

**MANAGEMENT DEVELOPMENT INSTITUTE OF THE  
GAMBIA STUDENTS' UNION CONSTITUTION**

***MDI STUDENTS' UNION***



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Adopted: .....

**DRAFTED UNDER THE AUTHORITY OF THE 3rd EXECUTIVE  
COUNCIL OF MDI-SU, UNDER THE LEADERSHIP OF  
MUHAMMED JAMMEH.**

**BY**

**MR. ALAGIE JARJU.**

# ***ARRANGEMENT OF SECTIONS***

## ***CHAPTER 1: PLIRIMINARY***

**SECTION: 1 Citation**

**SECTION: 2 Interpretations**

**SECTION: 3 Name and Address**

**SECTION: 4 Secretariat of the Union**

**SECTION: 5 Seal and Motto of the Union**

**SECTION: 6 Neutrality and Non-Discrimination**

**SECTION: 7 Memberships**

**SECTION: 8 Rights and Duties of Members**

**SECTION: 9 Aims and Objectives**

## ***CHAPTER 2 THE EXECUTIVE COUNCIL***

**SECTION: 10 Organs of the Union**

**SECTION: 11 Establishment of the Executive council**

**SECTION 12: Composition of the Executive council**

**SECTION: 13 Tenure of Office of the Executive Council**

**SECTION: 14 Functions and Powers of the Executive Council**

**SECTION : 15 Functions of the President**

**SECTION: 16 Functions of the Vice President**

**SECTION: 17 Functions of the Secretary General**

**SECTION: 18 Functions of the Assistant Secretary General**

**SECTION: 19 Functions of the Finance Minister**

**SECTION: 20 Functions of the Assistant Minister of Finance**

**SECTION: 21 Functions of the Minister of Welfare and Culture**

**SECTION: 22 Functions of the Assistant Minister of Welfare and Culture**

**SECTION: 23 Functions of the Minister of Education and Research**

**SECTION: 24 Functions of the Assistant Minister of Education and Research**

**SECTION: 25 Functions of the Minister of Agriculture and Environment.**

**SECTION: 26 Functions of the Assistant Minister of Agriculture and Environment**

**SECTION: 27 Functions of the Minister of Sports**

**SECTION: 28 Functions of the Assistant Minister of Sports.**

**SECTION: 29 Functions of the Minister of Information and Communication.**

**SECTION: 30 Functions of the Assistant Minister of Information and Communication.**

**SECTION: 31 Functions of the Minister of Gender and Health**

**SECTION: 32 Functions of the Assistant Minister of Gender and Health**

**SECTION: 33 Functions of the Minister of Technical and Logistics officer**

**SECTION: 34 Functions of the Assistant Minister of Technical and Logistics Officer**

**SECTION: 35 Functions of the Auditor General**

## **CHAPTER 3 PROCEDURAL PROVISION**

**SECTION: 36 Impeachment**

**SECTION: 37 Grounds for impeachment.**

**SECTION: 38 Procedure of impeachment.**

**SECTION: 39 Disclosure of Interest**

**SECTION: 40 Clubs, Societies, and organizations.**

**SECTION: 41 Removal of Executive Member**

**SECTION: 42 Resignation of Executive Member**

**SECTION: 43 Dissolution of the Executive Body**

**SECTION: 44 Meetings**

## **CHAPTER 4: CONGRESS**

**SECTION: 45 Congress**

**SECTION: 46 Functions of Congress**

**SECTION: 47 Extra Ordinary Congress**

## ***CHAPTER 5: FINANCIAL PROVISIONS***

**SECTION: 48 Sources of Finance**

**SECTION: 49 Accounts of the Union**

**SECTION: 50 Signatories to the account**

**SECTION: 51 Annual Financial Statements**

## ***CHAPTER 6: ELECTORAL PROVISIONS***

**SECTION: 52 Establishment of the Electoral Commission**

**SECTION: 53 Functions of the Electoral Commission**

**SECTION: 54 Term of Office**

**SECTION: 55 Rules of Election**

**SECTION: 56 General Election**

**SECTION: 57 Qualifications for Election**

**SECTION: 58 Withdrawal of Candidate**

**SECTION: 59 Challenge of Election Result**

**SECTION: 60 Establishment of the Electoral Review Commission**

**SECTION: 61 Procedure in Determining Election Petition**

## **CHAPTER 7: MISCELLANEOUS PROVISIONS**

**SECTION: 62 Awards and Honors**

**SECTION: 63 Distribution of the Constitution**

**SECTION: 64 Amendment of the Constitution**

**SECTION: 65 Constitutional Review**

**SECTION: 66 Correspondences in the Name of the Union**

**SECTION: 67 Commencement of this Constitution**

**SECTION: 68 Oath of Office**

# PREAMBLE

We the Students of the Management Development Institute of the Gambia hereby have a common purpose, objective and aspiration to form a union (herein after Management Development Institute of the Gambia Students' Union) which is to be governed in the spirit of the provisions of this Constitution. We aspire to further academic excellence, support student's initiatives and promote values of an open society, service leadership and democracy. We endeavor to prevent discrimination on any basis and enable fruitful collaboration within the institute and outside of it, and to prepare our self for a successful and inspiring future. The union shall endeavor to make strong ties amongst its members and the administration of the institution to achieve its common goal towards our quest to national development. The union is established by virtue of our constitutional right to freedom of association as provided for in the 1997 Constitution of the Republic of the Gambia.

We affirm our efforts and commitments for the Constitution to be the norm that shall regulate the affairs of the union and shall be the supreme rule of student's self-governance in the Management Development Institute the Gambia.

## ***CHAPTER 1: PLIRIMINARY***

### **SECTION: 1 Citation**

This constitution shall be cited as constitution of the Management Development Institute of the Gambia students' union.

### **SECTION: 2 Interpretations**

In this Constitution, except where the context otherwise requires-

- **Union:** means management development institute of the Gambia Students' union.
- **MDI:** means Management Development Institute.

- **Constitution:** means Constitution of the management development institute of the Gambia Students' union 2018.
- **Member:** means a student enrolled in Management Development Institute the Gambia.
- **Dues:** means any monetary sum to be paid by each member to the union.
- **Electoral Commission** means the body responsible for conducting students' elections within the Management Development Institute of the Gambia.
- **General Students' Body** means the entire student body of the Management Development Institute.
- **Executive Council** means the executive body of the Management Development Institute of the Gambia Students' union.

### **SECTION: 3 Name and Address**

The name of the union shall be "THE MANAGEMENT DEVELOPMENT INSTITUTE OF THE GAMBIA STUDENTS' UNION" or and shall be abbreviated as MDI-SU.

### **SECTION: 4 Secretariat of the Union**

(1). The Union shall establish a secretariat which shall be housed Within the premises of the Management Development Institute.

### **SECTION: 5 Seal and Motto of the Union**

- (1) The seal of the union shall be:
  - (a) An image of graduating academic regalia with the hat, the gown and the rolled certificate.
  - (b) Which shall be in an inner circle form, with a wording of **MDI students' union** on top and **MDISU** below.
- (2) The motto of the union shall be **Selflessness, Transparency and Development.**

## **SECTION: 6 Neutrality and Non-Discrimination**

(1) The union shall be neutral in matters of politics and religion.

(2) All forms of political, religious, gender, ethnic, or racial discrimination are prohibited by the union.

## **SECTION: 7 Memberships**

(1). Membership shall be automatic for all enrolled and registered students

Of the Management Development Institute of the Gambia. However, exchange/visiting students may

not be subjected to this constitution.

(2). Membership shall cease upon completion of programme of studies, upon graduation, expulsion, or transfer to another institution, within or abroad.

## **SECTION: 8 Rights and Duties of Members**

(1) The rights and duties of the members are;

(a) To attend meetings regularly including congresses.

(b) To work towards the achievement of the aims and objectives of the union.

(c) To comply with the Constitution and any other rules enacted thereto.

(d) To preserve the interest of the union.

(e) To pay student dues regularly at the prescribe.

(f) To monitor the manner in which the executive council exercises its Functions in accordance with the Constitution.

(g) To comply with any directives issued by the executive in the best Interest of the union.



## **SECTION: 9 Aims and Objectives**

(1) The union shall concern itself with all matters affecting the

Students and shall take such actions with respect thereto as may be considered expedient with special reference to the following matters:

(a) To safeguard the educational process in the Management Development Institute the Gambia

(b) To encourage amicable relationship between its members and stakeholders.

(c) To encourages positive dialogue with appropriate authorities

When deem necessary.

(d) To enable students of to speak with a single voice on major issues.

(e) To complement government's efforts in the establishment and maintenance of a qualitative and relevant educational system in the Gambia.

(f) Oversee all accessible provisions of protective mechanism relating to the rights of students.

(g) To extend, humanitarian assistance to needy students or groups where possible.

(h) To establish and maintain a forum through which views/opinions of students could be sought and expressed.

(i) To establish and maintain a viable mechanism for resource mobilization and utilization.

(j) To advocate and pursue all relevant processes through which

ultimate autonomy can be achieved and maintained.

(k) To work towards education for all for the rapidly growing population of the Gambia.

(l) To encourage and inculcate attitudes and values worthy of emulation by future leaders.

(m) To promote and establish regional and international linkage between sister institutions.

## ***CHAPTER 2 THE EXECUTIVE COUNCIL***

### **SECTION: 10 Organs of the Union**

(1) The organs of the union shall be as follows:

(a) Executive council;

(b) Congress

(c) Advisory body and

(d) Ad hoc committees established according to this constitution

### **SECTION: 11 Establishment of the Executive council**

(1) There shall be an executive council of the union to be elected by the Students of Management Development Institute of the Gambia (ONLY).

(2) There shall be an advisory board which shall be appointed at congress.

## **SECTION 12: Composition of the Executive council**

(1) The executive council shall comprise of the following officials

The President

The Vice President

The Secretary General

The Minister of Finance

The Minister of Social Welfare and Culture

The Minister of Sports

The Minister of Information and Communication

The Minister of Technical Services

The Minister of Agriculture and Environment

The Minister of Education and Research

The Minister of Gender and Health.

The Auditor General

(3) All bona fide international students may contest for all the above portfolios (2) EXCEPT the post of President, Vice president, secretary general and finance.

## **SECTION: 13 Tenure of Office of the Executive Council**

(1) The Tenure of office of any executive council of the MDI-SU shall be an academic year of the institute's calendar.

## **SECTION: 14 Functions and Powers of the Executive Council**

- (1) The executive council shall be responsible for coordination and implementation of decisions agreed upon at Congress.
  - (2) The executive council shall be responsible for upholding and defending the interest of the Union within the confines of this constitution.
  - (3) The executive council shall meet the appropriate stakeholders and individuals on matters affecting the Union.
- (4) The executive council shall make emergency decisions on issues as they ensue on behalf of the Union and such emergency decisions shall be communicated to the general student body within seventy-two hours.
- (1) The executive council shall prepare annual budgetary estimates and plans that are to be approved by congress before implementation.
  - (2) Subject to other provisions of this constitution, the executive council shall appoint an interim executive council member (s) in case of vacancy in any Ministerial office created by this constitution.
  - (3) The general student body shall be informed of the appointment in accordance to sub-section (6) within seventy –two (72) hours.
  - (4) Subject to the provisions of this constitution, the executive council may form its own committee (s)/commission (s) and external representatives (s) to implement certain functions where necessary in the interest of the Union.
  - (5) The executive council shall raise and manage funds of the Union and may give donations to individuals and bodies when necessary.
  - (6) Subject to other provisions of this constitution, the executive Council shall approve all major spending of the Union.

- (7) executive council member(s) shall attend meetings regularly and on time and shall participate in all proceedings as provided for by this constitution.
- a) Any executive member who fails to attend two (3) consecutive meetings must officially write to the Secretary General with genuine reasons of his absence failure of which the Secretary General shall write to the person (s) for explanation
  - b) Subject to 11 (a) If a person(s) fails to comply he/she may be suspended from the executive Council.
  - c) The duration of this suspension shall be determined by the executive council.
  - d) The executive council shall have the power to enter into any contract, partnership or agreement on behalf of the Union.
- (8) An executive member(s) shall not ask for the personal favour (s) in any form from an executive member (s) in the execution of his/her duties.
- (9) Where an executive member(s) under the name of the students' Union receives a gift, grant or an award thereof; shall be presumed to be the Union's property until the contrary is proven.
- (10) Executive council member(s) shall uphold the provisions of this constitution and shall not undertake any activity inconsistent with their functions which may expose themselves to situations which carry with it risk of a conflict developing between their official interest and private interest.
- (11) No executive council member(s) shall hold an executive position of any club, association, organization or society registered under the Union.

## **SECTION: 15 Functions of the President**

The President shall:

- (1) Be the head of the union and the leader of the executive council.
- (2) Be responsible for the supervision and coordination of the functions of the executive council.
- (3) Be responsible for making sure all executive follows the letter and spirit of this constitution.
- (4) Be accountable for the supervision, maintenance and management of the Union's properties.
- (5) Be the embodiment of the union's image and interest to the MDI's authorities and other stakeholders.
- (6) Protect, preserve and defend the good image of the union in accordance with the constitution.
- (7) Preside over all meetings of the executive council and congress, and shall impartially direct the proceedings of such meetings at all times.
- (8) Have the mandate to take appropriate actions against any executive member(s) whose action (s) and/or omission(s) is/are contrary to the interest of the general student body and of this constitution. However, the President cannot expel any executive council member(s).
- (9) Be the Presiding officer in the event there is a tie during voting in the executive council or Congressional meetings. He has only one vote.
- (10) Discharge all such duties as are responsibly incidental to the office of the President, and in accordance with the constitution.
- (11) Be a signatory to any withdrawal from the Union's savings/accounts or any other savings belonging to the union.

- (12) Approve all petty cash payments, but major spending shall be approved by the executive council signed by the Finance Minister.
- (13) Have the power to veto any decision at executive council meetings, but this power shall not be binding forthwith. The executive council shall meet again on the same issue with a quorum of two-third (2/3) of the executive council and where voting becomes the deciding factor, then the issue shall be decided by a simple majority.
- (14) Have the mandate to authorize all spending of the union.
- (15) Be responsible for receiving visitors of the Management Development Institute of the Gambia Students' union.

#### **SECTION: 16 Functions of the Vice President**

The Vice President shall:

- (1) Act in the absence of the President and assume the duties and responsibilities conferred upon the President by this constitution.
- (2) In consultation with the Education and Research Minister, be responsible for the organization and execution of orientation programmes for the new students admitted in MDI.
- (3) Be the Principal Assistant to the President and shall discharge all other duties assigned by the President.

## **SECTION: 17 Functions of the Secretary General**

The Secretary General Shall:

- (1) Conduct and deal with all official correspondences of the Union and shall take minutes of meetings of the executive council and congress.
- (2) Prepare a written agenda for Congress and executive council meetings in consultation with the President, and issue notice to convene meetings.
- (3) Have a running file of all correspondences/Letters as well as appends his or her signature on all correspondences/letters of the Union.
- (4) Present a quarterly report to the executive council and to congress.
- (5) Be responsible for recording, filing, documenting and transfer of all union activities and documents for succeeding executive council.
- (6) Oversee all clubs, societies and associations, registered under the Students' Union.
- (7) Be a signatory to the Union's Account
- (8) Be responsible for the registration of all clubs, association and societies within the MID.

## **SECTION: 18 Functions of the Assistant Secretary General**

The Assistant Secretary General shall:

- 1) Be the principal assistant to the Secretary General
- 2) Carryout or execute any function assigned to him\her by the Secretary General.



- 3) Together with the Secretary General prepare the Union's congressional report
- 4) Attend all meetings and participate in proceedings.

### **SECTION: 19 Functions of the Finance Minister**

The Finance Minister shall:

- 1) Shall be responsible and accountable to all financial transactions of the union.
- 2) Be a signatory to the Union's account.
- 3) Be responsible for the collection of Union dues.
- 4) Be responsible for strategizing means of generating revenue for the union.
- 5) Present a financial report to the congress to inform the students about the status of the Union's financial status.
- 6) Shall advise the Union on financial matters and implications.

### **SECTION: 20 Functions of the Assistant Minister of Finance**

The Assistant Minister of Finance shall:

- 1) Be the Principal Assistant to the Minister of Finance and shall carry out any function(s) assigned by the Finance Minister.

### **SECTION: 21 Functions of the Minister of Welfare and Culture**

The Minister of Welfare and Culture shall:

- 1) Be responsible for all venue arrangements in consultation with the Technical and Logistics Minister and any arrangement incidental thereto.

- 2) In consultation with the Vice President, be responsible for providing, supervising and maintaining students' support services.
- 3) Be responsible for organizing social programs in the MDI and shall be creating any such committee incidental thereto to execute any particular function(s) for the interest of the Union and shall be the head of such committees.
- 4) Advise the executive council on Welfare and Cultural matters.
- 5) Collaborate with any student body in organizing social and cultural activities.
- 6) Create avenues for the promotion of culture in the MDI.

## **SECTION: 22 Functions of the Assistant Minister of Welfare and Culture**

The assistant Minister of Welfare and Culture shall:

- 1) Be the principal assistant to the Welfare and Culture Minister and shall execute any function(s) assigned by the Welfare and Culture Minister.

## **SECTION: 23 Functions of the Minister of Education and Research**

The Minister of Education and Research shall:

- 1) Be responsible for making follow ups for all unpublished and missing grades of students.
- 2) Be responsible for promoting and coordinating all student centred research activities.
- 3) Be the head of the Education and Research Committee of the Union.

- 4) Be responsible for organizing symposiums, public lectures, research paper presentations and any other educational activities.
- 5) Be responsible for facilitating student representation at the faculty board meetings.
- 6) Be responsible for the promotion of the importance of tertiary institution education.

#### **SECTION: 24 Functions of the Assistant Minister of Education and Research**

The Assistant Minister of Education and Research Shall;

- 1) Be the Principal Assistant to the Minister of Education and Research and shall carryout any function assigned by the Minister of Education and Research

#### **SECTION: 25 Functions of the Minister of Agriculture and Environment.**

The Minister of Agriculture and Environment shall:

- 1) Be responsible for promoting and coordinating all agricultural and environmental activities of the Union.
- 2) Organize and supervise environmental cleansing and preservation activity within and outside the MDI.
- 3) Be responsible for all agricultural and field work services.
- 4) Be the custodian of the Union farm (s) and farm implements.
- 5) Create any committee/commission to execute any function incidental to his/her office.

## **SECTION: 26 Functions of the Assistant Minister of Agriculture and Environment**

The Assistant Agriculture and e Minister shall:

- 1) Be the Principal assistant to the Minister of Agriculture and Environment and shall execute any function(s) assigned by the Minister of Agriculture and Environment.

## **SECTION: 27 Functions of the Minister of Sports**

The Minister of Sports shall:

- 1) Be responsible for the organization and co-ordination of all sporting activities of the Union.
- 2) Create avenues of improving student participation in sports
- 3) Be responsible for sending out notice on sporting activities of the Union.
- 4) Be the Chairperson of the Sports Committee
- 5) Organize sporting activity every semester.

## **SECTION: 28 Functions of the Assistant Minister of Sports.**

The Assistant Minister of Sports shall:

- 1) Be the principal assistant to the Minister of Sports.
- 2) Be a member of the Sports Committee

## **SECTION: 29 Functions of the Minister of Information and Communication.**

The Minister of Information and Communication shall:

- 1) Be responsible for publicity of the Union's activities.
- 2) Preside over the Press committee.
- 3) Be the spokesperson of the Union
- 4) Be responsible for generating and disseminating relevant information
- 5) Be the liaison officer of the Union.
- 6) Propagate the good image of the Union through media
- 7) Prepare monthly reports of activities of the Union and publish it.
- 8) Be the custodian of the Union's Website and all social media pages.

## **SECTION: 30 Functions of the Assistant Minister of Information and Communication.**

The Assistant Minister of Information and Communication shall:

- 1) Be the Principal assistant to the Minister of information and communication
- 2) Carryout any function(s)/duty(s) assigned by the Minister of Information and Communication.
- 3) Be a member of the Press committee.

## **SECTION: 31 Functions of the Minister of Gender and Health**

The Minister of Gender and Health shall:

- 1) Implement all activities related to the mainstreaming of gender and health

- 2) Coordinate all gender-related and initiate activities that seek to address gender related differences or stereotypes.
- 3) Create awareness on the concept of gender and implement or promote healthy behaviour through education.
- 4) In partnership with the Minister of Education and Research, organize seminars and symposiums on health and related matters.
- 5) Be responsible for the provision of assistance in the form of first aid in where ever necessary.
- 6) Work towards the creation of student's sick bay and the maintenance of the sick bay.

### **SECTION: 32 Functions of the Assistant Minister of Gender and Health**

The Assistant Minister of Gender and Health shall:

- 1) Be the Principal assistant to the Gender and Health Minister
- 2) Execute/carryout any task assigned by the Gender and Health Minister

Be a member of the Gender and Health committee

### **SECTION: 33 Functions of the Minister of Technical and Logistics officer**

The Minister of Technical and Logistics officer shall:

- 1) Be responsible for transportation arrangements and any other arrangement incidental thereto.
- 2) Arrange and co-ordinate travel and transportation activities of the Union.
- 3) Be responsible for the publication of transport itinerary for the student community at the beginning of every semester.
- 4) Create any committee/commission for the execution of any function incidental to his office.

- 5) Be responsible for the production of student identity cards.
- 6) Represent the Union in the transport committee of the Management Development Institute's administration.
- 7) Be the custodian of all Union properties.

#### **SECTION: 34 Functions of the Assistant Minister of Technical and Logistics Officer**

The Assistant Minister of Technical and Logistics Officer shall:

- (1) Be the Principal assistant to the technical and logistics Minister
- (2) Execute/carryout any task assigned by the technical and logistics Minister.

#### **SECTION: 35 Functions of the Auditor General**

The Auditor General Shall be:

- 1) Responsible for auditing the accounts of the union in accordance with international audit standards.
- 2) Countersign all statements of account(s) of the Union.
- 3) Certify that money charged on the Union's account and expended has been applied for the purpose for which it was charged or appropriated, and that expenditure confirms to the authority that governs it.
- 4) Quarterly submit the Union's audited financial report to the executive council and shall present it to the general student body at Congress.
- 5) Draw attention to any irregularities in the audited accounts, and to any other matter (s) which in his/her opinion ought to be brought to the notice of the executive council and the general student body.
- 6) Give advice to the Minister of Finance on the adoption or establishment of a reliable, transparent and accountable financial system.

# **CHAPTER 3 PROCEDURAL PROVISION**

## **SECTION: 36 Impeachment**

- (1) The power to impeach any executive member shall reside exclusively on congress.

## **SECTION: 37 Grounds for impeachment.**

- (1) An executive member can be impeached on the grounds of:
  - (a) Willful violation of this constitution or the oath of office.
  - (b) Abuse of office or serious misconduct that could likely bring In to disrepute the Students' Union.
  - (c) A vote of no-confidence.
  - (d) Mismanagement or embezzlement of the students' Union funds.

## **SECTION: 38 Procedure of impeachment.**

- (1) Any student or the executive council can file a motion of impeachment of any executive member and such a motion shall be addressed to congress.
- (2) Any motion of impeachment filed by a student shall be supported by not less than one hundred active students of MDI and signatures must be appended on the petition.
- (3) The congress shall only hear a motion of impeachment after verifying that the names and mat numbers of signatories of the impeachment motion are genuine.
- (4) The congress upon convening shall debate the motion and



hear testimonies from both the petitioner and the person petitioned who shall be invited to attend the session.

- (5) Where the congress votes to approve an impeachment, the secretary general or his or her assistant secretary general where SG is the impeached person, after been notified, shall write to the impeached person informing him his expulsion from the executive council and such a member shall cease to be a member of the executive council.

#### **SECTION: 39 Disclosure of Interest**

- (1) An Executive Member who has an interest in an issue shall disclose the nature of his or her interest to the meeting before the commencement of the meeting.
- (2) A member shall not vote in any matter or issue in which he or she has interest in respect of the matter for determination

#### **SECTION: 40 Clubs, Societies, and organizations.**

- 1) All clubs, organizations, Association and Societies shall register with the Union through the Secretary General subject to the approval of their constitution.
- 2) All clubs, organizations, Associations and Societies' constitution must be in compliance with the MDI's Student Union constitution. If the contrary is proven, such association, club, organization or societies will be denied registration.
- 3) All clubs, organization, Associations, organizations that wishes to register with the Union, the objects of such bodies must be in tandem with the interest and welfare of the students of the MDI.
- 4) Any Clubs, Associations, Organizations and Societies that fails to register with the Union shall be considered illegal. The Executive Council shall make recommendation(s) to congress and MDI's administration for appropriate action(s) against such illegal existence and operation.

- 5) All Clubs, Societies, Association registered with the Union are eligible to receive support from the Union.
- 6) Any Clubs, societies, organizations, Association intending to organize a program or event shall write two week before the event to the Council to notify the Council to hold such event. (Two weeks notification)-  
Recommendations
- 7) All correspondences addressed to the MDI's Administration from Clubs, Association, Societies or Organisations shall be copied to the Union.
- 8) In case of conflict of events between the Union and Clubs, Associations, Societies or Organizations, priority shall be given to the Union. However, attempts shall be made by the Union to avoid such conflicts by receiving the activity plans of sub-associations.
- 9) The event there is an emergency, the concern of the Clubs, Associations, Societies or Organizations shall be sent to the Secretary General within a reasonable period.
- 10) Membership of all Clubs, Associations, Societies and Organizations shall be voluntary except those of faculties/departments/schools.
- 11) All Clubs, Associations or Societies and Organization shall strive towards the realization of Unity, Peace and Stability within MDI.
- 12) No Club, Association or Society and Organization shall be allowed to register with the union which may potentially breed religious, tribal or cultural segregation.
- 13) No Club, Association or Society and Organization shall be allowed to be conducting secret underground activities, promoting cultism, and be a terror to the MDI Community.
- 14) Any upon dissolution shall surrender their assets to the Union which shall thereafter use it for the benefit of the members of the said sub-association.

- 15) Wherein the Union contributes in the acquisition of such assets it shall take forty-percent (40%) of the value of the asset (s).
- 16) Any club, Society, Association and Organization who wish to travel within and outside the country shall seek clearance from the union in writing 30 working days.
- 17) All Clubs, Associations or Societies and organizations who seek to be independent of the Union shall be stopped from such actions.
- 18) Any Clubs, Societies or Associations and Organizations who by conduct expressly or impliedly violate any provision of this constitution shall be dealt with accordingly.
- 19) The Union shall have the power to suspend or ban any Club, Association or Society and Organization from existence that contravenes any provision of this constitution.

#### **SECTION: 41 Removal of Executive Member**

- (1) A Member of the executive may be removed from office by congress if he or she is;
  - (a) Unable to perform his or her functions.
  - (b) Fails to attend meetings of the executive for more than 3 consecutive times without any reasonable excuse.
  - (c) Engage in any activity detrimental to the interest of the union.

#### **SECTION: 42 Resignation of Executive Member**

- (1) A member may resign from his or her office on giving at least two (2) weeks' notice of his or her intention to resign in writing to the President or Secretary General.
- (2) In case of the President his or her resignation shall be submitted to the Secretary General.
- (3) A notice of resignation shall contain reason(s) for resignation.
- (4) Resignation of an Executive member does not need to be tabled before any congress for decision.

(5) Any member of the executive council shall at any time be removed from office when a vote of No-confidence is passed by congress against him/her as a result of:

- (a) Abuse of office;
- (b) Willful violation of the general objective of MDI-SU;
- (c) Incompetency; and/or
- (d) Medically proven mental incapacity.

(6) The President shall only resign at congress after tendering a letter to the Secretary General who shall immediately publish the said letter to the general student body. Congress shall thereafter be called within fourteen (14) days by the Chairperson of the Assembly of president to fill the vacancy;

(7) Both the secretary general and the vice president shall tender their resignation letters to the president who shall ensure that students are notified before and during congress.

(8) The president does not have the constitutional power to remove an executive council member, but shall have the power to suspend executive member(s) in consultation with the executive council and Advisory Committee and report to congress for action within a reasonable time.

### **SECTION: 43 Dissolution of the Executive Body**

(1) The general student body shall have the right to dissolve the executive by two third of the members of the union, when it is in the prime interest of the union and call for a re-election of a new executive.

(2) The right under subsection (1) can be exercised if the petition is signed by two third of the members intended to pass the resolution.

(3) The chairman of the electoral commission of the union shall receive the petition and conduct election within two weeks in respect of the dissolution under subsection (2) of this Section.

#### **SECTION: 44 Meetings**

(1) The executive council shall meet at least once every month

(2) Special meetings may be summoned by:

(a) The president

(b) Any member of the executive council by writing to the secretary general.

(2) The purpose, time and place for special meetings shall be communicated to the executive members at least forty-eight (48) hours before the time subjected to the provisions of this constitution.

(4) Executive council meetings shall be presided over by:

(a) The president

(b) In the absence of the president, the vice president

(c) The secretary general or any other executive member assigned by the president.

(1) Where any member of the executive council presides (other than the President) at any sitting, he/she shall assume the presiding functions and powers provided by this Constitution;

(2) Quorum in the executive council shall be two-thirds (2/3) of all members of the executive council;

(3) Decision making in the executive council shall be determined by a simple majority (50+1%) Subject to the provisions of this constitution, members of the executive council shall at all times attend meetings and participate;

(4) Any other person may be invited as an observer and may take part in

- any deliberation of the council but shall not take part in decision making.
- (5) Members of the appointed committees/commissions of the Union may, at the invitation of the executive council, take part in the deliberations of the Council but shall have no voting rights.

## **CHAPTER 4: CONGRESS**

### **SECTION: 45 Congress**

- (1) Congress shall be the general assembly of all students of Management Development Institute of The Gambia and shall be conveyed at least once every half of the academic year.
- (2) The President shall summon congress as stipulated in the constitution and in addition, may summon emergency congress.
- (3) Quorum for congressional deliberations shall be seventy five (75) students.
- (3) Subject to Section 45 (3), if quorum is not met, leading is shall be Postpone, the succeeding congress shall not observe quorum;
- (4) Notice of congress shall be communicated at least two (2) weeks prior to the congress date and shall be well publicized.
- (6) Congress shall compose of only the registered students of the Management Development Institute.

### **SECTION: 46 Functions of Congress**

- (1) Subject to the provisions of this constitution, major decisions made at executive council, shall be subjected to approval by Congress.
- (2) Issues brought forward by the executive council shall be finalized by congress.
- (3) Congress shall be the final arbiter in all cases of conflict and Constitutional violations.

- (4) All budgetary estimates by the executive council shall be subjected to approval by congress.
- (5) Congress shall have the power to impeach the President or remove any other Union officer(s) in the case(s) of abuse of office or violation of the constitution.
- (6) Congress shall have the power to pass or declare a motion of no confidence on the executive council or any member of the council approved by a congressional majority of two-third (2/3).
- (7) Congress shall consider the progressive reports of the various committees and commissions of the Union.
- (8) Congress shall ratify the appointment of nominees of the executive council to the committees and commissions.
- (9) Congress shall appoint the electoral commission and their mandate shall be in accordance with the constitution.
- (10) Congress shall consider and decide all executive proposals regarding the laying down of policies.
- (11) Subject to the provisions of this constitution, decisions at congress shall be by simple majority.

#### **SECTION: 47 Extra Ordinary Congress**

- (1) Any member of the general student body shall have the power to request for an extra-ordinary congress on the conditions that the request is supported by:
  - (A) Signatories of three-quarter (3/4) of congressional quorum.
  - (B) The provision of a detailed written agenda shall be submitted council through the Secretary General.
- (2) The executive council shall debate over the issue and respond accordingly within two (2) weeks upon receipt of the request. Where the council agrees to call an extraordinary congress, the president shall be the chairperson except wherein he/she is the subject matter and the agenda shall be limited to the matter for which the congress was summoned.

- (3) In the event that the request for an extraordinary congress was rejected, the matter shall be part of the agenda to be discussed at the first ensuing congress.
- (4) An extraordinary congress may also be called if the executive council fails to call it in. The advisory committee and/or any member of the general student body shall summon the executive council to an extraordinary congress provided that
  - (A) The notice is published at least a week before the said congress
- (5) The agenda for that meeting shall be only the queries as to why the executive failed to call an ordinary congress.

## ***CHAPTER 5: FINANCIAL PROVISIONS***

### **SECTION: 48 Sources of Finance**

- (1) The Union shall be financed by funds generated through:
  - (a) Membership Union Dues: every member shall pay a prescribed amount.
  - (b) Organizing events and activities to raise funds.
  - (c) Subventions from appropriate authorities
  - (d) Endowment/donations.
  - (e) Dues from registered societies, clubs and organizations.
  - (f) Investment avenues.
- (2) Subject to the provisions of this constitution, no due shall be imposed on any student or student body, unless otherwise imposed by Congress after thorough deliberation and approval, or any other laws binding on



the students of MDI.

#### **SECTION: 49 Accounts of the Union**

- (1) The Union shall bank with any recognized reputable bank in The Gambia and all the monies shall be paid into such accounts by the finance minister of the union.

#### **SECTION: 50 Signatories to the account**

- (1) There shall be three 3 signatories to the accounts of the union namely, the president, treasurer and the secretary general.
- (2) The signatories of the accounts as provided under subsection (1) shall not be changed or substituted without the approval of the general student body.
- (3) All non-budgeted expenditures within the recurrent fund shall be approved by the executive council and in case of emergency, shall be spent, but liable to scrutiny. Failure to justify such spending will result in the amount been surcharged on the person(s) who spent it;
- (4) All spending must be backed by receipts or a written countersigned document indicating reasons for such payment/withdrawal.

#### **SECTION: 51 Annual Financial Statements**

- (1) The finance minister shall present an annual statement of accounts to the executive body in quarterly bases.
- (2) Upon receiving the report under subsection (1), the executive council shall table the Statement of account before the general student body for approval.
- (3) In cases where the financial statement is not tabled, the report shall be deemed as rejected and can be a ground for removal of the finance minister and or the president.

## ***CHAPTER 6: ELECTORAL PROVISIONS***

#### **SECTION: 52 Establishment of the Electoral Commission**

- (1) There shall be an electoral commission of MDI students' union which shall conduct all student elections.

- (2) The electoral commission shall be set up by congress and serve a term of one academic year.
- (3) The commission shall consist of ten (10) electoral officers.
- (4) The Chairperson of the electoral commission shall be appointed from among the commission members at their first meeting which shall be presided over by the President or any other member of the executive council.

### **SECTION: 53 Functions of the Electoral Commission**

- (1) The electoral commission shall be responsible for
  - (a) Organizing and effectively supervise all union elections and by-elections with utmost good faith.
  - (b) The registration of voters.
  - (c) The conduct of bye-election for any vacant position(s) before the next election, and;
  - (d) Any other functions deemed necessary in the interest of the union.
- (2) In the exercise of its functions under this Constitution, the commission shall not be subjected to the direction or control of any other person or authority.
- (2) Be responsible of conducting the external handing over and inauguration which shall be conducted within a month after elections.

### **SECTION: 54 Term of Office**

- (1) The Electoral Commission shall serve for the period of one academic year.

## **SECTION : 55 Rules of Election**

- (1) The electoral commission shall make rules of election in accordance with this Constitution that will bind the electoral process for that particular year.

## **SECTION: 56 General Election**

- (1) There shall be a general election for all executive positions before the end of the second half of the academic year.
- (2) Notwithstanding subsection (1), the assistant positions shall not be open to any election.
- (3) If a position is unopposed after the closing date of nomination, the nominated candidate shall be declared as the duly elected person for that position.
- (4) In case where a position is not contested during the election, the President elect shall nominate a candidate from the general students' body to occupy the position in consultation with the executive members.
- (5) The date of the election shall be determined by the Electoral Commission but the election shall be held not later than the first week May.
- (6) An electoral officer may be removed by the Congress on grounds of misconduct, incapacity or abuse of office through a three (3) man investigation panel set up by the executive council which will then report back to congress for decision making based on simple majority.
- (7) The electoral commission shall name the polling centers.
- (8) The chief electoral officer shall immediately, after the counting of the votes, publicly announce the result, all of which shall bear his/ her signature.
- (9) The electoral commission shall ensure that all students of MDI are informed of dates, venues, times and names of nominees for elections and all matters concerning elections in the most appropriate means.
- (10) The commission shall be responsible for general voter education before elections

- (11) There shall be two (2) weeks campaign period between nominations and election for general familiarization;
- (12) Representatives of candidates shall be present during elections (casting and counting of votes);
- (13) The outgoing executive council shall hand over all records, material and responsibilities of the union to the new executive council during the handing over ceremony

### **SECTION: 57 Qualifications for Election**

- (1) All candidates shall provide typed copies of their manifestos to the electoral commission for publication.
- (2) The debate association shall organize a debate where all candidates shall present and defend their manifesto before the general student body;
- (3) A candidate for any executive post shall, before the convention Day/night satisfy the commission that he/she is supported by twenty (20) nominees who must be registered members of the Union;
- (4) All contesting candidates shall pay a deposit determined by commission, this deposit shall be refunded upon receiving forty (40) percent of the total votes cast for that post;
- (5) Candidates shall present to the commission attestations from the executive council signed by the minister of finance that they have paid all their dues to the union before their nominations;
- (6) No one shall be qualified for elections if he/she has;
  - (a) Being rightfully terminated from his/her post in any executive council of MDI-SU.
  - (b) Being guilty of grave misconduct or grave negligence, the intensity of this is acknowledged by the position of the Constitution.

### **SECTION 58: Withdrawal of Candidate**

- (1) A candidate may withdraw from his or her candidature by notice in writing signed by him or her and delivered to the chairman of the electoral commission not later than four o' clock (4:00pm) in the afternoon before the date of the election.

- (2) Upon receiving the notice, the chairman shall acknowledge receipt of the notice and declare the withdrawal of the candidate

#### **SECTION: 59 Challenge of Election Result**

- (1) A candidate may file a petition to the electoral review commission to challenge the election result within seven (7) days after the date of the declaration of the result of the election.
- (2) Within 14 days after the filing of the petition under subsection (1), the electoral review commission shall hear and determine the petition.
- (3) Any decision made by the electoral review commission shall be final.

#### **SECTION: 60 Establishment of the Electoral Review Commission**

- (1) There shall be an electoral review commission responsible for the hearing and determination of election petitions.
- (2) The electoral review commission shall consist of a chairperson and two other members.
- (3) All members of the commission shall be appointed by the general student body.

#### **SECTION: 61 Procedure in Determining Election Petition**

- (1) In determining an election result, the commission shall urge parties to file any documents that support their petition.
- (2) The Commission may summon witness to clarify any doubts that arise during the proceeding of the petition matter

## **CHAPTER 7: MISCELLANEOUS PROVISIONS**

#### **SECTION: 62 Awards and Honors**

The President, in consultation with the executive council may

Confer AWARDS, HONORS, and MERITS on friends of MDI students' union.

#### **SECTION: 63 Distribution of the Constitution**

- (1) The Constitution shall be placed in the MDI Libraries for reference and familiarizing.
- (2) Registered Clubs, Associations, Societies and Organizations shall be provided with copies of the Constitution.
- 3) The executive council shall make a copy of the constitution accessible to each student of the MDI.

#### **SECTION: 64 Amendment of the Constitution**

- (1) All amendments to the constitution shall at congress.

#### **SECTION: 65 Constitutional Review**

- (1) This Constitution shall not be reviewed within the period of three (3) years after its coming into force.
- (2) The review process shall be initiated by the executive body.

#### **SECTION: 66 Correspondences in the Name of the Union**

- (1) No member of the union shall correspond in the name of the students 'union by any form using the name of union without the approval of the executive body.

#### **SECTION: 67 Commencement of this Constitution**

- (1) This Constitution shall come into effect once it has been adopted by two third (2/3) of the General Student Body at congress.

#### **SECTION: 68 Oath of Office**

- (1) All executive members shall take the prescribed oath as provided under Schedule 1 of this Constitution.

#### **Schedule 1**

The citation of pledge of commitment shall be recited by every elected and/or nominated member of the executive council and the electoral commission.

**The pledge**

**I..... having been elected/nominated  
as.....of the Management Development**

**Institute of the Gambia students' union do hereby pledge that:**

**I shall uphold and defend the constitution of the Management  
Development Institute of The Gambia students' union 2018.**

**I shall seek to defend and respect the democratic rights and liberties  
of all members of the union.**

**I shall execute my duties with due diligence and competence without  
fear or favor, hate or hindrance, and without personal biases.**

**I shall serve all members equally irrespective of race; creed, color,  
gender or tribe and I shall not compromise the rights and privileges of  
any member.**

**I swear this pledge with full knowledge of my responsibilities and bind  
myself to the same.**

**So help me God**

**Signed by..... at**

**.....on this.....day of.....20..... Before me.**