

## **Bylaws of the Kuwait International Law School Students' Association**

The Students' Association of Kuwait International Law School Students is an independent student organization that is based on the democratic method and represents all students in the School and is committed to achieving its objectives and the bylaws in the country, the Ministry of Higher Education, and in the School.

The following is the bylaw of the Students Association of the Kuwait International Law School.

### **Chapter I**

#### **Name, Location and Definitions**

##### **Article 1**

**Name:** Kuwait International Law School Students' Association (the Association).

**Location:** Kuwait International Law School (KILAW)

**Definition:** The KILAW Students' Association is an independent student organization based on the democratic model and it represents all students at KILAW. The Association is committed to achieving its goals based on adherence to the laws and regulations in force in the State of Kuwait, as well as the rules and regulations of Kuwait's Ministry of Higher Education and of KILAW itself.

##### **Article 2**

In applying and interpreting these bylaws, the following terms shall have the definitions hereby assigned to them:

**School:** Kuwait International Law School (KILAW)

**Association:** Kuwait International Law School Student Association (the Association).

**Assembly:** The meeting of the Association, which is the highest authority of the Association and consists of all students.

**The Administrative Governing Body of the Association:** Consists of both elected and appointed members. The Administrative Governing Body is the sole representative of the students in organizing students' activities and providing representation of KILAW.

**Members:** All KILAW students.

## **Chapter II The Association**

### **Article 3**

The Association's Members are KILAW students, each of whom has rights of nomination and election in accordance with the conditions specified below, including selecting appointed members. All Members are committed to the Association's bylaws, and they are entitled to participate in its various activities.

### **Article 4**

The General Assembly is called to meet at least once a year. The meeting is chaired by the president of the Administrative Governing Body of the Association or his/her representative. The president shall not oppose the decisions of the Association or its bylaws.

### **Article 5**

The General Assembly of the Association is held upon an invitation by the Administrative Governing Body with prior arrangement with the KILAW administration. The invitation shall be sent to all Members at least five working days prior to the meeting along with the meeting agenda. The General Assembly may hold a meeting on an exceptional basis upon written request signed by one-third of its Members stating the purpose of the meeting three days prior to the proposed meeting. If the Administrative Governing Body does not respond to this request within fifteen days, the Members who called for the meeting may ask the KILAW administration directly for the General Assembly of the Association to be held. In addition, the KILAW administration may call for a General Assembly meeting whenever it deems necessary. In this case, the KILAW administration can appoint the heads of the General Assembly if the assigned body cannot chair the meeting.

### **Article 6**

Regular and exceptional meetings of the General Assembly will be held during the official working days, upon the written consent of the KILAW President. Study will be suspended during the period specified for the General Assembly. It should be noted that the separation between male and female students is taken into account regarding seating, entrance gates, and public debates. The General Meeting of the Association is considered legal if the absolute majority of the Members of the Association are present. If an absolute majority is not possible, the Meeting will be postponed for half an hour, then the meeting will be held with any present number of Members.

The General Assembly may invite guests to attend the meeting and will allocate a special place for them.

## **Article 7**

**In its regular meeting the General Assembly may discuss the following topics:**

1. Approving the agenda.
2. Discussing the administrative report of the Administrative Governing Body. The General Assembly may or may not approve the report.
3. Discussing the financial report of the Administrative Governing Body and its approval.
4. Making decisions and recommendations within the framework of the objectives of the Association.
5. Proposing a vote of confidence in the Administrative Governing Body.
6. Discharging the members of the out-going Administrative Governing Body at the conclusion of the period of their term of office.
7. It is not permitted to amend the agenda based on suggestions by some Members unless the present agenda is fully discussed.
8. Discussing issues that may arise.

## **Article 8**

Decisions of the General Assembly are to be adopted by the absolute majority of the Members present with the exception of the following topics, which require the approval of two-thirds of the Members present:

1. Not absolving the out-going Administrative Governing Body.
2. Amending these bylaws after obtaining the approval of the KILAW administration.
3. Removing the membership of the Administrative Governing Body of the Association in accordance with the provisions of these bylaws.

## **Article 9**

**The Members of the Association enjoy the following additional rights:**

1. The right to ask questions and obtain information from the Administrative Governing Body.
2. The right to provide written information to the General Assembly regarding any subject under discussion.
3. The right to submit proposals to the General Assembly. Such proposals must be submitted by at least two Members to the president of the Administrative Governing Body.

## **Article 10**

### **Membership termination and suspension:**

Membership of the Association expires in the following cases:

1. Upon graduation from KILAW.
2. Upon dismissal from KILAW.
3. Upon an interruption of study for more than one semester.

## **Article 11**

The chairperson of the General Assembly must respond to Members' requests according to their rights mentioned in Article (9) based upon priority requests are received exercise. In addition to the previous rights, the Members enjoy the right to interrupt the chairperson by a show of hands. In this case the chairperson should suspend the discussion to listen to the raised point. All Members present have the right to vote on any proposal submitted to the Assembly by simply saying "Yes", "No" or "Abstain". The voting process is decided by the chairperson.

## **Article 12**

General Assembly Members are committed to maintaining the order of the General Assembly and agree not to address the Members unless and until they have been authorized by the chairperson. Members shall respond to the orders of the president of the General Assembly. When a Member is given the right to speak, only the chairperson can interrupt the speaker. Other Members can do so by raising their hand if the speaker deviates from the topic or breaches the bylaws. After the Member has finished his/her speech, the chairperson or another Member appointed by the chairperson can comment on the speech. The Member shall then be entitled to a right of reply, one-time only. If there is a proposal, the sponsors will read the proposal in front of the General Assembly. Then two supporters and two opponents will alternately present their opinions before voting on the proposals.

## **Article 13**

Before voting occurs, proposals' sponsors may withdraw or amend their proposals. If proposals are amended, there should be a new discussion before voting. The chairperson may clarify some issues related to the proposal before voting.

## **Article 14**

Under the supervision of the KILAW administration, and based upon a decision by the Administrative Governing Body, two committees shall be formed, one for male students and

the other for female students. The purpose of such committees is to help the chairperson maintain order during the General Assembly meeting. A head and assistant for each committee will be appointed after the formation of each committee.

The two committees are responsible for supervising the Members in the General Assembly meeting. They are also responsible for receiving the Members' applications for practicing their rights as well as collecting and counting the votes of "Yes", "No" and "Abstain". Voting results should be announced immediately. In addition, the two committees are responsible for maintaining order and tranquility in the meeting hall. Committees' members are required to carry their badges.

### **Article 15**

During the meeting, the chairperson can assign the following penalties against any Member who violates the provisions of these bylaws or the order of the meeting:

- A. Warning.
- B. Temporary dismissal from the General Assembly session.
- C. Final dismissal from the General Assembly session.

After warning Assembly Members, the president of the Assembly can deprive any member of their right to interrupt speakers if this right is being abused.

### **Article 16**

The withdrawal of any number of Members during the General Assembly meeting does not affect the legitimacy of the meeting. The General Assembly may adjourn the meeting and decide to sit in a time and place as determined by the chairperson of the meeting upon written consent, without the requirement of a quorum, and without a change in the agenda.

## **Chapter III**

### **Administrative Governing Body**

#### **Article 17**

The Administrative Governing Body of the Association aims to develop students' personality and leadership skills in accordance with the goals, vision and mission of KILAW. It mainly aims to:

- 1- Develop positive values amongst students and create an academic atmosphere which allows students to express their opinions and ideas.

- 2- Strengthen the relationship between students, the KILAW administration and faculty members.
- 3- Participate in efforts to obtain the utmost benefits from the opportunities available at KILAW.
- 4- Liaise closely with the KILAW administration to express its opinions and points of view on matters of interest to students, and act as a conduit for the transfer of students' points of view to the KILAW administration.
- 5- Provide students with an opportunity to develop leadership skills and learn about responsibility.
- 6- Discover, develop and refine students' individual talents.
- 7- Organize and regulate students' activities.
- 8- Organize students' capabilities for the sake of carrying out community service.
- 9- Convey any suggestions or complaints by students to the KILAW administration.
- 10- Represent the students in KILAW's administration, committees, and joint committees as determined by the KILAW administration.
- 11- Cooperate with the Registration and Guidance Office at the beginning of each semester to help new students to register at KILAW and contribute to orientation sessions.
- 12- Work on creating student activities that elevate students' performance and help prepare students for their future.
- 13- Facilitate students' services and contribute towards improving KILAW's overall performance.

### **Article 18**

Based upon the provisions of these bylaws, every student has the right to be a Member of the Administrative Governing Body of the KILAW Students' Association. The Administrative Governing Body consists of seven members, five of whom are directly elected by the students, provided that for each academic year there should be:

- One representative of first year students.
- One representative of second year students.
- One representative of third year students.
- One representative of fourth year students.
- One representative of part-time students (evening students).

Regarding the other two members, the KILAW administration appoints them on the basis that these appointed Members should represent other categories of students, such as LLM students, high academic achievers, students with special needs, and so on. The system of appointing two members will be effective until it is substituted by another system.

### **Article 19**

The elections for the Administrative Governing Body are held at the beginning of every semester. The election date is decided by the Administrative Governing Body after obtaining written approval from the KILAW administration in accordance with the provisions of these bylaws.

The election system is based on individual nomination. Among a group of candidates, who are supposed to represent the students of a certain year, one candidate is said to represent the students of a certain year. It is not allowed to form coalitions or parties as there should be one candidate elected for each year level.

### **Article 20**

Every candidate has a maximum budget of KD 300. The candidate should present a report for the expenses during the election campaign, such as source of money and the expenditure process. The KILAW administration has the right to obtain access to all such details.

### **Article 21**

The maximum number of posts for every candidate is four posts (posters – banners... etc), and the school can help with other five posts with candidate's names on them.

### **Article 22**

Candidates should apply in person to the Students' Activities Office or Students' Guidance Office if they wish to be considered for election. Candidates should:

- Have a GPA of at least 2.33 (B+), but first semester students in the first year should have an average of 80% in their most recent year's school grades.
- Have not received a GPA warning.
- Have not been the subjects of any disciplinary action whether for academic or administrative purposes.
- Have not received warning letters for absences in two or more courses per semester.
- Have not withdrawn from the semester, or suspended their study for the semester in which they are seeking election.
- Was not an ex-member in a previous Administrative Governing Body that has been deprived of confidence.

### **Article 23**

Within seven days of their election, the members of the Administrative Governing Body should hold a meeting at which they should select the following offices:

- 1- Three members among continuing full-time day students, and not a freshman<sup>1</sup>.
- 2- A vice president for male students' affairs.
- 3- A vice president for female students' affairs.
- 4- A secretary.
- 5- A treasurer.

A copy of the minutes of the inaugural meeting shall be sent to the KILAW administration within 24 hours of the meeting.

### **Article 24**

Based on an invitation by the president, the Administrative Governing Body should meet at least once every fortnight, or when a third of the Members call for a meeting, or whenever necessary. The Administrative Governing Body is the only representative of KILAW students. It shall act in accordance with these bylaws. Its main purposes are to:

1. Implement the General Assembly's decisions.
2. Identify and account for income and expenditure.
3. Present a financial and administrative report to the General Assembly.
4. Carry out tasks and activities that lead to the fulfillment of the Association's goals.

From its Members or others, the Administrative Governing Body can form its own temporary and permanent committees. It can also appoint heads of committees and their deputies; and request them to present their reports to the Administrative Governing Body. The Administrative Governing Body cannot announce anything in its name unless it has obtained written permission. A copy of the minutes of all meetings should be presented to the KILAW administration within one week of the meeting along with a copy of all discussed documents, including names of present and absent members (with / without an excuse).

### **Article 25**

**The president of the Administrative Governing Body is responsible for:**

1. Representing students in front of the school and other bodies.
2. Chairing the meetings of the Administrative Governing Body and the General Assembly.

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<sup>1</sup> Based on the Board of Trustees' decision in their meeting no. 4/2013.



3. Judging the administrative issues.
4. Signing contracts upon the decisions of the Administrative Governing Body.

The president of the Administrative Governing Body cannot make any contracts with external bodies unless first approved by the KILAW administration.

#### **Article 26**

**The male vice president of the Administrative Governing Body is responsible for:**

1. Chairing the meetings of male students' committees.
2. Representing male students' committees in front of the Administrative Governing Body.
3. Regularly presenting reports on students' committees.
4. Fulfilling the tasks issued by the president of the Administrative Governing Body.
5. Acting on behalf of the president of the Administrative Governing Body.

#### **Article 27**

**The female vice president of the Administrative Governing Body is responsible for:**

1. Chairing the meetings of female students' committees.
2. Representing female students' committees in front of the Administrative Governing Body.
3. Regularly presenting reports on female students' committees.
4. Fulfilling the tasks issued by the president of the Administrative Governing Body.
5. Acting on behalf of the president of the Administrative Governing Body.

#### **Article 28**

**The secretary is responsible for:**

1. Calling for meetings of the Administrative Governing Body in coordination with the president, taking minutes at the meetings and signing the minutes with the president.
2. Following up on the implementation of the decisions of the Administrative Governing Body.
3. Preparing correspondence issued by the Administrative Governing Body.

4. Filing all documents and obtaining stamps, and is considered personally in charge of keeping them.
5. Taking necessary procedures of calling for a General Assembly's meeting and preparing the agenda.
6. Presenting a copy of the minutes to the KILAW administration.

#### **Article 29**

**The treasurer is responsible for:**

1. Keeping records of all revenues according to stamped bills and invoices.
2. Supervising expenditure according to written orders from the president of the Administrative Governing Body.
3. Preparing the financial report of the Administrative Governing Body.
4. Providing the KILAW administration with a copy of all the Association's revenue-and-expenditure documents.

#### **Article 30**

To be legal, all regular and exceptional meetings of the Administrative Governing Body should be held with the presence of the majority of the members. The decisions in the Administrative Governing Body are taken by majority vote. If the votes are equal, the president of the Administrative Governing Body will have the casting vote. A decision may be approved by passage of resolution in an exceptional manner, under the condition of the consensus of the members of the Administrative Governing Body. Meetings begin by approving the agenda. Every member has the right to discuss and propose changes to the agenda.

The invitation to the meetings of the Administrative Governing Body should be in person and in writing; otherwise, the meeting will be invalid.

After the approval of the Administrative Governing Body, every member has the right to ask for adding a new issue to the agenda at the beginning of the meeting. The exceptional meetings are limited to discussing the particular issue for which the meeting is held. If the meeting is adjourned before finishing all the agenda, the remaining issues will be transferred to the agenda of the following meeting with the priority being given to those outstanding issues over other issues, unless a different decision is taken by the Administrative Governing Body.

### **Article 31**

If a member of the Administrative Governing Body has an unexcused absence for four consecutive meetings or seven non-consecutive meetings throughout the academic year, he/she will lose his/her membership.

### **Article 32**

If a member resigns or is dismissed for any reason, the on bench member will replace the resigned member who gets the highest votes. The Administrative Governing Body as a whole will be considered to have resigned if the majority of the members resign. In this case, the Administrative Governing Body will carry on its responsibilities until a new governing body is elected.

### **Article 33**

If the administrative Governing Body violates KILAW's regulations, the KILAW administration has the power to dissolve it, and appoint new members until new elections are held, which should take place as soon as possible.

### **Article 34**

Individual membership of the Administrative Governing Body is suspended in the following cases:

1. Study suspension for more than one semester upon the student's request.
2. Study suspension as a result of a disciplinary decision.
3. Study discontinuity for one semester.
4. Receipt of a warning upon a serious violation, or upon misbehavior in connection with a faculty member or an administrative employee.

A member of the Administrative Governing Body might lose his/her membership in the following cases:

- 1) When the member violates any article in these bylaws.
- 2) When the member violates any of KILAW's general regulations.
- 3) When the member receives disciplinary punishment.
- 4) When the member resigns from the Administrative Governing Body.

This is based on:

- A decision by the School administration; or

- A decision by the General Assembly based on a recommendation of the Administrative Governing Body.

### **Article 35**

Students are strictly forbidden from carrying out any activities or representing students outside from the framework of the Administrative Governing Body, whether in or out of KILAW. In the case of a violation, the student will be subject to the disciplinary actions mentioned in these bylaws.

## **Chapter IV**

### **Rules and Procedure of the Administrative Governing Body Elections**

#### **First: voters and candidates**

### **Article 36**

All members have the right to vote in the Administrative Governing Body elections. One voter has one vote only, which should be cast in person. All members have the right to take part in the elections based on these bylaws. The Association shall receive a list of the students who have the right to vote.

#### **Second: nomination procedure**

### **Article 37**

The KILAW administration shall invite nominations at the beginning of the first semester. The announcement should be made ten days prior to the election date, or five consecutive working days.

### **Article 38**

Based upon the written consent of the KILAW administration, the Administrative Governing Body will announce:

1. The date and venue for receiving nomination applications.
2. The availability of the application form and the method for the receipt of applications.
3. The election date and the number of ballot boxes.
4. The presentation of names of representatives for election and the counting committees.
5. The revision of students' names.
6. The allocation of places for campaign posts.

The KILAW administration is responsible for all previous procedures.

Candidates can withdraw in person from the election contest upon providing written consent at least forty-eight hours prior to the elections date. It is not permitted to prevent by any means any candidate from withdrawing from elections.

### **Third: Election procedure**

#### **Article 39**

The KILAW administration is responsible for forming main and sub- committees that equally represent all candidates.

The main election committee meets from the beginning of the elections until the end. It is responsible for monitoring the election process, considering complaints and reporting the decisions taken regarding the election process.

Sub-election committees meet before the elections start. They count the votes and report any complaints to the head of the main election committee.

#### **Election minutes should include:**

#### **Article 40**

1. The venue and time of the election.
2. The number of voters according to lists.
3. The number of voters according to the number of election papers.
4. Any changes in committee members or times.
5. Any election suspension with an explanation of the reason and duration.
6. The names of committee members present when election closes.
7. Any other events.
8. Verification that the election process is transparent.
9. An attachment with the names of eligible voters.

The elections record shall be opened before the election time. If committee members are late for the election, the head of the committee can chose two of the present voters to be temporary members of the committee until the absent members arrive.

#### **Article 41**

The election process is by means of secret ballot, and will proceed as follows:

1. The identity of every voter will be verified. This is done by presentation of the student's civil I.D. or school I.D. or any other official I.D.
2. The head of the committee hands every voter a numbered and stamped election paper.
3. Every voter's name will be marked after the voter finishes voting.
4. The voter will head to the election room, where he/she will vote in written form.
5. Every voter has the right to vote for one candidate only according to articles (18), (19), and (32) of these bylaws.
6. After completing the voting procedure, and in front of the election committee, the voter will fold the election paper and drop it in the ballot box.

#### **Article 42**

The election process should be held over a period of time that is not less than seven hours with the possibility of extending the process for some time.

#### **Fourth: vote-counting procedure**

#### **Article 43**

After the election process is over, the election committees should seal the ballot box, and move all documents to the counting room, which is nominated by the KILAW administration. Then, the counting process will begin. The counting process will proceed in accordance with these bylaws.

#### **Article 44**

Election papers are considered invalid in the following cases:

1. If they are conditioned.
2. If they contain more names than are allowed.
3. If they are not stamped.
4. If they are not numbered.
5. If they contain any mark that refers to the voter.
6. If they contain any insults to anybody.

If there is a dispute over an election paper, the paper will be referred to the main counting committee. There will be a vote held regarding the validity of this paper. The outcome will be determined by majority vote. In case of equal votes, the head of the committee will have the casting vote.

#### **Article 45**

A report of the counting process should be prepared and it should include:

1. The time and venue of the counting process.
2. The names and signatures of the counting committee present at the beginning of the counting process.
3. The number of the voting papers.
4. Notification of any differences between the number of the voting papers in the ballot box and the number of voters according to voters' lists.
5. The number of invalid voting papers.
6. The number of votes that every candidate receives.
7. The total number of votes for each candidate.
8. Description of any other events.
9. Verification of the transparency of the election process.
10. The names and signatures of the counting committee members present when the counting process concluded.

#### **Article 46**

The election and counting committee announces the final results of the election process. If there is no winning party, all parties are equal, and no one concedes, there will be a final decision which will take into account the following criteria:

1. The number of completed study units.
2. The total GPA.
3. If the previous two criteria do not determine the outcome, a blind choice will be the last resort.

#### **Article 47**

The out-going Administrative Governing Body will hand over to the newly elected body within five days of the election results being announced. The out-going Administrative Governing Body should hand over the following items:

1. The Association's rooms and equipment (including access to same).
2. The Association's stamps.
3. The Association cheques, financial records, receipts and expenditure documents.
4. In-and-Out files.

5. The Association's archives.

The out-going Administrative Governing Body is legally responsible for any losses of the documents.

## **Chapter V**

### **The Budget of the Administrative Governing Body**

#### **Article 48**

The revenues of the Administrative Governing Body include:

- 1- The cash presented by KILAW.
- 2- Donations and gifts received upon the approval of the KILAW administration.
- 3- Revenues of the Association's activities and its committees.

#### **Article 49**

The Association has a financial auditor who is a KILAW employee. The auditor is responsible for checking and revising all the financial activities. The financial auditor is responsible for:

1. Organizing the financial process.
2. Preparing accounting bills.
3. Supervising the expenditure operations.
4. Preparing budgets and closing accounting processes.
5. Carrying out inventory tasks when necessary.

#### **Article 50**

The Association's cash money will be deposited into one of the Kuwaiti national banks based on a letter from the KILAW administration. The expenditure operations are processed according to official documents signed by the Association's president and treasurer. Any expenditure operation should be signed by the one who receives the cash. Compensation will be activated when the expenditures reach 75% of its original value.

#### **Article 51**

These bylaws are effective from the academic year 2011-2012. The General Assembly can either change these bylaws in part or in whole after obtaining the approval of two-thirds of the Association's members. The changes should be ratified by the KILAW administration. Finally, the KILAW administration can amend these regulations in part or in whole as and when it deems necessary.