

## **CHARLES DARWIN UNIVERSITY STUDENTS' ASSOCIATION CONSTITUTION - DRAFT**

This Constitution is adopted on the xxxxxxxxx

### **1. Name**

The name of the Association shall be Charles Darwin University Students' Association.

### **2. Background to this Constitution**

The Members have formed the Association which they desire to be regulated according to the following terms and conditions.

### **3. Definitions**

These definitions apply unless the context requires a different interpretation:

'AGM'	means Annual General Meeting of the Association;
'Association Year'	means the period of 12 months beginning on 1st December;
'EGM'	means Extraordinary General Meeting of the Association;
'The Association'	means the Charles Darwin University Students' Association;
'CDU'	means Charles Darwin University;
'The Committee'	means the following Officers, elected at the Meeting held by the Returning Officer or nominee, the President; the Vice President; the Honorary Secretary; the Honorary Treasurer; and five (5) ordinary Members, each representing a student cohort as outlined in this Constitution;
'Officer of the Association'	means any member of the Committee;
'The Regulations'	means the terms and conditions of this Constitution;

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## 4. Objects

4.1. The objects of the Association are:

- 4.1.1. to promote the welfare and further the interests of CDU undergraduate students, and in particular to work for quality and equity in higher education;
- 4.1.2. to afford a recognised means of representation for CDU undergraduate students within the University and the wider community; and
- 4.1.3. to foster community, equity and diversity within the University.

4.2. The Association is a non-profit organisation.

## 5. Membership

5.1. Membership of the Association is automatic for any person who:

- 5.1.1. is enrolled (whether or not that enrolment is with a view to obtaining an award of the University) in a unit or program of study for a Vocational Education and Training or Higher Education undergraduate award of CDU; and
- 5.1.2. has not written to the Honorary Secretary of the Association specifically stating that she/he does not wish to be a member of the Association.

5.2. Only a member of the Association:

- 5.2.1. is eligible to stand for election, or vote at any meeting, election or referendum of the Association;
- 5.2.2. may sign a petition initiating a EGM or a referendum;
- 5.2.3. may be a member of the Committee of the Association;
- 5.2.4. in all other respects, except if otherwise provided in this Constitution, members enjoy equal rights.

5.3. Members of the Association are bound by the regulations of the Association as set out in this Constitution and related Regulations.

5.4. Each of the Members contracts with each of the others to join together to promote and represent the interests and the views of the Association

5.5. The Committee shall have the power to suspend (for a period not exceeding twelve months) or expel any Member who infringes any of these Regulations or whose conduct, (in the Committee's opinion) is harmful to the good name of the Association, or renders him or her unfit for membership.

- 5.5.1. No Member shall be suspended or expelled without first being given the full opportunity to defend himself/herself before the Committee.
- 5.5.2. Suspension or expulsion shall not be permitted without a vote of at least three quarters of the Committee.
- 5.5.3. No suspended Member shall be elected as an officer of the Association or be entitled to vote at any meeting.

5.6. This Agreement is not intended to form a partnership.

## **6. Management of the Association**

6.1. The management and control of the Association shall be vested in the Committee which shall meet as required to organise the Association.

6.2. Officer bearers will be appointed as per 14.11 and will hold office for the Association Year provided they retain Membership of the Association.

6.3. The President's functions shall include representing the Association on CDU Amenities Ltd, liaising with groups affiliated with the Association, day-to-day operations of the Association and setting the procedure for meetings of the Committee.

6.4. The Vice President's functions shall include acting as the alternate to the President on CDU Amenities Ltd and acting as the point of contact for sub-committees as deemed necessary by the Committee.

6.5. The Honorary Secretary's functions shall include sending notices to Members and recording the proceedings of AGMs, EGMs and meetings of the Committee.

6.6. The Honorary Treasurer's functions shall include keeping records and accounts of the subscriptions and expenditure of the Association.

6.7. The five ordinary members elected to sit on the Committee are to perform a representative role for major student cohorts:

- 6.7.1. Indigenous students
- 6.7.2. Mature age students
- 6.7.3. Distance education / Regional students
- 6.7.4. International students
- 6.7.5. On campus students

6.8. The quorum for Committee meetings shall be five Officers and the President shall have a casting vote.

6.9. The Committee members shall be required to attend regular meetings, give input on behalf of the general Association members, vote on Committee decisions, and chair different sub-committees established by the Committee.

## **7. Powers of the Committee**

7.1. The Committee's powers shall include, but not be limited to:

- 7.1.1. Working with CDU Amenities Ltd to devise and implement a range of amenities, events and functions that support the Objects of the Association.
- 7.1.2. filling any vacancy on the Committee from existing Members until the next AGM;

- 7.1.3. appointing such sub-committees as they believe necessary. Any sub-committee so appointed shall be accountable to the Committee whose Officers shall, subject to a vote of the whole membership, be responsible for making final decisions;
- 7.1.4. retaining and hold as property of the Association all sums of money coming into the Association and to bank the funds of the Association. All cheques drawn by the association shall be signed by the President and the Honorary Treasurer, or by such other officers of the Association as may be authorised by the Committee, ensuring that all cheques are signed by two Officers;
- 7.1.5. permitting, unless a contrary direction is given, all Officers to recoup out of pocket expenses authorised by the Committee;

## **8. Annual General Meetings**

- 8.1. The AGM of the association shall be held in [month] each year for the purpose of:
  - 8.1.1. receiving the reports of the Committee, any sub-committees and of the Honorary Treasurer in relation to the Association's activities since the previous AGM;
  - 8.1.2. receiving and if thought fit approving the accounts in respect of the preceding financial year;
  - 8.1.3. dealing with any other general business of the Association.
- 8.2. Fourteen days' notice shall be given of each AGM, including the date, time, place and any special purpose.
- 8.3. Any Member may raise any matter at the AGM, provided that he has given the Honorary Secretary notice of 30 days.

## **9. Extraordinary General Meetings**

- 9.1. An EGM shall be convened by the Honorary Secretary within twenty eight days of receipt by him of a direction by the Committee or of a requisition signed by at least one-fifth of the total membership of the Association.
- 9.2. No EGM shall take place before the giving of fourteen days' notice of the meeting to the Members.
- 9.3. The notice shall state the date, time and place as well as the purpose of the meeting.

## **10. Quorum at meetings**

- 10.1. Any AGM or EGM may proceed provided that at least five members are present within half an hour of the time specified for the start of the meeting.

## **11. Voting at meetings**

- 11.1. Only Members may vote at an AGM or an EGM.

- 11.2. The President shall have a casting vote at AGMs and EGMs.
- 11.3. Any vote to carry an amendment of the Regulations shall be made by at least two thirds of the Members attending who are entitled to vote.
- 11.4. Except as provided in the paragraph above, a vote shall be carried by a simple majority of those attending and entitled to vote.

## **12. Amendment of the Regulations**

- 12.1. These Regulations may be amended or revoked:
  - 12.1.1. by the Members at an EGM, or
  - 12.1.2. if the amendment or revocation is proposed by the Committee, by the Members at an AGM.
- 12.2. Any proposal to amend or revoke these Regulations must be given in the notice to convene the meeting.

## **13. Elections and Tenure of Office**

- 13.1. Unless this Constitution provides otherwise, Committee members of the Association elected under this Constitution hold office for 12 months commencing on 1st December in the year of her/his election.
- 13.2. Despite the above, if a person is elected to fill a casual vacancy in an office, that person must serve so much of the term of that office as remains unexpired.
- 13.3. Only a member of the Association is eligible to vote for, or stand for election to, or hold a Committee position within the Association.
- 13.4. A member may nominate for one Committee position only in any given election.
- 13.5. Nominations must be filled from the following major student cohorts:
  - 13.5.1. Indigenous students
  - 13.5.2. Mature age students
  - 13.5.3. Distance education / Regional students
  - 13.5.4. International students
  - 13.5.5. On campus students
- 13.6. The Annual elections of the Association must be conducted over 4 consecutive academic days during the second teaching period of the academic year, and must include at least 20 hours of polling. The call for nominations must also occur during the second teaching period of the academic year.
- 13.7. A by-election must be conducted over 3 consecutive academic days and must include at least 15 hours of polling.

- 13.8. The Returning Officer shall be appointed by the Vice-Chancellor. The Returning Officer must not:
- 13.8.1. be eligible to vote in an Election of the Association; or
  - 13.8.2. be an Officer of the Association; in the current Academic Year.
- 13.9. The elections must be conducted using an optional preferential system, expressing a single preference for one candidate only, and in accordance with this Constitution and the Regulations.
- 13.10. Those elected will be candidates who poll the highest number of votes as per the major student cohort they represent. Having met this requirement, the remainder of the Committee will be appointed from those candidates who poll the highest number of votes.
- 13.11. The Returning Officer or delegate shall convene a meeting of the elected Committee Members within 14 days to internally elect the positions of the Committee. The positions shall be decided by consensus, followed by a vote if consensus cannot be reached.
- 13.12. The Returning Officer's report must be tabled by the President at the first Ordinary General Meeting after the elections. The General Meeting may:
- 13.12.1. declare the poll; or
  - 13.12.2. in the event of allegations of irregularities refer the Report to the Executive Director, Corporate Services and Business Development for resolution.
- 13.13. If the General Meeting fails to consider the Report, or fails to act under section 13.12, then the Executive Director, Corporate Services and Business Development shall deal with the Report as if it had been referred to the Committee under 13.12.2.

#### **14. Regulations**

- 14.1. The Association may from time to time make Regulations (under, and not inconsistent with, this Constitution) to govern the operation of particular aspects of the Association's affairs.
- 14.2. Without limiting the generality of section 1.4.1, the Association may make Regulations.
- 14.3. Regulations may only be enacted, amended or repealed, by a resolution carried by a two-thirds majority of those present and voting at a general meeting of the Association.

#### **15. Changes to the Constitution**

- 15.1. The Committee may propose changes to this Constitution. These can only be approved by a majority vote at an AGM or EGM.

## **16. Affiliation to a National Organisation**

16.1. For the Association to affiliate to a national organisation, or for the Association to dis-affiliate from such an organisation, a proposition calling for the Association to take such action must be carried at a vote.

## **17. Publications of the Association**

17.1. The Association may, as a matter of Policy or Regulation, deem be an official publication of the Association.

17.2. The Editor of an official publication must act in accordance with the Association Constitution, Regulations and Policy.

17.3. No material is to be published in an official publication of the unless the material:

17.3.1. has been authorised by the Committee for release, or

17.3.2. has been prepared in accordance with any notice requirements set out in this Constitution; or

17.3.3. is the confirmed minutes of a meeting of the Association.

## **18. Jurisdiction**

18.1. This Constitution shall be interpreted according to the Laws of the Northern Territory.