

By-Law No 21:2016

With Amendment to Section 5 (i)

[Senate minute 367.03.29 on 21.07.2010]

With proposed amendment to Section 3(iv)

UNIVERSITY OF MORATUWA, SRI LANKA



**BY-LAW FOR
THE FORMATION OF STUDENTS' UNIONS
AT
UNIVERSITY OF MOTATUWA, SRI LANKA**

BY – LAW NO 21 FOR THE FORMATION OF STUDENTS’ UNIONS

1 The University Students’ Union of the University of Moratuwa (hereinafter referred to as the University Students’ Union) shall be representative of the entire student community of the University.

2 The University Students’ Union shall consist of all the elected office bearers and elected members of each Faculty Students’ Union and such Union shall elect the following office bearers.

- (a) President
- (b) Vice President
- (c) Secretary
- (e) Editor and
- (d) Junior Treasurer

3. (i) Each Faculty Students’ Union (hereinafter referred to as the Faculty Unions) shall be representative of all students of the respective Faculty and the office bearers of each Faculty shall be elected by the students’ of each Faculty by secret ballot for that academic year.

(ii) For the purpose of electing office bearers and members to a Faculty Union the students of that Faculty of the University shall constitute a constituency.

(iii) A Faculty Union shall consist of :

- (a) President
- (b) Vice-President
- (c) Secretary
- (d) Editor
- (e) Junior Treasurer and
- (f) Such other members as follows :

- 1. Two members for a Faculty with two hundred (200) or less registered students;
- 2. Four members for a Faculty with two hundred and one (201) to four hundred (400) registered students;
- 3. Six members for a Faculty with four hundred and one (401) to six hundred registered students;
- 4. Eight members for a Faculty with over six hundred (600) registered students.

(iv) **There shall be a Senior Treasurer for each Faculty Union who shall be a Senior Teacher from the respective faculty nominated by the office bearers and elected members of such Union and appointed by the Principal Executive Officer of the University. There shall also be a Senior Treasurer for the Main Student Union of the University who shall be**

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nominated by the office bearers and elected members of such Union and appointed by the Principal Executive Officer of the University.

4. No Student of the University shall be eligible to vote or to stand for election:
 - (i) Unless he has been duly registered as a student of such Faculty for the academic year in which the election is held;
 - (ii) If he is under suspension from the University;
5. (i) One month before end of each academic year, the Registrar of the University shall publish within the University, a notice containing:
 - (a) The names of each Faculty Students' Union
 - (b) The titles of the office bearers and the other members to be elected from each Faculty Students' Union
 - (c) The names and registration numbers of students who are eligible to vote in each Faculty Students' Union.

(ii) Any question as to whether the number of members to be selected to the Faculty Union has been duly determined or not or whether members have been duly divided or distributed amongst the constituencies or not or whether a student is eligible to vote or to seek election or not shall be referred to the Principal Executive Officer of the University. The decision of the Principal Executive Officer on such questions shall be final.
6. The Registrar of the University shall within one week of the publication of the notice under section 5(i), publish the names of the persons nominated by the Principal Executive Officer of the University to conduct the election of office bearers and other members of the Faculty Union (hereinafter referred to as the 'Elections Officer') in respect of each Faculty Union election.
7. (i) The Principal Executive Officer of the University shall fix in respect of each constituency a date, a time period and a venue for the receipt of nominations for the election of office bearers and other members from that constituency to the Faculty Union. Such date shall be a date prior to the expiry of two weeks from the date of publication of the notice under 5(i). The Registrar shall publish within the University the date, time period and venue so decided without delay.

(ii) The Election Officer shall receive nomination on the date fixed for such purpose, during the time period assigned and at the venue specified in the preceding such section.
8. (I) Any eligible student seeking election shall submit under his hand to the Election Officer on the date, time period and venue as specified in section 7(i) one nomination paper together with a copy, substantially in the form set out in the first schedule to this By – Law.

- (iii) After closure of nominations the Elections Officer will post the copies of the nomination papers received outside the place of nominations. Objections may be lodged in writing with the Elections Officer against the nomination of a candidate, specifying the ground of objection. The time period allotted for such objections is one hour after closure of nominations.
 - (iv) The Elections Officer shall, with the least possible delay, decide on the validity of every objection to a nomination paper of a candidate and inform the candidate of his decision and where the objection is upheld, of the grounds of his decision. The decision of the Elections Officer shall be final and conclusive.
 - (v) No student may stand nominated as a candidate for election to more than one office or membership.
9. (i) Where only one nomination paper has been accepted for a post of Office Bearer in respect of any constituency, the Elections Officer shall declare elected for that post of Office Bearer the candidate in that nomination paper.
- (ii) Where the number of nomination papers submitted for posts of elected members of the Faculty Students Union is exactly or less than the number to be elected, the Elections Officer shall declare elected, those who have submitted their nominations.
10. (i) Where the number of nomination papers accepted is greater than the requisite number for any post or the number of elected members, the Elections Officer shall publish within the University.
- (a) The names of candidates seeking election for such posts of office bearers and elected members.
 - (b) The symbol allotted to each such candidate.
11. (i) The Principal Executive Officer of the University shall fix in respect of each constituency a date, time period and venue for the election of office bearers and elected members from that constituency to the Faculty Union, and shall make arrangements for the conduct of the election.
- (ii) The Registrar of the University, shall publish within the University the date, time period and venue fixed for the election of office bearers and elected members in respect of each Faculty Union.
- (iii) The Elections Officer shall conduct the election by secret ballot.
- (iv) Each eligible student shall be entitled to only one vote in respect of each post of office bearer or elected member of the Faculty Union.
- (vi) Each candidate contesting the election for a post or elected member of the Faculty Union may appoint two students as polling agents to represent him at the venue of the election during the taking of the poll, and the count. Notice in writing of every such appointment stating the names and

registration numbers of the students appointed shall be given by the candidate to the elections officer before the opening of the poll.

Provided however, that only one polling agent of a candidate can be present at the venue of the election at any time during the taking of the poll. Only one polling agent per candidate would be allowed throughout the count.

12. (i) The Elections Officer shall declare elected the candidate who poll the highest number of votes for any post of office bearer.
- (ii) The Elections Officer shall declare elected as elected members the candidates who poll the most number of votes in descending order until the number of candidates elected as elected members is equal to the member specified in section 3 (iii).
- (iii) Where an equality is found to exist among the votes polled by two or more candidates, the candidate or candidates to be declared elected shall be made by a draw of lots. The candidate or candidates so determined shall be deemed to be duly elected.
13. (i) The Faculty Union at the First Meeting held within one week after its election, shall nominate a teacher to be approved as the Senior Treasurer by the Principal Executive Officer of the University.
- (ii) Each Office Bearer shall be entitled to hold office from the date of his election up to the end of the academic year in which he was elected.
- (iii) No member shall hold the same office for more than one academic year.
- (iv) If any office bearer or elected member
 - (a) Ceases to be a Student, or
 - (b) Resigns office by writing under his hand addressed to the Senior Treasurer; or
 - (c) Has been suspended or dismissed from the University
 his office shall be deemed to be vacated.
- (v) Where an office of the Faculty Union falls vacant, the Union shall as soon as possible elect a suitable person from among its members to fill that vacancy. The person so elected shall hold office for the unexpired portion of the term of office of his predecessor.
14. The duties and functions of the Faculty Students Union shall be as prescribed in section 7 of the schedule which is added at the end of the principal enactment.
- 15 (i) The Principal Executive Officer shall fix a date for the holding of the First Meeting of the University Students Union where the members shall elect the office bearers. Such date shall be a date falling within two weeks of

the election of office bearers and other members of the Faculty Students Unions. If the Faculty Students' Union Elections are not held on the same day, the two weeks should be from the date the last Faculty Students' Union Election was held.

- (ii) For the purpose of this meeting, the Principal Executive Officer of the University shall nominate a senior member of the University staff as the Returning Officer to conduct the election of Office Bearers by secret ballot.

The Returning Office shall preside over at the meeting and take all necessary action for the smooth conduct of the election.

- (iii) At the conclusion of the election of office-bearers the University Students Union shall nominate a senior teacher to be appointed by the Principal Executive Officer of the University as the Senior Treasurer of the University Students Union.

- 16. (i) Each office – bearer of the University Students Union shall cease to hold office at the end of the academic year in which he was elected.

- (ii) No member shall hold the same office for more than one academic year.

- (iii) If an office – bearer or member of the University Students Union.

- (a) ceases to be an office bearer or an elected member of the Faculty Students Union; or

- (b) resigns office by writing made under his hand addressed to the Senior Treasurer;

his office or membership as the case may be shall be deemed to be vacated.

- (iv) Where an office of the University Students Union falls vacant, the University Students Union shall as soon as possible elect a suitable person from among its members to fill that vacancy. The person so elected shall be entitled to hold office for the unexpired portion of the term of office of his predecessor.

Provided however that when an office of the Union falls vacant as a result of a vacancy arising in a Faculty Students' Union, the election to fill the vacancy in the University Students' Union shall be held after the filling of the vacancy in the Faculty Students' Union.

- 17. The duties and function of the University Students' Union shall be as prescribed in Section 2 of the schedule which is added at the end of the principal enactment.

- 18. The duties and function of the office – bearers of the University Students Union and the principal office bearers of the Faculty Students Union.

Students Union

- (i) The duties and functions of the President shall be :
 - (a) to preside at all meetings of the Union
 - (b) to carry out the decisions of the Union
 - (c) to call meetings of the Union
- (ii) The duties and functions of the Vice President shall be :
 - (a) to preside at any meeting of the Union in the absence of the President.
 - (b) to assist the President in the discharge of his duties and to carry out any other duty or function assigned to him by the Union.
- (iii) The duties and functions of the Secretary
 - (a) to keep records of all proceedings of the Union
 - (b) to summon meetings of the Union on the instructions of the President, or upon the receipt of a written request from not less than one third of the total membership of the Union.
 - (c) to ensure that minutes of the proceedings are available for inspection by any student of the University.
- (iv) The duties and functions of the Editor
 - (a) to edit and attend to the publication of the Union Magazine and other newsletters.
 - (b) to supervise and edit other documents which the Union, requests the Editor to publish.
- (v) The duties and functions of the Junior Treasurer shall be :
 - (a) to have custody of the funds of the Union.
 - (b) to ensure that all income and expenditure is properly recorded and accounted for in the books kept for this purpose, subject to any rules pertaining to maintenance of such accounts.
 - (c) to inform the Senior Treasurer, within one week of the payment of any money to the Union of such payment.
 - (d) to make payment out of the funds of the Union with the approval of the Senior Treasurer.

- (e) to prepare a budget for the academic year after consultation with the office – bearers to submitted to the Union within one month from the date of election of office - bearers.
- (f) when necessary to prepare supplementary estimates.
- (g) to submit to the Union a report on its financial position before the last day of each term.
- (h) to submit to the Auditor through the Senior Treasurer a statement of income and expenditure and the balance sheet of the Union for the academic year within two weeks of the end of the academic year.

19. The Auditor

- (i) The Auditor for all Unions shall be appointed by the Principal Executive Officer of the University.
- (ii) The Auditor shall within one month of the receipt of the statement of income and expenditure and the balance sheet from a Senior Treasurer, submit his report to the principal Executive Officer of the University who shall cause the publication of such report within the University.

20. Meetings of the Unions

- (i) The quorum for a meeting of the Union shall be one - third of its total membership.
- (ii) Where owing to absence or other causes both the President and the Vice President are unable to preside at a meeting the members present shall elect from among themselves a member to preside at such meeting.
- (iii) The President or Vice President or any other member presiding at a meeting of the Union shall have an original vote, and where the voting is a casting vote, he would have the privilege of an additional vote.

21. The Union Funds

- (i) There shall be established a Students Union Fund and the respective Faculty Union Funds, for the general financial purposes of the unions.
- (ii) All monies received by the Unions shall be credited to the respective fund and all payments made and on behalf of the Union shall be met from the fund.
- (iii) All monies payable to the fund shall be lodged with the Bank of Ceylon or the Peoples' Bank to be credited to an account which shall bear the name of the individual Union.

- (iv) The Senior Treasurer shall be a signatory to every cheque drawn on the account referred to in the proceeding sub paragraph.
 - (v) No payment shall be made from the fund unless such payment has been provided for in the budget or a supplementary estimate approved by the Senior Treasurer. Provided that in exceptional circumstances payment may be made with the authority of the Senior Treasurer and such payment shall be reported by the Junior Treasurer to the Union at the first meeting held after such payment was made.
 - (vi) The Books of accounts of the Union shall be made available by the Junior Treasurer for inspection by the Senior Treasurer or any student of the University concerned or any student of the Faculty concerned as the case may be.
22. Each Union shall administer its own affairs and shall not unless otherwise provided in this Bylaw, delegate its functions to any person or body.
23. Any question regarding the interpretation of this By - law shall be referred to the Council, whose decision shall be final.

In this By - Law

- ‘Students’ - Means any registered fulltime undergraduate student of the University of Moratuwa.
- ‘Elected Member’ - Means any member other than a named office bearer who is elected to a Faculty Students’ Union
- ‘Academic Year’ - Means the period commencing on the 1st day of October of one year and ending on the 30th day of September of the following year unless the Senate decides otherwise.
- ‘Principal Executive Officer’ - Means the Vice - Chancellor or any other person performing the duties of the Vice - Chancellor.
- ‘Registrar’ - Means the Registrar of the University of Moratuwa or any other person acting for the Registrar.
- ‘Constituency’ - Means the eligible students of a Faculty in the case of the Faculty Students Union.
- ‘Elections Officer’ - Means the officer appointed by the Principal Executive Officer of the University to carry out the functions and duties on the day of an election of Faculty Union.
- ‘Retuning Officer’ - Means the officer appointed by the Principal Executive Officer of the University to carry out the function and duties on the day of the election of the University Students’ Union.
- ‘Principal Enactment’ - Means the Universities (Amendment) Act No. 26 of 1988.