiene and safety in the hostels at all times;
- d) Link between students living in the hostels and the Directorate of Students Support Services; and
- e) Perform any duty assigned to him/ her by the *SATUK* Council.

5. ROLE INTERNATIONAL STUDENTS REPRESENTATIVE

There shall be an International Students Representative who shall perform the following functions:

- a) Organise activities for the International Students in liaison with the Dean of Students;
- b) Articulate the special academic needs, aspirations and interests of International Students;
- c) Present grievances of International Students to the Dean of Students;
- d) Link the International Students and the administration;
- e) Collect views from International Students and present them to the *SATUK* Council for appropriate action; and
- f) Perform any other duties as delegated to him/her delegated by the *SATUK* Council.

6. ROLE OF PWD REPRESENTATIVE

There shall be a PWD representative who shall perform the following functions:

- a) Act as the voice for students with disabilities within the University;
- b) Advocate for inclusive policies, facilities, and programmes that cater to the needs of students with disabilities;
- c) Collaborate with relevant stakeholders to ensure campus facilities, events, and resources are accessible to students with disabilities;
- d) Advocate for implementation of reasonable accommodations for students with disabilities, such as accessible transportation, assistive technologies, and learning materials;
- e) Provide information to students with disabilities regarding available support services, accommodations, and disability-related initiatives;
- f) In liaison with the Dean of Students, organise educational events, workshops, and awareness campaigns to promote understanding and acceptance of disabilities within the University;
- g) In liaison with the Dean of Students build partnerships with disability advocacy groups, community organisations, and disability service providers to leverage resources and support initiatives that benefit students with disabilities; and
- h) Perform any other duties as delegated to him/her by the *SATUK* Council.

5 COMMITTEES

There shall be four (4) Committees of the *SATUK* Board as stipulated hereunder:

5.1 ACADEMIC COMMITTEE

There shall be an Academic Committee chaired by the Academic Secretary and comprising the three (3) Faculty academic support representatives, one (1) International Students representative, and the two (2) hostel representatives.

5.2 WELFARE COMMITTEE

There shall be a Welfare Committee chaired by the Gender and Social Welfare Secretary and comprising three (3) Faculty welfare support representatives, the two (2) hostel representative, and the PWD representative.

5.3 SPORTS, ENTERTAINMENT AND CULTURE COMMITTEE

This shall be an *Ad hoc* Committee chaired by the Sports, Entertainment and Culture Secretary. The members shall be drawn from among the sports captains, and entertainment clubs.

5.4 CLUBS AND ASSOCIATIONS COMMITTEE

This shall be an *Ad hoc* Committee chaired by the Vice-Chairperson of the *SATUK* Council. The members shall be drawn from the leadership of associations and non-entertainment clubs in the University.

6. TENURE OF OFFICE FOR OFFICE BEARERS

The tenure of office for office bearers shall be one (1) academic year, and office bearers can only be eligible for election for one (1) further term. For avoidance of doubt, that is to say, members of the *SATUK* Council and the *SATUK* Board shall serve for a maximum of two (2) terms in their time at the Technical University of Kenya.

PART FOUR ELECTIONS

ARTICLE 14: ELECTIONS

1. GENERAL PRINCIPLES

There shall be an electoral body, which shall have the power to formulate rules and regulations for the proper conduct of elections. Elections shall be:

- a) held for two (2) days: the first day for delegates and Faculty representatives, and the second day for the *SATUK* Council;
- b) held on the third Wednesday and Thursday of March every year. In the event that either of these days fall on a public holiday, then the elections will be brought forward by one (1) week; and
- c) free, fair, credible, transparent and verifiable, and conducted by secret ballot or through virtual platform.

2. ELECTORAL BOARD

Before the dissolution of the *SATUK* Council, the Vice-Chancellor shall appoint an Electoral Board which shall:

- a) Consist of seven (7) members of staff;
- b) Conduct and supervise elections of *SATUK*;
- c) Begin working officially when the elections are declared;
- d) Be mandated to undertake related and incidental activities to *SATUK*'s election;
- e) Be assisted by staff drawn from the office of the dean of students; and
- f) Appoint Returning Officers, polling clerks and other personnel to support the elections.

3. FUNCTIONS OF THE ELECTORAL BOARD

Subject to the provisions of this Constitution, the Electoral Board shall:

- a) Conduct and supervise elections of *SATUK*;
- b) Determine the date of submissions for applicants of candidacy and clearance;
- c) Supervise the preparation of the voter register, ballot papers and boxes, and designation of polling stations;
- d) Facilitate observation and evaluation of elections of *SATUK*;
- e) Promote civic education within the University;
- f) Determine a voting procedure that is understandable and precise;
- g) Regulate the method of campaigning;
- h) Prepare and post a list of candidates qualified for election and a list of applicants disqualified and reasons for the disqualification;
- i) Verify all candidate nominations according to the procedure established in the eligibility criteria in this Constitution;

- j) Conduct a one-day seminar for cleared candidates to familiarise them with the University's statutes, regulations, *SATUK* Constitution, student guide or any subsequent electoral regulations;
- k) Declare a seven (7) day campaign period upon releasing the names of the qualified candidates;
- l) Allow all qualified candidates to campaign within the University peacefully and lawfully;
- m) Announce and release the collated voting results that had been declared by the Presiding Officers of and at each polling station within 24 hours;
- n) Warn candidates of potential disqualification and disqualify them for violating the electoral regulations established by this Constitution;
- o) Ensure that order is maintained before, during and after the elections;
- p) Order a recount of disputed results as provided for in this Constitution;
- q) Declare a by-election in case seats fall vacant or after a tie following a recount of the votes;
- r) Submit the names of the elected officials to the Dean of Students within 24 hours of announcing the election results; and
- s) Make other rules, regulations and procedures to govern *SATUK* elections.

4. ELECTION OF *SATUK* COUNCIL

The election of the *SATUK* Council shall be held through a delegates' system. There shall be three (3) delegates elected through universal suffrage from each Academic Department in the University. For the avoidance of doubt, this means that every student within the Academic Department will have the opportunity to vote for their preferred candidates.

5. ELECTION OF FACULTY REPRESENTATIVES

- a) The election process for the two Faculty representatives will operate under the principles of universal suffrage. This means that every student within the Faculty will have the opportunity to vote for their preferred candidate; and
- b) The top male and female candidates shall be declared as the Faculty representatives of their respective faculties in the *SATUK* Board.

6. ELIGIBILITY FOR THE CANDIDATES FOR ELECTION

A member is qualified for election to the Council if, at the time of election, he/she:

- a) Is a bona fide student at TU-K;
- b) Has at least:
 - i. two (2) taught semesters left for study, with a minimum of fourteen (14) course units; and
 - ii. completed two semesters, with a full load of academic study totaling to at least 14 course units.
- c) Is a member of the interest group he/she represents;
- d) Must have passed University examinations of the immediate previous academic year; and
- e) Shall be a paid-up member.

7. INELIGIBILITY FOR ELECTION

The following categories of members are not eligible to vie for any electoral posts in *SATUK*:

- a) A person who has been convicted of a criminal offence in a court of law;
- b) Students admitted to the TU-K on transfer from another University who have not been in TU-K and attended at least two (2) taught semesters;
- c) Students who have been subjected to any disciplinary sanctions by the University for violating the student code of conduct and have not been cleared by University Management; and
- d) Students moving from a Diploma to a degree programme and vice versa will not be considered for elections in their first year of study.

ARTICLE 15: ELECTION RULES AND PROCEDURES

- a) Voting shall commence at 6:00 am and end at 3:00 pm on the polling days;
- b) Every *SATUK* election shall be by secret ballot or electronic voting, on the principle of one member, one vote;
- c) Election of *SATUK* Council shall be carried out through electoral colleges where each college shall elect three representatives who shall not be candidates vying for any position in the *SATUK* Council and of whom not more than two-thirds shall be of the same gender;
- d) The Electoral Colleges shall be based in Academic Departments;
- e) The Electoral Board shall prepare the electoral roll/register;
- f) Every voter shall be required to produce a valid student identity card to be verified against the electoral roll/register, after which a person must be marked appropriately as having voted;
- g) The ballot boxes shall be transparent, of a fixed number, clearly labelled, counted, certified and recorded. They shall also have an opening large enough only to receive a ballot paper;
- h) No campaign shall be allowed within the polling station on the polling day. Contravention of this rule shall disqualify the candidate from the election;
- i) No member possessing campaign materials (e.g. photos, leaflets, portraits and any other campaign material) will be allowed within the polling station and its vicinity;
- j) Each candidate shall be allowed to register agents with the Electoral Board. Only bona fide members of *SATUK* shall be eligible to serve as agents. Each candidate shall not have more than one (1) agent at a time inside a polling station. Candidates and/or their agents have the right to witness the counting and tallying of votes;
- k) A voter shall cast his/her vote by use of a ballot paper or electronically, provided that in the case of electronic voting, the Electoral Board will, one (1) month before such election, publicise through the University available means, guidelines that shall apply in such voting;
- l) Each voter in physical voting shall be issued with one ballot paper bearing the names of all contesting candidates, and he/she shall mark in the box against the candidate of choice by either putting a cross (X) or a tick (√). He/she shall then fold the ballot paper to conceal the mark and place it into the ballot box;
- m) For electronic voting, each voter shall select their preferred candidate by clicking or tapping the photos or names of their preferred candidate. The electronic voting platform shall be accessed through the voter's students' portal;

- n) A bona fide caregiver may assist a voter who is unable to vote owing to disability with the permission of the Presiding Officer;
- o) A voter who has spoiled his/her ballot paper by mistake may obtain another one. The spoiled ballot paper shall be immediately cancelled, and the counterfoil thereof marked accordingly by the Presiding Officer;
- p) The Presiding Officer shall seal any ballot box that is full in the presence of candidate(s) or their agents;
- q) Counting shall be done at the respective polling stations immediately after voting by the Presiding Officer in the presence of the agents and voters. The Presiding Officer shall open each ballot box and empty its contents onto the table or any other facility provided for the purpose and shall, for every ballot paper, announce the candidate in whose favour the vote was cast, display to the agents and voters the ballot paper and put the ballot paper at a place on the counting table, or other facility provided for this purpose;
- r) Ballot papers shall be rejected during counting if they are not designed for that particular election, if marks have been made in respect of more than one candidate per post, if marks identifying the voter have been created, or if they are unmarked;
- s) Immediately after the Returning Officer has received the results of the poll from all polling stations in an electoral area, the Returning Officer shall, in the presence of agents, voters, and members of the Electoral Board, tally the results at places as may be determined from time to time by the Electoral Board so long as they are within the University precincts;
- t) The winner shall be the candidate who gets a simple majority. But in the event of a tie, the Chairperson of the Electoral Board shall declare a rerun of the election between the tying candidates and supervise the same within five (5) days after the announcement of a tie. Only one will be allowed after which fresh elections will be called within fourteen (14) calendar days;
- u) Upon the request of an agent who was present when the counting was completed, the Presiding Officer may have the votes rechecked and recounted. An agent shall be entitled to a maximum of two recounts;
- v) The Electoral Board shall announce the results within 24 hours of the elections and cause them to be prominently published within the University immediately thereafter; and
- w) The Presiding Officer may order the removal of any person who engages in misconduct at the polling station or fails to obey any lawful instructions or orders of the Presiding Officer, and the security officer present shall remove such persons. A person removed from the polling station shall only re-enter the polling station during the continuance of the poll with the permission of the Presiding Officer.

ARTICLE 16: ELECTION PETITION PANEL

- a) There shall be established an Independent Election Petition Panel, hereinafter referred to as "The Panel";
- b) The Panel shall be constituted and appointed by the Vice-Chancellor immediately election is declared;
- c) The Panel shall consist of five (5) University staff members who are not members of the Electoral Board of which the Chairperson shall be at the level of Associate Professor and above; and

- d) At least one member of the Panel shall have a legal background.

Functions of the Panel

- a) Formulate rules and regulations for the proper conduct of its business and the procedures of election petitions;
- b) Receive any written petitions against the election results within three (3) hours after the announcement of the election results;
- c) Within twelve (12) hours of receiving a petition, uphold or nullify the contested vote and forward a written notification of its determination to the Electoral Board;
- d) Rulings of the Panel shall be final and binding; and
- e) If the Panel does not receive any written petitions within three (3) hours after the announcement of election results, then the Panel stands dissolved.

ARTICLE 17: ELECTION PETITIONS

- a) A petition may be lodged with the Panel by a candidate or any member of *SATUK* (the petitioner) challenging elections on any of the following grounds:
 - i. Whenever such a candidate or member has reason to believe or has evidence that there has been a contravention of any election rules and procedures during the polling day;
 - ii. Whenever there is an allegation of bribery, intimidation and/or harassment of voters and/or candidates; and
 - iii. Whenever there is an allegation that a candidate has otherwise breached this Constitution.
- b) A petition must be lodged within three (3) hours after the Electoral Board announces the final results;
- c) Upon receipt of a petition, the Panel shall peruse the petition and determine the petition within twelve (12) hours;
- d) The Panel shall sit at such places as it may determine from time to time;
- e) During the hearing of the petition, all parties shall be present;
- f) Where a petitioner or respondent fails to attend the hearing by himself/herself without any reasonable excuse or prior notification to the Panel, the petition may be heard in full, and the case determined;
- g) After the hearing of an election appeal, the Panel may make an order:
 - i. Dismissing the election petition;
 - ii. Affirming the decision of the Electoral Board; or
 - iii. Granting any other relief that may be deemed appropriate.
- h) The Panel's decision shall be final and binding and shall be submitted to the Electoral Board for execution.

ARTICLE 18: SWEARING IN

- a) The Vice-Chancellor shall preside over the swearing-in ceremony of the elected officials at a ceremony conducted by the University Legal Officer or any other legal official who is an advocate of the High Court of Kenya appointed by the Vice-Chancellor;

- b) The swearing-in ceremony shall take place within forty-eight (48) hours after the declaration of the election results at an open and public place within the University before 4 pm; and
- c) The term of office for the elected officials shall begin immediately after the swearing-in ceremony.

ARTICLE 19: BY-ELECTIONS

- a) A by-election shall be held whenever an office or seat falls vacant because of:
 - i. A successful petition;
 - ii. Cessation of studentship through expulsion from or discontinuation by the University;
 - iii. Imprisonment;
 - iv. Death, or mental infirmity;
 - v. Contravention of the provisions of the Constitution, 2010, the Anti-Corruption and Economic Crimes Act, 2003, Computer Misuse and Cybercrimes Act 2018, Prevention of Terrorism Act (2012), or any other law of the land;
 - vi. Resignation from office; and
 - vii. Suspension from the University for over ninety (90) days.
- b) The by-election shall occur within twenty-one (21) days of the vacant office or seat being declared and shall follow the same election procedure as provided in this Constitution; and
- c) No by-election shall be held ninety (90) days before the next General Election. Where the seat of a member of the *SATUK* Council falls vacant within the provisions of this paragraph, the remaining members of the *SATUK* Council shall appoint another Council member in an acting capacity for the vacant seat.

ARTICLE 20: CATEGORIES OF MEETINGS

There shall be four (4) categories of meetings, namely:

- a) Annual General Meeting (AGM).
- b) Special General Meeting (SGM).

All the meetings shall not attract any sitting allowances.

1. ANNUAL GENERAL MEETING (AGM)

- a) *SATUK* Annual General Meeting shall be held each year and not later than twelve (12) months following the last AGM;
- b) The Secretary-General shall send to all members of *SATUK* a notice of the AGM in writing, accompanied by the annual report and accounts and the Agenda for the meeting fourteen (14) days before the meeting date. The meeting notice shall be widely advertised and publicised within the University at least seven (7) days before the meeting date;
- c) The Annual Report and Accounts, as set out in this Constitution, shall be tabled at the AGM and shall be open for inspection by members;
- d) The Agenda of any AGM shall consist of the following:
 - i. Confirmation of the previous AGM minutes;
 - ii. Tabling and adoption of Annual Reports and Accounts. The Chairperson shall present the annual report. The report should give an overview of the main achievements of the

- year. The Finance Secretary shall present the accounts and a general overview of the financial position of *SATUK*;
- iii. Confirmation of any other management report on the activities of *SATUK* during the past year;
 - iv. Motions put to an AGM. There should be a call for motions seven (7) days before the notice, inviting members for the AGM, circulated, giving members seven (7) days to submit them to the Secretary-General for the same to be included in the Agenda; and
 - v. Other business of *SATUK* of which notice has been given to members or any other business proposed with the approval of the Chairperson.

2. SPECIAL GENERAL MEETING

A Special General Meeting (SGM) for specific purposes may be requested in writing to the Secretary-General and approved by the *SATUK* Council. Such meetings shall be held within fourteen (14) days of the requisition date.

PART FIVE

ARTICLE 21: EXPIRY OF TERM OF OFFICE

- a) The *SATUK* Council and *SATUK* Board shall be dissolved at the expiry of their term in office;
- b) The term of office for elected officials shall be one academic year (for the avoidance of doubt, that is to say, “the same month after one calendar year of election”); and
- c) The outgoing *SATUK* Council shall run the affairs of *SATUK* from the expiry of its term of office until the swearing-in of newly elected officials when the *SATUK* Council shall stand dissolved.

ARTICLE 22: AMENDMENT AND REVIEW

- a) Any amendment or review to this Constitution shall be by the University Management Board and/or Senate initiative to, inter alia, align with the change in the Act, University Statutes, regulations and/or any other relevant provisions;
- b) The *SATUK* Council shall initiate a review of this Constitution following an inclusive consultation with members;
- c) The *SATUK* Council meeting to discuss an amendment(s) shall have a quorum of two-thirds (2/3) of the Council members;
- d) Upon receiving a written request by the *SATUK* Council, the Vice Chancellor shall appoint a *SATUK* Constitution Review Committee, which shall review and amend the Constitution;
- e) The *SATUK* Constitution Review Committee shall make the amended Constitution available to *SATUK* members through an appropriate platform for comments. The data collected shall be used to finalise the draft amended Constitution;
- f) The final amended Constitution shall be submitted to the University Management Board for approval and promulgation;
- g) Any amendment of this Constitution shall be undertaken after at least two (2) years upon its implementation or when need arises; and
- h) This Constitution shall be reviewed in accordance with the provisions of the Universities Act, Charter and Statutes.

PART SIX

ARTICLE 23: HONORARIA

At the end of the term, the officials of the *SATUK* shall be awarded an honorarium equivalent to their respective one (1) monthly stipend.

ARTICLE 24: DISPUTE RESOLUTION

- a) All disputes within *SATUK* shall be settled through arbitration; and
- b) The Vice-Chancellor shall appoint an arbitrator or a panel of arbitrators from among the senior members of staff to resolve any disputes arising within *SATUK*, whose decision shall be binding on all parties involved.

ARTICLE 25: DECLARATION

This Constitution is the Constitution of the Students Association of the Technical University of Kenya and shall have the force of law throughout the Association. If any Rule or Regulation prevailing under this Constitution is inconsistent with the *Universities Act, No. 42 of 2012 and subsequent amendments thereto, the Charter of the Technical University of Kenya, 2013*, and the *Statutes of the Technical University of Kenya 2019*, it shall be to the extent of its inconsistency be null and void.

ARTICLE 26: TRANSITIONAL PROVISIONS

Upon enactment of this Constitution, the Constitution of the Students Association of the Technical University of Kenya, 2018 (revised 2022) shall immediately cease to apply.

NOTES

NOTES

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THE TECHNICAL UNIVERSITY OF KENYA ANTHEM

1

Ee Mungu baba muumba wa vyote, baraka
zako tele twajivunia, umbali huu
umetufikisha, hakika tunakiri wewe ni
Mungu wetu

Refrain:

*Chuo chetu tunachokipenda, chuo kikuu
cha ufundi kenya, lengo lake kuboresha
maisha, kwa elimu na ujuzi bora*

2

Nadira yetu chuo chetu kipendwa teknolojia
kiwe chuo bora, nadhima yetu hakika
kutoa, elimu na mafunzo yenye ujuzi
mkubwa

3

Wajibu wetu na lengo muhimu, ni kuwa
na heshima upendo tele, uadifu uwazi
umoja, hakika chuo chetu ndicho chaguo
bora

KENYA NATIONAL ANTHEM

1

Oh God of all creation,
Bless this our land and nation,
Justice be our shield and defender,
May we dwell in Unity,
Peace and Liberty,
Plenty be found within our borders.

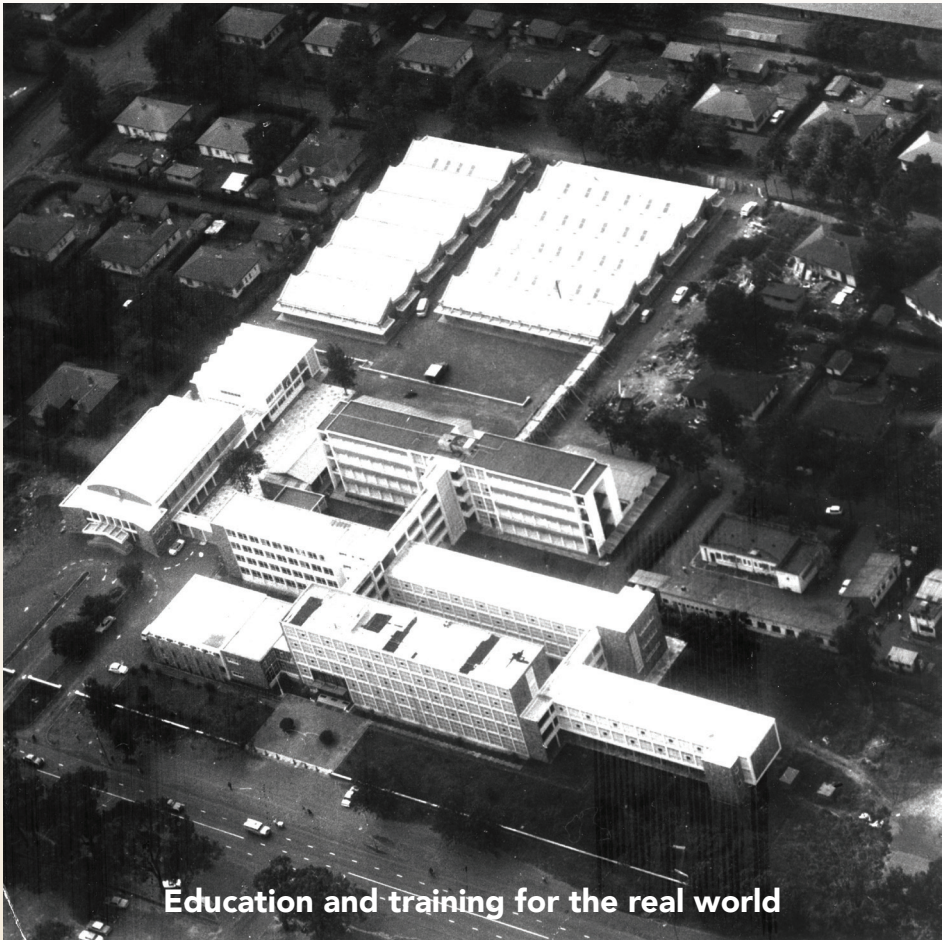
2

Let one and all arise,
With heart both strong and true,
Service be our earnest endeavour,
And our homeland of Kenya,
Heritage of Splendour,
Firm may we stand to defend.

3

Let all with one accord,
In common bond united,
Build this our nation together,
And the glory of Kenya,
The fruits of our labour,
Fill every heart with thanksgiving.

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