

## **A FRAMEWORK FOR CUT ALUMNI ASSOCIATION CONSTITUTION**

### **1. PREAMBLE**

The preamble is the introductory statement of the Constitution, and it states the fundamental purpose, principles of what the Constitution aims to achieve. Therefore it defines the reasons behind the coming into effect of the Constitution and the general underlying philosophy. It is with that in mind that to give effect to this clause the Preamble should read as follows:

- WHEREAS the Higher Education Act, No. 101 of 1997 establishes the Alumni Association as a statutory structure and alumni body of the University and the Statute of Central University of Technology, Free State makes provision for the competencies, intellectual and financial advancement of the Alumni Association for intellectual and financial advancement, as well as the competency to adopt their own constitution;
- WHEREAS the Central University of Technology, Free State strives to play a crucial role in the lives of its graduates, those academically affiliated with CUT and for the development of the region and South Africa at large;
- AND WHEREAS the Central University of Technology, Free State commits itself to the mission of the institution which is aimed at helping to better the lives of our people, by making this institution a vibrant African University within the ambit of the Constitution of the Republic of South Africa;
- NOW THEREFORE the Alumni Association of the Central University of Technology, Free State accepts this constitution to give effect to the powers conferred upon it as envisioned in the Statute of the Central University of Technology, Free State.

### **2. MISSION**

The mission statement is similar to the Preamble; however, the Mission statement more accurately spells out the direct goals of the Constitution. The insertion of the mission statement is important as it serves to give direction regarding the path that the Alumni Association should take in order to achieve their desired goals. The mission statement below



clearly encompasses the principals and goals that CUT Alumni Association Constitution should strive for:

2.1 The mission of the Alumni Association shall be in line with that of CUT as it seeks to recognize and acknowledge the wealth of talent and intellectual capital resident in the people of the country and the world at large. The Alumni Association hopes to represent the interests and aspirations of its members both nationally and internationally. With this as background, CUT Alumni Association seeks:

- 2.1.1 To unite members into a cohesive unit as members of the Alumni Association and other interested groups.
- 2.1.2 To represent members where appropriate when their interests are affected by the University's policies and goals.
- 2.1.3 To put programs in place to support members in pursuit of their own development in order to better serve CUT and its people.
- 2.1.4 To cultivate and extend members' loyalty to CUT.
- 2.1.5 To support CUT in the maintenance of high academic standards.
- 2.1.6 To continuously convey a positive image of CUT.
- 2.1.7 Seeks to provide financial support to CUT and for the advancement of the students.

### **3. DEFINITIONS AND INTERPRETATION**

The purpose of inserting definition clause is for the sake of clarity and convenience, but more than that to avoid repetition of the same phrases/citation that are used extensively throughout the Constitution. Defining words from the beginning thus makes reading and understanding the document easier. If there is any uncertainty as to what is meant by a particular clause in the Constitution, having the definitions of words set out enables one to understand what was intended by that provision.

In this Constitution, unless the contrary is explicitly stated, the following words and expressions shall have the following meanings set out opposite them:

**“Academic Employee”** means any person appointed to teach or to conduct research at

CUT, and any other employee designated as such by the Council of CUT;

- “Act”** means the Higher Education Act, 1997 (Act No 101 of 1997) as amended;
- “The/ this Constitution”** means this Constitution of the Alumni Association of CUT;
- “Alumni”** means Convocation and those persons with some academic association with CUT as contemplated sub-paragraph 5.2 of this Constitution;
- “Alumni Association”** means the Alumni Association of CUT as contemplated in terms of paragraph 5 of this Constitution;
- “Alumni Parliament”** means the representative body of the Alumni Association as contemplated in paragraph 7;
- “Chapters”** means any regional, city or town based group of CUT Alumni;
- “Cohort members”** means members of the Alumni Association who belong to different 10 year periods of graduation from CUT’s inception;
- “Credit bearing short course”** means a short learning programme for which credits are awarded;
- “Electronic Voting System”** means the process of casting and counting votes with the aid of electronic means;
- “Convocation”** means persons on whom a certificate, diploma or degree of the CUT has been conferred upon; and in addition, the Vice-Chancellor and Principal, the deputy vice-chancellors, the Registrar, academic employees on the permanent staff (excluding fixed term and full-time employees) of the CUT, professors emeriti and other retired academic employees of the CUT;
- “Council”** means CUT Council introduced in terms of section 26(2) (a) of



the Act and compiled in terms of section 27(4) of the Act and paragraph 4 of the Statute;

- “CUT”** means the Central University of Technology, Free State.
- “Executive Committee”** means the Executive Committee of the Alumni Association as contemplated in paragraph 8 of this Constitution;
- “President”** means an officer-bearer as defined in terms of paragraph 6.2 of the Constitution;
- “Senate”** means the body responsible for academic matters as contemplated in terms of paragraph 5 of the Statute;
- “Statute”** means the statute of the Central University of Technology, Free State as amended;
- “Vice-Chancellor”** means the Vice-Chancellor and Principal as contemplated in paragraph 10.2 of the Statute;

In the event of a dispute as to the interpretation of any clause in this Constitution, the dispute shall be referred to the Registrar for determination by the Executive Committee in the presence of the Registrar.

#### **4. NAME**

The Alumni Association shall be known as **THE CENTRAL UNIVERSITY OF TECHNOLOGY, FREE STATE ALUMNI ASSOCIATION**, (hereinafter referred to as the Alumni Association).

#### **5. MEMBERSHIP OF THE ALUMNI ASSOCIATION**

The aim of the proposed is to firstly comply with the Statute, as the current provision does not make clear reference to who exactly is eligible to be a member of the Alumni Association. We thus modified the current clause by inserting a few more provisions to ensure compliance with the Act as well as the Statute.

5.1 The Alumni Association consists of the following:



5.1.1 Convocation;

5.1.2 Former CUT students, who have completed a credit bearing short course, or any other persons that are academically, or otherwise affiliated to CUT, subject to the approval of the Council;

5.2 In order to ensure that the Alumni Parliament functions efficiently, membership of the Alumni Association may be dependent upon payment of membership fees, which amount shall be determined by Council from time to time.

## **6. OFFICE BEARERS OF THE ALUMNI ASSOCIATION**

Officer bearers are the members of the Alumni Association that would hold certain offices of the Alumni Association. Consequently, by making provision for this clause, we eliminate the possibility of uncertainty should any questions arise in who has the authority to hold an office in the Alumni Association. The Office Bearers would be responsible for the daily operations of the Alumni Association namely.

6.1 The Registrar shall be the Secretary of the Alumni Association;

6.2 The Alumni Association, shall elect from among its members, a President to act as the chairperson at all meetings of the Alumni Parliament, where such a President shall hold office for a period of 3 (THREE) years from the meeting at which he or she is elected, as well as Vice-President who will act as Chairperson in the absence of the President;

6.3 The Alumni Association elects from among its members a Treasurer who functions in conjunction with the Alumni office and who hold office for a period of 3 (THREE) years;

6.4 The Alumni Association elects an Alumni Parliament that will report back to the Alumni Association on matters referred to it by the Alumni Association;

6.5 The election of the President, Vice-President and Treasurer will be conducted by means of an electronic voting system, where at least 20% (TWENTY PERCENT) of the members of the Alumni Association as captured on the Alumni database would constitute a threshold.

6.6 The system and nomination procedure thereof will be determined by CUT, and the processes thereof will be communicated on the CUT Alumni webpage.



6.7 The results of the President, Vice-President and Treasurer by way of electronic voting system shall be confirmed at the AGM of the Alumni Parliament.

## **7. ALUMNI PARLIAMENT**

7.1 The Alumni Association elects from amongst its members an Alumni Parliament (the “**Alumni Parliament**”), by way of electronic voting system, to be the representative body of the Alumni Association.

7.2 The Alumni Parliament will meet at least once every year in order to discuss and decide on issues that are referred to them by the Alumni Association.

7.3 Functions of the Alumni Parliament will be to:

7.3.1 Discuss on behalf of the Alumni Association any matters regarding CUT, including matters referred to it by the Council;

7.3.2 Oversee efficient operation of funds allocated periodically to the Alumni Association by the Council, provided that the Financial Management and Services Department of CUT remain responsible for the physical administration of the funds in terms of CUT policy or any applicable legislation.

7.3.3 To oversee the Chapters of the Alumni Association;

7.3.4 Will serve as the Advisory board of the Alumni Association, as well as deal with urgent matters referred to it by the Alumni Association.

7.4 The Alumni Parliament will consist of:

7.4.1 The President of the Alumni Association to act as chairperson at all its meetings and who holds office for a maximum period of 3 (THREE) years from the meeting at which he or she is elected;

7.4.2 The Vice Chancellor and Principal, or his/her nominee (ex officio);

7.4.3 5 (FIVE) additional members who shall be elected annually by way of an electronic voting system

- 7.4.4 2 (TWO) additional cohort members from each cohort who shall be voted for by that cohort by way of nomination procedure;
- 7.4.5 2 (TWO) representative from each Chapter;
- 7.4.6 2 (TWO) council members nominated by the Council to act as representatives of the Council;
- 7.4.7 The members elected to form part of the Alumni Parliament shall not be eligible for re-election after having served for 2 (TWO) consecutive terms of 3 (THREE) years.

## **8. COMPOSITION AND FUNCTIONS OF THE EXECUTIVE COMMITTEE OF THE ALUMNI ASSOCIATION**

The day-to-day management of the Alumni Association is vested in the Executive Committee. Our recommendations are:

- 8.1 The Alumni Association elects from amongst its members, and in a manner determined in the Constitution, an executive committee (the **“Executive Committee”**) to deal with such matters as referred to it by the Alumni Parliament and in accordance with the Constitution, as recommended by the Alumni Parliament, together with other matters of interest to the Alumni Association or as requested for attention by Management and/or Council
- 8.2 The Executive Committee consists of:
  - 8.2.1 The President of the Alumni Association who shall act as the chairperson at all meetings and who should not be an employee of CUT
  - 8.2.2 Vice President elected by the Alumni Association;
  - 8.2.3 Secretary or as delegated by the Secretary, one of the Deputy Registrars of CUT;
  - 8.2.4 The Treasurer as elected by the Alumni Association;
  - 8.2.5 1 (ONE) cohort member elected to the Alumni Parliament and chosen from 2 (TWO) of each set of cohort members.
  - 8.2.6 the members elected to form part of the Executive Committee may serve for a maximum

of 2 (TWO) consecutive terms.

8.3 The Executive Committee shall have the right to co-opt a maximum of 2 (TWO) members of the Alumni Association. Such co-opted member shall be a full voting member of the Executive for a period of office not exceeding the period terminating at the close of elections at an AGM;

8.4 The functions of the Executive Committee are to:

8.4.1 Meet whenever deemed necessary by the President in order to manage and conduct day-to-day affairs of the Alumni Association in between Alumni Parliament meetings;

8.4.2 In particular, manage and execute the plan of action of the Alumni Association;

8.4.3 Address any urgent matter referred to it by the Alumni Parliament, Management, Council or other statutory bodies prior to the next meeting of the Alumni Parliament;

8.4.4 Raise funds from amongst alumni and other sources for the work of the Alumni Parliament and for the University.

## **9. CHAPTERS**

9.1 Chapters may be established in any province in the Republic of South Africa, or in any country outside the Republic of South Africa where there are at least a minimum of 15 (FIFTEEN) former CUT students.

9.2 The function of the Chapters are to:

9.2.1 Provide perspectives on matters affecting alumni and the university to the Alumni Parliament and the Executive Committee;

9.2.2 Raise funds for the Alumni Association, by way of fund raising activities within the discretion of the Chapters;

9.2.3 Recruit members for the Alumni Association;

9.2.4 Be responsible for the organizing and efficient planning of social gatherings;

9.2.5 Inform the Alumni Association about the upcoming events that are planned to enable



such planned activities to be included in the Alumni/ Alumni Association publication;

9.2.6 To ensure the overall well functioning of the Chapter, and to ensure the survival thereof.

## **10. ELECTION ROLL OF THE ALUMNI ASSOCIATION**

The above mentioned clause is essential not only to regulate the way in which members are appointed, but amongst other things also clearly provides who will be responsible for the election process, when the roll is deemed closed and the way that they should be elected. This provision is vital for any Alumni Association Constitution to ensure that there aren't any unnecessary discrepancies with the election process of the Alumni Association members. We thus propose the following:

10.1 The Secretary of the Alumni Association is responsible for the establishment and maintenance of the roll of the Alumni Association

10.2 The roll shall be prima facie evidence that any person whose name appears thereon at the time of claiming to vote as a member of the Alumni Association is entitled so to vote and is entitled to all the rights and privileges of a member of the Alumni Association, and that any person whose name does not appear thereon is not so entitled

10.3 The names of new graduates and diplomates of CUT are deemed to have been inscribed on the Alumni Association roll after degrees, diplomas or certificates have been awarded. Members so registered are required to furnish their addresses to the secretary and to notify him/her of any change of address.

## **11. PRESIDENT OF THE ALUMNI ASSOCIATION**

The president of the Alumni Association is pivotal for the functionality of Alumni Parliament meetings amongst other things as he/she is required to be presiding over all meetings. The importance of a president at meetings of the Alumni Parliament will further be illustrated in the clause we propose to regulate meetings, however, for purposes of this particular provision we propose the following:

In the absence of the President, the Vice-President who is elected by the Alumni Association, shall act on behalf of the Alumni Association and shall perform all the functions and exercise all duties of the President.



- 11.1 If both the President and the Vice President are absent, the members present at a meeting elect a chairperson from their own ranks, under the direction of the Secretary of the Alumni Association, provided that such chairperson may not be employee of CUT.
- 11.2 The President of the Alumni Association will be the ex officio member of Council , where such President will:
- 11.2.1 Represent the views of alumni; whilst generally acting in the interests of the University;
- 11.2.2 Be accountable through the Executive for the manner in which he/she conducts him/herself;
- 11.2.3 Report on deliberations of Council Meetings, ordinarily at the first meeting of the Executive after a Council Meeting and any meeting of the Alumni Parliament when called upon by the Executive to so report.

## **12. MEETINGS OF THE ALUMNI PARLIAMENT**

The Alumni Parliament is a group of people that are assembled for a specific purpose, namely to be representatives of the views of the alumni to CUT. In order to give effect to this clause the Alumni Association must within regulate the general meetings as well as the procedure to be complied with during such meeting. The clause has been subdivided into two subsections, where the first subsection will regulate meetings in general and then subsection will regulate the procedure to be followed in such meetings thereof.

### **12.1 ANNUAL GENERAL MEETING “AGM” OF THE ALUMNI PARLIAMENT**

- 12.1.1 The President or, if the office of the President is vacant, the Vice-President, convenes a meeting of the Alumni Parliament annually, and notice of such meeting must be given at least 4 (four) weeks prior to the date of the meeting.
- 12.1.2 Notice of an AGM shall be published in the appropriate CUT publications and advertised and announced in appropriate external media to be approved by the Executive Committee.
- 12.1.3 50% (FIFTY PERCENT) percent plus one of the Alumni Parliament and 10% (TEN PERCENT) of the total of Chapter representatives and cohort members shall form a

- quorum. In the event that a quorum at the meeting of the Alumni Parliament is not reached, the meeting may adjourn and another meeting may be convened with at least 7 (SEVEN) days notice after the AGM but by no later than 21 (TWENTY ONE) days. Any member who wishes to raise any matter at such meeting must submit written motions in respect of said matter to the Secretary or the President of the Alumni Association at least 2 (TWO) weeks prior to the date of the meeting.
- 12.1.4 The attendance/participation of AGM may be by way of Skype and any other acceptable method of video-conferencing, provided that such members have made arrangements for such facilities with CUT 7 (SEVEN) days prior to the AGM.
- 12.1.5 Subject to the approval of the Alumni Parliament, any member of the Alumni Association shall be entitled to attend its meetings as an observer, provided that neither the Alumni Parliament nor the Alumni Association shall be liable for traveling or other expenses incurred by such person arising out of such attendance.
- 12.2 EXTRAORDINARY MEETINGS OF THE ALUMNI PARLIAMENT AND THE EXECUTIVE COMMITTEE**
- 12.2.1 An extraordinary meeting or emergency meeting of the Alumni Parliament or the Executive Committee may be convened if and when deemed necessary.
- 12.2.2 An extraordinary meeting of the Alumni Parliament or the Executive Committee must be convened by the President of the Alumni Association upon a request signed by at least 50% plus one of the members of the Executive Committee or 30% of the members of the Alumni Parliament and a separate motion/s containing a matter/s for consideration.
- 12.2.3 An extraordinary meeting as contemplated in subparagraph 12.2.1 must be held within 2 (TWO) months after receipt of the request.
- 12.3 AGM PROCEDURES OF THE ALUMNI PARLIAMENT**
- 12.3.1 Once a meeting has been constituted by the reading of the notice in terms of which it was convened, a meeting commences with the reading and confirmation, by the signature of the chairperson, of the minutes of the previous ordinary meeting and of all subsequent extraordinary meetings.

- 12.3.2 Any objection to such minutes must be raised and determined prior to their confirmation.
- 12.3.3 A member may not without the permission of the meeting, speak more than once on a motion or amendment thereof, but the mover of the motion or amendment may respond.
- 12.3.4 In addition to his/her ordinary vote, the chairperson has a casting vote in the event of an equality of votes.
- 12.3.5 If a meeting so resolves, the number of votes in favour of or against a motion must be recorded in the minutes, and at the request of a member, the chairperson must further direct that the vote of such member be likewise recorded.
- 12.3.6 A motion or amendment thereof must be seconded, and if the chairperson directs, such motion or amendment must be in writing.
- 12.3.7 A motion or amendment may not be withdrawn without the permission of the meeting.
- 12.3.8 the chairperson may permit the discussion of a matter of which notice was not duly given, provided such discussion is unopposed.
- 12.3.9 the ruling of the chairperson on a point of order of procedure is binding, unless immediately challenged by a member, in which event such ruling must be submitted without discussion to the general meeting, whose decision is final.
- 12.3.10 A copy of the resolutions of the Alumni Parliament, and a statement on such other matters as the Alumni Parliament may determine, duly certified by the chairperson and secretary, are submitted to the Secretary for the information of any of the University's statutory bodies as may have been specifically directed.
- 12.3.11 voting by proxy shall be permitted in the following manner:
- 12.3.11.1 Each member of Alumni Parliament is entitled to appoint one proxy who is a member of the Alumni Parliament, to attend, speak and, in the event of an election, vote in place of that member at the AGM.
- 12.3.11.2 Forms of proxy, which shall be available from the Alumni Affairs Office, must be completed in their entirety and must be lodged with the proxy before the AGM. In the event of a vote the forms will count as one vote.



- 12.3.11.3 The completion and lodging of this form will not preclude the relevant member from attending the AGM and speaking and voting in person thereat, to the exclusion of any proxy appointed in terms hereof, should such member so wish.

## **12.4 MEETINGS OF THE EXECUTIVE COMMITTEE**

- 12.4.1 The Executive Committee shall meet whenever required to by the President provided that at least four meetings are held each year.
- 12.4.2 Meeting dates for the year shall be scheduled by the Secretary's office in conjunction with the President of the Alumni Association and in accordance with the planning of CUT's calendar of events and meetings.
- 12.4.3 Notice of ordinary meetings of the Executive Committee shall be given by the Secretary at least 4 (FOUR) days before the date determined for the meeting of the Executive Committee.
- 12.4.4 In any meeting of Executive Committee, 50% (FIFTY) plus one shall form a quorum. In the event that the members present do not constitute a quorum fifteen minutes after the stated time of the ordinary meeting, the meeting shall adjourn and another meeting will be convened to a date not earlier than 7 (SEVEN) days or not later than 21 (TWENTY ONE) days after the date of the ordinary meeting.
- 12.4.5 All decisions shall be taken by an ordinary majority of votes except in a vote to rescind a decision previously taken where a majority of two-third of those present at a meeting shall be required.
- 12.4.6 Subject to the approval of the Executive Committee, any member of the Alumni Parliament shall be entitled to attend its meetings as an observer, provided that neither the Alumni Parliament nor the Executive Committee shall be liable for traveling or other expenses incurred by such person arising out of such attendance.

## **13. INDEMNITY**

An indemnity clause is advised to be included in order protect the Alumni Association members



against any liabilities that could be incurred during their execution of the duties. Therefore the provision below is recommended:

In terms of the King III code, the Office Bearers and members of the Executive Committee and Alumnus Officers should act in the best interests of the Alumni Association where every decision should be a rational decision that is based on intellectual honesty.

Failure to properly perform their duties and exercise the utmost care and skill will result in the members being held personally liable for where their decisions are to the detriment of the Alumni Association.

#### **14. ADMINISTRATION**

A clause that deals with the administration is important in order to regulate where meetings will take place, to determine and clearly state where the funds that are allocated to the Alumni Association and the Executive Committee are derived from and how such funds will be utilized, namely:

CUT shall:

- 14.1 Identify a unit, normally the Alumni Office, from which the Executive Committee shall operate;
- 14.2 provide the relevant unit, normally, the Alumni Office a reasonable budget for operating costs, which may include funds for the Executive Committee to attend quarterly meetings.
- 14.3 The annual meetings of the Alumni Parliament shall be funded by the funds generated by the Alumni Association, with whatever subsidy the CUT may afford to provide when deemed affordable.
- 14.4 The Alumni Association must generate its own funds which the Alumni Parliament and the Executive Committee shall account for;

#### **15. TRANSITIONAL PROVISIONS**

The purpose of the transitional provision is essential to regulate the circumstances wherein a new Constitution is effected:

- 15.1 Anything done under any provision of the Constitution of the Alumni Association before this Constitution came into operation is deemed to have been done under the corresponding provision of this Constitution.
- 15.2 Any existing rules in force upon the commencement of this Constitution continue to apply until replaced by any provision of the Constitution or any rule that may be made in terms of the Constitution.

## **16. AMENDMENTS TO THE CONSTITUTION**

- 16.1 The replacement/amendment of this Constitution shall be amended only by two-thirds majority of those members entitled to vote at an AGM or special meeting, and shall be submitted to the Council for approval.
- 16.2 The proposed amendments shall be submitted to the Registrar in the form of a motion at least 28 (TWENTY EIGHT) days prior to an AGM.