

STUDENT GUILD OF CURTIN UNIVERSITY
STUDENT GUILD (ADMINISTRATION) 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 (Administration) Regulations 2018*.

2. Commencement and Repeal

(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(2) Upon the commencement of these regulations Parts 1, 2, 8, 9 and 11 of the *Guild Regulations – Division One* are repealed.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:

Academic Registrar means the Academic Registrar of the University ordinarily based at the Bentley Campus.

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

Annual General Meeting means the annual general meeting of the Guild convened in accordance with regulation 20.

Associate Member means a person approved by the Guild Council who meets the criteria specified in regulation 8(1).

Campus means a location where the University offers classes to enrolled students.

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

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

employee(s) means all staff and casuals.

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.

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 17 of *Statute No.4-Student Guild* and regulation 67.

Honorary Life Member means a person approved by the Guild Council who meets the criteria specified in regulation 10.

Officer of a student society means a person who is an officer of a student society registered with the Guild.

Ordinary Guild Member means an enrolled student who meets the criteria specified in regulation 6 but does not include a Financial Guild Member.

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

referendum has the same meaning as in the *Student Guild (Election and Referenda) Regulations 2018*.

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.

selection panel means an employee recruitment panel formed in accordance with policy.

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

week means any seven (7) day period.

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

Part 2 – Interpretation

4. Interpretations

- (1) Pursuant to *Statute No.2-Interpretation* the *Interpretation Act 1984 (WA)* shall apply to all Guild regulations apart from the following:
- (a) wherever in Guild 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;
 - (b) a reference to one (1) gender includes any other, except where the provision specifically details that a person must be of a particular gender;
 - (c) in Guild regulations, unless the context otherwise requires, any reference to a time shall be a reference to the time in Perth, Western Australia;
 - (d) headings and any table of contents or index are for convenience only and do not form part of these regulations or effect its interpretation;
- (2) Where a question arises as to if a person is an enrolled student it shall be determined by the Academic Registrar and the Academic Registrar's decision shall be final.

5. University's Power of Delegation

Unless it is expressly provided otherwise any power conferred by Guild regulations upon a person or body within the University (inclusive of the University Council, a University committee or any employee or officer of the University) may be delegated by that person or body to any other person or body within the University or Guild.

Part 3 – Membership

6. 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.

7. 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 of the Guild or referendum;
- (b) being eligible to nominate to be an Officer subject to the Guild Statute Book; and
- (c) such other benefits as the Guild Council shall from time to time determine.

8. 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.

9. 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 of the Guild;
 - (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 not be eligible to become an Associate Member.
- (3) An Associate membership does not confer any form of Guild 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 of the Guild, election or referendum conducted by the Guild. However, no general meeting of the Guild, election or referendum shall be invalidated solely by reason of an Associate Member or Honorary Life Member having voted in that general meeting of the Guild, election or referendum.
- (5) Associate membership shall expire annually on the last day of February unless renewed.

10. 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 Membership does not confer any form of Guild membership upon the Honorary Life Member but does allow the Honorary Life Members such benefits as the Guild Council from time to time determines.

11. 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: Rule 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 4 - Student Societies

12. Registration

- (1) All student societies at the University shall register with the Guild.
- (2) The process and guidelines for registration shall be specified in in the Guild by-laws.
- (3) Student societies shall be classified by categories as defined in any policy.
- (4) The Guild by-laws shall prescribe a process for clubs to renew their registration.
- (5) Student societies must not be any form of company including under the *Corporations Act 2001 (Cth)*.
- (6) Regulation 12(5) shall be effective from 1 January 2021 provided that no registration of a student society that is any form of company shall be accepted from the commencement of these regulations.
- (7) A student society must exist for enrolled students of Curtin University to further their interests.

13. Student Society Constitutions

- (1) Each student society must have a constitution which shall bind them and their members as if:
 - (a) they contained an agreement on the part of each member to be bound by and observe all the provisions of the constitution; and
 - (b) that agreement were duly executed by each member.
- (2) The Guild by-laws shall prescribe what must be contained within the constitutions of student societies and provide for a default student society constitution.

14. Officers of Student Societies

- (1) Each student society shall have such Officers of the student society as are established by that student society's constitution.
- (2) Officers of student societies must be Guild Members.
- (3) Officers of student societies must sign the following statement as part of the registration application of their student society:

"As an Officer of a student society registered with the Student Guild of Curtin University, I agree to abide by the provisions of the Guild Statute Book, the constitution of my student society, the clubs charter and Guild policy. I hereby acknowledge that I have read and understand the Guild's expectations of my role as an Officer of a student society. I further agree to act in the best interest of my student society and not for my own personal benefit."

- (4) The Guild by-laws may prescribe other conditions for Officers of student societies.

15. Power to Regulate Student Societies

- (1) The Guild Council shall have the power to do all things necessary to provide for the regulation and administration of student societies.

- (2) All student societies must as part of the constitution of a Student Society agree to meet all requirements of the Guild and obey and accept all provisions of the Guild Statute Book and Policy.
- (3) The Guild Council may assume the care, control and management of the property and financial affairs of any student society, where it may be lawful and reasonable for the Guild Council to do so and for such period as the Guild Council thinks fit.

Part 5 - General Meetings of the Guild

16. Notice

- (1) No less than fourteen (14) days' notice shall be given for a general meeting of the Guild.
- (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.

17. Quorum

The quorum for any general meeting of the Guild 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.

18. Procedure

- (1) Any motion submitted to a general meeting of the Guild 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 be the President. If this right is not exercised, the meeting may elect a chair from amongst the Guild Members present.
- (4) Each Guild Member present at a general meeting of the Guild shall have one (1) vote.

19. Resolutions of a General Meeting

A Resolution of a General Meeting of the Guild shall be in the form of a recommendation to the Guild Council except where contrary to the Guild Statute Book. Guild Council may, by absolute majority, reject the recommendation if it deems that the recommendation may reduce the effectiveness of the Guild in performing its duties and functions as defined in the Guild Statute Book and policy.

20. Annual General Meeting

A general meeting of the Guild, 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.

21. Special General Meeting

- (1) The Guild Council may resolve to hold 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 of the Guild within twenty-eight (28) 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 Secretary and shall state the nature of the business for which the meeting is to be convened including any motion.
- (4) A requisition must be in the form of a petition, with the name, student number and signature of each Guild Member signing the requisition, legible and clearly displayed.
- (5) Each page of the requisition petition must clearly state the proposed nature of business for which the meeting is to be convened including any motion.
- (6) All the signatures in a requisition must be collected within fourteen (14) days of the commencement of the petition.

Part 6 – Staff, Finances and Administration

22. 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, Associate Directors 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, the employee appointed by the Guild Council as Deputy Managing Director shall act as Managing Director, or should no such appointment have been made, an Associate Director appointed by the Executive Committee 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 and employees.
- (6) All communication between employees and Officers that has failed to have the approval of the President and the Managing Director shall be considered unofficial.

23. Divisions

- (1) The Guild Council shall determine the organisational structure of the Guild.

- (2) The operations of the Guild, except where otherwise defined, shall be conducted by the divisions of the Guild as determined by Guild Council.
- (3) Associate Directors shall be initially responsible for the operations of their division.
- (4) Associate Directors shall be directly responsible to the Managing Director.
- (5) In accordance with the process established by policy, the Guild Council shall have the power to appoint a person to the position of Associate Director or to act as Associate Director.
- (6) The Guild Council may establish further levels of management as needed in each division.

24. 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.
- (4) Officers shall be ineligible to seek employment with the Guild during their term of office as an Officer.
- (5) Employees who are elected as Officers must resign their employment role within the Guild effective from the day they would commence as an Officer. Should the employee fail to resign then their Officer position shall be declared vacant.

25. 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 seven (7) cosignatories:
 - (a) one (1) being the Managing Director and up to two (2) other staff nominated by the Managing Director to Guild Council and approved by the Guild Council; and
 - (b) one (1) being the Secretary, the President, the Vice President - Education or the Vice President - Activities.
- (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.

26. Statute Book

- (1) Pursuant to Section 17 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) *Student Guild Rules*
 - (d) *Statute No. 27-Students Services and Amenities Fee*;
 - (e) *Student Services and Amenities Fee Rules*;
 - (f) Guild regulations;
 - (g) Guild by-laws; and
- (2) 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.

27. Administrator

- (1) In accordance with rule 11 of the *Student Guild Rules* the Vice Chancellor may appoint an appropriately qualified person to administer the Guild in the place of the Guild Council (**Administrator**).
- (2) The Guild Council may by special majority resolve to request the Vice Chancellor appoint an Administrator.
- (3) Upon the appointment of an Administrator, the Guild Council may be dissolved and all the positions of all Officers shall be declared vacant.

28. Branches

- (1) The Guild Council shall from time to time with the approval of the University Council establish branches of the Guild at other campuses of the University in accordance with this regulation.
- (2) There shall be no branch for the Bentley Campus or any other campus of the University within the Perth Metropolitan Area, the central administration of the Guild shall serve as the branch for the Bentley Campus and other Perth Metropolitan campuses.
- (3) Each branch shall have a constitution that shall be approved by the Guild Council upon the recommendation of the Legal Committee.
- (4) Each branch shall be led by a committee of students who shall be elected by and from the students of that branch.