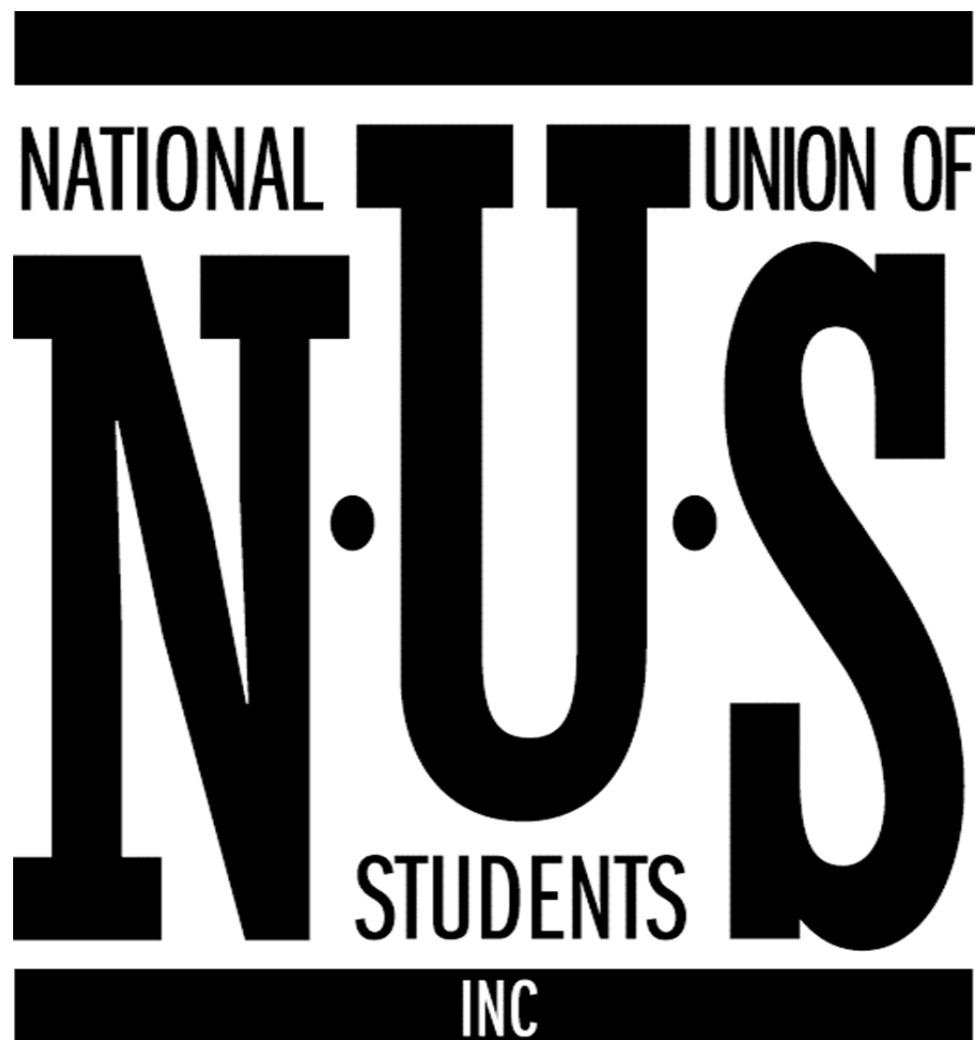


**National Union of Students Incorporated**

# **CONSTITUTION 2015**



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## **PART 2 – NAME, OBJECTS AND POWERS**

### **C2. Name Act 36, 41(b)**

2.1 The name of the incorporated association is “National Union of Students Incorporated” (in this constitution, “NUS”).

2.2 Under section 41(b) of the Act, the full name of NUS (including “Incorporated” or “Inc.”) must appear in legible characters on every NUS publication, official notice, business letter, order, cheque, invoice, statement of account and receipt.

### **C3. Objects Act 29**

3.1 The general object of NUS is to represent and advance the interests of post-school students in Australia.

3.2 The specific objects of NUS are to work for:

- (a) the right of all people to a quality education on an equal basis;
- (b) scholarship, quality in education, access to education, academic freedom, freedom of thought, freedom of expression and freedom of association;
- (c) the interests of students in the fields of social security, health, welfare, cultural activities and sport;
- (d) the advancement of student perspectives on political and social issues within the broader community;
- (e) the principles of student unionism; and
- (f) quality services for students.

3.3 NUS must not support directly or indirectly any political or religious organisation,

except to the extent necessary for furthering any object of NUS.

**C4. Legal Capacity and Powers Act 22,24**

4.1 Under sections 22 and 24 of the Act, NUS has:

- (a) the legal capacity and powers of an incorporated body, and
- (b) the legal capacity and powers of an individual.

4.2 NUS may only:

- (a) exercise its powers; and
- (b) use its income, assets and profit; for its objects.

4.3 NUS must not distribute any of its profit, income or assets directly or indirectly to members or officers.

4.4 C4.3 does not prevent NUS from paying members and officers:

- (a) reimbursement for expenses properly incurred by them, and
- (b) for goods supplied and services provided by them, if this is done in good faith on terms no more favourable than if he member or officer were not a member or officer.

**PART 3 – MEMBERSHIP**

**C5. Members**

The members of NUS are:

- (a) the member organisations
- (b) the associate members, and
- (c) the individual members.

**C6. Qualifications Sch. 1** The qualifications that are a prerequisite to being admitted to membership of NUS are that:

- (a) a member organisation is an organisation that represents all or some of the students of an Australian post- school institution, as specified in the regulations.

(b) associate member is an organisation that is not qualified to be a member organisation, but that is qualified to be an associate member, as specified in the regulations; and

(c) an individual member is an officer specified in the regulations to be an individual member.

**C7. Admission** Admission to membership is governed by the regulations.

**C8. Fees and Subscriptions Sch. 2**

8.1 There are no entrance fees payable by member organisations.

8.2 Each member organisation must pay an annual subscription amount equal to the EFTSLs of the students represented by that member organisation multiplied by:

- (a) In 2004, \$5.00; and
- (b) After 2004, the amount for the previous year multiplied by the All Groups Consumer Price Index (CPI) published by the Australian Statistician for the previous calendar year or if a lesser amount is determined by resolution of the National Executive in accordance with the Regulations, that lesser amount.

8.3 The amount of any entrance fee, subscription or other charge payable by associate members must be set in the Regulations.

8.4 There are no entrance fees, subscriptions or other charges payable by individual members.

**C9. Rights, Obligations and Liability Act 50, 48, 51; Sch. 3**

9.1 Only member organisations are entitled to vote.

9.2 Associate members and individual members are not entitled to vote.

- 9.3 Under section 50 of the Act, NUS must comply with the rules of natural justice in adjudicating on any dispute between:
- (a) members, or
  - (b) NUS and a member or members in relation to the rights of members under this constitution.
- 9.4 Members must comply with this constitution and the other rules of NUS.
- 9.5 Under section 48 of the Act, this constitution is an enforceable contract between NUS and each member.
- 9.6 Members have no liability to contribute towards payment of:
- (a) the debts and liabilities of NUS, or
  - (b) the costs, charges and expenses of winding up NUS, except for any unpaid subscriptions or other charges under C8.

**C10. Discipline Sch. 4**

NUS may not discipline members.

**C11. Cessation**

Cessation of membership is governed by the regulations.

**C12. Register of Members Act 67(1); Reg. 10**

Under section 67(1) of the Act and regulation 10 of the Regulations, NUS must keep and maintain a register of members, in which are entered:

- (a) NUS' name
- (b) the name and address of each member,
- (c) the date on which each member became a member, and
- (d) the date (if any) on which each member ceased to be a member

**PART 4 – GENERAL MEETINGS**

**C13. National Conference**

- 13.1 For the purposes of the Act, meetings of National Conference are general meetings of NUS.
- 13.2 National Conference is constituted in accordance with the regulations.

**C14. Annual General Meeting Act 69, 73**

- 14.1 For the purposes of the Act, the annual meeting of National Conference is the annual general meeting of NUS.
- 14.2 Under section 69 of the Act, NUS must hold an annual general meeting:
  - (a) once in each calendar year, and
  - (b) within 5 months of the end of its financial year.
- 14.3 Under section 73 of the Act:
  - (a) the audited statement of accounts for the last financial year,
  - (b) the auditor's report on those accounts, and
  - (c) a report signed by 2 members of National Executive, must be presented to the annual general meeting.

**C15. Convening and Conduct Sch. 6**

NUS must make regulations for the following matters in relation to meetings of National Conference:

- (a) the frequency with which meetings are to be convened (in addition to the annual meeting under C14)
- (b) the way in which meetings, including special meetings, are to be convened;
- (c) the procedure to be followed;
- (d) the quorum
- (e) whether or not voting by proxy is allowed; and

- (f) the time within which and the manner in which notices of meetings and notices of motion are to be given, published or circulated.

**C16. Amendment of Constitution Act 30, 33, 70**

- 16.1 Under sections 30(1) and 33(1) of the Act, this constitution may only be amended by special resolution.
- 16.2 Under section 70 of the Act, a special resolution is only passed if:
  - (a) at least 21 days notice of: (i) the meeting, and (ii) intention to propose the resolution as a special resolution, has been given to all members; and
  - (b) the resolution is passed by a three-quarters majority of votes cast.
- 16.3 Under sections 30(2) and 33(2) of the Act, NUS must within 1 month after the special resolution is passed lodge with the Registrar- General a notice in the approved form.
- 16.4 Under sections 30(3) and 33(5) of the Act, an amendment to this constitution is of no effect until the notice has been lodged.
- 16.5 Once the notice has been lodged, the amendment is deemed to have come into operation at the time the special resolution was passed, unless the special resolution provides otherwise.

**C17. Regulations**

- 17.1 National Conference may by resolution passed by a three-quarters majority of votes cast make regulations to give effect to this constitution.
- 17.2 Regulations may be made by postal ballot, as well as at a meeting.

**C18. By-Laws**

- 18.1 National Conference may by resolution passed by a simple majority of votes cast make by-laws to give effect to this constitution and the regulations.

- 18.2 By-laws may be made by postal ballot, as well as at a meeting.

**PART 5 – THE COMMITTEE**

**C19. National Executive Act 60; Sch. 5.1**

- 19.1 For the purposes of the Act, National Executive is the committee of NUS.
- 19.2 National Executive is constituted in accordance with the regulations.
- 19.3 Under section 60(2) of the Act, National Executive has the management of NUS.
- 19.4 National Executive may exercise all powers of NUS on its behalf, subject to C19.5.
- 19.5 National Executive is subject to direction by National Conference.

**C20. Election, Term of Office and Vacancy Act 60; Sch. 5.1**

- 20.1 NUS must make regulations for the following matters in relation to members of National Executive:
  - (a) their election or appointment,
  - (b) their term of office,
  - (c) the grounds on which their office becomes vacant, and
  - (d) the manner of filling casual vacancies.
- 20.2 Under section 62(1) of the Act, NUS must within 1 month of:
  - (a) a person becoming a member of National Executive;
  - (b) a person ceasing to be a member of National Executive; or
  - (c) a member of National Executive changing address lodge with the Registrar-General a notice in the approved form
- 20.3 Under section 62(2) of the Act, members of National Executive must within 1 month of changing address notify NUS.

**C21. Convening and Conduct of Meetings Sch. 5.2(e) & (f) NUS must make regulations**

for the convening and conduct of meetings of National Executive, including:

- (a) the quorum, and
- (b) the procedure to be followed.

## **C22. Disclosure of Interest Act 65**

C22.1 Under section 65 of the Act, members of National Executive who have any direct or indirect financial interest in a contract or proposed contract with NUS must:

- (a) disclose the nature and extent of the interest:
  - (i) to the National Executive as soon as the interest becomes apparent to the member and;
  - (ii) at the next annual meeting of National Conference;
- (b) not take part in any decision of National Executive with respect to that contract, but may participate in any deliberations of National Executive with respect to that contract.

C22.2 C22.1 does not apply to interests in a contract or proposed contract that arise only because the member of National Executive is an employee of NUS.

## **PART 6 – OFFICERS**

### **C23. Obligations and Liability Act 51**

23.1 By nominating for election or accepting appointment, officers agree to comply with this constitution and the other rules of NUS.

23.2 Officers have no liability to contribute towards payment of:

- (a) the debts and liabilities of NUS, or,
- (b) the costs, charges and expenses of winding up NUS.

### **C24. Duties**

24.1 Officers and former officers must not make improper use of:

- (a) their position, or

- (b) information acquired by virtue of holding their position; so as:
- (c) to gain, directly or indirectly, an advantage for themselves or any other person; or
- (d) to cause detriment to NUS.

24.2 Officers must exercise their powers and discharge their duties:

- (a) honestly and in good faith;
- (b) for a proper purpose;
- (c) in the best interests of NUS; and
- (d) with reasonable care and diligence

**C25. Indemnity** NUS indemnifies its officers against any liability incurred by them in their capacity as officers, unless the liability arises out of conduct involving a breach of their duties to NUS:

- (a) under this constitution or the other rules of NUS, or
- (b) under any statute or at common law.

### **C26. Public Officer Act 57, 64(3), 59, 122(1)(a)**

26.1 Under section 57 of the Act, NUS must appoint a public officer, who:

- (a) lives in the ACT; and
- (b) is at least 18 years old

26.2 Under section 64(3) of the Act, NUS must fill any vacancy in the office of public officer within 14 days of the vacancy occurring.

26.3 Under section 59 of the Act, the public officer must within 1 month after:

- (a) being appointed, or
- (b) changing address

lodge with the Registrar-General a notice in the approved form.

26.4 Under section 122(1)(a) of the Act, a document, including legal process, may be served on NUS by leaving it at or posting it to the last notified address of the public officer.

## PART 7 – FINANCIAL AND LEGAL

### C27. Financial Year *Sch. 7*

The financial year of NUS is from 1 October to 30 September

**C28. Sources of Funds *Sch. 8.1*** The funds of NUS may be derived from subscriptions, interest and any other sources approved by National Conference or National Executive.

### C29. Management of Funds *Sch. 8.2; Act 71*

29.1 National Executive is responsible for the management of the funds of NUS.

29.2 Under Section 71 of the Act, NUS must keep accounting records:

- (a) that correctly record and explain the transactions and financial position of NUS;
- (b) in such a way that:
  - (i) true and fair accounts can be prepared from time to time; and
  - (ii) a statement of accounts can conveniently and properly be audited in accordance with Part V of the Act; and
- (c) for at least 7 years after the transactions to which they relate were completed.

### C30. Expenditure and Cheques *Sch. 8.2 Act 57, 64(3), 59, 122(1)(a)*

30.1 All expenditure must be approved by at least 2 persons authorised in accordance with the regulations.

30.2 All cheques must be signed by 2 people authorised in accordance with the regulations.

**C31. Annual Statement of Accounts *Act 72***  
Under section 72(1) of the Act, National Executive must cause a statement of

accounts to be prepared in accordance with section 72(2) of the Act for:

- (a) audit in accordance with C32, and
- (b) presentation to the annual meeting of National Conference in accordance with C14.3.

### C32. Audit *Act 74, 76; Regs 12 & 13*

32.1 National Executive:

- (a) must appoint an auditor whenever there is a vacancy in the position; and
- (b) may remove the auditor at any time, subject to the terms of engagement of the auditor.

32.2 Under regulation 12 and 13 of the Regulations:

- (a) if NUS has gross receipts for a financial year exceeding \$500,000 the auditor must be appointed in accordance with sections 72(2) and 76(1) of the Act;
- (b) if NUS has
  - (i) gross receipts, or
  - (ii) gross assets, at the end of financial year exceeding \$150,000 – the auditor must be appointed in accordance with sections 74(2) and 76(1) of the Act; and
  - (iii) C32.2(a) does not apply – the auditor must be appointed in accordance with sections 74(2) and 74(3) of the Act; or
- (c) otherwise – the auditor must be appointed in accordance with section 74(2) of the Act.

32.3 Under section 74(1) of the Act, National Executive must take reasonable steps to ensure that the accounts for the last financial year are audited at least 14 days before the annual meeting of National Conference.

**C33. Annual Return Act 79**

Under section 79 of the Act, NUS must within 6 months of the end of its financial year lodge with the Registrar-General an annual return in the approved form.

**C34. Common Seal Act 41(a); Sch. 9**

34.1 Under section 4(a) of the Act, the full name of NUS (including “Incorporated” or “Inc.”) must appear in legible characters on its common seal.

34.2 The common seal must be kept in secure custody in accordance with the regulations.

34.3 The common seal may only be used in accordance with the regulations.

**C35. Records Sch. 10, 11; Act 35(1), 67(2)(a)**

35.1 The records of NUS including its accounting records, securities and other documents, must be kept in secure custody in accordance with the regulations.

35.2 Under section 35(1) of the Act, NUS must give any member on request:

- (a) a copy of this constitution as currently in force; or
- (b) a copy of the deeds of any trust relevant to NUS

35.3 Under section 67(2)(a) of the Act, NUS must make the register of members available for inspection by members.

35.4 Except as provided in C35.2 and C35.3, the records of NUS may only be inspected by members in accordance with the regulations.

**C36. Validity of Acts and Decisions**

36.1 The acts and decisions of bodies established by NUS are not invalid by reason only of:

- (a) a vacancy in membership (including a vacancy arising out of the failure to elect or appoint an original member),
- (b) a defect or irregularity in, or in connection with, the election or appointment of a member, or

- (c) a defect or irregularity in, or in connection with the election of the chair of a meeting

36.2 The acts and decisions of officers are not invalid by reason only of a defect or irregularity in, or in connection with, their election or appointment.

**C37. Winding Up Act Part VII**

37.1 NUS may be wound up voluntarily by special resolution in accordance with section 88 of the Act.

37.2 If NUS is:

- (a) wound up:
  - (i) voluntarily, or
  - (ii) by a court; or
- (b) its incorporation is cancelled the remaining assets of NUS must not be distributed to any member.

37.3 Instead the remaining assets must be given to a body that:

- (a) has similar objects to NUS; and
- (b) also prohibits the distribution of profit, income and assets to its members to at least as great an extent as this constitution; subject to the Act.

37.4 The body referred to in C37.3 should be decided by special resolution.

37.5 If it is impracticable to pass a special resolution, National Executive may decide the body.

37.6 In C37.3-37.5, “body” includes trust and fund

**C38. Interpretation**

38.1 In this constitution, unless the contrary intention appears:

- (a) “the Act” means the Associations Incorporation Act 1991 of the ACT;
- (b) “the ACT” means the Australian Capital Territory;



- (c) “the by-laws” means the by-laws of NUS made under C18;
  - (d) “EFTSLs” means equivalent full-time student load based on the most recent available data from the Commonwealth Government, post-school institutions and member organizations;
  - (e) “member” means member organisation, associate member and individual member;
  - (f) “National Conference” has the meaning given in C13;
  - (g) “National Executive” has the meaning given in C19;
  - (h) “NUS” has the meaning given in C2.1;
  - (i) “Officer” means a person holding an officer created by NUS, and includes members of National Executive and other committees established by NUS, but not members of staff;
  - (j) “postal ballot” includes a ballot conducted by electronic means;
  - (k) “the Registrar-General” means the Registrar-General of the ACT
  - (l) “the regulations” means the regulations of NUS made under C17
  - (m) “the Regulations” means the Associations Incorporation Regulations of the ACT;
  - (n) “rules of NUS” means this constitution, the regulations, the by-laws, and all other rules declared by the regulations and the by-laws to be rules of NUS; and
  - (o) “special resolution” has the meaning given in section 70 of the Act.
- 38.2 A reference to “C” followed by a number or a number and letters is a reference to the correspondingly numbered provision of this constitution.
- 38.3 Where the constitution requires or permits a matter to be prescribed in the regulations, that matter may instead or in addition be

prescribed in the by-laws and other rules of NUS.

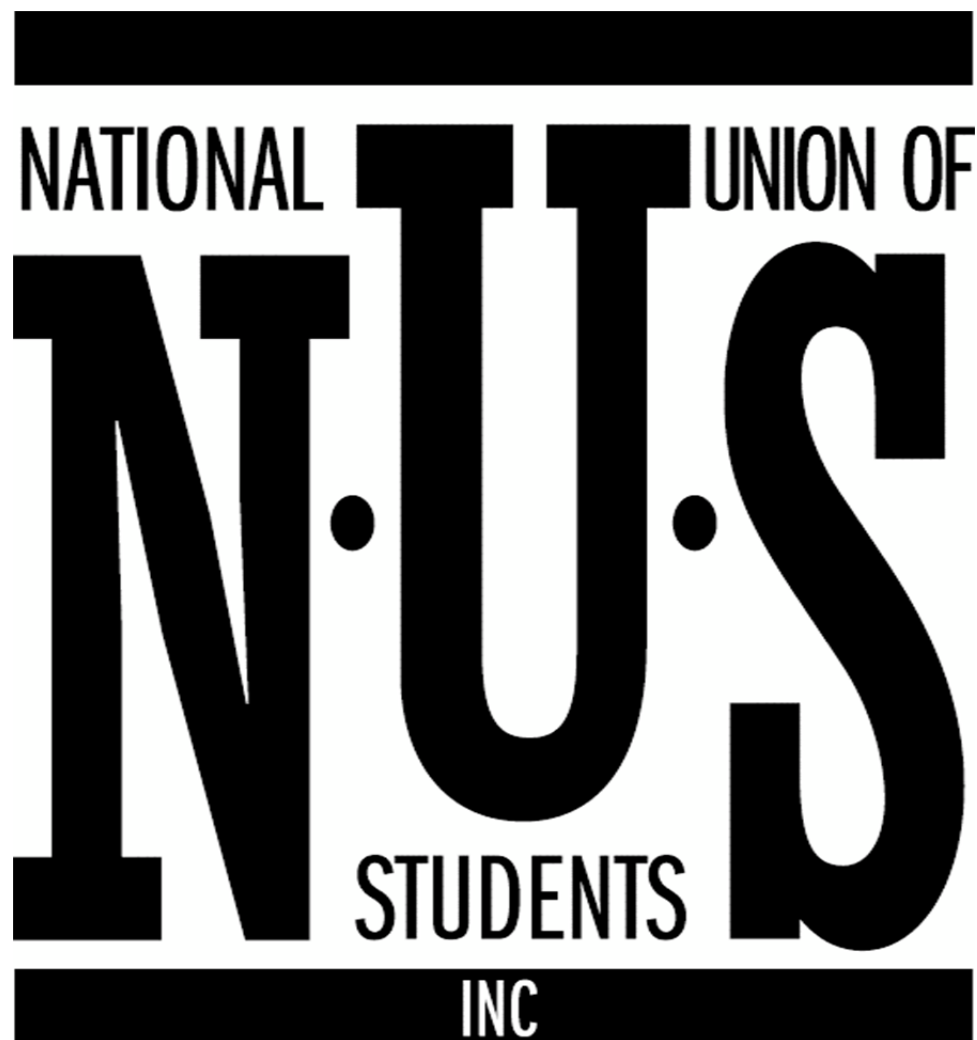
- 38.4 For the purposes of the Act, C3 is the statement of the objects of NUS, and the other provisions are its rules.
- 38.5 This constitution is intended to include all matters in relation to which the model rules prescribed under section 127(1)(a) of the Act make provision, with the intention that none of the model rules apply to NUS.
- 38.6 This constitution is to be interpreted in accordance with the *Interpretation Act 1967* of the ACT as if this constitution were an Act of the ACT, unless the contrary intention appears.

### **C39. Commencement**

This constitution is deemed to have come into operation at the time the special resolution adopting this constitution was passed, subject to sections 30(3) and 33(5) of the Act.

**National Union of Students Incorporated**

# **REGULATIONS 2015**



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## **PART 2 – MEMBERSHIP**

### *Division 1 – Member Organisations*

#### **R2. Qualifications**

The qualifications for being admitted as a member organisation are that the organisation:

- (a) represents the students or undergraduate students of one or more campuses of a post- school institution; and
- (b) is controlled by students.

#### **R3. Admission by Referendum**

An organisation is admitted as a member organisation if:

- (a) the organisation holds a referendum to consider the question, “Do you agree that [insert *name of organisation*] should become a member of the National Union of Students Incorporated?”;
- (b) if the referendum is to finish after 30 September - the referendum is held at the same time as the annual elections of the organisation;
- (c) the organisation gives the National General Secretary and the State President notice in writing of the dates of the referendum:
  - (i) if the referendum is to begin before 15 October - at least 2 weeks before the beginning of the referendum; or
  - (ii) if the referendum is to begin on or after 15 October - no later than 30 September;
- (d) voting in the referendum takes place:
  - (i) by secret ballot,

- (ii) on at least 3 consecutive academic days, and
  - (iii) for at least 5 hours each day; and
- (e) the organisation notifies the National General Secretary and the State President in writing that a majority of the votes cast in the referendum were in favour.

**R4. Admission by Resolution of Governing Body**

- 4.1 An organisation is also admitted as a member organisation if:
- (a) the governing body of the organisation holds a meeting to consider a motion, "That [*insert name of organisation*] become a member of the National Union of Students Incorporated";
  - (b) the organisation gives the National General Secretary and the State President at least 2 weeks notice in writing of the meeting; and
  - (c) the organisation notifies the National General Secretary and the State President in writing that the resolution was passed by an absolute majority.
- 4.2 A member organisation admitted under R4.1 after 30 September is not entitled to vote until after the next annual meeting of National Conference.

**R5. Admission after Reconstitution**

- 5.1 If:
- (a) a member organisation is reconstituted (including by amalgamation with another organisation, or by division into separate organisations); and
  - (b) the reconstituted organisation requests in writing; National Executive may by resolution passed by an absolute majority admit the

reconstituted organisation as a member organisation.

- 5.2 National Conference may reverse a decision of National Executive under R5.1.

**R6. Subscriptions**

- 6.1 If National Executive is satisfied that the income of a member organisation has been or will be reduced as a result of government legislation, it may by resolution passed by an absolute majority reduce the annual subscription payable by that member organisation.
- 6.2 In R6.1, "government legislation" means legislation that applies particularly to student organisations, and does not include legislation of general applicability imposing taxes or charges.
- 6.3 For the purposes of R6.1, National Executive may: (a) request any information it considers necessary from the member organisation; and (b) rely on the advice of NUS's auditor.
- 6.4 The annual subscription is: (a) for the period 1 January to 31 December; and (b) due on 1 January each year.
- 6.5 The National General Secretary must invoice all member organisations for their annual subscriptions no later than 31 March each year.
- 6.6 If a member organisation is admitted before 1 July, it must pay 75% of the annual subscription for that year no later than 3 months after it was admitted.
- 6.7 If a member organisation is admitted on or after 1 July, it must pay 50% of the annual subscription for that year:
- (a) no later than 3 months after it was admitted; and
  - (b) before the annual meeting of National Conference.
- 6.8 The voting and all other membership rights of member organisations that have not paid their annual subscription by the due date are suspended until the annual subscription is paid, subject to R6.10.

- 6.9 For the purposes of this regulation, payment occurs when the money is in NUS's bank account and available to be spent by NUS.
- 6.10 The voting rights of member organisations that pay their annual subscription after the Accreditation Committee has sent the accreditation report for the annual meeting of National Conference to member organisations and members of National Executive in accordance with B45.5 remain suspended until the following 1 February.
- 6.11 Neither National Executive nor National Conference can overturn the suspension of voting rights under R6.8 and R6.10.
- 6.12 Member organisations must pay interest on overdue annual subscriptions at a rate equal to NUS's overdraft rate, or the rate that it would pay if it were in overdraft.
- 6.13 If National Executive is satisfied that a member organisation has good reason for not paying its annual subscription by the due date, it may by resolution passed by an absolute majority waive liability for some or all of the interest under R6.12 (but not the annual subscription).
- 6.14 A resolution under R6.13 may not be passed in the period beginning 4 weeks before the annual meeting of National Conference and ending at the end of the annual meeting of National Conference
- 6.15 An organisation that ceases to be a member organisation remains liable for the full annual subscription for the year it ceases to be a member.

## **R7. Cessation**

A member organisation only ceases to be a member organisation if:

- (a) the member organisation holds a referendum to consider the question, "Do you agree that [insert *name of member organisation*] should remain a member of the National Union of Students Incorporated?";
- (b) the referendum is not held at the same time as any other referendum

or election conducted by that member organisation or the post-school institution whose students it represents;

- (c) the member organisation gives the National General Secretary and the State President notice in writing of the dates of the referendum at least 3 months before the beginning of the referendum;
- (d) voting in the referendum takes place:
  - (i) by secret ballot,
  - (ii) on at least 3 consecutive academic days, and
  - (iii) for at least 5 hours each day; and
- (e) the member organisation notifies the National General Secretary and the State President in writing that a majority of the votes cast in the referendum were against; or
- (f) the member organisation is wound up or otherwise dissolved.

## *Division 2 – Associate Members*

### **R8. Qualifications**

The qualifications for being admitted as an associate member are that the organisation:

- (a) has objects consistent with those of NUS;
- (b) is controlled by students; and
- (c) is not qualified to be a member organisation.

### **R9. Admission**

- 9.1 An organisation is admitted as an associate member if: (a) the organisation applies in writing to the National General Secretary; (b) the application includes a copy of the constitution and other rules of the organisation (however described); (c) National Executive by resolution passed by an absolute majority accepts the

application; and (d) the organisation pays its first subscription.

9.2 National Conference may reverse a decision of National Executive under R9.1, whereupon:

- (a) the organisation ceases to be an associate member; and
- (b) its subscription must be refunded.

### **R10. Subscriptions**

10.1 National Executive must set:

- (a) the amount of the annual subscription for each associate member, and
- (b) the date for its payment.

10.2 National Conference or National Executive may suspend the membership rights of an associate member that has not paid its annual subscription by the due date until the annual subscription is paid.

### **R11. Cessation**

An associate member ceases to be an associate member if:

- (a) the associate member notifies the National General Secretary in writing that it wishes to cease to be an associate member;
- (b) National Executive by resolution passed by an absolute majority terminates the membership of the associate member; or
- (c) the associate member is wound up or otherwise dissolved.

### *Division 3 – Individual Members*

### **R12. Qualifications and Admission**

The national officers and the State Presidents are individual members.

### **R13. Cessation**

Individual members cease to be individual members when they cease to be an officer specified in R12.

## **PART 3 – NATIONAL CONFERENCE**

### **R14. Constitution**

National Conference is constituted:

- (a) at meetings of National Conference – by the member organisations making decisions through their delegates in accordance with Division 1; and
- (b) between meetings of National Conference – by the member organisations making decisions by campus resolution in accordance with Division 2.

### **R15. Powers**

15.1 National Conference:

- (a) is the supreme decision making process of NUS; and
- (b) may exercise all powers of NUS on its behalf; subject to C19.3.

15.2 Decisions of National Conference are binding on all officers of NUS.

### **R16. Policy**

16.1 The policy of NUS may only be made by National Conference:

- (a) at a meeting of National Conference in accordance with R24, or
- (b) by campus resolution in accordance with R26.

16.2 Policy remains in force until it is changed.

### *Division 1 – Meetings*

### **R17. Convening**

17.1 National Executive must convene the annual meeting of National Conference in accordance with C14.2.

17.2 The annual meeting of National Conference must begin on the 2nd Monday in December, unless National Executive by resolution passed by an absolute majority sets another date, at least 3 months before the date set.

- 17.3 National Executive may by resolution passed by an absolute majority convene a special meeting of National Conference.
- 17.4 National Executive must convene a special meeting of National Conference if:
- (a) a majority of member organisations, or
  - (b) delegates who would be entitled to exercise an absolute majority of votes at a meeting of National Conference, not counting proxies, if the delegates of all member organisations had been accredited,
- request the National General Secretary in writing, stating the purpose for which the meeting is to be held.
- 17.5 A special meeting of National Conference under R17.4 must be convened to be held within 8 weeks of the request being made.
- 17.6 The National General Secretary must give each member organisation at least 4 weeks notice of:
- (a) the date or dates,
  - (b) the time of commencement, and
  - (c) the place,
- of each meeting of National Conference.
- 17.7 If, for whatever reason, the National President, National General Secretary and General Executive Members are not all elected at the annual meeting of National Conference:
- (a) the election at that meeting of any national officers, General Executive Members, state officers and general committee members of state committees is void and of no effect; and
  - (b) the National General Secretary must convene a special meeting of National Conference to be held no later than 31 January.
- 17.8 R17.6 applies to a special meeting convened under R17.7, except that only 2 weeks notice need be given.

- 17.9 The special meeting:
- (a) must elect:
    - (i) the national officers and General Executive Members, and
    - (ii) those state officers and general committee members of state committees that have not already been elected at an annual meeting of State Conference held in the 3 months before the annual meeting of National Conference in the previous year; and
  - (b) may consider other business of which notice has been given in accordance with the by- laws.

### **R18. Election of Delegates**

- 18.1 Each member organisation must elect its delegates to meetings of National Conference at its annual elections.
- 18.2 Delegates must be elected:
- (a) by secret ballot,
  - (b) using optional preferential proportional representation,
  - (c) in a separate ballot in which other positions are not elected,
  - (d) from the students represented by that organisation, and
  - (e) by the students represented by that member organisation.
- 18.3 A delegate of 1 member organisation is not eligible to be elected as the delegate of another member organisation.
- 18.4 A member organisation that has held its annual elections before it was admitted as a member organisation:
- (a) may elect its delegates without complying with R18.1; and
  - (b) if National Executive is satisfied that it is not possible for the member organisation to comply with R18.2(e), National Executive may by resolution



passed by an absolute majority allow the governing body of the member organisation to elect its delegates.

- 18.5 If a member organisation amalgamates after the annual meeting of National Conference and before 1 July:
- (a) it must elect new delegates:
    - (i) within 2 months of the amalgamation, or
    - (ii) before 1 May, whichever is the later; and
  - (b) in the meantime, its delegates are the combined delegates of the member organisations that have amalgamated;
- subject to R18.1.
- 18.6 If a member organisation amalgamates on or after 1 July and before the annual meeting of National Conference, its delegates are the combined delegates of the member organisations that have amalgamated (unless it elects new delegates), subject to R18.1.
- 18.7 Delegates elected in accordance with R18.1, R18.4 and R18.5(a) hold office from when they are declared elected until their successors are declared elected at the following year's annual elections.
- 18.8 By nominating for election, delegates agree to comply with the rules of NUS.

### **R19. Number of Delegates**

The number of delegates to be elected by each member organisation is:

EFTSUs	Number of Delegates
1-2,000	2
2,001-5,000	3
5,001-8,000	4
8,001-12,000	5
2,001-18,000	6
more than 18,000	7

Where EFTSUs are the EFTSUs of the students represented by the member organisation.

### **R20. Votes**

- 20.1 The total number of votes to be exercised by the delegates of a member organisation is the higher of:
- (a) the number obtained by:
    - (i) dividing the EFTSUs of the students represented by the member organisation by 250; and
    - (ii) rounding the result up to the nearest whole number; and
- 20.2 The votes to be exercised by each delegate of a member organisation are calculated by allocating the total number of votes under R20.1 one at a time to the delegates of that member organisation in the order of their election until all votes have been allocated.
- 20.3 For the purposes of R20.2, the order of election of the combined delegates of an amalgamated member organisation under R18.5 (b) and R18.6 is taken to be the delegates of the member organisation that represented the largest number of students in order of election, followed by those of the next largest member organisation, and so on.
- 20.4 In this regulation, "delegate" does not include a person who has ceased to be a delegate.
- 20.5 The delegates of a member organisation whose voting rights have been suspended under R6.8 are not entitled to exercise their votes until the annual subscription is paid.
- 20.6 Delegates are not entitled to exercise their votes until they have been accredited in accordance with the by-laws.

### **R21. Observers**

- 21.1 Member organisations may appoint the same number of observers to meetings of National Conference as their number of delegates under R19, subject to the by-laws.

21.2 Associate members may appoint observers to meetings of National Conference in accordance with the by-laws.

#### **R22. Proxies**

Delegates may appoint proxies in accordance with the by-laws.

#### **R23. Quorum**

The quorum for meetings of National Conference is the presence of delegates entitled to exercise an absolute majority of votes, not counting any proxies.

#### **R24. Policy Process**

24.1 A motion to make policy may only be considered at a meeting of National Conference if:

- (a) the policy has been adopted by a member organisation by referendum;
- (b) the policy has been adopted by at least 5% of member organisations by general meeting or resolution of their governing body;
- (c) the policy has been proposed by a state branch;
- (d) the policy has been proposed by National Executive; or
- (e) the policy has been proposed by 2 persons who are either delegates to National Conference, national officers, state officers or General Executive Members, and National Conference resolves to consider the policy.

24.2 National Conference must debate motions to make policy in the order given in R24.1.

24.3 Resolutions made under R24.1(d) and R24.1(e) may only be passed by an absolute majority.

**R25. Regulations and By-Laws** At least 14 days notice must be given of a motion for the making of:

- (a) regulations under C17, and

- (b) by-laws under C18, in accordance with the by-laws.

#### *Division 2 – Campus Resolutions*

#### **R26. Campus Resolutions**

- 26.1 Any resolution that could be passed at a meeting of National Conference (except a special resolution) may instead be passed by a postal ballot of member organisations in accordance with the by-laws (in these regulations, “campus resolution”).
- 26.2 A resolution passed by campus resolution has the same effect as a resolution passed at a meeting of National Conference.
- 26.3 Campus resolutions may only be passed by an absolute majority of the votes of member organisations.

#### **R27. Membership**

### **PART 4 – NATIONAL EXECUTIVE**

27.1 The members of National Executive are:

- (a) the National President (chair, casting vote only),
- (b) the other national officers (non-voting),
- (c) 12 General Executive Members (voting), and
- (d) the State Presidents (voting).

27.2 Members of National Executive may not hold more than 1 voting position on National Executive at the same time.

#### **R28. Responsibilities**

28.1 The responsibilities of National Executive are:

- (a) to manage NUS in accordance with C19.3, including:
  - (i) setting the budget for NUS;
  - (ii) regularly monitoring the finances of NUS;
  - (iii) employing staff on behalf of NUS; and

(iv) authorising the publication of material on behalf of NUS; and

(b) to implement and interpret the policy of NUS.

28.2 National Executive may delegate its powers as it considers appropriate.

### **R29. Meetings**

29.1 National Executive must meet face to face at least once each year.

29.2 The first meeting must decide how the policy made by National Conference will be implemented.

29.3 National Executive must at each meeting consider the most recent financial statements in accordance with R75.

29.4 The National General Secretary must convene a meeting of National Executive:

(a) if National Executive so resolves; or

(b) if requested in writing by:

(i) the National President, or

(ii) 3 General Executive Members.

29.5 Voting members of National Executive may appoint as a proxy another member of National Executive or a delegate to National Conference.

29.6 National Executive must meet at least 2 days before the first day of a meeting of National Conference of which notice has been given under R17.6:

(a) to elect the Pre-conference Business Committee in accordance with B46.1; and

(b) to consider and note the report of the Accreditation Committee under B45.4.

### **R30. Standing Resolutions**

National Executive may by an absolute majority pass standing resolutions to give effect to the constitution, regulations and by-laws.

## **PART 5 – NATIONAL OFFICERS**

### **R31. National Officers**

31.1 The national officers of NUS:

(a) the National President,

(b) the National General Secretary/National Deputy President,

(c) the National Education Officer, (d) the National Welfare Officer,

(e) the National Small and Regional Campuses Officer, who must be a student currently enrolled at a small and/or regional NUS member campus.

(f) the National Women's Officer, who must be a woman,

(g) two National Queer Officers, one of whom must be a woman,

(h) the National Environment Officer,

(i) the National Aboriginal and Torres Strait Islander Officer, who must identify as a student from an indigenous background,

(j) the National Ethno-Cultural Officer, who must identify as a student from a culturally or linguistically diverse background, and,

(k) The National International Students Officer, who must be currently enrolled as an international student

(l) The National Disability Officer, who must identify as a student with a disability.

31.2 The paid national officers of NUS are:

(a) the National President,

(b) the National General Secretary/National Deputy President,

(c) the National Education Officer,

(d) the National Welfare Officer,

(e) the National Women's Officer

(f) the National Queer Officers

31.3 Paid national officers will be remunerated at an hourly rate equal to the Australian Federal minimum wage. The hours per week required of officers will be set by the National Executive by 31st of January each year (having regard to the financial position of the union) and:

- (a) in the case of the National President and National General Secretary, will be 1 FTE
- (b) in the case of other paid officers, will be no less than 0.5 FTE

### **R32. Eligibility**

32.1 A person who has been a national officer or State President or national officer and State President for 2 years in total is not eligible to nominate as a national officer.

32.2 Candidates may nominate for:

- (a) more than 1 national officer position, and
- (b) a national officer position and a General Executive Member position, but, if declared elected to 1 position, are taken to have withdrawn from all other positions.

32.3 Candidates may nominate for both a national officer position and a state officer position, but, if declared elected to 1 position, are taken to have withdrawn from all other positions.

### **R33. National President**

The National President:

- (a) is the official spokesperson of NUS; and
- (b) is responsible for the overall supervision of NUS's activities
- (c) is responsible for the supervision of NUS's activities in all areas that are not the responsibility of another national or state officer.

### **R34. National General Secretary/National Deputy President**

The National General Secretary/National Deputy President is responsible for the supervision of NUS's activities in the areas of administration, finance and services.

### **R35. National Education Officer**

The National Education Officer:

- (a) is the official spokesperson of NUS in the area of education (subject to the National President); and
- (b) is responsible for the supervision of NUS's activities in the area of education.

### **R36. National Welfare Officer**

- (a) The National Welfare Officer is responsible for the supervision of NUS's activities in the areas of welfare.

### **R37. National Small and Regional Campuses Officer**

- (a) The National Small and Regional Campuses Officer is responsible for the supervision of NUS's activities in the areas of small and regional member organisations.

### **R38. National Women's Officer**

- (a) The National Women's Officer is responsible for the supervision of NUS's activities in the areas of women and equal opportunity.

### **R39. National Queer Officers**

- (a) The National Queer Officers are jointly responsible for the supervision of NUS's activities in the areas of sexuality and issues of concern to queer – identifying people.

### **R40. National Environment Officer**

- (a) The National Environment Officer is responsible for the supervision of

NUS's activities in the area of the environment.

**R41. National Aboriginal and Torres Strait Islander Officer**

- (a) The National Aboriginal and Torres Strait Islander Officer is responsible for the supervision of NUS's activities in the area of Indigenous issues and reconciliation.

**R42. National Ethno-Cultural Officer**

- (a) The National Ethno-Cultural Officer is responsible for the supervision of NUS's activities in the area of the ethno-cultural diversity and anti-racism.

**R43. National Disability Officer**

- (a) The National Disability Officer is responsible for the supervision of NUS's activities in the area of disability, including accessibility and mental health.

**R44. Accountability and Direction**

National officers are responsible to, and may be directed by (in increasing order of priority):

- (a) the National President
- (b) National Executive, and
- (c) National Conference

**R45. Acting Officers**

44.1 If there is a vacancy in the position of National President, or the National President is overseas or otherwise unable to act, the National General Secretary must act as National President.

44.2 If there is a vacancy in the position of National General Secretary, or the National General Secretary is overseas or otherwise unable to act, the National President must act as National General Secretary.

**PART 6 – STATE BRANCHES**

**R45. Constitution**

45.1 The state branches of NUS are:

- (a) National Union of Students, New South Wales,
- (b) National Union of Students, Victoria,
- (c) National Union of Students, South Australia,
- (d) National Union of Students, Queensland,
- (e) National Union of Students, Tasmania,
- (f) National Union of Students, ACT, and,
- (g) National Union of Students, Western Australia,

subject to R45.2-R45.4.

45.2 If in a state:

- (a) the member organisation(s) represent at least 4,000 EFTSUs; and
- (b) each member organisation by resolution passed by an absolute majority of its governing body requests in writing;

National Executive may by resolution passed by an absolute majority establish a state branch in that state by the name of "National Union of Students, [insert *name of state*]".

45.3 National Conference may reverse a decision of National Executive under R45.2.

45.4 A state branch is dissolved if the member organisations no longer represent at least 4,000 EFTSUs.

45.5 The members of each state branch are the member organisations in that state.

45.6 If there is no state branch in a state, a member organisation in that state may by resolution of its governing body passed by an absolute majority elect to become a member of the state branch in an adjoining state.

45.7 The state branches are otherwise constituted in accordance with the schedule to these regulations.

## **PART 7 – OFFICERS GENERALLY**

### **R46. Applicability**

- 46.1 R47 and R48 apply to all officers of NUS.
- 46.2 R49-R56 apply to all officers of NUS, except to the extent the rules of NUS or the resolution creating the officer position provide otherwise.

### **R47. Responsibilities**

- 47.1 All officers must implement the policy of NUS in their areas of responsibility.
- 47.2 All officers must carry out their responsibilities in co-operation with each other.
- 47.3 If there is a disagreement between officers as to the co-operative carrying out of their responsibilities:
- (a) in the case of national officers – the National President,
  - (b) in the case of state officers – the State President, or
  - (c) in the case of members of committees – the chair of the committee, must decide how the disagreement is to be resolved (subject to National Executive, the State Executive or the committee, as the case may be).

### **R48. Method of Election**

All officers must be elected by secret ballot using optional preferential proportional representation.

### **R49. Elections at Annual Meetings**

- 49.1 The following officers must be elected at the annual meeting of National Conference:
- (a) national officers in the order listed in R31.1,
  - (b) General Executive Members, and

49.2 State officers must be elected at the annual meeting of State or National Conference.

**R50. Eligibility** Candidates for office must at the time of their election be:

- (a) a student represented by a member organisation,
- (b) a full-time paid officer of a state branch, or
- (c) a national officer.

### **R51. Term of Office**

- 51.1 The officers referred to in R49 hold office from 1 January to 31 December.
- 51.2 Other officers hold office from the time of their election or appointment until their successor is elected or appointed.
- 51.3 Officers cease to hold office if they resign, vacate their office, are removed or die.

### **R52. Overholding**

- 52.1 Despite R49.1 and R51.1, if, for whatever reason, the National President, National General Secretary and General Executive Members are not all elected at the annual meeting of National Conference, the National President, National General Secretary, General Executive Members and State Presidents most recently in office continue to hold office until their successors are elected in accordance with R17.9(a), subject to R52.2.
- 52.2 Despite R52.1, if a state branch has elected its State President at an annual meeting of State Conference held in the 3 months before the annual meeting of National Conference, that person continues to take office on 1 January in accordance with R51.1.
- 52.3 Despite R31.2 and R31.3, the National President and National General Secretary must not be remunerated for any continuation in office after 31 December.

### **R53. Resignation**

- 53.1 Officers may resign by writing to:

- (a) in the case of national officers and State Presidents – the National General Secretary.
- (b) in the case of the National General Secretary – the National President, and
- (c) in the case of state officers – the State President.

53.2 The resignation of a national or state officer takes effect 24 hours after it is received by the person specified in R53.1, but may until then be withdrawn in writing.

#### **R54. Vacation of Office**

54.1 A National Officer or State President ceases to hold office if:

- (a) the cease to be eligible to be elected
- (b) they fail to give a written report in accordance with B61.1 for three consecutive meetings of National Executive (excluding any emergency meeting) of which they have been given notice; or
- (c) they fail to attend three consecutive meetings of National Executive of which they have been given notice, unless they have provided an apology in advance in accordance with B61.2

#### **R55. Removal**

Officers may be removed by the body that elected or appointed them by resolution passed by an absolute majority.

#### **R56. Filling of Vacancies**

- 56.1 Vacancies may be filled by the body that elected or appointed the officer whose office has become vacant in accordance with the by-laws.
- 56.2 Officers filling vacancies hold office for the remainder of the term.

#### **R57. Applicability**

### **PART 8 – MEETINGS GENERALLY**

This Part applies to all committees established by NUS (including National Executive, but not National Conference), except to the extent the rules of NUS or the resolution establishing the committee provide otherwise.

#### **R58. Convening**

- 58.1 The chair of the committee or a majority of its voting members at the time may convene a meeting of the committee.
- 58.2 If the committee is to meet throughout the year at its first meeting after 1 January the committee must by resolution set the dates, times and places of ordinary meetings for its term of office.
- 58.3 The committee may by resolution subsequently alter the dates, times and places of ordinary meetings set under R58.2.

#### **R59. Notice**

- 59.1 Notice of the date, time and place of meetings must be given to each member of the committee:
  - (a) in the case of an emergency telephone meeting – in writing or orally at least 24 hours before the meeting is to begin;
  - (b) in the case of an emergency face to face meeting – in writing or orally at least 72 hours before the meeting is to begin; or
  - (c) otherwise – in writing at least 10 clear days before the meeting.
- 59.2 Notice may be given of more than 1 meeting at the same time.
- 59.3 In the case of an emergency meeting, the notice must include the business to be considered, and no other business may be considered at the emergency meeting.
- 59.4 Members of committees must give the chair of the committee their address for notices, and any change in that address.

- 59.5 The address for notices may include a fax number and an email address.
- 59.6 Notice may be given to a member of a committee by sending it to the address last given by the member.
- 59.7 Notices sent by prepaid post are taken to have been given on the second day after posting that is not a Saturday, Sunday or public holiday at that address.
- 59.8 Notices sent by fax or email are taken to have been given on the first day after sending that is not a Saturday, Sunday or public holiday at that address.
- 59.9 The accidental failure to give notice to a member does not invalidate the meeting.

**R60. Quorum**

- 60.1 The quorum for meetings of the committee is the presence in person or via live technology of a majority of the voting members of the committee at the time.
- 60.2 If a quorum is not present within half an hour of the time the meeting was to begin or resume, then:
  - (a) in the case of a meeting for 1 day or less, or the final day of a meeting for more than 1 day – the meeting lapses; or
  - (b) in the case of a meeting for more than 1 day, except the final day – the meeting is adjourned until 10.00 a.m. the following day.
- 60.3 No resolution may be passed at a meeting of the committee unless a quorum is present, but the meeting may otherwise consider business without a quorum being present.

**R61. Chairing**

- 61.1 If the chair of a committee is not present, or does not wish to chair the meeting (or part of the meeting), the committee must elect another of its members to chair.
- 61.2 The chair of the meeting does not have a casting vote.

**R62. Attendance**

- 62.1 All students represented by member organisations may attend meetings of the committee, unless the committee resolves to proceed in camera.
- 62.2 A motion to proceed in camera must be considered in camera.
- 62.3 The committee may invite a person who is not a member of the committee to attend while the meeting is in camera.

**R63. Voting**

- 63.1 All members of the committee are voting members.
- 63.2 Each voting member of the committee has 1 vote.
- 63.3 Voting members of the committee may vote in person or by proxy.
- 63.4 If an equal number of votes are cast for and against a motion or amendment, the chair of the meeting must declare the motion or amendment lost.

**R64. Proxies**

- 64.1 Appointments of proxies must be in writing.
- 64.2 The proxy must be a person eligible to be elected or appointed to the committee.

**R65. Disclosure of Interest**

- 65.1 Each member of a committee who has a personal or financial interest (whether direct or indirect) in a matter that is to be considered at a meeting of the committee:
  - (a) must not be present while the matter is being considered; and
  - (b) must not vote on the matter (including by proxy).
- 65.2 The committee may by resolution passed by an absolute majority exempt a member of the committee from R65.1(a) or R65.1(a) and R65.1(b), subject to such condition as it thinks appropriate.
- 65.3 Despite R65.1(a), the member concerned may still be counted towards the quorum.



65.4 This regulation applies in addition to C22.

#### **R66. Procedure**

Meetings of the committee must be conducted in accordance with the procedure for meetings of National Conference, to the extent the procedure is applicable and with any necessary modifications.

#### **R67. Meetings by Telephone**

The committee may meet by telephone, provided each member present is able to clearly communicate with every other member present.

#### **R68. Resolutions without Meetings**

A resolution set out in a document (or documents) signed by all members of the committee stating that they are in favour has the same effect as a resolution passed at a meeting of the committee.

#### **R69. Minutes**

The committee must ensure that:

- (a) accurate and complete minutes are taken and kept of all its meetings; and
- (b) a copy of the minutes is promptly sent to the National General Secretary.

### **PART 9 – FINANCIAL AND LEGAL**

#### **R70. Bank Accounts**

Bank accounts in the name of NUS may only be opened and operated if authorised by National Executive.

#### **R71. Receipts**

All money received on behalf of NUS must be deposited without delay into a bank account in the name of NUS.

#### **R72. Orders**

No order may be placed on behalf of NUS unless authorised in writing by the National General Secretary.

#### **R73. Payments**

- 73.1 All payments for more than \$100 must be made by cheque, or, if electronic transfer, approved by the National General Secretary and one other cheque signatory.
- 73.2 No payment may be made on behalf of NUS unless:
  - (a) if an invoice has been received – the payment is authorised in writing by the National General Secretary; or
  - (b) if no invoice has been received – the payment is authorised in writing by the National General Secretary and another national officer.

#### **R74. Cheques**

- 74.1 All cheques must be signed by the National General Secretary and another national officer.
- 74.2 Signatories must not sign cheques until the payee and amount have been written in.

#### **R75. Financial Statements**

The National General Secretary must ensure that monthly financial statements are circulated to all members of National Executive.

#### **R76. Records**

- 76.1 The National General Secretary is responsible for ensuring that the records of NUS are kept in secure custody.
- 76.2 Member organisations and members of National Executive may inspect the accounting records of NUS on request in writing to the National General Secretary.

#### **R77. Contracts**

All contracts entered into on behalf of NUS must be made in the name of NUS.

## **R78. Common Seal**

- 78.1 The National General Secretary is responsible for ensuring that the common seal is kept in secure custody.
- 78.2 A document may only be sealed with the common seal if authorised by resolution of National Executive.
- 78.3 The sealing must be witnessed by the signatures of the National President and the National General Secretary.

## **R79. Rules of NUS**

- 79.1 The rules of NUS (in decreasing order of priority) are:
- (a) the constitution,
  - (b) the regulations made under C17,
  - (c) the by-laws made by National Conference under C18,
  - (d) the standing resolutions of National Executive made under R30, and
  - (e) the standing resolutions of the State Executives made under S18.
- 79.2 A body that is empowered to make rules of NUS must not make rules that are inconsistent with rules of NUS having a higher priority.

## **R80. Interpretation**

- 80.1 These regulations are to be interpreted in accordance with C38, as if they formed part of the constitution.
- 80.2 In addition, in these regulations, unless the contrary intention appears:
- (a) “absolute majority” means a majority of all votes entitled to be exercised at the time, whether those votes are cast or not;
  - (b) “amalgamate” includes merge, and “amalgamation” includes merger;
  - (c) “campus resolution” has (except in the schedule) the meaning given in R26.1;
  - (d) “convene” includes setting:

- (i) the date or dates,
  - (ii) the time of commencement, and
  - (iii) the place, of the meeting;
- (e) “a fee for membership or use of the services of the member organisation” includes a fee payable to a post-school institution that provides funding directly or indirectly to the member organisation in respect of that student;
- (f) “National General Secretary” means the National General Secretary/Deputy President;
- (g) “post-school institution” means an Australian university, institute, college or similar body whose principal activity is post-school education;
- (h) “state” includes:
- (i) territory, and
  - (ii) if R45.6 applies – the adjoining state;
- (i) “student” means a person enrolled as a student at a post-school institution; and
- (j) “writing” includes fax and email.
- 80.3 For the purposes of these regulations:
- (a) all students who are eligible to pay a fee for membership or use of the services of the member organisation, and
  - (b) the full-time paid officers of the member organisation, are taken to be students represented by that member organisation.
- 80.4 For the purposes of these regulations, a ballot does not cease to be a secret ballot by reason only that a voter chooses:
- (a) to show their completed ballot paper to another person before casting it; or
  - (b) to allow another person to fill out and cast their ballot paper on their behalf.

- 80.5 A reference to “R” followed by a number or a number and letters is a reference to the correspondingly numbered provision of these regulations.
- 80.6 A reference to “S” followed by a number or a number and letters is a reference to the correspondingly numbered provision of the schedule to these regulations.
- 80.7 A reference to “B” followed by a number or a number and letters is a reference to the correspondingly numbered provision of the by-laws.
- 80.8 The interpretation of the rules of NUS is the responsibility of:
- (a) at meetings of National Conference – the chair, subject to National Conference; and
  - (b) otherwise – the National President, subject to National Executive and National Conference.

## **SCHEDULE – STATE BRANCHES**

### *Division 1 – Name, Object and Membership*

#### **S1. Name**

Under R45.1 and R45.2 the name of the state branch is “National Union of Students, [insert *name of state*] !(in this schedule, “the state branch”).

#### **S2. Object**

The object of the state branch is to carry out the objects of NUS in its state.

#### **S3. Membership**

Under R45.5, the members of the state branch are the member organisations in the state

### *Division 2– State Conference*

#### **S4. Constitution**

State Conference is constituted:

- (a) At meetings of State Conference – by the member organisations making

decisions through their delegates in accordance with S7-S12; and

- (b) between meetings of State Conference – by the member organisations making decisions by campus resolution in accordance with S13.

#### **S5. Powers**

- 5.1 State Conference has within its state the same powers as National Conference under R15, subject to National Conference.
- 5.2 Decisions of State Conference are binding on state officers.

#### **S6. State Policy**

- 6.1 State policy may only be make by State Conference:
  - (a) at a meeting of State Conference in accordance with S11, or
  - (b) by campus resolution in accordance with S13.
- 6.2 State policy remains in force until it is changed.

#### **S7. Convening Meetings**

- 7.1 The State Executive must convene the annual meeting of State Conference to be held at the annual meeting of National Conference or not more than 3 months before that meeting.
- 7.2 The State Executive may by resolution passed by an absolute majority convene a special meeting of State Conference.
- 7.3 The State Executive must convene a special meeting of State Conference if:
  - (a) a majority of member organisations.
  - (b) delegates who would be entitled to exercise an absolute majority of votes at a meeting of State Conference, not counting proxies, if the delegates of all member organisations had been accredited, or
  - (c) the National President requests the State President in writing, stating the

purpose for which the meeting is to be held.

7.4 A special meeting of State Conference under S7.3 must be convened to be held within 6 weeks of the request being made.

7.5 The State President must give each member organisation at least 2 weeks notice of:

- (a) The date or dates,
- (b) The time of commencement, and
- (c) the place,

of each State Conference.

### **S8. Delegates**

The delegates to meetings of State Conference are the delegates of each member organisation to meetings of National Conference at the time.

### **S9. Votes**

The votes of delegates to meetings of State Conference are the votes of those delegates would have at a meeting of National Conference at the time.

### **S10. Procedure at Meetings**

10.1 The procedure for meetings of State Conference is the same as that for National Conference, with any necessary modifications.

10.2 Without limiting S10.1, R20.6-R23 apply to meetings of State Conference.

10.3 The procedure for elections at meetings of State Conference is the same as that for National Conference, with any necessary modifications.

### **S11. Policy Process**

11.1 A motion to make policy may only be considered at a meeting of State Conference if:

- (a) the policy has been adopted by a member organisation by referendum;
- (b) the policy has been adopted by at least 15% of member organisations

by general meeting or resolution of their governing body;

(c) the policy has been proposed by the State Executive; or

(d) the policy has been proposed by 2 delegates to State Conference, and State Conference resolves to consider the policy.

11.2 State Conference must debate motions to make policy in the order given in S11.

11.3 Resolutions under S11.1(c) and S11.1(d) may only be passed by absolute majority.

### **S12. By-Laws**

12.1 State Conference may by resolution passed by an absolute majority make by-laws to give effect to this schedule.

12.2 At least 7 days notice must be given of a motion for making of by-laws by State Conference.

### **S13. Campus Resolutions**

13.1 Any resolution that could be passed at a meeting of State Conference may instead be passed by a postal ballot of member organisations in accordance with the by-laws (in the schedule, "campus resolution").

13.2 A resolution passed by campus resolution has the same effect as a resolution passed at a meeting of State Conference.

13.3 Campus resolutions may only be passed by an absolute majority of the votes of member organisations.

### *Division 3— State Executive*

### **S14. Membership**

The members of the State Executive are:

- (a) the State President (chair),
- (b) the other state officers, and
- (c) the NUS Liaison Officers of the member organisations.

## **S15. NUS Liaison Officers**

- 15.1 The NUS Liaison Officer of a member organisation is:
- (a) a student represented by the member organisation elected by the member organisation as NUS Liaison Officer, or
  - (b) if there is no NUS Liaison Officer under S15.1(a) – the President or equivalent officer of the member organisation.
- 15.2 NUS Liaison Officers under S15.1 (a) cease to hold office if they cease to be eligible to be elected
- 15.3 NUS Liaison Officers are responsible for liaison between their member organisation and NUS

## **S16. Responsibilities**

The responsibilities of the State Executive are:

- (a) to manage the state branch, including:
  - (i) setting the budget for the state branch;
  - (ii) regularly monitoring the finances of the state branch;
  - (iii) employing staff for the state branch on behalf of NUS; and
  - (iv) authorising the publication of materials for the state branch on behalf of NUS; subject to National Executive; and
- (b) to implement the policy of NUS and state policy in that state

## **S17. Meetings**

- 17.1 the State Executive must meet:
- (a) at least 3 times each year,
  - (b) face to face at least once each year, and
  - (c) within 2 weeks of each face to face meeting of National Executive.

17.2 The State President may convene a meeting of State Executive.

17.3 The State President must convene a meeting of State Executive:

- (a) if the State Executive so resolves; or
- (b) if requested in writing by a majority of the voting members of the State Executive at the time.

## **S18. Standing Resolutions**

The State Executive may by an absolute majority pass standing resolutions to give effect to this schedule and by-laws made by State Conference.

### *Division 4– State Officers*

## **S19. State Officers**

19.1 The officers of the state branch are:

- (a) the State President,
- (b) the State General Secretary,
- (c) the State Education Officer,
- (d) the State Women’s Officer, who must be a woman, and
- (e) any other state officer positions created by resolution of State Conference, (in these regulations, “state officers”).

19.2 Except as otherwise provided in the by-laws, additional officers of the State Branch shall be:

- (a) the Aboriginal and Torres Strait Islander Officer, who must identify as a student from an Indigenous background,
- (b) the State International Students Officer, who must be an International student,
- (c) the State Queer Officer, who must identify as queer, and
- (d) the State Welfare Officer.

19.3 Except as otherwise provided in these regulations or the by-laws, state officers

have the same responsibilities in their state as the corresponding national officers have nationally.

### **S20. Eligibility**

- 20.1 A person who has held a paid state office position for 2 years in total is not eligible to nominate again for that position.
- 20.2 A person who has been a paid state officer for 3 years in total is not eligible to nominate again as a state officer.
- 20.3 A person who has been a State President or national officer or State President and national officer for 2 years in total is not eligible to nominate as State President.

### **S21. State President**

- 21.1 The State President:
- (a) is the official spokesperson of the state branch;
  - (b) is responsible for the overall supervision of the activities of the state branch; and
  - (c) (unless State Conference has created the position of State General Secretary) is responsible for the supervision of the activities of the state branch in the areas of administration, finance and services, in consultation with the other state officers.
- 21.2 If there is a vacancy in the position of state President, or the State President is overseas or otherwise unable to act:
- (a) the State Executive must appoint another state officer to act as State President; and
  - (b) any 2 state officers may convene a meeting of the State Executive for that purpose.

### **S22. Accountability and Direction**

State officers are responsible to, and may be directed by (increasing order of priority):

- (a) the State President,

- (b) the State Executive,
- (c) State Conference,
- (d) the National President,
- (e) National Executive, and
- (f) National Conference.

### *Division 6 – Financial and Legal*

### **S23. Budget**

The State Executive must ensure that:

- (a) an accurate and up to date statement of income and expenditure and balance sheet for the state branch for the financial year that:
  - (i) has just ended; or
  - (ii) is about to end; and
- (b) a draft budget for the state branch for the following financial year; are presented to the annual meeting of State Conference.

### **S24. Financial Procedures**

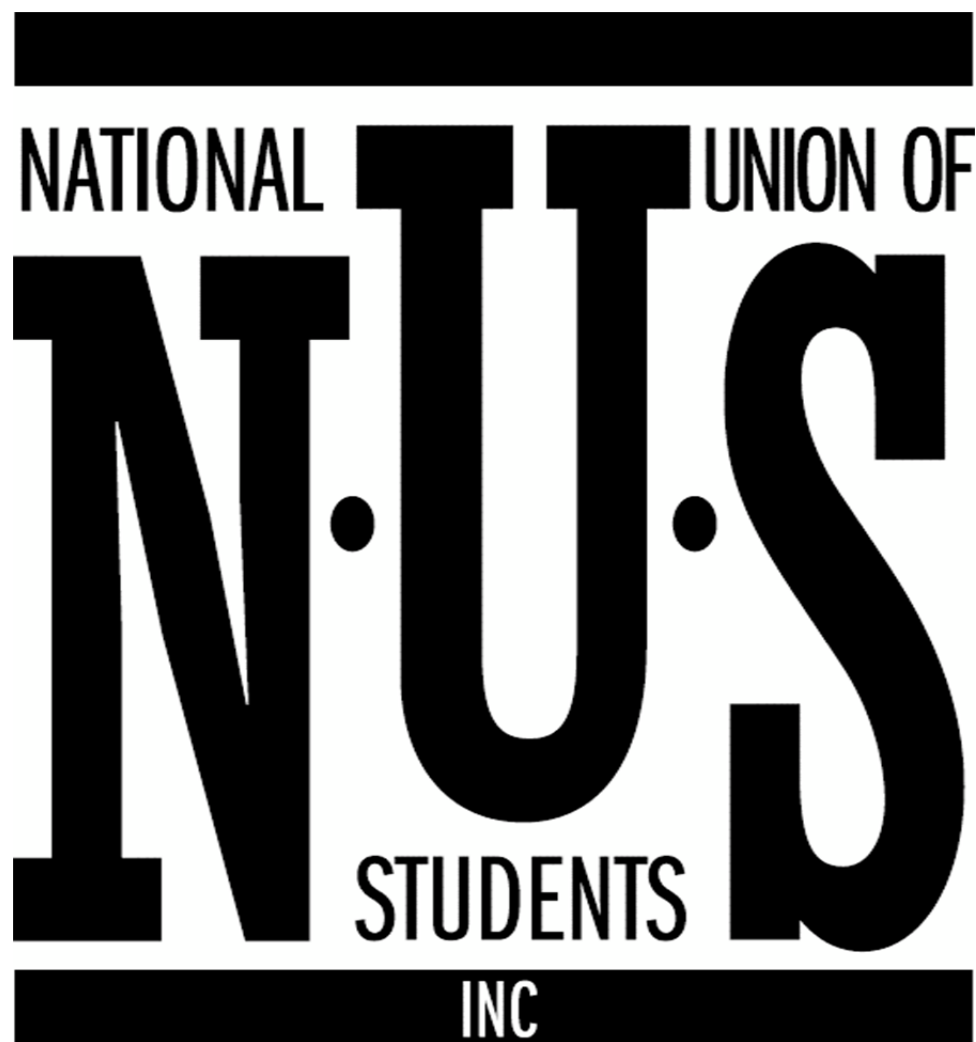
The state branch must comply with the financial procedures prescribed by National Executive.

### **S25. Financial Statements**

The State Executive must provide the National Executive with an accurate and up to date statement of income and expenditure and balance sheet for the state branch.

**National Union of Students Incorporated**

**BY-LAWS  
2015**



## **B1. Contents**

The contents of these by-laws are:

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B1. Contents

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## **PART 2 – MEETINGS OF NATIONAL CONFERENCE**

### *Division 1 – Election of Delegates*

#### **B2. Accreditation**

- 2.1 The Accreditation Committee must meet before, and, if necessary, at each meeting of

National Conference to consider the accreditation of delegates.

- 2.2 The Accreditation Committee may only accredit delegates whose election complies with R18 and B3-B6, except as provided in B7.

- (a) constitutes the Accreditation Committee; and
- (b) must meet when necessary to consider the accreditation of delegates.

- B3. Notification of Election** Each member organisation must notify the National General Secretary of the election:

- (a) By certified mail,
- (b) at least 2 weeks before the close of nominations.

#### **B4. Nominations**

- 4.1 Notice of the close of nominations must be:

- (a) published in at least 1 issue of the official publications of the member organisation; or
- (b) prominently advertised in some other way practical for the member organisation

- 4.2 Nominations must remain open for at least 5 academic days.

- 4.3 The returning officer for the election must issue all candidates with a receipt for their nomination.

- 4.4 Nominations must close at least 2 academic days before the commencement of voting.

#### **B5. Ballot**

- 5.1 There must be a ballot to determine the order of election, unless the delegates are elected unopposed.

- 5.2 Voting must take place (a) on at least 3 consecutive academic days, and (b) for at least 5 hours each day.

- 5.3 The following must be widely advertised on all campuses of the member organisation:

- (a) the times and place or places of voting, and
- (b) any brief policy statements submitted by candidates before the close of nominations.

**B6. Returning Officers Report**

- 6.1 Within 2 weeks of the end of the election, the member organisation must send to the Accreditations Committee a report on letter head signed by the returning officer:
- (a) stating that the election was conducted in accordance with B3-B5;
  - (b) setting out the names of the delegates in the order in which they were elected; and
  - (c) including:
    - (i) the rules under which the election was conducted, and
    - (ii) details of voting.
- 6.2 If delegates have been elected unopposed, the member organisation must send to the Accreditation Committee within 2 weeks of the close of nominations a report signed by the returning officer:
- (a) stating that B4 was complied with; and
  - (b) setting out an order of election agreed to and signed by each delegate.
- 6.3 If the Accreditation Committee does not receive an agreed order of election as required by B6.2(b), it must determine the order of election by lot.

**B7. Exemption from Requirements**

- 7.1 When National Conference is meeting, the Accreditation Committee may only exempt member organisations from the requirements of B3-B6 by unanimous vote of all members if it is satisfied that the provisions were substantially complied with so that the election was fairly conducted.
- 7.2. When National Conference is not meeting, National Executive constituted as the

Accreditation Committee may only exempt member organisations from the requirements of B3-B6 by resolution passed by an absolute majority if it is satisfied that the provisions were substantially complied with so that the election was fairly conducted.

- 7.3 If no report from the returning officer has been received, the Accreditation Committee may accredit the delegates of a member organisation if a majority of them submit statutory declarations stating that:
- (a) they have been unable to contact the returning officer.
  - (b) the election was conducted in accordance with R18 and B3-B6; and
  - (c) they will ensure that a returning officer's report is sent as soon as the returning officer can be contacted.

**B8. Review of Accreditation**

- 8.1 The Accreditation Committee must meet to review the accreditation of a delegate or observer when requested by a member Conference in writing, stating the grounds of objection.

**B9. Delegates Unable to Attend**

- 9.1 Delegates unable to attend a meeting of National Conference may delegate their voting rights to any other member of Conference.
- 9.2 Members of Conference may not exercise more than 5 delegations at any 1 time.
- 9.3 Delegations must:
- (a) be for the duration of Conference;
  - (b) specify:
    - (i) the member or members in order to whom the delegation is made, and
    - (ii) any conditions attached to the delegation;
  - (c) be signed by the delegate;
  - (d) state the date and time the delegation was made; and

- (e) not be altered once signed.
- 9.4 The delegation must be sent to the Accreditation Committee, which must:
  - (a) take all reasonable steps to verify it; and
  - (b) give it to the Business Committee.
- 9.5 The Business Committee must:
  - (a) register the delegation; and
  - (b) then give it to the member first entitled to exercise it.
- 9.6 The delegation may only be exercised on its production.
- 9.7 If the delegate subsequently attends Conference:
  - (a) the delegation lapses delegate must inform the Business Committee of their attendance; and Business Committee must:
  - (b) amend their register; and amend or retrieve the voting card of the member exercising the delegation.
  - (c) the (i) (ii) date for the receipt of motions relating to the policy of NUS for consideration by the

## **B10. Motions**

### *Division 2 – Motions*

- 10.1 The closing annual meeting of National Conference is 1 October.
- 10.2 Motions must be:
  - (a) typed in a form suitable for photographic reproduction; or
  - (b) stored in a format advised by the Business Committee; or
  - (c) transmitted by modem.
- 10.3 Motions must include the mover's and seconder's contact telephone numbers, except for policy resolutions passed at the National Queer Conference and the National Women's Conference which shall need no seconding and will be listed as being only moved by the relevant conference.

- 10.4 Motions must be sent to the Business Committee.
- 10.5 All policy motions must contain the following components:
  - (a) preamble and/or platform – introducing, explaining and justifying the policy; and
  - (b) action – acting as a directive as to the implementation of the policy.

## **B11. Pre-Conference Volume**

- 11.1 The Business Committee must:
  - (a) amalgamate motions dealing with the same issue, in consultation with the movers and seconders;
  - (b) split motions dealing with a number of issues into separate parts, so that all motions dealing with a particular issue can be considered together;
  - (c) redraft motions so that they are unambiguous and properly worded; and
  - (d) order motions for debate.
- 11.2 The Business Committee must produce a pre-conference volume setting out in order of debate the motions as altered, with contact telephone numbers of the movers and seconders.

## **B12. Amendments**

- 12.1 The Closing date for the receipt of pre-conference amendments is 15 November.
- 12.2 Amendments must be:
  - (a) typed in a form suitable for photographic reproduction; or
  - (b) stored in a format advised by the Business Committee; or
  - (c) transmitted by modem.
- 12.3 Amendments must include the mover's and seconder's contact telephone numbers.
- 12.4 Amendments must be sent to the Business Committee.

**B13. Reports to National Conference** National officers and State Presidents must give to the National General Secretary by 15 November a written report on their activities for consideration by annual meeting of National Conference.

**B14. Conference Volume**

- 14.1 The Business Committee must:
- (a) incorporate into motions relating to the constitution, regulations and by-laws amendments that are acceptable to the movers and seconders;
  - (b) amalgamate amendments dealing with the same issue in consultation with the movers and seconders;
  - (c) split amendments dealing with a number of motions into separate parts, so that amendments relevant to a particular motion can be considered together with that motion;
  - (d) redraft amendments so that they are unambiguous and properly worded; and
  - (e) order amendment debate.
- 14.2 The Business Committee must not incorporate amendments into motions relating to policy.
- 14.3 The Business Committee must produce a conference volume:
- (a) setting out in order of debate the motions and amendments as altered and recommendations on procedure; and
  - (b) including the officer reports referred to in B13.
- 14.4 The conference volume must be sent to all delegates and members of national Executive by 1 December.

**B15. Special Meetings**

This Division (except B13) applies to special meetings of National Conference, except that National Executive must determine what dates apply.

*Division 3 – Procedure*

**B16. Membership**

- 16.1 For the purposes of this Part, the members of Conference are:
- (a) the delegates of member organisations,
  - (b) the observers of member organisations,
  - (c) the members of National Executive; and
  - (d) the state officers.
- 16.2 All members have moving, seconding and speaking rights.
- 16.3 Only:
- (a) delegates, and
  - (b) other members to whom delegates have delegated voting rights, have voting rights.
- 16.4 For the purpose of this Part, the voting members of Conference are the members referred to in B16.3.

**B17. Observers**

- 17.1 Member organisations may only appoint as observers students eligible to be elected as delegates of that member organisation.
- 17.2 Associate members may appoint the number of observers determined by National Executive.
- 17.3 Non-member organisations may only appoint as observers students entitled to elect the governing body and full-time paid officers of that non-member organisation.
- 17.4 Non-member organisations may only appoint 2 observers.
- 17.5 The observers from associate members and non-member organisations are:
- (a) not members of Conference; and
  - (b) do not have moving, seconding or speaking rights.

- 17.6 Appointments of observers may only be made by resolution of the governing body of the organisation.
- 17.7 Notification of the appointment of observers must be:
- (a) on letterhead of the organisation signed by the President or equivalent officer of the organisation; and
  - (b) be received by the Accreditation Committee before 12 midnight Eastern Standard Time on 1 December.
- 17.8 The Accreditation Committee may only accredit observers who comply with the requirements of this by-law.

**B18. Agenda and Session Times**

- 18.1 The Business Committee must determine the agenda and session times.
- 18.2 A determination of the Business Committee under B18.1 may be overturned by resolution of Conference passed by an absolute majority.
- 18.3 The Business Committee must give members of Conference at least 1 hour's notice of the agenda and session times, and changes to the agenda and sessions times by the quickest practicable means at the time. The failure of 1 or more members to receive notice does not invalidate those sessions or the decisions made at those sessions.
- 18.4 Sessions of Conference may only begin between 7:00am and 2:00am, unless otherwise agreed by resolution of Conference passed by an absolute majority.

**B19. Register of Attendance and Voting Cards**

- 19.1 Voting members must not vote at Conference until they have:
- (a) signed the register of attendance for that session kept by the Business Committee; and
  - (b) been issued with a voting card.

- 19.2 The Business Committee must issue each voting member attending a session with a voting card, which must:
- (a) be easily identifiable by the chair;
  - (b) record the total number of votes exercisable by the member including delegation; and
  - (c) be signed by the member
- 19.3 The Business Committee may only issue voting cards in accordance with the accreditation report of the Accreditation Committee under B45.4 (subject to any changes subsequently made in accordance with B45).
- 19.4 Voting members who intend to leave a session must first sign off the register and return their voting card.
- 19.5 If a voting member who has left a session fails to sign off or return their voting card, any member may approach the Business Committee, which must amend the register and retrieve the voting card.

**B20. Quorum**

- 20.1 The chair must ensure that a quorum is present before declaring a session open.
- 20.2 The chair must ensure that no vote is taken without a quorum being present.
- 20.3 If a quorum is not present within half an hour of Conference attempting to proceed to a vote, the chair must adjourn Conference until the next session.

**B21. Delegation of Moving, Seconding, and Speaking Rights.**

Members may delegate their moving, seconding and speaking rights to any other member by notification to the chair.

**B22. Delegation of Voting Rights**

- 22.1 Delegates may only delegate their voting rights to other members of conference
- 22.2 No member may exercise more than 5 delegation at any 1 time.
- 22.3 Delegations must:

- (a) specify:
    - (i) the duration of the delegation.
    - (ii) the member or members in order to whom the delegation is made; and
    - (iii) any conditions attached to the delegation.
  - (b) be signed by the delegate;
  - (c) state the date and time the delegation was made; and
  - (d) not be altered once signed.
- 22.4 The delegate must register the delegation with the Business Committee.
- 22.5 The Business Committee must give the delegation to the member next entitled to exercise it.
- 22.6 If the member has already been issued with a voting card, the Business Committee must amend it to record the new total number of votes exercisable by the member.
- 22.7 If the member has not been issued with a voting card:
- (a) the Business Committee must issue them with a voting card; and
  - (b) the member must sign the register of attendance as a voting member.
- 22.8 The delegation may only be exercised on its production.
- 22.9 On the expiry of the period specified by the delegate:
- (a) the delegation lapses; and
  - (b) the Business Committee must:
    - (i) amend their register; and
    - (ii) amend or retrieve the voting card of the member exercising the delegation.
- 22.10 If the delegate returns before the expiration period specified:
- (a) the delegation lapses
  - (b) the delegate must inform the Business Committee of their return; and

- (c) the Business Committee must:
  - (i) amend their register; and
  - (ii) amend or retrieve the voting card of the member exercising the delegation.

### **B23. Chair**

23.1 Sessions must be chaired by:

- (a) the President, or
- (b) a person nominated by the Business Committee, subject to resolution of Conference.

23.2 The chair:

- (a) must be heard in silence and without interruption; and
- (b) may name any person for behavior disruptive to the conduct of Conference.

23.3 Any person named 3 times during 1 session:

- (a) must not be recognised by the chair; and
- (b) must leave Conference for the remainder of that session.

23.4 If the chair wishes to take part in the debate on any question, another person must be nominated as chair for the duration of the debate and vote.

### **B24. Disagreement with Ruling**

24.1 A ruling of the chair (including an interpretation of the rules of NUS under R81.8) may be disagreed with by Conference in accordance with the following procedure:

- (a) A member who disagrees with the ruling must indicate this to the chair;
- (b) Another member must assume the chair;
- (c) The member who indicated disagreement must speak;
- (d) The chair whose ruling was disagreed with may reply;

- (e) A motion must be put, "That the chair's ruling be upheld.";
- (f) If the motion is carried, that chair's ruling stands; if it is lost, no ruling is taken to have been made; and
- (g) The chair whose ruling was disagreed with must resume the chair, subject to resolution of Conference.

### **B25. Conduct of Meeting**

- 25.1 Conference may grant moving, seconding and speaking rights to any person.
- 25.2 Conference may exclude any person who is not a member of Conference.
- 25.3 Members may only address Conference when called to do so by the chair
- 25.4 Speakers must be heard in silence, and may only be interrupted by the chair.
- 25.5 All business must be by way of motions and amendments, except when reports are being considered.

### **B26. Motions and Amendments**

- 26.1 All motions and amendments must have a mover and a seconder.
- 26.2 Motions and amendments may be seconded pro forma
- 26.3 Movers and seconders of motions and amendments may reserve their speaking rights.
- 26.4 Under B21, members may delegate their moving, seconding and speaking rights to any other member by notification to the chair.
- 26.5 If the mover or seconder of a motion or amendment is not present, any member may move or second the motion or amendment.
- 26.6 Motions and amendments may be altered by the mover by leave of Conference.
- 26.7 Motions and amendments may be withdrawn by the mover, subject to the right of the seconder or any other member to take up the moving of the motion or amendment.

- 26.8 Members may only speak once to a motion or amendment, unless they are the mover of the motion exercising their right of reply.
- 26.9 No member may speak to any motion or amendment after it has been put to the vote.

### **B27. Motions.**

- 27.1 Motions must be affirmative in character.
- 27.2 Movers of motions (other than procedural motions) have a right of reply.
- 27.3 The right of reply must be exercised:
  - (a) immediately before motion is put, or
  - (b) before any 1 amendment to the motion is put.
- 27.4 Movers of amendments have no right of reply.

### **B28. Amendments**

- 28.1 Amendments must be relevant to the motion.
- 28.2 Amendments must not be a direct negation of the motion.
- 28.3 Amendments must be debated and put depending on where they will stand if the motion is carried.
- 28.4 Only one amendment may be debated and voted on at a time, but further amendments may be foreshadowed.

### **B29. Foreshadowed Motion**

- 29.1 If more than 1 motion deals with a particular issue, they may be considered together.
- 29.2 The procedure for debate must be determined by the Business Committee.
- 29.3 Voting must be conducted on each motion in the order they were moved, until either a motion is carried (in which case the remaining motions lapse) or until all motions are defeated.

**B30. The Closure**

- 30.1 A member who has not already participated in debate may move, "That the question be now put."
- 30.2 This motion may interrupt a speech, and must be put without amendment, adjournment or debate.
- 30.3 If this motion is carried, the motion or amendment under consideration must immediately be put to the vote, subject only to the right of reply of the mover of a motion.

**B31. The Previous Question**

- 31.1 A member who has not already participated in the debate may move, "That the question be put now."
- 31.2 This motion must be put without amendment, but may be debated together with the motion or amendment under consideration.
- 31.3 If this motion is carried, the motion or amendment under consideration lapses and must not be dealt with further.
- 31.4 If the motion is not carried, the motion or amendment under consideration must immediately be put to the vote, subject only to the right of reply of the mover of the motion.

**B32. Proceed to the Next Business.**

- 32.1 A member who has not participated in the debate may move "That the meeting proceed to the Next Business."
- 32.2 This motion must be put without amendment, adjournment or debate

**B33. Adjourn the Debate**

- 33.1 A member who has not participated in the debate may move "That the debate be adjourned."
- 33.2 This motion may only be amended as to date, time and place.

**B34 The Gag**

- 34.1 A member who has not already participated in the debate may move, "That the speaker no longer be heard."
- 34.2 This motion may interrupt a speech, and must be put without amendment, adjournment or debate.

**B35. Procedure for Procedural Motions**

- 35.1 All procedural motions must initially be given to the Business Committee.
- 35.2 The Business Committee must transmit the motion to the chair as soon as it is in order for Conference to consider it.
- 35.3 The Business Committee may advise Conference on the procedure to be followed in debating the motion.

**B36. Points of Order**

- 36.1 Members may at any time raise points of order in regard to any irregularity in the proceedings or interpretation of the rules of NUS.
- 36.2 Points of order must be made to the Business Committee. The Business Committee must either:
  - (a) determine in agreement with the member that there has been no irregularity;
  - (b) determine in agreement with the member that there has been an irregularity, and immediately make consequent recommendation to Conference; or
  - (c) if there is no agreement between the member and the Business Committee – refer the matter immediately to the chair for resolution by Conference in accordance with the following procedure:
    - (i) The member must speak to a motion setting out the procedure or interpretation they wish Conference to adopt;



- (ii) A member of the Business Committee must speak in opposition; and
- (iii) The vote must be taken without further debate

36.3 Conference may only reject a recommendation under B36.2(b) by resolution setting out an alternative procedure or interpretation.

**B37. Time Limits**

37.1 The following time limits apply to all speakers, unless Conference otherwise resolves:

- (a) speaker giving a report – 10 minutes
- (b) mover of a motion – 5 minutes
- (c) right of reply, speakers to motions, movers of amendments – 3 minutes
- (d) speakers to amendments– 2 minutes
- (e) movers and speakers to procedural motions – 1 minute

37.2 Motions to extend these times in respect of a particular speaker must be put without amendment, adjournment or debate.

**B38. Voting**

38.1 No vote may be taken until all persons present are seated.

38.2 The chair must name any person who is not seated within 1 minute of Conference proceeding to vote.

38.3 Voting is by show of hands, unless the chair otherwise determines. Each voter must stand and display their voting cards.

38.4 A count of votes must be conducted when requested by 25 voting members standing in their place and displaying their voting cards within 1 minutes of the result of the vote being declared.

38.5 Conference may by resolution put without amendment, adjournments or debate determine to record the vote of each member.

38.6 If an equal number of votes are cast for and against a motion or amendment, the chair

must declare the motion or amendment lost.

38.7 The Business Committee must assist the chair in the conduct of voting.

**B39. Amendments without Notice**

Despite Division 2, amendments to motions relating to policy may be moved without notice if the amendment is not contrary to the intention of the motion.

**B40. Urgent Motions and Amendments**

40.1 Despite Division 2, but subject to C16 and R25, motions and amendments of an urgent nature not received by the due date may be considered by Conference on the receipt by the chair of a petitions signed by delegates entitled to exercise on their own right an absolute majority of votes.

40.2 An amendment so petitioned must be considered when the motion to which it relates is debated.

40.3 Conference must determine when a motion so petitioned is to be debated.

**B41. Recommittal**

41.1 Any motion that has or could validly have been considered by Conference may be recommitted on receipt by the chair of a petition signed by delegates entitled to exercise in their own right an absolute majority of votes.

41.2 Any motion so petitioned must be considered by Conference 24 hours after it has been received by the chair, unless Conference resolves by an absolute majority to consider the motion earlier.

**B42. Suspension of Standing Orders**

B17-B41 may be suspended by resolution passed by an absolute majority.

**B43. Minutes, Policy and Rules**

43.1 The National General Secretary must ensure that a proper record is kept of the proceedings of Conference

43.2 The National General Secretary must:

- (a) in the case of the annual meeting – by 1 March, and
- (b) in the case of special meetings – within 3 months of the end of the meeting, send to each member organisation and state branch:
- (c) the minutes of the meeting,
- (d) a booklet containing all policy of NUS, and
- (e) a separate booklet containing the constitution, regulations and by-laws.

#### **B44. Delegate Reports**

Each delegate must give their member organisation a written report on Conference:

- (a) in the case of the annual meeting – by the end of January, and
- (b) in the case of special meetings – within 1 month of the end of the meeting.

#### *Division 4 – Committees*

#### **B45. Accreditation Committee**

- 45.1 The members of Accreditation Committee are:
- (a) The nominee of the solicitor, appointed under B93.
  - (b) The nominee of the auditor, appointed under C32.1.
- 45.2 The Accreditation Committee must:
- (a) accredit delegates and observers in accordance with B2 and B17;
  - (b) review the accreditation of delegates and observers in accordance with B8;
  - (c) allocate votes to delegates in accordance with R20; and
  - (d) verify the delegation of voting rights by delegates unable to attend Conference in accordance with B9.
- 45.3 Decisions of the Accreditation Committee may only be overturned by resolution of Conference passed by an absolute majority.

45.4 The Accreditation Committee must prepare an accreditation report, which includes for each member organisation:

- (a) the EFTSL,
- (b) confirmation of the payment of the annual subscription,
- (c) confirmation that the election of delegates satisfies the requirements of the constitution, regulations and by-laws,
- (d) the names of the delegates and observers, and
- (e) the number of votes for each delegate.

45.5 The Accreditation Committee must send the accreditation report to:

- (a) all member organisations, and
- (b) all members of National Executive, at least 1 week before each meeting of National Conference.

#### **B46. Business Committee**

- 46.1 National Executive must elect a Pre-Conference Business Committee of 5 persons before each meeting of National Conference.
- 46.2 The Pre-Conference Business Committee holds office until the Conference Business Committee takes office.
- 46.3 National Conference must elect a Conference Business Committee of 7 persons on the first day of Conference, immediately after the election of the returning officer under B48.
- 46.4 The Conference Business Committee holds office from the declaration of its election by the returning officer until the end of Conference.
- 46.5 The Pre-Conference Business Committee:
- (a) must produce the pre-conference volume in accordance with B11;
  - (b) must produce the conference volume in accordance with B14; and

- (c) has the powers of the Conference Business Committee until the Conference Business Committee takes office.

46.6 The Conference Business Committee must:

- (a) maintain a register of delegations of voting rights in accordance with B9 and B22;
- (b) determine the agenda and session times in accordance with B18;
- (c) maintain the register of attendance in accordance with B19;
- (d) nominate the chair in accordance with B23;
- (e) determine the procedure for the debate of foreshadowed motions in accordance with B29;
- (f) facilitate the consideration of procedural motions and points of order in accordance with B35 and B36; and
- (g) assist the chair in the conduct of voting in accordance with B38.

46.7 Any decision of the Conference Business Committee may be overturned by resolution of Conference passed by a simple majority of votes cast, except for a determination under B18.2.

46.8 A member of the Business Committee or nominee must attend each session.

46.9 The functions of the Business Committee may be performed by any or all members of the Business Committee present.

46.10 The Business Committee may nominate a person or persons to carry out its functions for a particular session if no member of the Business Committee is present.

46.11 Decisions of the Business Committee are made by a majority of the members or nominees present.

#### *Division 5 – Elections*

#### **B47. Applicability**

47.1 This Division applies to the election of:

- (a) national officers, and
- (b) General Executive Members in accordance with R51.

47.2 B48 and B54 apply to the election of the Conference Business Committee.

#### **B48. Returning Officer**

48.1 During the first session of Conference, Conference must elect a returning officer, and may elect a deputy returning officer.

48.2 The returning officer for the election of the returning officer is the National General Secretary or nominee.

48.3 The returning officer and any deputy returning officer must:

- (a) have appropriate expertise and experience for the position;
- (b) not be:
  - (i) an employee or agent of, or contractor to NUS (other than as returning officer or deputy returning officer),or
  - (ii) the spouse or relative of any current officer of NUS; and
- (c) not have been an officer of NUS or delegate of any member organisation for at least 5 years.

48.4 The returning officer may prescribe all matters of detail not inconsistent with this Division.

#### **B49. Form of Nominations**

49.1 Nominations must be on the prescribed form obtainable from the returning officer.

49.2 Nominations must be:

- (a) signed by the nominator, who must be a current enrolled student represented by an affiliated student organisation;
- (b) signed by the seconder, who must be a current enrolled student represented by an affiliated student organization; and

- (c) signed by the candidate, consenting to the nomination.

49.3 The candidate must attach a statutory declaration of eligibility for election.

### **B50. Close of Nominations**

50.1 The National General Secretary must give at least 4 weeks notice of the closing date for nominations to all member organisations.

50.2 Nominations close 24 hours before the scheduled time for voting, unless Conference resolves before the closing time to extend the closing time.

50.3 If less nominations are received by the closing time than the number of positions, Conference may resolve to reopen nominations for the unfilled positions.

50.4 Nominations for reopened positions close 6 hours before the scheduled time for voting.

### **B51. Verification of Eligibility**

The returning officer must verify the eligibility of candidates.

**B52. Unopposed Elections** If the number of nominations received does not exceed the number of positions, to be filled, the returning officer must immediately after verification of eligibility declare elected the candidate or candidates nominated.

### **B53. Ballot**

53.1 If the number of nominations received exceeds the number of positions to be filled, there must be a ballot.

53.2 Candidates for national officer positions must be given 3 minutes to address Conference in support of their nomination on the day before the ballot.

### **B54. Disputes**

54.1 Decisions of the returning officer may only be overturned by resolution of conference passed by an absolute majority.

54.2 Conference must not consider a motion to overturn a decision of the returning officer unless the aggrieved party can show that

the decision might materially have affected the result.

54.3 Conference may only consider a motion to overturn a decision of the returning officer if the objections is taken within 1 hour of the declaration of the election.

54.4 If Conference resolves to overturn a decision of the returning officer, it may order a new election in whole or in part.

## **PART 3 – CAMPUS RESOLUTIONS**

### **B55. Moving**

55.1 A campus resolution may be moved by:

- (a) a member organisation, or
- (b) a petition signed by at least 300 students represented by a member organisation.

55.2 Motions for campus resolution must be sent to the National General Secretary.

55.3 A copy of the petition under B55.1(b) (if applicable) must be attached.

### **B56. Circulation**

56.1 The National General Secretary must circulate the motion to member organisations within 2 weeks of its receipt.

56.2 Any supporting or opposing statements submitted by member organisations or members of National Executive must be attached.

56.3 A voting form stating the closing date for the receipt of votes and a copy of this Division must be included.

### **B57. Close of Voting**

57.1 The closing date for the receipt of votes is 4 weeks from its sending to member organisations, unless in cases of emergency National Executive otherwise resolves.

57.2 National Executive may extend the closing date by notification in writing to member organisations at least 1 week before the original closing date.

57.3 With the consent of the mover, the National General Secretary may before the

circulation of the motion set a closing date of more than 4 weeks.

### **B58. Method of Voting**

- 58.1 The votes of each member organisation must be cast in proportion to the votes cast at the meeting or referendum at which the decision was made with respect to votes for and against the motion and active abstentions from voting.
- 58.2 Member organisations may only exercise their votes by completing the voting form circulated.
- 58.3 The voting form must:
- (a) include the details of the actual votes cast at the meeting or referendum;
  - (b) be signed by the President or the equivalent officer of the member organisation;
  - (c) be accompanied by a copy of the minutes of the meeting or a report of the returning officer on the referendum; and
  - (d) be sent to the National General Secretary by certified mail, courier, fax or email, or be hand delivered.
- 58.4 Members may alter their votes in accordance with a subsequent decision of the member organisation by the submission of a fresh voting form before the close of voting.

### **B59. Voting by General Meeting or Referendum**

- 59.1 National Conference or National Executive may resolve that a campus resolution be decided by member organisation in accordance with their procedures for general student meetings or referendums.
- 59.2 The votes of member organisations may then not be counted unless a general student meeting or referendum was conducted by the member organisation to determine the casting of its votes.

## **PART 4 – NATIONAL EXECUTIVE**

### *Division 1 – Meetings*

#### **B60. Officer Reports and Attendance**

- 60.1 National Officers and State Presidents must attend each meeting of National Executive and must give a written report to each meeting of National Executive (other than an emergency meeting).
- 60.2 If a National Officer or State President is unable to attend a meeting of National Executive they must provide an apology in advance of that meeting to the National General Secretary.

#### **B61. Agenda**

The agenda for meetings of National Executive must be sent to each member organisation and member of National Executive at least 1 week before the meeting.

#### **B62. Chair**

- 62.1 Meetings of National Executive must be chaired by:
- (a) the National President, or
  - (b) a person elected by the meeting.
- 62.2 Meetings of National Executive must elect a person to be deputy chair.
- 62.3 If the chair of the meeting wishes to take part in a debate, the deputy chair must chair the meeting for that debate.

#### **B63. Proxies**

- 63.1 Appointments of proxies under R29.5 must:
- (a) specify:
    - (i) the duration of the appointment,
    - (ii) the proxy or proxies appointed, and
    - (iii) any conditions attached to the appointment;
  - (b) be signed by the member;

- (c) state the date and time the appointment was made;
- (d) not be altered once signed; and
- (e) be given to the National General Secretary.

#### **B64. Minutes and Reports**

The National General Secretary must send:

- (a) the draft minutes of the meeting, and
- (b) the officer reports under B61 to each member organisation within 1 week of the meeting.

#### **B65. Travel Expenses**

65.1 Members of National Executive are entitled to be reimbursed for the return economy fare to meetings of National Executive:

- (a) by bus or rail if the total travelling time 1 way will be less than 12 hours, or
- (b) otherwise by air.

65.2 If a voting member of National Executive does not attend a meeting of National Executive, their proxy (if not themselves a member of National Executive) is entitled to be reimbursed for travel to the meeting up to the amount the member would have been entitled under B66.1.

65.3 National Executive:

- (a) may request the attendance of any officer at a meeting of National Executive; and
- (b) must reimburse the officer for travel in accordance with B66.1.

#### *Division 2 – International Relations*

#### **B66. International Representatives**

66.1 National Executive must elect the official representatives of NUS to international meetings.

66.2 All official representatives are:

- (a) bound by the policy of NUS; and

- (b) responsible in the first instance to the National President.

66.3 Each official representative must submit a written report to National Executive within 2 weeks of the end of the international meeting.

### **PART 5 – NATIONAL OFFICERS**

#### *Division 1 – Additional Duties*

#### **B67. Behaviour**

National Officers must at all times act with propriety, recognising that poor behaviour reflects badly on NUS.

#### **B68. Campus Elections**

National Officers must not participate in any way in any campus election, including the election of delegates to National Conference.

#### **B69. Officer Meetings**

69.1 The national officers must meet regularly to discuss the implementation of the policies of NUS, and the co-operative performance of their duties.

69.2 Officer meetings may be convened by any national officer.

#### **B70. Changeover**

Each outgoing national officer:

- (a) is responsible for inducting their successor during a 1 week changeover period in January; and
- (b) must be paid for that period

#### *Division 2 – Specific Responsibilities*

#### **B71. National President**

71.1 Without limiting R33, the National President has the following specific responsibilities:

- (a) making representations on behalf of NUS to other organisations and bodies;

- (b) liaison with state branches, the commonwealth government and other organisations with which NUS has dealings (except in areas for which another national officer has responsibility);
- (c) implementing the student unionism policy of NUS; and
- (d) authorising and acting as the publisher of all publications of NUS.

71.2 The National President may, in consultation with National Executive or the other national officers, delegate responsibilities to other national officers, members of National Executive and staff.

## **B72. National General Secretary**

72.1 Without limiting R34 and R47.1, the National General Secretary has the following specific responsibilities:

- (a) management of the national office;
- (b) acting as secretary to National Conference, National Executive and other committees of NUS;
- (c) in consultation with the National President, co-ordination of all campaigns associated with the affiliation and disaffiliation of campus student organisations;
- (d) co-ordination of the provision of services to member organisations;
- (e) liaison with any service subsidiary of NUS concerning the provision of services to member organisations;
- (f) promotion of NUS;
- (g) maintaining effective communication with, resourcing, and being a first point of contact for, member organisations and state branches; and
- (h) authorising orders and payments in accordance with R72 and R73;
- (i) ensuring the secure custody of the records and common seal in accordance with R76.1 and R78.1, and managing the inspection of the

accounting records in accordance with R76.2;

- (j) circulating monthly financial statements to members of the National Executive in accordance with R75;
- (k) giving notice of:
  - (i) meetings of National Conference in accordance with R17.6, and
  - (ii) the close of nominations for positions elected at National Conference in accordance with B50.1; and
- (l) ensuring the proper conduct of campus resolutions under Part 3 of the by laws.

## **B73. National Education Officer**

Without limiting R35 and R47.1, the National Education Officer has the following specific responsibilities, in consultation with the National President:

- (a) education research;
- (b) education campaigns; and
- (c) responsible for conducting a phone linkup at least 2 times a semester of campus and state education officers as well as campus activists to direct the National Education Officer on the department's campaigns and priorities.

## **B74. National Welfare Officer**

Without limiting R36 and R47.1, the National Welfare Officer has the following specific responsibilities, in consultation with the National President:

- (a) liaison with national welfare and community sector groups and peak bodies;
- (b) welfare research;
- (c) co-ordinating the provision of information on welfare to member organisations;

- (d) welfare and community sector campaigns;
- (e) acting as a further point of contact for those campuses that have no state branch representation;
- (f) convening a phone linkup at least 2 times a semester of campus and state welfare officers (or equivalent position on campus) as well as campus activists to direct the National Welfare Officer on the department's campaigns and priorities.

**B75. National Small and Regional Campuses Officer**

Without limiting R37 and R47.1, the National Small and Regional Campuses Officer has the following specific responsibilities:

- (a) liaising between the small and/or regional campuses represented by NUS to ensure they are adequately engaged with and informed about NUS campaigns and activities;
- (b) coordinating research into the specific needs and issues of small and/or regional campuses.
- (c) running campaigns relevant to small and/or regional campaigns, and giving these campuses a voice within the broader campaigns run by other NUS Departments.
- (d) convening a National Small and Regional Campuses Conference;
- (e) acting as a further point of contact for those campuses that have no state branch representation;
- (f) convene a phone linkup at least 2 times a semester of Presidents from NUS Small and Regional Campuses (or their representative) as well as campus activists to direct the National Small and Regional Officer on the department's campaigns and priorities.

**B76. National Women's Officer**

Without limiting R38 and R47.1, the National Women's Officer has the following specific responsibilities:

- (a) making representations on behalf of women students to the commonwealth government, unions and community organisations;
- (b) support of feminist initiatives by resourcing and servicing campus women's groups in such a way as to promote their formation and their ongoing feminist development, and encouraging member organisations in this process;
- (c) support, resourcing and servicing student representatives on the equal opportunity and affirmative action committees of post-school institutions, and encouraging campus student organisation to do the same, and also promoting cross-campus communication between such student representatives;
- (d) developing affirmative action programs to promote the involvement of women students in NUS in all aspects of its operation, and encouraging and assisting campus student organisation to develop such programs;
- (e) co-ordinating national campaigns on issues of concern to women students; and,
- (f) The National Women's Officer is also responsible for conducting a phone linkup at least 2 times a semester of campus and state Women's Officer as well as campus activists to direct the National Women's Officer on the department's campaigns and priorities.

**B77. National Queer Officers**

Without limiting R39 and R 47.1, the National Queer Officers have the following specific responsibilities:



- (a) making representations on behalf of Queer students to the commonwealth and state governments, unions and community organisations;
- (b) liaising and working with Queer groups in the wider community on issues and campaigns relating to Queers;
- (c) initiating and organising the national Queer student conference;
- (d) support of Queer initiatives by resourcing and servicing campus Queer groups in such a way as to promote their formation and their ongoing development and encouraging member organisations in this process;
- (e) support resourcing and servicing campus Queer Officers and encouraging communication between them;
- (f) promoting the involvement of Queer students in NUS in all aspects of its operation
- (g) promoting the involvement of Queer students in their respective student organisation;
- (h) coordinating national campaigns on issues of concern to Queer students.
- (i) Both National Queer Officers are jointly responsible for convening a phone linkup at least two times a semester of campus and state Queer Officers as well as campus activists to direct the National Queer Officers on the department's campaigns and priorities.

#### **B78. National Environment Officer**

Without limiting R40 and R47.1, the National Environment Officer has the following specific responsibilities:

- (a) initiating campaigns on environment issues on behalf of NUS in accordance with the environment policy of NUS;
- (b) working and liaising with campus environmental groups, and helping to

- facilitate establishment of the groups where they do not exist;
- (c) liaising with campus student organisations on environmental issues, including the implementation of increased environmental responsibility on campuses;
- (d) liaising and working with environmental groups in the wider community on issues and campaigns relating to the environment;
- (e) collating and distributing information on environmental issues;
- (f) initiating and organising a national student environment conference;
- (g) The National Environment Officer is also responsible for conducting a phone linkup at least two times a semester of campus and state Environment Officers as well as campus activists to direct the National

Environment Officer on the department's campaigns and priorities; and, (h) implementing the environmental aspects of existing educational, transport, international students and other policies of the NUS.

#### **B79. National Aboriginal and Torres Strait Islander Officer**

Without limiting R41 and R47.1, the National Aboriginal and Torres Strait Islander Officer has the following specific responsibilities:

- (a) making representations on behalf of Indigenous students to the commonwealth government, unions and community organizations;
- (b) support progressive initiatives by resourcing and servicing campus Indigenous groups in such a way as to promote their formation and their ongoing development, and encouraging member organisations in this process;

- (c) developing programs to promote the involvement of Indigenous students in NUS in all aspects of its operation, and encouraging and assisting campus student organisations to develop such programs;
- (d) convening a phone linkup at least 2 times a semester of campus and state National Aboriginal and Torres Strait Islander Officers as well as campus activists to direct the National Aboriginal and Torres Strait Islander Officer on the department's campaigns and priorities.

**B80. National Ethno-Cultural Officer**

Without limiting R42 and R47.1, the National Ethno-Cultural Officer has the following specific responsibilities:

- (a) making representations on behalf of Ethno-Cultural students to the commonwealth government, unions and community organisations;
- (b) support progressive initiatives by resourcing and servicing different cultural and linguistically diverse campus groups in such a way as to promote their formation and their ongoing development, and encouraging member organisations in this process;
- (c) developing programs to promote the involvement of ethno-cultural students in NUS in all aspects of its operation, and encouraging and assisting campus student organisations to develop such programs;
- (d) convene a phone linkup at least 2 times a semester of campus and state ethno-cultural Officers (or equivalent position on campus) as well as campus activists to direct the National Ethno-Cultural Officer on the department's campaigns and priorities

**B81. National International Students Officer**

The National International Students Officer has the following specific responsibilities:

- (a) representing and furthering the interests of international students in Australia on matters of concern to them, and acting as the means for the expression of international student concerns;
- (b) co-ordinating and assisting the activities of member organisations and state branches, and co-ordinating national campaigns on international student issues;
- (c) maintaining and improving the quality of access to education in Australia for international students;
- (d) establishing and maintaining a national resource base;
- (e) promoting international understanding and the principle of multiculturalism;
- (f) opposing the existence, creation or perpetuation of any disadvantage, discrimination, inequality or injustice that obstructs the achievement of any of these responsibilities; and
- (g) representing international students on government panels and committees with the sole purpose of enhancing the status of international students in Australia.

**B82. National Disability Officer**

Without limiting R43 and R47.1, the National Disability Officer has the following specific responsibilities:

- (a) making representations on behalf of students with disabilities to the commonwealth government, unions and community organisations;
- (b) support progressive initiatives by resourcing and servicing different disability campus groups in such a way as to promote their formation and ongoing development, and

encouraging member their organisations in this process;

- (c) developing programs to promote the involvement of students with disabilities in NUS in all aspects of its operation, and encouraging and assisting campus student organisations to develop such programs;
- (d) convene a phone linkup at least 2 times a semester of campus disability officers (or equivalent position on campus) as well as campus activists to direct the National Disability Officer on campaigns and priorities.

## **PART 6 – STATE BRANCHES**

### *Division 1 – Communication with National Executive and National Officers*

#### **B83. Meetings of National Officers and State Presidents**

83.1 Meetings of all national officers and State Presidents:

- (a) must be held immediately after meetings of National Executive to co-ordinate the implementation of decisions of National Executive; and
- (b) may be called at any other time by the National President or any 3 State Presidents

83.2 Each State President must give a written report to each meeting of national officers and State Presidents.

#### **B84. Copies of Material**

84.1 The National General Secretary must send to each state branch copies of all documents and other material sent to all member organisations.

84.2 Each State President must send the National General Secretary copies of all documents and other material sent to all member organisations in that state.

### *Division 2 – State Officers*

#### **B85. State General Secretary**

If there is a State General Secretary, they have specific responsibility for the state policy formulation process, including:

- (a) receiving and distributing policy motions;
- (b) tabulating and recording results; and
- (c) ensuring the rules of NUS have been complied with.

#### **B86. Officer Meetings**

86.1 The State Officers must meet:

- (a) regularly – to discuss the implementation of the policies of NUS, and the co-operative performance of their duties; and
- (b) after meetings of National Executive and the State Executive – to co-ordinate the implementation of the decisions of National Executive and the State Executive.

86.2 Officer meetings may be convened by any state officer.

## **PART 7 – ELECTIONS GENERALLY**

#### **B87. Optional Preferential Proportional Representation**

For the purposes of R18.2(b) and R48, the election must be conducted in accordance with the following procedure:

- (a) The voter must indicate an order of preference for 1, some or all of the candidates by placing the number 1 against the candidate of first preference and consecutive higher numbers against candidates of lower preference in order;
- (b) Each ballot paper must be given a value of 1;
- (c) The value of each paper must be allocated to the candidate against whose name appears the lowest number on the ballot paper among

- those candidates not elected or eliminated;
- (d) A ballot paper that does not show a valid preference for at least 1 continuing candidate is exhausted and may not be allocated further;
  - (e) A “stage of counting” is when all ballot papers have been allocated to candidates not yet elected or eliminated;
  - (f) A quota must be calculated at each stage of counting by dividing the total value of ballot papers allocated to continuing candidates by 1 or more than the number of positions remaining to be filled and rounding up the answer so obtained in at least the 6th decimal place;
  - (g) If at any stage of counting a candidate is allocated a value in excess of the quota, that candidate must be declared elected, and each ballot paper allocated to that candidate must be assigned a new value obtained by multiplying its current value by the candidate’s transfer value;
  - (h) The “candidate’s transfer value” is an elected candidate’s value, less the quota, all divided by the elected candidate’s value;
  - (g) If at any stage of counting no candidate is allocated a value in excess of the quota, the candidate with the lowest value must be eliminated; If there are 2 or more candidates with an equal value and no candidate has a lower value at an earlier stage of the counting the returning officer must determine by lot which of these candidates is to be eliminated;
  - (h) The procedure in B86(a)-B86(i) must be followed in order until the number of positions to be filled is filled.

**B88. Filling of Vacancies**

88.1 If a vacancy occurs in the office of:

- (a) National Officer,
- (b) General Executive Member; or
- (c) State President

the vacancy must be filled by a postal ballot of the delegates to National Conference in accordance with this by-law.

88.2 In the case of a vacancy in the office of State President, only the delegates to National Conference of member organisations in that state are entitled to vote.

88.3 National Executive must elect a returning officer:

- (a) to conduct the postal ballot; and
- (b) to allocate votes to delegates in accordance with R20.

88.4 The returning officer must conduct the election as closely as possible in accordance with Division 5 of Part 2, except that:

- (a) only 3 weeks notice of the close of nominations need be given to member organisations;
- (b) ballot papers must be sent to delegates at the address of their member organisation within 24 hours after nominations close; and
- (c) the ballot closes 2 weeks after ballot papers have been sent.

88.5 Decisions of the returning officer may only be overturned by campus resolution.

88.6 Despite B87.1, vacancies occurring after 24 September need not be filled.

88.7 If a National Officer of State President has ceased to hold office in accordance with the regulations, then that person will not be eligible to nominate for that office at any ballot conducted in accordance with this by-law.

**B89. Budget**

**PART 8 – FINANCIAL AND LEGAL**

89.1 National Executive must elect a Budget Committee of 5 members of National Executive before 1 February each year.

- 89.2 The National General Secretary is responsible for convening meetings of the Budget Committee.
- 89.3 The Budget Committee must before 1 March prepare a draft budget for consideration by National Executive.
- 89.4 National Executive must:
- (a) before 1 April set the budget of NUS in accordance with R28(a)(i); and
  - (b) distribute the budget to member organisations.
- 89.5 National Executive may recommend to National Conference the amount to be set under R6.1.
- B90. Assets**
- 90.1 Assets costing \$500 or less may be written off against the appropriate budget item on the authorisation of the National General Secretary.
- 90.2 Assets costing more than \$500: (a) may only be purchased with the authority of National Executive; and (b) must be capitalised.
- B91. Self Funding Projects**
- 91.1 Officers who wish to commit NUS to expenditure on projects in excess of or outside budget allocation, in the belief that the excess expenditure will be recovered from the project, must obtain prior approval from the National General Secretary.
- 91.2 The National General Secretary may stop the expenditure if it appears that it will not be recovered.
- B92. Loans**
- 92.1 Loans may only be made by written agreement drawn up by NUS's solicitor and signed on behalf of NUS by the National General Secretary or National President.
- 92.2 All loans must be for a specific period and must be authorised by the National General Secretary.

- 92.3 All loans must be reported to National Executive.
- B93. Publication of Material**
- 93.1 Persons producing material for publications of NUS must ensure that the material is not defamatory or sexist.
- 93.2 The National President or nominee:
- (a) must have access to all material prior to publication; and
  - (b) may, in consultation with NUS's solicitor, stop publication of the material.
- 93.3 In any action for defamation against NUS, NUS reserves the right to join any officer or other person responsible for the publication or production of the material the subject of the action.
- B94. Solicitor**
- The annual meeting of National Conference must appoint a solicitor to act for NUS when requested.
- B95. Fees Review Committee**
- 95.1 National Executive must at its first meeting each year elect a Fees Review Committee consisting of 5 members of National Executive.
- 95.2 The Fees Review Committee:
- (a) is a committee of National Executive; and
  - (b) exercises delegated power from National Executive:
    - (i) to consider applications from member organisations for reductions in subscriptions under R6.1; and
    - (ii) to make recommendations to the National Executive in relation to those applications.
- 95.3 The National General Secretary:
- (a) is responsible for convening meetings of the Fees Review Committee; and

- (b) must convene a meeting of the Fees Review Committee within 1 month of receiving an application from a member organisation for reduction of its subscription.

95.4 The National General Secretary must include the following information with the invoices for the annual subscriptions sent to member organisations in accordance with R6.5;

- (a) how annual subscriptions are calculated;
- (b) how applications for reductions in subscriptions are determined, including how and when applications must be lodged;
- (c) the timelines for the processing of applications, including:
  - (i) when the Fees Review Committee will consider applications;
  - (ii) when National Executive will consider the recommendations of the Fees Review Committee and make a final decision; and
  - (iii) when applicants will be notified of the outcome.

## **B96. Interpretation**

96.1 These by-laws are to be interpreted in accordance with R81, as if they formed part of the regulations.

96.2 In addition, in these by-laws, unless the contrary intention appears:

- (a) “academic day” means a day on which teaching is conducted by the majority of the teaching departments of that post- school institution; and
- (b) “Conference” means a meeting of National Conference.

96.3 A reference to “B” followed by a number or a number and letters is a reference to the correspondingly numbered provision of these by-laws.