

**THE CONSTITUTION**

**OF THE**

**UNIVERSITY OF WESTERN SYDNEY**

**LAW STUDENTS' ASSOCIATION**

**[As at 5 November 2007]**



## Part 1: Name

1.

The name of the Society hereby constituted is the “University of Western Sydney Law Students’ Association” (hereinafter “the UWSLSA”).

## Part 2 : Definitions

- a) UWS: University of Western Sydney
- b) ALSA: Australian Law Students’ Association
- c) Academic weekday: Any day during the Autumn or Spring Semester, excluding mid-semester breaks and the regular final exams weeks and Sunday only.
- d) Committee: Financial UWSLSA members holding a position on the working body of the UWSLSA.
- e) Dereliction: A failure by a member of the Non-Executive committee to adequately perform in their role and respond to requests sent by the Executive, despite being warned by the President for such conduct.
- f) Disrepute: Defamation, degradation or otherwise causing a negative public view to arise, whether by conduct, written or spoken words, towards the UWSLSA, the UWS Law Faculty or UWS, whilst holding office.
- g) Executive: The governing body of the UWSLSA, limited to the positions of the President, Vice President (Treasury and Marketing), Vice President (Administration), Vice President (Education and Careers) and Secretary only.
- h) Member: A financial member of the UWSLSA.
- i) Student Representative Council (SRC): The University of Western Sydney student elected council via which the UWSLSA is affiliated
- j) Student’s Association: UWS Student’s Association.
- k) Treasurer: The Vice President (Treasury and Marketing).

## Part 3: Objects

- a) The object of the Society shall be to further the interests of all undergraduate and post graduate students of the Faculty of Law at the University of Western Sydney and its members in general.
- b) In pursuit of this object, the Executive shall, among other things:
  - i) Provide activities, events and programs in accordance with this Constitution;



- ii) Support informal associations of law students as may from time to time be active in the Faculty of Law;
  - iii) Represent the interests of law students to the Faculty, ALSA, the Students' Representative Council, the University of Western Sydney Union and University of Western Sydney University Sport, and any other relevant organisations, institutions and committees.
- c) The assets and income of the organisation shall be applied solely in the furtherance of its above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation. For the purposes of clarity, gifts, reimbursements for out of pocket expenses as approved by the UWSLSA, or any other payment to members as approved by the Executive does not breach this objects clause;
  - d) UWSLSA is to promote and ensure full and equal access for all law students and UWSLSA members to UWSLSA's information, services and activities;
  - e) UWSLSA is to liaise with other Student Law Societies, Law Associations and other such bodies and adopt, as is deemed appropriate, the recommendations and activities of such bodies;
  - f) UWSLSA is to conduct and ensure the continuation and administration of all legally-related competitions at UWS including but limited to Mooting, Witness Examination, Client Interview and Negotiations;
  - g) UWSLSA is to monitor study conditions including the general quality, assessments within the courses and address the need for particular courses;
  - h) UWSLSA shall aspire to operate its association as being one united university.

#### **Part 4 - UWSLSA Patron**

- a) The Executive may at any meeting, decide which person(s) to invite to be patron of the UWSLSA.
- b) All patrons of the former University of Western Sydney Law Students' Society Incorporated, University of Western Sydney Law Students' Society, University of Western Sydney Parramatta Law Students' Society, University of Western Sydney Law Students' Society Macarthur and University of Western Sydney Law Students' Society Nepean are patrons of the UWSLSA.

#### **Part 5: Membership**



- a) Membership of the UWSLSA is open to all students in the Faculty of Law (whether undergraduates, post-graduates or Honours students) proceeding to a degree or diploma in the same and all other students studying any degree which is offered by the University of Western Sydney, both full and part time.
- b) After the adoption of this constitution, all current members will be fully paid members until 31 March 2007, from which date each membership fee entitles the payee to membership until 1 March of the following year. The date/time at which the membership fee is paid does not effect the membership duration and all memberships will be deemed expired by 31 March of each Year, unless renewed prior or after. A Grace period of 14 days applies from 31 March of each year. If the renewal fee is paid within this grace period, the membership will be deemed to have been continuous and any and all rights stay the same.
- c) The membership fee will be determined at each AGM. *This fee will be between \$2 and \$15 per year.*
- d) The Executive can review the membership fee at any time.
- e) An application for membership of the UWSLSA must be in the prescribed form. The form must be an appendix to this constitution.
- f) Once the Treasurer or any other Executive member receives the membership fee, the person applying for membership will be deemed to be a member, and have all rights attaching to that position.
- g) Eligibility to stand for office or vote in any UWSLSA election or meeting is limited to financial members only.
- h) *If full membership falls below the minimum required, disaffiliation procedures may be implemented by the SRC.*
- i) The Executive can, by resolution, waive the requirement of financial membership.

## **Part 6: The Executive of UWSLSA**

- a) The Executive of the UWSLSA (hereinafter “the Executive”) shall consist of:
  - i. the President;
  - ii. the Vice-President (Treasury and Marketing);
  - iii. the Vice-President (Education and Careers);
  - iv. the Vice-President (Administration)
  - v. the Honorary Secretary;

- b) The Immediate Past President of UWSLSA may serve as an ex-officio member of the Executive if they are so inclined. The Immediate Past President will have no voting power during their term as Immediate Past President and will only be permitted to attend Executive meetings if the Executive grants such permission.

### **Part 6.1: The Non-Executive of UWSLSA**

The Non-Executive committee of the UWSLSA (hereinafter “the committee”) shall consist of the following positions:

- a) Chief Editor
- b) Competitions Officer
- c) Social Director
- d) Marketing Officer
- e) Education Officer
- f) Student Representative Officer
- g) Sponsorship Officer
- h) Careers Officer
- i) Information Technology Officer
- j) Two (2) Administration Officers
- k) Two (2) Promotions Officers
- l) Two (2) Quality Control Officers (one for Parramatta and another for Campbelltown Campus)
- m) Any other co- opted members as determined from time to time.

### **Part 7: Duties and Powers of the Executive**

- a) The period of Executive tenure shall be one year immediately after the results of the elections are announced at the AGM.
- b) The Executive shall be responsible for the appointment of:
  - i. the Electoral Officer;
  - ii. the Legal Arbiter
  - iv. the committees listed in Part 8, upon the recommendation of the appropriate member of the Executive;

- v. members of the Society to other non-Executive positions as the Executive sees fit.

**7.1) The Executive, subject to this Constitution and to any resolution passed by the Society in General Meeting:**

- a) will be responsible for the management and pursuance of the aims and objectives of the UWSLSA;
- b) is to control and manage the affairs of the Society;
- c) may exercise all such functions as may be exercised by the Society, other than those functions that are required by these rules to be exercised by a general meeting of the members of the Society;
- d) has full power to perform all such acts and do all such things as appear to the Executive to be necessary or desirable for the proper management of the affairs of the Society;
- e) has full control over the financial affairs of the UWSLSA.

**7.2) Duties of the President**

The duties of the President shall include:

- a) overseeing the activities of the Society;
- b) ensuring the functions of the Society are carried out by the appropriate person(s);
- c) ensuring, with the other members of the Executive and non-executive committee, that the day-to-day functions of the Society are carried out;
- d) providing leadership and guidance for the UWSLSA;
- e) chairing meetings of the UWSLSA;
- f) calling a special general meeting if and when he or she sees fit;
- g) representing the interests of law students to the Faculty of Law;
- h) representing the interests of members of the UWSLSA at ALSA conferences or in his/her absence appoint another person to do so.
- i) reporting to members of the UWSLSA upon issues dealt with at ALSA conferences or in his/her absence appoint another person to do so;
- j) fulfilling all the obligations of an ALSA representative as prescribed by the ALSA constitution and by-laws or in his/her absence appoint another to do so;
- k) furthering the aims and objectives of the UWSLSA; and
- l) liaising with the Quality Control Officers.

**7.3) Duties of the Vice-President (Treasury and Marketing)**

The duties of the Vice-President (Treasury and Marketing) shall include:

- a) drafting a budget for the year's activities;

- b) receiving all moneys and making all payments on account of the UWSLSA in conjunction with the President;
- c) maintaining such accounts as may be necessary for the running of the UWSLSA, such accounts to be approved by the Executive;
- d) keeping accounts of all receipts and disbursements, with the assistance of the relevant members of the Executive;
- e) presenting to the Annual General Meeting a report, profit and loss;
- f) organising and directing marketing campaigns and promotions of the UWSLSA;
- g) drafting a statement and balance sheet audited for the preceding year and;
- f) lodgement of the relevant Business Activity Statements, if required.

#### **7.4) Duties of the Vice-President (Education and Careers)**

The duties Vice-President (Education and Careers) shall include:

- a) taking responsibility for matters affecting legal education;
- b) liaising with the undergraduate and postgraduate Faculty representatives;
- c) liaising with student members of Faculty committees;
- d) receiving complaints, comments, submissions and recommendations from members and ensuring they are passed on to the student representative officer and the Executive members;
- e) assisting the President in working with the Faculty and other relevant committees and organisations with respect to legal education;
- f) leading the organisation of careers workshops and seminars in consultation with the Careers Officer;
- g) liaising with the President in relation to submissions to and matters raised at ALSA Conferences on education and careers;
- h) leading the organisation of the Law Careers Fair and other career events;
- i) the dissemination of information about the Summer Clerkship and Graduate Recruitment programmes and postgraduate opportunities; and
- j) leading the drafting of careers publications such as the Careers Guide;

#### **7.5) Duties of the Vice President (Administration)**

The duties of the Vice-President (Administration) shall include:

- a) directing of competitions, both internally and externally;
- b) the drafting and maintenance of rules and regulations with respect to competitions and selection processes;
- c) liaising with and instructing the Competitions Director on competitions such as the Australian Law Students' Association Conference;
- d) organisation of social events with the consultation of the Social Director;
- e) the organisation of social events including the Annual Law Ball;
- f) the dissemination of material relating to competitions; and

- g) consultation with persons and organisations in facilitating the above.

#### **7.6) Duties of the Secretary**

The duties of the Secretary shall include:

- a) conducting the correspondence of the UWLSA, including the maintenance of all records;
- b) keeping minutes of meetings of the UWLSA and providing these minutes to be displayed, when approved;
- c) presenting on behalf of the Executive a report on the proceedings of the UWLSA during the preceding year to the Annual General Meeting;
- d) maintaining and updating the email database of the Society;
- e) conducting email communication with the Society as directed by the Executive;
- f) ensuring that the records of the Society are stored electronically.

#### **Part 7A: Emergency Power of the Executive Committee:**

- a) The President and the Vice President (Treasury and Marketing) may jointly exercise the power of the Executive (or members in a General Meeting) without calling for a meeting where the power is exercised in good faith and for a proper purpose in the interests of the UWLSA for an emergency.
- b) An emergency shall be a situation that requires urgent attention that the calling of a meeting would cause detriment to the UWLSA (due to time being of the essence) and may include the need to act quickly for legal proceedings, breach of confidentiality, or other misconduct.
- c) All uses of the emergency power must be accounted to the Executive at the next meeting.

#### **Part 8: Duties and Powers of the Non-Executive Committee**

##### **Duties of the Chief Editors**

The Chief Editor's duties Shall include:

- a) Be the editor of all UWLSA publications.
- b) Work in conjunction with the relevant Vice-Presidents to produce any publications.
- c) Power to appoint and dismiss a sub editor, subsequent to consultation with the Executive; and

- d) Take direction from the Secretary in relation to the above.

### **Duties of the Competitions Director**

The duties of the Competitions Director shall include:

- a) overseeing the administration of the Inter-University competitions as well as other National and State competitions;
- b) taking responsibility for the organisation of such intervarsity, national and international competitions as the UWSLSA may from time to time host or participate in.
- c) liaising with and taking instruction from the Vice President (Administration) regarding upcoming events and matters in the portfolio; and
- d) be aware of national and international competitions and promote these to students.

### **Duties of the Social Director**

The duties of the Social Director shall include:

- a) arranging all social activities for members of the UWSLSA, in consultation with the Executive;
- b) responsibility for the promotion of all social activities;
- c) submitting the relevant funding forms to the University of Sydney Union or other relevant body as required;
- d) compiling the relevant documentation for the UWSLSA's funding applications and formal audit, as required;
- e) coordinating the members of the Executive and the committee to aid them in the performance of their duties; and
- f) take direction from the Vice President (Administration).

### **Duties of the Marketing Officer**

The duties of the Marketing Director shall include:

- a) co-ordinating a marketing plan for the activities of the UWSLSA;
- b) informing sponsors, members and others as directed by the Vice President (Treasury and Marketing), of the activities of the UWSLSA on a regular basis; and
- a) overseeing public relations in conjunction with the Vice President (Treasury and Marketing).

### **Duties of the Education Officer**

The Education Officers' duties shall include, in accordance with directions from the Executive and Vice-President (Education and Careers):

- a) Develop and maintain intellectual discourse and debate amongst law students, academic staff and members of the legal profession.
- b) Liaise with the Vice-President (Education and Careers) and the President with respect to the development and implementation of educational agendas and initiatives.
- c) Liaise with law students, academics and members of the legal profession, as appropriate; and
- d) take directions from the Vice-President (Education and Careers).

### **Duties of the Student Representative Officers**

The Students' Representatives' duties shall include:

- a) Represent the interests of all undergraduate and postgraduate law students at meetings;
- b) Represent the interests of all combined degree law students at meetings;
- c) Make announcements at lectures and tutorials where required, with the permission of the lecturer, regarding the activities of the UWLSA;
- d) Liaise with all Law students in order to understand their concerns and the relevant issues affecting them, and relay the concerns to the Executive and the Committee; and
- e) Take direction from the Vice President (Careers and Education)

### **Duties of the Sponsorship Officer**

The Sponsorship Officers' duties shall include:

- a) Maintain a list of all organisations, law firms and businesses contacted during the sponsorship campaign.
- b) Maintain a list of all current sponsors and their level of sponsorship.
- c) Ensure that sponsorship obligations are met.
- d) Liaise with the Marketing officers in informing sponsors of the activities of the UWLSA on a regular basis

### **Duties of the Careers Officer**

The Careers Officer's duties shall include, in accordance with directions from the Executive and Vice-President (Education and Careers):

- a) taking responsibility for matters relating to careers;
- b) the organisation of careers workshops and seminars;
- c) inform the UWSLSA of upcoming law careers fairs.
- b) liaise with legal professionals;
- c) be informed of current developments in the legal job market.
- d) present reports as to the level of remuneration packages as required by the UWSLSA.

### **Duties of the Information Technology Officer**

The Information Technology Officer's duties shall include:

- a) develop and maintain a UWSLSA website;
- b) regularly post news and materials on the UWSLSA website;
- c) in conjunction with the Chief Editor, design and produce publications using publishing and graphics software;
- d) assist in designing posters using computer software to promote UWSLSA events;
- e) assist the Secretary to maintain a member's database;
- f) assist the Marketing Director in developing the computer design of the sponsorship proposal document, the covering letters and all other IT aspects of the job. And;
- g) develop any IT initiatives.
- h) seek outsourcing opportunities as required by the UWSLSA; and
- i) take direction from the Vice President (Treasury and Marketing) in relation to the above.

### **Duties of the Quality Control Officers:**

The Quality Control Officers' duties shall include:

- a) Conduct audits from time to time as to the level of involvement by the UWSLSA initiatives on their assigned campus;
- b) Advise the Executive and Non-Executive Committees as to matters arising paragraph (a); and
- c) Take direction from the President as matters arising from allocation of tasks and projects as they affect campuses.

### **Duties of the Promotions Officers:**

The Promotions Officers' duties shall include:

- a) Administrate the UWSLSA's promotions;
- b) Work with the Marketing Director in the distribution of promotional material; and
- c) Work toward promoting events and projects of the UWSLSA to the student body.

### **Power of the President to Appoint Project Managers:**

The President may appoint a person to be a Project Manager and define the length of their tenure along with the terms of appointment and may terminate that tenure at the President's will.

### **Part 9: Committees**

- a) The Executive may create other Committees to assist Directors with their duties as is deemed necessary, including but not limited to:
  - i. an Education Sub-Committee;
  - ii. a Treasury Sub-Committee;
  - iii. a Careers Sub-Committee; and
  - iv. a Social Sub-Committee.
- b) Positions available on such Sub-Committees shall be advertised in the UWSLSA emails and by notice posted on the notice boards of the UWSLSA, and by such other means as is considered necessary by the Executive; and
- c) Appointment to such Sub-Committees shall be considered by the Executive and made upon merit.

### **Part 10: Annual General Meetings**

- a) The Annual General Meeting of the UWSLSA shall be held within the second semester of the university calendar.
- b) At least fourteen (14) academic days notice of the time and place of the Annual General Meeting must be given to all members of the UWSLSA.
- c) A notice posted on the notice boards of the UWSLSA, both at Law School and on both Parramatta and Campbelltown, campuses and the inclusion of the particulars of the meeting in an email to the UWSLSA member's database shall be deemed sufficient notice to all members of the UWSLSA.

### **10.1) Motions on Notice**

- a) Motions on notice shall be conveyed to the Secretary of the UWSLSA at least seven (7) academic days before the Annual General Meeting.
- b) The Secretary shall give notice of such motions by notices placed on the notice boards of the UWSLSA and by email no less than five (5) Academic days before the Annual General Meeting.
- c) All motions on notice shall be made available to members of the UWSLSA on request.
- d) This rule does not apply to motions to amend the Constitution, which must comply with the procedure set out in Part 17 of this Constitution.
- e) The rule does not apply to motions to amend the Standing Orders of the Society or Electoral Regulations, which must comply with the procedures set out in Part 19 of this Constitution.

### **Order of business at Annual General Meetings**

The order of business at the Annual General Meeting shall be:

- a) minutes;
- b) presentation of a report for the current year by the President;
- c) presentation of a report for the current year by the Secretary;
- d) presentation of accounts for the previous year and first semester of the current year by the Treasurer;
- e) special business of which notice has been duly given;
- f) such general or other business as may be brought forward with the permission of the Chair.

## **Part 11: Special General Meetings**

### **Convening of Special General Meeting**

- 11) A Special General Meeting of the Society shall be convened:
  - a) by the President of the UWSLSA, or in the case of misadventure, by one of the Vice-Presidents; or
  - b) upon receipt by the Secretary of a requisition stating the motions to be considered in the meeting, signed by not less than twenty (20) members of the UWSLSA, or by a seconded motion by an executive or committee member.

- 11.1). If a requisition is received in accordance with section 11 (b), the President shall convene a Special General Meeting within twenty-one (21) clear days.

### **Notice of Special General Meeting**

- 11.2)** a) At least fourteen (14) academic days notice of the time and place of any Special General Meeting, and of the business to be transacted, shall be given to all members of the Society.
- b) A notice posted on the notice boards of the UWLSA, both at Law School and on Both campuses at Parramatta and Campbelltown, and the inclusion of the particulars of the meeting in an email to the UWLSA email database shall be deemed sufficient notice to all members.

## **Part 12: Quorum at General Meetings**

The quorum for General Meetings of the Society shall be not less than half the membership up to a maximum of fifteen (15) members of the UWLSA.

- a) If, within thirty (30) minutes from the time appointed for the commencement of a General Meeting, a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved.
- b) In any other case, the meeting shall stand adjourned and a new time and date as advised by the Secretary.
- c) The Secretary shall give fresh notice of such an adjourned meeting.

## **Part 13: Elections**

### **Appointment of Electoral Officer**

- a) The Executive shall appoint an Electoral Officer so that election may be held in the period specified in section 13.4(a) and sufficient notice may be given under section 13.6(a).
- b) The Electoral Officer shall act as the returning officer for the election
- c) The Executive may remove the Electoral Officer and appoint a successor if, in their opinion, the conduct of the Electoral Officer has not been satisfactory.
- d) The Electoral Officer shall be appointed in accordance with the provisions of the By-law.

### **Powers and Duties of the Electoral Officer**

- 13.1)** The Electoral Officer shall:
- a) conduct the elections in accordance with electoral regulations set out in Appendix 1 of this Constitution;
- b) be responsible to the Society for the conduct of the elections;
- c) act independently of both the outgoing Executive, and any candidates/teams running in the election;

- d) decide all disputes arising out of the elections in accordance with the electoral regulations.

### **Appointment of Electoral Legal Arbiter**

- 13.2)** At the same time that the Executive appoints an Electoral Officer, it shall appoint an Electoral Legal Arbiter who shall be a barrister or a solicitor of the Supreme Court of New South Wales of at least three (3) years standing or an academic of the Faculty of Law of at least six (6) years standing.

### **Powers and Duties of the Electoral Legal Arbiter**

- 13.3)** The Electoral Legal Arbiter shall:
- a) receive any appeals against the decisions of the Electoral Officer;
  - b) hold office from time of appointment until such time as all appeals arising out of the election have been determined; and
  - c) have the power, in any event that he or she is not available to hear complaints, to appoint a suitably qualified delegate.

### **The Elections**

- 13.4)**
- a) The Executive shall be elected annually in Second Semester.
  - b) When the Executive appoints the Electoral Officer, it shall confirm the date of the ballot.
  - c) The Elections shall be conducted by the Electoral officer in accordance with the regulations set out in Appendix 1.

### **By-Elections**

- 13.5)**
- a) If there is an unfilled Executive position after the Elections have been held, a by-election shall be duly called and run as soon as is practicable to fill such position.
  - b) By-elections shall be called and conducted by the Electoral Officer.
  - c) If the position remains unfilled at the conclusion of the by-election, appointment shall be by the Executive-Elect on the basis of merit.

### **The Ballot**

- 13.6)**
- a) At least six (6) weeks notice must be given by the Electoral Officer or current Secretary to members of the UWSLSA for the ballot of the Executive and Committee.
  - b) Notice shall be given by the Electoral Officer or current Secretary by placing particulars of the election on the notice boards at both Law School

and on Both Parramatta and Campbelltown Campuses, and by inclusion of the particulars of the election in an email to the UWSLSA database, and by other means as the Executive may direct or think appropriate.

- d) Nominations for positions on the Executive shall remain open for three (2) weeks and close three (2) weeks before the ballot.
- e) Members of the UWSLSA shall be advised of all the nominees and their preferred positions at least three (3) days prior to the commencement of the ballot by a notice posted on the notice boards of the UWSLSA, both at Law School and on Both campuses at Parramatta and Campbelltown, and the inclusion of the particulars of the meeting in an email to the UWSLSA email database by the secretary. The advising of further relevant information of the nominees beyond their name and preferred positions shall be supplied in the above in a fair and equal way.
- d) Closure shall be final.
- e) Any nomination for any position on the Executive or the committee may be withdrawn by the person nominated.

### **Eligibility to vote**

13.7) Only financial members of the UWSLSA are eligible to vote in the elections.

### **Eligibility to stand for election**

#### **13.7A)**

- a) Only persons who will be eligible for membership during the year of their tenure may nominate for election.
- b) Only financial members of the UWSLSA may nominate for a position on either the executive or committee.

## **Part 14: Finance**

### **14.1) Funds of the UWSLSA**

- a) Whenever any person(s) deals, at the request or the direction of the Executive, with any money in the preparation, arrangement or execution of any function or activity of the UWSLSA, such person(s) shall lodge receipts with the Treasurer, indicating in writing the reason for the expenditure and only then be eligible for reimbursement as required.
- b) No person shall incur any expenditure on behalf of the UWSLSA without the approval of the executive committee or the General Meeting.
- c) UWSLSA shall not owe money to any financial institution by way of overdraft or other loan agreement.

#### **14.2) Accounts of the UWSLSA**

- a) The UWSLSA shall have such banking accounts as the Executive shall see fit and the signatories shall be:
  - i. the Treasurer;
  - ii. the President; and
  - iii. another member of the Executive who undertakes his or her studies at the Law School (if directed by the Executive);
 any two of whom may operate such accounts on behalf of the UWSLSA.

#### **14.3) Expenditure Authorisation**

- a) Expenditure for items lesser than \$500 may be authorised jointly by the President and Treasurer without the need of resolution, but must still be accounted to the Executive.
- b) Expenditure for items \$500 and more but less than \$5000 may only be approved by a resolution of the Executive.
- c) Expenditure for items \$5000 or more may only be approved by a resolution of the Executive and Committee at a general meeting.
- d) For the purposes of clarity, the approval by the Executive of the annual budget of the UWSLSA constitutes the approval by resolution for each item in that budget required by subsection (c).
- e) Paragraph (b) shall apply in place of paragraph (c) where the expenditure is for the Annual Law Ball or other function where the moneys outlayed or otherwise paid are those held by the UWSLSA account momentarily for the purpose.

#### **14.4) Auditors**

Once a year, the UWSLSA accounts shall be audited by an independent third party, should the Executive direct such action.

### **Part 15: Patrons**

#### **15.1)**

- d) The Executive may at any meeting, decide which person(s) to invite to be patron of the UWSLSA.
- e) All patrons of the former University of Western Sydney Law Students' Society Incorporated, University of Western Sydney Law Students' Society, University of Western Sydney Parramatta Law Students' Society, University of Western

Sydney Law Students' Society Macarthur and University of Western Sydney Law Students' Society Nepean are patrons of the UWSLSA.

## **Part 16: Miscellaneous**

### **16.1) Availability of the Constitution**

Every member of the UWSLSA shall be entitled to a copy of this Constitution free of charge. It shall be made publicly available on the website of the UWSLSA.

## **Part 17: Alterations to the Constitution**

- 17.1)** This Constitution may be amended or added to by a three quarters majority of those members present and voting at any Special General Meeting, provided:
- a) that notice of such proposed change has been given to the Secretary, in writing, at least fourteen (14) clear days before such meeting;
  - b) that the Secretary has given at least seven (7) academic days notice of such proposed changes to all members of the UWSLSA, and;
  - c) that the said changes do not contravene University regulations.

For the purposes of subsection (b) of s17.1, a notice posted on the notice boards of the UWSLSA, both at Law School and on both Parramatta and Campbelltown campuses shall be deemed sufficient notice to all members of the UWSLSA.

## **Part 18: Regulations**

The Executive, in any Executive meeting or General Meeting may make such regulations as may be necessary for the conduct and everyday operation of the UWSLSA, providing that they do not contravene, nor condone behaviour that would contravene, any part of this Constitution.

## **Part 19: Standing Orders**

- 19.1)** All meetings of the UWSLSA, including meetings of the Executive, shall be conducted in accordance with the Standing Orders of the UWSLSA.
- 19.2)** The Standing Orders may be amended by the UWSLSA in General Meeting, subject to the following:
- a) notice of any motion to amend the Standing Orders must be given to the Secretary, in writing, at least ten (10) academic days before the General Meeting;
  - b) the Secretary must give at least seven (7) clear days notice of such proposed changes to all members of the UWSLSA;
  - c) a notice posted on the notice boards of the Society, both at Law School and on both Parramatta and Campbelltown campuses, shall be deemed sufficient notice to all members of the UWSLSA;
  - d) the changes must be approved by a majority of members present and voting at the General Meeting;
  - e) the Standing orders must be attached as an appendix to this Constitution; and
  - f) the Standing orders must not be inconsistent with this Constitution.
- 19.3)** If at any time no Standing Orders are in force, all meetings of the UWSLSA shall be conducted in accordance with the Standing Orders of the University of Western Sydney Union, so far as they are applicable.

## **Part 20: Affiliation with other Committees**

- 20.1)** UWSLSA, by a resolution at a general meeting may chose to form an affiliation with another UWS society or association.
- 20.2)** The committee with which the affiliation is proposed must satisfy the Executive that the affiliation will benefit the UWSLSA as a whole, including but not limited to its members and the Law Students of UWS.
- 20.3)** The affiliation may be by way of a contractual agreement, as not to create an agency relationship.
- 20.4)** The committee with which the affiliation is proposed must have s proper structure in terms of financial structure. For the purposes of clarity, if the committee, with which the affiliation is proposed, has a financial arrangement with UWSLSA, then there must be proper accounting and auditing procedures incorporated in the administration of the said committee.

## **PART 21: Miscellaneous**

- 21.1)** The UWSLSA is to maintain its affiliation with the SRC for insurance purposes. This requires the UWSLSA to fill in the relevant affiliation forms provided by the SRC and return those forms to the SRC each financial year.

- 21.2)** The requirement in Clause 21.1 may be waived by resolution of the Executive.
- 21.3)** All work that is produced or delivered to a person who is a member of the Executive or the committee belongs to the UWSLSA. If that member is removed from office or no longer holds office, then they may not disclose any private information to any third party or use such information for own benefit.

### **Part 21AA: Removal of Office-Holders:**

- 21AA.1)** A Non-Executive Member or Executive Member must not act in a manner which brings the UWSLSA into disrepute.
- 21AA.2)** A Non-Executive Member or Executive Member must not use their position on the UWSLSA to relay confidential information belonging to the UWSLSA to a third party.
- 21AA.3)** Where a person has been suspected of breaching Clauses 21AA.1 or 21AA.2, then the Executive must call for a special hearing allowing the suspected Non-Executive Member or Executive Member ('the respondent') a reasonable right to respond. The Executive shall make findings of fact.
- 21AA.4)** Where a person has contravened Clauses 21AA.1 or 21AA.2 and the Executive has made a finding of a breach, then the Executive may take the following action:
- a) Remove the respondent permanently from holding office for the remainder of their term;
  - b) Suspend the respondent for a period of time as determined by the Executive; or
  - c) Provide the respondent with notice of a warning.
- 21AA.5)** A Non-Executive Member may be removed from their position for dereliction of their duty in accordance with the procedure set out in clause 21AA.3.

### **Part 21A: Dissolution**

- 3A.** In the event of the organisation being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to any organisation with similar purposes and which has rules prohibiting the distribution of its assets and income to its members.

## **Part 22: Indemnity**

- a) From s.19.4 (of the ALSA Constitution as at 24 October 2001)

Executive and Committee Officers of the UWLSA, acting in relation to any of the affairs of the UWLSA, will be indemnified from and against all actions, costs, charges, losses, claims, demands, damages, and expenses which they, or any of them, incur or sustain by reason of any act done, concurred in, or omitted in or about the execution of their duty, or supposed duty, in the course of their Offices, except such (if any) as he or she or they incur or sustain by or through his or her or their own wilful neglect or default respectively, and none of them will be answerable to the acts or defaults of the other or others of them.

**APPENDIX 1**

**MEMBERSHIP APPLICATION**  
**University of Western Sydney Law Students' Association**

**Name:**.....

(Full Name)

**Student Number:**.....

**Address:**.....

.....State: .....Post Code:.....

**Contact Number:**.....

**Email Address:**.....

(Please Print Clearly)

I hereby wish to apply for membership of the University of Western Sydney Law Students' Association ('UWSLSA'). I confirm that I am a current student of the University of Western Sydney. I agree to be bound by the provisions of the Constitution and all other regulations of the UWSLSA and affirm that I have read, understand and agree to be bound by all such laws, by-laws, regulations and best practice models. I agree to familiarise myself from time to time with any new laws, by-laws, regulations and best practice models, should such apply.

.....

.....

Signature

Date

**Seconded By:**

**Name:**.....

(Full Name)

**Student Number:**.....

I hereby wish to second the membership application of the above named. I hereby confirm that I am a current financial member of the UWSLSA and know the applicator to be a current student at the University of Western Sydney, in good standing.

.....

.....

Signature

Date

**APPENDIX 2**



**ELECTION NOMINATION FORM**

**University Of Western Sydney Law Students' Association**

**Position Nominated:** \_\_\_\_\_

**Candidate (Must be an LSA Financial Member)**

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

I hereby accept the nomination for the position named above.

Signature: \_\_\_\_\_

**Nominator (Must be an LSA Financial Member and cannot be the Candidate)**

Name: \_\_\_\_\_

I hereby nominate the above candidate for the position named above.

Signature: \_\_\_\_\_

**APPENDIX 3**

**FORM OF APPOINTMENT OF PROXY**

I,.....  
(Full name)

being a member of:

University Of Western Sydney Law Students’ Association (UWSLSA)  
Membership Number: .....

hereby appoint .....  
(Full name of proxy)

being a member of the UWSLSA, as my proxy to vote for me on my behalf at the general meeting of the UWSLSA (or annual general meeting or special general meeting, as the case may be) to be held on the

.....Day of.....  
(Date) (Month and year)

- My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details as appropriate).

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.....  
Signature of member appointing proxy

Date.....

NOTE: A proxy vote may not be given to a person who is not a financial member of the UWSLSA.



**APPENDIX 4**

**ELECTORAL REGULATIONS**