

Default Student Society Constitution

1. NAME OF SOCIETY

1.1 The name of the Society shall be as listed on the Student Society Registration Form.

(Note: Society refers to any society, association, club, chapter, initiative or network)

2. DEFINITIONS AND INTERPRETATIONS

2.1 For the purposes of this Constitution, unless the contrary intention appears:

- (a) “**Annual General Meeting**” means a general meeting of the Society held once every calendar year in accordance with clause 6.2.
- (b) “**Associate Member**” means an individual, not eligible to be an Ordinary Member of the Society, but granted membership by the Committee in its absolute discretion.
- (c) “**Committee**” means the committee of the Society established pursuant to clause 7.2.
- (d) “**Constitution**” means this Default Student Society Constitution.
- (e) “**General Meeting**” means a meeting of the Society open to all Members and Officers and convened in accordance with clause 6.1.
- (f) “**Guild**” means the Student Guild of the University.
- (g) “**Guild Council**” means the governing council of the Guild as established pursuant to section 6 of Statute No. 4.
- (h) “**Guild Executive Committee**” mean the executive committee of the Guild established pursuant to R5.2 of the *Guild Regulations – Division One*.
- (i) “**Guild President**” means the person for the time being holding the office of or acting as President of the Guild.
- (j) “**Guild Statute Book**” means the Statute Book created pursuant to R11.6 of the Guild Regulations and section 13 of Statute No. 4.
- (k) “**Member**” means an Ordinary or an Associate Member of the Society and **Members** has the corresponding meaning.
- (l) “**Officer**” means a person who for the time being holds office in a position defined in clause 8 or otherwise acting in one of those positions and **Officers** has the corresponding meaning.
- (m) “**Ordinary Member**” means a member of the Society who is a Student and has paid the Society membership fee.

- (n) **“President”** means the person for the time being holding the office of or acting as the president of the Society.
- (o) **“Secretary”** means the person for the time being holding the office of or acting as the secretary of the Society.
- (p) **“Society”** means the Student society of the University established in accordance with this Constitution.
- (q) **“Special General Meeting”** meaning a meeting of the Society convened in accordance with clause 6.3.
- (r) **“Special Majority”** means a minimum of seventy five percent (75%) majority vote of all Members present at meeting of the Society.
- (s) **“Statute No. 4”** means the *Curtin University of Technology Statute No. 4 Student Guild* statute.
- (t) **“Student”** means a student who is enrolled in the University.
- (u) **“Student Society Registration Form”** means the registration form for Student Societies proscribed by the Guild.
- (v) **“Treasurer”** means the person for the time being holding the office of or acting as the treasurer of the Society.
- (w) **“University”** means Curtin University of Technology.
- (x) **“Vice President”** means the person for the time being holding the office of or acting as the vice president of the Society.

2.2 For the purposes of this constitution the following interpretations shall apply:

- (a) Where in this Constitution 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. Where in this Constitution the word "shall" is used in conferring a function it is to be interpreted to mean that the function conferred must be exercised.
- (b) Where in this Constitution 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.
- (c) Where in this Constitution unless the context otherwise requires, the singular number is to be construed as including the plural number.

3. OBJECTIVES

3.1 The objectives of the Society are to:

- (a) foster and promote the objectives of the Society, as listed on the Student Society Registration Form, through the activities of the Society;
- (b) assist new students with orientation to the University;
- (c) encourage and promote cooperation between the Society and other Student societies;
- (d) become and remain registered with the Guild; and
- (e) do all things that are necessary and proper for the benefit and advancement of the Society and the Guild.

4. POWERS

- 4.1 Subject to the Guild Statue Book, for the purpose of achieving its objectives the Society has the power to:
- (a) purchase, sell, lease or rent Society property;
 - (b) subject to clause 10.2, borrow, raise or secure the payment of money to secure the payment or performance of any debt, liability, contract or guarantee incurred or entered into by the Society;
 - (c) exercise the rights and privileges associated with the registration of a Guild Society;
 - (d) invest the monies of the Society; and
 - (e) do all such other things as are incidental or conducive to the objects of the Society.

5. MEMBERSHIP

5.1 Types of Membership

- (a) Membership of the Society shall consist of Ordinary Members and Associate Members.
- (b) Ordinary Membership shall be open to all enrolled students of Curtin University who pay the Society membership fee as set by the Committee.
- (c) Associate Members shall enjoy all the benefits of Ordinary Membership except that they shall not be eligible to:
 - (i) vote at any General Meeting of the Society;
 - (ii) be an Officer of the Society; or
 - (iii) directly benefit from any money received from the Guild.

5.2 Cessation of Membership

Membership shall cease if a Member:

- (a) resigns by written notice to the Secretary;
- (b) fails to pay their membership fee; or
- (c) is suspended or expelled from the Society.

5.3 Suspension or Expulsion of a Member

- (a) Any Member of the Society who fails to observe the Rules of the Society or whose conduct, in the opinion of the Committee, is prejudicial to the interests of the Society may be suspended or expelled from the membership of the Society.
- (b) In the event that the Committee considers it necessary to expel or suspend a Member, it must first notify that Member of their intended suspension or expulsion (as the case may be). The notice must provide the reason(s) for expelling or suspending the Member.
- (c) Within ten (10) days of providing written notice to the Member (in accordance with clause 5.3(b)) the Committee must convene a meeting in accordance with clause 7.3 to vote on the subject of the Member's expulsion or suspension.
- (d) The Member in question may attend the meeting (convened in accordance with clause 5.3(c)) for the purpose of offering an explanation of their conduct and any reason(s) why he or she should not be expelled or suspended.
- (e) In the event that the Member is expelled or suspended, the Member may appeal such expulsion or suspension and the appeal shall be presided over by the persons determined by the Guild.
- (f) A Member who is suspended or expelled shall not be entitled to any refund of any membership fee and shall be deemed not to be a Member during the period of their suspension (if applicable) until such time as that suspension is lifted.
- (g) Expulsion from the Society or refusal of membership on the grounds of race, age, gender or sexuality is prohibited.

6. MEETINGS

6.1 General Meeting

- (a) All Ordinary Members of the Society are entitled to attend a General Meeting.
- (b) General Meetings are called by a minimum of fourteen (14) days' notice to all Ordinary Members.
- (c) The Guild shall be notified of any General Meeting of the Society.
- (d) There is a quorum at a General Meeting if there are ten (10) or more Ordinary Members present at the meeting.
- (e) The President shall chair a General Meeting or (if the President is unwilling or unable to do so) an Ordinary Member elected by those present at the General Meeting shall act as chair.

- (f) The Secretary will take minutes at a General Meeting or (if the Secretary is unwilling or unable to do so) a person elected by those present at the General Meeting shall take minutes.
- (g) Only Ordinary Members may vote at a General Meeting.
- (h) Except where otherwise provided in this Constitution, every issue at a General Meeting is determined by a simple majority of the votes cast by the Members present in person and shall be by show of hands (except for the election of the Committee which shall be by secret ballot).

6.2 Annual General Meeting

The Society shall hold an Annual General Meeting in September, October or November at which the following shall occur:

- (a) the confirmation of the minutes of the previous General Meeting;
- (b) the President's report;
- (c) the Treasurer's report and statement of account for the preceding financial year;
- (d) the Secretary's report;
- (e) the election of the Committee for the next year; and
- (f) general business of the Society.

6.3 Special General Meeting

- (a) A Special General Meeting may be convened by:
 - (i) resolution of the Committee;
 - (ii) a petition of ten (10) or more Members to the Secretary; or
 - (iii) by the written request of the Guild.
- (b) [Subject to clauses 6.3(a), all Special General Meetings will be conducted in the same manner as a General Meeting (as set out in clause 6.1).

7. COMMITTEE

7.1 Powers of the Committee

The Committee:

- (a) will be responsible for the administration and management of the Society;
- (b) has the power to expend monies for certain matters and to incur debts and liability on behalf of the Society for which the members of the committee shall be liable;

- (c) has the power to fill any vacancy in its membership before the next Annual General Meeting.
- (d) may form subcommittees in order to achieve any of the objectives of the Committee.

7.2 Appointment of Committee

- (a) The Committee will consist of the following minimum roles and Officers:
 - (i) the President;
 - (ii) the Vice President;
 - (iii) the Treasurer; and
 - (iv) the Secretary.
- (b) The Committee will be elected annually at the Annual General Meeting by a vote of the Ordinary Members to be conducted by secret ballot.
- (c) The term of each elected Committee shall be from the 1st of January to the 31st of December annually.
- (d) The Committee may co-opt additional Ordinary Members of the Society to serve as ordinary members of the Committee.

7.3 Meetings of the Committee

- (a) The Committee shall meet at such times and places as the President determines and must meet a minimum of four (4) times each calendar year.
- (b) At least five (5) days' notice of a Committee meeting shall be given to all Officers.
- (c) There is a quorum at a Committee meeting if the number of Officers present is three or more.
- (d) At the request of two (2) or more Ordinary Members, the Secretary must convene a meeting of the Committee and such meeting must be held within ten (10) days of receipt of the request.
- (e) The President shall chair a Committee meeting or (if the President is unwilling or unable to do so) a Officer elected by those present at the Committee meeting shall act as chair.
- (f) The Secretary shall take minutes at a Committee meeting or (if the Secretary is unwilling or unable to do so) person elected by those present at the Committee Meeting shall take minutes.
- (g) Any Member of the Society may attend a meeting of the Committee.

8. OFFICERS

- 8.1 The Officers of the Society shall be:
- (a) the President;
 - (b) the Vice President;
 - (c) the Treasurer;
 - (d) the Secretary; and
 - (e) Any ordinary Committee members appointed in accordance with 7.2(d).
- 8.2 Only an Ordinary Member of the Society who is a Guild Member may be an Officer.

9. FINANCES AND RECORDS

- 9.1 The Committee shall ensure true accounts are kept of the monies received and expended by the Society.
- 9.2 A balance sheet containing a summary of assets and liabilities of the Society together with a statement of income and expenditure for the preceding year must be completed and submitted to the next Annual General Meeting.
- 9.3 The Society will inform the Guild of any bank accounts it holds and the signatories of those accounts.
- 9.4 The authority to access bank accounts and authorise payments into or out of those accounts shall require a minimum of two (2) Officers as signatories and the signatories may be any two (2) Officers of the Society.
- 9.5 The income and property of the Society shall be applied solely towards the promotion of the objectives of the Society.
- 9.6 No portion of the income or property of the Society shall be paid, transferred or distributed directly or indirectly to the Members of the Society, provided that nothing shall prevent the payment in good faith or remuneration in return for services actually rendered to the Society.
- 9.7 Within a reasonable time of a request being made by a Member or the Guild:
- (a) the Treasurer must arrange access to and inspection of the accounts of the Society at a time and place convenient to the Treasurer; and/or
 - (b) the Secretary must arrange access to and inspection of the minutes of all meetings of the Society at a time and place convenient to the Secretary,
- by the Member or the Guild (as the case may be).
- 9.8 Within a reasonable time of a request being made, the Secretary must provide an up-to-date copy of the Constitution to the Member or the Guild so requesting a copy.

10. MISCELLANEOUS

- 10.1 The Society shall be affiliated as a Student Society with the Student Guild.
- 10.2 The Society shall not seek to obtain or give loans, to borrow or to enter into any form of written agreement with any person, body or organisation without the prior consent of the Guild.
- 10.3 The Society shall meet any requirements of the Guild Council.
- 10.4 The Society shall inform the Guild President immediately in writing of any liabilities or possible liabilities that it may incur that may in any way become the ultimate responsibility of the Guild.
- 10.5 The Society shall seek approval from the Guild Council for any intended action of the Society that may result in the possible liability of the Guild.
- 10.6 The Society is bound by all the Guild Statute Book and other provisions as specified by the Guild from time to time.
- 10.7 Failure of the Society or its Officers to fulfil the obligations of the Society as outlined in clauses 10.2 to 10.6 will result in the Guild and its representatives being indemnified by the Society against any action, liability or possible consequences that may occur.
- 10.8 The Society shall always represent the University and the Guild in a positive light.
- 10.9 The Society shall abide by all Guild and University policies.
- 10.10 The Society and/or an Officer of the Society may be referred and be subject to the Discipline Tribunal of the Guild for acts that may constitute misconduct.
- 10.11 In accordance with section 3 of Statute No.4, the Guild Council may assume the care, control and management of the property and financial affairs of any student society, for such period as the Guild Council thinks fit.

11. THIS CONSTITUTION

- 11.1 This Constitution is subject to the Guild Statute Book and to the extent of any inconsistency between this Constitution and the Guild Statute Book, the Guild Statute Book shall prevail.
- 11.2 Where a question arises regarding the interpretation of this Constitution it may be referred to the Guild Executive Committee for resolution. The decision of the Guild Executive Committee shall be final.
- 11.3 This Constitution was accepted by Special Majority of the Members present at the General Meeting, as per the information and details as listed on the Student Society Registration Form.
- 11.4 Amendment of Constitution
 - (a) No alteration, addition or amendment of this Constitution shall be made unless and until agreed by Special Majority of the Members present at any General Meeting called for such purpose.

- (b) No amendment to the Constitution will have any force until the proposed change or changes have been approved by the Guild Executive Committee.
- (c) Notice of any proposed alteration, addition or amendment shall be given within seven (7) days' of the General Meeting to all Ordinary Members.

12. DISSOLUTION OF SOCIETY

- 12.1 The Society may, at any time, by a Special Majority vote of the Members present at a General Meeting called for the purpose, be dissolved.
- 12.2 Such dissolution is to be notified to the Guild in writing.
- 12.3 If upon the dissolution or winding up of the Society there remains any property, assets or monies whatsoever after the satisfaction of all debts and liabilities, the same shall not be distributed among the Members of the Society, but shall be given or transferred to the Guild and the accounts and records of the Society shall be turned over to Guild, or at the Guild's instruction, to another society of similar objectives to the dissolved entity.