



CDU
STUDENTS'
COUNCIL

CONSTITUTION

CHARLES DARWIN UNIVERSITY STUDENT COUNCIL

Approved by University Council 21
November 2022



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1 PREAMBLE

- 1.1 We, the members of the Charles Darwin University Student Council, in order to promote and advance the interests of students, enact this Constitution for the governance of our Council.

2 DEFINITIONS

- 2.1 In this Constitution, unless the contrary intention appears:
 - “**Absolute majority**” means more than half of all either members or officers of the CDUSC, defined by context, voting in favour of a proposition;
 - “**Constitution**” means the Constitution of the Charles Darwin University Student Council;
 - “**CDU Act**” means the Charles Darwin University Act 2003 (NT);
 - “**CDUSC**” means the Charles Darwin University Student Council;
 - “**Council meeting**” means a meeting of CDUSC officers;
 - “**Director, Student Engagement**” is the person employed by CDU responsible for student support, wellbeing, engagement and retention;
 - “**General meeting**” means a meeting of members in accordance with Clause 18;
 - “**Member**” means an enrolled student of CDU admitted in accordance with Clause 7.2;
 - “**Nomination**” means the process by which members nominate themselves for election to the CDUSC;
 - “**Office-bearer**” means an officer with an Executive Committee or portfolio appointment in accordance with Clause 10;
 - “**Officer**” means a Student elected to the CDUSC in accordance with Clause 17;
 - “**Regulations**” means the regulations of CDUSC, made under Clause 23;
 - “**Student**” means an enrolled student of CDU;
 - “**University**” means Charles Darwin University; and
 - “**University Council**” means the peak governing body of CDU, as defined by the Charles Darwin University Act, 2003 (NT).

3 TITLE OF THE STUDENT COUNCIL

- 3.1 The name of the Council is Charles Darwin University Student Council, hereafter referred to as “CDUSC,” and refers to the officers appointed in accordance with this Constitution.
- 3.2 The Constitution of the Charles Darwin University Student Council is adopted under section 22(1) of the CDU Act and the Charles Darwin University (Student Association) By-laws.

4 APPROVAL BY UNIVERSITY COUNCIL AND THE COMING INTO FORCE OF THE CONSTITUTION

- 4.1 The establishment of CDUSC is subject to approval by the University Council.



- 4.2 The Constitution will come into force on the date the University Council determines or approves this Constitution.

5 FUNCTIONS AND PURPOSE

- 5.1 The functions and purpose of CDUSC are to:
- 5.1.1 promote and advance the rights, interests and welfare of students;
 - 5.1.2 represent the views of its members, both formally and informally, regarding CDU business when called upon;
 - 5.1.3 provide the means for effective communication between students and the CDU; and
 - 5.1.4 deliver services, amenities and programs for students funded by the CDU.

6 POWERS

- 6.1 CDUSC has power to do all things incidental or conducive to the attainment of its functions and purpose and may only exercise its powers and use its income and assets for the attainment of its functions and purpose.

7 MEMBERSHIP

- 7.1 Membership of CDUSC is voluntary. Members are enrolled students of CDU who apply for membership and are admitted in accordance with Clause 7.2.
- 7.2 Applications for membership will be tabled at the next CDUSC meeting and approved by motion in accordance with Clause 20.1.
- 7.3 A person will cease to be a member:
- 7.3.1 by resigning from CDUSC by written notice to the Director Student Engagement; or
 - 7.3.2 by ceasing to be a student.

8 RIGHTS OF MEMBERS

- 8.1 Subject to this Constitution and the Regulations, all members have the right to:
- 8.1.1 attend and vote at general meetings of CDUSC; and
 - 8.1.2 stand for election as an officer of CDUSC.
- 8.2 The rights of a member are:
- 8.2.1 not permitted to be transferred, assigned, or transmitted to another person; and
 - 8.2.2 terminate upon cessation of the member's membership.

9 REGISTER OF MEMBERS

- 9.1 CDUSC shall maintain a register of members which shall record:
- 9.1.1 the name and email address of each member of CDUSC; and
 - 9.1.2 the date of admission to, and cessation of, membership of each member.



- 9.2 The information under Clause 9.1 will be managed in accordance with the [Privacy and Confidentiality Policy](#).
- 9.3 The membership database under this or any other clause of this Constitution is only accessible to office-bearers and the authorised CDU staff.

10 OFFICE-BEARERS

- 10.1 The office-bearers of CDUSC are elected officers who hold one or more of the following portfolios:
- 10.1.1 President;
 - 10.1.2 Vice President;
 - 10.1.3 Secretary;
 - 10.1.4 Treasurer;
 - 10.1.5 First Nations Officer;
 - 10.1.6 International Students Officer;
 - 10.1.7 Women’s Officer; and
 - 10.1.8 LGBTQIA Officer.
- 10.2 In accordance with this Constitution, the CDUSC:
- 10.2.1 must specify the procedures for electing office-bearers; and
 - 10.2.2 must specify the responsibilities of each office-bearer; and
 - 10.2.3 may appoint by co-option an appropriate member to ensure each portfolio is represented.
- 10.3 Allocation of office-bearer portfolios will be made by absolute majority of voting members of the CDUSC at the first meeting of the term.
- 10.4 Responsibilities of office-bearers will be agreed and passed by motion at the first meeting of the term, in accordance with the Regulations.

11 STUDENT COUNCIL GOVERNANCE AND PROCEDURES

- 11.1 The CDUSC is responsible for its governance and may exercise all the powers of CDUSC (except the powers of members in a general meeting or a referendum) within the functions and purpose of CDUSC.
- 11.2 Without limiting Clause 11.1, the CDUSC is responsible for:
- 11.2.1 setting the strategic directions of CDUSC;
 - 11.2.2 setting the proposed annual budget and monitoring the financial performance of CDUSC in accordance with *Charles Darwin University (Student Association) By-laws*;
 - 11.2.3 establishing the policies and procedures of CDUSC;
 - 11.2.4 making regulations under Clause 23; and
 - 11.2.5 monitoring the performance of office-bearers and ensuring they carry out their duties and responsibilities.



- 11.3 The CDUSC may delegate any of its powers, except the power of delegation, to any of its sub-committees or office-bearers of CDUSC as it deems fit. No such delegation will prevent or limit CDUSC from exercising its powers or functions.
- 11.4 The voting members of the CDUSC are all office-bearers elected in accordance with Clause 17, with portfolios allocated in accordance with Clause 10.3.
- 11.5 All other matters relating to the procedures of CDUSC will be established under Regulations approved in accordance with Clause 23.

12 STUDENT COUNCIL MEETINGS

- 12.1 The CDUSC must hold meetings at least six (6) times in a calendar year with provision for online attendance.
- 12.2 Upon the request of three (3) or more office-bearers, the Secretary must call a meeting at a place and time convenient to the office-bearers of the CDUSC.
- 12.3 A quorum for a meeting of the CDUSC is half of the voting members plus one (1). The quorum must always be present when business is transacted.
- 12.4 The President will chair council meetings. If the President is not present, or is required to vacate the chair, the Vice President will chair the meeting. If neither the President nor the Vice President is present, or is required to vacate the chair, the CDUSC must elect another office-bearer to chair.
- 12.5 CDUSC may grant leave of absence to any voting member of the CDUSC for a period not exceeding three (3) months.

13 EXECUTIVE COMMITTEE

- 13.1 The Executive Committee is a committee of CDUSC exercising delegated powers from under Clause 11.2, and:
 - 13.1.1 may transact business on behalf of CDUSC on urgent matters that the President and Vice President consider cannot be held over until the next regular meeting of CDUSC;
 - 13.1.2 may exercise such other powers as may from time to time be delegated to it by CDUSC; and
 - 13.1.3 must provide CDUSC with reports of its activities at each meeting.
- 13.2 The Executive Committee is composed of the following voting members:
 - 13.2.1 the President (Chair);
 - 13.2.2 the Vice President;
 - 13.2.3 the Secretary;
 - 13.2.4 the Treasurer; and
 - 13.2.5 one (1) voting member of CDUSC elected by the CDUSC.
- 13.3 The Director, Student Engagement shall be a non-voting member of the Executive Committee.



- 13.4 Executive Committee meetings must be chaired on the same basis as CDUSC meetings in accordance with Clause 12.4.
- 13.5 A quorum for a meeting of the Executive Committee is three (3) voting members.
- 13.6 A quorum must always be present when business is transacted.

14 COMMITTEES AND REPRESENTATION OF CDUSC ON UNIVERSITY COMMITTEES OR BODIES

- 14.1 In addition to the Executive Committee, CDUSC may by resolution establish other standing and ad hoc committees as it considers appropriate.
- 14.2 CDUSC must stipulate the functions and responsibilities of the Committee established under Clause 14.1.
- 14.3 CDUSC may by resolution appoint office-bearers or members to sit on, or to run in an election for a position in, the following committees pursuant to any legal or policy requirement concerning the composition or election of these committees:
 - 14.3.1 Student Services and Amenities Fee Advisory Committee;
 - 14.3.2 Respect. Now. Always. Committee;
 - 14.3.3 Teaching and Learning Committee;
 - 14.3.4 University Council;
 - 14.3.5 Academic Board;
 - 14.3.6 Any other Committee established by the University.

15 TERMS OF OFFICE

- 15.1 CDUSC office-bearers elected at the annual elections hold office for a twenty-four (24) month period from 1 January of the year after election.
- 15.2 Officers may be re-elected to the CDUSC.
- 15.3 Office-bearers appointed to fill a vacated position, in accordance with Clause 16.6, hold office for the remainder of the term of office of the position being filled.
- 15.4 Office-bearers must be students for the full term of office, except as stipulated in Clause 16.

16 VACATION OF OFFICE

- 16.1 A CDUSC position becomes vacant if the office holder:
 - 16.1.1 ceases to be a student;
 - 16.1.2 ceases to be a member of CDUSC;
 - 16.1.3 is absent for three (3) meetings of CDUSC without a leave of absence, except in exceptional circumstances, as determined by CDUSC;
 - 16.1.4 resigns from their position by written notice to the Director Student Engagement;
 - 16.1.5 is removed from their position in accordance with Clause 16.4; or
 - 16.1.6 is unable for any other reason to perform the duties of office, as determined by the Executive Committee in consultation with the Director, Student Engagement.



- 16.2 CDUSC may by resolution permit an office-bearer vacating their position in accordance with Clause 16.1.1 to continue as an office-bearer until the end of the current academic semester defined by Grade Release.
- 16.3 CDUSC may by resolution permit an office-bearer to continue in their position during an intermission of one (1) academic semester. For intermissions longer than one (1) semester, the office-bearer's position will be vacated but they may continue with the CDUSC as a member. On return from intermission, the member is permitted to nominate for re-election.
- 16.4 An office-bearer or member of the CDUSC may be removed from their position or membership by unanimous vote of office-bearers or by a binding decision of a referendum in accordance with Clause 21.5.
- 16.5 An office-bearer or member must recuse themselves from voting on a vote regarding their own membership or position.
- 16.6 Vacancies must, where possible, be filled within 42 calendar days.
- 16.7 If a vacancy in an office-bearer position occurs on or after January 1st and before the annual elections, CDUSC may appoint a member who would be eligible to stand for the position in accordance with the Constitution and the Regulations. Otherwise CDUSC can decide to leave the position vacant.
- 16.8 If a vacancy in an office-bearer position occurs after the annual elections but before the 31st of December, one of the incoming office-bearers must be offered an early start to the term in that position, in order of voter preference.

17 ELECTIONS

- 17.1 The CDUSC must make regulations for the conduct of elections. These regulations must protect the security of the vote counting system and the privacy of each voter in lodging a vote.
- 17.2 All elections must be online by secret ballot using the "majoritarian preferential" system.
- 17.3 Voting in the annual elections must be held between 1 September and 15 November.

18 GENERAL MEETINGS

- 18.1 CDUSC must convene a general meeting of members on resolution of office-bearers or upon receipt of a petition of at least thirty (30) members. The petition must:
 - 18.1.1 include the names, student numbers and signatures of the petitioning members;
 - 18.1.2 state the agenda to be addressed at the general meeting; and
 - 18.1.3 be given to the Secretary or another member of the Executive Committee.
- 18.2 If a general meeting is requested in accordance with Clause 18.1, the Secretary must:
 - 18.2.1 fix a time, date and place for the general meeting within five (5) working days of the request; and
 - 18.2.2 give to all members at least ten (10) working days' notice of the general meeting.



- 18.3 The notice of the general meeting must be sent to all members by electronic transmission specifying the time, date, place and agenda of the general meeting. The meeting must be held within the academic semester and must include the use of tele/videoconferencing.
- 18.4 Thirty members (30) or ten (10) per cent of the total membership, whichever is the lesser number, in attendance shall constitute a quorum at a general meeting. If a quorum is not present within thirty (30) minutes after the time and place specified in the notice of the general meeting issued in accordance with Clause 18.3, the general meeting will lapse.
- 18.5 The President shall preside at a general meeting of members, or another office-bearer on the same bases as CDUSC meetings, in accordance with Clause 12.4.
- 18.6 Decisions of general meetings will be binding on CDUSC if the meeting is quorate and two-thirds of members in attendance vote in favour, provided they are not inconsistent with this Constitution or the Constitution of the University Council.

19 ANNUAL GENERAL MEETING

- 19.1 CDUSC must, once in each calendar year, hold an annual general meeting.
- 19.2 The annual general meeting will be in addition to any other general meetings of members that may be held in the same year and must be specified as such in the notice convening it.
- 19.3 The order of business at the Annual General Meeting will be:
- 19.3.1 to confirm the minutes of the previous Annual General Meeting;
 - 19.3.2 to consider a report from the President;
 - 19.3.3 to consider a report from the Treasurer on CDUSC's finances;
 - 19.3.4 to consider new membership applications; and
 - 19.3.5 any other business of which notice has been given.
- 19.4 The annual general meeting will be conducted on the same basis as a general meeting of members as specified in Section 18, except for Clause 18.1.

20 DECISION-MAKING BY CDUSC

- 20.1 Motions may be moved by any office-bearer during a CDUSC Meeting, General Meeting, or Annual General Meeting and passed upon secondment of another office-bearer.

21 REFERENDUMS

- 21.1 CDUSC may, by resolution, hold a referendum. The resolution:
- 21.1.1 must state the question or questions to be put to referendum; and
 - 21.1.2 must include the names, student numbers and signatures of the office-bearers making the request.
- 21.2 If a referendum is required, CDUSC must hold the referendum within fifteen (15) working days of the request having been received.
- 21.3 All members are entitled to vote in referendums.
- 21.4 The ballot must be conducted on the same basis as for elections for CDUSC.



21.5 Decisions of referendums will be binding on CDUSC if at least six (6) per cent of students cast a vote in the referendum and there is an absolute majority vote in favour, provided they are not inconsistent with this Constitution or the Constitution of the University Council.

22 AMENDMENT OF THE CONSTITUTION

22.1 CDUSC may propose amendments to this Constitution by absolute majority vote of office-bearers or by a two-third majority in a referendum in accordance with Clause 21.5.

22.2 Proposals to amend this Constitution must be submitted to the University Council for approval and will come into effect upon such approval.

23 REGULATIONS

23.1 CDUSC may, by resolution passed by an absolute majority, make Regulations not inconsistent with this Constitution, the CDU Act, and CDU By-laws, Rules and Governance Documents, regarding the operation of CDUSC.

23.2 Such Regulations shall continue in force until amended or rescinded by an absolute majority vote.

24 FINANCES

24.1 The financial year of CDUSC is from 1 January to 31 December of every calendar year.

24.2 The Student Council is responsible for the management of the funds of CDUSC.

25 DISSOLUTION OF CDUSC

25.1 CDUSC may be dissolved voluntarily by a resolution of members at a general meeting passed by a two-third majority.

25.2 University Council may, on the recommendation of the Vice-Chancellor, dissolve CDUSC if CDUSC fails to discharge its responsibilities in accordance with this Constitution.

25.3 On dissolution, any surplus assets will be distributed to the CDU under the direction of University Council on or before the dissolution.

