


**ENGINEERING STUDENTS OF
UNIVERSITY OF GHANA
(ESUG)**

CONSTITUTION



we make things work



**MEMORANDUM TO THE ESUG CONSTITUTION FROM THE CONSTITUTIONAL
REVIEW COMMITTEE (2013– 2014)**

The need to have a new Constitution which is dynamic enough to satisfy the changing trends of ESUG became more evident in the very recent past of the Union's history, where some provisions in the ESUG Constitution had over-lived their essence while other legal and administrative inputs which the dynamism of the Union had warranted over the years had no Constitutional Provisions to their effect. There even came a time when more than one version of the ESUG Constitution was in circulation.

Efforts were made by previous ESUG administrations, to contribute to the attainment of a more consecrated Constitution for the Union but were not far - reaching. The impasse that surrounded the Union and had a telling effect on its image during the 2013/2014 ESUG year was partly due to the absence of a Constitution which had the capacity to curtail such situations in time.

This however, necessitated a more enthusiastic approach towards the Constitutional Review process. The above led to the formation of a Five - member Constitutional Review Committee by the Executive Council of the 2013/2014 ESUG year.

1. MR. REUBEN S. AGBOZO- CHAIRMAN

2. MISS LOIS A. DAMPTEY - SECRETARY

3. MR. MYERS GIDEON– MEMBER

4. MR. CLARENCE A. BARNES– MEMBER

5. MR. EMMANUEL O. ABOAGYE - MEMBER

The Committee was tasked to propose relevant amendments and present a draft Constitution. It adopted a consultative approach in its operations, this it did by consulting with a broad spectrum of students and ESUG.

THE CONSTITUTION

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THE CONSTITUTION OF THE ENGINEERING STUDENTS OF UNIVERSITY OF GHANA-(ESUG)

IN THE NAME OF THE ALMIGHTY GOD,

We the people of the Faculty of Engineering Sciences, University of Ghana,

IN EXERCISE of our natural and inalienable right to establish a legal framework, this shall secure for posterity and us the blessings of liberty, equality of opportunity and prosperity:

IN A SPIRIT of friendship and peace with all people of the university, our country Ghana and the world at large;

AND IN SOLEMN declaration and affirmation of our commitment to Freedom, Justice, Probity and Accountability;

The principle that all powers of Leadership spring from the sovereign will of the people;

The principle of Universal Adult Suffrage;

The rule of Law;

The protection and preservation of Fundamental Human Rights and Freedoms, Unity and Stability for our nation;

DO HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

CHAPTER ONE

ARTICLE 1: NAME OF ASSOCIATION

The Association shall be known as Engineering Students of University of Ghana (ESUG).
It shall have its motto as “Integrity and Innovation”.
The slogan shall be “We make things work”.

ARTICLE 2: THE CONSTITUTION

- A) The constitution shall be the supreme law and any other law that is not in agreement with the constitution is not valid.
- B) Notwithstanding Article 2A, this constitution shall be subject to the constitution of the Student Representative Council of the University of Ghana, the statutes of the Faculty of Engineering Sciences, the statutes of the University of Ghana and the constitution of Ghana.
- C) ENFORCEMENT
 - I. All members shall adhere to all the provisions of the constitution.
 - II. The association shall have an oath of allegiance when been enacted into office.
 - III. Anybody or law inconsistent with the provision of the constitution may bring an action to the Judicial committee for a declaration for that effect.
 - IV. The judicial committee shall make such orders and give appropriate directions.

ARTICLE 3: AIMS AND OBJECTIVES

The association shall:

- A. Be a representative on behalf of the students of the faculty.
- B. Promote unity and friendship among the student body.
- C. Create a good and healthy staff-student relationship based on mutual respect and trust.
- D. Serve as an advisory body to the students of the faculty.
- E. Cooperate with other institutions of the university and beyond.
- F. Engage in activities that may be of interest to the Association and the Faculty.
- G. Promote and create a good image of the engineering students.
- H. Contribute our quota to the progress and development of Engineering in University of Ghana and beyond.

For purposes of achieving these objectives, ESUG shall organize lectures, symposia, debates, publication and such other activities that are necessary to fulfill these general aims and objectives.

ARTICLE 4: MEMBERSHIP

- A. Membership of ESUG shall comprise of all admitted students (Post graduates and Undergraduates) of the Faculty of Engineering Sciences, University of Ghana.
- B. There shall be at least a patron who shall give elderly advice to the executive council and ESUG in general.

ARTICLE 5: RIGHTS AND OBLIGATIONS OF MEMBERS

- A. All members shall have the right to participate in general activities of ESUG.
- B. All members shall enjoy equal rights recognized by ESUG without any discrimination.
- C. All members shall pay dues to be determined by the executive council once every semester.
- D. Members shall refrain from conducting themselves in such a manner as to bring the name and prestige of ESUG into disrepute.
- E. All members shall cooperate with the authorities and executives of ESUG to promote the welfare and well being of all members.
- F. The authorities of ESUG in consultation with the General Assembly shall recommend to the school authorities, appropriate actions that need to be taken against any member who shall breach clauses (C, D or E) of this article.

CHAPTER TWO

ARTICLE 6: ORGANS OF ESUG

ESUG shall comprise of the following organs:

- A. General Assembly
- B. Executive council

ARTICLE 7: STRUCTURE OF THE EXECUTIVE COUNCIL

There shall be an executive council to manage the affairs of the association and see to the execution of all decisions.

- a) The executive council shall consist of the following:
 - President
 - Vice president
 - General secretary
 - Organizing secretary
 - Financial secretary
 - Public Relations Officer (P.R.O)
 - Level representatives
- b) All-important decisions of the council shall be reported to the members at the next general meeting.
- c) The executive council shall meet at least thrice every month or convene emergency meetings as desirable.
- d) The executive council shall have the power to set up committees to deal with other matters concerning the association.
- e) The executive council shall be constituted only when there are issues that require immediate decisions for which the General Assembly cannot meet.

ARTICLE 8: FUNCTIONS OF THE EXECUTIVE COUNCIL

PRESIDENT

- a) Shall be the leader of ESUG
- b) Shall preside over all general meeting of the association unless otherwise stated.
- c) Shall be the final authority in case of a deadlock at all meetings
- d) Shall be the chief spokesperson of the association.
- e) Shall appoint constitutional committee heads in consultation with all other executives.
- f) Shall be one of the signatories to the association accounts.
- g) Shall represent the association at all conferences and deliberations where the association is involved.

VICE PRESIDENT

- a) Shall assume the duties of the president in his/her absence.
- b) Shall assist the president in carrying out his/her duties.
- c) Shall perform any other duty assigned by the president or executive council.

GENERAL SECRETARY

- a) Shall keep and maintain true and accurate minutes and records of all proceedings of the general assembly and executive council meetings.
- b) Shall present to the general assembly or executive council, minutes of the previous meeting as due.
- c) Shall prepare the agenda for all meetings in consultation with the president.
- d) Shall perform any other duty assigned by the president or executive council.
- e) Shall prepare and present an annual report of the activities of the association.
- f) Shall publicize the agenda of a general meeting, at least four (4) days before the meeting.
- g) Act as the president in the absence of the president and vice president.

ORGANISING SECRETARY

- a) Shall be responsible for organizing all functions and activities of ESUG, which shall include sports, entertainments, social and fundraising activities.
- b) Shall be in charge of protocol
- c) Shall be in charge of all logistics.
- d) Shall carry out any function that may be assigned to him/her by the president or executive council.

FINANCIAL SECRETARY

- a) In collaboration with the financial committee, shall not later than seven days after elections prepare and present all financial records (receipts and payments) to the audit board.
- b) Shall supervise all fundraising activities.
- c) Shall keep and maintain proper records or accounts of all monies and revenues to which ESUG is entitled.
- d) Shall be a signatory of ESUG'S accounts.
- e) Shall perform other roles assigned to him/her by the president or the executive council.

PUBLIC RELATIONS OFFICER (P.R.O)

- a) Shall be the main liaison for sponsorship for the Association.
- b) Shall handle all external affairs, relationship between other association of similar interest within and outside the university.
- c) Shall assume the position of Organizing Secretary in the absence of the latter.
- d) Shall be in charge of publicity.

LEVEL REPRESENTATIVES

- a) Shall take minutes of all executive council meetings and general assembly meetings.
- b) Shall disseminate information to all class representatives and student body.
- c) Shall be present at all Executive Council and General Meetings.

ARTICLE 9: GENERAL ASSEMBLY

The General Assembly shall be the highest decision making body of ESUG. It shall comprise of the;

- a) Executive Council
- b) Entire Engineering student body

ARTICLE 10: FUNCTIONS OF GENERAL ASSEMBLY

- a) Shall have the power to constitute **ad hoc** committees.
- b) Shall approve appointments of **ad hoc** committees.
- c) It shall act as the legislative organ of ESUG, which shall make rules and regulations for the observance of the entire membership.
- d) It shall take decisions and make recommendations for implementation by the appropriate organs of ESUG
- e) Policies proposed by any organ of the ESUG shall be referred to the General Assembly for deliberations, recommendations and approval.
- f) Notwithstanding clause (e) of this article, the General assembly shall on its own initiative, consider and make recommendations on any matter provided for in this constitution or affecting the welfare and interests of students.
- g) For avoidance of doubt, it is hereby declared that proceedings of the General Assembly shall not be inconsistent with the letter and spirit of the constitution.

CHAPTER THREE

ARTICLE 11: FINANCIAL COMMITTEE

1. There shall be a financial committee which shall comprise of;
 - a) The financial secretary
 - b) Three (3) students either undergraduates or postgraduate student
2. The financial secretary shall **not** be the chairperson for this committee.

3. FUNCTIONS

The finance committee shall:

- a) Assist the financial secretary in the preparation of financial statement for auditing at the end of the year.
- b) Encourage and promote the efficient utilization of the resources of ESUG through efficient and effective financial measures.
- c) Do all other things not inconsistent with this chapter as may be prescribed by a resolution of the general assembly not inconsistent with this constitution.
- d) Be responsible for monitoring the receipts and payments into and from ESUG accounts.
- e) Be responsible for organizing any fundraising activity of ESUG.
- f) Take proper and true record of all assets of ESUG.

ARTICLE 12: AUDIT BOARD

1. The audit board shall comprise;

- a) Three members of the association with an **accounting background** who have been duly vetted.

2. FUNCTIONS

The audit board shall perform the following functions;

- a) Audit the ESUG account.
- b) Be the appropriate board to make enquiries in the event of financial malfeasance.
- c) Publish the audit report and advice the association accordingly.

ARTICLE 13: EDITORIAL BOARD

a) There shall be an editorial board which shall be charged with responsibility for;

- I. Ensuring the effective and efficient running of ESUG's Magazine.
- II. Publishing the magazine, which shall be called **SPOTLIGHT** once every year.
- III. There shall be enlightenment about the various professional courses been studied and other activities carried out in the Faculty of Engineering Science.

b) As far as practical, the **SPOTLIGHT** shall contain other issues of ESUG and the alumni association.

c) Writing of articles in the magazine shall be opened to all members of ESUG.

d) The editorial board shall keep its bank accounts separate from that of ESUG.

- i. Signatories to this account shall be
- ii. Editor in chief
- iii. Financial secretary
- iv. General secretary

- v. A person shall not be eligible for appointments to the editorial board unless he or she is a member of ESUG.
- e) The composition of the editorial board shall be determined by the board's constitution.
- f) The ***SPOTLIGHT*** magazine shall be sold to students of ESUG and the general public at a price to be determined by the editorial board with the prior approval of the General Assembly.
- g) The editorial board shall submit its accounts to the finance committee for the preparation of consolidation accounts in accordance with the provisions of this condition.

ARTICLE 14: ORGANISING COMMITTEE

The organizing committee shall comprise;

- A. The organizing secretary
- B. Four undergraduate students who shall be approved by the vetting committee after filling in their nominations
- C. The organizing secretary shall be the chairperson of the committee
- D. FUNCTIONS
 - i. The organizing committee should be responsible for assisting the organizing secretary in performing his or her duties.
 - ii. The organizing committee in consultation with the vice president shall organize and carry out other activities for ESUG week celebration.

ARTICLE 15: ELECTORAL COMMISSION

1. There shall be an Electoral Commission of ESUG which shall comprise of;
 - A. A chairperson who shall be known as the ELECTORAL COMMISSIONER and
 - B. Two Deputy Commissioners.
2.
 - a) No person shall be eligible to be an Electoral Commissioner unless he has spent at least one year in ESUG and should have at least one year more to complete.
 - b) In a case where all applicants for this position do not satisfy the provision in clause (2a) above, the Vetting Committee shall exercise its discretionary powers to appoint the Commissioner.
 - c) No person shall be qualified as a member of this Commission unless he has a high moral character and proven integrity and provided that he has a basic knowledge in electoral activities
 - d) The Electoral Commission shall be responsible for conducting ESUG Executive and other elections.

3. The Electoral Commission shall make rules and regulations for the exercise and execution of its functions.
4. It shall compile the register of voters and revise it when necessary.
5. The power to determine whether an election regulation has been breached shall be vested in the electoral commission and they shall on reasonable grounds impose such sanctions, as they deem necessary.
6. The Electoral Commissioner shall publish the elections results within twenty-four (24) hours after elections and winner declared thereof.
7. The Electoral Commission shall make their regulations accessible to all candidates.
8. The Electoral Commission shall perform such other functions as may be prescribed by the resolution of the General Assembly not inconsistent with the provisions of this constitution.
9. Except as provided in this constitution or in any resolution of the General Assembly not inconsistent with this constitution, in the performance of its functions, the electoral commission shall not be subject to the direction or control of any person or authority.
10. The administrative expenses of the commission shall be charged on the ESUG fund.
11. The electoral commissioner and his two other deputies while in office shall not hold any ESUG executive office.

ARTICLE 16: VETTING COMMITTEE

1. There shall be a vetting committee, which shall be chaired by the **incumbent** electoral commissioner.
2. The vetting committee shall comprise;
 - a. Three members of the electoral commission
 - b. One member from the General Assembly excluding the executives
 - c. One ESUG executive
3. The committee shall be responsible for ensuring that prospective candidates for any selection under this constitution satisfy the requirements provided for in this constitution or a resolution of General Assembly.
4. The vetting committee shall have the power to disqualify any candidate for any selection under this constitution on grounds not inconsistent with the constitution.
5. The decision of the vetting committee shall be by simple majority.
6. The chairperson of this committee shall present a written report on the vetting process to the general assembly.
7. The committee shall perform any other functions or duty assigned to it by the General Assembly or executive council.

ARTICLE 17: JUDICIAL BOARD

1. There shall be a Judicial Board of ESUG, which shall comprise of five members.
2. No student shall be qualified as a member of the Judicial Board unless he has a high moral character and proven integrity and provided that he/she has a basic knowledge in law.
3. Membership to this Board shall be vetted and subsequently approved by the General Assembly.
4. The Chairperson and other members of this committee shall hold office for a period of ONE academic year.
5. Members of the Judicial Board shall before assuming office take and subscribe to the Judicial Oath as set out in Schedule three of this constitution.
6. The chairperson of the Judicial Board shall be known as the CHIEF JUSTICE and other members as Justices.

JURISDICTION AND FUNCTIONS OF THE JUDICIAL BOARD

7. The functions of the board shall include the exercise of judicial powers in all matters;
 - A. Relating to the enforcement and interpretation of this constitution
 - B. Arising as to whether a person or authority has acted in excess of the powers conferred on it by this constitution or any other provision made thereafter; or
 - C. Relating to elections under this constitution;
 - D. Relating to impeachment proceedings against any member of the executive officers.
8. For the purpose of hearing and determining a case or matter within its jurisdiction, the judicial board shall have the power to do such things as shall be reasonably necessary, including the issuing of the prerogative writs or orders of mandamus, certiorari, prohibition, quo warranto, declarations and injunctions and issue directions for the purpose of enforcing or securing the enforcement of its powers.
9. Without prejudice to any provision in this constitution, the decision of the judicial board on matter of interpretation of this constitution shall be final and conclusive.
10. The chief justice shall act as the speaker of general assembly in the absence of the speaker and the deputy speaker.

CESSATION OF OFFICE

11. A member of judicial board shall cease to hold office;
 - A. If he resigns by writing signed by him and addresses to the executive council through the president provided that at least fourteen days notice is given;
 - B. If he is unable to perform the functions of his office whether arising from infirmity of body or mind;
 - C. For stated misbehavior or incompetence; or
 - D. Upon his death.

INDEPENDENCE OF THE JUDICIAL BOARD

12.

- A. The judicial board shall adopt its own procedure for exercising its powers
- B. In the exercise of its functions, the judicial board shall be subject to this constitution only and shall not be subject to other control influence of any person or institution in the faculty.
- C. ESUG or anybody shall be obliged to accord the judicial board such assistance as the board may deem necessary to protect the independence, dignity and effectiveness of the board subject to this constitution.
- D. No member of the board shall be held liable for any act of omission or commission in the exercise of their functions.

MODE OF EXERCISING JUDICIAL POWER

13.

- A. In all matters, unless specifically provided to the contrary, a decision of board shall be by a simple majority
- B. The board shall in exercising of its functions be bound to give written reasons for its decisions.

VACATION OF OFFICE

14.

- A. A member shall leave office through resignation known to the board and executive council.

ARTICLE 18: AD HOC COMMITTEE

- 1. The executive committee shall establish special committee when necessary.
- 2. It shall not comprise of more than five and not less than three members including the chairman.
- 3. The committee shall be approved by the General Assembly via simple majority.

CHAPTER FOUR

ARTICLE 19: ALUMNI ASSOCIATION

1. ESUG shall assist, encourage and promote the formation of an Alumni Association for the Faculty of Engineering Sciences.
2. The Alumni shall assist financially, materially and by any other means towards the smooth running of the faculty.

ARTICLE 20: SOCIAL ACTIVITIES

1. ESUG shall organize social activities in order to foster understanding, togetherness and interaction among its members.
2. ESUG may undertake any social commercial activities to raise funds for it.
3. ESUG shall organize a get-together for all final year students. Hence, the final year dues would be charged inclusive of the cost of organizing the get-together party.

ARTICLE 21: ORIENTATION

1. There shall be an orientation for newly elected executives and all General Assembly members before handing over which shall be different from the first General Assembly meeting.
2. It shall be organized by the office of the Organizing Committee
3. The Constitution shall be explained to members outlined in clause (1) of this article.
4. The outgoing executives shall make known to the incoming executives their performance and what is expected of them.

ARTICLE 22: ESUG WEEK

1. There shall be ESUG week celebration each academic year at a period to be determined by the executive council in consultation with the Dean of Students.
2. The ESUG week shall be a week set aside by the faculty to bring the experience of practicing managers and other experienced people in the Faculty of Engineering Sciences to bear on students through series of lectures and interaction.

3. ESUG shall organize such activities alongside those to be organized by the faculty to mark the week.
4. The Chairperson of the ESUG Week Planning Committee shall present to the General Assembly a report on the ESUG week at the next General Assembly meeting after the celebration.

ARTICLE 23: HONORARIUM

1. Certificates of honor shall be presented to the Executive Officers, members of the General Assembly, members of the various committees under articles 11-18 of this constitution upon successful completion of their tenure of office at a handing over ceremony to be held in public.
2. All ESUG week Planning Committee members and individuals who have contributed towards the course of ESUG activities shall be entitled to certificates.
3. Without prejudice to any provision of this constitution, a person shall not be entitled to a certificate if he or she has not successfully completed his tenure.
4. The code of conduct, honorarium and awards Act shall be other form of award provided it is not inconsistent with this constitution.
5. Anyone who stays during the holidays to carry out duties in the interest of ESUG shall be entitled to per-diem, subject to the approval of the General Assembly.
6. Subject to clauses (1), (2), (4), (5) of this article, all expenses shall be borne by ESUG.

CHAPTER FIVE

ARTICLE 24: COPIES OF THE CONSTITUTION

1. Copies of this constitution shall be made available to all students upon first registration in the school.
2. The secretary shall make available copies of this constitution for reference by any member of ESUG.

ARTICLE 25: REPORTS AND ARCHIVES

1. On the day of dissolution, the Chairpersons of committees under Article 11-18 shall present a written report covering their terms of office to the General Assembly.

2. The outgoing chairpersons of the Audit and Finance committee shall read and explain the audited financial report to the incoming executives.
3. The incoming executives shall call for a review of the audit of the financial report if they are not satisfied with it. This shall be done through formal request to the General Assembly.
4. There shall be kept in ESUG an archival cabinet for each committee where reports of succeeding committee of the General Assembly or any other committee established under a resolution of the general assembly shall be kept.
5. Records on the executives and committee members and minutes of all ESUG meetings shall be kept in a cabinet in ESUG.

ARTICLE 26: INDEMNITY

Members of the General Assembly, executive council, or commissions and committees of the general assembly shall be indemnified out of the assets and funds of ESUG against any legal or other liabilities as may be incurred in the course of lawful execution of duties assigned to them under this constitution or by a decision of the General Assembly.

ARTICLE 27: INVITATION TO PROGRAMMES

1. The executive officers in consultation with other members of the executive council shall have power to nominate delegates, representatives or participants to any conference, seminar or project to which ESUG has been invited.
2. The delegates, representatives or participants shall present in written reports to the General Assembly through the president at the next general meeting after such conference, seminar or project.

CHAPTER SIX

ARTICLE 28: ELECTIONS

1. The Elections of ESUG executives shall be held in the second semester of every year.
2. Without prejudice to Article 32, no amendment shall be made to this article unless one third of the members of ESUG are consulted through referendum.
3. Who can vote?
Be a member of the Engineering Students of University of Ghana.
4. There shall be an open forum before elections will be held.
5. Elections shall be held ten days after the open forum.
6. A petitioner alleging a breach or breaches of any provisions of this constitution or any other electoral regulations shall lodge a written complaint with the judicial board not later than 48 hours before the election date or not later than 48 hours after the election.
7. Members of the level he or she belongs shall vote for Level Representatives.

A. Before voting begins, the electoral commissioner will open the ballot box and show it to the agents of the candidates contesting the election and ESUG members present at that time for them to see that it is empty. The ballot box should be placed in full view of the students throughout the voting period and the counting of votes after the election has closed. The electoral commissioner will similarly show the sealed ballot papers to indicate to all present that; they have not been tampered with.

B. How to vote?

1. Voter should go to the polling station to vote personally.
2. Join the queue, if there is one, and wait for your turn.
3. Your name will be checked in the voters register when it gets to your turn.
4. If it happens that your name is not in the voters register, give your student ID card to the electoral commissioner to check whether you are a student of Engineering Sciences so that you can be allowed to vote.
5. Having given you the ballot paper, the election officer will mark your palm, in indelible ink, to indicate that you have gone through the voting process. This is done to prevent anybody from voting more than once
6. After you have been marked, proceed to the polling booth or screened area to select the candidate of your choice. Remember that you are allowed to select only one candidate.
7. The official mode of marking the ballot paper is thumbing printing so you are required to thumb print your choice of candidate. (Done during manual voting)
8. After marking your choice, take care to fold the ballot paper so that you do not soil it, put your folded ballot paper into the ballot box in open view of the public. (Done during manual voting)

Note well

If you accidentally soil your ballot paper by spilling ink over it or tearing it, please inform the electoral commissioner afterwards, he/she will issue you with a fresh ballot paper after collecting the spoilt one from you and making it as such. Leave the polling station as soon as you finish voting. It is an offence to loiter about the voting area after you have voted. (done during manual voting)

C. Time of voting

On the day of the election, voting begins at 7:00am and ends at 5:00pm. Electorates should therefore make it a point to vote as early as they can. However, all persons in the queue waiting to vote at that hour must be allowed to vote. In that case, when it is 5:00pm, ask the security officer to stand at the end of the queue and ensure that no one joins it after that time.

D. Counting of votes

- I. The votes cast at the polling station will be counted at the station after the poll closes at 5:00pm and the results will be declared there and then.
- II. Note that, the result will be declared void, i.e. cancelled if the number of the votes cast at the station exceeds the total number of voters on the register.
- III. The candidate with the highest number of votes shall be declared elected and in the event of a tie, there shall be a second round for the office in question within two days.

E. Nominating a candidate

- I. An aspiring candidate must pick a nomination form from the office of the electoral commission when nominations are opened.
- II. The nomination form shall be assented by six students, not more than two from each level from the faculty of engineering sciences.
- III. In the case of a sole candidate for position, the electoral commission shall open nominations for two more days for that position and if after that time no one picks a nomination form, the candidate shall be subjected yes or no vote and declared winner by simple majority.
- IV. Each candidate is legible to apply for any one executive position.
- V. If there is no nominee for a given position, there shall be a reopening of nominations; if vacancies still exist there shall be an appointment by the judicial committee.

F. Officers at the polling station

At the polling station, officers to be present are the,

- I. Electoral commissioner
- II. The two assistants
- III. Polling assistants selected by the electoral commissioner
- IV. Security personnel
- V. Polling agents for the various candidates to monitor the conduct of the poll there on their behalf.

G. Voting is not to be counted.

As the electoral commissioner, you must;

- a) Decide the validity of a ballot paper. A ballot paper must be rejected if;
 - I. It does not bear the official ballot validation of the polling station.
 - II. Other than a thumbprint, it has anything written on it by which the voter can be identified.
 - III. It is blank without mark.
 - IV. It is not clear which candidate the voter has voted for.
 - V. It is marked for more than one candidate
- b) Show every rejected ballot paper to the agents and give the reason for rejecting it.
- c) Write the word "Rejected" on the ballot paper. If an agent objects to your rejecting the ballot paper, you must also write the words "Rejection objected to"?

H. How the winner is decided

Except where a candidate is declared elected unopposed, an election for an executive position is decided on a simple plurality or first past the post basis.

This means that the candidate who gets the highest number of the valid votes cast wins the election.

“A person is deemed elected as Vice president when the presidential candidate who designated him or her as the running mate is duly elected”.

I. Challenging the validity of an election

A member of ESUG may challenge the validity of the election of any executive position in ESUG court within five days, after the result has been declared.

J. Term of Office

The executive term of office is one (1) year from the day he or she is sworn in.

K. Some election offences

It is an election offence;

- I. To attempt to vote before the poll officially opens or after it officially closes
- II. To vote in the name of another person, living, dead or fictitious.
- III. To vote or to attempt to vote more than once.
- IV. To put anything other than a ballot paper into a ballot box
- V. To remove any notice lawfully exhibited in connection with an election.
- VI. To forge or destroy a nomination form or ballot paper or any form related to an election.
- VII. To print or be in possession or supply somebody with a ballot paper without lawful authority.
- VIII. To be in possession of a ballot box or its contents during an election.
- IX. To lawfully obstruct or interfere with the work of an election officer.
- X. To give or receive money, a gift, a loan or something of value before or after an election for inducing a voter to vote or not to vote in a certain way.
- XI. To give or accept meat, drink, entertainment or provision for purposes of voting or refraining from voting.
- XII. To compel somebody to vote in a particular way.
- XIII. To impeded or prevent a voter from freely exercising his or her vote.
- XIV. To disclose information about whom a voter is about to vote for or has voted for in anyway or breach the secrecy of the vote.
- XV. While in the process of voting, to display a marked ballot paper in such a way as to make it known to others the candidate you have voted for; or while voting is in progress.
- XVI. To seek to influence a person to vote for a particular candidate.
- XVII. To seek to find out the candidate for whom a voter intends to vote or has voted;
- XVIII. To wear or display any symbol or emblem (including items of clothing) indicating support for a particular party or candidate.
- XIX. To make a speech or sing a song, or beat a gong-gong or drum, in support of a candidate.

L. ELECTORAL HARDWARE

- a. Ballot boxes for executive positions
- b. Seals
- c. Two voting screens for thumb printing of ballot papers.
- d. Tables for polling assistants, the voting screens and the ballot boxes
- e. Chairs for election officials and polling agents
- f. Ball pens (Red or Green)
- g. Indelible ink for marking voters
- h. Endorsing ink for the stamp pads
- i. Stamp pads for validating ballot papers
- j. Thumb print pads for marking the ballot papers
- k. 1-2 pieces of rope for demarcating of polling station
- l. 1-2 pieces of clean cloth for cleaning the thumbnail of voters

Without prejudice to this article, changes could however be made to some portions in this article where the electoral commission deems it fit but with subsequent approval from the general assembly.

M. Expenses of the Commission

The administrative expenses of the Electoral Commission shall be charged on ESUG Fund

ARTICLE 29: BYE ELECTIONS

- 1) Where the office of an executive officer becomes vacant, the Electoral Commissioner shall organize a bye election within twenty-one (21) days of such
- 2) Notwithstanding clause (1) of this article, a bye-election shall not be held if the vacancy is created in the first semester prior to the holding of ESUG general elections.
- 3) Subject to clause (1) of this article, unless otherwise stated, General Assembly shall by resolution appoint any executive officer(s) or general assembly member(s) to act, provided such appointment is not inconsistent with any provision in this constitution.

ARTICLE 30: ELECTION IRREGULARITIES AND OFFENCES

- 1) A violation of any of the regulations made for the conduct of elections under this constitution and any other regulation made by the Electoral Commission shall constitute an electoral offence.

ARTICLE 31: CONDUCT OF OFFICERS

- 1) All ESUG officers shall perform their duties with due diligence and impartiality.
- 2) Officers shall at all times promote the interest, protect the image and safeguard the assets of ESUG.
- 3) The ESUG executives shall have office hours accessible to students at all times and this shall be boldly pasted at the entrance of the ESUG office and notice board.

ARTICLE 32: GROUNDS OF REMOVAL FROM OFFICE

1. An executive officer shall be removed from office if found, in accordance with the provisions of this article to-
 - a. Have acted in violation of the oath of office set in the third schedule, or in violation of this constitution;
 - b. Have conducted himself in a manner
 - i. Which brings or is likely to bring the high office of ESUG into disrepute, ridicule or contempt, or
 - ii. Prejudicial or inimical to the interest of students.
 - c. Be incapable of performing the functions of his office by reason of infirmity of body or mind;
 - d. Have embezzled funds or misappropriated the finances of ESUG.
 - e. Be inefficient or negligent in the discharge of his duties.
 - f. Absent himself from executive meetings without notice to the council prior to the next meeting.
 - g. Absent himself from meetings for a maximum of three times in a semester.

ARTICLE 33: IMPEACHMENT

- 1) For the purposes of the removal from office of an executive officer, a notice in writing-
 - a. Signed by not less than one-third (1/3) of all the members of General Assembly, and
 - b. Stating that the conduct or physical or mental capacity of the Executive officer be investigated on any of the grounds specified in Article 32 of this constitution, which shall be given to the Speaker who shall immediately from the Chief Justice and deliver the notice to him copied to the Executive Officer.
- 2) The notice referred to in clause (1) of this article shall be accompanied by a statement in writing setting out in detail the fact, supported by the necessary documents on which it is claimed that the conduct or physical or the mental capacity of the Executive Officer be investigated for the purpose of his removal from office.
- 3) The Chief Justice shall by constitutional instrument within five (5) days of receiving the notice convene a Judicial Board meeting to enquire whether there is a prima facie case for removal of the Executive Officer

- 4) Where the Judicial Board has determined that there is a prima facie case for the removal of the executive officer, the findings shall immediately be submitted to the Speaker of the General Assembly through the Chief Justice and copied to the Executive Officer.
- 5) The General Assembly shall within seven (7) days after the date of the findings of the Judicial Board move a resolution whether or not the executive officer shall be removed from office.
- 6) The resolution of the removal from office of the executive officer shall be secret ballot and shall be taken to be approved or rejected by the General Assembly if supported or not supported by votes of not less than two-thirds (2/3) majority of all General Assembly members respectively after prior debate.
- 7) Any executive officer so impeached shall forthwith cease to be a member of the executive and/or General Assembly.

CHAPTER SEVEN

ARTICLE 34: AMMENDMENTS

- 1) No part of this constitution shall be altered, deleted, repealed, or otherwise amended except the procedure of amendment as required by clause (2) of this article has been fully compiled with.
- 2) (a) Any member of ESUG shall have the power to introduce an amendment proposal.
 - (b) All amendment proposals shall have the support of at least two-thirds (2/3) of the general assembly
 - (c) Two-thirds (2/3) of the general assembly of ESUG may request the President and the executive council in writing to summon a meeting for the amendment of the constitution.
 - (d) The Chief Justice shall summon a Judicial Board meeting within five (5) days of receiving the notice of amendment.
 - (e) The amendment shall be presented to the General Assembly for the purposes of consideration and debating

(f) The resident shall within forty-eight (48) hours after the amendment has been accepted, append his signature to the document.

- 3) Amendments to this constitution shall be listed and annexed to this constitution in the nature of amendments and shall be numbered in their order of creation, dated and pasted on ESUG notice boards.
- 4) For avoidance of doubt, any other Act passed by General Assembly shall be amended as per the provisions under this article

ARTICLE 35: REVIEW

- 1) No review to this constitution shall be proposed unless notice of such review has been given in writing to the Chief Justice.
- 2) The Chief Justice shall have within seven (7) days after receiving such notice; summon a General Assembly meeting at which the matter shall be deliberated.
- 3) The General Assembly shall have the power to establish a Constitutional Review Committee under this constitution with the mandate to fine tune or update the whole constitution.
- 4) Meetings shall be convened of which three-fourth (3/4) of all General Assembly members shall form a quorum for the purpose of discussing and approving the said review.
- 5) The President shall within 48 hours after the house has accepted review append his/her signature to the document for it to become a law.
- 6) A copy of this constitution shall be pasted on ESUG notice board.
- 7) For the avoidance of doubt, any other Act passed by General Assembly shall be reviewed in accordance with this article.
- 8) The constitution shall be eligible to a review after at least five years.

ARTICLE 36: INTERPRETATIONS

1. 'Ad-hoc' Committee means that the committee shall be deemed dissolved after completion of its work.
2. A 'sitting' in this constitution shall mean a meeting.
3. The 'house' shall mean the General assembly.
4. 'ESUG' in this constitution shall mean or refer to the Engineering Students Of The University of Ghana.
5. 'Mandamus'-is a judicial remedy in the form of an order from a superior court, to any government subordinate court, corporation, or public authority
6. 'Certiorari'-is a type of writ seeking judicial review
7. 'Quo warranto'-is a prerogative writ requiring the person to whom it is directed to show what authority they have for an action.

SCHEDULE ONE

TRANSITIONAL PROVISIONS

- 1) Notwithstanding any provision in this constitution, this constitution shall come into force, when it is approved by two-thirds (2/3) majority of all General Assembly members at a meeting convene for this purpose.
- 2) Notwithstanding any provision in this constitution, anything done by the Executive in office immediately before the coming into force of this constitution shall be deemed valid, as if done under the present constitution if it was done in accordance with the provisions of the constitution in force immediately before the coming into force of this constitution.
- 3) Notwithstanding any provision in this constitution, the vetting committee inshall be composed of members of the Judicial Board for the first appointment of the Legal Advisor after the coming into force of this constitution.

STANDING ORDERS

1. ORDER OF BUSINESS

- A. The Order of Business to be referred to, as Agenda shall be advertised in accordance with the provisions of this constitution.
- B. No matter shall be discussed unless it concerns an approved subject on the Agenda or it is by permission of the house.

2. VOTING

- A. Voting at General Assembly meetings shall be by members only. Each member shall be entitled to one vote only on each issue.
- B. Privileges shall include the right of members to make or second motions or nominations.
- C. At the time of voting, motions shall be carried by a simple majority of members present and voting, unless otherwise stated by this Constitution or standing orders
- D. The casting of votes shall be in the following order:
 - i. Vote for,
 - ii. Vote against, and
 - iii. Abstentions.
- E. Members abstaining shall be considered as non-voting
- F. If the numbers of votes for and against a motion is equal, the Chairman shall exercise a casting vote.

3.

4. MOTION

- A. All members have a right to file motions/proposals.
- B. All motions should be submitted in writing and must be handed over to the Chairperson immediately, and must be heard.
- C. No motion or amendment, which has been accepted by the Chair shall be withdrawn without the consent of the Assembly. Neither shall any addition be made to a motion once accepted without such consent.
- D. A motion shall only be opened for discussion or amendment after the proposer and seconder, if they choose have been given the opportunity to speak in support of the motion.
- E. The Chairman shall limit debate on all such procedural motions provided that the mover and one speaker against the motion shall, in all case, have the right to speak.
- F. The mover of an original motion shall have the right of reply at the close of the debate upon his motion. The Chairman shall allow no further discussion of the question.
- G. A motion may be deemed amended by one or other of the following:
 - i. Striking out word(s)
 - ii. Inserting a word(s)
 - iii. Substituting new word(s) for other(s)
- H. Any amended motion may be amended in the same way as an original motion.
- I. No amendment shall be moved until the first amendment has been disposed of, but notice of further amendments may be given.
- J. If an amendment is rejected, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall become the motion, and shall be the question about which any further discussion may be made, or upon which final vote shall be taken.
- K. An amendment, like a motion, must be moved, seconded and discussed. The amendment first tabled and supported will be voted upon first. However, discussions on subsequent amendments will be open before a vote is taken on the first amendment.
- L. The Chair shall allow the following procedural motions to put when there is already a proposition on the table in the following order of precedence-
 - I. That the question be now put;
 - II. That the motion now be put
 - III. A motion to postpone or adjourn the matter to a later specified meeting;
 - IV. A motion to refer the matter to a committee or sub-committee for investigation, and for a report; and
 - V. Next business

5. INTERVENTIONS

- I. In addition to discussion on a motion, the Chairman shall allow the following points in order of precedence.
 1. Points of Order
 2. Point of information, and
 3. Point of correction

- II. A point of order must be heard at all times, and the Chair shall give his ruling before the issue is further discussed. Point of order shall deal with the conduct of procedure of the debate.

The member rising to put the point of order shall prove one or more of the following that the Speaker

- a) Is travelling outside the scope of the motion under discussion,
- b) Is using offensive words in referring to a member(s)
- c) Is using improper language or refuses to withdraw, and/or
- d) Is infringing upon the standing orders of the Assembly.

- III. A member declared by the Chair to be guilty of disorderly conduct means that he refused to withdraw and apologize, and upon a resolution by two-third majority of the meeting shall be punished by;
 - a. Ejection
 - b. Suspension for a fixed period from attending meeting(s) until he apologizes, and/or

- iv. A member who rises on a point of information shall either correct information from the last speaker. It must be strictly under immediate discussion.

4. CONDUCT OF MEETING

- i) A speaker shall direct his/her speech strictly to the motion or amendment under discussion. If no definite motion or amendment is before the meeting, the speaker shall direct his speech strictly to the point of Agenda under discussion. Every member shall address solely to the Chair.

- ii) No member shall be allowed to speak more than once on any matter under discussion as long as a member who has not spoken on that motion desires the floor. No member shall speak without the permission of the Chair.

- iii) The chairperson shall interpret the Standing Orders, subject to the approval of the Assembly.

- v) Any or all Standing Orders may, in case of urgency, or after notice duly given, be suspended or changed at any meeting, so far as regards business at that particular meeting provided that there is a two-thirds (2/3) majority in favor.

SCHEDULE TWO

HOW A BILL BECOMES A LAW

1. For the purposes of enactment of laws, a bill shall be laid at the table of the Assembly.
2. The bill shall on its first reading be introduced by the-
 - a. Secretary where it is Public Bill
 - b. The Chair of a standing or ad-hoc committee where such is tasked for that purpose; or
 - c. A private member where a member of ESUG tables it.
3. The secretary shall thereupon read to the whole Assembly the long title of the bill so tabled in (2) above.
4. The Chair shall then in the instance
 - a. (2.a or c.) Above, refer the bill to appropriate committee for study and report.
 - b. (2b.) Above, refer the Bill to that same committee or any other committee whichever is applicable.
5. For the avoidance of doubt, a Bill is tabled by means of (2.b) by a committee whose reference terms charged it with the study of and a report on that Bill shall be considered to be studied and reported on by that committee.
6. A committee charged with the study of a bill shall in pursuit of its work apply itself to an appropriate method within its terms of reference and in consonance with this constitution.
7. Upon laying of the studied bill and report thereon at the table of the Assembly, the bill shall be ready for second reading without any form of acceptance by the Assembly.
8. The Bill shall, during its second reading, be debated on the principles therein alongside the committee report.
9. Any amendment to the Bill shall be proposed in writing and submitted to the Chair.
10. The Chair shall read all such amendments to the bill on the floor of the Assembly for further debates.

11. A particular amendment to the bill so debated and considered appropriate by the Assembly by popular acclamation by members only shall be included or inserted in the stead of the word(s) to be deleted in the bill to effect the amendment without the issue being put to vote.
12. In the absence of any further amendment to the bill, it shall be forwarded to the Judicial Board who shall subject to all amendments considered appropriate on the floor of the Assembly codify the bill in a final draft.
13. Upon the third and final reading, the Chief Justice in a meeting convened for that purpose should submit the final draft of the bill to the Assembly.
14. The bill shall then be passed by a simple majority of members present and voting.
15. The clerk shall read out to the House the long title of the bill so passed in (14).
16. The passed bill shall be forwarded to the President for his assent.
17. Where the President refuses to assent to the bill, He shall notify the Chief Justice within forty-eight (48) hours after the bill is so presented for assent. He shall within forty-eight (48) hours after refusal state in a memorandum to the Chief Justice any provision of the bill which is to be reconsidered by the General Assembly including recommendations of amendment or Subject to Article 7(.....) of this constitution, he shall refer the bill to the Executive Council and accordingly notify the Chief Justice.

This request shall include the President's statements of amendments that he proposes to the bill.

The Executive Council shall consider the bill and advise the President at the appropriate time with or without amendment.

18. Where the bill is brought back to the General Assembly,

The Assembly shall accordingly reconsider the bill taking account comments made by the President or the Executive Council.

A bill so reconsidered shall be passed by the General Assembly by a resolution supported by the votes of not less than two-thirds of all General Assembly members, and the President shall assent it within forty-eight hours.

19. The bill shall thereon become a law and shall be posted on the ESUG notice board.

SCHEDULE THREE

OATH OF OFFICE

1. THE PRESIDENTIAL OATH

I having been elected to the high office of president of this noble association, do in the name of the Almighty God swear that I will be faithful and true to ESUG; that I will at all times preserve, protect and defend the Constitution of ESUG; and that I dedicate myself to the service and well-being of members of ESUG and to do right to all manner of persons.

I further solemnly swear that should I at any time break this oath of office, I shall submit myself to the laws of ESUG and suffer the penalty for it, (so help me God).

2. OATH OF THE OTHER EXECUTIVES

I, having been elected to the high office of (NAME IT) of this noble association, do in the name of the Almighty God swear that I will be faithful and true to ESUG; that I dedicate myself to the service and well being of members of ESUG and to do right to all manner of persons.

I further solemnly swear that should I at any time break this oath of office, I shall submit myself to the laws of ESUG and suffer the penalty for it, (so help me God)

3. OATH OF CHAIRPERSONS OF COMMITTEE/COMMISSION/BOARDS

I, do in the name of the Almighty God swear that I will bear true faith and allegiance to ESUG as by law established; that I will uphold the integrity of ESUG; that I will faithfully, and conscientiously discharge any duties as he (STATE YOUR OFFICE) and that I will do right to all manner of persons in accordance with the constitution of ESUG and convention of (STATE YOUR OFFICE) without fear or favor.(So help me God).



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