



**BUNGOMA NORTH TVC**

**STUDENTS UNION**

**CONSTITUTION**

## FOREWARD

The development of this Constitution marks a significant milestone in the history of Bungoma North Technical and Vocational College. It provides a solid foundation upon which student leadership, participation, and governance shall thrive.

The Constitution embodies the shared values of respect, equality, professionalism, and service. It promotes inclusivity and collective responsibility, reflecting the principles of the Constitution of Kenya, 2010, and the Technical and Vocational Education and Training (TVET) framework.

The process of drafting this document involved consultation, research, and collaboration between students, the Dean of Students' Office, staff and other institutional stakeholders. We acknowledge all who contributed ideas, expertise, and commitment to make this Constitution a reality.

It is our hope that the Bungoma North Technical and Vocational College Students' Union will use this document as a living guide to uphold democracy, nurture leadership, and advance the welfare of every trainee.



DR. HENRY WATI  
CHAIRMAN BOARD OF GOVERNORS



LILIAN SIMALI  
PRINCIPAL

## **PREFACE**

It is with appreciation that, on behalf of the entire student body, we, the Constitution Review Committee, appointed and commissioned by the students, present to the Bungoma North Technical and Vocational College community the first Constitution to guide the governance of student affairs at the College. The regulations, policies, by-laws, and recommendations outlined herein are intended to support the effective management and coordination of student activities within this dynamic, diverse, and multidisciplinary institution of higher learning.

This Constitution represents the collective effort of the student body through the appointed Constitutional Committee. It is the outcome of extensive consultation and discussion among all stakeholders, and it is our expectation that it reflects the shared aspirations and interests of the students.

## ACKNOWLEDGEMENT

The Constitution Review Committee extends sincere gratitude to the Principal, the Board of Governors, the Dean of Students, Heads of Departments, and the entire student fraternity for their support, guidance, and encouragement throughout this process.

We particularly acknowledge the Dean of Students for providing leadership and administrative support, and the student community for their active participation and invaluable contributions.

We also appreciate the Technical and Vocational Education and Training Authority (TVETA) and other regulatory bodies whose guidelines informed the structure and content of this Constitution.

This Constitution is a testament to our collective vision for unity, equity, and academic excellence within Bungoma North Technical and Vocational College.

A handwritten signature in dark ink, appearing to read 'Kelvin Waya Mulaku', written over a set of three horizontal lines.

KELVIN WAYA MULAKU

DEAN OF STUDENTS



# THE BUNGOMA NORTH TECHNICAL AND VOCATIONAL COLLEGE STUDENT UNION (BNTVC) CONSTITUTION, 2025

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SALTVC CONSTITUTION

## **PREAMBLE**

We, the Students of Bungoma North Technical and Vocational College (BNTVC)

## **Are Aware**

The union of trainees was created by **Bungoma North Technical and Vocational College** to serve the trainee community in the pursuit of Academic welfare, peace, prosperity, integrity and dignity.

## **HUMBLY**

Submitting to God and recognizing our responsibilities before him, humanity and ourselves

## **CAUTIOUS AND PROUD**

Of our ethnic, cultural and religious diversity and determined to live in peace and harmony. Diversity of our background and cultures of our members united together by a common purpose and aspiration.

## **EXERCISING**

Our rights to determine the form of leadership we deem suitable for our union.

## **NOTING**

The value of transparency, accountability and respect for the organization so as to ensure that the democracy is enjoyed by all the trainees.

## **CONVINCED**

That The constitution shall guarantee continued peaceful existence of the union of the trainees known as trainees union of Bungoma North Technical and Vocational College recognizing the authority and statutes of Bungoma North Technical and vocational college.

## **UPHOLD**

The core values of Bungoma North Technical and Vocational College

- i. Passion for results
- ii. Good Governance
- iii. Respect Equity and Equality
- iv. Customer and Community Focus
- v. Professionalism and Integrity

Adopt, Enact and give this constitution to ourselves and future generations.

**God bless BNTVCSU**

## DEFINITION/INTERPRETATION

In this constitution unless the context otherwise suggests words phrases shall be interpreted in accordance with the societies Act chapter 104 (revised 1970) of the laws of Kenya made these under, herein after referred to as Act.

- (a) **"Academic Year"**, refer to and comply with the academic year as per the TVET (BNTVC) calendar.
- (b) **"Affiliate Member"** refers to a member from any Institution of the TVET College recognized by the Union.
- (c) **'Annual Accounts'** mean the balance sheet; the statement of income and expenditure; the statement of expenses and application of funds.
- (d) **"Bona fide member"** means and includes only those persons who have duly paid the non-refundable subscription fee.
- (e) **'Congress person(s)'** means members elected by all students to represent various congressional entities.
- (f) **'Special needs'** includes any physical, sensory, mental, psychological or other impairment, condition or illness that has, or is perceived by significant sectors of the Community to have a substantial or long-term effect on the individuals' ability to carry out ordinary day-to-day activities.
- (g) **"External Auditor"** refers to any person with the recognized accounting qualifications who is not a member of the Students' Council.
- (h) **"Organization"** shall mean Bungoma north technical and vocational college.
- (i) **"Term"** means a period of study consisting of twelve weeks or its equivalent in contact hours and includes TVET Institution.
- (j) **"Special Meeting"** refers to a meeting where two-thirds ( $\frac{2}{3}$ ) majority of its members has not been realized.
- (k) **"Special Interests group"** shall include students with disabilities and foreign students.
- (l) **"Statutes"** mean written laws made pursuant to the Act of the TVET Institute.
- (m) **"Student"** used interchangeably with the term Trainee means anyone registered into The Bungoma north technical and vocational college

register of students, for a program leading to award of Artisan(level3,4), Craft(level 5), Diploma(level 6), or any such award as may be approved by Bungoma north technical and vocational college Administration.

- (n) **"The Constitution"** means the Constitution of BNTVCSU unless otherwise stated.
- (o) **"The Student Council"** refers to the body comprising of officials elected by the students and includes SGC, the representatives of congressional entities or any other representatives that may be determined by the TVET College Council.
- (p) **"BNTVC"** refers to Bungoma North Technical and Vocational College.
- (q) **"Union"** shall mean Bungoma North Technical and Vocational College

## ACRONYMS

AGM - Annual General Meeting

BNTVCSU - Bungoma North Technical and vocational college Students  
Union

SGC - Students' Governing Council

SGM - Special General Meeting

COC - Constitution Oversight Committee

SA - Student Advocate.

CA - Course ambassador.



## **CHAPTER ONE**

### **THE BUNGOMA NORTH TECHNICAL AND VOCATIONAL COLLEGE STUDENTS UNION**

#### **Article 1: Name**

There shall be established at BNTVC a union of trainees. Which shall be known as BUNGOMA NORTH TECHNICAL AND VOCATIONAL COLLEGE TRAINEES' UNION, herein referred to as BNTVCTU guided by the rules and regulations. Existing policies of the Institute and the Kenyan Constitution

#### **Article 2: Membership of BNTVC**

- (i) This constitution shall only apply to those who are duly registered trainees of BUNGOMA NORTH TECHNICAL AND VOCATIONAL COLLEGE. Subject to this constitution the head office of BNTVC shall be situated at Bungoma North Technical and vocational college P.O BOX 72-50211, NAITIRI.

#### **Article 3: Aims and Objectives**

In pursuit of the provision of this constitution, the aims and objectives of the union shall be to.

- I) Strive towards the promotion of the academic excellence
- II) Be the means through which the trainees. sense of responsibility, leadership qualities and other talents shall be identified and enhanced
- III) Facilitate interaction among trainees of Technical and vocational college
- IV) Strive to foster the spirit of unity and understanding among trainees. administration, members of staff and the general public
- V) Foster trainee's awareness and participation in regional. national and international social, economic, and environmental issues upon availability of funds
- VI) Foster trainee's awareness of their rights and responsibilities as citizens of Kenya.
- VII) Strive to fulfill the noble objectives of the college, research. Pursuit of knowledge and community service.
- VIII) Encourage equal gender participation in trainee's affairs at the college.
- IX) Promote advancement of learning and encourage scientific, technological and other educational objectives of the Bungoma North Technical College.
- X) Provide a forum for the promotion of healthy relationship and mutual progress with other students' organizations, Institute or persons collaboration with the BNTVC Management and Administration
- XI) Be committed to holding free and fair election.
- XII) Endeavour to achieve its objectives devoid of political. social, religion or racial bias
- XIII) uphold and strengthen the liberties, rights, and privileges guaranteed by the Kenyan Constitution.
- XIV) Encourage collaboration between students and the community at large in order to cultivate a feeling of social responsibility and the advancement of the country.
- XV) Advance and defend students' rights in the areas of education, conduct, management, health care, housing and food, social welfare, and security.
- XVI) The improvement of BNTVC students' academic wellbeing through serving as a liaison between them and faculty members regarding issues pertaining to their studies. BNTVC.

- XVII) As stipulated by the BNTVC Policies, to request representation and/or participation in the pertinent BNTVC Administration organizations.
- XVIII) pursue participation and/or representation in all pertinent BNTVC Administration organs as stipulated under the BNTVC statute
- XIX) Make sure that women are equally represented and involved in student affairs at the Bungoma North Technical College.
- XX) Guarantee that the efficacy of pupils' actions is maximized. To guarantee that the efficacy of pupils' actions is maximized.
- XXI) To be the voice of its members for purposes of advocating for the needs and interest of BNTVC students.
- XXII) To encourage continued cooperation among former BNTVC students through the Alumni Association.
- XXIII) To raise funds through lawful means for purposes of achieving the aims and objectives of BNTVC.
- XXIV) To distribute and publish a magazine or other authorized publications in which students can express their views, thoughts and creative talents.
- XXV) To foster spirit of co-operation, initiate, promote and co-ordinate co- curricular activities of the students.
- XXVI) Assist the BNTVC Management and Administration in their endeavors to find a solution to Students problems and grievances.
- XXVII) Such other objectives as shall be relevant to the furtherance of the aims and objectives of the union.

## **CHAPTER TWO MEMBERSHIP**

### **Article 4: Categories of Membership**

#### **a) Full Membership**

All those students of Bungoma north technical and vocational college taking full time course for at least three (3) terms in any full academic year shall be full members of the union.

#### **b) Associate Membership**

All other students shall be associate members. They shall enjoy all the privileges as full members unless or as described in this constitution. They will not hold office in the Executive Committee.

### **Article 5: Membership Fee**

Each student shall be required to pay an amount of Kshs. 1050.00 per year (Kshs. 350.00 per term), which will be reflected on the fee structure. This membership fee is subject to review from time to time.

Membership fee shall be submitted to the account of the union which shall be under the control of the Administration per the request of the student Executive Committee. The account will be decided on after consultation with Administration. Which will be allowed to be accessible to three (3) parties rather than being under the control of the Administration:

1. Director Finance of BNTVCSU
2. Dean of Students
3. Finance Officer
4. The President

## **Article 6: The Bill of Rights and Privileges the Student Union**

Shall enjoy the Bill of Rights and privileges as enshrined in the Constitution of Kenya chapter 4.

## **Article 7: Obligation of Members and Termination of Membership.**

### **(a) Obligations of membership**

- (i) Every member of the union shall respect BNTVCSU office established in this constitution
- (ii) Every member of the union shall respect the property owned by BNTVC. the Institution and the public Any member who maliciously or otherwise causes damage to Property(s) owned by those persons stated shall be subjected to the relevant Institution's disciplinary procedures and the laws of the Republic of Kenya.
- (iii) Every member shall be required to honor his/her financial obligations to BNTVC.
- (iv) At least every term. The President shall report to members on the progress achieved in all the realization of the union's goals. Values and principles.

### **(b) Termination of membership**

- (i) Ceases upon completion of the Education programmer at the Institute
- (ii) Ceases to be a trainee on account of transfer to another Institute or natural attrition

## **Article 8: Discipline**

- a. For this constitution, discipline shall mean compliance with the rules and regulations and existing policies of the Institution
- b. The office of the Dean of trainees in consultation with council shall enforce discipline among members in the conduct of the affairs and operations of the union.

## **Article 9: Rights and Duties of BNTVCSU Members**

A member shall have a right to:

- i. Have a fair and equitable right to access the services and facilities offered by BNTVCSU, if such access shall not be through unlawful means such as access by use of physical force, occupation of building or misuse of BNTVCSU facility or service.
- ii. Vie for any elective post.
- iii. Vote in any election for all offices.
- iv. Protect the Union's Constitution
- v. Promote the aims and objectives of BNTVCSU as stated under Article 3.



- vi. File an Election petition.
- vii. Attend and participate in the Union's Annual General Meetings.

#### **ARTICLE 10: General functions of the bntvcsu Council**

- (i) Shall serve as the mouthpiece of the entire students' body of the college.
- (ii) Shall advice on matters relating to the general welfare of students as well as being responsible for the planning and coordination of major social, cultural, recreational and intellectual activities of the students in the college'.
- (iii) Shall collaborate with the sport Officer in the promotion of sports and games activities of the college.
- (iv) Shall Co-operate with representative students' bodies from the universities and institutions of higher learning in the country in matters of mutual interest for the promotion of peace and unity to enhance National values and Principles of Governance.
- (v) Shall Foster the maintenance of the right academic atmosphere for all the students of the institute to pursue their study goals.

#### **Article 11: Reconciliatory Committee**

There shall be established within the trainee body the reconciliatory committee to reconcile the members bound by this constitution.

a). Composition of the reconciliatory committee the reconciliatory committee shall be composed of.

- (i) Dean of trainees as the Chairperson
- (ii) Guidance and Counseling Officer
- (iii) Secretary General
- (iv) Trainee under whom the dispute falls

b) Function of the reconciliatory committee.

- i) Shall arbitrate on matters pertaining to disputes among members of the union.
- ii) Shall ensure that the members uphold the constitution and that the constitution is free from willful interference
- iii) Shall carry out checks and balances on the use and misuse of power by the union officials.

## CHAPTER THREE TRAINEES UNION COUNCIL

### Article 12: Composition of the trainees union council

Subject to this constitution the Students Governing Council shall consist of 11 members as follows

1. The President.
2. Deputy President.
3. Secretary General.
4. Director of Finance.
5. Director of Academics.
6. Director of Games and Sports.
7. Director of Entertainments.
8. Director of Health and Accommodation.
9. Gender Representative Female .
10. Gender representative Male.
11. Special Needs Representative

All registered students of Bungoma north technical shall upon enrolment become members of the union.

### Article 13. Council Authority

- a. The council authority of the union shall be vested in the council.
- b. The powers of the council are to be exercised for the wellbeing and benefit of members.
- c. Council authority assigned to an office bearer or in terms of this constitution
  - (i) Vests in that office **the power to serve rather than the power to rule**
  - (ii) Shall be exercised in the manner consistent with the purpose, objects of this constitution and powers of the main BNTVC Student Governing council, rules and regulations, existing policies of the Institution and the Kenyan Constitution.

### Article 14: powers and duties of the council

Subject to this constitution the council shall have such powers and duties executed in such a manner as it shall be prescribed in this constitution in particular:

- i. Ensure all members uphold this constitution and the constitution is free from will full interference.
- ii. Make rules on the ruling and the operation of the union and its organs as it shall be determined from time to time.
- iii. Manage the assets of the union
- iv. cause for preparation of annual budget and returns
- v. ratify and implement resolution made by the council subject to the limitation provided here in
- vi. prepare and submit mini budget showing anticipated

- income sources and expenditure estimated for its session in the first meeting of the new session of the council
- vii. keep accurate and up to date records of all the activities of the union
  - viii. be fully responsible for the general administration of BNTVCSU
  - ix. Implement in administer the legislation assigned to them
  - x. Have the full authority over the assets and business of the union and may contract stuff and professionals to remunerated on such terms and conditions as may agree upon

#### **Article 15: Accountability of Council**

- (i) Member shall act in accordance with the constitution.
- (j) Decision of the council shall be in written

#### **Article 16: Meeting of the Council**

- (i) The council shall hold at least 3 full council meeting during a term.
- (ii) The number of such meetings maybe more depending on the need that may arise from time to time.
- (iii) Any such council meeting MUST be approved by the Dean of Trainees and the administration of Technical and vocational college
- (iv) The SGC shall normally meet, at least twice a term i.e., at the beginning andat the end of a term.
- (v) Every meeting of the SGC shall be convened by the President in a manner resolved by the said Council in its first meeting following inauguration tooffices,
- (vi) The quorum for the commencement and conduct of a meeting of the SGC

#### **Article 17: Presiding at Council Meeting**

There shall preside at any monthly of the council;

- (i) The President.
- (ii) In the absence of the President and the Vice President
- (iii) In the absence of the President, the Vice President any other member of the SGC elected by the members present at that time to act as President.

#### **Article 18: Convening of council meeting**

1. Every meeting of the council shall be conveyed by secretary general through notice, to every member stating clearly their agenda as determined by the secretary general and President at least three days before the dates of the meeting.
2. Such a notice in (1) above shall require mandatory approval of the dean.
3. In case of any emergency any member of the council can request the secretary general



to convene a meeting.

#### **Article 19: Decisions in the SGC**

1. Any decision in a meeting of the **SGC** shall be determined by a majority of the votes of the members present.
2. Voting in the Governing Council shall be mandatory for all members.
3. Voting in the **SGC** shall be by secret ballot.
4. On any question proposed for decision in a meeting of the Student Governing Council, the person presiding in the meeting shall have a casting vote but not an original vote.

#### **Article 20: Assumption of office**

The person duly elected as the council member assumes the office 7 days after elections by taking and subscribing to the.

- (i) Oath of affirmation of allegiances of the trainee's union constitution.
- (ii) Oath of affirmation of allegiances to the executions of the function of their respective offices as prescribed here in.

#### **Article 21: Terms of Office**

The Council shall hold office for one year (one election term) beginning from the date of assumption of office, thereafter another election shall be held.

#### **Article 22: Conduct of members of Council** a member shall;

- (I) If void of any situation involving conflict between member's private interest and official responsibilities.
- (II) Not act in a manner that is inconsistent with the member's responsibility.
- (III) Not use the member's office, the authority of that office or any information entrusted to the members to enrich the member or improper, benefit another member.
- (IV) Comply with the college rules and regulations, existing policies and the Constitution of Kenya

#### **Article 23: vote of no confidence in officers**

- i) Subject to this article, at any one time. Two-thirds of the union members registered arid in session may move a vote of no confidence in the office bearer(s); which shall pass through a resolution supported by not less than sixty-

- ii) five per cent of the union members in session ill the rate the motion is debated In the event of a vote of no confidence being carried on a council member as provided herein is successful, such member(s) shall instantaneously vacate office; 51.
- iii) In the event of a vote of no confidence against the whole of the council as provided for herein a general election in respect there for, shall be held within twenty-one (21 days thereafter).
- iv) Provided that the event of a vote of no confidence against the whole council, the Dean of trainees shall appoint a caretaker committee from class representatives to run the affairs of BNTVC pending elections.

#### **Article 24: Qualification for nomination as a Council member**

A person qualifies for nomination as a council member if the person,

- (i) Shall have registered as a trainee of the Institute and in session.
- (ii) Shall have no disciplinary case(s) or pending disciplinary case(s) with the College disciplinary Committee.
- (iii) Shall have been in session for at least two terms and no supplementary(s) pending.
- (iv) Must have applied for a scholarship and Higher Education Loans Board(HELB) loan or have paid 65% of the term's fee.
- (v) Trainees whose training session are not ending midway within electioneering term.
- (vi) Must have sat for atleast 80% class attendance.

#### **Article25: Function of the official of the student council**

##### **a) President** *shall*

1. preside over all council meetings.
2. Take charge of all correspondence from the council.
3. Guide and counsel other students.
4. Mediate between the students' and the Administration.
5. Co-ordinate student activities through the council.
6. Be the spokesperson of the student's union
7. Respect, uphold and safeguard this Constitution.
8. Such other duties as may be bestowed upon him/her by the Students Governing Council provided in this constitution, the TVET Act and any other written law.

##### **b) Deputy President**

Shall:

- (i) Carry out the duties of Chairman in his/her absence.

- (ii) Prepare duty rosters for council members.
- (iii) Respect, uphold and safeguard this constitution.
- (iv) Be held personally liable for any act of omission or commission that may arise in the execution of his/her duties.
- (v) Chair all disciplinary cases at the Congress
- (vi) Carry out any other duty as may be prescribed by the President or Union.

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**c) Secretary General**

Shall

1. Be the spokesperson of the council.  
identify and prepare venues for the council meetings and any other meetings.
2. Liaise with the chairman in setting dates for the meetings.
3. Keep the members register and other records.
4. Taking and writing council minutes and any other meetings.
5. Respect, uphold and safeguard this constitution.
6. Be the Union's interpreter of Union's Constitution.
7. Perform any other duty as assigned by the President or Union.

**d) Director of Finance**

shall

1. Be a signatory to the union's account.
2. Keep records of members' subscription and expenditure.
3. Facilitate the preparation of the council budget.
4. Presentation of statements of accounts from time to time or as required.
5. Advise the council on financial matters.
6. Respect, uphold and safeguard this constitution.
7. Carry out any other duty as may be prescribed by the President or Union.

**e) Director Academics**

Shall

1. Be the spokesperson in all educational matters.
2. Have power to appoint a committee whose members shall consist of Student advocate (departmental reps).
3. Initiate the purchase of books in consultation with Administration.
4. Respect, uphold and safeguard this Constitution.
5. Liaise with Students Advocates in solving academic matters.
6. Liaise with the Dean's office to organize for public lectures.

7. Liaise with the Registrar in identifying issues regarding academics and advice the council accordingly.
8. Organize student committee meetings to discuss academic matters. Shall carry out any other duty as may be prescribed by the President or Union.
9. Liaise With the HOD of research to give certificates to participants in research.

***f) Director Games and Sports***

Shall

1. Ensure that all co-curriculum activities are functional
2. always be informed of the termly events by sports officer
3. Ensure adequate availability of sports equipment and keeping them and records of performance.
4. Must ensure discipline during Sports and Games
5. Make follow up of certificates to various participants.
6. organize friendly matches in consultation with the HoD Sports
7. Be in charge of items provided to teams during visits and tournaments.
8. Respect, uphold and safeguard this Constitution.
9. Be held personally liable for any act of omission or commission that may arise in the execution of his/her duties.
10. Carry out any other duty as may be prescribed by the President or Union.

***g) Director Entertainment***

Shall:

1. Ensure fairness and equitable satisfaction of entertainment resources.
2. Be responsible for all social functions in the compound: examples shows, films.
3. Organize and co-ordinate all entertainment, social and cultural activities of the Union.
4. Ensure that entertainment facilities are in good order/ maintained.
5. Be the chairperson of the entertainment committee.



6. Coordinate relevant clubs and societies through the entertainment committee.
7. Respect, uphold and safeguard this Constitution.
8. Be held personally liable for any act of omission or commission that may arise in the execution of his/her duties.
9. Carry out any other duty as may be prescribed by the President of Union.

#### ***h) Director Environment/Health***

Shall

1. check on the cleanliness of the Institute to prevent any health hazard,
2. Co-ordinate with the administration to deal with water shortages and any other health problem.
3. Ensure availability of cleaning equipment.
4. Should have a complete first aid kit.
5. Ensure that the dispensary is well equipped.
6. Liaise with nurse to make sure there is emergency sanitary towels, sanitizers.
7. Be held personally liable for any act of omission or commission that may arise in the execution his /her duties
8. Carry out any other duties as be prescribed by the President or Union.

#### ***i) Gender and welfare Representatives***

Shall

1. Be responsible for student's accommodation.
2. Liaise with the administration on matters concerning gender matters.
3. Liaise with the President to organize meetings when need arises.
4. Be the spokesman for gender matters.
5. Be the chairperson of welfare committee.

*j) Special Need's representative*

Shall

1. be elected by people abled differently only.
2. Promote the interest of members who are Persons Living with Disabilities (PLwDs).
3. Ensure that members with special needs access facilities, materials and services available to all other members within the college.
4. Ensure that members with special needs are well represented in all students' activities carried out within the Institute.
5. Promote the integration of members with special needs.
6. Respect, uphold and safeguard this Constitution.
7. Be held personally liable for any act of omission or commission that may arise in the execution of his/her duties.
8. Carry out any other duty as may be prescribed by the President or Union.

*k) Roles of Student Advocate (departmental reps)*

Shall

1. Ensure their respective classrooms are clean and tidy.
2. Ensure that classroom facilities are well maintained.
3. chair class meetings.
4. liaise with the Departmental Representative in addressing issues affecting class members.
5. Report to the HoD any matter relating to academics.
6. Be the spokesperson of the class
7. Coordinate with the tutors for proper learning.
8. Coordinate with Heads of Departments (HoDs) in matters regarding academic affairs.
9. Respect, uphold and safeguard this Constitution.
10. Be held liable for any act of omission or commission that may arise in the execution of his/her duties.

11. Carry out any other duty as may be prescribed by the class tutor and the Departmental Representative.
12. They shall monitor the attendance of trainees course coverage,
13. They shall held meetings with Deputy Academics together with all departmental HODs to discuss issues on academics Affairs.

**Article 26:**

**a. Qualifications to office of Departmental Representative**

1. Must be a class rep.
2. Must be in session.
3. Must be voted in the presence of the dean, by the highest votes.

**b) Qualification of a class representative**

1. Shall be elected by the members of the class in Presence of the HOD.
2. Must conform to article 26, section (a)2.

**Article 27: Working Committees of the Students Council**

- i) The SGC shall have the following committees to assist in day-to-day management of its activities.
  - a) Sports and Entertainment Committee
  - b) Academic Committee
  - c) Finance Committee
  - d) Gender and any other related Special Needs Committee
  - e) Any other committee as shall be needed necessary.
- ii) Apart from the Finance Committee, the membership and terms of reference of the other Committees shall be agreed on and formulated by the Students Governing Council.
- iii) Unless otherwise specified in this constitution, the Students Governing Council shall nominate among themselves the President of each Committee.

## **Article 28: Finance Committee Membership**

The Finance Committee shall be chaired by the Finance Minister of the Union. He/she shall be the President of all meetings except when giving the financial report when a President shall be elected.

### ***a) Membership is as follows:***

- i. President of the Union.
- ii. The Finance Director.
- iii. Deputy President.
- iv. The Secretary General; and
- v. One (1) member elected by the SGC.

### ***b) Duties of the Finance Committee***

- i) The Finance Committee shall ensure that all the finances of BNTVCSU are administered under a system of accounting recognized by the Association of Certified Public Accountants of Kenya, with the supervision of the Institute Finance Officer.
- ii) In consultation with the SGC to prepare the budget, allowances, financial allocations and expenditure, as well as audit report and present them to the Student Governing Council for approval at least three weeks after elections. The budget shall only be inclusive of the financial year under which it has been drawn.
- iii) To prepare a report and statement of accounts, indicating income and expenditure for that term for approval and publication at every 6<sup>th</sup> week of the term.
- iv) Monitor the overall usage (Expenditure) of the BNTVCSU funds.
- v) Make it known to the members the amount available in the BNTVCSU bank accounts at the first meeting.

## **Article 29: Academic Affairs Committee**

The Academic Affairs Committee shall be chaired by the director of academics Union.

### ***a) Membership***

1. The Director Academics (who shall be the chairperson)
2. The Deputy President.
3. The Secretary General; and
4. Three other members elected by the SGC.

### ***b) Duties of the Academic Affairs Committee***

- i. Ensure that academic facilities and services provided by the institution are easily accessible by members of the BNTVCSU.
- ii. Ensure civic education on student related Institute policy, provide information on procedures and regulations on academic matters and the constitution of the Union.
- iii. Avail to all members of the union the academic programs of the Institute every term.
- iv. Maintain cordial relationship with the Heads of Departments, Dean and Registrar, Academic Advisors and Academic Staff.
- v. Report any form of Academic discrimination within the Institute to the Institute Administration and receive and investigate any such complaints made by members of the BNTVCSU.

## **Article 30: Special needs committee membership**

### ***a) Membership***

1. Special Needs minister shall be the chairperson to the committee.
2. Three members with disability as defined in this constitution shall be nominated by the SGC; and
3. Two other members nominated by the SGC.



#### **b) Duties of the Special Needs Committee**

- i. Be a link between BNTVCSU and representatives of other special needs professional bodies. The committee shall also maintain the link for the benefit of students with special needs.
- ii. Receive complaints from students with special needs and through Special Needs minister, air such complaints to the congress and the SGC.
- iii. Identify and address issues affecting students with Special Needs in therelevant forums.
- iv. Monitor the Institute's provision for students with disabilities and ~~and~~ failure in this provision to the Union and the Institute.

#### **Article 31. Sports and Entertainment committee**

##### **a) Membership**

1. The entertainment minister shall be the chairperson of the committee
2. The Games and Sports minister.
3. Two other members nominated by the SGC.

##### **b) Duties of Sports and Entertainment Committee** Shall:

- i. Be the custodians of communication related to recreation and entertainment event previously held or to be held in the Institute.
- ii. Organize and host forms of entertainment approved by the BNTVCSU SGC and appropriate to the members of the association.
- iii. Ensure that no sporting activity recognized by the Institute is marginalized or neglected.
- iv. Keep detailed and extensive records of all sports and games activities with the Sports officer.
- v. Ensure that there is orderliness during any entertainment and sporting events organized or hosted by this Committee.

## **CHAPTER FOUR**

### **ORGANS OF BNTVCSU**

#### **Article 32: Organs of BNTVCSU**

The organs of BNTVCSU shall be as follows:

- (i) The Students Governing Council (therein after referred to as the "SGC")
- (ii) The Departmental representatives

#### ***Article 33: The Students Governing Council***

- (i) There is established a Student Governing Council (SGC) of BNTVCSU which subject to this constitution shall be the supreme authority of the organization.
- (ii) The head office of the SGC shall be at the main campus.

#### **Article 34: Composition of the Students Governing Council**

The Student Governing Council shall comprise of the following;

- i. The President
- ii. The Deputy President
- iii. The Secretary General
- iv. The finance minister
- v. The academic's minister
- vi. The Games and Sports Minister
- vii. The entertainment minister
- viii. Health and Environment Minister
- ix. Gender Representative female
- x. Gender representative male
- xi. Special Needs Representative

### **Article 35: Functions of the Student's Governing Council**

The Students Governing Council shall be the supreme organ of the BNTVCSU and shall carry out the following functions:

- (i) Uphold and protect the Constitution of the Union.
- (ii) Determine the general policies of the Union.
- (iii) Approve the programs and budget of the Union.
- (iv) Be responsible for the policy directives to be executed by the SGC committee.
- (v) Undertake or direct the SGC Committees to undertake such other tasks as are compatible with the aims and objectives of the Union.
- (vi) Establish committees to carry out the respective functions of the Union.
- (vii) In consultation with the Registrar (Academics) and the Dean of Students (Do's) coordinate the orientation of new members.

### **Article 36: Powers of the Students Governing Council**

- I. The Students' Governing Council shall have full authority over the assets and business of the Union and may contract staff and/ or professionals to be remunerated on such terms and conditions as may be agreed upon.
- II. The Students Governing Council shall have powers to suspend, levy fines, or otherwise discipline its members, in line with the provisions of its general policies.

### **Article 37: Qualification for Election to the Governing Council**

A person is qualified to be nominated as a candidate for election to the Governing Council if that person:

- i. Is a full member of BNTVCSU.
- ii. Is nominated by not less than 10% of the members of BNTVCSU.
- iii. Is a student at the BNTVC with at least one term left before completion of his/her studies and can serve in

the Students Governing Council for a period not less than 3 months.

- iv. Is a student who has attained a minimum average grade of **PASS/competent** in his/her previous examinations and has no pending refers/not yet competent in examination/ assessment.
- v. Has not been found guilty by the BNTVC Disciplinary Committee and/ or the Student Disciplinary Committee for any offence.
- vi. Has never served in a Students Governing Council in any other TVET College.
- vii. Has never been convicted of a criminal offence by a competent court in the Republic of Kenya.
- viii. Shall have demonstrated good conduct.

#### **Article 38: Disqualifications for the Election to the Students Governing Council**

A member is disqualified for election to the SGC if at the time of election, him /her:

- (i) Is a member of the Electoral Commission, or the Elections Appeals Committee.
- (ii) Has previously been removed from office for violation of the Constitution or for gross misconduct.
- (iii) Has previously been convicted of a criminal offence by a competent court of law in the Republic of Kenya or by the Student Disciplinary Committee.
- (iv) Is a student who has served for two terms in the SGC.
- (v) Is a student who has not fully paid Institute fees and dues as per the Institute requirements.
- (vi) Is a candidate for the seat of a congressional area or entity?
- (vii) A candidate shall be disqualified for election to the Students Governing Council if such candidate fails to attend and take part (without prior written permission from the Electoral Commission) in the formal question-and-answer campaign and/or debate organized by the Electoral Commission.

### **Article 39: Executive Authority**

(i) The executive authority of BNTVCSU is to be exercised for the benefit of the members and must be exercised according to this Constitution and other relevant laws.

(ii) The executive authority of BNTVCSU is vested in the **SGC**, which may exercise it directly.

### **Article 40: Authority and Responsibility of the Students Governing Council**

(a) The Student Governing Council shall have the authority and responsibility provided in this Constitution, and shall:

- i. Ensure all members uphold this Constitution, and that the Constitution is free from willful interference
- ii. Manage or appoint other person or persons to manage BNTVCSU assets and formulate policies and or by-laws, subject to approval by **SGC**, for the proper running and operation of BNTVCSU and its organs as shall be determined from time to time.
- iii. Formulate policies, rules, regulations or by-laws, subject to approval by **AGM**, for the proper running and operation of BNTVCSU and its organs as shall be determined from time to time.
- iv. Implement resolutions made by members.
- v. Recommend creation or dissolution of any office(s) at the AGM or where need arises or by a majority vote.
- vi. Keep accurate and up-to-date records and prudently use the resources of BNTVCSU.
- vii. Consult a legal counsel who shall advise the BNTVCSU on legal matters.

b) The **SGC** shall be fully responsible for the general administration of BNTVCSU.

c) The **SGC** may make decisions in case of emergency without the due consultation; provided that such decision



is made in the best interest of BNTVCSU and that such decision shall be duly reported thereafter to the students.

#### **Article 41: Meetings of SGC**

- i) The SGC shall normally meet, at least twice a term i.e., at the beginning and at the end of a term.
- ii) Every meeting of the SGC shall be convened by the President in a manner resolved by the said Council in its first meeting following inauguration to offices.
- iii) The quorum for the commencement and conduct of a meeting of the SGC shall be two-thirds of all members.
- iv) Unless the contrary is stated in this Constitution, all decisions of the SGC shall be by consensus
- v) There shall be a meeting of the SGC preside by:
  - iv) The President; or
  - v) In the absence of the President, the deputy President.
- vi) In the absence of the President and the deputy President, any other member of the SGC elected by the members present at that time to act as President.

#### **Article 42: Decisions in the SGC**

- i) Any decision in a meeting of the SGC shall be determined by a majority of the votes of the members present.
- ii) Voting in the Governing Council shall be mandatory for all members.
- iii) Voting in the SGC shall be by secret ballot.
- iv) On any question proposed for decision in a meeting of the Student Governing Council, the person presiding in the meeting shall have a casting vote but not an original vote.

#### **Article 43: Liability of the Students' Governing Council**

The members of the SGC may be held jointly or severally liable for negligence and mismanagement of the affairs of BNTVCSU and especially its resources, but they shall not be held liable for the misdeeds of individual members provided that they carry themselves responsibly, constitutionally and with dignity they shall not be victimized for

discharging their official duties.

#### **Article 44: Vacation of Office**

a) A member of the SGC shall vacate office when he/she:

i) Completes his/her term and a newly elected office bearer is inaugurated in accordance with the provisions of this Constitution.

ii) Ceases to be a *bona fide* student of Bungoma North Technical and Vocational College

iii) Resigns in a letter addressed to the BNTVCSGC.

iv) Receives a vote of no confidence.

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v)Is suspended from the Institute.

vi)Defers studies while in office.

b) A member may be compelled to vacate office if he/she:

i)Is found guilty of violating this Constitution, the TVET Act, the College Rules and Regulations, or any subsequent documents that shall replace it.

ii)Has received more than one warning letter from the Institute for contravening the regulations governing student conduct as contained in its Statutes.

iii)Is convicted of a criminal offence by a court of law in the Republic of Kenya or any other nation.

iv)Is unable to execute the functions of his/her office by reason of infirmity of mind or body.

c)If an office in SGC becomes vacant, the vacancy shall be filled as follows:

i)If the vacant office has deputy, the deputy shall assume office.

ii)If the office has no deputy, then the relevant Congressional Committee shall by consensus or election appoint one of its members to fill the vacancy until the end of the term.

#### **Article 45:**

##### **a) The Executive Committee**

The Association shall be governed by an Executive Committee, whose members shall be 11 in number. This will comprise of all elected officials, and this might be varied according to the needs of the students through a resolution in general meeting.

##### **b) Composition of the Executive Committee**

1. President
2. Deputy President
3. Secretary General
4. Finance Minister
5. Education Officer
6. Games and Sports officer
7. Entertainment Officer

8. Health, Cleanliness and Environment Officer
9. Gender Male Representative
10. Gender Female Representative
11. Special Needs Minister

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## CHAPTER FIVE : ELECTIONS

### Article 46: General Principles

- a) The election shall be done not later than 3<sup>rd</sup> Week of October every year.
- b) The Union President shall be the person declared winner by the Returning Officer.
- c) Before a voter casts a vote, he/she must be identified beyond doubt. Valid student ID, National identification card or Valid Kenyan Passport, Biometric features, Valid admission number and/or the voter register shall be used for voter identification purposes.
- d) Voter's register shall be prepared and produced by the Returning Officer.
- e) Election shall be free and fair.
- f) Voting shall be by Secret ballot.
- g) Election shall be Free from violence, intimidation, undue influence or corruption.
- h) Aspirants shall pay a non -refundable nomination fee to BNTVCSU account as follows:
  - i. For Executive post i) the president and the deputy Kshs 1800/=(the president ksh1000/= the deputy Kshs 800/=
  - ii. Persons with disability shall be exempted from paying nomination fees.
  - iii. For the Directors posts they shall pay Kshs 500/=
  - iv. Secretary General shall pay Kshs 700/=
- i) Those filing their Election Petitions shall be required to pay as follows:
  - a) Five Thousand (Kshs. 5,000.00) for Executive position.



**Article 47:**

**a) Students' Electoral Committee**

- i) There shall be a Students' Electoral Committee (SEC) to conduct and supervise Union's elections and referenda in accordance with this Constitution.
- ii) The Students' Electoral Committee shall be an independent body free from internal and external interference.
- iii) The Students' Electoral Committee shall stand dissolved upon the swearing in of the new officials of the Students' Council.

**b) Composition of the Students' Electoral Committee**

- i) The Deputy Dean Of Students shall be assumed The Deputy Returning Officer.
- ii) Chairperson of the SEC, shall be appointed by the Returning officer, through a competitive process.
- iii) Vice Chairperson of the SEC, shall be appointed by the Returning officer, through a competitive process.
- iv) Secretary of the SEC, shall be appointed by the Returning officer, through a competitive process.
- v) Other Nine Members of the committee, shall be appointed by the Returning officer, through a competitive process.

**Note:** 1. Apart from returning officers, all members of SEC shall be chosen from class representatives.

2. All SEC members shall be a minimum of 10 in total unless otherwise

3. BNTVC shall have only one polling station unless otherwise.

**c) Role of the Students' Electoral Committee**

- i) The Students' Electoral Committee (SEC) shall conduct and supervise the Union elections in accordance with this Constitution.
- ii) The Committee shall appoint all election officials in

consultation with the Dean of Students.

iii) The Committee shall establish rules and regulations for each election.

iv) The Committee shall receive nomination papers from prospective candidates, according to this Constitution.

#### **Article 48: Role of the Dean of Students**

i) The Dean of Students shall ensure that there is training and capacity building for SEC and all election officials for effective election processes.

ii) The Dean of Students shall remain impartial throughout the elections and shall strive to ensure that all elections and referenda are free, and fair.

iii) He /She shall be the Chief Elections Coordinator and the Returning Officer during the elections and shall oversee the overall electoral process.

iv) He /She shall establish the elections calendar of events.

v) He/ She shall declare Union posts vacant after dissolution of Students Leadership.

vi) He/ She shall oversee the establishment and dissolution of the Student Electoral Committee

vii) He / She shall ensure that all voting material is available in time for the elections.

viii) He /She shall appoint an arbitrator in consultation with the contestants whenever disputes arise. The arbitrator shall be assisted in this function by the Dean of students.

ix) He /She Shall appoint through a competitive process Departmental Presiding Officers who shall be students.

#### **Article 49: Appointment Criteria of Students Electoral Committee**

i) Must be an active member of BNTVCSU.

ii) Must be a Union member with high integrity, accountability, transparency, wisdom and independence in decision making.

iii) Must not have vested interest in the Student's Union leadership.

iv) Must not have been found guilty of an offense by the institute Disciplinary Committee.

v) Must be a Student Advocate (departmental representative)

vi) The SEC nominees shall be vetted based on:

a) The student MUST be registered in the system

- b) Previous leadership experience
- c) Integrity
- d) Academic performance

vii) The SEC shall forward names and positions of the successful applicants to the Retuning Officer for confirmation of appointment.

viii) The names and the positions of the successful candidates shall be made public to BNTVCSU members by the Returning Officer.

### **Article 50: Roles, Powers and Functions of Students Electoral Committee**

- i) Shall conduct, oversee/supervise the elections, by-elections, rerun and referenda.
- ii) Shall conduct voter education to the Union members
- iii) Shall formulate, in consultation with the Dean of Students, rules and regulations to be used during the elections. Such rules and regulations shall be valid only for that election and may not be used in subsequent elections.
- iv) The President shall convene a meeting of the SEC officials and brief them on election rules and regulations.
- v) Shall provide free and fair elections.
- vi) Shall account for any funds given to them during the election.
- vii) Shall receive, scrutinize and forward nomination papers from aspiring candidates to the vetting sub-committee for clearance.
- viii) Shall have the powers to nullify election results in case of election irregularities.
- ix) Shall have the powers to bar any aspirant from contesting if he/she doesn't meet the requirements electioneering rules and regulations.
- x) Shall receive the proposed names by the respective departmental class representatives and BNTVCSU societies, for consideration as Presiding Officers/Deputy Presiding Officers, Polling/Tallying Clerks, and forward the names to the SEC vetting sub-committee in four (4) days. Shall brief the

Presiding Officers/Deputy Presiding Officers,  
Polling/Tallying Clerks on the electoral procedures, their roles  
and expected code of conduct during the elections.

xi) Shall facilitate observation, monitoring and evaluation of elections.

xii) Analyze and make necessary recommendations to help in  
the next General Elections.

xiii) Shall work in accordance with this Constitution.

xiv) Shall assume the roles of SGC during  
electioneering period up to the swearing in of new  
SGC.

#### **Article 51 Conduct of Students' Electoral Committee**

i) Shall be independent from the student Union.

ii) Shall perform its duties justly, honestly and in accordance  
with the provisions of this Constitution.

iii) Shall on no account be partial or unjust to any aspirant in any election.

iv) No Student Electoral Committee member shall vote or be voted for.

#### **Article 52: Election Rules**

i) The casting of votes during the election and referenda  
shall be by secret ballot.

ii) During voting, no posters or placards bearing any candidate's  
photo or symbol shall be allowed in the place of voting.

iii) No campaign shall be conducted at the polling center during voting.

iv) Every contestant shall be represented by one (1) registered agent at every  
polling station.

v) The role of the agents shall be limited to observing and  
taking note of the voting and tallying process.

vi) The agents shall compose themselves and not contravene any  
of the electoral rules.

vii) The results of the elections shall be declared within 12 hrs.  
Upon completion of elections and tallying.

viii) Upon taking an oath, the newly elected officials shall take over the affairs  
of the Union and the Student Electoral Committee shall stand dissolved.



Candidates or their Agents signing the results form will be a gesture of maturity but not a necessity for declaring results.

ix)The BNTVC Student Elections disputes shall be dealt with by the arbitrator(s).

x)Any violation of these rules shall disqualify a candidate from election.

xi)Candidates shall also adhere to any other rules provided by the Students' Electoral Committee. The Student Electoral Committee shall give rule and regulations governing the campaigns and elections for a particular election.

xii)The SGC shall be sworn in on Friday, seven days after election.

### **Article 53: Disqualification of the Contestants**

The following are some of the critical factors that might disqualify the nomination of a candidate:

- i. Conducting illegal campaign before nominations are out.
- ii. If an aspirant does not meet the eligibility/qualification as stated in this Constitution.
- iii. Forged nomination papers.
- iv. Conducting campaign in unlawful manner.
- v. Bribery of voters and election officials.
- vi. Any other unlawful behavior that is inconsistent with this Constitution and The BNTVC Rules and Regulations.
- vii. Violation of any of the election rules as stated in this Constitution.

### **Article 54: Election Procedures Preliminary process**

In the Second week of the election term, the Electoral Commission shall:

- i)Establish the timetable for the electoral process which should be completed two weeks before the elections are held
- ii)Declare all positions open for contest.
- iii)Announce the dates of elections.
- iv)Call for the submission of nomination forms and receive them.



v) Prepare and post visibly and at numerous locations a list of candidates and teams eligible for election, and a list of applicants and team's ineligible for election.

The Dean of Students, acting in his/ her capacity as the Returning officer for the election, shall dissolve the SGC.

- a) In the second week of October.
- b) The Dean shall declare the elective posts vacant upon dissolution of the SGC.
- c) Upon dissolution, the students' electoral
- d) Committee shall take charge of the Union affairs.
- e) During this period no major financial transaction shall be undertaken.
- f) The Dean of Students shall establish the Students' Electoral Committee by the Second week of the term during which elections shall be held.
- g) Interested candidates shall apply by filling the nomination forms from the office of the Dean of Students signed by:
  - i. Aspiring candidates,
  - ii. At least two bona fide members of the Union supporting the candidate,
  - iii. The respective Head of Department (and Should the Head of Department (HOD) decline to endorse him/her, he/she is expected to give a confidential report to the Dean of Students why the candidate should not contest).
  - iv. Finance Office
- h) Upon expiry of the period of submission of the nomination papers, the office of the Dean of Students shall submit copies of all application forms to the Students' Electoral Committee.
- i) Within a period of seven days after receipt of the application forms issued by the Students' Electoral Committee, candidates who are nominated shall

undergo vetting by institute vetting committee.

- j) The Returning Officer shall release the names of the successfully vetted contestants and such notices be posted on The Institute notice boards within 24 hours.
- k) Successfully vetted contestants shall vie for posts of their choice.
- l) Campaigns shall be done from 2.00 p.m. to 8.00 p.m. every day for the given period set by SEC.
- m) Campaigns shall begin immediately after nomination exercise and last for a maximum period of seven (7) days.
- n) Ballot papers shall bear the official names and images of the contestants as shall be provided by the Candidates and confirmed by the Registrar of the Institute.
- o) Voting
  - i. Voting shall take place between 6.00 a.m. and 4.00 p.m.
  - ii. Each bona fide voter shall be allowed to vote only once.
  - iii. A candidate shall nominate one polling agent who shall witness the voting at each polling station and thereafter witness the counting of votes and sign the results declaration form.
- p) Declaration of results
  - i) The candidate for any position shall be declared a winner upon acquiring the highest number of votes cast.
  - ii) The returning officer shall announce all results and post the same results visibly at numerous locations throughout the Institute within 24 hrs. after the end of voting.
  - iii) In case of a tie, a re- run shall be done after 7 days by the Students' Electoral Committee.
  - iv) Any registered disputes should be handled as per article 52.

### **Article 55: Swearing in of Elected Union Leaders and Dissolution of the Students Electoral Committee**

- a) The swearing in ceremony shall take place within 7 days after the declaration of the election results.
- b) The swearing in of the elected BNTVC leaders shall be done in the presence of the BNTVCSU members and shall be presided over by the Dean of Students.
- c) The swearing in ceremony shall take place on an official working day and shall be conducted before 4 p.m.
- d) The Student Electoral Committee shall if there is no petition against election results, stand dissolved and hand over to the Dean of Students their returns for safe custody.
- e) In the event of a petition against electoral results by any person, the Student Electoral Committee shall await to act on the resolution reached by the Elections Petition Tribunal on the said petition before it stands to be solved. All petitions shall be handled as per Article 88.
- f) The official handing over shall take place immediately after swearing in.
- g) After handing over the dean of students shall award the previous SGC certificate's

### **Article 56: Induction process**

The Dean of Students shall organize for induction process for newly elected student's leaders in a period not more than two months.

### **Article 57: Suspension of an Office Bearer**

Circumstances that may call for a replacement.

- a. Nullification of the election results by the Students' Electoral Committee.
- b. Cessation of the office bearer to hold office for more than one academic term during his/her term of office excluding attachment period.
- c. Cessation of the studentship through expulsion from or discontinuation by The Institute.
- d. Death or mental infirmity.
- e. Absence from the Union meetings for three consecutive sittings without explanations

➤ *Circumstances under which may lead to the approval of explanation*

. An approved letter to the HOD through the Dean's office then to the council

. Medical letter of sickness

. An approved maternity leaf

f. Vote of no confidence.

g. Resignation or suspension from the Institute for

h. a period longer than one academic term.

**ARTICLE 58: Nominations Procedure**

Nomination to replace SGC/Congress members on industrial attachment

**Procedure**

- a. Dean shall declare the seats partially vacant for the period the office bearer is on attachment.
- b. Bonafide member of BNTVCSU shall apply for the vacant seat within the first week after declaration by dean.
- c. Candidate must fulfil the requirements in Article 11, sub sect 4.
- d. Vetting committee shall comprise of some members of SGC who shall be randomly selected by dean. The dean's office shall coordinate the vetting process.
- e. Names of successful candidate shall be made public through notice boards
- f. Successful candidate shall assume the office until the resumption of the office bearer who was on industrial attachment.

**Article 59: The Appeal**

If the accused member is not satisfied with the ruling of the Congress Committee, he/she in a period of not more than fourteen (14) days should appeal to the President of Executive Council in writing citing all the grounds of appeal. The Executive Council Committee upon



hearing the appeal on first or subsequent meetings shall institute the disciplinary action as it is deemed appropriately. The ruling of this committee in such case should be final.

- i. The Congress Committee will deal with cases only committed by students and are conferred power to hear disciplinary cases committed by students' members.
- ii. If the interested group fails to maintain their representatives, the Executive Council will have to appoint two representatives deemed to be of good character.
- iii. The member of the committee will have to be awarded a sitting allowance for every meeting.
- iv. By-elections should be called for only if the Congress Committee and the SGC ruling does not favor the accused.

#### **Article 60: Election Disputes**

- i. All pre-election disputes including but not limited to issues relating to campaigns, eligibility, conduct of Students' Electoral Committee and vetting shall be referred to the arbitrator.
- ii. All pre-election, during election and post-election disputes including but not limited to issues of election malpractices and declaration of false results shall be referred to the arbitrator.
- iii. A Union member may launch a petition with a panel together with the arbitrator if:
  - a) Such a member has a reason to believe or has evidence that there has been a contravention of any election procedure or rule(s) during the election period.
  - b) If there is an allegation of bribing, intimidation/harassment of voters and /or candidates.
- iv. Any complaint about the electoral process and the way it



was run must be forwarded to the arbitrator not later than 24 hours after the closure of the polls.

v. The applicant must:

- a) Appeal in writing.
- b) State the grounds on which he/she is appealing.
- c) Clearly display the date and time of application.
- d) Provide evidence to support their claim.
- e) The application must be signed by 25% of voters from each department (Executive position), and 50% of representation from each Class of that department for congressional position.
- f) Copy of the petition shall be forwarded to the Dean of students.
- g) Pay the relevant fees to the BNTVCSU account for purposes of filing an Election Petition as stipulated in Article 14(1) (l).

#### **Article 61: Arbitrator**

- i) For every Students Election, the Elections Disputes shall be referred for Arbitration. The Dean of Students shall, in consultation with the Students Electoral Committee, appoint and make known an arbitrator.
- ii) For each Election dispute, there shall be two arbitrators, who shall be appointed in consultation with the contestants, and shall report to the Dean of Students.
- iii) The arbitrator shall hear all pre-election disputes including but not limited to issues relating to campaigns, eligibility, conduct of Students' ...Electoral Committee and vetting.

#### **Article 62: The Elections Petition Tribunal**

- i) The Election Petition Tribunal Panel shall hear and determine all election petitions arising from the elections of the Executive and Departmental Representatives, subject to this Constitution.
- ii) The Principal shall constitute the Elections Petition Tribunal, which shall consist of :
  - a) A member of the top management who shall serve as President.
  - b) Two trainers a male and a female who shall be appointed by the principal.
  - c) One member from the office of the Dean of Students who shall be the secretary to the tribunal.
  - d) Members who shall be the agents of the petitioner(s) and the candidate declared as winner.
- iii) The Elections Petition Tribunal shall have the authority and responsibility provided for in this Constitution and in particular shall:
  - a) Within 3 working days of receiving a petition, uphold or nullify the contested vote and forward written notification of its judgment to the Returning Officer.
  - b) Establish rules and regulations for proper conduct of its business and procedures for election appeals.

- c) Receive any written petition against the election result within 24 hours following the announcement of such results.
- d) Receive evidence relevant to the Petition.
- e) Ruling of the Election Petition Tribunal shall be final and binding.

#### **Article 63: Termination of Office**

- a) All those positions given in article 64.
- b) End of term

#### **Article 64: Resignation**

- a) Any office bearer may be allowed to resign his/her position in the office after a written notification at least three (3) days before the date of his/her resignation.
- b) In case of resignation of the President, such resignation letters shall be addressed to the Dean of Students and a copy to the Student Council.
- c) In case of resignation of the deputy President, the President shall assume both the roles of chair.
- d) In case of any other member of the SGC resigns, the notice shall be given to the President of BNTVCSU and a copy to the Dean of Students. Upon the expiry of the three (3) days' notice, the Dean shall also publish a notice to this effect on the Institute notice boards.

#### **Article 65: Dismissal**

- a) Reasons that may lead to Dismissal
  - i) Failure to proceed to the next class.
  - ii) Involvement in corrupt deals/acts.
  - iii) Incompetency.
  - iv) Suspension and expulsion.
  - v) Termination of the course.
  - vi) Resignation.

## **CHAPTER SIX**

### **ORGANS AND MEETINGS OF BNTVCSU**

#### **Article 66: Types, Composition and Functions of Meetings**

##### **(1) The Annual General Meeting**

- ii. There shall be an Annual General Meeting (AGM) of BNTVCSU.
- iii. Every member shall have the right to attend the AGM.
- iv. Every member shall have the right to requisition that a vote be taken at the AGM.
- v. The AGM which shall, ordinarily take place during the second term of each academic year shall: -
  - a) Approve the minutes of the last AGM as presented by the Secretary-General.
  - b) Receive an overall report on BNTVCSU operations from the President.
  - c) Receive the audited annual financial report from the Director finance.
  - d) Discuss any other business relevant to enhancing the functions and operations of the Union (BNTVCSU).
- vi. Unless otherwise provided for in this constitution, every resolution of the AGM shall be of simple majority vote of those present and voting at the meeting.
- vii. Voting in AGM shall be of raising of hands, unless two-thirds of the members present and voting resolve otherwise.
- viii. The quorum for the commencement of business for the AGM shall be  $\frac{2}{3}$  of members. If the designated quorum is not present at the start of the meeting, the AGM shall not take place.
- ix. Notice for holding an AGM shall be issued by the Secretary

General or in his/her absence the vice President or any other member of the SGC.

- x. Notices of the AGM shall be posted to all notice boards and posted on the BNTVCSU website at least seventeen (7) calendar days before the AGM.

**(2) Special General Meeting**

- i. There shall be Special General Meeting of BNTVCSU.
- ii. Every member shall have the right to attend the SGM.
- iii. The Secretary General shall convene an SGM when need arises, subject to this constitution.
- iv. Notices for holding an SGM shall be issued by the Secretary General or in his/her absence the vice President or any other member of the SGC;
- v. Notices of SGM shall be posted to all notice boards and posted on the BNTVC website.

**(3) The Bungoma North Technical Vocational Training College Prayer Day**

The Bungoma North Technical and Vocational College Prayer Day shall be held once every term within the Institute calendar of events. Or stated otherwise

**(4) Meetings of the Students' Council**

- a) The Students' Council shall have at least three formal meetings each term, or as need arises. The Executive shall meet on as need arises basis, or in preparation for the Full Students' Council meeting.
- b) The meeting shall be convened by the BNTVCSU Secretary General in consultation with the President.
- c) Notice to convene such a meeting shall be sent to the committee



members at least two days before the date thereof and copied to the Dean.

**(5) Departmental Forums**

- a) The Departmental Representative shall prepare a memorandum, in consultation with Students advocate (Course Ambassadors), for presentation during the Departmental Forum.
- b) Departmental Forums shall be held in accordance with The College schedule of events. However, the Student Advocate may call for a forum upon approval by the Head of Department.

**(6) Class Meeting**

- a) Members shall only address academic issues affecting the class.
- b) The resolutions passed shall be forwarded to the relevant authorities through the class representative.
- c) Class meeting shall be chaired by the students advocate (Course Ambassadors).

**(7) Social Responsibility Day**

Which shall include.

- i. Cultural day
  - ii. Health sensitization and.
  - iii. Any other event that may be decided upon by administration.
- a) The social responsibility day shall be held by the BNTVCSU in conjunction with the Dean's Office.
  - b) The events of the day shall be coordinated by the office of the Dean of Students in conjunction with The Executive.

**Article 67: Order and Manner of Speaking during meetings**

- a) A member wishing to contribute at the debate shall indicate so by putting up his/her hand up to get the attention of the

President.

- b) A member shall address his/her opinion to the President and refer to any other member as honorable member.
- c) When a member is through with making his/ her point, he/she shall resume his/her seat, and the President shall call the next person to address the congregation.
- d) With the permission of the President, a member may make a statement of urgent public importance relating to the functions of the meetings.
- e) A delegate shall not interrupt another except by raising a point of order/ information or point of procedure in which case the delegate speaking shall remain silent, and the delegate interrupted shall direct attention to the point which he/she desire to bring to notice or submit to the President for decision.
- f) Debate of procedures of meetings shall be conducted in English or Kiswahili at the opinion of the person speaking.
- g) The proceedings of the meeting shall be recorded in English.

## **CHAPTER SEVEN**

### **FINANCES**

#### **Article 68: Sources of BNTVCSU's Funds**

- i. Termly Kshs 350.00 membership subscription fee goes to the Institute main account and upon request, documents shall be availed to the finance minister
- ii. Donations and grants from well wishers
- iii. Funds received from income generating activities initiated by the Union.
- iv. Nomination, petition and fine fee paid for elective positions during Union elections.
- v. Proceeds from Student center.

#### **Article 69: Management and Expenditure of the Union's Funds**

##### **(I) Management of Union's funds**

- a) The executive shall ensure transparency and accountability in all financial management.
- b) The Executive in liaison with the office of the Dean of students shall be in charge of student financial matters.
- c) All revenue shall be paid to or received on behalf of BNTVCSU and a payment receipt issued for the same by the Institute Finance Department, for accountability purposes.
- d) Any withdrawal or expenditure of BNTVCSU funds, in line with the set budgets, shall be authorized by the BNTVCSU leadership in coordination with the Dean of Students. The requests for funds/expenditure shall be in writing; forwarded by Dean of Students and approved by the principal.
- e) Secretaries from various portfolios requests on any expenditure shall be counter signed by:
  - i) The President
  - ii) Finance Secretary
  - iii) Secretary General
- f) The countersigned requests are forwarded to the Dean's

office for consideration and if adopted shall be subjected to the College requisitioning and procurement procedure.

- g) Disciplinary action shall be taken against any BNTVCSU member who is found to have misused the BNTVCSU funds.

## **(II) Expenditure of Union's Funds**

- a) The Union's expenditure shall be on the following items:

|                                                                                                                    |   |        |
|--------------------------------------------------------------------------------------------------------------------|---|--------|
| ✓ Electoral Committee                                                                                              | - | 7.15%  |
| ✓ Union Meeting facilitation                                                                                       | - | 1.65%  |
| ✓ Allowances for Students on Union functions                                                                       | - | 1.37%  |
| ✓ Airtime for Students advocate (class reps)                                                                       | - | 4.95%  |
| ✓ Departmental reps                                                                                                | - | 2.31%  |
| ✓ SGC Allowances                                                                                                   | - | 29.21% |
| ✓ Entertainment                                                                                                    | - | 23.20% |
| ▪ Cultural day                                                                                                     |   |        |
| ▪ Shows and films                                                                                                  |   |        |
| ▪ Talent exhibitions                                                                                               |   |        |
| ✓ Clubs and Societies                                                                                              | - | 16.42% |
| ✓ Welfare including funerals, celebrations, bursaries to needy students and other activities approved by the union |   | 10.99% |
| ✓ Miscellaneous                                                                                                    | - | 2.75%  |

### **b) Signatories to BNTVCSU Account**

- 1) Finance Secretary
- 2) President
- 3) Dean of Students

### **c) Books of Account**

- 1) Balance Sheet
- 2) Income statement

**NOTE:**

- The custodian shall be the finance minister, finance officer of the college and the Dean of students.
- They shall be audited termly by the internal auditors.

**N/B:** In an event of audit queries the custodians of the books of A/C and the **Three** signatories shall be held liable.

- d) The expenditures shall be subject to the availability of funds and will be reviewed accordingly from time to time.

### **(III) Misappropriations of BNTVC Funds**

If any member(s) is found to have misappropriated the funds of the BNTVCSU, the BNTVCSU in coordination with the dean of students shall:

- i. Establish an ad hoc disciplinary committee to determine and ascertain the allegations.
- ii. Based on the report of the committee, the committee shall initiate a process of recovering the said funds.
- iii. Bar the member from holding any students' leadership responsibility.

### **Article 69: Budget Day**

- (i) The budget statement shall be prepared and presented to the BNTVCSU members for approval as per the calendar of activities.
- (ii) The budget shall be prepared every academic year.

### **ARTICLE 70: Allowances and Privileges for BNTVCSU Leaders**

- (I) BNTVCSU leaders shall be entitled to a responsibility allowance and all such allowances as shall be approved by The College BoG. Such allowances shall be subject to Article 19(II,



- a). The allowances shall only be paid during session.
- (II) Meetings' expenditure shall be proposed by the BNTVCSU executive, in line with set budget, and shall be forwarded through the Dean of Students for approval by The College Management

#### **Article 71: Use of Funds of the Council**

Funds for the council shall be used for the following purposes: -

1. For administration of the council including meetings, stationery, correspondence, travelling official expenses and council official allowances.
2. Loaning and financing clubs, societies and associations in furthering the objectives of the council.
3. Providing entertainment to the students of Bungoma North Technical and Vocational College.
4. Offering Bungoma North Technical and Vocational College student's council member's bereavements money of Kenya Shillings five Thousand Only (Kshs. 5,000) in case a member is bereaved by his or her parents or guardian. Such cash shall only be remitted after approval of the claim by the administration.

#### **Article 72: Transactions**

1. For any transactions, the Finance Secretary shall keep records and at every Executive committee meeting produce a statement of account pertaining to the activities of the account. A relevant copy of the statement shall be submitted to the internal auditor for scrutiny.
2. After any social function or a major expenditure, the Finance Secretary shall prepare financial statements to give a breakdown of the expenses and gains.
3. At the end of tenure of a given council officials (end of each year) the Finance Secretary shall on behalf of the outgoing

officials prepare a financial statement i.e. books of account and handover the same to the newly elected Finance Secretary on the official handing over ceremony.

#### **Article 73: Auditors**

1. The council account, records and documents of finance shall be open to administrative auditors at any time of the year. The Administration shall hereby act as the external auditor.
2. The auditors shall prepare a confidential report and balance sheet and present them to the Finance Secretary or President of BNTVCSU. A copy of these may be made available to the internal auditors.

#### **Article 74: Reserve Funds**

1. Any money raised by the students for special functions, clubs or association and are not used immediately shall be deposited in the student's council account but a record of the same kept with the club or association officials so that they can withdraw the money at any time with approval of the members of the club/association. Such withdrawals shall be notified three days prior.
2. Such funds can be borrowed or contributed to other charitable causes with written authority from the officials of the club/association and approved by the President of BNTVCSU.

## **CHAPTER EIGHT**

### **MISCELLANEOUS**

#### **Article 75: Constitutional Review/Amendment**

The constitution is supreme and defines all the council organs, duties and responsibilities and hence can only be amended as follows:

1. The council constitution can only be amended or reviewed by the members of BUNGOMA NORTH Technical Training College.
2. The amendment will only be affected after being passed by  $\frac{2}{3}$  majority of members present at the General Meeting.
3. After the amendment clause has been passed at the General Meeting, the old part or if the constitution was being reviewed then it is rendered invalid and it becomes void.

#### **Amendment Procedures**

1. Any member of the union can propose a motion of amendment to the constitution either a clause or the constitution.
2. He/she must be seconded by another member of the union.
3. After being seconded, then the motion is brought before the Congress for a vote.
4. It must be passed  $\frac{3}{4}$  majorities to allow for the amendment or review.
5. Once the amendment motion is passed at the Congress Meeting, then a constitutional review commission must be constituted to spearhead the review process.
6. The commission is to hold sittings and collect information from the students on their opinion and then draft a new constitution amended.
7. The new draft will then be presented by the commission to the members at a General Meeting to be passed by  $\frac{2}{3}$  majority vote and if it is the whole constitution being reviewed then it

will have to be presented to the students for a referendum before the final vote to pass to its members present at General Meeting.

The applicant must:

1. Put the injunction in writing
2. State the ground upon which such injunctions are sought
3. State the name of the applicant
4. The applicant must sign the application and at least ten members of the union supporting the application he/she must be the member of the union.
5. The constitutional review commission shall consider the grounds stated by the applicant and timely give the ruling.

## **SECTION I**

### **The Constitution of the Review Commission**

1. It will consist of a President and Secretary who will be elected at the Congress by a simple majority of members present.
2. The other members will be determined as deemed fit by the President and Secretary together with the SGC considering the workload.
3. Once agreed upon the number required, an announcement will be made through the notice boards for those interested to apply directly to the commission President.
4. After which the President shall call a meeting together with the executive committee to vote the applicants and appoint the other members.
5. Once the other members have been appointed, the commission will have a free hand to sit down draw its budget in consultation with the executive committee and starts the review process. Members are eligible to allowances.

## **6. Constitution of the Committee**

- i. President
- ii. Secretary
- iii. Two representatives from special interest groups i.e. religious groups
- iv. 3 Ex officials
- v. Gender Representatives (male, female )

## **SECTION II**

### **Standing orders**

The SGC shall be empowered to make standing orders subject to the approval of the General Meeting by a simple majority of the votes to cover any matter covered by the constitution only partially or not at all and which do not require a constitutional amendment. Such orders shall operate from the date of approval by the meeting.

### **Branches and Affiliations**

The Bungoma North Technical and Vocational College Students' Governing Council shall operate under the Administration of the BNTVC Administration and therefore shall not have any branches or sub-branches or become affiliated to any other organization without written permission from Bungoma North Technical and Vocational College Administration.

### **Standing Order One**

1. All students of Bungoma North Technical and Vocational College shall upon enrolment pay membership fee and will henceforth become a union member.
2. Upon enrolment and in any subsequent term, as from the date of enrolment the member will be required to pay termly



renewal membership fee.

### ***SECTION III***

#### **Selection of the Members**

1. The committee President in collaboration with the SGC will select the representative through the help of Student Advocate (Course Ambassador).
2. The religious society will have to choose a representative to represent the entire Christianity and one person to represent non-Christianity.
3. Members should be selected by having the gender issue in mind. There must be at least representation for ladies and men as well.

APPENDIX

1. OATH OF ALLEGIANCE

I.....Adm. No.....

Course.....having been  
BNTVC Elected as a member of BNTVC

As  
.....  
do

swear/solemnly affirm that I will bear true faith and allegiance to the  
BNTVC community; (BOG, Principal, Entire staff of BNTVC and  
students) that I will obey, respect, uphold, preserve, protect and defend  
the college rules and regulations and constitution of Bungoma North  
Technical and Vocational College Students Union and that I will  
faithfully and conscientiously discharge the duties of a member of  
BNTVC Student Governing Council. So, help me God.

Signed

Student

Students

Dean of

Principal

2. NOMINATION APPLICATION FORM

DATE..... THE DEAN OF STUDENTS  
BNTVC THROUGH THE STUDENT ELECTORAL COMMISSION BNTVC

Dear Sir/Madam

RE: POST OF.....

I ..... ADM. NO. .... OF CLASS  
..... wish to apply for the post  
Of ..... in the students governing council.

**Proposer**

Name..... Adm. No. ....

Class ..... Sign .....

**Seconder**

Name..... Adm. No. .... Class

..... Sign .....

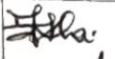
Yours faithfully

**APPLICANT**

NAME .....

SIGN .....

3. 2025 CONSTITUTION AMENDMENT COMMITTEE MEMBERS

| NAME               | DESIGNATION            | REG NO | CONTACT    | COURSE   | SIGN                                                                                  |
|--------------------|------------------------|--------|------------|----------|---------------------------------------------------------------------------------------|
| Audrey Bwire       | D/Dean of Students     | N/A    | 0726286051 | TRAINEER |    |
| Nelson Barasa      | Ex official            | N/A    | 0711628973 | TRAINEER |    |
| Mr. Walter         | Ex official            |        | 0708384102 |          |    |
| Douglas Nathan     | Chairperson            | N/A    | 0759858191 | DAE      |    |
| Paul Nabwana       | Secretary              | N/A    | 0799441004 | DBT      |    |
| Mary Kombe         | Female rep             | N/A    | 0112909115 | DEE      |  |
| Watulo Isaac       | Male rep               | N/A    | 0114126222 | BTECH6   |  |
| Benjamin Musenjeri | CS academics           | N/A    | 0769701422 | MVC      |  |
| Mbora Nashon       | Special interest group | N/A    | 0757042190 | DSCM     |  |

|                   |                        |     |            |      |                                                                                     |
|-------------------|------------------------|-----|------------|------|-------------------------------------------------------------------------------------|
| Netty Musungu     | Special interest group | N/A | 0757330705 | DBT  |  |
| Alan Amira        | Member                 | N/A | 0700897659 | DBT  |  |
| Mitchelle Ochieng | Member                 | N/A | 0791809164 | DFD  | MO                                                                                  |
| Joan Shayo        | Member                 | N/A | 0768669256 | DAGE |  |
| Julius Kibet      | Member                 | N/A | 0114665491 | DME  |  |

BNTVC CONSTITUTION