



**STUDENT GUILD OF CURTIN UNIVERSITY**  
**GUILD REGULATIONS – DIVISION ONE – GENERAL**

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**CONTENTS**

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<b>Part 1 - Definitions.....</b>	<b>5</b>
R1.1 Short Title.....	5
R1.2 Commencement and Revocation and Transitional Provisions .....	5
R1.3 Terms Used .....	5
R1.4 Interpretations .....	10
<b>Part 2 – Membership .....</b>	<b>11</b>
R2.1 Classes of Membership.....	11
R2.2 Ordinary Guild Membership.....	11
R2.3 Financial Guild Membership.....	12
R2.5 Honorary Life Membership .....	13
R2.6 Cessation of Membership.....	13
<b>Part 3 - Guild Council.....</b>	<b>14</b>
R3.1 Membership .....	14
R3.2 Quorum .....	15
R3.3 Meetings .....	15
R3.4 Voting.....	15
R3.5 Attendance.....	16
R3.6 Validity of Proceedings.....	16
R3.7 First Meeting .....	16
R3.8 Appointments.....	17
R3.9 Changes to Statutes, Regulations and Rules .....	17
R3.10 Delegations .....	18
R3.11 Election .....	19
R3.12 Term of Office .....	19
R3.13 Resignations .....	19
R3.14 Removal From Office .....	20
<b>Part 4 – Officers of the Guild.....</b>	<b>21</b>
R4.1 Officers of the Guild .....	21
R4.2 President.....	21

R4.3	Education Vice President .....	22
R4.4	Activities Vice President .....	23
R4.5	General Secretary .....	23
R4.6	Faculty Representatives .....	24
R4.7	International Students Committee President .....	24
R4.8	Postgraduate Students Committee President .....	24
R4.9	Queer Officers.....	25
R4.10	Women's Officer.....	25
R4.11	Indigenous Officer .....	26
R4.12	Students with Disabilities Officer .....	26
R4.13	Guild Councillors .....	26
R4.14	Guild Council Chairperson .....	27
<b>Part 5 - Guild Committees .....</b>		<b>28</b>
R5.1	Power to Establish Committees.....	28
R5.2	Executive Committee .....	28
R5.3	Legal Committee .....	29
<b>Part 6 - Discipline Tribunal and Appeals Tribunal.....</b>		<b>30</b>
R6.1	Membership .....	30
R6.2	Hearings.....	30
R6.3	Quorum .....	31
R6.4	Penalties .....	31
R6.5	Offences.....	32
R6.6	Procedure .....	32
<b>Part 7 - Subsidiary Bodies.....</b>		<b>35</b>
R7.1	International Students Committee .....	35
R7.2	Postgraduate Students Committee.....	36
R7.3	Queer Department .....	36
R7.4	Women's Department.....	37
R7.5	Indigenous Department .....	37
R7.6	Students with Disabilities Department .....	38
<b>Part 8 - Student Societies .....</b>		<b>39</b>
R8.1	Registration.....	39
<b>Part 9 - General Meetings of the Guild .....</b>		<b>39</b>
R9.1	Notice.....	39

R9.2	Quorum .....	39
R9.3	Procedure .....	39
R9.4	Resolutions of a General Meeting .....	39
R9.5	Annual General Meeting.....	40
R9.6	Special General Meeting .....	40
<b>Part 10 - Referenda.....</b>		<b>40</b>
R10.1	Calling of Referenda .....	40
R10.2	Requisitions .....	40
R10.3	Recall Referenda .....	40
<b>Part 11 – Staff, Finances and Administration .....</b>		<b>41</b>
R11.1	Managing Director.....	41
R11.2	Departments .....	41
R11.3	Employees & Staff.....	41
R11.4	Finance and Administration .....	42
R11.5	Account Signatories .....	43
R11.6	Statute Book .....	43
R11.7	Common Seal .....	44
<b>Schedule A.....</b>		<b>45</b>
<b>Schedule B.....</b>		<b>47</b>
<b>Schedule C.....</b>		<b>49</b>

# STUDENT GUILD OF CURTIN UNIVERSITY

## GUILD REGULATIONS – DIVISION ONE – GENERAL

The following Regulations are made by the Guild Council under Section 11 of *Statute No.4-Student Guild* and approved by the Council of the University under the same section.

### Part 1 - Definitions

#### R1.1 Short Title

These are the *Guild Regulations – Division One*.

#### R1.2 Commencement and Revocation and Transitional Provisions

- (1) The *Guild Regulations – Division One* adopted on the 6th of August 2015, as amended, are hereby revoked and replaced with these Regulations, which shall take effect the day after they are approved by the University Council.
- (2) The transitional provisions contained within Schedule C take effect from the dates specified in Schedule C.

#### R1.3 Terms Used

For the purposes of these Regulations, unless the contrary intention appears:

**Absolute Majority** means a majority of all the members of the body for the time being holding office regardless of the number attending the meeting of body and no casting vote shall be counted.

**Academic Registrar** means the Academic Registrar of the University.

**Act** means the *Curtin University Act 1966 (WA)*, subject to R1.4.

**Annual General Election** shall have the same meaning as in E1.3 in *Guild Regulations – Division Two*.

**Annual General Meeting** means the annual general meeting of the Guild convened in accordance with R9.5.

**Appeals Tribunal** means the tribunal established pursuant to R6.1(2).

**Appointment** means a ballot conducted by Guild Council or another body for the selection of a person or persons to fill a position or positions that the Guild Council requires to be filled.

**Associate Member** means a person approved by the Guild Council who meets the criteria specified in R2.4(1).

**Casual** means a person employed by the Guild and whose pay includes a casual loading, but does not include Staff or Officers of the Guild.

**Chair** means the person who leads and maintains order in the meeting.

**Convenor** means the person who calls the meeting.

**day** means any twenty-four (24) hour period and includes public holidays, University holidays and weekends.

**Department Officer** means the Queer Officers, Women's Officer, Indigenous Officer and Students with Disabilities Officer.

**Disability** has the meaning given to it in Section 4 of the *Disability Discrimination Act 1992* (Cth) and **Disabled** has a corresponding meaning.

**Discipline Tribunal** means the tribunal established pursuant to R6.1(1).

**Election** means a ballot conducted by the Guild from amongst Enrolled Students to:

- (a) choose the members of the next Guild Council;
- (b) choose delegates to conferences of any organisation that the Guild may be affiliated to or a member of; or

determine the filling of any other position by resolution of Guild Council.

**Employee(s)** means all Staff and Casuals.

**Enrolled Student** has the meaning given to it in Section 4 of the Act.

**Executive Officers** mean the President, Education Vice President, Activities Vice President and General Secretary.

**Faculty Representatives** mean the Curtin Business School Representative, Faculty of Science and Engineering Representative, Faculty of Health Science Representative and Faculty of Humanities Representative.

**Finance Manager** means the Staff member appointed by the Executive Committee to be initially responsible for the finances of the Guild.

**Financial Guild Member** means an Enrolled Student who:

- (a) is an Ordinary Guild Member; and
- (b) has:
  - (i) paid the Financial Guild membership fee as set by the Guild Council from time to time; or
  - (ii) activated their Financial Guild membership in the year that no Financial Guild Membership fee has been set by the Guild Council, in a manner determined by Guild Council.

**General Meeting** means a general meeting of the Guild.

**General Member** means a Guild Member who is not a member of the Guild Council.

**Gross Misconduct** means conduct by an Officer of the Guild, Officer of a Student Society or Guild Member that is one (1) or more of the following:

- (a) wilful and/or deliberate behaviour that is in contradiction with the Guild Statute Book, the Guild's code of conduct or Policy;
- (b) conduct that causes serious and/or imminent risk to:
  - (i) the health and safety of a person; or
  - (ii) the reputation, viability or finances of the Guild;
- (c) theft;
- (d) fraud;
- (e) assault;
- (f) an offence of a sexual nature; and/or
- (g) Intoxication within any buildings or premises used or occupied by the Guild.

**Guild** means the Student Guild of Curtin University established by Section 44 of the Act upon the making of the original *Statute No.4-Student Guild* on 14 January 1969.

**Guild Committee** means a committee of the Guild Council established by the Guild Council or these Regulations.

**Guild Council** means the governing authority of the Guild defined in Section 6 of *Statute No. 4 – Student Guild*.

**Guild Member** means any Ordinary Guild Member or Financial Guild Member, but does not include Associate Member or Honorary Life Member.

**Guild Statute Book** means the statute book of the Guild established under Section 13 of *Statute No.4-Student Guild* and R11.6.

**Honorary Life Member** means a person approved by the Guild Council who meets the criteria specified in R2.5(1).

**Indigenous** means Australian Aboriginal or Torres Strait Islander.

**International Student** means an Enrolled Student that is not a Citizen of the Commonwealth of Australia.

**Intoxication** means:

- (a) in the case of an Officer of the Guild, that an Officer of the Guild's faculties are, by reason of their being under the influence of intoxicating liquor or a drug (except a drug administered by, or taken in accordance with the directions of, a person lawfully authorised to administer the drug), so impaired that the Officer of the Guild is not reasonably capable of performing that person's duties as an Officer of the Guild during the hours prescribed in Item 14 of Schedule A of these Regulations; or
- (b) for either an Officer of the Guild, Officer of a Student Society or a Guild Member, at any time, by reason of their being under the influence of intoxicating liquor or a drug (except a drug administered by, or taken in accordance with the directions of, a person lawfully

authorised to administer the drug), the person creates any nuisance, or is involved in any public or private disorder, or is otherwise offensive in behaviour.

**ISC** means International Students Committee.

**Leave of Absence** means a period of absence from the meetings of a body for a specified period and stated purpose notified in advance to the Convenor and Minute Secretary, and approved by that body.

**Majority** means at least fifty percent plus one (50%+1), excluding any decimal.

**Non-Executive Member of Guild Council** means a member of Guild Council that is not an Executive Officer.

**Officer of a Student Society** means a person who is an officer of a Student Society registered with the Guild.

**Officer of the Guild** means a person who:

- (a) is in accordance with Section 44(7a) of the Act, a Guild Member;
- (b) holds an official position elected or appointed in accordance with the Guild Statute Book; and
- (c) is not an Employee.

**Official Guild Noticeboard** means the physical noticeboard as nominated by the Guild Council, and the Guild website.

**Ordinary Guild Member** means an Enrolled Student who meets the criteria specified in R2.2 but does not include a Financial Guild Member.

**Paid Officer of the Guild** means an Officer of the Guild who is remunerated for their duties under the terms specified in Schedule A.

**Policy** means policy adopted by the Guild Council in accordance with the Rules.

**Postgraduate Student** means an Enrolled Student who is undertaking a degree designated by the University as a postgraduate degree.

**PSC** means Postgraduate Students Committee.

**Queer** means a person who does not identify as cisgender and/or heterosexual.

**Questioning** means the questioning of one's sexual preference or gender identity.

**Referendum** means a ballot called in accordance with R10.1 that is binding on the Guild Council.

**Regulations** mean these Regulations, *Guild Regulations – Division Two* and any other Regulations made under Section 11 of *Statute No. 4 – Student Guild*.

**Rules** means the *Guild Rules* and any other Rules made by the Guild Council under Section 6(2) of *Statute No.4-Student Guild* and R3.9.



**Semester One Census Date** means the date determined by the University to be the census date for the first semester as shown on the academic calendar.

**Simple Majority** means a majority where the number of votes for is greater than the number of votes against.

**Special Majority** means a seventy five percent (75%) majority of all of the members of the relevant body for the time being holding office, regardless of the number attending the meeting.

**Staff** means all permanent and non-permanent full time, part time and fixed term employees of the Guild, but does not include Casuals or Officers of the Guild.

**Staff Selection Panel** means a panel formed in accordance with the *Curtin Student Guild Employee Collective Agreement 2016 -2019* (as amended from time to time) and any Policies.

**Statute** means a statute made by the University Council under Section 34 of the Act.

**Student Society** means any club, society or association within the University which is registered with the Guild in the manner prescribed by the Guild Statute Book.

**Subsidiary Body** means the ISC, PSC, Queer Department, Women's Department, Indigenous Department and Students with Disabilities Department.

**Teaching Day** means a day which is officially designated by the University as a day when classes are scheduled. The following are specifically excluded:

- (a) any day which falls outside a semester designated by the University;
- (b) public holidays observed by the University;
- (c) Saturdays and Sundays;
- (d) days designated by the University as "tuition free;"
- (e) days designated by the University as formal examination periods; and
- (f) the seven (7) days immediately prior to a week designated as a formal examination period.

**these Regulations** means *Guild Regulations – Division One*.

**Undergraduate Student** means an Enrolled Student who is undertaking a degree designated by the University as an undergraduate degree.

**University** means Curtin University, subject to R1.4.

**University Council** means the Council of the University established under the Act.

**Vice Chancellor** means the Vice Chancellor of the University.

**week** means any seven (7) day period.

**Woman** includes a person who identifies as a woman.

## R1.4 Interpretations

For the purpose of these Regulations, the following interpretations shall apply:

- (a) where in these Regulations the word **may** is used in conferring a function, it is to be interpreted to imply that the function so conferred can be exercised or not at discretion;
- (b) where in these Regulations the word **shall** is used in conferring a function it is to be interpreted to mean that the function conferred must be exercised;
- (c) wherever in these Regulations it is provided that an Appointment shall be made at a specific meeting of a body, and such Appointment will be valid if made at the earliest possible subsequent meeting;
- (d) where in these Regulations a power or a duty to make Appointments to an office or position is imposed on a person or body, unless the contrary intention appears, the power includes the power to remove or suspend a person appointed and to appoint another person temporarily in the place of the person suspended, or in the place of a sick or absent holder of the office or position;
- (e) in these Regulations, unless the context otherwise requires, the singular number is to be construed as including the plural number;
- (f) where a position is jointly held between two (2) persons for the purposes of voting and establishing a quorum each person occupying these positions shall be counted as half;
- (g) where a power, authority, duty or function is conferred upon a position it shall include any person acting in that position;
- (h) a reference to one (1) gender includes any other, except where the provision specifically details that a person must be of a particular gender;
- (i) a reference to a person includes a body corporate;
- (j) a reference to a statute, regulation or provision of a statute or regulation (**Statutory Provision**) includes:
  - (i) that Statutory Provision as amended or re-enacted from time to time;
  - (ii) a statute, regulation or provision enacted in replacement of that Statutory Provision;  
and
  - (iii) another regulation or other statutory instrument made or issued under that Statutory Provision;
- (k) in these Regulations, unless the context otherwise requires, any reference to a time shall be a reference to Western Standard Time (WST) in Perth, Western Australia;
- (l) **including** and other similar expressions are not words of limitation;
- (m) headings and any table of contents or index are for convenience only and do not form part of these Regulations or effect its interpretation;

- (n) all references to “Curtin University” shall mean Curtin University of Technology until such time as the *Universities Legislation Amendment Bill 2016 (WA)* becomes law and takes effect as such;
- (o) all references to “*Curtin University Act 1966 (WA)*” shall mean *Curtin University of Technology Act 1966 (WA)* until such time as the *Universities Legislation Amendment Bill 2016 (WA)* becomes law, and takes effect as such; and
- (p) all references to “Section 9(1)(d) of the Act” shall mean Section 9(1)(ga) of the *Curtin University of Technology Act 1966 (WA)* until such time as the *Universities Legislation Amendment Bill 2016 (WA)* becomes law and takes effect as such.

## **Part 2 – Membership**

### **R2.1 Classes of Membership**

There shall be the following classes of membership:

- (a) Ordinary Guild membership;
- (b) Financial Guild membership;
- (c) Associate membership; and
- (d) Honorary Life membership.

### **R2.2 Ordinary Guild Membership**

- (1) Subject to the Act all Enrolled Students may be Ordinary Guild Members.

Note: section 44(5)-(9) of the Act states –

- (5) *Any enrolled student is eligible to be a member of the Student Guild.*
- (6) *Subject to subsection (7), a student becomes a member of the Student Guild upon enrolment, for the period of enrolment.*
- (7) *A student may elect at the time of enrolment not to become a member of the Student Guild, and an enrolled student may resign at any time as a member of the Student Guild.*
- (7a) *An enrolled student cannot hold an elective office of the Student Guild unless that enrolled student is a member of the Student Guild.*
- (8) *No academic benefit, right or privilege shall be denied to or withheld from any enrolled student by reason of that student not being a member of the Student Guild.*
- (9) *The University shall not act in a way that may dissuade or discourage an enrolled student, or person seeking enrolment as a student, from being or becoming a member of the Student Guild’.*

- (2) Ordinary Guild Members shall have the privilege of:

- (a) voting in any General Meeting or Referendum;
- (b) being eligible to nominate to be an Officer of the Guild subject to the Guild Statute Book; and

- (c) such other benefits as the Guild Council shall from time to time determine.

### **R2.3 Financial Guild Membership**

- (1) Guild Council shall admit a person as a Financial Guild Member who:
  - (a) is an Ordinary Guild Member; and
  - (b) has:
    - (i) paid the Financial Guild membership fee as set by the Guild Council from time to time; or
    - (ii) activated their Financial Guild membership in the year that no membership fee has been set by the Guild Council, in a manner determined by Guild Council.
- (2) Financial Guild Members shall have all the privileges of Ordinary Guild Members as well as such additional benefits as Guild Council shall from time to time determine.
- (3) Financial Guild membership shall expire annually on the last day of February unless renewed.

### **R2.4 Associate Membership**

- (1) Guild Council may admit a person to Associate membership who:
  - (a) has paid the Associate membership fee as set by the Guild Council from time to time; and
  - (b) meets one of the following categories:
    - (i) is an employee or associate of the University, or member of the University Council;
    - (ii) is an Employee;
    - (iii) has previously been a Guild Member;
    - (iv) is a graduate or diplomat of the University;
    - (v) is a graduate or diplomat of any other tertiary institution recognised by the Guild for this purpose;
    - (vi) is an enrolled student of any tertiary institution recognised by Guild for this purpose; or
    - (vii) any person who the Guild Council shall deem appropriate to hold Associate membership.
- (2) An Enrolled Student who is eligible for Ordinary Guild Membership is shall not be eligible to become an Associate Member.
- (3) An Associate membership does not confer any form of membership upon the Associate Member but does allow the Associate Member such benefits as the Guild Council from time to time determines.
- (4) No Associate Member or Honorary Life Member shall vote in any General Meeting, Election or Referendum conducted by the Guild. However, no General Meeting, Election or Referendum shall

be invalidated solely by reason of an Associate Member or Honorary Life Member having voted in that General Meeting, Election or Referendum.

- (5) Associate membership shall expire annually on the last day of February unless renewed.

## **R2.5 Honorary Life Membership**

- (1) Guild Council may from time to time by resolution passed by a Special Majority admit a person who is not eligible to be a Guild Member to Honorary Life Membership.
- (2) Honorary Life Members shall receive the same benefits as Associate Members but shall not be required to pay a membership fee.

## **R2.6 Cessation of Membership**

- (1) A Guild Member shall cease to be Guild Member when they:
  - (a) cease to be an Enrolled Student;
  - (b) become ineligible to be a Guild Member; or
  - (c) resign their membership with the Academic Registrar or President in accordance with the *Student Services and Amenities Fee Rules*.

Note: 3.2 of the *Student Services and Amenities Fee Rules* states -

*'3.2 Resignation of membership of the Student Guild*

- (1) *A student who elects, in accordance with section 44(7) of the Act, to resign from membership of the Student Guild*
  - (a) *must do so in writing, by completing the form prescribed by the Academic Registrar for that purpose;*
  - (b) *must give the completed form to the President of the Student Guild; and*
  - (c) *must give a copy of the completed form to the Academic Registrar.*
- (2) *The Academic Registrar must consult with the President of the Student Guild before prescribing the form referred to in rule 3.2(1)(a).*
- (3) *Within 14 days of receiving a completed form under rule 3.2(1)(b), the President of the Student Guild must give a copy of that form to the Academic Registrar.'*
- (2) An Associate Member or Honorary Life Member shall cease to be an Associate Member or Honorary Life Member when they:
  - (a) cease to be eligible for Associate membership or Honorary Life membership;
  - (b) resign their membership in writing to the President; or
  - (c) are expelled by the Guild Council as an Associate Member or Honorary Life Member.
- (3) Guild Council shall have the power to suspend the privileges of any Guild Member, Associate Member or Honorary Life Member.
- (4) A Guild Member, Associate Member or Honorary Life Member suspended or expelled shall not be entitled to any refund of any membership fee.

## Part 3 - Guild Council

### R3.1 Membership

- (1) Pursuant to Section 6 of *Statute No.4-Student Guild* the affairs of the Guild shall be managed by a governing authority known as Guild Council.

Note: Section 6 of *Statute No.4-Student Guild* states –

- (1) The Guild shall be governed by a Council to be known as the Guild Council. The number of members of the Guild Council, the manner of election of those members, and all other matters relative to membership of the Guild Council, shall be prescribed by the Guild regulations provided that any enrolled student (whether a member of the Guild or not) may vote at any election held to fill a vacancy in the office of President, member of the Guild Council or any other elective office in the administration of the Guild, but a person shall not hold any such office unless he is a member of the Guild.
  - (2) The Guild Council may in the manner prescribed by the Guild regulations make, alter or repeal rules but only when the power to do so is specified in a Guild regulation and then only to the extent specified.
  - (3) The Guild Council shall make provision for the control and management of any property from time to time owned, leased or otherwise occupied by the Guild.
  - (4) Subject to this Statute and the regulations made hereunder, the Guild Council shall have the control and management of the affairs and concerns of the Guild and may act in all matters concerning the Guild in such a manner as appears to it best calculated to promote the interests of the Guild.
- (2) The Guild Council shall consist of the following members:
    - (a) President;
    - (b) Education Vice President;
    - (c) Activities Vice President;
    - (d) General Secretary (Convenor);
    - (e) Curtin Business School Representative;
    - (f) Faculty of Science and Engineering Representative;
    - (g) Faculty of Health Science Representative;
    - (h) Faculty of Humanities Representative;
    - (i) International Students Committee President;
    - (j) Postgraduate Students Committee President;
    - (k) Queer Officers
    - (l) Women's Officer;
    - (m) Indigenous Officer;
    - (n) Students with Disabilities Officer;

- (o) Ten (10) Guild Councillors.
- (3) The following people shall be standing invites to any meeting of the Guild Council:
- (a) Immediate Past President
  - (b) Student Members of the University Council;
  - (c) Managing Director; and
  - (d) Minute Secretary.

### **R3.2 Quorum**

The quorum for a meeting of Guild Council shall be fifty percent plus one (50%+1) of the total positions on Guild Council irrespective of whether or not they are filled, with the following limitations:

- (a) for the purposes of establishing a quorum figure, where a person holds more than one (1) position on Guild Council, those positions shall be counted as one (1) position;
- (b) for the purposes of establishing a quorum figure, standing invites shall be excluded; and
- (c) where the figure calculated for the quorum is not a whole number, it shall be rounded down to the nearest whole number.

### **R3.3 Meetings**

- (1) Guild Council shall meet regularly for the dispatch of its business, at such intervals as it may from time to time determine, and shall record all resolutions and proceedings in a minute book provided for that purpose.
- (2) Guild Council meetings shall be convened by the General Secretary or, in the General Secretary's absence, the President.
- (3) The General Secretary shall convene the Guild Council at least once a month.
- (4) The dates of the ordinary meetings of the Guild Council and Guild Committees shall be determined by the Guild Council each year.
- (5) A special meeting of the Guild Council may be called by the President of their own volition, or by the Guild Council Chairperson on receipt of a requisition from twenty five percent (25%) of the members of the Guild Council.
- (6) For the purposes of R3.3(1), a minute book may be kept or prepared by recording or storing the matters concerned by means of a mechanical, electronic or other device.

### **R3.4 Voting**

- (1) Each member of the Guild Council, Guild Committee or Subsidiary Body is entitled to vote on motions at meetings of Guild Council, Guild Committee or Subsidiary Body, except standing invites and the Guild Council Chairperson. The Guild Council Chairperson shall have a casting vote only.
- (2) No member of the Guild Council, Guild Committee or Subsidiary Body shall have more than one (1) vote, irrespective of how many positions a member holds on the Guild Council, Guild Committee or Subsidiary Body.

- (3) A motion is carried by a Simple Majority, excepting where an Absolute Majority or Special Majority is required by the Guild Statute Book. In the event of an equality of votes, the Guild Council Chairperson shall have a casting vote (if applicable). In the event of the absence of the Guild Council Chairperson and an equality of votes occurs, the motion shall be lost.
- (4) Only members of Guild Council, Guild Committee or Subsidiary Body may move or second motions or otherwise participate in meetings of Guild Council, Guild Committee or Subsidiary Body. Persons who are standing invites to shall be accorded speaking rights only.
- (5) The Guild Council shall make Rules regarding the Standing Orders of Guild Council, Guild Committee, Subsidiary Body and Guild General Meetings.

### **R3.5 Attendance**

In the event that a member of the Guild Council or a Guild Committee is unable to attend any scheduled meeting, the member must either provide a written:

- (a) apology to the Convenor and Minute Secretary at least twenty four (24) hours prior to the meeting; or
- (b) request to the Convenor and Minute Secretary for a Leave of Absence stating the dates and purpose of that leave. The relevant body must then approve the request for a Leave of Absence.

### **R3.6 Validity of Proceedings**

- (1) No proceeding of the Guild Council shall be invalidated solely by:
  - (a) reason of any defect in the Election or Appointment of any of its members;
  - (b) reason of there being any vacancy in its membership at the time of such proceedings; or
  - (c) reason of any person having failed to receive due notice of meeting.
- (2) The exercise of a power by the Guild Council is not invalid merely because it is contrary to an express restriction or prohibition in the Guild Statute Book.
- (3) Any act or omission of the Guild Council is not invalid merely because it is contrary to or beyond the functions of the Guild as stated in the Act or Statute No.4-Student Guild.

### **R3.7 First Meeting**

- (1) The first meeting of the incoming Guild Council shall be held within the first seven days of December, at least fourteen (14) days' notice of the meeting shall be given in writing to each member of the incoming Guild Council.
- (2) At its first meeting each year, Guild Council shall:
  - (a) fill any vacancies in its membership;
  - (b) determine the following:
    - (i) memorandum of costing for Annual General Elections;
    - (ii) nominated printing facility for the Annual General Elections; and



- (c) make the following Appointments from amongst the eligible members of Guild Council and General Members of the Guild;
  - (i) Guild Council Chairperson;
  - (ii) appointees to Guild Committees; and
  - (iii) appointees to University boards and committees.

### **R3.8 Appointments**

- (1) Guild Council shall make such Appointments at such times as are specified in the Guild Statute Book, or as otherwise required.
- (2) Except where specified otherwise in these Regulations, the Minute Secretary shall act as the Returning Officer for Guild Council Appointments.
- (3) Except where specified otherwise in these Regulations, all Guild Council Appointments shall be by secret, optional preferential ballot using the Optional Proportional Representation voting system as described in Schedule A of *Guild Regulations – Division Two*.
- (4) Guild Council shall make Rules governing the Appointment of Officers of the Guild to University boards and committees.

### **R3.9 Changes to Statutes, Regulations and Rules**

- (1) Upon the recommendation of the Legal Committee, Guild Council may by Absolute Majority resolve to recommend to the University Council that an amendment be made to *Statute No. 4-Student Guild* or *Statute No.9-Election of Student Members on Council* in accordance with Section 3(q) of *Statute No.4-Student Guild*. Such recommendation shall specify fully the nature of the proposed amendment but need not specify verbatim the text of the proposed amendment.
- (2) Upon the recommendation of the Legal Committee, Guild Council may by Absolute Majority resolve to recommend to the University Council to make, alter, or repeal, a Regulation, in accordance with Section 11 of *Statute No. 4-Student Guild*.

Note: Section 11 of *Statute No.4-Student Guild* states –

- (1) The Guild may make, alter and repeal regulations subject to the provisions of this Statute to provide for –
  - (a) the administration, organisation, finances and functions of the Guild;
  - (b) the interpretation of regulations and rules;
  - (c) the implementation of the objects and powers of the Guild and the other provisions of this Statute; and
  - (d) any other matter required by this Statute to be prescribed by regulation.
- (2) Regulations may be made, altered or repealed in accordance with the following procedure –
  - (a) In this subsection, “absolute majority of the Guild Council” means a majority of all the members of the Guild Council for the time being holding office, regardless of the number attending the meeting of the Guild Council, and no casting vote shall be counted.
  - (b) The Guild Council may resolve to make, alter or repeal a regulation subject to the resolution being passed by an absolute majority of the Guild Council and its being confirmed in accordance with this subsection.

- (c) The resolution as so passed shall be published –
  - (i) by being posted on the official Guild notice board; and
  - (ii) in the Guild newspaper or any other publication generally circulated among the students, produced under the authority of the Guild Council;

in both cases notice being given to the members of the Guild that they are entitled to have the resolution considered at a general meeting of the Guild if notice requesting a meeting is given to the President of the Guild signed by not less than 200 members within 14 days after the resolution is first published.

- (d) If no notice requesting a general meeting is given, the resolution shall be deemed to be confirmed after the expiration of the period of 14 days specified in paragraph (c) above.
- (e) If notice is given to the President of the Guild within the period of 14 days specified in paragraph (c) above, the resolution shall be considered at the next general meeting of the Guild, or the Guild Council may convene a special general meeting for the purpose. The resolution shall be confirmed if it is passed by a majority of the members of the Guild present at the meeting.
- (f) Where a general meeting has been called following a requisition by Guild members to debate proposed changes to Guild Regulations as in (c) above and no quorum is present within thirty minutes of the advertised commencement time, the meeting shall lapse and the proposed regulation changes shall be deemed to be confirmed.
- (g) If a resolution is amended at a general meeting, the amended resolution shall be considered at the next meeting of the Guild Council and the resolution shall be confirmed if it is passed by an absolute majority of the Guild Council. If the Guild Council rejects amendments passed by the general meeting the amendments will be put to a referendum of members of the Guild within 20 teaching days.
- (h) A regulation or the alteration or repeal of a regulation shall be submitted to the University Council for approval and shall take effect on the day after it is approved by the University Council, or such later date as may be specified in the resolution passed by the Guild Council, and approved by the University Council.

(3) Upon the recommendation of Legal Committee, Guild Council may by Absolute Majority resolve to make, alter or repeal a Rule after the following has taken place:

- (a) the text of the proposed resolution shall be published by being posted on the Official Guild Noticeboard; and
- (b) such notice shall be given at least fourteen (14) days before the meeting at which the resolution is proposed to be debated.

(4) All Rules shall be consistent with the Regulations and if a conflict occurs, the Regulations shall take precedence.

(5) No Rules, or the alteration or repeal of any Rule, shall have any force or effect until enrolled upon the Guild Statute Book in accordance with the provisions of these Regulations.

(6) All changes to the Rules shall be submitted to the University Council for noting.

### **R3.10 Delegations**

(1) The Guild Council shall have the power by resolution to delegate any of its powers, authorities, duties or functions under the Guild Statute Book.

(2) The Guild Council shall not delegate:

- (a) this power of delegation;

- (b) the powers relating to the making, amending or repealing of any provision of the Guild Statute Book; and
  - (c) any matter that requires a resolution passed by an Absolute Majority or Special Majority of the Guild Council.
- (3) Guild Council may by resolution passed by an Absolute Majority revoke a delegation.
- (4) No delegation given by the Guild Council prevents the exercise or discharge by the Guild Council of any of its powers, authorities, duties or functions.
- (5) The General Secretary is to establish and maintain a register of delegations and a register of matters reserved to the Guild Council.

### **R3.11 Election**

- (1) Members of Guild Council shall be elected or appointed in accordance with Schedule B
- (2) The following shall be stated on all nomination or application forms for any Officer of the Guild or Officer of a Student Society:

*"In nominating/applying (whichever is appropriate) for this position I agree to be bound by the Curtin University Act 1966, the Statute No. 4-Student Guild and all the other provisions of the Guild Statute Book. I further agree to act in the best interest of the Guild and all Guild Members in the performance of my duties."*

### **R3.12 Term of Office**

- (1) The term of office for all Officers of the Guild shall commence on the first day of December following the Annual General Election and cease on the last day of November on the following year.
- (2) Pursuant to Section 44(7a) of the Act all Officers of the Guild shall be Guild Members.
- (3) All members of Guild Council shall have national police clearances and they shall be lodged with the General Secretary by the last day of February in their year of office. The General Secretary shall lodge their police clearance with the President.
- (4) Members of the Guild Council shall retire from every office they hold within the Guild immediately when their membership of Guild Council ceases.

### **R3.13 Resignations**

- (1) A member of the Guild Council may resign their office by written notice addressed to the Guild Council Chairperson and the President.
- (2) Such resignation is effective from the date of receipt or the date specified in the notice of resignation, whichever is the later.
- (3) Once effective, the resignation cannot be withdrawn.
- (4) The President, General Secretary or Guild Council Chairperson may resign their office by written notice addressed to Guild Council.
- (5) Any other Officer of the Guild who is not a member of the Guild Council may resign their position by written notice addressed to the Chair of the relevant body and the General Secretary.

### **R3.14 Removal From Office**

- (1) A member of the Guild Council may be removed from office by the following means:
  - (a) resignation;
  - (b) death;
  - (c) upon the recommendation of the Discipline Tribunal provided that such recommendation is carried by a Special Majority;
  - (d) by Referendum in accordance with R10.3(1); or
  - (e) upon making of a declaration by the Chair at the relevant meeting certifying that the member has:
    - (i) been absent without apology from two (2) consecutive meetings or any three (3) meetings;
    - (ii) been absent with an apology for three (3) consecutive meetings without a Leave of Absence;
    - (iii) is not a Guild Member;
    - (iv) not met, or at any point during their term failed to meet, the eligibility requirements in Schedule C of the *Guild Regulations – Division Two*; or
    - (v) not lodged their national police clearance in accordance with R3.12(3).
- (2) A declaration under R3.14(1)(e) shall be minuted
- (3) A member who has been removed from office or has resigned shall not be again eligible to be an Officer of the Guild until the expiration of one year from the date on which the position was vacated.
- (4) For the purpose of these Regulations, a meeting shall be deemed to include a meeting properly called which fails to reach quorum and is not abandoned earlier than thirty minutes after the advertised commencement time.
- (5) R3.14(1)(e) does not apply to standing invites.
- (6) In determining the Special Majority under R3.14(1)(c) the membership of the member of the Guild Council who it is proposed to be removed shall not be counted.

### **R3.15 Standing Invites**

The following people shall be standing invites to any meeting of the Guild Council:

- (a) Immediate Past President:
  - (i) the Immediate Past President shall be the person (if any) who was the President (excluding Acting President) when the Guild Council as previously constituted retired; and
  - (ii) when that person ceases to be the immediate past President their membership of Guild Council shall cease unless they hold another position on the Guild Council;

- (b) Student Members of the University Council:
  - (i) the students members of the University Council shall be the persons who currently hold the positions elected or appointed from amongst the Enrolled Students on the University Council in accordance with Section 9(1)(d) of the Act, should they not already hold a position on the Guild Council; and
  - (ii) when those persons cease to be members of the University Council their membership of the Guild Council shall cease unless they hold another position on the Guild Council;
- (c) Managing Director:
  - (i) the Managing Director shall be the person for the time being holding the position of Managing Director; and
  - (ii) when this person ceases to be Managing Director their membership of Guild Council shall cease; and
- (d) Minute Secretary:
  - (i) the Minute Secretary shall be a member of Staff appointed in accordance with the Rules; and
  - (ii) when this persons ceases to be Minute Secretary their membership of Guild Council shall cease.

## **Part 4 – Officers of the Guild**

### **R4.1 Officers of the Guild**

Guild Council shall make Rules concerning the duties and responsibilities of Officers of the Guild.

### **R4.2 President**

- (1) The President shall be responsible to Guild Council.
- (2) The President shall:
  - (a) be the Chief Executive Officer of the Guild;
  - (b) manage the day to day affairs of the Guild within the framework of the Guild Statute Book and Policy;
  - (c) subject to the Guild Statute Book and Policy co-ordinate the work of Officers of the Guild;
  - (d) be the official spokesperson of the Guild and shall conduct all formal liaison between the Guild and the community, as well as between the Guild and the administration of the University; and
  - (e) generally represent and speak on behalf of Guild Council at such meetings and functions as Guild Council or the President deem fit to attend.

- (3) If the office of President becomes vacant then:
  - (a) the Education Vice President shall become the President and the office of Education Vice President shall be declared vacant. Guild Council shall appoint an eligible member of Guild Council member to the Education Vice President position.
  - (b) if the Education Vice President is unwilling or unable to fill the office of President, the Activities Vice President shall become the President and the office of Activities Vice President shall be declared vacant. Guild Council shall appoint an eligible member of Guild Council to the Activities Vice President position.
  - (c) if the Activities Vice President is unwilling or unable to fill the office of President, the General Secretary shall become the President and the office of General Secretary shall be declared vacant. Guild Council shall appoint an eligible member of Guild Council to the General Secretary position.
  - (d) if no Executive Officer is willing or able to fill the office of President, then the Guild Council shall appoint a President from the eligible members of Guild Council.
  - (e) if no member of Guild Council is willing or able to fill the position then Guild Council shall appoint an eligible Guild Member.
- (4) The President shall receive such remuneration, and on such terms as are set out in Schedule A.
- (5) Where the President is absent or unable to act:
  - (a) the President shall delegate an Executive Officer to act as President until such time as the President is able to act;
  - (b) if the President is unable, or unwilling, or otherwise fails to delegate the Acting Presidency to an Executive Officer, the Education Vice President shall assume the role of Acting President until such time as the President may decide otherwise or return to the Presidency;
  - (c) if the Education Vice President is unable to so act, the Activities Vice President shall assume the role of Acting President until such time as the President may decide otherwise or return to the Presidency;
  - (d) if the Activities Vice President is unable to so act, the General Secretary shall assume the role of Acting President until such time as the President may decide otherwise or return to the Presidency; or
  - (e) if the General Secretary is unable to so act, Guild Council shall appoint an eligible member of Guild Council to assume the role of Acting President until such time as the President may decide otherwise or return to the Presidency.

#### **R4.3 Education Vice President**

- (1) The Education Vice President shall be initially responsible to the President and ultimately responsible to Guild Council.
- (2) The Education Vice President shall:
  - (a) be an Executive Officer of the Guild;
  - (b) assist the President;

- (c) be responsible for matters relating to representation, education, equity and welfare;
  - (d) be initially responsible for the issues of mature age, online, external, rural and regional Enrolled Students; and
  - (e) be initially responsible for the Faculty Representatives and Department Officers.
- (3) If there is a vacancy of the Education Vice President position, then the Guild Council shall appoint an eligible member of Guild Council to the position. If no member of the Guild Council is willing or able to fill the position then the Guild Council shall appoint an eligible Guild Member.
- (4) The Education Vice President shall receive such remuneration, and on such terms as are set out in Schedule A.

#### **R4.4 Activities Vice President**

- (1) The Activities Vice President shall be initially responsible to the President and ultimately responsible to Guild Council.
- (2) The Activities Vice President shall:
- (a) be an Executive Officer of the Guild;
  - (b) assist the President; and
  - (c) be conversant in and supervise all matters relating to Guild social activities including Student Societies.
- (3) If there is a vacancy of the Activities Vice President position, then the Guild Council shall appoint an eligible member of Guild Council to the position. If no member of the Guild Council is willing or able to fill the position then the Guild Council shall appoint an eligible Guild Member.
- (4) The Activities Vice President shall receive such remuneration, and on such terms as are set out in Schedule A.

#### **R4.5 General Secretary**

- (1) The General Secretary shall be initially responsible to the President and ultimately responsible to Guild Council.
- (2) The General Secretary shall:
- (a) be an Executive Officer of the Guild;
  - (b) assist the President;
  - (c) be responsible for policy matters;
  - (d) be conversant on financial matters of the Guild; and
  - (e) be initially responsible for the Guild Councillors.
- (3) If there is a vacancy of the General Secretary position, then the Guild Council shall appoint an eligible member of Guild Council to the position. If no member of the Guild Council is willing or able to fill the position then the Guild Council shall appoint an eligible Guild Member.

- (4) The General Secretary shall receive such remuneration, and on such terms as are set out in Schedule A.

#### **R4.6 Faculty Representatives**

- (1) The Faculty Representatives shall be initially responsible to the Education Vice President and ultimately responsible to Guild Council.
- (2) The Faculty Representatives shall:
  - (a) be an Undergraduate Student enrolled in a course within the Faculty they represent;
  - (b) be Officers of the Guild;
  - (c) assist the Executive Officers; and
  - (d) be responsible for representing Enrolled Students within their relevant faculties.
- (3) If there are any vacancies of any Faculty Representative position, then the Guild Council shall appoint an eligible member of Guild Council to the position. If no member of the Guild Council is willing or able to fill the position then the Guild Council shall appoint an eligible Guild Member.
- (4) Faculty Representatives shall receive such remuneration, and on such terms as are set out in Schedule A.

#### **R4.7 International Students Committee President**

- (1) The International Students Committee President shall be initially responsible to the President and ultimately responsible to Guild Council.
- (2) The International Students Committee President shall:
  - (a) be an International Student;
  - (b) be an Officer of the Guild;
  - (c) assist the Executive Officers; and
  - (d) be responsible for representing International Students through the ISC to the Guild Council.
- (3) If there is any vacancy of the International Students Committee President position, then the ISC shall nominate to the Guild Council an eligible member of the ISC. If no member of the ISC is willing or able to fill the position, then the ISC shall nominate an eligible Guild Member to Guild Council.
- (4) The International Students Committee President shall receive such remuneration, and on such terms as are set out in Schedule A.

#### **R4.8 Postgraduate Students Committee President**

- (1) The Postgraduate Students Committee President shall be initially responsible to the President and ultimately responsible to Guild Council.
- (2) The Postgraduate Students Committee President shall:
  - (a) be a Postgraduate Student



- (b) be an Officer of the Guild;
  - (c) assist the Executive Officers; and
  - (d) be responsible for representing Postgraduate Students through the PSC to the Guild Council.
- (3) If there is any vacancy of the Postgraduate Students Committee President position, then the PSC shall nominate to Guild Council an eligible member of the PSC. If no member of the PSC is willing or able to fill the position, then the PSC shall nominate a Guild Member to Guild Council.
- (4) The Postgraduate Students Committee President shall receive such remuneration, and on such terms as are set out in Schedule A.

#### **R4.9 Queer Officers**

- (1) The Queer Officers shall be initially responsible to the Education Vice President and ultimately responsible to Guild Council.
- (2) The position of Queer Officers shall be held by two (2) Guild Members who nominate together and one (1) of the Guild Members shall not identify as a man.
- (3) The Queer Officers shall:
- (a) be Queer;
  - (b) be Officers of the Guild; and
  - (c) be responsible for representing Queer and Questioning Enrolled Students through the Queer Department to the Guild Council;
- (4) If there is any vacancy of the Queer Officers position, then it shall be filled in accordance with the Rules.
- (5) The Queer Officers shall receive such remuneration, and on such terms as are set out in Schedule A.

#### **R4.10 Women's Officer**

- (1) The Women's Officer shall be initially responsible to the Education Vice President and ultimately responsible to Guild Council.
- (2) The Women's Officer shall:
- (a) be a Woman;
  - (b) be an Officer of the Guild; and
  - (c) be responsible for representing Women Enrolled Students through the Women's Department to the Guild Council;
- (3) If there is any vacancy in the position of Women's Officer then it shall be filled in accordance with the Rules.

- (4) The Women's Officer shall receive such remuneration, and on such terms, as are set out in Schedule A.

#### **R4.11 Indigenous Officer**

- (1) The Indigenous Officer shall be initially responsible to the Education Vice President and ultimately responsible to Guild Council.
- (2) The Indigenous Officer shall:
  - (a) be Indigenous;
  - (b) be an Officer of the Guild; and be responsible for representing Indigenous Enrolled Students through the Indigenous Department to the Guild Council;
- (3) If there is any vacancy in the position of Indigenous Officer then it shall be filled in accordance with the Rules.
- (4) The Indigenous Officer shall receive such remuneration, and on such terms as are set out in Schedule A.

#### **R4.12 Students with Disabilities Officer**

- (1) The Students with Disabilities Officer shall be initially responsible to the Education Vice President and ultimately responsible to Guild Council.
- (2) The Students with Disabilities Officer shall:
  - (a) be Disabled;
  - (b) be an Officer of the Guild; and
  - (c) be responsible for representing Enrolled Students with Disabilities through the Students with Disabilities Department to the Guild Council.
- (3) If there is any vacancy in the position of Students with Disabilities Officer then it shall be filled in accordance with the Rules.
- (4) The Students with Disabilities Officer shall receive such remuneration, and on such terms as are set out in Schedule A.

#### **R4.13 Guild Councillors**

- (1) Guild Councillors shall be initially responsible to the General Secretary and ultimately responsible to Guild Council.
- (2) Guild Councillors shall, with the exception of the Guild Council Chairperson:
  - (a) be Officers of the Guild; and
  - (b) assist the other Officers of the Guild
- (3) If there are any vacancies of Guild Councillors before the first day of March then:

- (a) there shall be a fresh count of all votes (treating the vacating person as an ineligible candidate) cast for that position at the Annual General Election at which the vacating person was elected;
  - (b) the candidate with the highest number of votes who is not already a member of the Guild Council will be declared elected to that position from the date of the Returning Officer's notice;
  - (c) if the person elected at this fresh count is unable or unwilling to act in that capacity, then a further fresh count shall take place (treating that candidate also as an ineligible candidate). Such fresh counts will continue to take place in this fashion until a successful candidate is willing and able to take up the vacant position; and
  - (d) if none of the unsuccessful candidates at the Annual General Election are willing or able to take up a vacated Guild Council position, then Guild Council shall appoint an eligible Guild Member.
- (4) Vacancies of Guild Councillors on or after the first day of March shall be filled by Guild Council by appointing eligible Guild Members.

#### **R4.14 Guild Council Chairperson**

- (1) The Guild Council Chairperson shall be responsible to Guild Council.
- (2) Guild Council shall appoint the Guild Council Chairperson.
- (3) The Guild Council Chairperson shall be a Guild Councillor.
- (4) The Guild Council may not proceed to any other business while the position of Guild Council Chairperson is vacant.
- (5) The Guild Council Chairperson shall:
  - (a) be an Officer of the Guild;
  - (b) chair the meetings of Guild Council; and
  - (c) be responsible for ensuring that Officers of the Guild operate in accordance with the relevant Acts, Statutes, Regulations and Rules governing the Guild;
- (6) If the Guild Council Chairperson is not present at a meeting of the Guild Council, the meeting shall elect a member to act as Chair for that Guild Council meeting.
- (7) If the position of the Guild Council Chairperson becomes vacant, then Guild Council shall appoint another Guild Councillor to the position of Guild Council Chairperson.
- (8) The Guild Council Chairperson may be dismissed by a resolution carried by a Simple Majority of the Guild Council effective immediately. On dismissal, the Guild Council Chairperson shall revert to the position previously held.

## Part 5 - Guild Committees

### R5.1 Power to Establish Committees

- (1) The Guild Council may by resolution passed by an Absolute Majority establish or disband such committees as it may deem necessary.
- (2) The Guild Council may by resolution passed by an Absolute Majority determine the membership, Chair, Convenor, roles, functions, powers and frequency of meetings of such committees.
- (3) The quorum of a meeting of a Guild Committee shall be calculated in the same manner as the quorum of Guild Council in accordance with R3.2.

### R5.2 Executive Committee

- (1) There shall be an Executive Committee of the Guild Council (**Executive Committee**) shall consist of the following members:
  - (a) President (Convenor and Chair);
  - (b) Education Vice President;
  - (c) Activities Vice President; and
  - (d) General Secretary.
- (2) The President shall be Convenor and Chair of the Executive Committee.
- (3) The Executive Committee shall meet at least every fortnight at such times and places as the President may decide.
- (4) The General Secretary shall take and produce minutes for submission to Guild Council.
- (5) The Executive Committee shall act as an executive decision making body with restrictions specified in R5.2(8).
- (6) The Executive Committee has power to do all things necessary or convenient to be done for, or in connection with, the performance of its functions, including but not limited to:
  - (a) deciding on a matter as if the Executive Committee was the Guild Council;
  - (b) approving expenditure on a particular operational issue up to an amount defined in Policy;
  - (c) making recommendations to the Guild Council; and
  - (d) approve registration of Student Societies and sponsorship or grant applications by Student Societies.
- (7) The Guild Council may overturn any decision of the Executive Committee.
- (8) The Executive Committee has no power to decide or determine a matter that involves the making, altering or repealing of the Guild Regulations, Guild Rules or matters that require an Absolute Majority or Special Majority of Guild Council or any other matters that Guild Council determines to be beyond the jurisdiction of the Executive Committee.

### R5.3 Legal Committee

- (1) There shall be a Legal Committee of Guild Council (**Legal Committee**) and it shall consist of the following members:
  - (a) Guild Council Chairperson (Convenor and Chair);
  - (b) President;
  - (c) General Secretary;
  - (d) two (2) Non-Executive Member of Guild Council (at least one of whom shall identify as Female); and
  - (e) two (2) General Members (at least one of whom shall identify as Female).
- (2) The following people shall be standing invites to any meeting of the Legal Committee:
  - (a) Managing Director; and
  - (b) Minute Secretary.
- (3) The Guild Council Chairperson shall be Convenor and Chair of the Legal Committee.
- (4) The Legal Committee shall meet at such times and places as the Guild Council Chairperson may decide.
- (5) The Legal Committee shall:
  - (a) draft all proposed amendments to the Regulations or Rules;
  - (b) examine such matters as may be referred to it by the Guild Council, or the President; and
  - (c) be the interpreting body of all the provisions enrolled upon the Guild Statute Book.
- (6) The Legal Committee shall:
  - (a) have the sole power to make recommendations to Guild Council on changes to *Statute No. 4-Student Guild, Statute No.9-Election of Student Members on Council*, Regulations and Rules;
  - (b) consult, when required, with the law firm nominated by the President and the Managing Director;
  - (c) make interpretations of the provisions enrolled on the Guild Statute Book, subject
    - (i) in all cases to a right of appeal within seven (7) days to the Guild Council by any person affected by any such interpretation. In the case of an interpretation of any Statute or University Rules, the right of appeal may extend to the University Council; and
    - (ii) to the power of the Guild Council, upon a resolution carried by an Absolute Majority, to overturn a decision of the Legal Committee on a matter of interpretation;

- (d) in the case of interpretation of *Guild Regulations – Division Two*, the Returning Officer shall make an initial interpretation which shall be used for the duration of the Election period. This initial interpretation shall be recommended to the Legal Committee for interpretation after the Election period; and
- (e) make all decisions on matters of interpretation that shall be recorded in an appendix to the Guild Statute Book and shall thereafter be followed as precedents.

## **Part 6 - Discipline Tribunal and Appeals Tribunal**

### **R6.1 Membership**

- (1) A Discipline Tribunal of the Guild is established and must at all times consist of:
  - (a) the Academic Registrar (or nominee) (Chair and Convenor); and
  - (b) three (3) General Members appointed according to R6.1(3).
- (2) An Appeals Tribunal of the Guild is established and must at all times consist of:
  - (a) the Vice Chancellor (or nominee) (Chair and Convenor); and
  - (b) three (3) General Members appointed according to R6.1(3).
- (3) The General Members of the Discipline Tribunal and Appeals Tribunal shall be appointed by lot from amongst the pool of Enrolled Students for Student Discipline Panels, the Board of Discipline and Student Discipline Appeals Board as contained with the *General Misconduct Rules of Statute No. 10-Student Discipline* provided that:
  - (a) one (1) of the members appointed shall be a man and one (1) of the members appointed shall be Women;
  - (b) all the members appointed are Guild Members who are not Officers of the Guild;
  - (c) the members appointed have no prior relationship with the Guild Member or Student Society under investigation;
  - (d) none of the members can be Employees of the Guild or University; and
  - (e) the members of the Appeals Tribunal cannot have been members of the Discipline Tribunal that considered the matter being appealed.

### **R6.2 Hearings**

- (1) The Academic Registrar (or nominee) shall be Chair and Convenor of the Discipline Tribunal at any hearing of a disciplinary matter under this Part 6.
- (2) Hearings by the Discipline Tribunal of a disciplinary matter under this Part 6 shall be held at such times and places as the Academic Registrar (or nominee) may decide, providing such time and place is reasonably convenient to all people participating in the hearing.

- (3) The Vice Chancellor (or nominee) shall be Chair and Convenor of the Appeals Tribunal at any hearing of an appeal under this Part 6.
- (4) Hearings by the Appeals Tribunal of any appeal under this Part 6 shall be held at such times and places at the Vice Chancellor (or nominee) may decide, providing such time and place is reasonably convenient to all people participating in the hearing.
- (5) The General Secretary shall ensure that a record of the decision of the Discipline Tribunal or Appeals Tribunal is submitted to Guild Council for noting.

### **R6.3 Quorum**

The quorum for a hearing of the Discipline Tribunal or Appeals Tribunal shall be three (3) members and shall include the Chair of the hearing.

### **R6.4 Penalties**

- (1) Pursuant to R6.5(3), the Discipline Tribunal or Appeals Tribunal, as the case may be, may impose the following penalty:
  - (a) For an Officer of the Guild, one (1) or more of the following:
    - (i) a formal warning and admonishment;
    - (ii) suspension from their position for up to one (1) month;
    - (iii) exclusion from all building and premises occupied by the Guild or part thereof for a period of time as determined by the Discipline Tribunal; or
    - (iv) for Gross Misconduct, a recommendation to Guild Council for immediate dismissal of that member.
  - (b) For an Officer of a Student Society, one (1) or more of the following:
    - (i) a formal warning and admonishment;
    - (ii) suspension from their position for up to one (1) month;
    - (iii) exclusion from all buildings and premises occupied by the Guild or part thereof for a period of time as determined by the Discipline Tribunal;
    - (iv) removal from their position as an Officer of a Student Society; or
    - (v) a ban from being an Officer of a Student Society for a period as determined by the Discipline Tribunal.
  - (c) For a Student Society, one (1) or more of the following:
    - (i) a formal warning and admonishment;
    - (ii) a fine of up to \$500;
    - (iii) suspension of the Student Societies registration with the Guild for up to three (3) months; and

- (iv) de-registration of the Student Society for a period of up to one (1) year.
- (d) For any other Guild Member, one (1) or more of the following:
  - (i) a formal warning and admonishment;
  - (ii) exclusion from all buildings and premises occupied by the Guild or part thereof for a period of time as determined by the Discipline Tribunal; or
  - (iii) a recommendation to Guild Council that it suspend the Guild Membership of that Guild Member.
- (2) Any fine imposed under R6.4(1) must be paid within fourteen (14) days following the end of the period for the submission of any appeal.
- (3) The President, on consultation with the Guild Council Chairperson, may temporarily exclude any persons from buildings and premises occupied by the Guild or part thereof where they have reason to believe that such persons have committed Gross Misconduct provided that the:
  - (a) Discipline Tribunal procedures under R6.6 are immediately commenced; and
  - (b) temporary exclusion can last for no longer than one (1) month unless otherwise determined by the Discipline Tribunal.
- (4) The Discipline Tribunal in addition to the penalties under R6.4(1) may refer a matter to the University or Police.

#### **R6.5 Offences**

- (1) For the purposes of these Regulations, a “disciplinary matter” means:
  - (a) a breach of a provision of the Guild Statute Book, code of conduct or Policy;
  - (b) engaging in, or committing an act or omission that constitutes, Gross Misconduct;
  - (c) engaging in conduct or behaving in a manner that brings, or is likely to bring, the Guild and/or its reputation into disrepute; or
  - (d) making a false statement or declaration knowing it to be false or not believing it to be true during the course of any disciplinary investigation or appeal.
- (2) An Officer of the Guild, Officer of a Student Society, Guild Member, or Student Society, must not do any act or thing that constitutes a disciplinary matter.
- (3) Subject to the procedures of the Discipline Tribunal in R6.6 and any appeal under R6.7, if a Guild Member or Student Society is found, on the balance of probabilities, guilty of a disciplinary matter, the Discipline Tribunal may impose a penalty under R6.4(1).

#### **R6.6 Procedure**

- (1) A person who suspects that a Guild Member or Student Society is guilty of a disciplinary matter may report the suspected disciplinary matter to any or all of the following people:
  - (a) President;



- (b) General Secretary
  - (c) Guild Council Chairperson;
  - (d) Managing Director; or
  - (e) Academic Registrar.
- (2) Any person who receives a report pursuant to R6.6(1) is responsible for ensuring that the disciplinary matter is dealt with in accordance with these provisions.
- (3) On receipt of a report pursuant to R6.6(1), and prior to the commencement of any investigation:
- (a) the General Secretary shall notify the Academic Registrar of the disciplinary matter reported and provide to the Academic Registrar all evidence relating to the report; and
  - (b) the Academic Registrar (or nominee) shall consider the report and all evidence and determine if:
    - (i) there are insufficient grounds to warrant further investigation and take no further action under these provisions; or
    - (ii) there are sufficient grounds to warrant further investigation and initiate such investigation.
- (4) If the Academic Registrar (or nominee) determines that an investigation is to be initiated then the General Secretary shall conduct such investigation and serve a notice in writing on the Guild Member or Student Society suspected of having committed the disciplinary matter. The notice shall:
- (a) specify the disciplinary matter alleged;
  - (b) inform the Guild Member or Student Society that the Academic Registrar has directed the General Secretary to commence an investigation into the alleged disciplinary matter;
  - (c) enclose a copy of Part 6 of these Regulations;
  - (d) enclose or provide a comprehensive summary of all evidence or documentation relating to the alleged disciplinary matter and in the possession, custody, or control of the Academic Registrar; and
  - (e) inform the Guild Member or Student Society that they may respond to the alleged disciplinary matter, and provide the Guild Member or Student Society with at least seven (7) days from the date of receipt of the notice to give such response.
- (5) Within twenty eight (28) days of the date of the notice referred to in R6.6(4), the General Secretary must conclude the investigation into the disciplinary matter and provide to the Academic Registrar and the Guild Member or Student Society being investigated in respect of the alleged disciplinary matter a report containing all evidence collected. Such report must include any response provided by the Guild Member or Student Society pursuant to R6.6(4)(e) above.
- (6) Upon receipt of the General Secretary's report, the Academic Registrar must list the disciplinary matter for hearing before the Discipline Tribunal on a date no sooner than fourteen (14) days after the date on which the Guild Member or Student Society received the General Secretary's report.

- (7) The Academic Registrar (or nominee) may on behalf of the Discipline Tribunal request the attendance of such persons as it deems necessary to assist in its deliberations at the hearing of the disciplinary matter. Should the Discipline Tribunal request such attendance then the General Secretary shall serve such a person a notice in writing at least seven (7) days prior to the hearing of the disciplinary matter. Such notice shall state the time and place of the hearing and request the recipient's attendance. Service of such notice shall be by electronic mail to the University provided address if the matter relates to a Guild Member, and for a Student Society for the address provided by that society in its registration with the Guild or any other means by which service can be effected ("**Service Method**").
- (8) The Discipline Tribunal may proceed with its deliberations notwithstanding the non-attendance of the persons requested under R6.6(7) provided that at least seven (7) days' notice was given of the request for their attendance.
- (9) The Discipline Tribunal:
  - (a) is not bound by the rules of evidence;
  - (b) may inform itself as it sees fit and determine its own procedure; and
  - (c) must act informally.
- (10) Hearings of the Discipline Tribunal are private and confidential and are not open to the public.
- (11) As soon as possible after the Discipline Tribunal has made a decision, the General Secretary shall serve a notice of the decision, and any order or penalty of the Discipline Tribunal, on the Guild Member or Student Society by the Service Method.
- (12) Where in these provisions, the General Secretary is the Guild Member under investigation or is considered to have, perceived to have or has the potential to have a conflict of interest or is otherwise unable to complete the duties required of them under these provisions, the Academic Registrar (or nominee) shall appoint another person to complete the duties required under these provisions.

## **R6.7 Appeals**

- (1) A Guild Member or Student Society found guilty of a disciplinary matter may appeal the decision of the Discipline Tribunal to the Appeals Tribunal.
- (2) A notice of appeal shall be in writing, shall specify the grounds of appeal and shall be submitted to the General Secretary within seven (7) days after service of the notice of the decision of the Discipline Tribunal pursuant to R6.6(11) above.
- (3) The hearing of an appeal by the Appeals Tribunal is a hearing de novo to be conducted privately and confidentially. The Appeals Tribunal may, after hearing an appeal de novo, ratify, reverse or vary the decision, order or penalty appealed from or substitute its own decision, order or penalty, and in doing so must act in accordance with the Regulations governing the conduct of the Discipline Tribunal, including but not limited to its power to impose penalties in excess of those under R6.4.
- (4) The decision of the Appeals Tribunal on appeal shall be final and binding and shall not be subject to any further appeal or review within the Guild.
- (5) As soon as the Appeals Tribunal has made a decision the General Secretary shall serve notice of the decision as well as notice of any order or penalty on the Guild Member or Student Society that brought the matter to appeal by the Service Method.

- (6) Where the General Secretary is the Guild Member under investigation and is considered to have, perceived to have or has the potential to have a conflict of interest or is otherwise or unable to complete the duties required of them under these provisions the Vice Chancellor (or nominee) shall appoint another person to complete the duties required under these provisions.

## **Part 7 - Subsidiary Bodies**

### **R7.1 International Students Committee**

- (1) The ISC shall consist of the following members:
- (a) ISC President (Chair and Convenor);
  - (b) ISC Education Vice President;
  - (c) ISC Activities Vice President;
  - (d) ISC General Secretary;
  - (e) ISC Publications Officer; and
  - (f) four (4) ISC Councillors.
- (2) Members of the ISC shall be:
- (a) Guild Members; and
  - (b) International Students, or be nominated by two (2) International Students who are Guild Members.
- (3) Guild Council shall make Rules regarding the Appointment of ISC members.
- (4) Guild Council shall determine matters relating to quorum, meetings and powers of the ISC.
- (5) The ISC shall report to the Access and Equity Board and shall:
- (a) promote and assist in educational, welfare, social and cultural activities for International Students;
  - (b) encourage research projects into the needs concerning International Students and thereby becoming a repository and disseminating body for the outcome of those projects;
  - (c) defend the rights of all International Students to ensure an education system which is free from discrimination of any kind, specifically discrimination on the basis of ethnicity, colour, race, religious or cultural circumstances;
  - (d) act as a medium for the exchange of information regarding the concerns and activities of International Students;
  - (e) promote international understanding and the principle of multiculturalism; and
  - (f) strive to enhance the academic and social lives of International Students.

## **R7.2 Postgraduate Students Committee**

- (1) The PSC shall consist of the following members:
  - (a) PSC President (Chair and Convenor);
  - (b) PSC Coursework Vice President;
  - (c) PSC Research Vice President
  - (d) PSC General Secretary;
  - (e) PSC Curtin Business School Representative;
  - (f) PSC Faculty of Science & Engineering Representative;
  - (g) PSC Faculty of Health Sciences Representative;
  - (h) PSC Faculty of Humanities Representative; and
  - (i) five (5) PSC Councillors.
- (2) Members of the PSC shall be:
  - (a) Guild Members; and
  - (b) Postgraduate Students.
- (3) Guild Council shall make Rules regarding the Appointment of members to the PSC.
- (4) The PSC Coursework Vice President shall be a Postgraduate Student by coursework.
- (5) The PSC Research Vice President shall be a Postgraduate Student by research.
- (6) Guild Council shall determine matters relating to quorum, meetings and powers of the PSC.
- (7) The PSC shall:
  - (a) promote and assist in educational, welfare, social and cultural activities for Postgraduate Students;
  - (b) encourage research projects into the needs concerning Postgraduate Students and thereby becoming a repository and disseminating body for the outcome of these projects;
  - (c) act as a medium for the exchange of information regarding the concerns and activities of Postgraduate Students; and
  - (d) strive to enhance the academic and social lives of Postgraduate Students.

## **R7.3 Queer Department**

- (1) Members of the Queer Department shall be:
  - (a) Guild Members; and

- (b) be Queer or Questioning.
- (2) Guild Council shall determine matters relating to quorum, meetings and powers of the Queer Department
- (3) The Queer Department shall:
  - (a) promote and assist in educational, welfare, social and cultural activities for Queer and Questioning Enrolled Students;
  - (b) encourage research projects into the needs concerning Queer and Questioning Enrolled Students and thereby becoming a repository and disseminating body for the outcome of these projects;
  - (c) defend the rights of all Queer or Questioning Enrolled Students to ensure an education system which is free from discrimination of any kind, specifically discrimination on the basis of sexuality and/or gender circumstances;
  - (d) act as a medium for the exchange of information regarding the concerns and activities of Queer and Questioning Enrolled Students; and
  - (e) strive to enhance the academic and social lives of Queer and Questioning Enrolled Students.

#### **R7.4 Women's Department**

- (1) Members of the Women's Department shall be:
  - (a) Guild Members; and
  - (b) be Women.
- (2) Guild Council shall determine matters relating to quorum, meetings and powers of the Women's Department.
- (3) The Women's Department shall:
  - (a) promote and assist in educational, welfare, social and cultural activities for Women Enrolled Students;
  - (b) encourage research projects into the needs concerning Women Enrolled Students and thereby becoming a repository and disseminating body for the outcome of these projects;
  - (c) defend the rights of all Women Enrolled Students to ensure an education system which is free from discrimination of any kind, specifically discrimination on the basis of sex and/or gender circumstances;
  - (d) act as a medium for the exchange of information regarding the concerns and activities of Women Enrolled Students; and
  - (e) strive to enhance the academic and social lives of Women Enrolled Students.

#### **R7.5 Indigenous Department**

- (1) Members of the Indigenous Department shall be:

- (a) Guild Members; and
  - (b) be Indigenous.
- (2) Guild Council shall determine matters relating to quorum, meetings and powers of the Indigenous Department.
- (3) The Indigenous Department shall:
- (a) promote and assist in educational, welfare, social and cultural activities for Indigenous Enrolled Students;
  - (b) encourage research projects into the needs concerning Indigenous Enrolled Students and thereby becoming a repository and disseminating body for the outcome of these projects;
  - (c) defend the rights of all Indigenous Enrolled Students to ensure an education system which is free from discrimination of any kind, specifically discrimination on the basis of race, culture or colour circumstances;
  - (d) act as a medium for the exchange of information regarding the concerns and activities of Indigenous Enrolled Students; and
  - (e) strive to enhance the academic and social lives of Indigenous Enrolled Students.

#### **R7.6 Students with Disabilities Department**

- (1) Members of the Students with Disabilities Department shall be:
- (a) Guild Members; and
  - (b) be Disabled.
- (2) Guild Council shall determine matters relating to quorum, meetings and powers of the Students with Disabilities Department.
- (3) The Students with Disabilities Department shall:
- (a) promote and assist in educational, welfare, social and cultural activities for Enrolled Students with Disabilities;
  - (b) encourage research projects into the needs concerning Enrolled Students with Disabilities and thereby becoming a repository and disseminating body for the outcome of these projects;
  - (c) defend the rights of all Enrolled Students with Disabilities to ensure an education system which is free from discrimination of any kind, specifically discrimination on the basis of ability;
  - (d) act as a medium for the exchange of information regarding the concerns and activities of Enrolled Students with Disabilities; and
  - (e) strive to enhance the academic and social lives of Enrolled Students with Disabilities.

## **Part 8 - Student Societies**

### **R8.1 Registration**

- (1) All Student Societies shall register with the Guild. Guidelines for registration shall be specified in in the Rules.
- (2) Student Societies shall be classified by categories as defined in any Policy.
- (3) The registration of Student Societies expires on the Semester One Census Date the following year.

## **Part 9 - General Meetings of the Guild**

### **R9.1 Notice**

- (1) No less than ten (10) Teaching Days' notice shall be given for a General Meeting.
- (2) A General Meeting of the Guild shall be convened via electronic notification to all Guild Members specifying the time, place and business of the meeting.

### **R9.2 Quorum**

The quorum for any General Meeting shall be one hundred (100) Guild Members, provided that if no quorum is present within thirty minutes of the advertised commencement time, the meeting shall lapse.

### **R9.3 Procedure**

- (1) Any motion submitted to a General Meeting shall be capable of amendment without prior notice by a majority of those present and entitled to vote. The motion as so amended shall then be treated as the original motion.
- (2) A motion is carried by a Simple Majority of those present by show of hands or by secret ballot if requested by one-third (1/3) or more of those present and entitled to vote.
- (3) The Chair at a General Meeting shall normally be the President. If this right is not exercised, the meeting may elect a Chair from amongst the Guild Members present.
- (4) Pursuant to Section 8(3) of *Statute No.4-Student Guild* each Guild Member present at a General Meeting shall have one (1) vote.

### **R9.4 Resolutions of a General Meeting**

Pursuant to Section 8(4) of *Statute No.4-Student Guild* resolutions of a General Meeting of the Guild shall be in the form of a recommendation to the Guild Council. Guild Council may, by Absolute Majority, overturn the resolutions if it deems that the resolutions may reduce the effectiveness of the Guild in performing its duties and functions as defined in the Guild Statute Book and Policy.

### **R9.5 Annual General Meeting**

A General Meeting, to be convened by the President and called the Annual General Meeting, shall be held within first semester, except in exceptional circumstances as determined by the Guild Council. The business of the Annual General Meeting shall include the adoption of the audited financial statements and annual report for the previous financial year and any other business as provided on the agenda.

### **R9.6 Special General Meeting**

- (1) The Guild Council may convene a General Meeting of the Guild at any time of its own volition.
- (2) Where the Guild Council receives a requisition signed by not less than one hundred (100) Guild Members, then it shall convene a General Meeting within twenty (20) Teaching Days provided that a period of fourteen (14) days must lapse between any two (2) General Meetings.
- (3) A requisition by Guild Members shall be lodged with the President and shall state the nature of the business for which the meeting is to be convened including any motion.

## **Part 10 - Referenda**

### **R10.1 Calling of Referenda**

- (1) The Guild Council may call a Referendum by resolution passed by an Absolute Majority.
- (2) Where the Managing Director receives a requisition signed by not less than ten percent (10%) of all Guild Members, then they must call a Referendum.
- (3) Referenda shall be conducted as specified in the *Guild Regulations – Division Two*.

### **R10.2 Requisitions**

A requisition by Guild Members shall be lodged with the Managing Director and shall state the exact wording of the motion or question for which the Referendum is to be called. The requisition shall also stipulate whether the Referendum shall be put to all Guild Members, or to all Enrolled Students.

### **R10.3 Recall Referenda**

- (1) A Referendum may be called in order to remove a member of the Guild Council.
- (2) A Referendum to remove a member of the Guild Council shall only be called by a requisition signed by not less than ten percent (10%) of all Guild Members that is lodged with the Managing Director.
- (3) A Referendum to remove a member of the Guild Council shall be put to all Enrolled Students.
- (4) Should a Referendum be called to remove a member of the Guild Council the member in question shall have their membership of Guild Council suspended until the result of the Referendum is declared.
- (5) The member in question shall be removed from office upon the declaration of the poll provided that a Majority of the total votes cast were in favour of the member's removal.



- (6) Should the Referendum fail to achieve a Majority of the total votes in favour of the member's removal then that member shall have their suspension of membership to the Guild Council lifted and a Referendum to remove them cannot be called for the remainder of their term.

## **Part 11 – Staff, Finances and Administration**

### **R11.1 Managing Director**

- (1) Guild Council shall appoint a person to the position of Managing Director.
- (2) The Managing Director shall:
  - (a) be directly responsible for all areas of operations of the Guild, Department Managers and all Employees, except where otherwise mentioned in these Regulations;
  - (b) liaise on matters with the President; and
  - (c) be directly responsible to the President and ultimately responsible to Guild Council.
- (3) In the absence of the Managing Director a Department Manager appointed by the Guild Council as Deputy Managing Director shall act as Managing Director, or should no such appointment have been made, a Department Manager appointed by the Executive Committee upon the recommendation of the Managing Director shall act as Managing Director.
- (4) The Managing Director shall be responsible for all formal communication between Employees of the Guild and Guild Council, except where otherwise mentioned in these Regulations.
- (5) The President and the Managing Director shall act as the official medium of communication between Officers of the Guild and Employees.
- (6) All communication between Employees of the Guild and Officers of the Guild that has failed to have the approval of the President and the Managing Director shall be considered unofficial.

### **R11.2 Departments**

- (1) The operations of the Guild, except where otherwise defined, shall be conducted by the departments of the Guild as determined by Guild Council.
- (2) Department Managers shall be initially responsible for the operations of their Departments.
- (3) Department Managers shall be directly responsible to the Managing Director.
- (4) After receiving a recommendation from a Staff Selection Panel, the Executive Committee shall have the power to appoint a person to the position of Department Manager.
- (5) In the circumstances that a permanent appointment of a Department Manager cannot be made, the Executive Committee may appoint a Staff member to temporarily act in the role of Department Manager until a time when the Executive Committee can make a permanent appointment.

### **R11.3 Employees & Staff**

- (1) Subject to these Regulations, there shall be such Employees as Guild Council shall from time to time determine.

- (2) A contract of employment entered into between Staff and the Guild shall be signed solely by the Managing Director on behalf of the Guild.
- (3) A contract of employment between the Managing Director and the Guild shall have the common seal of the Guild affixed.

#### **R11.4 Finance and Administration**

- (1) Guild Council shall be ultimately responsible for the proper administration of the Guild's financial affairs and property.
- (2) The Guild Council shall have power to borrow money for purposes consistent with the exercising of its functions as contained in *Statute No. 4-Student Guild*.
- (3) The Guild's financial year shall be consistent with the calendar year.
- (4) Subject to R11.4(5), no portion of the income or property of the Guild may be paid either directly or indirectly by way of dividend, bonus or otherwise to Officers of the Guild, Employee or Guild Members.
- (5) R11.4(4) does not prevent the Guild from:
  - (a) paying in good faith any Officer of the Guild, Employee or Guild Member remuneration in return for any services actually rendered to the Guild or for good supplied in the ordinary and usual course of business;
  - (b) paying interest at a rate not exceeding the prevailing market rate as published by the Reserve Bank of Australia as the "Cash Rate Target" from time to time on money borrowed from any Officer of the Guild, Employee or Guild Member;
  - (c) paying reasonable and proper rent by the Guild to any Officer of the Guild, Employee or Guild Member for premises leased from any Officers of the Guild, Staff or Guild Member to the Guild; or
  - (d) reimbursing reasonable expenses incurred by any Officer of the Guild, Employee or Guild Member on behalf of the Guild.
- (6) The Guild Council shall comply with all financial requirements in *Statute No.4-Student Guild*, *Statute No.27-Student Services and Amenities Fee* and any other requirements required under any Act, Statute or rules made under any Statute.

Note: Section 12 of *Statute No.4-Student Guild* states –

- (1) *The Guild Council shall keep such accounting and other records as will sufficiently explain the transactions and financial position of the Guild.*
- (2) *The Guild Council shall each calendar year produce to a general meeting of members of the Guild for adoption an audited balance sheet made up as at the last day of the Guild's financial year, and an audited statement of income and expenditure for that year. The audited Financial Statements shall be presented to the University Council in accordance with Statute 26 – Fees and Charges.*
- (3) *The Guild Council shall submit to the University Council an annual written report on how the Amenities and Services Fees received have been applied during each year.*
- (4) *The Guild Council shall provide to the University Council quarterly statements of Income and Expenditure of the Student Guild.'*

Note: Section 9 of *Statute No.27-Student Services and Amenities Fee* states -

*'The Student Guild must account to the University for the student services and amenities fees that are paid by the University to the Student Guild by –*

(a) *ensuring that the annual financial statements of the Student Guild are audited, in accordance with the relevant auditing standards in force at the time, by an independent external auditor whose appointment has been approved by the Council;*

(b) *submitting to the Council, within 4 months of the end of the Student Guild's financial year, in a form specified by the University –*

(i) *the audited annual financial statements of the Student Guild for that financial year including an audited balance sheet and the audited annual statement of the Student Guild's income and expenditure for that financial year; and*

(ii) *a written report on how the student services and amenities fees have been applied by the Student Guild during that financial year; and*

(c) *submitting to the Council, within 3 months of the end of each quarter, a quarterly report on the Student Guild's balance sheet and income and expenditure for that quarter.'*

- (7) The Guild Council shall recommend to the University Council annually a proposed independent external auditor for the auditing of the annual financial statements.
- (8) The Guild Council shall annually adopt the audited financial statements and recommend them to the Annual General Meeting and University Council.

#### **R11.5 Account Signatories**

- (1) All cheques issued by the Guild, or payments made from the Guild's bank accounts must have the approval of two (2) of the six (6) cosignatories:
  - (a) one (1) being the Finance Manager or the Managing Director; and
  - (b) one (1) being the General Secretary, the President, the Education Vice President or the Activities Vice President.
- (2) If a co-signatory believes the expenditure for which a cheque or payment has been requested is inconsistent with the Guild Statute Book, Policy or budget, or that no current provisions of the Guild Statute Book or Policy exist on the matter, they have the right to:
  - (a) refuse to sign/authorise the cheque or payment;
  - (b) issue a stop payment on a cheque or payment, until such time the matter has been resolved at a Guild Council meeting; or
  - (c) if a cheque or payment has already been presented, the cosignatory shall advise the Guild Council.

#### **R11.6 Statute Book**

- (1) Pursuant to Section 13 of *Statute No.4-Student Guild* the Guild shall keep a Statute Book which shall contain the following and all additions and amendments thereto are recorded:
  - (a) *Curtin University Act 1966 (WA);*
  - (b) *Statute No. 4-Student Guild;*

- (c) *Statute No. 27-Students Services and Amenities Fee;*
  - (d) *Student Services and Amenities Fee Rules;*
  - (e) Guild Regulations;
  - (f) Guild Rules; and
  - (g) interpretative decisions of the Legal Committee.
- (2) The Guild Council shall comply with the provisions of Section 13 of *Statute No.4-Student Guild*.

Note: Section 13 of *Statute No.4-Student Guild* states -

- (1) *A copy of this Statute and any amendments and a copy of all Guild regulations and Guild rules made under this Statute and any amendments shall be recorded in a Guild Statute Book.*
  - (2) *An entry in the Guild Statute Book of any Guild regulations made under this Statute and any alteration to a Guild regulation, signed by the Administrative Secretary of the University and the President of the Guild, shall be prima facie evidence that the subject matter of the entry was duly approved by the University Council.*
  - (3) *An entry in the Guild Statute Book of any Guild rule made under this Statute or any alteration of a Guild rule signed by the President of the Guild shall be prima facie evidence that the subject matter of the entry was duly approved by the Guild.'*
- (3) All provisions enrolled upon the Guild Statute Book shall so far as they may be applicable be binding on all Guild Members, Associate Members and Honorary Life Members, Student Societies, and upon the Officers of Students Societies and members of Student Societies.

#### **R11.7 Common Seal**

- (1) Pursuant to the Act, the Guild shall have a common seal and shall comply with Section 10 *Statute No.4-Student Guild*.

Note: Section 10 of *Statute No.4-Student Guild* states –

- (1) *The Common Seal of the Guild shall be in the following form –*  
  
*[Imprint of the Common Seal appears on the original document.]*
  - (2) *The Guild Council shall provide for the safe custody of the Common Seal which shall only be used by the authority of a resolution of the Guild Council and in the presence of the President of the Guild who shall sign every instrument to which the Seal is affixed and every such instrument shall be countersigned by some other person appointed by the Guild Council.'*
- (2) All instruments to which the common seal is affixed shall be signed by the President and countersigned by the General Secretary.

## Schedule A

### Paid Officer of the Guild Remuneration

- (1) The President, Education Vice President and Activities Vice President shall be paid an honorarium equivalent to 1.0 on the following point on the Western Australian State Public Service salary scale (or equivalent):
  - Level 1
  - Salary Point 1.2
- (2) The General Secretary shall be paid an honorarium equivalent to twenty (20) hours per week on the following point on the Western Australian State Public Service salary scale (or equivalent):
  - Level 1
  - Salary Point 1.2
- (3) The Faculty Representatives, ISC President, PSC President, Women's Officer, Indigenous Officer and Students with Disabilities Officer shall be paid an honorarium equivalent to ten (10) hours per week of the following point on the Western Australian State Public Service salary scale (or equivalent):
  - Level 1
  - Salary Point 1.2
- (4) The Queer Officers shall be paid an honorarium equivalent to seven (7) hours per week of the following point on the Western Australian State Public Service salary scale (or equivalent) each:
  - Level 1
  - Salary Point 1.2
- (5) Paid Officers of the Guild shall receive superannuation in accordance with the minimum statutory amount that would be paid to Staff.
- (6) Remuneration payments shall be subject to PAYG tax under Australian Taxation Office legislation.
- (7) Paid Officers of the Guild shall be remunerated for and shall observe such public holidays as are observed by Staff.
- (8) A pro rata period of four (4) weeks annual leave with pay shall be granted to the Paid Officer of the Guild after four (4) months of continuous service. Annual leave shall be taken at a mutually convenient time and for a mutually convenient period.
- (9) The Paid Officers of the Guild shall only be paid for leave that has been accrued.
- (10) A pro rata period of two (2) weeks personal leave shall be granted to Paid Officers of the Guild. A Paid Officer of the Guild shall not be entitled to this personal leave unless they produce proof satisfactory to the Guild of the need for personal leave. The Guild may be entitled to a medical certificate or statutory declaration.

- (11) A Paid Officer of the Guild shall be entitled to compassionate and parental leave consistent with the minimum statutory requirements that would be available to Staff.
- (12) The Paid Officers of the Guild shall be required to have any leave ratified by the President, who shall notify the Finance Department of the time taken at the first available opportunity. The President shall be required to have any leave ratified by the Managing Director.
- (13) Guild Council approval must be sought in the event of a Paid Officer of the Guild being absent for more than ten (10) working days.
- (14) The ordinary hours of working shall be worked between 8:30am and 5:00pm Monday, to Friday. A meal break of one (1) hour shall be allowed between the hours of 12:00pm and 2:30 pm.
- (15) The minimum number of hours worked in an ordinary week by a Paid Officer of the Guild will correspond to the product of the percentage of pay stated in either (1), (2), (3) or (4) and the total ordinary hours of working in an ordinary week.
- (16) No Paid Officer of the Guild shall receive pay for hours worked in excess of that stated in (1), (2), (3) or (4).
- (17) In the event of a Paid Officer of the Guild failing to fulfil the requirements in this Schedule and/or taking time off exceeding that defined in this Schedule, the matter shall be referred to Guild Council.
- (18) Other Officers of the Guild may receive honorarium payments as determined by Guild Council provided that:
  - (a) such payments do not exceed on an annual basis the equivalent of five (5) hours per week of the Western Australian State Public Service salary scale (or equivalent):
    - Level 1
    - Salary Point 1.2
  - (b) such payments do not include superannuation or any form of leave entitlement; and
  - (c) the Guild Council may determine such requirements that must be met in order to pay any honorarium.

## Schedule B

### Means of Election or Appointment

Members of the Guild Council shall be appointed in accordance with the table below:

<b>Position</b>	<b>Means of Appointment</b>	<b>Means of Appointment in a Casual Vacancy</b>
President	By Election in accordance with 6(1) of <i>Statute No.4-Student Guild and Guild Regulations - Division Two</i>	In accordance with R4.2(3)
Education Vice President	By Election in accordance with 6(1) of <i>Statute No.4-Student Guild and Guild Regulations - Division Two</i>	In accordance with R4.3(3)
Activities Vice President	By Election in accordance with 6(1) of <i>Statute No.4-Student Guild and Guild Regulations - Division Two</i>	In accordance with R4.4(3)
General Secretary	By Election in accordance with 6(1) of <i>Statute No.4-Student Guild and Guild Regulations - Division Two</i>	In accordance with R4.5(3)
Faculty Representative	By Election in accordance with 6(1) of <i>Statute No.4-Student Guild and Guild Regulations - Division Two</i>	In accordance with R4.6(3)
International Students Committee President	By Election in accordance with 6(1) of <i>Statute No.4-Student Guild and Guild Regulations - Division Two</i>	In accordance with R4.7(3)
Postgraduate Students Committee President	By Election in accordance with 6(1) of <i>Statute No.4-Student Guild and Guild Regulations - Division Two</i>	In accordance with R4.8(3)
Queer Officers	By Election in accordance with 6(1) of <i>Statute No.4-Student Guild and Guild Regulations - Division Two</i>	By Appointment in accordance with the <i>Guild By-Laws</i>
Women's Officer	By Election in accordance with 6(1) of <i>Statute No.4-Student Guild and Guild Regulations - Division Two</i>	By Appointment in accordance with the <i>Guild By-Laws</i>
Indigenous Officer	By Election in accordance with 6(1) of <i>Statute No.4-Student Guild and Guild Regulations - Division Two</i>	By Appointment in accordance with the <i>Guild By-Laws</i>

Students with Disabilities Officer	By Election in accordance with 6(1) of <i>Statute No.4-Student Guild and Guild Regulations - Division Two</i>	By Appointment in accordance with the <i>Guild By-Laws</i>
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## **Schedule C**

### **Transitional Provisions**

- (1) Any person currently holding an office under a previous version of these Regulations or any Rule shall continue to hold office until the 30th of November 2016.
- (2) The Curtin University Postgraduate Students Association shall continue to exist under the terms of the previous version of these Regulations until the 30<sup>th</sup> of November 2016.
- (3) Amendments to these Regulations relating to the PSC do not take effect until the 1st of December 2016.
- (4) Amendments to Schedule A shall take effect from the 1st of December 2016.