

STUDENT GUILD OF CURTIN UNIVERSITY
STUDENT GUILD (GUILD COUNCIL) REGULATIONS 2018

The following regulations were made by the Guild Council under section 10(1) of *Statute No.4-Student Guild* and approved by the Council of the University under the same section.

These regulations prior to their approval followed all the procedures outlined in the *Student Guild Rules* and Guild regulations regarding the process for their approval.

We state that in accordance with section 17 of *Statute No.4-Student Guild* that these regulations were duly approved by the Council of the University.

Signed

 President of the Student Guild

 Administrative Secretary of the
 University

On the day of

Made/Amended/ Revoked	Date Effective	Guild Council Resolution No.	University Council Resolution No.x	Suggested Amendments Accepted
Made	1 November 2018	GC R#57/2018	C R#152/2018	GC R#80/2018

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The following regulations are made by the Guild Council under section 10(1) of *Statute No.4-Student Guild* and approved by the Council of the University in accordance with the *Student Guild Rules*.

Part 1 - Preliminary

1. Citation

These are the *Student Guild (Guild Council) Regulations 2018*.

2. Commencement

(1) These regulations shall commence:

- (a) on 1 November 2018; or
- (b) the day after they are approved by the University Council;

whichever is the later.

(2) Upon the commencement of these regulations Parts 3, 4, 5, 6, Schedule B and Schedule C of the *Guild Regulations – Division One* and Schedule C of the *Guild Regulations – Division Two* are repealed.

(3) Transitional provisions relating to these regulations may be found in the *Student Guild (Transitional Provisions) Regulations 2018*.

3. Terms Used

(1) The terms used in section 4 of *Statute No.4-Student Guild* shall apply to these regulations.

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

In this Statute –

absolute majority, in relation to a meeting 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, for the avoidance of doubt, no casting vote is to be counted);

Act means the Curtin University Act 1966;

general meeting of the Guild means an annual general meeting of the Guild or a special general meeting of the Guild;

Guild means the Student Guild established by section 44 of the Act upon the making of the original Statute No. 4 on 14 January 1969;

Guild Council means the governing body of the Guild as described in section 9;

Guild financial year means the year commencing on 1 January;

Guild regulations means regulations made by the Guild under section 10;

Guild by-laws means by-laws made by the Guild under the Guild regulations;

Officer means a person who -

(a) is a member of the Guild;

(b) is a member of the Guild Council or holds any other Guild position as a result of being elected or appointed to that position in accordance with the Guild regulations; and

(c) is not an employee of the Guild;

President means the president of the Guild;

Previous Statute No. 4 means Statute No. 4 – Student Guild, published in the Government Gazette on 18 December 1981;

rules means rules made under this Statute;

Secretary means the secretary of the Guild;

student society means a club, society or association that -

(a) exists for enrolled students to further their interests; and

(b) is registered with the Guild in accordance with the Guild regulations; and

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

(2) For the purposes of these regulations, unless the contrary intention appears:

Annual General Election has the same meaning as in regulation 3 of the *Student Guild (Election and Referenda) Regulations 2018*.

Appeals Tribunal means the tribunal established pursuant to Part 5 of the *Student Guild (Tribunal) Regulations 2018*.

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.

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

chair means the person who leads and maintains order in the meeting.

code of conduct means the Guild code of conduct adopted by the Guild Council in accordance with section 15 of *Statute No.4-Student Guild*.

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

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 Part 2 of the *Student Guild (Tribunal) Regulations 2018*.

election means a ballot conducted by the Guild from amongst enrolled students (or a group thereof) to:

(a) choose the members of the next Guild Council or Representation Board;

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

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

employee(s) means all staff and casuals.

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

Faculty Representatives mean the Faculty of Business and Law Representative, Faculty of Science and Engineering Representative, Faculty of Health Science Representative and Faculty of Humanities Representative.

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

Guild Member has the same meaning as in regulation 3(2) of the *Student Guild (Administration) Regulations 2018*.

Guild Statute Book means the statute book of the Guild established under section 17 of *Statute No.4-Student Guild* and regulation 26 of the *Student Guild (Administration) Regulations 2018*.

Indigenous means Australian Aboriginal or Torres Strait Islander.

international student means an enrolled student that is not a Citizen of the Commonwealth of Australia.

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 chair and minute taker, and approved by that body.

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

policy means policy adopted by the Guild Council in accordance with the Guild by-laws.

postgraduate student means an enrolled student who is undertaking a degree designated by the University as a postgraduate degree.

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.

Remuneration Tribunal means the tribunal established pursuant to Part 4 of the *Student Guild (Tribunal) Regulations 2018*.

simple majority means a majority where the number of votes for is greater than the number of votes against.

special majority means a two thirds (2/3) 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.

these regulations means *Student Guild (Guild Council) Regulations 2018*.

undergraduate student means an enrolled student who is undertaking a degree designated by the University as an undergraduate degree.

week means any seven (7) day period.

woman includes a person who identifies as a woman.

- (3) Further definitions may be found in the Act or *Statute No.2-Interpretation*.

Part 2 - Guild Council

4. Membership

- (1) Pursuant to section 9 of *Statute No.4-Student Guild* the affairs of the Guild shall be managed by a governing authority known as Guild Council.
- (2) The Guild Council shall consist of the following members:
- (a) President;
 - (b) the person who, should they not be a member of the Guild Council at the time of their appointment as Secretary, is appointed Secretary under regulation 29(4);
 - (c) Vice President - Education;
 - (d) Vice President - Activities;
 - (e) Twelve (12) Guild Councillors (at least six (6) of whom shall be women); and
 - (f) the person who, should they not be a member of the Guild Council at the time of their appointment as Chair of the Representation Board, is appointed Chair of the Representation Board under regulation 18;
- (3) The following people shall be standing invites to any meeting of the Guild Council:
- (a) Immediate Past President.
 - (b) Managing Director; and
 - (c) Minute Secretary.

5. Quorum

The quorum for a meeting of Guild Council or Guild Committee shall be fifty percent plus one (50%+1) of the total positions of the Guild Council or Guild Committee, excluding any vacancy in the membership, with the following limitations:

- (a) for the purposes of establishing a quorum figure, where a person holds more than one (1) position, those positions shall be counted as one (1) position;
- (b) for the purposes of establishing a quorum figure, standing invites shall be excluded;
- (c) where the figure calculated for the quorum is not a whole number, it shall be rounded down to the nearest whole number; and
- (d) the quorum figure shall not be less than two (2).

6. 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) The Guild Council shall prescribe in the Guild by-laws the process for the appointment of a Minute Secretary who shall take minutes at meetings of the Guild Council.
- (3) The Guild Council shall meet at least once every two (2) months.
- (4) A special meeting of the Guild Council may be called by the President or Secretary of their own volition, or by the Chair of Guild Council on receipt of a requisition from four (4) of the members of the Guild Council.
- (5) For the purposes of regulation 13(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.

7. Voting

- (1) Each member of the Guild Council or Guild Committee is entitled to vote on motions at meetings of Guild Council or Guild Committee, except standing invites and the chair. The chair shall have a casting vote only.
- (2) No member of the Guild Council or a Guild Committee shall have more than one (1) vote, irrespective of how many positions a member holds on the Guild Council or Guild Committee.
- (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 chair shall have a casting vote. In the event of the absence of the chair and an equality of votes occurs, the motion shall be lost.
- (4) Only members of Guild Council or a Guild Committee may move or second motions or otherwise participate in meetings of Guild Council or a Guild Committee. Persons who are standing invites to shall be accorded speaking rights only.
- (5) The Guild Council shall make Guild by-laws regarding the standing orders (**Standing Orders**) of Guild Council, Guild Committee and General Meetings.

8. 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 chair or minute taker prior to the meeting; or
- (b) request to the chair for a leave of absence stating the dates and purpose of that leave.

9. Validity of Proceedings

No proceeding of the Guild Council or any Guild Committee 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.

10. First Meeting

- (1) A meeting of the incoming Guild Council shall be held as soon as practicable following 1 December each year.
- (2) At least fourteen (14) days' notice of the first meeting shall be given in writing to each member of the incoming Guild Council.
- (3) At its first meeting each year, Guild Council shall:
 - (a) fill any vacancies in its membership;
 - (b) make the following appointments from amongst the eligible members of Guild Council and members of the Guild;
 - (i) Secretary;
 - (ii) Chair of Guild Council;
 - (iii) Deputy Chair of Guild Council;
 - (iv) appointees to Guild Committees; and
 - (v) any other appointments that are required to be made.
- (4) The incoming Guild Council may only resolve those matters prescribed in regulation 10(3) at its first meeting.
- (5) The Standing Orders may otherwise prescribe matters related to the conduct of the first meeting.

11. Appointments

- (1) Guild Council and any Guild Committee shall make such appointments at such times as are specified in the Guild Statute Book, or as otherwise required.
- (2) Guild Council shall prescribe in the Guild by-laws the process governing appointments (including appointments to University Boards and Committees) provided:
 - (a) that where any ballot is required it shall be a secret ballot counted using the Optional Proportional Representation voting system as described in Schedule A of the *Student Guild (Election and Referenda) Regulations 2018*; and
 - (b) for the purposes of any such ballot of the Guild Council or Guild Committee the Minute Secretary shall be the Returning Officer.

12. Making of Guild Regulations

Prior to making a Resolution to make, amend or revoke Guild regulations in accordance with rule 10 of the *Student Guild Rules* the following must occur:

- (a) a proposal to make, amend or revoke Guild regulations must be presented to the Guild Council, the proposal shall specify fully the nature of the proposed change but need not specify verbatim the text of the proposed regulation.

- (b) should the proposal be passed under regulation 12(1)(a) the proposal shall be considered by the Legal Committee which must report by the next meeting of the Guild Council with a draft of the proposed regulation to the Guild regulations.
- (c) following the receipt of the draft of the proposed regulation based upon the proposal passed by the Guild Council, the Guild Council may make a Resolution to make, amend or revoke the Guild regulations in accordance with rule 10 of the *Student Guild Rules*.

13. Making of Guild By-Laws

- (1) The Guild Council has the power to make, amend or revoke Guild by-laws pursuant to section 10(2) of *Statute No.4-Student Guild*.
- (2) Guild by-laws are to be made, amended or revoked in accordance with the following procedure –
 - (a) a proposal to make, amend or revoke Guild by-laws must be presented to the Guild Council, the proposal shall specify fully the nature of the proposed change but need not specify verbatim the text of the proposed by-law.
 - (b) the proposal shall be published on the Guild website advising Guild Members of the intention of the Guild Council to change the Guild by-laws and inviting Guild Members to attend the meeting of the Guild Council where the final proposal to make, amend or revoke the Guild by-laws will be considered.
 - (c) should the proposal be passed under regulation 13(2)(a) the proposal shall be considered by the Legal Committee which must report by the next meeting of the Guild Council with a draft of the proposed by-law.
 - (d) following the receipt of the draft of the proposed by-law based upon the proposal passed by the Guild Council, the Guild Council by a resolution passed by an absolute majority may make, amend or revoke Guild by-laws.
- (3) All Guild by-laws shall be consistent with the Guild regulations and if a conflict occurs, the Guild regulations shall take precedence.
- (4) No Guild by-law, or the alteration or repeal of any Guild by-law, shall have any force or effect until recorded upon the Guild Statute Book in accordance with the provisions of *Statute No.4-Student Guild*.

14. Delegations

- (1) The Guild Council's power of delegation is outlined in section 11 of *Statute No.4-Student Guild*.

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

- (1) The Guild Council may, by resolution passed by an absolute majority, delegate any of its functions except –
 - (a) this power of delegation;
 - (b) the power to make, amend or revoke Guild regulations or Guild by-laws; or
 - (c) such other matters as are prescribed in the Guild regulations,
 to a committee of the Guild Council, to an Officer or to a Guild employee.

- (2) The Guild Council may, by resolution passed by an absolute majority, revoke a delegation given under this section.
 - (3) A resolution delegating a function may authorise the delegate to further delegate the delegated function to a committee of the Guild Council, to an Officer or to a Guild employee.
 - (4) A subdelegation under this section must be in writing.
 - (5) The Interpretation Act 1984 sections 58 and 59 apply to and in relation to a subdelegation under this section in the same way that they apply to and in relation to a delegation given under this section.
 - (6) The Guild Council must establish and maintain a register of all delegations made under section 11(1).
- (2) The Guild Council shall not delegate any matter that requires a resolution passed by an absolute majority or special majority of the Guild Council.
- 15. Immediate Past President**
- (1) The Immediate Past President shall be a standing invite to meetings of Guild Council;
 - (2) The Immediate Past President shall be the person who last held the office of President (excluding any Acting President).
 - (3) When that person ceases to be the Immediate Past President their standing invite to Guild Council shall cease unless they hold another position on the Guild Council.

Part 3 – Representation Board

16. Representation Board

- (1) There shall be a Representation Board that shall be a committee of the Guild Council (**Representation Board**). The Representation Board shall consist of the following members:
 - (a) President;
 - (b) Vice President - Education;
 - (c) Faculty of Business and Law Representative;
 - (d) Faculty of Science and Engineering Representative;
 - (e) Faculty of Health Sciences Representative;
 - (f) Faculty of Humanities Representative;
 - (g) International Students Committee President;
 - (h) Postgraduate Students Committee President;
 - (i) Queer Officer;
 - (j) Women's Officer;
 - (k) Indigenous Officer;

- (l) Students with Disabilities Officer; and
 - (m) Six (6) Ordinary Representation Board Members (at least three (3) of whom shall be women).
- (2) The Representation Board shall appoint one of its members that is not an Executive Officer as the Chair of the Representation Board.
- (3) The Representation Board shall be responsible for considering matters and providing advice to the Guild Council on:
- (a) the representation of students in University decision making processes;
 - (b) higher education policy at state and federal level;
 - (c) the academic functions of the University including:
 - (i) learning and teaching;
 - (ii) research and development;
 - (iii) graduate studies;
 - (iv) academic services;
 - (v) courses;
 - (vi) admissions; and
 - (vii) student discipline;
 - (d) student welfare;
 - (e) international students;
 - (f) postgraduate students; and
 - (g) access and equity.
- (4) The Representation Board shall have 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) approval of policy in the areas of:
 - (i) education;
 - (ii) welfare;
 - (iii) equity;
 - (b) the establishment of committees beneath the Representation Board in accordance with regulation 17 and regulation 20;
 - (c) appointments to University Boards and Committees in accordance with the Guild by-laws.

- (d) making recommendations to the Guild Council; and
 - (e) such powers as may be delegated to it by the Guild Council.
- (5) The Representation Board shall not have any powers to allocate any resources of the Guild apart from those granted to it by the Guild Council.
 - (6) The Guild Council shall set aside to enable the Representation Board to the carry out of its functions at least \$30 000 each year. This amount shall not be inclusive of any remuneration paid to members of the Representation Board or fees paid to national organisations.
 - (7) The Guild Council may overturn a decision of the Representation Board made under the powers conferred upon in in regulation 16(4) by a resolution passed with a special majority.
 - (8) A special meeting of the Representation Board may be called by the President of their own volition, or by the Chair of the Representation Board on receipt of a requisition from three (3) of the members of the Representation Board.
 - (9) The Guild Council may determine all other matters relating to the Representation Board via its constitution in accordance with regulation 20(2), however the constitution of the Representation Board cannot be inconsistent with the Statute Book.

17. Committees of the Representation Board

- (1) The Representation Board shall establish an International Students Committee, Postgraduate Students Committee and such other committees it deems necessary to fulfil its functions.
- (2) In establishing a committee the Representation Board with the approval of the Guild Council may create such other offices necessary for the functioning of these committees.

18. Chair of the Representation Board

- (1) The Representation Board shall appoint the Chair of the Representation Board in accordance with the Guild by-laws.
- (2) The Chair of Representation Board shall be a member of the Representation Board that is not an Executive Officer.
- (3) The Chair of the Representation Board shall chair the meetings of the Representation Board.
- (4) If the Chair of the Representation Board is not present at the meeting of the Representation Board, the meeting shall appoint a member to chair that Representation Board meeting.
- (5) If the position of the Chair of Representation Board becomes vacant, then it shall be filled in accordance with the Guild by-laws.
- (6) The Chair of Representation Board may be removed from the office of Chair of Representation Board by a motion of no confidence in accordance with the Standing Orders.
- (7) The Chair of Representation Board shall receive such remuneration as determined by the Remuneration Tribunal.

19. First Meeting

- (1) A meeting of the incoming Representation Board shall be held as soon as practicable following 1 December each year.
- (2) At least fourteen (14) days' notice of the first meeting shall be given in writing to each member of the incoming Representation Board.
- (3) At its first meeting each year, Representation Board shall:
 - (a) fill any vacancies in its membership;
 - (b) make the following appointments from amongst the eligible members of Representation Board and members of the Guild;
 - (i) Chair of the Representation Board;
 - (ii) appointees to Guild Committees;
 - (iii) appointees to University Boards and Committees; and
 - (iv) any other appointments that are required to be made.
- (4) The incoming Representation Board may only resolve those matters prescribed in regulation 19(3) at its first meeting.
- (5) The Standing Orders may otherwise prescribe matters related to the conduct of the first meeting.

Part 4 - Guild Committees

20. Power to Establish Committees

- (1) The Guild Council may by resolution establish or disband such committees as it may deem necessary for the performance of its functions.
- (2) The Representation Board may by resolution establish or disband such committees as it may deem necessary for the performance of its functions.
- (3) Each Guild Committee shall have a constitution that shall include amongst such other things, the membership, chair, roles, functions, powers and frequency of meetings of such committees.
- (4) 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 regulation 5.

21. Executive Committee

- (1) The Guild Council shall establish an Executive Committee (**Executive Committee**).
- (2) The Guild Council may, in accordance with regulation 20(2) via the Executive Committee Constitution, determine the membership, chair, roles, frequency of meetings of the Executive Committee, and may confer additional powers and responsibilities other than those outlined in this regulation.

- (3) The Executive Officers shall be members of the Executive Committee.
- (4) The Executive Committee has power to decide on a matter as if the Executive Committee was the Guild Council subject to any restrictions in the Statute Book, the Executive Committee constitution or any provision of the Statute Book.
- (5) The Guild Council may overturn any decision of the Executive Committee.
- (6) The Executive Committee has no power to decide or determine a matter that involves the making, altering or repealing of Guild regulations, Guild by-laws or matters that require an absolute majority or special majority of Guild Council.

22. Legal Committee

- (1) The Guild Council shall establish a Legal Committee (**Legal Committee**).
- (2) The Guild Council may, in accordance with 20(2) via the Legal Committee Constitution, determine the membership, chair, roles, frequency of meetings of the Legal Committee, and may confer additional powers and responsibilities other than those outlined in this regulation.
- (3) The Legal Committee shall:
 - (a) make recommendations to Guild Council on changes to statutes, rules, Guild regulations and Guild by-laws;
 - (b) consult, when required, with the Guild Solicitor.

Part 5 – Officers

Division 1 – Officers

23. Officers

- (1) Guild Council shall make Guild by-laws concerning the specific duties and responsibilities of Officers listed in this part.
- (2) All Officers shall adhere to the duties outlined in rule 5 of the *Student Guild Rules*.

Note: Rule 5 of the *Student Guild Rules* states:

- (1) Each Officer —
 - (a) must at all times act honestly in the performance of the functions of the Officer, whether within or outside the State;
 - (b) must at all times exercise the degree of care and diligence in the performance of the functions of the Officer, whether within or outside the State, that a reasonable person in that position would reasonably be expected to exercise;
 - (c) must at all times act in the best interests of the Guild and give precedence to the interests of the Guild over the interests of any person appointing or electing the Officer;

- (d) must not, whether within or outside the State, make improper use of information acquired by virtue of the position of the Officer to gain, directly or indirectly, an advantage for any person or to cause detriment to the Guild; and
 - (e) must not, whether within or outside the State, make improper use of the position of the Officer to gain, directly or indirectly, an advantage for any person or to cause detriment to the Guild.
 - (2) Nothing in subrule (1) affects —
 - (a) any other duty the Officer may have under any other law; or
 - (b) the operation of any other law in relation to such a duty.
- (3) There may be other Officers established as members of other Guild Committees including those under regulation 17. The duties and responsibilities of those Officers shall be included within the constitution of that Guild Committee.

24. Election

- (1) Officers shall be elected or appointed in accordance with Schedule A.
- (2) The twelve (12) Guild Councillors shall be elected at the Annual General Election however:
 - (a) only six (6) Guild Councillors shall be elected each year for a two year term except where otherwise provided by these regulations; and
 - (b) at least three (3) of the six (6) Guild Councillors elected each year shall be women.
- (3) Where for whatever reason an election is held for all twelve (12) Guild Councillors, at least six (6) of the twelve (12) Guild Councillors elected shall be women.
- (4) Where not enough women nominate for election to fill the vacancies then those positions shall remain vacant and the Guild Council shall appoint eligible women to be Guild Councillors to fill those vacancies.
- (5) The following shall be stated on all nomination or application forms for any Officer:

“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 as well as the Guild Code of Conduct and Guild Policy. I further agree to act in the best interest of the Guild in the performance of my duties.”

25. Term of Office

- (1) The term of office for all Officers apart from the Guild Councillors 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) The term of office for the twelve (12) Guild Councillors shall be for two (2) years from the first day of December of the year of their election except as provided under regulation 25(3).
- (3) Upon the recommendation of the President, the Guild Council may resolve by a special majority that an election be held for all twelve (12) Guild Councillors at the next Annual General Election in which event the terms of all the Guild Councillors shall expire on the last day of November that year.

- (4) The Guild Council shall at its first meeting under regulation 10 following any Annual General Election in which an election for twelve (12) Guild Councillors has been held must by resolution divide the twelve (12) Guild Councillors into two groups:
 - (a) The first group consisting of six (6) Guild Councillors, at least three (3) of whom shall be women whose term of office shall be for one (1) year.
 - (b) The second group consisting of six (6) Guild Councillors, at least three (3) of whom shall be women, whose term of office shall be for two (2) years.

- (5) Pursuant to Section 44(7a) of the Act all elective offices of the Guild shall be held by Guild Members.

Note: For the interpretation of Section 44(7a) of the Act this means that all members of the Guild Council or a Guild Committee who are not ex-officio or appointed must be held by Guild Members.

- (6) All members of Guild Council shall have national police clearances and they shall be lodged with the Secretary within three months of taking office. The Secretary shall lodge their police clearance with the President.
- (7) Officers shall retire from every office they hold within the Guild immediately when their term of office ceases.

26. Resignations

- (1) A member of the Guild Council or Guild Committee may resign their office by written notice addressed to the Secretary.
- (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, Secretary or Chair of Guild Council may resign their office by written notice addressed to Guild Council.
- (5) An Executive Officer must give four (4) weeks notice of their resignation, this notice period may be waived by the Guild Council.
- (6) Any other Officer must give two (2) weeks notice of their resignation, this notice period may be waived by the President.

27. Removal from Office

- (1) A member of Guild Council shall have their office declared vacant or be removed from office by the following means:
 - (a) resignation;
 - (b) death;
 - (c) by the University Council in accordance with rule 12 of the *Student Guild Rules*.
 - (d) upon the recommendation of the Discipline Tribunal/Appeals Tribunal, by a resolution of Guild Council, provided that such resolution is carried by a special majority;

- (e) upon making of a declaration by the Chair of Guild Council at a meeting of the Guild Council 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) as a member required to submit a report to the Guild Council in accordance with the Guild by-laws, failed to submit two (2) reports without being on leave;
 - (iv) failed to resign their employment with the Guild in accordance with regulation 24(5) of the *Student Guild (Administration) Regulations 2018*.
 - (v) is not a Guild Member;
 - (vi) not met, or at any point during their term failed to meet, the eligibility requirements in Schedule B; or
 - (vii) not lodged their national police clearance in accordance with regulation 16(5).
- (2) A member of the Representation Board who is not a member of the Guild Council shall have their office declared vacant or be removed from office by the following means:
- (a) resignation;
 - (b) death;
 - (c) by the University Council in accordance with rule 12 of the *Student Guild Rules*.
 - (d) upon the recommendation of the Discipline Tribunal/Appeals Tribunal, by a resolution of the Guild Council provided that such resolution is carried by a special majority; or
 - (e) upon making of a declaration by the Chair of the Representation Board at a meeting of the Representation Board 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) as a member required to submit a report to the Representation Board in accordance with the Guild by-laws, failed to submit two (2) reports without being on leave;
 - (iv) failed to resign their employment with the Guild in accordance with regulation 24(5) of the *Student Guild (Administration) Regulations 2018*.
 - (v) is not a Guild Member; or
 - (vi) not met, or at any point during their term failed to meet, the eligibility requirements in Schedule B.
- (3) A declaration under regulation 27(1)(d) or regulation 27(2)(d) shall be minuted.

- (4) Where a person who is removed is a member of the Guild Council and Representation Board the removal shall apply to both offices.
- (5) A member who has been removed from office or has resigned shall not be again eligible to be an Officer until the expiration of one year from the date on which the position was vacated.
- (6) For the purpose of this regulation, a meeting which fails to reach quorum and is not abandoned earlier than thirty minutes after the advertised commencement time.
- (7) Regulation 27(1)(e) and regulation 27(2)(e) does not apply to standing invites or ex-officio members.
- (8) In determining the special majority under regulation 27(1)(d) & regulation 27(2)(d) the membership of the member of the Guild Council who it is proposed to be removed (where applicable) shall not be counted.

Division 2 – Members of Guild Council

28. President

- (1) The President shall be responsible to the Guild Council.
- (2) The President shall be elected at the Annual General Election.
- (3) 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 and the Managing Director;
 - (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.
- (4) The President has such powers and duties as are prescribed in the Statute Book and unless otherwise provided therein, the President may delegate any of those powers to:
 - (a) any Officer;
 - (b) a Guild Committee; or
 - (c) any employee.
- (5) Where the office of President is vacant or the President is absent or unable to act:
 - (a) the President shall appoint a Vice President to act as President until such time as the President is able to act;

- (b) if the office of President is vacant or President is unable, or unwilling, or otherwise fails to delegate the Acting Presidency to a Vice President, the Vice President – Education shall assume the role of Acting President until such time as the President may decide otherwise or return to the Presidency or the vacancy in the office of President is filled;
 - (c) if the Vice President – Education is unable to so act, the Vice President - Activities shall assume the role of Acting President until such time as the President may decide otherwise or return to the Presidency or the vacancy in the office of President is filled;
 - (d) if no Vice President able 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 or the vacancy in the office of President is filled.
 - (e) The Secretary may not act as President.
- (6) If there is a vacancy in the office of President, then it shall be filled by Guild Council in accordance with the Guild by-laws.
 - (7) The President shall receive such remuneration, and on such terms as determined by the Remuneration Tribunal.

29. Secretary

- (1) The Secretary shall be responsible to the Guild Council.
- (2) The Secretary shall be appointed by the Guild Council in accordance with the Guild by-laws.
- (3) The Secretary shall be a Guild Councillor and cannot be the Chair of Guild Council, Deputy Chair of Guild Council or Chair of the Representation Board.
- (4) Should no Guild Councillor be willing or able to be the Secretary, the Guild Council shall appoint a Guild Member as the Secretary.
- (5) A member of the Representation Board may not be appointed as Secretary.
- (6) The Secretary shall:
 - (a) be an Executive Officer;
 - (b) be the official secretary of the Guild as may be required under any written law or agreement;
 - (c) ensure compliance with the Guild Statute Book, code of conduct and policy and report any breaches to the Guild Council or other authorities as required;
 - (d) be conversant on financial, policy and governance matters of the Guild.
- (7) If there is a vacancy in the office of Secretary, then it shall be filled by the Guild Council in accordance with the Guild by-laws.
- (8) The Secretary may be removed from the office of Secretary by a motion of no confidence in accordance with the Standing Orders.
- (9) The Secretary may receive such remuneration, and on such terms as determined by the Remuneration Tribunal.

30. Vice President - Education

- (1) The Vice President - Education shall be initially responsible to the President and ultimately responsible to Guild Council.
- (2) The Vice President – Education shall be elected at the Annual General Election.
- (3) The Education Vice President shall:
 - (a) be an Executive Officer;
 - (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, International Students Committee members, Postgraduate Students Committee members and Department Officers.
- (4) If there is a vacancy in the office of Vice President - Education, then it shall be filled by the Representation Board in accordance with the Guild by-laws.
- (5) The Vice President - Education may receive such remuneration, and on such terms as determined by the Remuneration Tribunal.

31. Vice President - Activities

- (1) The Vice President - Activities shall be initially responsible to the President and ultimately responsible to Guild Council.
- (2) The Vice President – Activities shall be elected at the Annual General Election.
- (3) The Vice President - Activities shall:
 - (a) be an Executive Officer;
 - (b) assist the President; and
 - (c) be conversant in and responsible for all matters relating to Guild social activities including Student Societies.
- (4) If there is a vacancy in the office of Vice President - Activities, then it shall be filled by the Guild Council in accordance with the Guild by-laws.
- (5) The Vice President - Activities may receive such remuneration, and on such terms as determined by the Remuneration Tribunal.

32. Guild Councillors

- (1) Guild Councillors shall be responsible to the Guild Council.
- (2) Guild Councillors shall:

- (a) be Officers; and
 - (b) assist the other Officers.
- (3) The twelve (12) Guild Councillors shall be elected at the Annual General Election however:
- (a) six (6) Guild Councillors shall be elected each year for a two year term; and
 - (b) at least three (3) of the six (6) Guild Councillors elected each year shall be women.
- (4) If there are any vacancies of Guild Councillors then:
- (a) there shall be a fresh count of all votes (treating the vacating person as an ineligible candidate if required) from the most recent Annual General Election for the position of Guild Councillor;
 - (b) the candidate with the highest number of votes who is not already a member of the Guild Council and is eligible to hold office will be declared elected to that position from the date of the Returning Officer's notice for the balance of the vacating members term;
 - (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 eligible, willing or able to take up the vacant position, then Guild Council shall appoint an eligible Guild Member in accordance with the Guild by-laws.
- (5) Guild Councillors may receive such remuneration, and on such terms as determined by the Remuneration Tribunal.

33. Chair of Guild Council

- (1) The Chair of Guild Council shall be responsible to the Guild Council.
- (2) Guild Council shall appoint the Chair of Guild Council in accordance with the Guild by-laws.
- (3) The Chair of Guild Council shall be a member of Guild Council that is not an Executive Officer.
- (4) The Chair of Guild Council shall:
 - (a) be an Officer; and
 - (b) chair the meetings of Guild Council.
- (5) If the Chair of Guild Council is not present at a meeting of the Guild Council, then the Deputy Chair should they have been appointed under regulation 33(9) shall chair the meeting.
- (6) If the Chair of Guild Council and the Deputy Chair are not present at the meeting of the Guild Council, the meeting shall elect a member to chair that Guild Council meeting.
- (7) If the position of the Chair of Guild Council becomes vacant, then it shall be filled in accordance with the Guild by-laws.

- (8) The Chair of Guild Council may be removed from the office of Chair of Guild Council by a motion of no confidence in accordance with the Standing Orders.
- (9) The Guild Council may appoint one of its members who is eligible to be Chair of Guild Council as Deputy Chair of Guild Council in accordance with the Guild by-laws.
- (10) The Chair of Guild Council may receive such remuneration, and on such terms as determined by the Remuneration Tribunal.

Division 3 – Members of the Representation Board

34. Faculty Representatives

- (1) The Faculty Representatives shall be initially responsible to the Vice President - Education and ultimately responsible to Guild Council.
- (2) The Faculty Representatives shall be elected at the Annual General Election.
- (3) The Faculty Representatives shall:
 - (a) be an undergraduate student enrolled in a course within the Faculty they represent;
 - (b) be Officers; and
 - (c) be responsible for representing enrolled students within their relevant faculties.
- (4) If there are any vacancies of any Faculty Representative position, then they shall be filled in accordance with the Guild by-laws.
- (5) Faculty Representatives may receive such remuneration, and on such terms as determined by the Remuneration Tribunal.

35. International Students Committee President

- (1) The International Students Committee President shall be initially responsible to the Vice President - Education and ultimately responsible to Guild Council.
- (2) The International Students Committee President shall be elected at the Annual General Election.
- (3) The International Students Committee President shall:
 - (a) be an international student;
 - (b) be an Officer; and
 - (c) be responsible for the International Students Committee; and
 - (d) be responsible for representing international students.
- (4) If there is any vacancy in the office of International Students Committee President, then it shall be filled in accordance with the Guild by-laws.

- (5) The International Students Committee President may receive such remuneration, and on such terms as determined by the Remuneration Tribunal.

36. Postgraduate Students Committee President

- (1) The Postgraduate Students Committee President shall be initially responsible to the Vice President - Education and ultimately responsible to Guild Council.
- (2) The Postgraduate Students Committee President shall be elected at the Annual General Election.
- (3) The Postgraduate Students Committee President shall:
 - (a) be a postgraduate student
 - (b) be an Officer;
 - (c) be responsible for the Postgraduate Students Committee; and
 - (d) be responsible for representing postgraduate students.
- (4) If there is any vacancy in the office of Postgraduate Students Committee President, it shall be filled in accordance with the Guild by-laws.
- (5) The Postgraduate Students Committee President may receive such remuneration, and on such terms as determined by the Remuneration Tribunal.

37. Queer Officer

- (1) The Queer Officer shall be initially responsible to the Vice President - Education and ultimately responsible to Guild Council.
- (2) The Queer Officer shall be appointed in accordance with the Guild by-laws.
- (3) The Queer Officer shall:
 - (a) be queer;
 - (b) be an Officer; and
 - (c) be responsible for representing enrolled students who are queer and questioning.
- (4) If there is any vacancy in the position of Queer Officer, then it shall be filled in accordance with the Guild by-laws.
- (5) The Queer Officer may receive such remuneration, and on such terms as determined by the Remuneration Tribunal.

38. Women's Officer

- (1) The Women's Officer shall be initially responsible to the Vice President - Education and ultimately responsible to Guild Council.
- (2) The Women's Officer shall be elected at the Annual General Election.
- (3) The Women's Officer shall:

- (a) be a woman;
 - (b) be an Officer; and
 - (c) be responsible for representing enrolled students who are women;
- (4) If there is any vacancy in the office of Women's Officer then it shall be filled in accordance with the Guild by-laws.
- (5) The Women's Officer may receive such remuneration, and on such terms, as determined by the Remuneration Tribunal.

39. Indigenous Officer

- (1) The Indigenous Officer shall be initially responsible to the Vice President - Education and ultimately responsible to Guild Council.
- (2) The Indigenous Officer shall be appointed in accordance with the Guild by-laws.
- (3) The Indigenous Officer shall:
- (a) be indigenous;
 - (b) be an Officer; and
 - (c) be responsible for representing enrolled students who are indigenous;
- (4) If there is any vacancy in the position of Indigenous Officer then it shall be filled in accordance with the Guild by-laws.
- (5) The Indigenous Officer may receive remuneration, and on such terms as determined by the Remuneration Tribunal.

40. Students with Disabilities Officer

- (1) The Students with Disabilities Officer shall be initially responsible to the Vice President - Education and ultimately responsible to Guild Council.
- (2) The Students with Disabilities Officer shall be elected at the Annual General Election.
- (3) The Students with Disabilities Officer shall:
- (a) be disabled;
 - (b) be an Officer; and
 - (c) be responsible for representing enrolled students with disabilities.
- (4) If there is any vacancy in the position of Students with Disabilities Officer then it shall be filled in accordance with the Guild by-laws.
- (5) The Students with Disabilities Officer may receive such remuneration, and on such terms as determined by the Remuneration Tribunal.

41. Ordinary Representation Board Members

- (1) Ordinary Representation Board Members shall be initially responsible to the Representation Board and ultimately responsible to the Guild Council.
- (2) Ordinary Representation Board Members shall:
 - (a) be Officers; and
 - (b) assist the other Officers.
- (3) The six (6) Ordinary Representation Board Members shall be elected at the Annual General Election and at least three (3) of the six (6) Ordinary Representation Board Members elected each year shall be women.
- (4) If there are any vacancies of Ordinary Representation Board Members then:
 - (a) there shall be a fresh count of all votes (treating the vacating person as an ineligible candidate if required) from the most recent Annual General Election for the position of Ordinary Representation Board Members;
 - (b) the candidate with the highest number of votes who is not already a member of the Representation Board and is eligible to hold office will be declared elected to that position from the date of the Returning Officer's notice for the balance of the vacating members term;
 - (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 eligible, willing or able to take up the vacant position, then the Representation Board shall appoint an eligible Guild Member in accordance with the Guild by-laws.
- (5) Ordinary Representation Board Members may receive such remuneration, and on such terms as determined by the Remuneration Tribunal.

Schedule A

Means of Election or Appointment

Officers shall be appointed in accordance with the table below:

Position	Means of Appointment	Means of Appointment in a Casual Vacancy
President	By election at the Annual General Election in accordance with the <i>Student Guild (Election and Referenda) Regulations 2018</i>	In accordance with the <i>Student Guild By-Laws 2018</i>
Vice President - Education	By election at the Annual General Election in accordance with the <i>Student Guild (Election and Referenda) Regulations 2018</i>	In accordance with the <i>Student Guild By-Laws 2018</i>
Vice President - Activities	By election at the Annual General Election in accordance with the <i>Student Guild (Election and Referenda) Regulations 2018</i>	In accordance with the <i>Student Guild By-Laws 2018</i>
Secretary	By appointment of the Guild Council in accordance with the <i>Student Guild By-Laws 2018</i>	In accordance with the <i>Student Guild By-Laws 2018</i>
Guild Councillor	By election at the Annual General Election in accordance with the <i>Student Guild (Election and Referenda) Regulations 2018</i>	In accordance with regulation 32(4)
Faculty Representative	By election at the Annual General Election in accordance with the <i>Student Guild (Election and Referenda) Regulations 2018</i>	In accordance with the <i>Student Guild By-Laws 2018</i>
International Students Committee President	By election at the Annual General Election in accordance with the <i>Student Guild (Election and Referenda) Regulations 2018</i>	In accordance with the <i>Student Guild By-Laws 2018</i>
Postgraduate Students Committee President	By election at the Annual General Election in accordance with the <i>Student Guild (Election and Referenda) Regulations 2018</i>	In accordance with the <i>Student Guild By-Laws 2018</i>
Queer Officer	By appointment in accordance with the <i>Student Guild By-Laws 2018</i>	In accordance with the <i>Student Guild By-Laws 2018</i>
Women's Officer	By election at the Annual General Election in accordance with the <i>Student Guild (Election and Referenda) Regulations 2018</i>	In accordance with the <i>Student Guild By-Laws 2018</i>
Indigenous Officer	By appointment in accordance with the <i>Student Guild By-Laws 2018</i>	In accordance with the <i>Student Guild By-Laws 2018</i>

Students with Disabilities Officer	By election at the Annual General Election in accordance with the <i>Student Guild (Election and Referenda) Regulations 2018</i>	In accordance with the <i>Student Guild By-Laws 2018</i>
Ordinary Representation Board Members	By election at the Annual General Election in accordance with the <i>Student Guild (Election and Referenda) Regulations 2018</i>	In accordance with regulation 41(4)

Schedule B

General Qualifications

- (1) A person shall hold all of the following general qualifications in order to be eligible to be an Officer:
 - (a) be an enrolled student at least seven (7) days prior to the opening of nominations;
 - (b) be a Guild Member at least seven (7) days prior to the opening of nominations;
 - (c) study at Curtin University at a Curtin University campus in Western Australia or otherwise reside in the State of Western Australia;
 - (d) where a candidate for Guild Council, be eighteen (18) years of age or older, as at the date the candidate commences as an Officer; and
 - (e) is enrolled in an award course at Curtin University.

General Disqualifications

- (2) A person shall be ineligible to be an Officer if the Officer meets any of the following:
 - (a) is currently or have within the last five (5) years been a staff member of the Guild;
 - (b) is a staff member of the University;
 - (c) is an undischarged bankrupt, or a debtor against whose estate there is a subsisting receiving order in bankruptcy;
 - (d) is incarcerated;
 - (e) has been convicted on indictment of an offence for which the indictable penalty was or included imprisonment for life or imprisonment for more than five (5) years;
 - (f) is disqualified under any provision of the Guild Statute Book;
 - (g) is disqualified due to any requirement of a visa they may hold;
 - (h) is an editor of the Guild publication "GROK";
 - (i) is disqualified due to any act, statute, regulation, rule or by-law in force in the State of Western Australia over the Guild.
- (3) A person cannot serve for more than five (5) years as an Officer and cannot nominate to be or be appointed as an Officer where their term of office would cumulatively exceed five (5) years service as an Officer and this includes acting in an Officer position.
- (4) A person cannot be elected or appointed to the same Officer position more than twice and no person who has held an Officer position or acted in that Officer position for more than six (6) months can be re-elected or re-appointed to the same Officer position more than once.
- (5) The person appointed as Chair of the Remuneration Tribunal shall not be disqualified from their current position but may not stand for re-election or be re-appointed in the next term of office.

Additional Qualifications

- (6) A candidate shall meet the following specific qualifications for the following roles:

President

A candidate for President shall not hold a visa that limits the amount of work in which a person may be engaged to less than 75 hours a fortnight.

Vice President - Education

A candidate for Vice President - Education shall not hold a visa that limits the amount of work in which a person may be engaged to less than 75 hours a fortnight

Vice President - Activities

A candidate for Vice President - Activities shall not hold a visa that limits the amount of work in which a person may be engaged to less than 75 hours a fortnight

Secretary

A candidate for Secretary shall not hold a visa that limits the amount of work in which a person may be engaged to less than 75 hours a fortnight

Faculty Representative

A candidate for Faculty Representative must be currently enrolled within an undergraduate course in the Faculty they seek to represent.

International Students Committee President

A candidate for International Students Committee President must be an international student.

Postgraduate Students Committee President

A candidate for Postgraduate Students Committee President must be a postgraduate student.

Queer Officer

A candidate for Queer Officer must be queer.

Women's Officer

A candidate for Women's Officer must be a woman.

Students with Disabilities Officer

A candidate for Students with Disabilities Officer must be disabled.