



**UOW LAW STUDENTS' SOCIETY**

**CONSTITUTION**

**(as of September 2018)**

**Part 1 – Preliminary**

1.1. Name of the Society

This Constitution and rules document formally establish a society of law students at the University of Wollongong. The name of this society shall be the University of Wollongong Law Students' Society Incorporated.

## 1.2. Definitions and Interpretations

1. Unless contrary intention appears, the following terms shall have the meaning set out below wherever they are used in this constitution:

<b>ALSA</b>	Australian Law Students' Association
<b>THE SOCIETY/UOWLSS</b>	The University of Wollongong Law Students' Society Incorporated.
<b>BOARD</b>	The Executive of the Society and the Committee
<b>COMMITTEE</b>	A group of positions including the Executive, Publications Officer, Competitions Officers, IT Officer, Events Officer, Access Officer, Equity and Social Justice Officer, Careers Officers, Second and First Year Representatives, South West Sydney Campus Representative and the Ex-Officio Position
<b>COMMISSIONER</b>	The Commissioner of the Office of Fair Trading
<b>CSE</b>	The Centre for Student Engagement, UOW Pulse
<b>CSSC</b>	University of Wollongong Clubs and Societies Support Committee
<b>CSSO</b>	University of Wollongong Clubs and Societies Support Office
<b>EXECUTIVE</b>	The group of positions including: President; Vice President (Administration), Vice President (Education), Vice President (Events), Vice President (Finance), Vice President (Competitions), Vice President (Careers) and Vice President (Publications and Marketing)
<b>FACULTY</b>	The Faculty of Arts, Humanities and Laws at the University of Wollongong
<b>FINANCIAL MEMBER</b>	A 'Social Member'
<b>LAW STUDENT</b>	A current student enrolled in an LLB degree at UOW, or any UOW student undertaking the PLT course offered by the Faculty

<b>LLB DEGREE</b>	Any law degree offered by the Faculty (either stand alone or combined with a second degree) or any PLT course offered by the Faculty
<b>MEMBER</b>	An Academic and/or a Social and/or Faculty Member
<b>PORTFOLIO</b>	The responsibilities set out in this document and all matters reasonably incidental there to
<b>PROJECT GROUP</b>	A Group created from time to time by a vote of the Committee or Executive to meet a specific project need
<b>PULSE LIAISON OFFICER</b>	Designated executive member serving as liaison between the Society and Unilife.
<b>REGISTER</b>	The Register of Academic Members and/or the Register of Social Members and/or the Register of Faculty Members
<b>SCHOOL</b>	The School of Law
<b>SECRETARY</b>	The person holding office under these rules as Vice President (Administration) of the association
<b>SESSION</b>	University of Wollongong teaching session (Autumn and/or Spring)
<b>SPECIAL / EXTRAORDINARY GENERAL MEETING</b>	A general meeting of the association other than an annual general meeting
<b>SIMPLE MAJORITY</b>	At least one half of the voting members present at that meeting
<b>SOCIETY</b>	The University of Wollongong Law Students' Society Incorporated
<b>SPECIAL MAJORITY</b>	At least two thirds of the voting members present at that meeting.
<b>STUDENT</b>	A student currently enrolled at UOW or a graduate from UOW
<b>THE ACT THE REGULATION</b>	The <i>Associations Incorporation Act 2009</i> (NSW) The <i>Associations Incorporation Regulation 2016</i> (NSW).

<b>UNIVERSITY</b>	The University of Wollongong
<b>UOW</b>	The University of Wollongong
UOW UniLife	The University of Wollongong Unilife Organisation, which is a subsidiary of UOW Pulse and includes Uniclubs.
<b>WUSA</b>	The University of Wollongong Undergraduate Students' Association

2. In these rules:

- a. A reference to a function includes a reference to a power, authority and duty, and;
- b. A reference to the exercise of a function includes, if the function is a duty, a performance of the duty.

3. The provisions of the *Interpretation Act 1987 (NSW)* apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

4. Where this constitution requires Public Notice to be given, it shall be sufficient that the requisite notice be given either on a notice board located near the Faculty of Law administration office, or on the Society Website, and/or such other sites as nominated by the Committee (for example the Society Facebook Page).

5. If at any time there is a dispute as to the interpretation of this or any clause contained in this constitution, the Committee shall meet and vote to decide the correct interpretation.

Only a simple majority is needed. This decision shall be final and binding.

### 1.3. Objects

1. The objects of the Society shall be adhered to by all academic members and all social members and will be as follows:

- a. To promote the Law Students of the University of Wollongong in matters affecting their interests and to promote student participation in the consideration of such matters.

- b. To promote and develop all aspects in the studies of law and legal practice at the University of Wollongong, particularly in the intellectual, social, and cultural spheres.
- c. To provide a conduit between law students, the professional and academic communities.
- d. To organise law related activities and embark upon law related projects in accordance with law students' interests and tastes, as determined by the Committee.
- e. To increase the awareness of and participation in the Society by all law students.
- f. To increase awareness of ALSA amongst all law students, and encourage participation in ALSA by Academic Members.

#### 1.4. Assets

- 1. The society will be a non-profit association.
- 2. The assets and income of the society will be applied solely in the furtherance of its objects and purposes.
- 3. No portion of the assets or income of the Society will be distributed, directly or indirectly, to the members of the Society, except as bona fide compensation for services rendered or expenses incurred on behalf of the Society.
- 4. Property and assets provided by or purchased with funds provided by Uniclubs remains the property of Uniclubs.

#### 1.5. Affiliation

- 1. The Society is affiliated with the Australian Law Students' Association.
- 2. The Committee may choose to affiliate the Society with UOW Pulse and/or WUSA.
- 3. If the Society disaffiliates with WUSA and/or UOW Pulse, the Society will forfeit all property to WUSA and/or UOW Pulse to the extent that those funds and property were provided by WUSA and /or UOW Pulse.
- 4. If the Society ceases to operate for more than one year, the Society will forfeit its property to UOW Pulse and/or WUSA to the extent that that property was provided

by UOW Pulse and/or WUSA. In this event, UOW Pulse and/or WUSA will return the property to the Society if it resumes operation within five years and makes a written application for it.

## **Part 2 – Membership**

### **2.1. Number of Members**

In order to remain active, the society must have at least 10 members at any one time. This number can include the executive of the society.

There is no upper limit to the number of members.

### **2.2. Eligibility for Academic Membership**

1. Any natural person who is a student presently enrolled at the University of Wollongong in an LLB Degree, LLM Degree, GDLP or Law PhD is eligible to join the Society as an Academic Member.
2. Where Unilife membership is offered on the student's home campus then membership of Unilife must be held in order to be eligible for membership with the society.
3. The Vice President (Administration) must ensure that such students:
  - a. Are made aware of the nature of their Membership; and
  - b. Provide the Society with:
    - i. their full name;
    - ii. their University allocated email address and/or their preferred email address to receive LSS correspondence;
    - iii. the name of the degree they are enrolled in; and
    - iv. any other information required by the Society's affiliates at the time of application.
4. Students who refuse to provide the Society with these details will be considered to have repudiated their Academic Membership.

### **2.3. Eligibility for Social Membership**

1. Any natural person who is a student, alumni, friend or staff member of the University, is eligible to join the Society as a Social Member, provided they identify with the Objects of the Society.
2. In order to join the Society as a Social Member, a person must:
  - a. Pay the membership fee as prescribed by the Committee; and
  - b. Provide the Society with:
    - i. their full name;
    - ii. their preferred email address to receive LSS correspondence;
    - iii. the name of their current or completed degree or place of employment, or a nomination form completed by a current Academic or Social Member; and;
    - iv. any other information required by the Society's affiliates at the time of application which may include UOW student ID, home address if not a student and the date on which they became a member.

#### 2.4 Eligibility for Faculty Membership

1. Any natural person who is a staff member or visiting fellow of the Faculty of Law at UOW, is eligible to join the Society as a Faculty Member.
2. In order to join the Society as a Faculty Member, a person must:
  - a. Apply for Faculty Membership on the appropriate form provided by the committee; and
  - b. Provide the Society with:
    - i. their full name; and
    - ii. their university email address; and
    - iii. any other information required by the Society's affiliates at the time of application.

#### 2.5. Eligibility for Alumni Membership

1. Any natural person who has graduated has been awarded a LLB Degree, LLM Degree, GDLP or Law PhD by the University of Wollongong is eligible to join the Society as an Alumni Member.
2. In order to join the Society as an Alumni Member a person must:
  - a. Apply for Alumni Membership on the appropriate form provided by the Committee; and
  - b. Provide the Society with:
    - i. their full name;
    - ii. their preferred email address to receive LSS correspondence;
    - iii. the name of their completed degree and graduation date; and
    - iv. any other information required by the Society's affiliates at the time of application.

## 2.6. Duration of Academic Membership

Academic Membership is valid for the duration of enrolment in an LLB degree and ceases at graduation.

## 2.7. Duration of Social Membership

All Social Memberships are valid until Monday of Week One (1) of Autumn Session in the following year in which the Social Membership was purchased.

## 2.8. Duration of Alumni Membership

Alumni membership will not expire.

## 2.9. Duration of Faculty Membership

Faculty Membership is valid for the duration of employment at UOW and ceases on termination of employment.

## 2.10. Rights of Academic Members

1. All Academic Members have the right to:
  - a. Attend Annual and Special General Meetings;
  - b. Vote at Annual and Special General Meetings;
  - c. Nominate another Academic Member to become a Committee member of the



Society;

- d. Be nominated to become a Committee member of the Society;
- e. Become a Committee member of the Society;
- f. Submit articles for the publications team to consider including in society publications;
- g. Access electronic copies of the Society's current publications (if applicable);
- h. Apply to participate in Society competitions; and
- i. Apply to the Committee to attend ALSA competitions and events.

## 2.11. Rights of Alumni Members

1. All Alumni Members have the right to:

- a. Attend Annual and Special General Meetings of the Society;
- b. Speak at Annual and Special General Meetings of the Society;
- c. Submit articles for the publications team to consider including in Society publications; and;
- d. Access electronic copies of the Society's current publications (if applicable).
- e. Apply to the Committee to attend ALSA competitions and events.

## 2.12. Rights of Social Members

1. All Social Members have the right to:

- a. Access advanced ticket sales of selected Society event(s) as prescribed by the Committee;
- b. Receive a discount on one (1) ticket purchased for personal use to any Society event(s) nominated for Social Member discount by the Committee;
- c. Receive any promotional giveaway(s) or other benefit(s) as prescribed by the Committee;
- d. Submit articles for the publications team to consider including in society publications;
- e. Access electronic copies of the Society's current publications (if applicable); and;
- f. Be nominated and become an IT Officer (and Ordinary Member of the Committee) of the Society.

## 2.13. Rights of Faculty Members

1. All Faculty Members have the right to:
  - a. Attend Annual and Special General Meetings of the Society;
  - b. Speak at Annual and Special General Meetings of the Society;
  - c. Submit articles for the publications team to consider including in Society publications; and;
  - d. Access electronic copies of the Society's current publications (if applicable).

## 2.14. Register of Members

1. The Vice President (Administration) will maintain a master register of Academic Members, Social Members and Faculty Members.
2. The register will contain all information supplied to the Society as required under sections 2.2.2(b), 2.3.2(b), and 2.4.2(b) of these rules, together with the date on which the person became a member and any membership fee paid.
3. The Vice President (Administration) must ensure that the register is maintained, is kept at the principal place of administration of the Society, and is readily accessible by the Society's President.
4. The Society's President must make the register available for inspection, free of charge, by any member of the Society, at a mutually agreeable time.
5. A member of the association may obtain a copy of any part of the register on payment of a fee of \$1 for each page copied or, if some other amount is determined by the Committee, that other amount.
6. In carrying out the requirements of rules 2.8.4 and 2.8.5, the President must act within the University's Privacy Policy, which may require some or all of the information on the Register to be censored at their sole discretion.

## 2.15. Cessation of Membership

1. A member will cease to be an Academic Member of the Society if they:
  - a. Ceases to be enrolled in a LLB degree at the University;
  - b. Dies;

- c. Resigns academic membership; or
  - d. Is expelled from the Society.
2. A member will cease to be a Social Member of the Society if he or she:
- a. Dies;
  - b. Fails to pay the prescribed membership fee;
  - c. Resigns social membership; or
  - d. Is expelled from the Society.
3. A member will cease to be a Faculty Member of the Society if he or she:
- a. Ceases to be employed by the Faculty;
  - b. Dies;
  - c. Resigns faculty membership; or
  - d. Is expelled from the Society.

## 2.16. Membership entitlements not transferable

1. A right, privilege or obligation which a person has by reason of being a member of the Society:
- a. Is not capable of being transferred or transmitted to another person, and
  - b. Terminates on cessation of the person's membership.

## 2.17. Resignation by Member

1. An Academic and/or Social Member and/or Faculty Member of the association is not entitled to resign that membership except in accordance with this rule.
2. An Academic and/or Social and/or Faculty Member of the Society may resign from the Society by giving written notice to the Vice President (Administration). The person will cease to be an Academic and/or Social and/or Faculty Member from the date the Vice President (Administration) receives this notice.
3. If a member of the association ceases to be a member under clause (2), and in every other case where a member ceases to hold membership, the Vice President (Administration) must make an appropriate entry in the registers of members, recording the date on which the member ceased to be a member.

## 2.18. Expulsion of Member

1. A member may be expelled by Special Resolution at an Annual or a Special General Meeting if the member has:
  - a. Wilfully refused or neglected to comply with any provisions of this Constitution; or;
  - b. Engaged in conduct which is prejudicial to the interests of the Society.
2. Any such expulsion must be preceded by the Committee:
  - a. Giving reasonable notice in writing to the affected member; and
  - b. Giving ample opportunity for the affected member to explain his or her behaviour to the Committee.
3. Any member expelled in accordance with sections 2.15(1) and/or 2.15(2) may appeal to the Dean of Law within two (2) academic weeks. The decision of the Dean, Sub Dean, or Associate Dean of Law or person(s) delegated by the Deans to hear the matter will be final and binding on the Society.
4. A member may be excluded or ejected from any Society event if they do not comply with the rules of the venue or any other rules for the event imposed by the Society.
5. If a member is excluded or ejected from Society events under Section 2.8.1, then that will be grounds for expulsion under Section 2.12 (1).

## 2.19. Honorary Life Members

1. The Committee may appoint any person who has made a substantial contribution to the Society as an Honorary Life Member.
2. Honorary Life Members are eligible to receive all benefits of Social and Faculty Membership, as determined by the Committee.
3. Honorary Life Members may concurrently be Academic Members of the Society.

## 2.20. Register of Honorary Life Members

1. The Vice President (Administration) will maintain a register of honorary members.

2. The register will contain the full name, email address, telephone number, date of appointment and a brief summary of the contribution to the Society of each honorary member.

### 2.21. Membership Fee

1. There is no membership fee to become an Academic Member or Faculty Member.
2. The membership fee payable to become a Social Member will be determined at the sole discretion of the Committee at a special general meeting or the annual general meeting.

### 2.22. Liability of Members

1. No member is liable to contribute towards the payments of the debts and liabilities of the Society or to the costs, charges and expenses of the winding up of the Society. Any liability is limited to the amount, if any, unpaid by the member in respect of membership of the Society.

### 2.23. Resolution of internal disputes

1. Disputes between members (in their capacity as members) of the Society, and disputes between members and the Society are to be referred by the Committee to an appropriate third party for mediation.
  - a. An example of a mediator to consider may be the independent Advocacy Officer provided for by the University.
  - b. The Committee may nominate a member of the Society to be a mediator.
  - c. The Committee may not nominate a party to the dispute as a mediator.
2. Before moving to mediation, the parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute themselves within fourteen (14) days after the dispute comes to the attention of all of the parties.
3. If the parties are unable to resolve the dispute at the meeting or if a party fails to attend that meeting, then the parties must, within ten (10) days organise a meeting in the presence of a mediator chosen and agreed to by both parties, or the mediator referred to them under clause (1).

4. The mediator, in conducting the mediation, must:
  - a. Give the parties to the mediation process every opportunity to be heard;
  - b. Allow due consideration by all parties of any written statement submitted by any party;
  - c. Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process; and;
  - d. Must not determine the dispute.
5. Should the matter not be resolved after mediation, or should one of the parties refuse to attend mediation, and/or should the President feel it necessary, the matter is to be referred to UOW Administration, as per any relevant UOW grievance policies and procedures.
6. A matter may be also be referred to a community justice centre for mediation in accordance with the Community Justice Centres Act 1983 (NSW).
7. If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with UOW rules, the Act or otherwise at law.
8. At least seven (7) days before a mediation session in accordance with the rules of this section is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

#### 2.24. Duties of Members

1. All members are expected to act in accordance with the Uniclubs Code or Conduct in addition to the University of Wollongong Code of Conduct.
2. Failure to act in accordance with the requisite codes of conduct may result in disciplinary procedures being taken in accordance with part 2.25 of this Constitution.

#### 2.25. Disciplining of Members

1. A complaint may be made to the Committee by any person that a member of the Society:
  - a. Has persistently refused or neglected to comply with a provision or provisions of these rules; or;

- b. Has persistently and wilfully acted in a manner prejudicial to the interests of the Society.

2. On receiving such a complaint, the Committee:

- a. Must cause notice of the complaint to be served on the member concerned;
- b. Must give the member at least fourteen (14) days from the time the notice is served within which to make submissions to the committee in connection with the complaint; and;
- c. Must take into consideration any submissions made by the member in connection with the complaint.

3. The Committee may, by resolution, expel the member from the Society or suspend the member from membership of the Society if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved.

4. If the Committee expels or suspends a member, the Vice President (Administration) must, within seven (7) days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the Committee for having taken that action and of the member's right of appeal under rule 2.25.

5. The expulsion or suspension does not take effect:

- a. Until the expiration of the period within which the member is entitled to appeal against the resolution concerned; or;
- b. If within that period the member exercises the right of appeal, unless and until the Society confirms the resolution under rule 2.19(5), whichever is the latter.

## 2.26. Right of appeal of disciplined Member

1. A member may appeal to the Society in general meeting against a resolution of the Committee under rule 11, within seven (7) days after notice of the resolution is served on the member, by lodging with the Vice President (Administration) a notice to that effect.

2. The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
3. On receipt of a notice from a member under clause (1), the Vice President (Administration) must notify the Committee which is to convene a general meeting of the association to be held within twenty eight (28) days after the date on which the Vice President (Administration) received the notice.
4. At a general meeting of the association convened under clause (3):
  - a. No business other than the question of the appeal is to be transacted;
  - b. The Committee and the member must be given the opportunity to state their respective cases orally or in writing, or both; and;
  - c. The members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
5. If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

## **Part 3 – The Committee**

### **3.1. Powers of the Committee**

1. The Committee is to be called the committee of management of the Society and, subject to the Act, the Regulation and these rules and to any resolution passed by the society in general meeting:
  - a. Is to control and manage the affairs of the Society in accordance with its objects;
  - b. Is to control and manage the finances and property of the Society;
  - c. May exercise all such functions as may be exercised by the Society, other than those functions that are required by these rules to be exercised by a general meeting of members of the Society; and;
  - d. Has power to perform all such acts and do all such things as appear to the Committee to be necessary or desirable for the proper management of the affairs of the Society.



- e. Has the power to waive any clause in the Constitution regarding the qualifications listed as requirements in Executive and Committee position descriptions.

### 3.2. Constitution and Membership

1. Subject in the case of the first members of the Committee to section 21 of the Act, the Committee is to consist of:
  - a. The Executive (office-bearers) of the Society, and
  - b. Eight (8) or more ordinary Academic Members, and up to one (1) ordinary Social Member each of whom is to be elected prior to or at the Annual General Meeting of the association in accordance with rules 3.3.7.
2. No elected member shall hold more than one (1) position on the Committee unless due to necessity from lack of nominations for other positions.
3. The Executive are to act as the Office Bearers of the Society, and shall comprise of: the President, Vice President (Administration), Vice President (Education), Vice President (Finance), Vice President (Competitions), Vice President (Events) and Vice President (Publications)
4. No Committee member shall hold more than one (1) elected position on the Executive.
5. Two Committee members shall not jointly hold any Executive positions.
6. Each member of the Committee is, subject to these rules, to hold office until the conclusion of the Annual General Meeting following the date of the member's election, but is eligible for re-election.
7. In the event of a casual vacancy occurring in the membership of the Committee, the Committee may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the Annual General Meeting next following the date of the appointment.

### 3.3. Elections of the Executive and the Committee

1. Committee members will be elected by and from the Academic Members. One Social Member may be elected to the positions of IT Officer by the Academic Members.
2. Should there be vacant positions after elections, the Committee may open up nominations to Social Members, at their discretion.
3. Nominations of candidates for election as office-bearers of the Society or as ordinary members of the committee (except for First Year Representatives):
  - a. Must be made in writing, signed by two members of the Society and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination); and;
  - b. Must be delivered to the President of the Society at least seven (7) days before the date fixed for the commencement of the voting period.
3. If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the Annual General Meeting.
4. If insufficient further nominations are received, any vacant positions remaining on the Committee are taken to be casual vacancies.
5. If the number of nominations received for office bearer or committee positions is equal to the number of vacancies to be filled in each category, then the persons nominated are taken to be elected.
6. If the number of nominations received for any office bearer or committee position exceeds the number of vacancies to be filled, a ballot is to be held.
7. The ballot for the election of office-bearers and ordinary members of the Committee is to be conducted prior to the Annual General Meeting of the Society for a period of not less than five (5) consecutive days in the Academic Calendar of the University.
8. The ballot is to be conducted in accordance with the Society's Election Regulations, and the declaration of the results of the ballot to be accepted at the Annual General Meeting of the Society.

9. A separate election will be held for the South West Sydney Campus Representative. This is to run at the commencement of each academic year. In this instance:
  - a. South West Sydney Campus academic members may nominate themselves for election by completing the form prescribed by the committee, and submitting it by the due date and time and via method prescribed by the committee;
  - b. Voting will be restricted to South West Sydney Campus Academic Members and;
  - c. Voting will be at a time and place convenient to the South West Sydney Campus Members, as nominated by the Committee.
  - d. The election will be run by the President and/or their nominees.
  
10. A separate election for First Year Representatives is to be run at the commencement of each academic year. In this instance:
  - a. First year Academic Members may nominate themselves for election by completing the form prescribed by the Committee, and submitting it by the date and time and via method prescribed by the Committee;
  - b. Voting will be restricted to first year Academic Members; and;
  - c. Voting will be at a time and place convenient to first year students, as nominated by the Committee.
  - d. The election will be run by the President and/or the President's nominee.

### 3.4 Casual vacancies

1. For the purposes of these rules, a casual vacancy in the office of a member of the Committee occurs if the member:
  - a. Dies; or
  - b. Ceases to be a member of the association; or
  - c. Becomes an insolvent under administration within the meaning of the Corporations Act 2001 (Cth); or
  - d. Resigns office by notice in writing given to the secretary; or
  - e. Is removed from office; or

- f. Becomes a mentally incapacitated person; or
  - g. Is absent without the consent of the Committee from all meetings of the Committee held during a period of six (6) months.
2. Should there be any casual vacancies on the Committee, for ordinary member or Office Bearer position(s), the Committee shall determine, by simple majority, who is to be elected to specific positions in accordance with the plan set out in the Society Regulations unless:
- a. No such provisions exists; or
  - b. The Committee decides otherwise.

### 3.5. Ex-officio Positions

1. One Immediate Past Executive Member shall be required to hold an ex-officio position on a newly elected Committee.
2. Where possible, this Immediate Past Executive Member will be the Past President. Where this not possible, the President may approach alternative past Executive Members to fulfil the role.
3. The ex-officio position will have voting rights on the Committee.
4. The position is to be primarily held in order to provide consultation, learning and integration of the previous elected Committee's activities, but the Immediate Past Executive Member is encouraged to assist the newly elected committee with their activities throughout the year. In addition, subject to any Committee objections or conflict of interest, the Immediate Past Executive Member shall serve as Returning Officer for the following year's elections.
5. The Executive member bearing the Ex-Officio Position will sit on any panel, along with members whom the Committee have appointed to the panel that is constituted with the purpose of dispensing the committee's funds for any cause outside of the everyday conduct of committee business. This includes but is not limited to:
  - a. Equity Grants for society members to attend ALSA Conference;
  - b. General Equity Grants for society members; and

- c. Ordinary Grants for society members
6. At the discretion of the Committee, the Ex-Officio Position will be required to establish and chair a Discipline and Grievance Committee, for matters that the Committee decide.
- a. The Discipline and Grievance Committee shall comprise of the Ex-Officio Position as the Chair and two other Academic Members of the Society or members of the UOW Administrative and Academic Staff as nominated by the Committee.
  - b. Should the Ex-Officio Position be unable to chair the Discipline and Grievance Committee; the chair shall be filled by a member of the Committee, chosen by a simple majority of the Committee.
  - c. The Chair of the Discipline and Grievance Committee shall provide a report of the outcome of the committee's decision to be made available to the Committee following the decision.
  - d. The Discipline and Grievance Committee should make a recommendation for the Committee's consideration.
  - e. The Discipline and Grievance Committee may convene to meet on matters in relation to Committee misconduct and Member misconduct.
  - f. Matters for which the committee may decide may include, but are not limited to;
    - i Internal Committee or Society disputes;
    - ii External Society disputes; and
    - iii Any other matters which the Committee deem appropriate.

### 3.6. Disciplinary Action and Removal of Committee Member

- 1. The Committee must review the position of an ordinary member of the Committee or a sub-committee member where:
  - a. In the case of a Committee member, the person is absent from three (3) Committee meetings without leave of the Committee; or

- b. In the case of a sub-committee member, the person is absent from four (4) Committee meetings without leave of the Committee; or
- c. The person has failed to fulfil their role or has failed in their duties to the Society; or
- d. The person, or an associated party of the person, misuses funds of the Society.

\* Added 'or' to these subclauses as well as corrected the reference from 3.7 to 3.6 below.

- 2. It is the duty of the President to observe that all committee members and sub-committee members are performing their roles and bring it to the attention of the Committee if they are not.
- 3. In reviewing the position of any Committee member or sub-committee member after rule 3.6 has been invoked, the Committee must be contemporaneously supplied with an explanation of the circumstances by the infringer before the Committee takes further action, which may include:
  - a. Requesting the resignation of the Committee member or sub-committee member;
  - b. Dismissing the Committee member or sub-committee member by a motion carried by Special Majority of the Committee;
  - c. Retaining the status quo if the Committee views the explanation as worthy of granting an exception.
- 4. The Society in general meeting may by resolution remove any member of the Committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- 5. If a member of the Committee, to whom a proposed resolution referred to in clause (4) relates, makes representations in writing to the Vice President (Administration) or President (not exceeding a reasonable length) and requests that the representation be notified to the members of the association, the Vice President (Administration) or President may send a copy of the representations to each member of the Society. Or, if the representations are not so sent, the member is

entitled to require that the representations be read out at the meeting at which the resolution is considered.

### 3.7. Resignation

Any Office Bearer or Ordinary Member of the Committee may resign by giving notice in writing to the Vice President (Administration) and/or President, whereupon their position will become vacant.

Where the office bearer resigning is the President, Vice President Administration or Vice President Finance notice of resignation must also be given to Uniclubs management.

### 3.8. Powers of the Executive

1. The Executive shall supervise the Society's finances and, subject to this section, authorise expenditure.
2. The Executive shall have power to request further Committee consideration of any specific item of expenditure.
3. If, after the exercise of Executive review, the Committee again authorises the item of expenditure, the Executive Committee has no further review power.
4. The Executive may not authorise expenditure or incur debts in excess of \$1000 without Committee approval.
5. The Executive may not authorise expenditure where the Committee has previously voted against it.

\* This clause is now consistent with CI 16 in relation to the funds that can be released by the Executive.

### 3.9. Duties of Executive Members

- (a) The Executive will coordinate the activities of the Society and control the acquisition and disposal of properties belonging to the Society.
- (b) In addition to the specific duties outlined below, at least two (2) Executive members must attend the Annual Uniclubs Training Day. If they are not able

to attend they must notify Uniclubs in writing a minimum of twenty-four (24) hours prior to the event.

- (c) All Executives of the society are expected to read and agree to act in accordance with the Uniclubs and UOW Codes of Conduct.

### *3.9.1. President*

1. The President, or the President's appointee will be the spokesperson of the Society and will be responsible for liaison between the Society and other similar Societies, the Faculty, University and the community at large.
2. The President, or the President's appointee will serve as the designated Pulse Liaison Officer and be the main point of contact between Uniclubs, UniActive and the Society.
3. The President, or the President's appointee will have the responsibility of chairing meetings of the Committee and/or Executive.
4. The President, and/or the President's appointee(s) will represent the needs of students at faculty meetings and other related meetings.
5. The President will ensure that any club affiliation nominated by the committee is completed on time.
6. The President will endeavour with all reasonable effort to ensure that all of the Society's aims and objectives are fulfilled.
7. The President will be responsible for organising funding external to any UOW Pulse and/or WUSA funds, including sponsorship and fundraising.
8. The President will act as the Public Officer of the Society, or appoint another member of the Committee as Public Officer.
9. The President is responsible for the organisation of all Society elections, and may appoint an independent Returning Officer to assist with the running of said elections.

### *3.9.2. Vice President (Administration)*

1. The Vice President (Administration) will:



- a. Provide all reasonable assistance to the President in the fulfilment of the President's responsibilities;
- b. Ensure that a permanent record of activities of the Society is maintained;
- c. Ensure that a copy of the Annual Report, as well as a full Financial Statement, Inventory of Equipment for each year, and any minutes of meetings is forwarded to the Faculty of Law, and if affiliated, to UOW Pulse and/or WUSA around the close of each financial year;
- d. Ensure that any other material requested by the Faculty of Law, or affiliates is submitted on time;
- e. Be responsible for ensuring correct arrangement of meetings, for preparation of agendas and recording of minutes;
- f. Keep detailed minutes of:
  - (i) All appointments of office-bearers and members of the committee; and;
  - (ii) The names of members of the committee present at a committee meeting or a general meeting; and;
  - (iii) All proceedings at committee meetings and general meetings, including all motions.
- g. Be responsible for ensuring that minutes of proceedings at meetings are tabled and accepted as correct at the next meeting, and signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting;
- h. Be responsible for the maintenance of the Society's rules and regulations.

### 3.9.3. *Vice President (Publications and Marketing)*

1. The Vice President (Publications and Marketing) will:
  - a. Provide all reasonable assistance to the President in the fulfilment of the President's responsibilities;

- b. Assist the President in writing, targeting and distributing all sponsorship proposal(s) required to ensure the financial security of the society;
- c. Oversee all the publications produced by the Society. This will include responsibilities with respect to editing, writing and designing of the publications, as well as arrangement of publishing/printing.
- d. Be responsible for arranging the printing and dissemination of Society publications;
- e. Oversee all publicity matters of the Society. This will include the Year Representatives to ensure that all publicity materials are created on time, and contain correct information in an appropriate format;
- f. Oversee a general communications strategy for the society year to year to ensure that all communications and publicity material promotes the best interests of the Society including communications platforms that Society members may contribute to and communicate through such as social media; and
- g. Be responsible for organising the Publications Officer, First Year Representative, Second Year Representative and IT Officer to achieve this and other publicity related objectives.
- h. Oversee the editing of the Society website and the general duties of the IT/Publications Officer.

\* The VPPM is now responsible for ensuring the IT/Publications officer is meeting deadlines and conducting their duties to a reasonable standard. As well as facilitating the website.

#### 3.9.4. Vice President (Education)

1. The Vice President (Education) will:
  - a. Provide all reasonable assistance to the President in the fulfilment of the President's responsibilities;
  - b. Represent the Society in business related to ALSA including ALSA conference and council;
  - c. Respond to current education issues within the Faculty as well as wider education issues;

- d. Be responsible for all equitable, and social justice based initiatives of the Society;
- e. Be responsible for all initiatives of the Society that promote positive wellbeing and mental health;
- f. Be responsible for all initiatives of the Society that aim to enhance students' academic and university lives; and
- g. Be responsible for ensuring the provision of adequate opportunities for Members to engage in social justice and equitable initiatives as the committee sees fit; and
- h. Be responsible for organising the Equity and Social Justice Officer and the Access Officer to achieve this and other education related objectives.

#### 3.9.5. *Vice President (Finance)*

1. The Vice President (Finance) will:
  - a. Provide all reasonable assistance to the President in the fulfilment of the President's responsibilities, particularly in regards to funding of the Society;
  - b. Operate the Bank account and control the disposal of funds of the Society in conjunction with the Executive;
  - c. Ensure that all money due to the Society is collected and received and that all payments authorised by the Society are made and that all payments made by the Society are authorised under this Constitution and any other rules of the Committee year to year;
  - d. Ensure that correct books and accounts are kept showing the financial affairs of the Society, including full details of all receipts and expenditure connected with the activities of the Society;
  - e. Ensure that a financial statement is forwarded to the Faculty of Law and UOW Pulse and/or WUSA (if affiliated) every academic year;
  - f. Ensure that a system of recording is in place, and that records are up to date with respect to the finances of the Society;

- g. Oversee the financial management practices of the Society;
- h. Present to the Executive at each meeting, or at an otherwise reasonable interval decided on by the Executive, a statement of receipts and payments since the date of the last meeting; and
- i. Ensure the Society applies for any funding available from the University, UOW Pulse and/or WUSA;

#### 3.9.6 Vice President (*Internal Competitions*)

1. The Vice President (Internal Competitions) will:
  - a. Provide all reasonable assistance to the President in the fulfilment of the President's responsibilities;
  - b. Be responsible for ensuring that internal competitions are run throughout the year;
  - c. Ensure that the University of Wollongong is represented each year at the national competitions of ALSA in as many competitions as reasonable;
  - d. Work with other members of the Committee to provide students with additional competitions related programs where appropriate; and
  - e. Be responsible for organising the Competitions Officers to achieve this and other competitions related objectives.
  - f. Provide support to their fellow Vice President (External Competitions).
  - g. Not be qualified for the position if they have never participated in a competition run by the Society before the AGM at which they are voted in.

#### 3.9.7 Vice President (*External Competitions*)

- a. Provide all reasonable assistance to the President in the fulfilment of the President's responsibilities;
- b. Be responsible for ensuring that external competitions are run throughout the year;

- c. Provide support to their fellow Vice President (Internal Competitions);
- d. Ensure that a UOW Intervarsity competition is organised;
- e. Ensure that the University of Wollongong is represented each year at the national competitions of ALSA in as many competitions as reasonable;
- f. The IV Comps Officer will be responsible for implementing processes for selecting teams to represent UOWLSS at intervarsity competitions and undertaking the selection of teams by the aforementioned process
- g. The Intervarsity Competitions Officer will be tasked with sourcing judges and coaches to help facilitate the training and development of UOWLSS representatives in external advocacy and skills competitions, including ALSA
- h. The Intervarsity Competitions Officer may, at the discretion and oversight of the Vice President (Competitions) establish, and have management of a UOWLSS hosted Intervarsity Competition, and have the power to establish a subcommittee to help facilitate the carrying out of such competition.
- i. Work with other members of the Committee to provide students with additional competitions related programs where appropriate; and
- j. Be responsible for organising the Competitions Officers to achieve this and other competitions related objectives.

### *3.9.8 Vice President (Events)*

1. The Vice President (Events) will:
  - a. Provide all reasonable assistance to the President in the fulfilment of the President's responsibilities;
  - b. Be responsible for planning, organising and implementing all Society social activities, and will provide necessary leadership and assistance at all Society events;
  - c. Be responsible for ensuring that all events are run to a budget approved by the

Committee;

- d. Be responsible for ensuring any relevant risk assessment documentation is completed appropriately, and all reasonable action is taken to reduce risk at Society events;
- e. Ensure that measures are put into place for the Responsible Service of Alcohol at all Society events (if applicable); and
- f. Be responsible for organising the Events Officer to achieve the above objectives.

### *3.9.9 Vice President (Careers)*

1. The Vice President (Careers) will:
  - a. Provide all reasonable assistance to the President in the fulfilment of the President's responsibilities;
  - b. Be responsible for planning, organising and effecting all career based initiatives and events of the Society;
  - c. Be responsible for ensuring an adequate balance of attention is paid by the Society to careers in both the private and public spheres.
  - d. Ensure that Academic Members can access reasonably up to date information regarding a wide array of careers;
  - e. Ensure that Academic Members are also given sufficient opportunity to explore various legal, and a reasonable amount of non-legal, career paths; and
  - f. Be responsible for organising the Careers Officer (Public) and Careers Officer (Private) to achieve this and other career related objectives.

## **3.10. Duties of Committee Members**

The Members of the Committee will be responsible for the area of Society activities specific to the position to which they were elected.

### *3.10.1. Competitions Officers*

1. The Competitions Officers will be responsible for the planning, running and supervision of all Society competitions.

2. The Competitions Officers will assist the Vice President (Internal Competitions) in the fulfilment of the activities.
3. The Competitions Officers will assist the Vice President (External Competitions)

#### *3.10.2. IT Officer and Publications Officer*

1. The role of IT Officer and Publications officer is a combined role.
2. The Officer will be responsible for the maintenance, updating and implementation of the Society Website and any associated Information Technology infrastructure.
3. The Officer will be responsible for assisting in the drafting and implementation of a communication strategy for the Society,
4. The Officer will maintain the information on the Society Website and any associated information technology infrastructure.
5. The Officer will assist with co-ordinating out-going and incoming information to and from Year Representatives.
6. The Officer will report to the Vice President (Publications and Marketing) in the fulfilment of their responsibilities.

\* The role of IT officer and Publications officer is now combined. The Officer will report to VPM.

\* CI 3.10.3 (Access Officer) has been removed.

#### *3.10.4. Events Officer*

1. There will be one (1) elected Events Officer.
2. The Events Officer will be responsible for planning, organising and implementing all Society social activities, and are to provide necessary assistance at Society Events.
3. The Events Officer will assist the Vice President (Events) in the fulfilment of their responsibilities.

#### *3.10.5. Year Representatives*

1. There will be one (1) elected position for the roles of Second Year Representative and First Year Representative from each of the following campuses:

- a) South Western Sydney Campus
- b) Wollongong Campus

Added to include SWS campus.

2. These representatives will act as a conduit between their associated students and the Society.

3. Year Representatives will be responsible for assisting all portfolios in project groups; this may be by rotation of year representatives through portfolios or generally by Executive resolution.

4. Year Representatives will be responsible for assisting in publicising Society initiatives and events, and disseminating Society news in announcements, seminars and lectures.

5. Year Representatives will represent the interests of students at Faculty or School Meetings or external representative meetings if directed to by the President or Vice President (Education).

6. Year Representatives will also be responsible for bringing to the attention of the Committee and Executive issues, concerns, or happenings in their respective years, as well as reporting on their opinions on their years' attitudes and views of the Society.

7. Year Representatives will represent their fellow students in a fair and ethical manner at all times.

8. Year representatives will be responsible for assisting the President and Office Bearers by:

- a. helping promote the Society during O-Weeks;
- b. assisting with the processing of academic membership applications and social membership sales;
- c. assisting with fundraisers;
- d. assisting with sourcing contributors for the publications; and



e. assisting by any other means the Executive see fit.

9. Year Representatives will also assist the Vice President (Publications and Marketing)
10. First Year Representatives from each campus shall be elected by their respective campus cohort. Second Year Representatives are elected via the regular election procedure contained within this document and relevant regulations.

#### *3.10.6. Careers Officer (Private) and Careers Officer (Public)*

1. There will be one (1) elected Careers Officer (Private) and one (1) elected Careers Officer (Public).
2. Both the Careers Officer (Private) and Careers Officer (Public) will be responsible for assisting with the organisation, implementation, and delivery of all career based initiatives that the Society provides.
3. The Careers Officer (Private) will focus on careers relating to private legal practice and legal roles or roles into which law students and graduates are typically being recruited in private enterprise.
4. The Careers Officer (Public) will focus on careers relating to practicing law in the public interest or for government funded bodies, and also other careers working in the public interest that law students and graduates are typically being recruited.
5. Careers should be regarded as being in the public interest if they are funded by government, operate on a not for profit basis, or are commercial in nature but otherwise aim to remedy systemic disadvantage for populations in the community. This definition should be used to aid in the clarification of the responsibilities of both the Careers Officer (Private) and Careers Officer (Public).
6. Both the Careers Officer (Public) and Careers Officer (Private) are also responsible for providing opportunities by which students can enhance their career related skills and knowledge.
7. Notwithstanding the above, both the Careers Officer (Public) and the Careers Officer (Private) will assist the Vice President (Careers) in the fulfilment of their responsibilities, even if such responsibilities are regarding as not being within the subject matter of their discrete role.

#### *3.10.11 Mature Age and Postgraduate Representative*

1. There will be one (1) elected Mature Age and Postgraduate Representative, elected from the postgraduate and mature-aged Academic Members
  - a. A mature-aged student is a student who commenced their studies after the age of twenty one (21).
2. The Mature Age and Postgraduate Representative will act as a conduit between their associated students and the Society.
3. The Mature Age and Postgraduate Representative will represent the interests of Mature Age and Postgraduate students at Faculty Meetings or external representative meetings if directed to by the President or the Vice President (Education).
4. The Mature Age and Postgraduate Representative will coordinate initiatives for the benefit of Mature Age and Postgraduate students, and assist in the publication of such events.
5. The Mature Age and Postgraduate Representative will also assist the Vice President (Careers) and Vice President (Education) with the fulfilment of their duties

### *3.10.12 Equity Officer; and Social Justice Officer*

1. There will be one (1) elected Equity Officer and one (1) Social Justice Officer.
2. The Equity Officer will organising and promoting activities to identify and explore equity, diversity and social justice issues among members
3. The Equity Officer will actively represent the equity, diversity and social justice interests of members to the Society as well as to the University, government, business and wider community and will assist in making representations and submissions to the University or relevant bodies on matters affecting members' education and careers;
4. The Equity Officer will be responsible for providing support and assistance to members who are under-represented in the legal community, or who face a serious hindrance to their studies due to issues such as discrimination or harassment
5. The Equity Officer will also be responsible for ensuring that issues on equity from members are addressed appropriately and will, with the assistance of the Vice-President (Education) or President and Ex-Officio, administer any funding offered to members by the UOWLSS on an equitable basis.
6. The Social Justice Officer will be responsible for ensuring that UOWLSS members have the facility to engage with social justice issues and to voice their opinions on current affairs.
7. The Social Justice Officer will ensure that social justice and equitable obligations to other special committees are met.
8. The Social Justice Officer will be responsible for overseeing the preparation, planning and running of a diverse range of cultural and social justice events, services and initiatives throughout the year; as well as researching and disseminating information to members regarding broader community social justice issues

### *3.10.13 South West Sydney Campus Representative*

1. There will be one (1) elected South West Sydney Campus Representative
2. The South West Sydney Campus Representative will assist the Vice President (Marketing) in the fulfilment of their role

### 3.11. Delegation by Committee to Sub-committee

1. The Committee may, by instrument in writing, delegate to one (1) or more sub-committees (consisting of such member or members of the association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than:
  - a. This power of delegation, and
  - b. Function which is a duty imposed on the committee by the Act or by any other law.
2. A sub-committee will be officially created by a simple majority of the Committee at a committee meeting.
3. A sub-committee will be officially dissolved after the completion of the specified task, by a simple majority of the Committee at a committee meeting.
4. A sub-committee may be officially dissolved before the completion of the specified task(s) by a special majority of the Committee at a committee meeting.
5. A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the subcommittee in accordance with the terms of the delegation.
6. A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
7. Despite any delegation under this rule, the Committee may continue to exercise any function delegated.
8. Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the Committee.
9. The Committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.
10. A sub-committee may meet and adjourn, as it thinks proper.

11. Every sub-committee member shall report on a regular basis to the Committee.
12. The sub-committee members will have the responsibility of planning and coordinating their specified project.
13. The sub-committee members will have the responsibility, in conjunction with the President, of representing their specified task to any parties with a legitimate interest.
14. The sub-committee members may recruit to themselves informally whatever assistance they may at any time need to complete their specified task.

## Part 4 – Meetings

### 4.1. Executive Meetings

1. The Vice President (Administration) will call an Executive meeting at the request of any five (5) members of the Society, or at the behest of the Executive.
2. In Executive meetings all voting rights are reserved to the Executive.
3. The Vice President (Administration) will ensure that not less than five (5) business days' notice is given to Executive members, unless all Executive members agree to waive this requirement.
4. The Executive will meet at least twice each University session.
5. A quorum for an Executive meeting will be half of the Executive.
6. The Vice President (Administration) will ensure that notification of the meeting will be sent to each Executive member and any affiliated body (if appropriate).

### 4.2. Committee Meetings

1. The Vice President (Administration) will call a Committee meeting at the request of any five (5) Academic and/or Social Members of the Society, or at the behest of the President or members of the Executive.
2. In Committee meetings all voting rights are reserved to Committee members and any Project Group members.
3. A quorum for Committee Meetings will be not less than ten (10) members or one half of the membership of the Committee whichever is less.
4. The Committee must meet at least three times in each period of twelve (12) months at such place and time as the Committee may determine.
5. Additional meetings of the Committee may be convened by the President or by any member of the Committee.
6. Oral or written notice of a meeting of the Committee must be given by the Vice President (Administration) or President to each member of the committee at least forty eight (48) hours (or such other period as may be unanimously agreed on by

- the members of the committee) before the time appointed for the holding of the meeting.
7. Notice of a meeting given under clause (6) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business, which the Committee members present at the meeting unanimously agree to treat as urgent business.
  8. No business is to be transacted by the Committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
  9. As an alternative, if the President deems the business to be urgent, any item from the adjourned meeting may be voted on as an E-Motion.
    - a. The Committee must be given at least forty eight (48) hours to vote or make submissions on any E-Motion.
    - b. The mover and seconder of any E-Motion must submit written support to be included in the call for votes and submissions.
    - c. The President or relevant Executive Member must make a submission to be included in the call for votes and submissions.
    - d. The Vice President (Administration) must take all reasonable steps to ensure the Committee receives notice of the E-Motions.
    - e. A quorum for an e-motion will not be less than ten (10) members or one half of the membership of the Committee whichever is less.
  10. If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
  11. At a meeting of the Committee:
    - a. The President or, in the President's absence, an officer bearer is to preside.

- b. If the President or one of the office bearers are absent or unwilling to act, such one of the remaining office bearers or ordinary members of the Committee as may be chosen by the members present at the meeting will preside.

### 4.3 Voting and decisions

1. Unless otherwise specified elsewhere in these rules, questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
2. Each member present at a meeting of the Committee or of any sub-committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
3. The Committee may act despite any vacancy on the Committee.
4. Any act or thing done or suffered, or purporting to have been done or suffered, by the Committee or by a sub-committee appointed by the Committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee or sub-committee.
5. An E-motion may be conducted where the Committee decides by motion passed by majority that a specific subject matter may be voted on by E-motion at a later date. An emotion of this kind shall be carried out in the same manner as described at clauses 4.2.9a-4.2.9d.

### 4.4. Conduct of Committee Meetings

#### 4.4.1. Preliminary Matters

1. There is to be a formal agenda prepared for each meeting.
2. Submissions for the agenda are to close at a time to be determined by the Vice President (Administration), provided that the deadline is publicised with at least seven (7) days notice.

#### 4.4.2. Standing Orders

1. These standing orders will be applicable to all General Meetings and Executive meetings, and will be construed subject to the constitution.
2. Meetings will, subject to the presence of a quorum start at the time set out on the notice, and will subject to the discretion of the meeting, continue until all business on the agenda is disposed of.
3. If no quorum is present within thirty (30) minutes of the starting time set out on the notice, the meeting will lapse, and, subject to any resolution previously passed, the Vice President (Administration) will fix the time of the next meeting. All business on the agenda of the lapsed meeting will be included on the agenda of the next meeting and will take precedence over new business.
4. At the beginning of each meeting the agenda will be read.
5. The agenda will be dealt with as first priority in meetings. Any business not in the agenda will be dealt with after the completion of the consideration of the matters contained in the agenda.
6. A matter not contained in the agenda may be given priority over matters in the agenda by reason of a motion passed by special majority.
7. In a meeting only one (1) person may speak at a time.
8. The Chair will be responsible for the maintaining of a speaking list for anyone wishing to speak on an issue.
9. Motions will be presented at the meeting verbally and shall be recorded in the minutes.
10. Should an amendment be moved on a proposal before the proposal is put to a vote, the proposal will only be amended with the consent of the proposer of the original motion.
11. Should this consent be withheld a vote will follow in the un-amended proposal.
12. If the un-amended proposal passes the vote, the issue is resolved. If the proposal does not pass than the proposal is automatically amended in accordance with the suggested amendment and put once more to the vote.
13. When the vote results in a deadlock the Chair has the casting vote.



14. Voting by proxy must be specific to a particular issue, in writing, and give particulars of the decision desired.
15. There will be no voting by general proxy.
16. Any member desiring to speak will raise their hand and when called upon by the Chair will address the Chair. If two or more members do so simultaneously, the Chair will call upon the member who first caught the eye of the Chair.
17. Except in Committee, no member other than the proposer of a motion or an amendment will speak to it until it has been seconded. A motion or amendment lapsing for want of a seconder will be recorded in the minutes as having lapsed for want of a seconder.
18. A motion or amendment before the Chair will not be withdrawn except by its mover and by leave of the meeting. No motion will be withdrawn while any amendment is under discussion or after any amendment has been adopted.
19. When an amendment is before the Chair, discussion will be confined to that amendment. No further amendment will be proposed until the amendment before the Chair has been disposed of.
20. The Chair will, as far as practicable, call on speakers for and against a motion or amendment alternatively, subject to the right of the seconder to speak immediately after the mover.
21. The mover of a motion will have a right of reply following any discussion on that motion. This right of reply will conclude the debate on that issue.
22. Subject to clause (21) if two consecutive speakers put forward the same view in relation to a motion or amendment, and there is no one opposed, or, in the case of a motion no amendment has been proposed, the motion or amendment will be put without further debate.
23. Any member may raise a point of order, which will be open to discussion. The point must be raised at the time the alleged irregularity occurred.
24. An explanation or contradiction will not constitute a point of order.
25. The Chair will determine points of order.

26. Any member disagreeing with the Chair's ruling on a point of order may move dissent. The Chair will then vacate the Chair and such motion will be put forthwith without debate.
27. If the Chair feels that adequate discussion has taken place on a point, the Chair may move that the motion be put to the vote. The Chair's motion will conclude discussion.
28. Each member of the Committee is entitled to one vote on each motion raised at the meeting.
29. All motions shall be determined by a majority of votes.
30. Voting shall be by a show of hands unless the Committee decides otherwise.
31. The Chairperson shall have a casting vote if equal votes are recorded on a motion.
32. A member may at any time put to the Chair; "That the speaker be no longer heard" or, "That the speaker be heard for a further limited period only". Such motion, except the closure motion or a motion dealing with the speaker's time, will be moved while a speaker has the floor. The Chair will rule on the point of order.
33. A member may move "That the meeting be now adjourned". The Chair will rule as with all points of order.
34. Standing orders (1) to (29) or any one of them may be suspended by a special majority of those present. A motion to this effect will be open to debate.
35. No member will reflect on the vote of a meeting, except on a motion for the rescission of any resolution previously adopted.
36. Notwithstanding anything contained herein, any decision made by a validly constituted meeting will not be void by reason only of a departure from these standing orders which was not detected till after the decision had been made.
37. Any matters not dealt with in the above standing orders will be governed by the customary procedure at meetings.

#### 4.5. General Meetings

1. The Vice President (Administration) will call a General meeting of the Society within twenty one (21) days when:
  - a. Requested by petition of not less than ten (10) members or one half of the membership of the society, whichever is less, such petition outlining the business to be dealt with; or
  - b. Requested by the Executive.
2. The Vice President (Administration) will ensure that at least fourteen (14) days notice is given to members of a General Meeting.
3. In a General Meeting, all voting rights for all members of the Society, regardless of position, will be equal.
4. Notice of all General Meetings will be forwarded to the Faculty and any affiliated body at least fourteen (14) days prior to the meeting.
5. Notice of all General Meetings will be posted on University notice boards as well as the Society notice board, located near the Law faculty office or on the Society Website, and/or such other sites as nominated by the committee.
6. Meetings will be held on a weekday, during session, on campus.
7. A quorum for a General Meeting will be not less than twelve (12) members or one half of the membership of the Society, whichever is less.
8. Minutes of all General Meetings will be forwarded to the Faculty and any affiliate within 14 days of the meeting.
9. The Executive will implement any resolutions approved by a simple majority of members present at a General Meeting.
10. In the event of an issue needing resolution before the next scheduled General Meeting the Executive will have power to resolve the question at an Executive meeting.

#### 4.6. Annual General Meetings

1. In an Annual General Meeting, all voting rights regardless of position, will be equal.
2. The Annual General Meeting of the Society will be held on campus at a day and time nominated by the committee.
3. A quorum for Annual General Meetings will be not less than twelve (12) members or one-half of the membership of the Society whichever is less.
4. The Vice President (Administration) will ensure that at least fourteen (14) days notice is given to members of the Annual General Meeting.
5. The President will present to the Annual General Meeting the Annual Report of the Society.
6. The Committee members will present to the Annual General Meeting individual reports pertaining to their roles.
7. The AGM must be called to occur before the 1<sup>st</sup> Sunday of December each year

## Part 5 Elections

### 5.1. Conduct of Elections

1. All Academic Members will have one equal vote each in society elections, except for the case of elections held purely to elect first year representatives, where all first year Academic Members will have one (1) equal vote each.
  2. An Election will be held once or more per year to elect persons to the Executive and to the Committee.
  3. Elections will be decided by simple ballot with candidates running as individuals and not as part of a formal ticket.
  4. Elections will be the responsibility of the President, or a Returning Officer ~~who will be appointed by the President on approval of the Committee, prior to the election.~~
  5. The Returning Officer shall be the Immediate Past Executive Member serving as ex-officio where possible, taking into account contactability and any conflict of interest, for example this member cannot be the Returning Officer if they intend to run for a position themselves. Where the Immediate Past Executive Member cannot serve as the Returning Officer, the President shall appoint someone to this role on the approval of the Committee, prior to the election.
2. Notice of an upcoming election will be provided to members at least two (2) weeks in advance through as many mediums as reasonably possible, but specifically including posters, advertisements and class announcements.
  3. Nominations for positions in either the Executive or the Committee are to close one (1) week before the first day for voting.
    - a. The Returning Officer may choose to conduct the elections via paper ballot or via electronic voting such as an online voting platform. The latter will be subject to the logistical ability to carry out the elections and the ability to abide by privacy considerations set out by the University.
  4. In the event of insufficient nominees for the positions offered, vacant positions are to be filled by appointment at the will of the newly elected committee.
  5. The committee meeting immediately following the election will have as part of the agenda, consideration of appointments to fill vacant positions.

6. The General Meeting following the election will be a meeting of review in which the outgoing Executive will be required to give a summation of their years activities to the Society and in particular to the incoming Executive.
7. In the event of a member of the Executive standing down or retiring from a position the vacancy will be filled by means of a new General Election.
8. In the event of a Committee position becoming vacant, the vacancy will be filled by appointment by the current Executive in consultation with the Committee.
9. Successful candidates shall take office at the conclusion of the Annual General Meeting of that year or any other General meeting at which the election results are confirmed.

## 5.2. Annual General Elections

1. Nominations shall be open for at least one (1) week.
2. The elections shall be held during the second (2<sup>nd</sup>) semester of the academic year on dates to be determined by the President.

## 5.3. Casual Vacancies

1. The Committee shall decide whether or not to hold a by-election for the vacant position.
2. The Committee may appoint one (1) of its members to fill the vacant position in a caretaker capacity, until the next election or until a suitable candidate is found.

# Part 6 Finance

## 6.1. Finance

### Society Bank Account(s)

1. The Society will operate at least one (1) bank account (whether cheque, savings or otherwise) through the chosen bank(s) of the Society. **CHANGE TO** All funds of the University of Wollongong Law Students' Society shall be deposited into the society's bank account at the National Australia Bank, Wollongong Campus Branch; unless
  - a. The club is located on a different campus to Wollongong; or
  - b. An alternate account has previously been approved by Uniclubs.

2. ~~If the Society chooses to conduct its financial business through a cheque account, two (2) signatories must sign each cheque if the value exceeds \$100.00.~~ **REPLACE WITH:** All payments from the society account must be paid by card after being approved in accordance with this Constitution.
  
3. ~~If the Society chooses to conduct its financial business through a cheque account, the signatories will be the:~~ **CHANGE TO:** A minimum of two (2) society members shall be signatories to any bank accounts held in the society's name. These signatories shall be the current holders of one of the following positions:
  - a. President;
  - b. Vice President (Finance);
  - c. Vice President (Administration); and
  - d. Vice President (Events).
  
4. All funds of the society where not paid directly to the society's bank account must be deposited into the society's bank account no later than two (2) working days after receipt.
  
5. If the Society chooses to conduct its financial business through a General Purpose Internet Banking Account, responsibility for this account shall, on behalf of the Society, be vested with the Vice President (Finance). The Vice President (Finance) shall be charged with sole access to the Internet Banking Account and shall be the only person with possession of the access password for online banking.
  
6. If the Society chooses to conduct its business through a General Purpose Internet Banking Account, all transfers made to accounts external to the accounts owned by the Society may be protected by SMS Security messaging. The Vice President (Finance) is to have their mobile phone number linked with the bank account for this purpose.
  
7. If a new Vice President (Finance) is appointed to the role pursuant to the Constitution (for any reason), the outgoing Vice President (Finance) must carry out all steps necessary to ensure that the control over the Society's General Purpose Internet Banking account is conferred to the new Vice President (Finance) as soon as possible.

8. In addition to a General Purpose Internet Banking Account, the Society may choose to operate a Savings Account. The Savings Account shall be linked to the General Purpose Internet Banking Account. However:
  - a. No monies shall be paid directly out of the Savings Account to any account other than the general purpose Internet Banking Account. If funds contained within the Savings Account are required for use by the Society, they must first be transferred to the General Purpose Internet Banking Account and then transferred or otherwise withdrawn from the General Purpose Internet Banking Account for the Society's purposes; and
  - b. No monies shall be paid directly into the Savings Account from any account other than the general purpose Internet Banking Account. All funds must first be placed into the General Purpose Internet Banking Account and then transferred to the Savings Account, subject to Rule 6.1.8.
9. Society monies may be moved between the General Purpose Internet Banking Account and the Savings Account by the Vice President (Finance) provided it is reasonable to do so. In determining reasonableness, consideration must be given to the anticipated use of the Society's funds in the future.
10. With unanimous assent from the Executive, the Vice President (Finance) may place or withdraw funds on a term deposit provided it is reasonable to do so. In determining reasonableness, consideration must be given to the anticipated use of the Society's funds in the future.
11. If the Society chooses to conduct its financial business through an Internet Banking Account, should any member of the Executive request a statement showing either:
  - a. The current bank balance; or
  - b. Any transaction history that is reasonably available,the Vice President (Finance) is required to provide the Executive member this information by email within three (3) business days.
12. Non-compliance with Rule 6.1.10 will place the position of the Vice President (Finance) under review in accordance with the procedures adopted under Part 3.6.

#### Petty Cash

12. The Society may choose to keep a Petty Cash tin.
13. If the total sum in the Petty Cash tin exceeds \$100.00, the excess must be banked in the Society's bank account(s).



14. All petty cash must be recorded.

#### Society Payment Transactions

14. Subject to Rule 6.1.15 and 6.1.16, all payment transactions must be approved by way of ordinary resolution at a meeting of the Committee. Payment transactions may be approved prospectively or retrospectively.
15. All payment transactions under \$100.00 can be approved by any single member of the Executive, provided that documentation of the transaction is submitted to the Vice President (Finance) either before, or as soon as practicable after, payment is made. These payments may be made by way of cash, cheque, transfer or other banking means used by the Society, subject to Part 6.1.
16. All Society related payment transactions between the value of \$100.00 and \$1000.00 can be approved by unanimous assent of the Executive, whether that assent is given in an Executive meeting or otherwise. This approval applies to direct payments by the Society to external parties and reimbursement of committee members. Notwithstanding this Rule, the preferred method of approving Society payment transactions is by way of the process adopted in Rule 6.1.14 and the process adopted by this Rule should primarily be invoked only when it is unreasonable to comply with the process in Rule 6.1.14.

#### Reimbursement Payments

17. Subject to Rule 6.1.15 and 6.1.16, reimbursement for payments made by a Committee member will only be made when:
  - a. An adequate source document pertaining to the transaction has been produced to the Vice President (Finance); and
  - b. A Committee resolution approving the reimbursement has been passed.
18. Subject to Rule 6.1.15 and 6.1.16, any payment made by a Committee member who does not satisfy the requirements in Rule 6.1.17 will not be reimbursed for their payment(s).

#### Recording Payment Transactions

19. All payment transactions are to be evidenced by a source document. A 'source document' includes:
  - a. Tax invoices; and
  - b. Receipts of payment.

20. All source documents available that pertain to payment transactions must be saved onto Google Drive in a folder that has been established for the current financial year to which the source document relates.
21. Uniclubs has the right to audit the society's financial records when alerted about any issues or complaints.

#### Cash to be Deposited

21. All funds received in cash by the Society are to be deposited into the Society's bank within two (2) business days.

#### SSAF and/or Faculty Club Funding

22. Where applicable, the following sub-provisions shall be followed by the Executive and Committee regarding SSAF funding and/or Faculty Club Funding:
  - a. The President shall apply for SSAF funding and/or Faculty Club Funding through CSE and submit an application through the Clubs and Societies Online System;
  - b. For any amounts applied for over \$500.00, the President, or relevant Executive Member, shall submit an Event Management Plan to CSE as found on the Clubs and Societies website.
  - c. Two (2) Executive Members shall attend the three (3) Faculty Club Committee meetings a year to consider the Funding Applications presented.
  - d. The President, Vice President (Administration) and Vice President (Finance) shall be responsible for submitting to the Faculty Club Committee two (2) reports per year.
    - i. The first report will contain planned events for the upcoming year and will be submitted before the end of April.
    - ii. The second report will contain an overview of activities and a financial report for the year ended on the date stipulated by CSE, as well as a financial forecast for the remainder of the term of office (30<sup>th</sup> November).
    - iii. These reports shall be submitted to the designated Support Staff Member of the Faculty Clubs and Societies Committee a minimum of two (2) weeks prior to the relevant scheduled Faculty Club Committee Meeting.

#### Control of bank Accounts

23. No affiliated body will have control over either of the Society's bank accounts. However, where the Society's bank requires confirmation of new signatories, the Centre for Student Engagement is authorised to approve the change of signatories.
24. Following each committee meeting, the President, Vice President (Administration) and Vice President (Finance) must meet to audit all income and expenditure for the period immediately following the previous Committee meeting.
  - a. The Vice President (Administration) must prepare the Expense Reconciliation report, detailing all motions concerning the release of funds that have been approved at Committee Meetings.
  - b. The Vice President (Finance) must provide an adequate explanation for the flow of funds, and provide an adequate explanation for the flow of funds, and produce all relevant documentation to support this.
  - c. The Vice President (Finance) must forward an electronic copy of the bank statement for the period immediately following the previous committee meeting and up to the date of the current meeting.
  - d. The Vice President (Administration) must upload a copy of the Bank Statement for all members to access on the current Committee Facebook page.

## **Part 7 Rules and Regulations**

### **7.1. Amendment**

1. No amendment may be made to this document except by a resolution approved by a special majority of members present at a Special General Meeting.
2. Proposed amendments will be given to the Vice President (Administration) at least seven (7) days prior to the Special General Meeting at which they are to be discussed.
3. Notice of motions to alter or repeal this document must be given to Uniclubs and approved prior to notice of meeting given to Club members.

### **7.2. Publication**

1. At a formal function for the signing up of new members copies of this document will be available to any new member for their own reference.
2. A copy of this document will be provided by the Vice President (Administration) to any person seeking a copy.
3. All publications may be distributed in hardcopy or softcopy or both.

### **7.3. Regulations**

Subject to these Rules, the Committee is authorised to make and amend regulations and standing orders. The Committee shall submit details of all regulations and standing orders made during the preceding twelve (12) months to each Annual General Meeting.

#### 7.4. Disposal of Assets

1. In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Association shall be disposed of in accordance with the provisions of the Act.
2. In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Association shall be disposed of in a manner approved by the UOW Faculty of Law.

#### 7.5. Custody of Books and Records

1. Except as otherwise provided in these Rules, the Vice President (Administration) shall make sure that all books, documents and securities are located within the Society office when not in use by Executive members.
2. All accounts, books, documents and securities of the Association shall be available for inspection and copying by any other member of the Association upon request.

#### 7.6. Common Seal

1. The Common Seal of the Association shall be kept in the custody of the Public Officer.
2. The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal shall be attested by the signatures either of the President and one Executive member of the Committee or of one member of the Committee, as approved by the Committee.

#### 7.7. Signing of Negotiable Instruments

1. All cheques are to be signed by the Vice-President (Finance) or the President; and one other Executive member who is signatory.

2. In the event of the Vice President (Finance) and/or President being unable to be present to sign a cheque, either may, via email or other written communication, authorise any two current account signatories to authorise a cheque (without the signature of the Vice President (Finance) or President on the cheque).
3. All drafts, promissory notes and other negotiable instruments must be signed by the President or Vice President (Finance) and one (1) other Executive Committee member.

## Regulations

Subject to the Society Rules, the Committee is authorised to make and amend regulations and standing orders. The Committee shall submit details of all regulations and standing orders made during the preceding 12 months to each Annual General Meeting.

1. Composition of the Committee

1. The Committee shall be comprised of:

- a. *Executive*

President

Vice President (Administration)

Vice President (Events)

Vice President (Education)

Vice President (Finance)

Vice President (External

Competitions)

Vice President (Internal

Competitions)

Vice President (Marketing)

Vice President (Careers)

- b. *General Committee*

Competitions Officer/s (5)  
Publications Officer (1)  
Access Officer (1)  
Equity Officer (1)  
Social Justice Officer (1)  
Careers Officer (2)  
Events Officer (1)  
Publications Officer (1)  
Mature Age Representative/s (1)  
Second Year Representative (1)  
First Year Representative/s (1)  
South Western Sydney Representative (1)  
Ex Officio (1)

## 2. Voting of Committee Positions

1. This regulation governs the process of selecting Committee members to available positions following a general election for multiple positions.
2. Voting is based on the following principles:

- a. Both elected candidates on the incoming Committee and outgoing Committee members are entitled to vote.
  - b. Each Committee member will fill one position. Where there are fewer Committee members than positions to be filled, candidates may fill multiple positions.
  - c. Each Committee member may nominate for any position, and may nominate for alternative positions even after they have been tentatively selected to a position.
  - d. Committee members shall not be compelled to disclose the positions they intend to nominate for.
  - e. Committee members should be assessed for each position separately based on their ability to execute the role and fulfil any duties associated with that position.
  - f. As Committee members may nominate for more than one position, the order in which positions are voted on is inherently irrelevant.
  - g. All ballots shall be secret.
  - h. Each individual person that is eligible to vote is entitled to only one vote.
3. Unless the Committee decides otherwise, positions shall be determined in the following order:
  - a. President;
  - b. Executive positions;
  - c. General positions.
4. Within each group specified in sub-regulation (3), specific positions shall be determined in random order, as governed by the Returning Officer.

5. As each position is to be determined, a call shall be made for Committee members wishing to nominate for the position. Where more than one position carries the same title, the positions shall be determined together.
  - a. If no Committee members nominates for a position, determination of the position shall be deferred until all other positions in that group are determined.
  - b. Where more than one position is being determined and an insufficient number of Committee members nominate for the positions:
    - i. Those persons nominating shall be tentatively selected for that position; and
    - ii. Determination of the remaining position shall be deferred until all other positions in that group are determined.
    - iii. Randomly chosen by the Returning Officer.
6. Where a person is tentatively selected for multiple positions:
  - a. Where there are the same number of Committee members as positions to be filled, the person relinquishes all but the most recently determined position.
  - b. Where there are fewer Committee members than positions to be filled:
    - i. If the person is tentatively selected for more positions than one plus the surplus of positions over Committee members, the person must relinquish sufficient positions to meet this quota;
    - ii. The person may relinquish any but the most recently determined position;
    - iii. The Committee may vote to redeem a particular position to be reopened.
7. Once all positions have been filled and all Committee members have been selected for positions, the Returning Officer shall declare the voting of committee positions closed, whereupon Committee members who are tentatively selected to positions become elected to those positions.



8. The following holds:

- a. Decisions made by the Returning Officer or their agent shall be final.
- b. The Committee may pass by special majority a motion to overrule any decision made by the Returning Officer or their agent, whereupon the role of Returning Officer becomes vacant.
- c. Where the role of Returning Officer becomes vacant, the Committee must elect a person who is not a Committee member to assume the role of Returning Officer.
- d. Voting of Committee positions shall not proceed while the role of Returning Officer is vacant.