

KYAMBOGO

UNIVERSITY

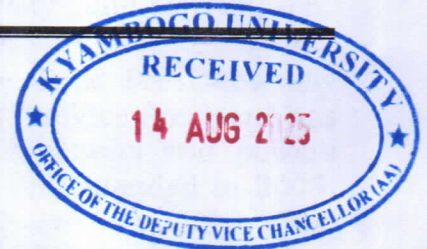
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BWETE TONNEY

20TH GRC EVENING STUDENTS AND FORMER GUILD PRESIDENTIAL ASPIRANT.
P.O. BOX 01, KYAMBOGO, KAMPALA-UGANDA
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13th AUGUST 2025.

TO: Chairperson, Students' Affairs and Welfare Committee,



Dear Sir/ Madam,

**RE: FORMAL PETITION and OBJECTION TO YOUR OFFICE
TO APPOINT and ILLEGALLY SWEAR-IN STUDENTS' LEADERS
AND REQUEST FOR PROCEDURAL REVIEW IN GETTING
STUDENTS' LEADERS and REPRESENTATION.**

1. Background

Following the dismissal of the Guild President, it has come to our attention that the Chairperson of the Students' Affairs and Welfare Committee intends on Friday 15th August 2025 in a meeting called at 10.00am to:

1. Swear in the another student as Guild President without following the guild constitution; and
2. Appoint and swear-in 2 "Female" students as students' representative to the University Council centrally to the law.

These intended actions contravene the Guild Constitution, the Kyambogo University Students' Handbook, and the Universities and Other Tertiary Institutions Act, the anti-corruption act of 2009 (as amended), article 17(1)(i) and (b) and must therefore be stopped.

2. Constitutional and Legal Grounds

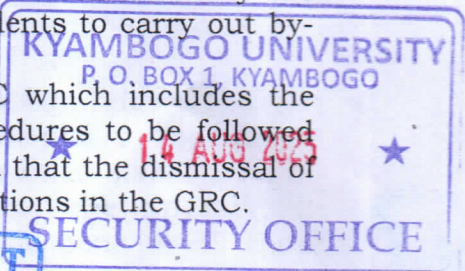
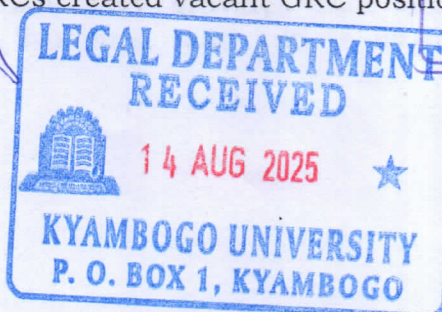
(a) Article 9, Clause 7 of the Guild Constitution

"In the event of a post falling vacant in the GRC, the Speaker shall notify the Electoral Commission in consultation with the Dean of Students to carry out by-elections."

While article 7(2) clearly states the composition of the GRC which includes the Guild president and article 9(7) clearly guides on the procedures to be followed when a position falls vacant in the GRC, I am reminding you that the dismissal of the Guild President and other GRCs created vacant GRC positions in the GRC.



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The Speaker is constitutionally mandated to notify the Electoral Commission, and a by-election must be held within 28 days. Any unilateral appointment by a committee is unconstitutional.

(b) Article 8, Clause 8B(e) of the Kyambogo university guild constitution applies only to death or physical/mental incapacity of the President. The current scenario (dismissal) is governed by Article 9, Clause 7 of the guild constitution, not 8(8B)(e).

(c) Article 7, Clause 2(b)(i) of the Kyambogo university guild constitution confirms that the Guild President is a member of the GRC, making the position vacant upon dismissal which revokes **article 9(7)** of the Kyambogo university guild constitution.

(d) Article 8, Clause 8(8A)(p) clearly guides that Only the Guild President may appoint a student representative to the University Council. (The Vice President has no authority to make this appointment as per his/her functions and powers stipulated in **article 8(8)(B)** of the 2002 guild constitution (as amended in 2004, 2006, 2010 and 2017) which was in force at the time this happened, and it must be formalized in a written letter. It's on record that by the time the guild president was dismissed, there was no formal appointment he had done to the University Council and overriding the powers of the guild by your office has raised a procedural and constitutional red flag in our guild governance more so when you are only showing interest in few constituencies leaving other constituencies.

(e) Gender Balance Requirement (Article 8(8A)(p)) of the guild constitution. The two University Council representatives must be of opposite sex. Swearing in two females by your committee would be unconstitutional.

(f) Section 37, Kyambogo University Students' Handbook. The Students' Affairs and Welfare Committee has no power to appoint Students' representatives to the University Council. This is a sole role of the students' guild and forcing puppets on us is acting ultra vires and raises a red flag whether the legitimately elected leaders who were serving the interests of students were dismissed to fulfill these management's interests or cover up possible audit queries that he had been determined to do. If the students' handbook and constitution guided you to act and dismiss our leaders, now why don't you use the same documents to correct everything.

(g) Article 7(2)(b). Vacant Offices

Current vacancies in the GRC house include:

1. Guild President.
2. Representative of Government Sponsored Students
3. Two representatives from the School of Management and Entrepreneurship
4. One Special Nominee
5. Representative from the School of Art and Industrial Design. How are these constituencies going to be represented after just the committee picking the interest of appointing for us only constituency representatives of their interests?

Article 9(7) of the guild constitution provides that only the Speaker, in consultation with the Dean of Students, may initiate by-elections to fill these vacancies.

(h) Universities and Other Tertiary Institutions Act – Section 38(1) confirms that Only one female student may be a member of the University Council. Members are appointed by the Students' Union, not the Students' Affairs and Welfare Committee. Appointing two female students in a deal for us is unconstitutional.

- (i) Universities and Other Tertiary Institutions Act – Section 69(1)(a).**
The governance of the Students' Association is guided by a student-drawn constitution. Management or committees cannot override this; we haven't lost powers to govern our leadership.

Not even the GRC house has powers to override the **article 9(7)** under their functions and powers as provided for in **article 8(2)** all of the Kyambogo university guild constitution as amended.

(j) Abuse of office / Misuse of public office.

It's illegal for a public officer to misuse the powers of their position to make appointments, decisions, or actions that are illegal, unauthorized or outside their jurisdiction. Such actions may be motivated by favoritism, personal gain or political objectives and it violates public trust as established in the **anti-corruption act of 2009 (as amended)**

Precedent exists in Uganda, notably Makerere University Business School, where senior officials were investigated before the Anti-Corruption Court for illegal appointments and abuse of office. Appointing and swearing in of a guild president (who is a principal signatory of the guild funds) as opposed to **article 9(7)** not legitimately voted and appointment of university council representatives would be considered acting ultra vires.

3. Our Position

We categorically reject and object to:

1. The swearing-in of any student as Guild President without a by-election.
2. Any appointment of a University Council representative by anybody or any committee.
3. Installation of two female students' representatives to the University Council in violation of the constitution and national law.
4. Any attempt by the Students' Affairs and Welfare Committee to assume powers not granted under the constitution or Students' handbook.

4. Our Request

1. The Speaker of the GRC should immediately notify the Electoral Commission of the Guild President's vacancy.
2. The EC should initiate a by-election within 28 days in accordance with **Article 9(7)**.
3. No appointments on behalf of students or swearing-in by the Students' Affairs and Welfare Committee should occur.

4. Any University Council appointment must be made by a duly elected Guild President, respecting gender balance rules.

5. Notice of Consequences

Should the Students' Affairs and Welfare Committee or any other body proceed with unconstitutional actions, we reserve the right to:


Challenge such actions before the University Tribunal.

Seek judicial review in the High Court of Uganda.

Log in formal complaint before relevant legal channel including but not limited to; anti-corruption court, Auditor general's office, ministries, agencies, human rights agencies, Equal opportunities commission or any relevant authority.

Mobilize students to ensure constitutional compliance.

Yours in service,


BWETE TONNEY
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~~cc.~~ The Vice chancellor
~~cc.~~ University Secretary
~~cc.~~ Principal Legal Officer.
~~cc.~~ DVC F&A
~~cc.~~ University Council Members
~~cc.~~ Dean of Students
~~cc.~~ Principal Warden
~~cc.~~ Chief Security Officer
~~cc.~~ The Speaker, Guild Representative Council (GRC)
~~cc.~~ The Chairperson, University Electoral Commission
~~cc.~~ Students' Body

"We may all be persecuted in our pursuit for justice, but the blood of our efforts will nourish the tree that will bear fruits of freedom in our Education systems." So help me God.