

University of South Australia Student Association Incorporated

CONSTITUTION

(Revised 2014)

This revised Constitution defines the extent of the powers of the University of South Australia Student Association and outlines its decision-making structure and functions. It is vital that all Student Representatives familiarise themselves with this document. This revised Constitution (in its current revised form) was approved by the University of South Australia Student Association Board and the University Council and adopted by the University of South Australia Student Association referendum held in 2014

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1. NAME AND OFFICE

- 1.1. The name of the Association is the “University of South Australia Student Association Inc”.
- 1.2. The office of the Association is at North Terrace, Adelaide, or at such other place as the Council may from time to time determine.

2. DEFINITIONS

In this Constitution unless the context otherwise requires the following definitions apply.

“Aboriginal & Torres Strait Islander Student” means a student who identifies themselves as an Australian Aboriginal and /or a Torres Strait Islander.

“Academic Year” means the academic year of the University.

“Act” means the Associations Incorporation Act 1985 as amended from time to time.

“Advisers” means the advisers specified in Clause 5.2.1(h).

“AGM” means the Annual General Meeting of the University of South Australia Student Association.

“Associate Member” means an Associate Member of the University of South Australia Student Association, admitted to Membership under Clause 4.4.

“Attendance” means attendance of a Representative for the full duration of any University of South Australia Student Association meeting, seminar, workshop, briefing, interview or the like. (Note: This does not require attendance during any recess or break called by the Chair or other person in charge of conducting the same).

“Board” means the University of South Australia Student Association Board established by this Constitution.

“Campus” means a campus of the University at which Students are enrolled in academic programs, as identified by the University.

“Club Committee” means a Club Committee established under Clause 11.

“Committee” means a committee appointed by the Board or constituted by the Regulations.

“Constitution” means the Constitution embodied in this document.

“Financial year” has the meaning set out in Clause 17.

“General Manager” means the person having the powers and duties set out in Clause 9.3 and any other powers and duties prescribed from time to time by the Board.

“General Meeting” means a general meeting of Members of the University of South Australia Student Association, including the AGM and any special General Meeting.

“Home Campus” means the Campus registered in the University records as “home campus” for a Student.

“Honorary Life Member” means an Honorary Life Member of the University of South Australia Student Association, on whom that status has been conferred under Clause 4.5.

“International Student” means a Student who is not an Australian or New Zealand citizen nor holds Australian permanent resident status.

“Member” means an onshore Student subject to Clauses 4.9 and 4.10.

“Ordinary Member” means a Student.

“Onshore Student” means a student who is physically present in Australia whilst studying at the University.

“Postgraduate Student” means a Student enrolled in a postgraduate programme with the University.

“Regulations” means the Regulations of the University of South Australia Student Association made pursuant to Clause 24.

“Representative” means an Ordinary Member elected to office on the Board (including the President).

“Returning Officer” means a person appointed by the Board for the purpose of conducting an election or under any Electoral Regulations made by the Board.

“Special Resolution of the Board” means a resolution passed at a duly convened meeting of the Board by a majority of not less than two-thirds of Representatives present and voting at the meeting.

“Special Resolution of Members” has the same meaning as that expression is given by the Act.

“Staff of the University of South Australia Student Association” means staff employed by the University of South Australia Student Association.

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“Student” means a student who has approved leave or enrolment load recorded on the student records system of the University against a program or on a single course basis at any census date of the current Academic Year.

“Student email account” means a secure Student email address allocated to a Student of and by the University.

“Study Period” means study period 2 or 5 as used in the University of South Australia Academic Calendar.

“Subscription Fee” means the annual charge of that description as determined in respect of each Academic Year by (and at the discretion of) the Board which the Board may vary or may waive in respect of different categories of membership and which is payable to the University of South Australia Student Association by Members in any or all categories of membership, except Ordinary Members and Honorary Life Members, to which it applies as determined by the Board from time to time in its absolute discretion. The Subscription Fee is payable on or before a date specified by the Board in each Academic Year by those Members in the categories to which the Subscription Fee relates.

“Undergraduate Student” means a Student only enrolled in an undergraduate programme(s) with the University.

“University of South Australia Student Association” means the University of South Australia Student Association formerly called “UniLife Incorporated”.

“University” and **“UniSA”** mean the University of South Australia.

“University Council” and **“Council”** means the Council of the University of South Australia.

“Visiting Member” means a Visiting Member of the University of South Australia Student Association as defined in Clause 4.6.

“Working Day” means a day within Study Periods 2 and 5 of the Academic Year but does not include weekends, public holidays or any end of Study Period examination period.

3. OBJECTS AND POWERS

3.1. Objects

The objects of the University of South Australia Student Association are:

- (a) to promote and defend the interests and welfare of Students at the University, and ensure the provision of adequate support services for Students;
- (b) to promote the growth and development of the Students of the University with particular emphasis on the quality of the teaching and learning environment and the development of academic excellence;
- (c) to encourage participation in University decision making, including nominating Students, as required, to serve on appropriate University-wide councils or committees which have provision for Student membership;
- (d) to promote an awareness of the common interests of Students and to provide a common meeting ground, social centres and such other facilities as may be necessary to secure the further objects of the University of South Australia Student Association;
- (e) to promote and encourage equity and access at all levels for all Students within the University;
- (f) to promote diverse Student interests, discussion and action towards relevant issues and to publish or otherwise disseminate information and opinions on matters of interest to Students;
- (g) to provide, conduct or manage such educational, cultural, recreational, social, sporting or commercial facilities or activities as its Members require and the Board determines are for the benefit of Students;
- (h) to promote and encourage the implementation of sound environmental practices among Students and staff of the University;
- (i) to represent all Students for the purposes of the above objects and for the purposes of student representation and advocacy in compliance with the requirements of the National Student Representation Protocols set out in Chapter 3 of the Student Services, Amenities, Representation and Advocacy Guidelines made under Section 238.10 of the Higher Education Support Act 2003 ("Act") and any amendments to the said protocols and the Act; and
- (j) to do all things incidental or conducive to the attainment of the objects of the University

3.2. Powers

3.2.1. For the purpose of carrying out its objects, the University of South Australia Student Association may, subject to the Act and Clauses 3.2.2, 3.2.3 and 3.2.4 of this Constitution:

- (a) acquire, hold, deal with and dispose of any real or personal property;
- (b) administer any property on trust;
- (c) open and operate bank accounts;
- (d) invest its money in any security in which trust money may by Act of Parliament be invested;
- (e) borrow money upon such terms and conditions as the University of South Australia Student Association thinks fit;
- (f) give such security for the discharge of liabilities incurred by the University of South Australia Student Association as the University of South Australia Student Association thinks fit;
- (g) appoint agents to transact any business of the University of South Australia Student Association on its behalf;
- (h) enter into any other contract it considers necessary or desirable to further the objects of the University of South Australia Student Association; and
- (i) fund and award such scholarships for the benefit of Ordinary Members as may be resolved by Special Resolution of the Board.

3.2.2. University of South Australia Student Association must not on any occasion:

- (a) give security or create any encumbrance over all or any part of its property; or
- (b) give any guarantee or indemnity;

without the prior approval of a resolution of the University Council.

3.2.3. University of South Australia Student Association must not on any occasion:

- (a) acquire, deal with or dispose of any interest in real property; or
- (b) borrow money; or
- (c) enter into any finance lease, rental, hire, hire purchase or similar agreement or

arrangement relating to personal property with any party other than the University where the cumulative liability under such arrangements will exceed \$100,000

without the prior approval of a resolution of the University Council.

3.2.4. University of South Australia Student Association must in the exercise of its powers ensure that all the amenities and facilities which it provides are available to all its Members on terms which do not discriminate between Campuses or between Members of different Campuses.

3.2.5. University of South Australia Student Association must, by no later than 31 October each year, provide the University Council with a copy of the detailed annual budget for the University of South Australia Student Association for the following year, as determined by the Board under Clause 6.2.2.

4. MEMBERSHIP

4.1. Categories

The categories of membership of the University of South Australia Student Association are Ordinary Members, Associate Members, Honorary Life Members and Visiting Members.

4.2. Duration of Membership

With the exception of Honorary Life Members and Ordinary Members, membership of the University of South Australia Student Association is renewable annually (or as otherwise determined by the Board) on payment of the prescribed fee or Subscription Fee in accordance with the following provisions.

4.3. Voting Rights

Only Ordinary Members and Visiting Members are entitled to vote at referenda and General Meetings of the University of South Australia Student Association.

4.4. Associate Members

4.4.1. The following persons if not already Ordinary Members, are eligible to apply for Associate Membership:

(a) staff;

(b) members of University Council, academic and professional staff of the University and the staff of any other organisation affiliated with, or owned or controlled by the

University;

- (c) holders of academic qualifications conferred by the University or by any of its predecessor institutions;
- (d) members of the staff of any external organisation providing services to the University community from premises located on any Campus; or
- (e) members of the public who wish to avail themselves of the sporting and recreational facilities of the University of South Australia Student Association.

4.4.2. An eligible person wishing to become an Associate Member must make application to the University of South Australia Student Association in the form prescribed. On acceptance of the application by the University of South Australia Student Association and on payment of a subscription fee set from time to time by the Board the applicant will become an Associate Member of the University of South Australia Student Association.

4.4.3. The subscription for Associate Membership will be the amount from time to time determined by the Board and may be different from the Subscription Fees, if any, payable by Members in other categories of Membership.

4.4.4. The Board may in its discretion and without giving reasons accept or reject any application for Associate Membership.

4.4.5. Associate Members will cease to be Associate Members immediately they cease to be eligible for the purposes of Clause 4.4.1.

4.5. Honorary Life Members

Honorary Life Membership may be conferred by a Special Resolution of the Board on any person who in the opinion of the Board has rendered meritorious service to the University of South Australia Student Association or is otherwise considered worthy of such Membership. All Honorary Life Members of predecessor institutions will be recognised by the University of South Australia Student Association. Life Members are not liable to pay a Subscription Fee and will be afforded all rights and privileges of an Ordinary Member except that they are not eligible to nominate for or be elected to any office on the Board and have no voting rights in any referendum or at any general meeting of the University of South Australia Student Association.

4.6. Visiting Members

Visiting Members are Students of the University who, being members of another higher education

institution, are enrolled at the University as cross-institutional students. Visiting Members have the same rights and privileges as Ordinary Members except that they are not eligible to nominate for or be elected to any office on the Board.

4.7. Use of Amenities

- 4.7.1. Membership in any category does not entitle the Member to use any amenities and facilities provided by the University of South Australia Student Association to its Members in consideration of the payment of fees (in the nature of entrance fees, green fees, equipment hire fees and the like) which the Board may from time to time see fit to prescribe. A Member will be entitled to use free of such charge amenities and facilities as may be nominated by the Board from time to time, in its absolute discretion.
- 4.7.2. In prescribing additional fees for the use of amenities and facilities the Board may discriminate between Campuses or between Members of different Campuses.

4.8. Membership Period

- 4.8.1. Subject to Clauses 4.9 and 4.10, Ordinary Membership continues until the Member ceases to be enrolled as a Student at the University.
- 4.8.2. Associate Membership and Visiting Membership continues until those Members cease to be eligible to be Members in those categories, provided they are not in arrears with any Subscription Fee pertaining to such Membership.

4.9. Termination of Membership

- 4.9.1. Any Member may resign Membership at any time by giving notice in writing to the University of South Australia Student Association. Resignation will not affect the right of the University of South Australia Student Association to recover as a debt due to it any unpaid financial obligation of the resigning Member to the University of South Australia Student Association. Members will not be entitled to a refund of any part of their Subscription Fee.
- 4.9.2. Any Member who fails to meet a financial obligation to the University of South Australia Student Association within 60 days of the due date of payment will, at the expiration of that period, cease to be a Member, unless the Board has granted an extension of time. The Board may in any event, on such terms as it thinks fit, reinstate any Membership terminated under this clause.

- 4.9.3. Any Member who is expelled from the University will at the conclusion of the expulsion process (including any appeal) cease to be a Member of the University of South Australia Student Association.

4.10. Expulsion of a Member

- 4.10.1. Subject to giving a Member an opportunity to be heard and/or to make a written submission, the Board may resolve by Special Resolution of the Board to expel a Member on a charge of misconduct detrimental to the interests of the University of South Australia Student Association. An expelled Member will retain their voting rights in any referendum or general meeting of the University of South Australia Student Association however they shall not be eligible to nominate for or be elected to any office on the Board.
- 4.10.2. Particulars of the charge must be communicated to the Member at least twenty one (21) days before the meeting of the Board at which the charge will be determined.
- 4.10.3. The determination of the Board must be communicated to the Member, and in the event of an adverse determination the Member will, subject to Clause 4.10.4, cease to be a Member seven (7) days after the Board has communicated its determination to that Member.
- 4.10.4. The Member may appeal to the University of South Australia Student Association in General Meeting (which may be the next scheduled General Meeting or one convened by the Board for this specific purpose, at its absolute discretion) against an expulsion under Clause 4.10. Notice of intention to appeal must be lodged at the office of the University of South Australia Student Association within seven (7) days after the determination of the Board has been communicated to the Member (in respect of which time is of the essence).
- 4.10.5. In the event of an appeal under Clause 4.10.4, the appellant's Membership of the University of South Australia Student Association will be suspended pending the appeal. If the appeal is dismissed the Member's Membership will be terminated at the date on which the appeal is dismissed. If the appeal is upheld, the Member's Membership will cease to be suspended on the date on which the appeal is upheld.

4.11. Register of Members

- 4.11.1. University of South Australia Student Association must cause to be maintained up to date at all times a Register of Members showing in relation to each Member the full name, postal address and any email address (as notified to the University of South Australia Student

Association), Membership type, status and Home Campus membership and such other particulars as the Board may from time to time lawfully prescribe.

- 4.11.2. All Members must notify the University of South Australia Student Association of their names and addresses and of any changes to them immediately on becoming Members or immediately on any changes to those particulars becoming effective.

5. THE BOARD

5.1. Responsibility of the Board

The management and conduct of the business and affairs of the University of South Australia Student Association, and the management and control of its funds and other property are, subject to this Constitution, the responsibility of the Board.

5.2. Composition of the Board

5.2.1. The Board consists of the following Officers:

- (a) President;
- (b) One Representative for each of Campus of the University situated in Australia with not less than one hundred (100) Ordinary Members enrolled at that Campus as their Home Campus at the date nominations are called for an election of Representatives to the Board;
- (c) One additional Representative being an Undergraduate Representative for each of the metropolitan Adelaide Campuses;
- (d) One Postgraduate Student Representative;
- (e) One International Student Representative;
- (f) One Aboriginal & Torres Strait Islander Student Representative;
- (g) General Manager ex officio;
- (h) Advisers ex officio:
 - (i) a practising solicitor; and
 - (ii) a practising accountant (chartered or CPA)

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all of whom (other than the General Manager and Advisers) must at all times during their term of office be Ordinary Members of the University of South Australia Student Association.

- 5.2.2. The Board may in its absolute discretion from time to time permit observers from any Student interest groups within the University of South Australia Student Association to attend and to participate in meetings of the Board provided that those observers do not have any voting rights and they must at all times during their attendance at meetings of the Board comply with all directions and other requirements of the President with respect to the proceedings.
- 5.2.3. The University may nominate two observers to attend and participate in meetings of the Board and receive all papers and minutes for Board. The Board at its discretion may exclude the University's observers on confidential matters and matters of dispute with the University. The University's observers do not have any voting rights and must at all times during their attendance at meetings of the Board comply with all directions and other requirements of the President with respect to the proceedings.
- 5.2.4. Board Officers, other than the General Manager and Advisers, will be elected pursuant to this Constitution and the Regulations.
- 5.2.5. The General Manager and Advisers will be appointed by the Board on such terms as it may see fit pursuant to Clause 6.2.4

5.3. Eligibility for Election

- 5.3.1. Subject to Clauses 5.3.2 to 5.3.6 below only on shore Ordinary Members of the University of South Australia Student Association at the time of nomination for and at time of election will be eligible for election to any Representative Office on the Board.
- 5.3.2. Only on shore Ordinary Members:-
 - (a) Enrolled at a Campus as their Home Campus will be eligible for election as a Campus Representative of that Campus;
 - (b) Enrolled at the University as a Postgraduate Student will be eligible for election as Postgraduate Student Representative;
 - (c) Enrolled at the University as an International Student will be eligible for election as International Student Representative; and
 - (d) who have identified themselves as an Aboriginal & Torres Strait Islander Student will be eligible for election as the Aboriginal & Torres Strait Islander Representative.

5.3.3. Only on shore Ordinary Members who have not been convicted of any indictable offence (or offence of comparable seriousness under any Australian Law) or any offence involving fraud, theft or dishonesty, may nominate or be nominated for election to office on the Board.

5.3.4. Only on shore Ordinary Members who have:-

- (a) authorised the University in writing (by signing a form approved by the Board) to provide the General Manager on request in confidence with information as to their Student status; and
- (b) agreed in writing (by signing a form approved by the Board) to provide on request made at any time (including during term of office) by the General Manager within four (4) weeks of such request or such longer period as may be determined by the Board a current police check/report.

may nominate or be nominated for election to any Representative office on the Board.

5.3.5. Only on shore Ordinary Members who have agreed in writing (by signing a form approved by the Board) to comply with all requirements and conditions of the Liquor and Gambling Commissioner or the Court which may be imposed on Board officers for or in connection with approval of any application made by the Board for grant to the University of South Australia Student Association of a licence under the provisions of the Liquor Licensing Act, 1997 (or any successor act), may nominate or be nominated for election to office on the Board.

5.3.6. On shore Ordinary Members who have previously vacated their office on the Board under Clauses 5.6(e), (f) and (g) or been removed under Clause 5.8.2 may not re-nominate for elected office on the Board.

5.4. Election

5.4.1. Subject to Subclause 5.4.6 Board elections will be held annually, with voting commencing in October on Working Days determined by the Board.

5.4.2. All Ordinary Members are entitled to a vote for the positions of President, ~~Postgraduate~~ Student Representative; International Student Representative; and Aboriginal and Torres Strait Islander Representative.

5.4.3. Only an Ordinary Member who is recorded with a program code for a Home Campus may vote for the Representatives of that Campus

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- 5.4.4. Voting will be conducted under the optional preferential proportional representation voting system (as utilised by the Australian Electoral Commission for the Australian Senate elections from time to time).
- 5.4.5. The procedure for the conduct of the Board elections will be prescribed by Regulations.
- 5.4.6. A Board Election will be held in study period 2 2014 for all Board Officers and thereafter in accordance with Subclause 5.4.1.

5.5. Term of Office

- 5.5.1. Subject to Clauses 5.5.3, 5.6, 5.7 and 5.8 the term of office of all Representatives will be for a term of one year. A Representative's term begins on the 1st January following the election for their office; and will end on the 31st December one year later.
- 5.5.2. Incumbent Representatives who remain qualified for election are eligible for re-election to any office on the Board for which they are eligible.
- 5.5.3. Representatives elected in study period 2 2014 will begin their term from date the elections results are declared official and will end on the 31st December after the next election for their office. All current Board members elected in study period 2 2013 will retain their office until the election results are declared final for the election held in study period 2 2014, subject to Clauses 5.6 and 5.8. All elections thereafter will be in accordance with Clause 5.5.1.

5.6. Vacation of Office

The office of a Representative becomes vacant if the Representative:

- (a) is disqualified under the Act from holding office;
- (b) becomes a person whose person or estate is dealt with under law relating to mental health;
- (c) ceases to be an Ordinary Member of the University of South Australia Student Association;
- (d) resigns by notice in writing to the President;
- (e) is precluded from their study programme, expelled or suspended by the University;
- (f) fails to attend two (2) consecutive meetings or any three (3) out of five (5) consecutive meetings of the Board without being excused by Ordinary Resolution of the Board; or
- (g) fails to attend all sessions of the University of South Australia Student Association Board

Representatives' Workshop, unless certified medically unfit to attend any such session by a medical practitioner or excused from attendance by Ordinary Resolution of the Board.

5.7. Filling Casual Vacancy

5.7.1. Casual Vacancy in the Offices of President, Postgraduate Student Representative, International Student Representative, or Aboriginal & Torres Strait Islander Student Representative

If a casual vacancy occurs in the office of President, Postgraduate Student Representative; International Student Representative; or Aboriginal & Torres Strait Islander Student Representative the vacancy will be filled by the candidate who received the next highest number of votes at the last election for the casual vacated position and is available to take up office until no such candidate remains and, if none, the Board will hold an election for the vacant position as soon as practically possible.

5.7.2. Casual Vacancy in the Offices of Campus Student Representative or Campus Student Representative (Undergraduate)

If a casual vacancy occurs in the office of Campus Student Representative or Campus Student Representative (Undergraduate), the vacancy will be filled by the candidate who received the next highest number of votes at the last election for either Campus Student Representative or Campus Student Representative (Undergraduate); and is available to take up office until no such candidate remains and, if none, the Board will hold an election for the vacant position as soon as practically possible.

5.7.3 If a vacancy remains for an office of a Representative:

- (a) as a result of the absence of any nomination at any election for that office; or
- (b) in the case of a casual vacancy, after the application of Clause 5.7.1 or 5.7.2,

then the Board may, in its absolute discretion, fill that vacancy with a person who meets the eligibility criteria for that office.

5.7.4 A person who fills a vacancy in any office as prescribed by this Constitution or by the Regulations will hold that office until the 31st December following the next election for that office.

5.8. Removal from office

5.8.1. An office bearer may be removed from office by a Special Resolution of the Board if the office bearer is permanently incapacitated by injury or ill health, as determined by a Special Resolution of the Board.

5.8.2. An office bearer may be removed from office on the grounds of misconduct if:

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- (a) the office bearer has refused or neglected to comply with any provision of the Constitution, the Regulations or any policy or code of conduct approved by the Board or Council of the University or with any lawful direction of the Board;
 - (b) the office bearer has acted in a manner seriously prejudicial to the interests of the University of South Australia Student Association;
 - (c) the office bearer has removed without authority or has wilfully damaged or destroyed any property of the University of South Australia Student Association;
 - (d) the office bearer is found to have discriminated against, harassed or bullied any Member of the Staff of the University of South Australia Student Association, another Member or another office bearer; or
 - (e) the office bearer has failed in the opinion of the Board to adequately discharge the responsibilities of their office.
- 5.8.3. A person making an allegation of misconduct against the President must do so in a letter signed dated and addressed to the General Manager and, if against any other office bearer, then to the President, setting out the grounds of the allegation and providing copies of any documented evidence of it.
- 5.8.4. The President or the General Manager (as the case may be) must:-
- (a) add this allegation as an item on the agenda for the next Board Meeting, not being a meeting earlier than twenty one (21) days from the date of receipt of the allegation, for the Board to consider the allegation; and
 - (b) within seven (7) days of such receipt notify the office bearer against whom the allegation has been made of the allegation, of the evidence supporting it and of the office bearer's right of reply to the allegation.
- 5.8.5. The accused office bearer may provide to the President or General Manager (as the case may be) their written response to the allegation of misconduct no later than seven (7) days before the date of the Board Meeting convened to hear the allegation.
- 5.8.6. The accused office bearer may attend such Board Meeting and, subject to directions of the chairperson of the meeting make oral supplementary representations to the Board in response to the allegation of misconduct, but failure of the accused office bearer to attend such meeting will in no way impugn the Board's decision.
- 5.8.7. The office bearer against whom the allegation has been made may be removed from office only by a Special Resolution of the Board and on communication of that resolution to the office bearer.

6. POWERS OF THE BOARD

6.1. General Power

The Board may, subject to this Constitution, exercise all the powers and do all the things consistent with and in furtherance of the objects of the Association, which are not by the Act or by this Constitution required to be done by the University of South Australia Student Association in a General Meeting.

6.2. Specific Powers

Without limiting the generality of Clause 6.1, the Board may:

- 6.2.1. Determine the amount of the Subscription Fee for each of the categories of Membership to which it relates;
- 6.2.2. Determine the annual budget of the University of South Australia Student Association and decide on allocation of funding within the University of South Australia Student Association, to special projects and for all other purposes of the University of South Australia Student Association;
- 6.2.3. Receive from the Members and disburse according to the budget the Subscription Fees;
- 6.2.4. Employ any persons, engage agents or procure any professional or other assistance or services that are required by the University of South Australia Student Association in the carrying out its activities and pay reasonable remuneration and fees;
- 6.2.5. Give lawful and reasonable directions to any officer or employee of the University of South Australia Student Association in relation to the performance of their functions and duties and to formulate policies and guidelines to be observed by officers and staff;
- 6.2.6. Manage and administer all funds, property and facilities of the University of South Australia Student Association;
- 6.2.7. Determine fees and charges payable by members and others for use and hire of the amenities, facilities and equipment provided by the University of South Australia Student Association;
- 6.2.8. Open and operate any banking account in the ordinary course of business, and determine the method of execution of cheques and other negotiable instruments drawn on that account;
- 6.2.9. Subject to Clause 3.2:
 - (a) invest any money of the University of South Australia Student Association not immediately required for the purpose of carrying out the objects of the University of South Australia Student Association;

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- (b) borrow money on behalf of the University of South Australia Student Association from any person or corporation for the purpose of carrying out the objects of the University of South Australia Student Association and give security by mortgage, charge or lien over all or any part of the property of the University of South Australia Student Association;
 - (c) enter into contracts on behalf of the University of South Australia Student Association; and
 - (d) affiliate with or grant affiliation to or collaborate with any association or body (not being an association or body formed for the purpose of securing pecuniary profits to its members from its transactions), the objectives of which are concordant with those of the University of South Australia Student Association;
- 6.2.10. Determine to pay honorariums to Representatives and Advisers appointed by the Board; each such honorarium not to be paid until written approval of the same by the Vice Chancellor of the University, or his delegate, has been provided to the General Manager; and
- 6.2.11 Enter into contracts with third parties, including the University, to provide services to Students.

6.3. Welfare of Students

- 6.3.1. Subject to the Higher Education Support Act, the Board may do all things within the scope of the objects of the University of South Australia Student Association which are in its opinion necessary or desirable for the promotion of the interests, culture and general welfare of Students of the University.
- 6.3.2. Without limiting the generality of Clause 6.3.1, the Board may:
- (a) devise policies which are in the opinion of the Board likely to be of benefit or advantage, whether directly or indirectly, to Students of the University;
 - (b) represent and speak for Students of the University on any matter or matters which are, in the opinion of the Board of benefit to Students;
 - (c) coordinate relevant activities; and
 - (d) represent Students of the University in negotiations with, or representations to the University Council or the administration of the University or any other person or body in relation to any issue concerning the general interests or welfare of Students.

7. PROCEEDINGS OF THE BOARD

7.1 Meetings

- 7.1.1. The Board will meet together for the dispatch of business, adjourn and otherwise regulate its meetings as it sees fit, provided that it should endeavour to meet at least once in each month of the Academic Year.
- 7.1.2. A quorum at meetings of the Board and of any Committee will be half of the total number of filled Representative positions of the Board or Committee, as the case may be.
- 7.1.3. The President or any five other Representatives may summon a meeting of the Board.

7.2. Chairperson

The meetings of the Board will be chaired by the President or, if the President is absent, a Representative elected by the Board for that purpose.

7.3. Voting

- 7.3.1. Questions arising at any meeting (except where otherwise specifically provided in this Constitution) will be determined by a simple majority of votes of Representatives.
- 7.3.2. The Chairperson is entitled to a deliberative vote and, in the event of a tied vote, to a casting vote at any meeting of the Board.
- 7.3.3. For the purposes of a Special Resolution of the Board, the Chairperson is entitled to a deliberative vote only.

7.4. Minutes

- 7.4.1. The Board will cause minutes to be kept of the resolutions and proceedings of the University of South Australia Student Association.
- 7.4.2. Minutes of Board Meetings will only be published if the Board so directs and in the manner it directs.
- 7.4.3. Minutes must be signed by the chairperson at the next ensuing meeting.

7.5. Committees

Each Representative may chair a Committee, the composition and function of which will be determined by the Board or the Regulations.

7.6. Irregularities in Appointment

All things done at any meeting of the Board or of any Committee will, notwithstanding that it is

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afterwards discovered that there was some defect in the qualification or appointment of any Representative or other person attending and voting at the meeting, or that the qualification or appointment of any Representative or other person attending and voting had lapsed, be as valid as if every Representative or other person had been duly qualified and appointed and had been entitled to attend and vote.

7.7. Interested Representative

A Representative having a pecuniary or other beneficial interest in a contract with the University of South Australia Student Association must disclose that interest to the Board as required by the Act.

8. RESOLUTIONS NOT IN MEETING

8.1. Circular Resolutions

A resolution in writing, signed, assented to and sent by any form of visible (including electronic) communication by all the Representatives for the time being present in Australia shall be as valid and effectual as if it had been passed at a meeting of Representatives duly convened and held. Any such resolution may consist of several documents in like form each signed by one (1) or more of the Representatives. Decisions made in circular resolutions shall be minuted in the following Board meeting minutes.

8.2. Members' Remote Participation

A meeting of the Board may be held where one (1) or more of the Representatives is not physically present at but participates in the meeting, by adapting such procedures and protocols as the Board sees fit.

9. DUTIES OF OFFICE BEARERS

9.1. Office-Bearers

All office bearers of the University of South Australia Student Association must act ethically, in good faith, with due care and diligence and avoid conflicts of interest in the discharge of their duties, and, in particular, must not in the discharge of their duties:

- 9.1.1. Commit any act with intent to deceive or defraud the University of South Australia Student Association, Members or creditors of the University of South Australia Student Association or

creditors of any other person or for any fraudulent purpose;

- 9.1.2. Make improper use of information acquired by virtue of their position in the University of South Australia Student Association so as to gain, directly or indirectly, any pecuniary benefit or material advantage for themselves or for any other person, or so as to cause a detriment to the University of South Australia Student Association;
- 9.1.3. Make improper use of their position so as to gain, directly or indirectly, any pecuniary benefit or material advantage for themselves or for any other person, or so as to cause a detriment to the University of South Australia Student Association;
- 9.1.4. Enter into a commercial contract on behalf of the University of South Australia Student Association without the approval of the Board; or
- 9.1.5. Breach any applicable code of conduct or policy issued by the Board or University Council.

9.2. President

The President will:

- (a) Be the official head and spokesperson of the University of South Australia Student Association;
- (b) Preside at all meetings of the Board and General Meetings of the University of South Australia Student Association;
- (c) Manage the policy development of The University of South Australia Student Association;
- (d) Sign all documents, including minutes of meetings of the Board and, which require signature by the Official Head of the University of South Australia Student Association;
- (e) Call meetings of the Board and any Committee;
- (f) Be an ex-officio Member of any Committee, working party or other group established by the Board or the Regulations;
- (g) Maintain liaison with the National Union of Students, the University, relevant Government authorities and other higher education representative bodies;
- (h) Consult with the General Manager on matters associated with the day to day supervision of the staff of the University of South Australia Student Association;
- (i) Act as head of all Student Association delegations;
- (j) Act as Chair of any selection Committee;
- (k) Attend University meetings as the delegate of the University of South Australia Student

Association as required by the University; and

- (l) Be the University of South Australia Student Association nominee as a member of the University Council.

9.3. General Manager

The General Manager will:

- (a) Be the Public Officer of the University of South Australia Student Association;
- (b) Attend all meetings of the Board (as far as practicable) and keep or cause to be kept the minutes of those meetings;
- (c) Arrange, organise and conduct the administration and correspondence of the University of South Australia Student Association;
- (d) Incur debts and authorise expenditure on behalf of the University of South Australia Student Association in respect of the ordinary and reasonable operations of the University of South Australia Student Association to give effect to its budget, and pursuant to decisions of the Board ;
- (e) Keep or cause to be kept, the records required of an organisation pursuant to the provisions of the Act including the register of Members of the University of South Australia Student Association;
- (f) Maintain liaison with the University and other relevant organisations;
- (g) Lodge and file all such documents as are required to be lodged under the Act at the prescribed time and in the prescribed manner;
- (h) Inform the President of any matter affecting or likely to affect the University of South Australia Student Association;
- (i) Be authorised to recruit, supervise, direct and control, discipline and terminate employment of all employees of the University of South Australia Student Association, in consultation with the President, provided any such employment complies with relevant industrial relations legislation and industrial instruments (including the UniSA Enterprise Agreement or any successor industrial instrument) ;
- (j) Receive all money and pay it to the credit of the University of South Australia Student Association's bank account in the bank or other financial institution the Board may from time to time decide;
- (k) Keep or cause to be kept in an appropriate manner a correct statement of all money received and expended by or on behalf of the Board;

- (l) Prepare or cause to be prepared and submitted to each meeting of the Board a current financial statement and when called upon by the Board produce all relevant books or other documentation in support of that statement; and
- (m) Subject to the Act, this Constitution, the Regulations and any policy directive of the Board, have power to perform all such things as appear necessary or desirable for the proper management and administration of the University of South Australia Student Association.

10. DELEGATIONS

10.1. Board may Delegate Functions

The Board may by instrument in writing (which may include Minutes of a Board Meeting signed by the Chair) create or establish or appoint Committees, individual officers and consultants to carry out such duties and functions, and with such powers, as the Board determines from time to time. In exercising its power under this clause the Board must take into account broad Member involvement

10.2. Delegation by Instrument

The Board may in the establishing instrument delegate such functions as are specified in the instrument, other than:

- 10.2.1. this power of delegation; and
- 10.2.2. a function imposed on the Board or the General Manager by the Act or any other law, or this Constitution or by resolution of the University of South Australia Student Association in General Meeting.

10.3. Delegated Function Exercised in Accordance With Terms

A function, the exercise of which has been delegated under this clause, may whilst the delegation remains unrevoked, be exercised from time to time in accordance with the terms of the delegation.

10.4. Procedure of Delegated Entity

The procedures for any entity exercising delegated power shall, subject to this Constitution and with any necessary or incidental amendment, be the same as that applicable to meetings of the Board under Clause

7 above. The entity exercising delegated powers shall make decisions in accordance with the objects in Clause 3.1 above, and shall promptly provide the Board with details of all material decisions and shall provide any other reports, minutes and information as the Board may require from time to time.

10.5. Delegation may be Conditional

A delegation under this clause may be made subject to such conditions or limitations as to the exercise of any function or at the time or circumstances as may be specified in the delegation.

10.6. Revocation of Delegation

The Board may by instrument in writing (which may include Minutes of a Board Meeting signed by the Chair), at any time revoke wholly or in part any delegation made under this clause, and may amend or repeal any decision made by such body or person under this clause

11. CLUB COMMITTEES

11.1. Purpose

Club Committees will exist to facilitate social and sporting activities and academic or other interest groups for the benefit of Members.

11.2. Powers of Club Committee

11.2.1. Club Committees will operate under the authority and direction of the Board and will carry out the functions and exercise the powers ascribed to them by the Board.

11.2.2. Club Committees may make recommendations to the Board about any matter affecting the interests of their particular critical reference groups as identified by the Regulations.

11.3. Composition

11.3.1. The number and nature of all Club Committees is determined by the General Manager or their delegate.

11.3.2. All Members of Club Committees will be appointed by those whom they represent each year pursuant to the Regulations.

12. FINANCIAL RESPONSIBILITY OF COMMITTEES

12.1. Responsibilities

- 12.1.1. Each Club Committee will retain in a bank account established for it by the University of South Australia Student Association all its funds including those allocated to it by the University of South Australia Student Association.
- 12.1.2. Each Club Committee will cooperate with the Board in the preparation of accounts as determined by the Board, subject to Clause 18.
- 12.1.3. Club Committees must provide all information and do all things necessary to enable the Board to comply at all times with its obligations under this Constitution (including but not limited to the obligations imposed by Clause 18).
- 12.1.4. Each Club Committee may raise funds from its constituent Members and fund raising activities and expend the same for the benefit of its constituent Members and must maintain accurate records for receipts and expenditure of such funds.

12.2. Finances

- 12.2.1. Club Committees must follow any financial procedures set by the Board.
- 12.2.2. Club Committees will at all times allow the Board full access to all their books and financial records.
- 12.2.3. The Board has the authority to rescind any approvals for funding of Club activities by Special Resolution of the Board.

13. REFERENDA**13.1. Calling a Referendum**

The President must call a referendum of Members of the University of South Australia Student Association upon:

- (a) direction by a Special Resolution of the Board; or
- (b) receipt of a petition (which may be delivered by email) petitioning for the referendum signed by no fewer than two hundred (200) Ordinary Members, (provided that no signature is required on an email sent from an Ordinary Member's Student email account)

to be held within twenty (20) Working Days of such direction or receipt (as the case may be) provided that:-

- (i) the direction or receipt occurs in a Study Period; and
- (ii) if the direction or receipt occurs less than twenty (20) Working Days before the end of a Study Period the referendum will be held within twenty (20) Working Days of the start of the next Study Period.

Notice for a referendum is to be issued in the same manner as notice for a General Meeting and the provisions of Clause 14.9 will be applied as if all references to General Meetings therein were references to referenda.

13.2. Convening Referendum by Petitioners

If notice for a referendum is not issued within twenty (20) Working Days as required by Clause 13.1, the petitioners may convene a referendum within a further twenty (20) Working Days, subject to the provisions of paragraphs (i) and (ii) in Clause 13.1. The General Manager must ensure that the petitioners are supplied free of charge with particulars of the Ordinary Members entitled to receive a notice of referendum. The reasonable expenses of convening and conducting the referendum must be borne by the University of South Australia Student Association.

13.3. Form of Questions to be Stated

A direction or petition calling for the holding of a referendum will state the exact form of the referendum question or questions.

13.4. Result of Referendum

13.4.1. A simple majority of the Ordinary Members who vote on the referendum (provided that at least one thousand (1000) Ordinary Members exercise a vote) is required for the determination of the result of any referendum. A vote by fewer than one thousand (1000) Ordinary Members will not constitute a sufficient quorum to decide a referendum.

13.4.2. The result of a referendum will act as a direction to the Board in relation to the decision or action to which it refers. The Board will be bound to act in accordance with that direction, unless that action is inconsistent with this Constitution or with the requirements of the Act, or unlawful.

13.5. Referendum and Special Resolution

A referendum may not be called for the purpose of resolving any matter which under this Constitution

requires either an ordinary or Special Resolution of Members of the University of South Australia Student Association, except where this Constitution otherwise provides.

13.6. Ballot

A referendum must be held by secret ballot of Ordinary Members.

13.7. Method of Notice

13.7.1. Ordinary Members must be given at least ten (10) Working Days prior to the commencement of voting notice of a referendum by:-

- (a) Posting of signs in at least three (3) conspicuous positions on each Campus of the University; and
- (b) Posting a notice on the University of South Australia Student Association website.

13.7.2. Subject to compliance with Clause 13.7.1, the accidental failure to give notice of a referendum to any Ordinary Member will not invalidate any aspect of the conduct of the referendum.

13.8. Content of Notice

All referendum notices must state the referendum question or questions, the times, and methods of voting and must contain a concise statement of the “yes” or “no” cases in terms approved by the Board.

13.9. Method of Voting

All Ordinary Members wishing to vote in the referendum must vote in person on a Campus (or in such other form, including by electronic medium, as may be approved by the Board as Regulations) in accordance with the instructions in the referendum notice.

13.10. Voting Period

Voting must remain open for six (6) consecutive Working Days.

14. GENERAL MEETINGS

14.1. General Meetings

The Board may call a special General Meeting at any time and must call an AGM as required by the Act.

14.2. Timing of AGM

The AGM will be held within five (5) months of the end of the last Financial Year.

14.3. Special General Meetings

All General Meetings of the University of South Australia Student Association other than the AGM will be special General Meetings.

14.4. Members' Requisition

On a requisition in writing (which may be delivered by email from a Student email account) of no fewer than two hundred (200) Ordinary Members identified by their name, Student identification number and signature (however, no signature is required on an email sent from the Ordinary Member's Student email account), the President must within ten (10) Working Days of receipt of the requisition during or, if not received during a Study Period, from commencement of the next Study Period (subject to Clause 14.10), give (10) Working Days' notice convening a special General Meeting to be held on a Working Day within the current or next Study Period (as the case may be), or if there is insufficient time to convene the meeting in the current Study Period, give ten (10) Working Days' notice from the commencement of the next Study Period, for the purpose specified in the requisition.

14.5. Requisition Requirements

Every requisition for a special General Meeting must be signed by the Ordinary Members making the requisition (or be sent from an Ordinary Members' Student email account), and must state the purpose of the meeting.

14.6. Convening of Meeting by Requisitionists

If notice convening a special General Meeting is not issued within ten (10) Working Days as required by Clause 14.4, the requisitionists may convene a special General Meeting at a time consistent with Clause 14.4. The meeting must be convened in the same manner as a meeting convened by the President, and for this purpose the General Manager must ensure that the requisitionists are supplied free of charge with particulars of the Ordinary Members entitled to receive a notice of meeting. The reasonable expenses of convening and conducting the meeting must be borne by the University of South Australia Student Association.

14.7. Notice to be Given

14.7.1. Subject to Clause 14.8, at least ten (10) Working Days' notice of any General Meeting must

be given to Ordinary Members. The notice must set out where and when the meeting is to be held, the procedures to use a proxy and particulars of the nature and order of the business to be transacted at the meeting.

14.7.2. In the case of the AGM, the order of business at the meeting will be:

- (a) consideration of the annual report and accounts of the University of South Australia Student Association, including the auditor's report on the accounts;
- (b) the appointment of an auditor; and
- (c) any other business requiring consideration by the University of South Australia Student Association at the meeting.

14.8. Notice of Special Resolution

Notice of a meeting at which a Special Resolution of Ordinary Members is to be proposed must be given at least fifteen (15) Working Days prior to the date of the meeting.

14.9. Method of Giving Notice

14.9.1. Notice of a General Meeting must be given at least ten (10) Working Days prior to the commencement of voting by:

- (a) the posting of the notice in at least three (3) conspicuous positions on each Campus of the University; and
- (b) posting the notice on the University of South Australia Student Association Website.

14.9.2. Subject to compliance with Clause 14.9.1, the accidental failure to give notice of a General Meeting to any Ordinary Member will not invalidate any aspect of the proceedings at the meeting.

14.10. When Requisition need not be complied with

If a requisition is lodged under Clause 14.4 and an AGM is due to be held within sixty (60) days of receipt of the requisition, the Board need not convene a special General Meeting, provided that any business properly specified in the requisition is included in the notice calling the AGM.

14.11. Notice to Auditors

Notice of every General Meeting must be given by post to the auditors of the University of South Australia Student Association.

14.12. Location

All General Meetings must be held at a location within the metropolitan area of Adelaide, on a Working Day. The time and specific location for a General Meeting convened by the requisitioners under Clause 14.6 may be determined by the persons convening the meeting. The time and specific location for all other General Meetings (including the AGM) must be determined on each occasion by the Board.

14.13 Prior Acts

No resolution passed by the University of South Australia Student Association in General Meeting shall invalidate any prior act of the General Manager or the Board which would have been valid if that resolution had not been passed.

15. PROCEEDINGS AT GENERAL MEETINGS

15.1. Quorum

Ordinary Members present in person totalling not less than the number of persons required to be in attendance at a Board meeting to constitute a quorum for such Board meeting at that time will constitute a quorum at any General Meeting.

15.2. Chairperson

At each General Meeting the President, or in the absence of the President, a Representative elected by the Ordinary Members present at the meeting will chair the meeting.

15.3. Alternate Chairperson

If there is no Representative present within five minutes after the time appointed for the holding of the meeting, the Ordinary Members present may choose one of their number to be the Chairperson of the meeting.

15.4. Adjournment

The Chairperson may with the consent of any meeting at which a quorum is present, and must if so directed by the meeting, adjourn the meeting from time to time and from place to place, but no business will be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

15.5. Notice after Adjournment

When a General Meeting is adjourned, notice of the adjourned meeting must be given as if that meeting was the original meeting of Members.

15.6. Voting by Show of Hands

At any general meeting, a resolution put to a vote will be decided on a show of hands, and a declaration by the Chairperson of the meeting that a resolution has been carried or lost will, unless a poll is demanded, be conclusive evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, the resolution.

15.7. Voting by Poll

If a poll is demanded by the Chairperson of the meeting or by three or more Ordinary Members present personally, it will be taken in such manner as the Chairperson directs. The result of the poll will be the resolution of the meeting, provided that in the case of a Special Resolution of Members a majority of not less than three quarters of the Ordinary Members who, being entitled to do so, vote personally or by proxy at the meeting is required.

15.8. Minutes

- 15.8.1. Proper minutes of all proceedings at meetings of the University of South Australia Student Association must be entered within one month after the meeting in minute records kept for the purpose.
- 15.8.2. The minutes kept pursuant to this clause must be signed by the Chairperson of the meeting at which the proceedings took place or by the Chairperson of the next ensuing meeting.
- 15.8.3. When minutes have been entered and signed they constitute evidence, until the contrary is proved, that the meeting was convened and duly held, that all proceedings held at the meeting were duly conducted, and that all appointments made at the meeting were valid.

15.9. Voting Rights

- 15.9.1. Subject to this Constitution, each Ordinary Member present in person at any General Meeting is entitled to one vote on each motion.
- 15.9.2. At every General Meeting, the Chairperson is entitled to a casting but not a deliberative vote.

16. PUBLIC OFFICER

The General Manager, or an officer appointed by the Board during vacancies in the position of General Manager, will be the Public Officer of the University of South Australia Student Association for the purpose of the Act.

17. FINANCIAL YEAR

The financial year will correspond with the financial year of the University from time to time.

18. AUDIT AND ACCOUNTS

18.1. Accounting Records

In compliance with all statutory and regulatory requirements, the Board must keep such accounting records as are necessary to give a true and fair view of the affairs, and correctly to record and explain the financial transactions and financial position, of the University of South Australia Student Association.

18.2. Records to be Kept at Office

The accounting records must be kept at the office of the University of South Australia Student Association except when being audited.

18.3. Manner of Keeping Records

The accounting records must be kept in such a manner as will enable:

- 18.3.1. the preparation of accounts that present fairly the results of the operations of the University of South Australia Student Association; and
- 18.3.2. the accounts of the University of South Australia Student Association to be conveniently and properly audited in accordance with the following clause.

18.4. Preparation and Audit of Accounts

The Board must, as soon as practicable after the end of a financial year of the University of South Australia Student Association:

- 18.4.1. cause accounts in respect of the financial year to be prepared;
- 18.4.2. appoint, and cause the accounts to be audited by, an auditor approved as such for the purpose of the Act; and
- 18.4.3. otherwise comply with the requirements of the Act concerning the annual accounts.

18.5. Annual Report

The Board must each year cause to be prepared an annual report incorporating the annual accounts (including the auditor's report on the accounts and any other report or statement required by the Act to be included in, or to accompany, the accounts) and must cause the annual report to be laid before the AGM and a copy to be delivered to the University Council and published on the University of South Australia Student Association website within five (5) Working Days after the AGM.

18.6. Access to Books

The Board must allow authorised officers of the University in accordance with the resolutions of the University Council to have access at all reasonable times to the books and records of the affairs or business of the University of South Australia Student Association.

19. COMMON SEAL

In accordance with the Act, the Board will procure a common seal for the University of South Australia Student Association and will provide for its safe-keeping. The common seal will be used only by the Authority of the Board. Every instrument to which the seal is affixed must be signed by the President and by at least one other person nominated by the Board for the purpose or, if the President is unwilling or unable to act, then by three Representatives appointed by the Board for the purpose.

20. AMENDMENT OF CONSTITUTION**20.1. Amendment only by Referendum**

This Constitution may only be amended by referendum pursuant to Clause 13.

20.2. Approval by University Council

No amendment to the Constitution will take effect unless and until it is approved by resolution of University Council.

21. WINDING-UP AND APPLICATION OF ASSETS**21.1. Winding Up**

University of South Australia Student Association may be wound up by a Special Resolution of Ordinary

21.2. Surplus Assets

On the winding-up of the University of South Australia Student Association the surplus assets (as that term is defined in the Act) will not be distributed amongst the Members or former Members of the University of South Australia Student Association but will be transferred to the University, to be held by it on trust for the association of Students approved by the University under the University of South Australia Act 1990 as the successor to the University of South Australia Student Association or (if no such association then exists and none has come into existence within one year of the date of the resolution to wind up the University of South Australia Student Association) for founding a scholarship trust fund for award of scholarships to Students of the University, with half of the income to be re-invested and half to be applied to such scholarships. The trustees for such scholarship trust fund will be the Chancellor of the University and two councillors from the University Council elected by the University Council who will report at least annually to the University Council.

22. INDEMNITY

Each Representative and each officer and Member of the staff of the University of South Australia Student Association will be indemnified out of the assets of the University of South Australia Student Association against any liability incurred by them in defending proceedings whether civil or criminal taken against them by reason of their actions in relation to, or connected with the University of South Australia Student Association and in which judgment is given in their favour, or in which they are acquitted, or in which relief is granted to them by the Court in respect of any negligence, default, breach of duty or breach of trust.

23. NON PROFIT CLAUSE

The assets and income of the University of South Australia Student Association will be applied solely in furtherance of its objects and no portion will be distributed directly or indirectly to its Members except as bona fide compensation for services rendered or expenses incurred on behalf of the University of South Australia Student Association.

24. REGULATIONS

The Board may make and amend Regulations consistent with the Act and this Constitution for such purposes connected with the management and administration of the business, property and affairs of the University of South Australia Student Association (including but not limited to regulations prescribing procedures for the conduct of elections for Committees and Club Committees, and Regulations

governing the calling of meetings and the procedures and standing orders to be followed at meetings of the Board, Committees and Club Committees as the Board sees fit.

25. INTERPRETATION

The interpretation of the Constitution is the responsibility of the Board when the Board is meeting. In between Board meetings, the President may interpret disputed matters of the Constitution, with such matters being reported to the next duly constituted Board meeting.

26. TRANSITIONAL PROVISION

This Constitution will come into effect from when it has been approved by both the University Council and the Corporate Affairs Commission.

27. COMPULSORY STUDENT FEES

Nothing in this Constitution may be read as authorising the University of South Australia Student Association, its Board, Committees or officers to impose a fee on Students which might put the University of South Australia Student Association or the University in contravention of the Higher Education Support Act, 2003 (Commonwealth) or any other federal or state legislation.

28. UNIVERSITY OF SOUTH AUSTRALIA STUDENT ASSOCIATION NOMINEES TO OTHER UNISA BODIES

28.1 UniSA Council

University of South Australia Student Association nominees for the UniSA Council are:

28.1.1. the University of South Australia Student Association President; and

28.1.2. the University of South Australia Student Association Postgraduate Representative, provided the University of South Australia Student Association President is an undergraduate but, if not, an Undergraduate Representative selected by Special Resolution of the Board.

28.2. International Student Representation

The International Student Representative will be nominated as the University of South Australia Student Association nominee where a request is received from any University body dealing with International Student issues.