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FLINDERS UNIVERSITY STUDENT ASSOCIATION

FLINDERS UNIVERSITY STUDENT ASSOCIATION CONSTITUTION

As ratified by University Council on 9 August 2012.
Including all amendments ratified by University Council up to 14 May 2015.



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1. Interpretation

1.1. In this Constitution:

“Absolute majority” means more than half of all the members of a body vote in favour of a proposition, whether or not those members are present and whether or not they cast a vote. For the avoidance of doubt, a

“Academic day” means a means a day on which University classes are normally scheduled, during a standard University semester, and which is not a Saturday, Sunday or public holiday;

“Association” means the association known as “Flinders University Student Association”;

“Club” or **“Society”** means a group of students and other natural persons who meet for a social, cultural, literary, or other purpose, except for a sporting pursuit. For the avoidance of doubt, a club formed or intending to be established for a sporting pursuit is not permitted to affiliate to the Association under Section 20;

“International student” is an enrolled student who is studying at a campus located within Australia and holds a temporary entry visa or otherwise deemed to be an international student by the University;

“Manager, Student Engagement” is the person employed by the University responsible for ensuring open and effective communication and liaison between the University, the Association and students;

“Postgraduate student” is a student who is enrolled in a course of study defined by the University as a postgraduate award;

“Member” means a member of the Association;

“Regulations” means the regulations of the Association, made under Clause 21;

“Student” means any enrolled student of the University, whether that person is enrolled as a full time, part time or external student;



“Student Council” is the governing body of the Association;

“Student Services and Amenities Fee” means the fee collected by the University in accordance with the Higher Education Support Act, 2003 (Commonwealth) to support the provision to students of amenities and services not of an academic nature;

“University” means The Flinders University of South Australia;

“University Council” means the peak governing body of the University, as defined by the *Flinders University of South Australia Act, 1966 (SA)*.

1.2. In this Constitution:

- (a) neuter includes masculine and feminine; and
- (b) singular includes plural and vice versa.

2. Name

2.1. The name of the Association will be the ‘Flinders University Student Association.’

3. Approval by University Council

3.1. The establishment of the Association and this Constitution are subject to approval by University Council.

4. Functions and purpose

4.1. The functions and purpose of the Association are to:

- (a) promote and advance the rights, interests and welfare of students;
- (b) represent students within and outside the University;
- (c) co-ordinate and support activities for students, including the provision of support for affiliated clubs;
- (d) provide the means for effective communication between students, the Association and the University;
- (e) oversee the delivery of student services, which are funded from the Student Services and Amenities Fee and are the responsibility of the Manager, Student Engagement; and



- (f) deliver other services, amenities and programs for students funded from the membership fee and other income received by the Association.

5. Powers

- 5.1. The Association has power to do all things incidental or conducive to the attainment of its functions and purpose.
- 5.2. The Association may only exercise its powers and use its income and assets for the attainment of its functions and purpose.

6. Membership

- 6.1. The membership of the Association is voluntary. The members are those students who apply for membership, pay the membership fee and are admitted in accordance with regulations approved by the Student Council.
- 6.2. Only students may apply for membership.
- 6.3. At the time of the establishment of the Association, the initial membership fee will be zero (0) dollars.
- 6.4. University Council, on the recommendation of the Student Council, may approve an amendment to the membership fee to provide for a fee greater than zero (0) dollars.
- 6.5. The rights of members who have not paid the membership fee by the date for payment are suspended until the membership fee is paid.
- 6.6. Except for the membership fee, there are no entrance fees or other amounts to be paid in respect of membership of the Association.
- 6.7. A person will cease to be a member of the Association:
 - (a) by resigning from the Association; or
 - (b) by ceasing to be a student.
- 6.8. A student may resign by writing to the Association. A student who fails to pay the membership fee within three (3) months of the due date will be deemed to have resigned from the Association.



7. Rights of students and members

- 7.1. Subject to this Constitution and the Regulations, all students have the right to:
- (a) vote in the elections of the Association;
 - (b) join a club affiliated with the Association;
 - (c) use and benefit from the services, amenities and programs overseen by the Association, which are funded from the Student Services and Amenities Fee and are the responsibility of the Manager, Student Engagement.
- 7.2. Subject to this Constitution and the Regulations, members of the Association:
- (a) have the right to attend and vote at General Meetings of the Association;
 - (b) are entitled to stand for election and hold office as an office bearer or Student Council member;
 - (c) use and benefit from the services, amenities and programs funded from the membership fee.
 - (d) have the right to attend Student Council meetings
- 7.3. The rights of a member of the Association are:
- (a) not capable of being transferred or transmitted to another person; and
 - (b) terminate upon cessation of the student's membership.
- 7.4. The financial records, policies, procedures, Regulations, Constitution and minutes of meetings of the Association shall be available for inspection by any member on his or her reasonable request, subject to Clause 7.5.
- 7.5. Members may not inspect the records of the Association that relate to confidential personal, commercial and legal matters.

8. Register of Members

- 8.1. The Association shall maintain a Register of Members of the Association which records:
- (a) the name and email address of each member of the Association; and



- (b) the date of admission to, and cessation of, membership of each member.

9. Office bearers

- 9.1. The officer-bearers of the Association are:
 - (a) the President; and
 - (b) the General Secretary.
- 9.2. By regulation approved in accordance with Clause 21, the Student Council:
 - (a) must specify the procedures for electing office-bearers; and
 - (b) must specify the responsibilities of each office-bearer.
- 9.3. The office-bearers are subject to direction by the Student Council.

10. Student Council

- 10.1. The Student Council is responsible for the overriding governance of the Association and may exercise all the powers of the Association (except the powers of members in general meetings or referenda) within the functions and purpose of the Association.
- 10.2. Without limiting Clause 10.1, the Student Council is responsible for:
 - (a) setting the strategic directions of the Association;
 - (b) setting the annual budget and monitoring the financial performance of the Association;
 - (c) establishing the policies and procedures of the Association;
 - (d) making regulations under Clause 21;
 - (e) monitoring the performance of office-bearers and Student Council officers and ensuring they carry out their duties and responsibilities; and
 - (f) overseeing the management of services which are the responsibility of the Manager, Student Engagement.
- 10.3. The Student Council may delegate any of its powers, except the power of delegation, to any of its sub-committees or office-bearers of the Association as the Student Council deems fit. No such delegation will prevent or limit the Student Council from exercising its powers or functions.



- 10.4. The voting members of the Student Council are:
- (a) the office-bearers of the Association, specified in Clause 9.1;
 - (b) the Student Council members with a portfolio (Student Council Officers) as specified in Clause 10.5;
 - (c) six (6) General Members of the Student Council, elected in accordance with the procedures for elections established under Regulations.
- 10.5. The Student Council members with a portfolio (Student Council Officers) are:
- (a) the Education Officer;
 - (b) the Women's Officer;
 - (c) the Welfare Officer;
 - (d) the Postgraduate Students Officer;
 - (e) the International Students Officer;
 - (f) the Queer Officer;
 - (g) the Indigenous Students Officer;
 - (h) the Environment Officer.
 - (i) the Accessibility Officer
 - (j) the Social Activities Officer
- 10.6. By regulation approved in accordance with Clause 21, the Student Council:
- (a) may establish other Student Council members with a portfolio;
 - (b) must specify the procedures for electing the Student Council members with a portfolio; and
 - (c) must specify the responsibilities of each Student Council member with a portfolio.
- 10.7. The Manager, Student Engagement shall be a non-voting member of the Student Council.
- 10.8. The Student Council may, by a resolution passed by a majority meet in camera without the Manager, Student Engagement being present.
- 10.9. The Manager, Student Engagement must appoint a staff member who will be responsible for recording and maintaining the records and minutes of the proceedings of the Student Council.
- 10.10. The Student Council members with a portfolio are subject to direction by the Student Council.



11. Procedures of the Student Council

- 11.1. The Student Council must meet at least ten times in a calendar year on a Flinders University Campus at a time and place as determined by President.
- 11.2. At the request of three or more voting members of the Student Council, the General Secretary must call a meeting of the Student Council at a place and time convenient to the voting members of the Student Council.
- 11.3. A quorum for a meeting of the Student Council is half of the voting members plus one (1). The quorum must be present at all times when business is transacted.
- 11.4. The President will chair Student Council meetings. If the President is not present, or is required to vacate the Chair, the General Secretary will Chair the meeting. If neither the President nor the General Secretary is present, or is required to vacate the Chair, the Student Council must elect another voting member of the Student Council to chair.
- 11.5. The Student Council may grant leave of absence to any voting member of the Student Council for a period not exceeding two (2) months.
- 11.6. All other matters relating to the procedures of the Student Council will be established under Regulation approved in accordance with Clause 21.

12. Executive Committee

- 12.1. The Executive Committee is a committee of the Student Council, exercising delegated powers from the Student Council under Clause 10.3.
- 12.2. The Executive Committee:
 - (a) may transact the business of the Association, on behalf of the Student Council, on urgent matters that the President and General Secretary consider cannot be held over until the next regular meeting of the Student Council;
 - (b) may exercise such other powers as may from time to time be delegated to it by the Student Council; and



- (c) must provide the Student Council with reports of its activities at each meeting of the Student Council.
- 12.3. Decisions of the Executive Committee must be ratified at the next regular meeting of the Student Council and shall have the same effect as decisions of the Student Council, provided that such decisions are made in accordance with this Constitution and the Regulations.
- 12.4. The voting members of the Executive Committee are:
- (a) the President (Chair);
 - (b) the General Secretary;
 - (c) the Education Officer; and
 - (d) Two (2) voting member of the Student Council elected by the Student Council.
- 12.5. The Manager, Student Engagement shall be a non-voting member of the Executive Committee.
- 12.6. Executive Committee meetings must be chaired on the same basis as Student Council meetings.
- 12.7. A quorum for a meeting of the Executive Committee is three (3) voting members.
- 12.8. The quorum must be present at all times when business is transacted.

13. Committees

- 13.1. In addition to the Executive Committee, Student Council may by regulation or resolution establish other standing and ad hoc committees as it considers appropriate. The Student Council must by regulation specify the responsibilities of each Standing Committee.

14. Terms of office

- 14.1. Office-bearers of the Association, Student Council Officers and the General Members of the Student Council, elected at the annual elections hold office for a twelve month period from 1 December until 30 November.



14.2. Office-bearers of the Association, Student Council Officers and the General Members of the Student Council filling vacancies hold office for the remainder of the term of office of the position being filled.

15. Vacation of office

15.1. The position of Office-Bearer, Student Council Officer or General Member of Student Council becomes vacant, if the office holder:

- (a) dies;
- (b) is permanently incapacitated by ill health;
- (c) ceases to be a student;
- (d) ceases to be a member of the Association;
- (e) is absent for three (3) meetings of the Student Council without a leave of absence, except in exceptional circumstances, as determined by Student Council;
- (f) resigns from their position by notice in writing to the Association;
- (g) is removed from their position in accordance with Clause 15.2; or
- (h) is unable for any other reason to perform the duties of office.

15.2. An office-bearer, Student Council Officer or General Member of the Student Council may be removed from that office and membership of the Student Council by a binding decision of a referendum in accordance with Clause 19.6.

15.3. Vacancies must, where possible, be filled within 42 calendar days:

- (a) in the case of office-bearer positions and Student Council Officers and General Members directly elected by students, by a by-election being held in accordance with the regulations, subject to Clause 15.4;

15.4. If a vacancy in an office-bearer position or Student Council office position or General Members of the Student Council occurs within 2 months before the annual elections, the Student Council may elect a student who would be eligible to stand for the position in accordance with the Constitution and the Regulations.



16. Elections

- 16.1. The Student Council must make regulations for the conduct of elections in accordance with Clause 21. These regulations must protect the security of the vote counting system and the privacy of each voter in lodging a vote.
- 16.2. All elections must be by secret ballot and must use optional preferential voting.
- 16.3. The positions of office-bearers, Student Council Officers and General Members of the Student Council, as specified in Section 9 of this Constitution, must be filled by election each year at the annual elections.
- 16.4. Voting in the annual elections must be held between 1 August to 15 October.
- 16.5. For annual elections, voting must be held on at least three consecutive academic days.

17. General Meetings of members

- 17.1. The Student Council may, by resolution passed by an absolute majority, require a General Meeting of the Association to be called. The resolution must specify the question or questions to be considered at the General Meeting.
- 17.2. The Student Council must convene a General Meeting of members upon receipt of a petition of at least fifty (50) members. The petition:
 - (a) must state the question or questions to be considered at the General Meeting;
 - (b) may consist of multiple copies of the same document;
 - (c) must include the names, student numbers and signatures of the members making the request; and
 - (d) must be given to the General Secretary or another member of the Executive Committee.
- 17.3. If a General Meeting is requested in accordance with Clause 17.2, the General Secretary:
 - (a) must, within five (5) academic days of the request, fix a time, date and place for the General Meeting; and



- (b) must give to all members at least ten (10) academic days notice of the General Meeting.
- 17.4. The notice of the General meeting must be affixed to Association notice boards and sent to all members by electronic transmission. The notice must specify the time, date and place of the meeting and the question or questions to be considered at the General Meeting.
- 17.5. A General Meeting of members must be held on any day during the academic semester, no later than 7:00 pm and no earlier than 9:00am and must provide means for members located on campuses outside of the Adelaide metropolitan area to attend, including the use of teleconferencing facilities.
- 17.6. Fifty (50) members, in attendance shall constitute a quorum at a General Meeting. If a quorum is not present within thirty (30) minutes after the time and place specified in the notice of the meeting issued in accordance with Clause 17.4, the General Meeting will lapse.
- 17.7. The President shall preside at a General Meeting of members. If the President is absent, or is required to vacate the chair, the General Secretary will Chair the meeting.
- 17.8. Decisions of General Meetings will be binding on the Association, the Student Council and its office-bearers if the meeting is quorate and two-thirds of members in attendance vote in favour, provided they are not inconsistent with this Constitution.

18. Annual General Meeting

- 18.1. The Association must, once in each calendar year, hold an Annual General Meeting.
- 18.2. The Annual General Meeting will be in addition to any other General Meetings of members that may be held in the same year, and must be specified as such in the notice convening it.
- 18.3. The order of business at the Annual General Meeting will be
- (a) to confirm the minutes of the previous Annual General Meeting;
 - (b) to consider a report from the President;
 - (c) to consider a report from the General Secretary on the Association's finances;



- (d) to consider the audited statement of the Association's accounts in respect of the most recently ended financial year of the Association; and
 - (e) any other business of which notice has been given.
- 18.4. Subject to Clause 18.3, proceedings at the Annual General Meeting will be conducted on the same basis as a General Meeting of members as specified in Section 17, except for Clause 17.6.
- 18.5. Fifty members or 10% of the total number of members, whichever is the lesser number, in attendance shall constitute a quorum at an Annual General Meeting. If a quorum is not present within thirty (30) minutes after the time and place specified in the notice of the meeting issued in accordance with Clause 17.4, the Annual General Meeting will lapse.

19. Referendums

- 19.1. The Student Council may by resolution passed by an absolute majority convene a referendum. The resolution must state the question or questions to be put to referendum.
- 19.2. The Student Council must convene a referendum on the request in writing of at least two (2) per cent of students. The request:
- (a) must state the question or questions to be put to referendum;
 - (b) may consist of multiple copies of the same document;
 - (c) must include the names, student numbers and signatures of the students making the request; and
 - (d) must be given to the General Secretary or another member of the Executive Committee.
- 19.3. If a referendum is requested in accordance with Clause 16.2:
- (a) the Student Council must convene the referendum within ten (10) academic days of the request having been received;
 - (b) the Student Council may by resolution passed by a two-third majority reword for the purpose of clarification only the question or questions to be considered;
 - (c) the referendum must commence within 10 academic days of being convened.



- 19.4. At least ten (10) academic days notice of the dates and times of voting for the referendum and the question or questions to be put must be given to students by:
- (a) notices posted throughout the University; and
 - (b) electronic communication to students, to the extent feasible.
- 19.5. All students are entitled to vote in referendums. Voting must be by secret ballot and be held over at least three consecutive academic days. The ballot must be conducted on the same basis as for elections for the Association.
- 19.6. Decisions of referendums will be binding on the Association, the Student Council and its office-bearers if at least six (6) per cent of students cast a vote in the referendum and a majority vote in favour, provided they are not inconsistent with this Constitution.
- 19.7. Binding decisions of referendums override binding decisions of a General Meeting of members.

20. Affiliation

- 20.1. Clubs and societies shall be eligible to affiliate to the Association if they fulfill the following requirements:
- (a) have a membership of ten (10) or more students;
 - (b) has a set of rules that governs the operations of the club or society; and
 - (c) any further requirements as approved by the Student Council.
- 20.2. A list of affiliated Associations shall be kept by the General Secretary.
- 20.3. The affiliation of a club or society may only be revoked by a resolution of Student Council.

21. Student Media and Publications

- 21.1. There shall be a student publication.
- 21.2. Student Media refers to all publications and programming funded and distributed and / or transmitted by the Association.
- 21.3. Student Media shall abide by the functions and purpose of the Association as per Clause 4.1(a) and Clause 4.1(b) of this Constitution.



- 21.4. The Student Council is the governing body of all Student Media as defined by Clause 21.2.
- 21.5. The Student Council must make regulations for Student Media. As a minimum requirement the regulations must include:
- (a) Appointment process of editors and programmers.
 - (b) Code of conduct for editors or programmers.
 - (c) Guidelines on editorial control and independence.

22. Regulations

- 22.1. The Student Council may, by a two-thirds majority vote of voting members present, make Regulations not inconsistent with this Constitution, regulating the operation of the Association or prescribing any matter permitted or required under this Constitution to be prescribed. Such Regulations shall continue in force until amended or rescinded by a two-thirds majority vote of voting members present of the Student Council.

23. Alteration of the Constitution

- 23.1. Subject to the approval of the University Council, this Constitution may be altered by a resolution passed by at least two thirds of members voting at a General Meeting of members or by a binding decision of a referendum in accordance with Clause 19.6.

24. Finances

- 24.1. The financial year of the Association is from 1 January to 31 December.
- 24.2. The Student Council is responsible for the management of the funds of the Association.

25. Dissolution of the Association

- 25.1. The Association may be dissolved voluntarily by a resolution passed by an absolute majority of members at a General Meeting.
- 25.2. University Council may, on the recommendation of the Vice-Chancellor, dissolve the Association if the Association fails to discharge its responsibilities in accordance with this Constitution.



25.3. On dissolution, any surplus assets must be distributed to the University or another entity with similar objects to the Association as determined by University Council on or before the dissolution.

26. Transition

26.1. In this clause, the Transition Period means the period from the date of the establishment of the Association to 31 December 2012.

26.2. Notwithstanding any other provision in this Constitution, during the Transition Period, the Student Council comprises:

- (a) the person holding the office of Student President at the date of the establishment of the Association;
- (b) the person holding the office of Women's Officer (Vice President) at the date of the establishment of the Association;
- (c) the person holding the office of Queer Officer at the date of the establishment of the Association;
- (d) the person holding the office of Indigenous Student Officer at the date of the establishment of the Association;
- (e) the person holding the office of International Student Officer at the date of the establishment of the Association;
- (f) the person holding the office of Postgraduate Student Officer at the date of the establishment of the Association;
- (g) the person holding the office of Recreation Officer at the date of the establishment of the Association;
- (h) the person holding the office of Undergraduate/Education Officer at the date of the establishment of the Association;
- (i) the person holding the office of Activities Officer at the date of the establishment of the Association;
- (j) the person holding the office of Environment Officer at the date of the establishment of the Association; and
- (k) the six (6) persons holding the office of General Council members at the date of the establishment of the Association.

26.3. During the Transition Period:

- (a) all money received by or on behalf of the Association, must be deposited without delay into an account held by the University;
- (b) all payments must be authorised by the Executive Committee, and all payment slips must be signed by the Manager, Student



- Engagement (or delegate) and either the General Secretary or President or one other voting member of the Executive Committee;
- (c) the Association and the University must discuss and reach agreement on banking and financial accountability arrangements for the Association, which will form a Schedule to this Constitution.

Ratified by University Council on 14 August 2014.