



TUMSS
TASMANIAN UNIVERSITY
MEDICAL STUDENTS' SOCIETY

ABN: 64 794 262 579
Medical Science Precinct,
17 Liverpool Street,
Hobart, TAS 7000
www.tumss.org.au

CONSTITUTION

OF THE

TASMANIAN UNIVERSITY MEDICAL STUDENTS' SOCIETY INC.

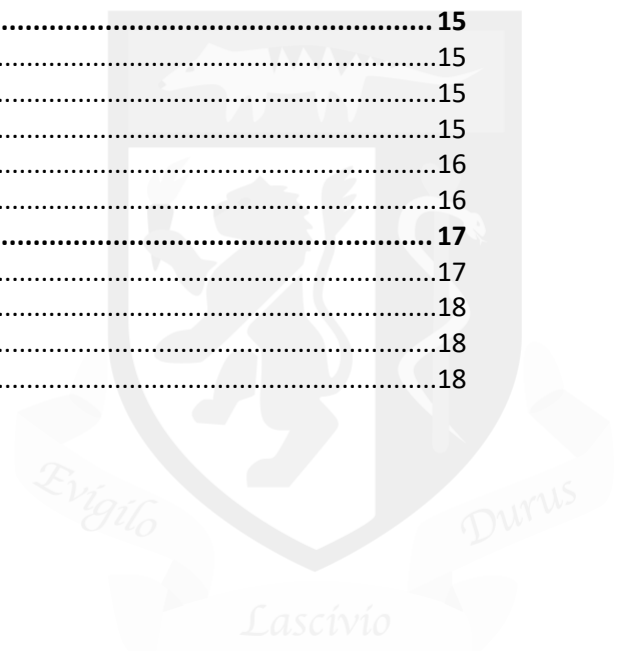
ABN 64 794 262 579

ADOPTED 5th of OCTOBER 2020



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PART 1 - PRELIMINARY

1. Name of Association

The name of the association is as follows: “Tasmanian University Medical Students’ Society Inc.” (TUMSS), herein referred to as the Society.

2. Definitions and Abbreviations

In these rules, unless the context otherwise requires –

Act means the Associations Incorporation Act 1964.

Calendar year is the timeframe between January 1st to December 31st.

Committee refers to either the Executive or Management Committee.

Committee meeting means:

- a. Executive Committee meeting; or
- b. Management Committee meeting; or
- c. Special Committee meeting.

Executive Committee means the committee formed by the Executive Officers of the Society as outlined in 15.1.

Executive Officer of the Society means any Officer of the Society holding a position on the Executive Committee as defined within the Constitution.

Financial year is the timeframe between January 1st to December 31st.

General meeting means:

- a. an annual general meeting; or
- b. a special general meeting.

General Officer of the Society means any Officer of the Society holding a position defined as a General Officer within the Bylaws of the Society.

Management Committee means the committee formed by all Officers of the Society as outlined in 15.2.

Medical student means any student studying a ‘Bachelor of Medicine/Bachelor of Surgery’ at the University of Tasmania, including an intercalated Honours year.

Officer of the Society means a person elected or appointed to any position on the Management Committee.

Public Officer means the person who is, under section 14 of the Act, the Public Officer of the Society.

Representative Officer of the Society means any Officer of the Society holding a position defined as a Representative Officer within the Bylaws of the Society;

Supermajority refers to $\frac{3}{4}$ of those eligible to vote.

Society refers to the Tasmanian University Medical Students’ Society Inc.

Abbreviations:

AGM - Annual General Meeting

AMA - Australian Medical Association

AMSA - Australian Medical Students’ Association

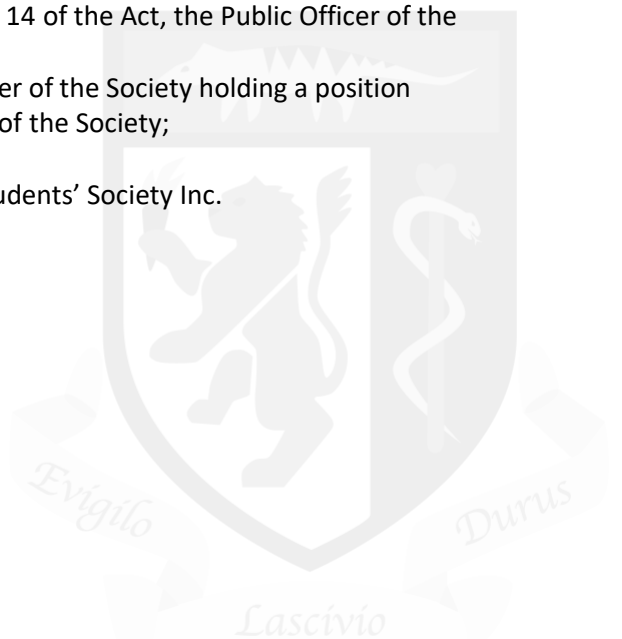
CBOS - Consumer, Building and Occupational Services

MBBS - Bachelor of Medicine/Bachelor of Surgery

SIG - Special Interest Group

TSoM - Tasmanian School of Medicine

TUU - Tasmania University Union



3. Society's Office

The office of the Society is to be at the Medical Sciences Precinct, 17 Liverpool St, Hobart 7000; or at any other place the Committee determines appropriate.

4. Aims & Objectives of the Society

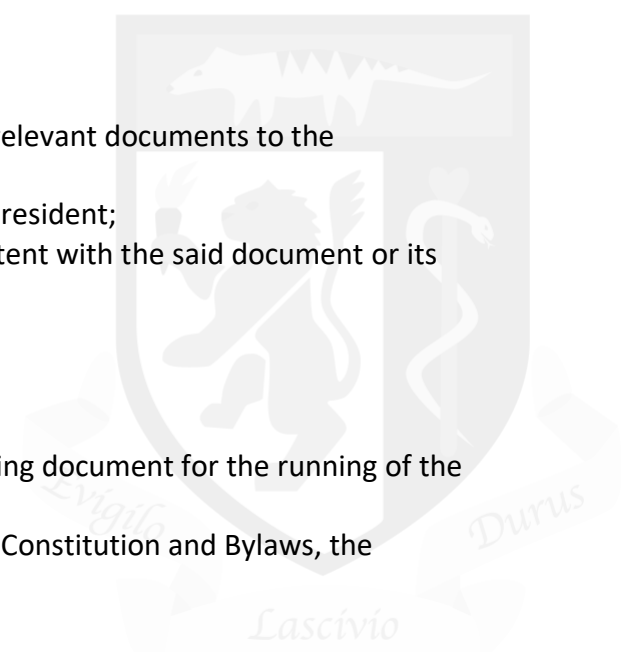
- 4.1. The aims of the Society will be to:
 - 4.1.1. Represent the interests of all medical students enrolled at the University of Tasmania;
 - 4.1.2. Advocate on issues relevant to its members;
 - 4.1.3. Foster a sense of community for all medical students.
- 4.2. The Society should achieve these aims through:
 - 4.2.1. Encouraging the University of Tasmania, specifically the Tasmanian School of Medicine (TSoM), to provide the highest quality medical education;
 - 4.2.2. Liaising with relevant student and professional bodies, including the TSoM, the Australian Medical Students' Association (AMSA), the Australian Medical Association (AMA) and other Australian student societies;
 - 4.2.3. Promoting awareness of issues relevant to the study and practice of Medicine;
 - 4.2.4. Organise events and initiatives that contribute to the benefit of medical students;
 - 4.2.5. Promoting and encouraging student wellbeing - both physical and mental - including mentoring for medical students;
 - 4.2.6. Utilising assets in a not-for-profit doctrine, for the improvement of the Society and the students it represents;
 - 4.2.7. Facilitating the involvement of medical students in community engagement;
 - 4.2.8. Improving use of environmentally sustainable practices.

5. Interpretation

- 5.1. The interpretation of the Constitution and other relevant documents to the operations of the Society shall be:
 - 5.1.1. to an extent deemed reasonable by the President;
 - 5.1.2. where such an application is not inconsistent with the said document or its intended meaning.

6. Bylaws of the Society

- 6.1. The Bylaws of the Society act as a secondary guiding document for the running of the Society.
- 6.2. Should there be any inconsistencies between the Constitution and Bylaws, the Constitution shall take precedence.



7. Affiliation

- 7.1. The Society shall be affiliated with the Tasmania University Union Inc. (TUU), and anything in this Constitution or any act of this Society which is inconsistent with the Constitution or Regulations of the TUU, shall be null and void insofar as it is inconsistent.

8. Not For Profit

- 8.1. The assets and income of the Society shall be applied solely to further the aims and objectives of the Society. No portion shall be distributed directly or indirectly to the members of the Society, except as genuine compensation for services rendered or expenses incurred on behalf of the Society.
- 8.2. In the event of the Society being dissolved, all assets that remain after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes, which is charitable at law and which has rules prohibiting the distribution of its assets and income to its members.

PART 2 - MEMBERSHIP

9. Membership of Society

- 9.1. A person who is nominated and approved for membership in accordance with this rule is eligible to be a member of the Society on payment of the annual membership fee –
 - 9.1.1. the annual membership fee shall be at the discretion of the Executive Committee, providing this is within the TUU requirements.
 - 9.1.2. the annual membership fee shall not be increased by more than 100% in any given calendar year.
- 9.2. Upon payment of the annual membership fee, members shall fall into one of three categories:
 - 9.2.1. Medical Student Membership – any member who is an enrolled student studying MBBS at the University of Tasmania;
 - 9.2.2. Student Membership – any member who is enrolled at the University of Tasmania not studying MBBS;
 - 9.2.3. Associate Membership – any member who is not a student at the University of Tasmania.
- 9.3. Membership for a given year shall be deemed to have expired at the end of the same calendar year.
- 9.4. The Honorary Secretary is to maintain, or establish and maintain, a register of members containing:
 - 9.4.1. the name of each member and their year of study;
 - 9.4.2. an email address that the member has nominated as the email address to which notices from the Society may be sent; and
 - 9.4.3. the student number of each member.

- 9.5. A person becomes a member of the Society when their name is entered in the register of members.
- 9.6. A member of the Society may resign by serving on the Honorary Secretary a written notice of resignation –
- 9.6.1. on receipt of a notice from a member of the Society, the Honorary Secretary is to remove the name of the member from the register of members.

10. Liability of Members

- 10.1. Any right, privilege or obligation of a person as a member of the Society:
- 10.1.1. is not capable of being transferred to another person; and
- 10.1.2. terminates when the person ceases to be a member of the Society.
- 10.2. In the event of the Society being wound up, all current and past members are not liable to contribute to the costs, charges and expenses of the winding up the Society.
- 10.3. Any member of the Society who purports to incur a debt or obligation on behalf of the Society while acting without authorisation will be personally liable for such a debt or obligation.
- 10.4. The Executive Committee of the Society may at their discretion indemnify in whole or in part an individual who has incurred such a debt and/or obligation, if they believe it is justified to do so.

11. Expulsion of Members

- 11.1. The Executive Committee may expel a member from the Society if, in the opinion of the Executive Committee, the member is guilty of conduct detrimental to the interests of the Society.
- 11.2. The expulsion of a member does not take effect until whichever of the following occurs later:
- 11.2.1. a fortnight following the serving of a notice of expulsion; or
- 11.2.2. if the member exercises their right of appeal under this rule, the conclusion of the special general meeting convened to hear the appeal.
- 11.3. If the Executive Committee expels a member from the Society, the Honorary Secretary, without undue delay, should serve on the member a notice of expulsion in writing:
- 11.3.1. stating that the Committee has expelled the member;
- 11.3.2. specifying the grounds for the expulsion; and
- 11.3.3. informing the member of the right to appeal against the expulsion under the Constitution.

12. Appeal Against Expulsion

- 12.1. A member of the Society may appeal against an expulsion by serving on the Honorary Secretary, within 14 days of being served a notice of expulsion, a requisition in writing demanding the convening of a special general meeting for the purpose of hearing the appeal.

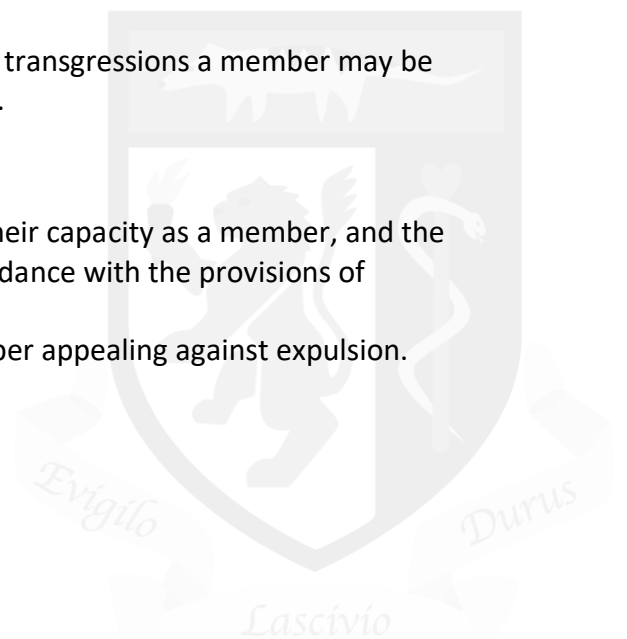
- 12.2. On receipt of a requisition, the Honorary Secretary is to immediately notify the Executive Committee of the receipt.
- 12.3. The Executive Committee is to call a special general meeting to be held within 21 days after the day on which the requisition is received.
- 12.4. At a special general meeting convened for the purpose of hearing an appeal under this rule:
 - 12.4.1. no business other than the question of the expulsion is to be transacted;
 - 12.4.2. the Executive Committee may place before the meeting details of the grounds of the expulsion and the Executive Committee's reasons for the expulsion;
 - 12.4.3. the expelled member must be given an opportunity to be heard; and
 - 12.4.4. the members of the Society who are present are to vote by secret ballot on the question of whether the expulsion should be lifted or confirmed.
- 12.5. If at the special general meeting a majority of the members present vote in favour of the lifting of the expulsion:
 - 12.5.1. the expulsion is lifted; and
 - 12.5.2. the expelled member is entitled to continue as a member of the Society.
- 12.6. If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion:
 - 12.6.1. the expulsion takes effect; and
 - 12.6.2. the expelled member ceases to be a member of the Society.

13. Discipline of Members

- 13.1. The Executive Committee shall have the power to make such rules and regulations pertaining to the conduct of members as it shall deem necessary.
- 13.2. Conduct of members shall be governed by the rules and regulations found in the 'Behaviour Matrix' which shall be interpreted by the Executive Committee –
 - 13.2.1. members of the Society are responsible for their own actions and may be held accountable by the Executive Committee.
 - 13.2.2. any member found to be violating the rules and regulations set out in the Behaviour Matrix may, at the discretion of the Executive Committee, be reprimanded as seen fit.
 - 13.2.3. depending on the number and severity of transgressions a member may be expelled from the Society as outlined above.

14. Disputes

- 14.1. A dispute between a member of the Society, in their capacity as a member, and the Society is to be determined by arbitration in accordance with the provisions of the [Commercial Arbitration Act 2011](#).
- 14.2. This rule does not affect the operation of a member appealing against expulsion.



PART 3 - THE COMMITTEE

15. Structure of the Committee

- 15.1. The Executive Committee consists of:
 - 15.1.1. the President;
 - 15.1.2. the Vice-President (Academic);
 - 15.1.3. the Vice-President (Social);
 - 15.1.4. the Honorary Treasurer;
 - 15.1.5. the Honorary Secretary;
 - 15.1.6. the AMSA Representative.
- 15.2. The Management Committee consists of:
 - 15.2.1. the Executive Committee;
 - 15.2.2. the General Officers of the Society;
 - 15.2.3. the Representative Officers of the Society.
- 15.3. Any Officer of the Society is not to hold more than one office at any time unless:
 - 15.3.1. a casual vacancy has not been filled by the regular process;
 - 15.3.2. the Management Committee agrees that said Officer of the Society is capable of filling the casual vacancy alongside the office they already hold.
- 15.4. An office of the Society may be held by one or two members.
 - 15.4.1. an office held by two members shall be considered as a joint office.
 - 15.4.2. offices unable to be held by a joint office shall be outlined in the Bylaws.

16. Responsibilities of the Committee

- 16.1. All Officers of the Society are to:
 - 16.1.1. ensure that the aims and objectives of the Society are met;
 - 16.1.2. operate within the rules set out by the TUU Clubs and Societies Council;
 - 16.1.3. abide by the 'Code of Conduct';
 - 16.1.4. attend committee meetings and general meetings of the Society, unless apologies are provided to the Honorary Secretary;
 - 16.1.5. submit reports for said meetings in a timely manner, when requested by the Honorary Secretary;
 - 16.1.6. when asked, assist other Officers with the workload of the Society;
 - 16.1.7. fulfil all role-specific duties as outlined in the Bylaws.
- 16.2. In addition to the responsibilities above, the Executive Officers of the Society are to:
 - 16.2.1. make decisions on the day to day running of the Society, and refer decisions where appropriate to the Management Committee or at general meetings of the Society;
 - 16.2.2. ensure accurate and complete records of all financial transactions are maintained;
 - 16.2.3. ensure accurate and complete documentation of meetings, resolutions, policy and concerns;
 - 16.2.4. give a summary of each Executive Committee meeting to the Management Committee each Management Committee meeting.

17. Election of the Committee

17.1. Returning Officer –

17.1.1. The Returning Officer for all elections shall be the Honorary Secretary, unless the Honorary Secretary has nominated for a position or is unable to attend the AGM, in which case the Returning Officer will be a member of the Executive Committee who is not seeking re-election.

17.2. Nominating for Election –

17.2.1. The Returning Officer is to give notice to all UTAS medical students of the opening of nominations 14 days prior to nominations closing.

17.2.2. Nominations shall be open for at least five days, and close at least 14 days prior to the AGM.

17.2.3. A nomination for a position as an Executive Officer or General Officer of the Society is to be:

17.2.3.1. self-nominated by an eligible medical student;

17.2.3.2. emailed to the Returning Officer prior to nominations closing;

17.2.3.3. include a standardised photo and abstract of no more than 400 words outlining why they believe they are suited to the position;

17.2.4. A maximum of three positions may be applied for, and if more than one position is applied for, then a nominee must preference which roles they wish to fill.

17.2.5. The process of nomination and election of the Representative Officers of the Society is outlined in the Bylaws, along with other requirements for elections.

17.2.6. Once nominations have closed, the abstracts and photos of nominees are to be distributed to all UTAS medical students for review.

17.3. Eligibility for Election –

17.3.1. In order to stand for election or re-election, all Officers of the Society will be:

17.3.1.1. a member of the Society;

17.3.1.2. a medical student; and

17.3.1.3. if elected, will not be holding the office for which they have nominated for more than two consecutive years.

17.4. Voting –

17.4.1. All UTAS medical students are entitled to one ordinary vote, except for the President who shall hold an ordinary and a casting vote.

17.4.2. Students shall be notified the specific dates which voting is open and given specific instructions on how to vote, when notice of the AGM is given.

17.4.3. Voting shall be open for one week in the lead up to the AGM.

17.4.4. Voting will occur online, via anonymous preference vote.

17.4.5. The votes are to be automatically tallied by the online voting system –

17.4.5.1. in the event of a technical malfunction, the voting period will either be extended or a revote will occur. This will be at the discretion of the Returning Officer.

17.4.5.2. if an applicant should receive the greatest number of votes for more than one office, they are taken to hold the position they preferred first.

The other office(s) will be filled by whomever had the second highest number of votes.

- 17.4.6. Any member of the Society may scrutinise the vote if they so desire, and at least one other Executive or General Officer of the Society not seeking re-election shall act as a scrutineer.
- 17.4.7. Results of the election are to be announced at the AGM.
- 17.4.8. Special elections, including the election of Representative Officers, are outlined in the Bylaws.
- 17.4.9. Those elected are to hold office for the duration of the following calendar year.

17.5. Uncontested and Unfilled Positions –

- 17.5.1. If a position has only one applicant, then it is considered to be an uncontested position –
 - 17.5.1.1. voters will have the option of either accepting or rejecting the uncontested nominee's application for the position.
 - 17.5.1.2. a simple majority of votes is needed to either accept or reject the uncontested nominee.
 - 17.5.1.3. if the nominee is rejected, the position is considered to remain unfilled.
- 17.5.2. If a position receives no nominations, then it is considered to be an unfilled position.
- 17.5.3. If a position is unfilled by the time of the AGM, then any UTAS medical student may self-nominate at the AGM –
 - 17.5.3.1. a physical secret ballot of the medical students in attendance at the AGM will take place; a first-past-the-post voting system should be used.
- 17.5.4. If a position remains unfilled after the AGM, it is taken to be a casual vacancy.

18. Casual Vacancies

- 18.1. For the purpose of these rules, an office becomes casually vacant if the Officer of the Society:
 - 18.1.1. gives notice to the Management Committee of their resignation; or
 - 18.1.2. does not fulfil the requirements of their position; or
 - 18.1.3. is dismissed from their position.
- 18.2. If a casual vacancy exists on the Management Committee:
 - 18.2.1. the Honorary Secretary, or another member of the Management Committee, is to inform all UTAS medical students that the position is vacant and seek applications for the role;
 - 18.2.2. the applications will be reviewed and decided by a panel as outlined in the Bylaws of the Society;
 - 18.2.3. the decision of the panel must be ratified by a simple majority vote at the next Management Committee meeting;
 - 18.2.4. the successful applicant is to hold office for the remainder of the calendar year.

19. Removal from Office

- 19.1. The process to remove an Officer of the Society may be initiated by any Officer of the Society writing a letter of complaint to the Executive Committee relating to:
 - 19.1.1. a failure of the Officer of the Society to fulfil the expectations of their role, as outlined in the Bylaws;
 - 19.1.2. conduct which is deemed to contradict the 'Code of Conduct' for Officers of the Society.
- 19.2. A meeting of the Executive Committee is to be organised where:
 - 19.2.1. the Executive Committee will review statements from the complainant and the Officer of the Society in question; and
 - 19.2.2. the Executive Committee will come to a majority decision regarding the complaint, being:
 - 19.2.2.1. rejection of the letter of complaint; or
 - 19.2.2.2. dismissal of the Officer of the Society.
- 19.3. Following the decision, the Officer in question may appeal the decision, in which case another hearing would occur during the next Management Committee meeting, with all Officers of the Society holding the right to vote –
 - 19.3.1. the hearing must either ratify the previous decision or choose alternative action through a majority vote.

PART 4 - MEETINGS

20. Annual General Meeting

- 20.1. The Society is to hold an Annual General Meeting (AGM) each calendar year.
- 20.2. An AGM is to be in addition to any other general meeting that may be held in the same year.
- 20.3. The ordinary business of an AGM is to be as follows:
 - 20.3.1. to confirm the minutes of any preceding general meetings up to and including the previous AGM;
 - 20.3.2. to receive from the Management Committee, auditor, and other persons acting on behalf of the Society reports on the transactions of the Society since the last AGM;
 - 20.3.3. to select the auditor for the following financial year;
 - 20.3.4. to discuss any other tabled or untabled business of the Society; and
 - 20.3.5. to announce the outcome of elections, and elect any previously unfilled positions.
- 20.4. Minutes of proceedings of an AGM are to be kept and appropriately archived by the Honorary Secretary or, in their absence, by an Officer of the Society who is nominated by the chairperson of the meeting.

21. Special General Meetings

- 21.1. The Management Committee may convene a special general meeting of the Society at any time.

- 21.2. The Management Committee, on the requisition in writing of at least five members of the Society, is to convene a special general meeting of the Society.
- 21.3. If the Management Committee fails to host a special general meeting within 21 days of the request, any one or more of the requisitionists may convene the meeting within three months.
- 21.4. A special general meeting convened by requisitionists is to be convened in the same manner, as nearly as practicable, as the manner in which a special general meeting would be convened by the Management Committee.
- 21.5. Only business which relates to the requisition may be discussed at a special general meeting.

22. Notices of General Meetings

- 22.1. The Honorary Secretary is to give notice of a general meeting of the Society to members specifying:
 - 22.1.1. the place, day and time at which a meeting is to be held, with at least 14 days' notice;
 - 22.1.2. the nature of the items to be addressed during the meeting, with at least three days' notice.
- 22.2. Notice should be sent to members by:
 - 22.2.1. emailing all members of the Society;
 - 22.2.2. other means that would likely ensure that the members of the Society will be notified.

23. Business and Quorum at General Meetings

- 23.1. Business is not to be transacted at a general meeting unless a quorum of members of the Society entitled to vote is present at the time.
- 23.2. A quorum for the transaction of the business of a general meeting is 20 members of the Society entitled to vote.
- 23.3. If a quorum is not present within one hour after the time appointed for the commencement of a general meeting, the meeting is to be adjourned to a practical time and place specified by the Chairperson.
- 23.4. If at an adjourned general meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting is dissolved.

24. Chairperson at General Meetings

- 24.1. At each general meeting of the Society, the Chairperson is to be either:
 - 24.1.1. the President; or
 - 24.1.2. another Officer of the Society delegated the role by the President; or
 - 24.1.3. a member of the Society elected to preside as Chairperson by the members of the Society present and entitled to vote at the general meeting.
- 24.2. Powers of the Chairperson are outlined in the 'Standing Orders'.

25.Adjournment of General Meetings

- 25.1. The Chairperson of a general meeting at which a quorum is present may adjourn the meeting with the consent of the members of the Society who are present and entitled to vote at the meeting.
- 25.2. No business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 25.3. If a meeting is adjourned for 14 days or more, notice of the adjourned meeting is to be given in the same manner as the notice of the original meeting.
- 25.4. If a meeting is adjourned for less than 14 days, it is not necessary to give any notice of the adjournment or of the business to be transacted at the adjourned meeting.

26.Determination of Questions & Voting

- 26.1. A question arising at a general meeting of the Society is to be determined by a show of hands.
- 26.2. Following a show of hands, a declaration by the Chairperson is evidence of a resolution on that matter, unless a poll is demanded before that declaration –
 - 26.2.1. a resolution may be that the motion has been lost or carried, carried unanimously, or carried by a particular majority.
 - 26.2.2. this outcome is to be recorded in the minutes of the Society.
- 26.3. On any question arising at a general meeting of the Society, a member of the Society (including the Chairperson) is entitled to one vote only –
 - 26.3.1. despite this, in the case of an equality of votes, the President has a casting vote.
 - 26.3.2. all votes are to be given personally and cannot be proxied to another member.
- 26.4. If at a general meeting a poll on any question is demanded:
 - 26.4.1. the poll is to be taken at that meeting in the manner that the Chairperson determines; and
 - 26.4.2. the result of the poll is taken to be the resolution on that question.
- 26.5. A poll that is demanded with regards to the election of a Chairperson, or on a question of adjournment, is to be taken immediately.
- 26.6. A poll that is demanded with regards to any other question is to be taken at any time before the close of the meeting, as the Chairperson determines.

27.Special Motions

- 27.1. Members of the Society have the right to call any of the following motions at a general meeting, each motion must be carried by a supermajority of members entitled to vote:
 - 27.1.1. Censure Motion: a resolution censuring an Officer of the Society or the Executive Committee, expressing the members disapproval in either their behaviour or failure to carry out obligations;
 - 27.1.1.1. if the motion is carried, the person or people in question must publicly apologise for their previous behaviour/failings

- 27.1.2. No Confidence Motion: a resolution of no confidence in either an Officer of the Society or the Executive Committee;
 - 27.1.2.1. if the motion is carried, the person or people in question are dismissed from their respective offices and their position is to be treated as a casual vacancy
- 27.1.3. Over-Ruling Committee Decisions: a resolution overruling any decision of the Management or Executive Committee.

28. Committee Meetings

- 28.1. A committee meeting may be convened by the President or any other Executive Officer of the Society.
- 28.2. Regular committee meetings for:
 - 28.2.1. the Management Committee will be every four weeks during the academic term;
 - 28.2.2. the Executive Committee will be two weeks after each regular Management Committee meeting during the academic term.
- 28.3. Any Officer of the Society may convene a special committee meeting in addition to the regular Management Committee meetings –
 - 28.3.1. all Officers of the Society are to be notified of any special committee meeting, including the general nature of business to be transacted.
 - 28.3.2. only business of which notice was given may be transacted at such a meeting.
 - 28.3.3. quorum for a special committee meeting is the same as for a Management Committee meeting.
- 28.4. Written notice of each committee meeting is to be served on each member of the Committee four days prior by:
 - 28.4.1. emailing it to the email address associated with a particular office of the Society; or
 - 28.4.2. utilising a group communication channel.
- 28.5. Quorum for the transaction of the business of committee meetings is:
 - 28.5.1. four Executive Officers of the Society at an Executive Committee meeting; or
 - 28.5.2. 16 Officers of the Society at a Management Committee meeting.
- 28.6. Business is not to be transacted at a committee meeting unless a quorum is present.
- 28.7. If a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the meeting is adjourned to the same day, time and place the following week.
- 28.8. Any question arising at a meeting of the Committee is to be determined:
 - 28.8.1. by a show of hands; or
 - 28.8.2. if demanded by a member, by a poll taken at that meeting, in a manner as determined by the Chairperson.
- 28.9. On any question arising at a committee meeting, each Officer of the Society (including the Chairperson) has one vote only –
 - 28.9.1. despite this, in the case of an equality of votes, the President has a casting vote.
 - 28.9.2. those in a joint office are entitled to one shared vote only.
 - 28.9.3. all votes are to be given personally and cannot be proxied.

29. Disclosure of interests

- 29.1. If an Officer or member of the Society has a direct or indirect pecuniary interest in a matter being considered at a meeting, the member is to, as soon as practicable, disclose the nature of the interest.
- 29.2. If at a meeting, the Officer or member of the Society votes in respect of any matter in which the member has a direct or indirect pecuniary interest, that vote is not to be counted.

PART 5 - FINANCES

30. Income and Property of the Society

- 30.1. The income and property of the Society is to be applied solely towards the promotion of the objects and purposes of the Society.
- 30.2. The Society may pay a person or member of the Society:
 - 30.2.1. remuneration in return for services rendered to the Society, or for goods supplied to the Society, in the ordinary course of business of the person or member; or
 - 30.2.2. remuneration that constitutes a reimbursement for out-of-pocket expenses incurred by the person or member for any of the objects or purposes of the Society; or
 - 30.2.3. a reasonable amount by way of rent for premises, or a part of premises, let to the Society by the person or member.
- 30.3. The Society is not to pay a person any amount unless the Society or Executive Committee has first approved that payment.

31. Accounts of Receipts and Expenditure

- 31.1. True accounts are to be kept of the following:
 - 31.1.1. each receipt or payment of money by the Society and the matter in respect of which the money was received or paid; and
 - 31.1.2. each asset or liability of the Society.
- 31.2. The accounts are to be open to inspection by the members of the Society at any reasonable time, and in any manner deemed reasonable by the Executive Committee.
- 31.3. The Honorary Treasurer of the Society is to keep all accounting books, and general records and records of receipts and payments, and general financial documentation connected with the business of the Society in the form and manner approved by the Executive Committee.
- 31.4. The accounts, books and records are to be kept at the Society's office or at any other place approved by the Executive Committee.

32. Banking and Finance

- 32.1. On behalf of the Society, the Honorary Treasurer of the Society is to:
 - 32.1.1. receive any money paid to the Society;

- 32.1.2. immediately after receiving the money, issue an official receipt where appropriate; and
- 32.1.3. deposit the money into the nominated account of the Society as soon as practicable.
- 32.2. The Committee is to open, with an authorised deposit-taking institution, an account in the name of the Society –
 - 32.2.1. authorised deposit-taking institution means a body corporate that is an authorised deposit-taking institution for the purposes of the Banking Act 1959 of the Commonwealth.
- 32.3. The Executive or Management Committee may provide the Honorary Treasurer of the Society with an amount of money to meet urgent expenditure, subject to any conditions the Committee may impose in relation to the expenditure.
- 32.4. Monies are not to be drawn on the Society's account, and an amount is not to be electronically transferred from the Society's account to another account at an authorised deposit-taking institution, unless with the express purpose of making a payment that has been authorised by the Executive or Management Committee.
- 32.5. A cheque, draft, bill of exchange, promissory note or other negotiable instrument is to be:
 - 32.5.1. signed by the Honorary Treasurer or, in their absence, by any other member(s) of the Management Committee nominated for that purpose; and
 - 32.5.2. countersigned by the President.
- 32.6. An electronic transfer of an amount from the Society account to another account at an authorised deposit-taking institution is to be:
 - 32.6.1. authorised by the Honorary Treasurer or, in their absence, by any other member(s) of the Management Committee nominated for that purpose; and
 - 32.6.2. authorised by the President for amounts over \$1000 AUD.

33. Auditor

- 33.1. At each AGM, the members of the Society present at the meeting are to appoint a person as the auditor of the Society.
- 33.2. If an auditor is not appointed at an AGM, the Management Committee is to appoint a person as the auditor of the Society as soon as practicable, following that AGM.
- 33.3. The auditor is to hold office until the next AGM, and is eligible for re-appointment.
- 33.4. The auditor may only be removed from office by a supermajority vote of members present at a general meeting of the Society.
- 33.5. If a casual vacancy occurs in the office of auditor, the Management Committee is to appoint a person to fill the vacancy until the end of the next AGM.

34. Audit of Accounts

- 34.1. The auditor is to audit the financial affairs of the Society at least once in each financial year of the Society.
- 34.2. The auditor, after auditing the financial affairs of the Society for a particular financial year of the Society, is to:
 - 34.2.1. certify as to the correctness of the accounts of the Society; and

- 34.2.2. at the next AGM, provide a written report to the members of the Society who are present at that meeting.
- 34.3. In the financial report and in certifying to the accounts, the auditor is to:
 - 34.3.1. specify the information, if any, that they required and obtained;
 - 34.3.2. state whether, in their opinion, the accounts exhibit a true and correct view of the financial position of the Society according to the information at their disposal; and
 - 34.3.3. state whether the rules relating to the administration of the funds of the Society have been observed.
- 34.4. The Honorary Treasurer is to deliver to the auditor a list of all the accounting records, books and accounts of the Society.
 - 34.4.1. accounting records include invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes, vouchers, and other documents of prime entry, and also includes such working papers and other documents as are necessary to explain the methods and calculations by which accounts are made up.
- 34.5. The auditor may:
 - 34.5.1. have access to the accounting records, books and accounts of the Society;
 - 34.5.2. require from any employee of, or person who has acted on behalf of, the Society any information the auditor considers necessary for the performance of their duties;
 - 34.5.3. employ any person to assist in auditing the financial affairs of the Society; and
 - 34.5.4. examine any member of the Committee, or any employee of, or person who has acted on behalf of, the Society, in relation to the accounting records, books and accounts of the Society.

PART 6 - MISCELLANEOUS

35. Dissolution

- 35.1. The Society shall be dissolved by a resolution of no less than a supermajority vote of members at a Special General Meeting convened especially for the purpose –
 - 35.1.1. notification must be given to all members outlining the reasons for the proposed dissolution.
 - 35.1.2. quorum of such a meeting will be 10 percent of members of the Society.
 - 35.1.3. no other business may be conducted at a meeting to dissolve the Society.
 - 35.1.4. after the petitioning body has presented its case, any opposition must be given the opportunity to reply, with at least 10 minutes set aside for this purpose.
- 35.2. Dissolution of the Society will also occur if the Society has been financially and administratively inactive for a period of 18 months.
- 35.3. If the Society is dissolved, the Executive Committee must:
 - 35.3.1. notify all members and relevant organisations or groups about the outcome of such a meeting; and

35.3.2. settle all outstanding debts, and distribute remaining assets, as outlined prior.

36. Seal of the Society

- 36.1. The seal of the Society is to be in the form of a rubber stamp inscribed with the name of the Society encircling the word "Seal".
- 36.2. The seal is not to be affixed to any instrument except by the authority of the Committee.
- 36.3. The affixing of the seal is to be attested by the signatures of:
- 36.3.1. two members of the Executive Committee; or
 - 36.3.2. one member of the Executive Committee and any other person the Committee may appoint for that purpose.
- 36.4. If a sealed instrument has been attested, it is presumed, unless the contrary is shown, that the seal was affixed to that instrument by the authority of the Committee.
- 36.5. The seal is to remain in the custody of the Honorary Secretary.

37. Service of Notices

- 37.1. Except as otherwise provided by these rules, a document may be served under these rules on a person by:
- 37.1.1. giving it to the person; or
 - 37.1.2. sending it by post to the address of the person last known to the server of the document; or
 - 37.1.3. emailing it to the person's email address last notified to the server of the document.

38. Amendments

- 38.1. The Constitution may only be amended by a supermajority of the members in attendance at the AGM –
- 38.1.1. an amendment of the Constitution must be communicated in writing to the members within two weeks of the AGM.
 - 38.1.2. the Public Officer must notify Consumer, Building and Occupational Services (CBOS) of any amendments within one month of any changes to the Constitution.
- 38.2. The Bylaws may only be amended by a resolution of the Management Committee –
- 38.2.1. a supermajority of all the Officers on the Management Committee must vote in favour of the amendment for it to pass.
- 38.3. An amendment of the Bylaws must be communicated in writing to the members within two weeks of the resolution.

