

**RMIT University Student Union (RUSU)
RMIT Law Students' Society Constitution 2017**

Contents

1	NAME	3
2	CLUB AIMS AND OBJECTIVES.....	3
3	FINANCIAL YEAR	3
4	DEFINITIONS	3
5	POWERS OF CLUB	4
6	STATEMENT OF NOT FOR PROFIT STATUS.....	4
7	MEMBERSHIP	4
8	GENERAL RIGHTS OF MEMBERS	5
9	CEASING MEMBERSHIP.....	5
10	RESIGNING AS A MEMBER.....	5
11	REGISTER OF MEMBERS	5
12	DISMISSAL FROM THE EXECUTIVE COMMITTEE	6
13	DISCIPLINARY ACTION OR EXPULSION FROM THE CLUB	6
14	DISCIPLINARY SUBCOMMITTEE	6
15	NOTICE TO MEMBER.....	6
16	DECISION OF SUBCOMMITTEE.....	7
17	APPEAL RIGHTS	7
18	CONDUCT OF DISCIPLINARY APPEAL MEETING	8
19	GRIEVANCE PROCEDURE	8
20	PARTIES MUST ATTEMPT TO RESOLVE THE DISPUTE	8
21	APPOINTMENT OF MEDIATOR	8
22	MEDIATION PROCESS	9
23	FAILURE TO RESOLVE DISPUTE BY MEDIATION.....	9
24	ANNUAL GENERAL MEETING (AGM)	9

25	OTHER MEETINGS.....	9
26	NOTICE OF MEETINGS.....	10
27	PROXIES.....	10
28	USE OF TECHNOLOGY	10
29	QUORUM	10
30	VOTING.....	11
31	EXECUTIVE COMMITTEE	11
32	GENERAL DUTIES.....	12
33	PRESIDENT AND VICE-PRESIDENT.....	12
34	WHO IS ELIGIBLE TO BE AN EXECUTIVE COMMITTEE MEMBER.....	13
35	POWERS OF THE CLUB EXECUTIVE.....	13
36	DUTIES OF THE CLUB EXECUTIVE SHALL INCLUDE.....	13
37	POSITIONS TO BE DECLARED VACANT.....	14
38	NOMINATIONS	14
39	ELECTION OF EXECUTIVE OFFICERS ETC.....	14
40	BALLOT.....	15
41	TERM OF OFFICE.....	15
42	VACATION OF OFFICE	15
43	GENERAL COMMITTEE	16
44	WHO IS ELIGIBLE TO BE A COMMITTEE MEMBER	16
45	FINANCE.....	16
46	DISSOLUTION CLAUSE	16
47	RESPONSIBILITY/DISCLAIMER	17

1 NAME

- 1.1 The name of the Club/Society/Association (hereafter referred to as “the Club”) shall be: RMIT Law Students’ Society (RMIT LSS).

2 CLUB AIMS AND OBJECTIVES

- 2.1 Purposes of the Club are to:
- 2.1.1 Facilitate, encourage and promote the education of RMIT Law and Legal Studies students;
 - 2.1.2 Enhance employment opportunities for RMIT Law and Legal Studies students;
 - 2.1.3 Facilitate and encourage the participation of RMIT Law and Legal Studies students in relevant events and competitions; and
 - 2.1.4 Encourage social interaction between RMIT Law and Legal Studies students.
- 2.2 The Club shall achieve its purposes by:
- 2.2.1 Organising activities and events for social and professional interaction;
 - 2.2.2 Providing career related information;
 - 2.2.3 Publishing material of interest, including but not limited to: articles, newsletters, magazines and electronic materials;
 - 2.2.4 Liaising with the staff involved in the teaching and administration of law programs at RMIT; and
 - 2.2.5 Developing relationships with other Law Students’ Societies and relevant organisations.

3 FINANCIAL YEAR

- 3.1 The financial year of the Club is each period of 12 months ending on December 30.

4 DEFINITIONS

In these Rules—

absolute majority, of the Committee, means a majority of the committee members currently holding office and entitled to vote at the time (as distinct from a majority of committee members present at a committee meeting);

associate member means a member referred to in rule [7.3](#);

Chairperson, of a general meeting or committee meeting, means the person chairing the meeting as required under rule 33;

Committee means the Committee having management of the business of the Club;

committee meeting means a meeting of the Committee held in accordance with these Rules;

committee member means a member of the Committee elected or appointed under 41;

disciplinary appeal meeting means a meeting of the members of the Club convened under rule 17;

disciplinary meeting means a meeting of the Committee convened for the purposes of rule 16;

disciplinary subcommittee means the subcommittee appointed under rule [14](#);

financial year means the 12 month period specified in rule 3;

general meeting means a general meeting of the members of the Club convened in accordance with rule [25](#);

life member means a member referred to in rule [7.4](#);

member means a member of the Club;

member entitled to vote means a member who under rule [8](#) is entitled to vote at meetings;

RMIT means RMIT University;

RUSU means RMIT University Student Union;

social member means a member referred to in rule 7.2

special resolution means a resolution that requires not less than three-quarters of the members voting at a general meeting, whether in person or by proxy, to vote in favour of the resolution

5 POWERS OF CLUB

5.1 The Club has power to do all things incidental or conducive to achieve its purposes.

5.2 The Club may only exercise its powers and use its income and assets (including any surplus) for its purposes.

6 STATEMENT OF NOT FOR PROFIT STATUS

6.1 The Club must not distribute any surplus, income or assets directly or indirectly to its members.

6.2 Subrule 6.1 does not prevent the Club from paying a member—

6.2.1 reimbursement for expenses properly incurred by the member;

6.2.2 for goods or services provided by the member—

if this is done in good faith on terms no more favourable than if the member was not a member.

7 MEMBERSHIP

7.1 Full Membership shall be open to all currently enrolled RMIT University students

7.2 Social Membership is available to undergraduate students only (Vocational Education or Bachelor students). Social membership carries all the benefits of full membership, with the exception of voting rights at the Annual General meeting; eligibility for specific competitions; attendance as councilor or competitor at the ALSA conference and other benefits which are limited by external organisations to LLB or JD students. This provision does not prohibit undergraduate students from applying for Full Membership should that be their preference.

7.2.1 Social Members may not hold Executive Committee positions, but are eligible for all other positions

7.3 Associate Membership shall be open to Alumni, staff and other non - RMIT students but these members must not comprise more than 25% of the total club membership or hold Executive Committee Positions

7.4 Life Membership is an honorary position, nominated and voted on by the Full Club Membership; Life Members shall have attendance rights of all Club Meetings but no voting rights

- 7.5 The Club may set an annual membership fee to be determined at a quorate Club General Meeting and reviewed and changed by motion and vote not more than once per calendar year
- 7.6 Any membership fee for Full RMIT Student members must be at least 25% less than Associate Member fees with RUSU Financial members receiving a further 50% discount of the Full Member membership fee and at least 20% discount on ticket price to club events

8 GENERAL RIGHTS OF MEMBERS

- 8.1 A member of the Club who is entitled to vote has the right—
 - 8.1.1 to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and
 - 8.1.2 to submit items of business for consideration at a general meeting; and
 - 8.1.3 to attend and be heard at general meetings; and
 - 8.1.4 to vote at a general meeting; and
 - 8.1.5 to have access to the minutes of general meetings and other documents of the Club as provided under rule [36](#); and
 - 8.1.6 to inspect the register of members.
- 8.2 A member is entitled to vote at the Annual General Meeting if—
 - 8.2.1 the member is a member other than an associate member, social member or life member; and
 - 8.2.2 the member's membership rights are not suspended for any reason.
- 8.3 A member is entitled to vote at general meetings if—
 - 8.3.1 the member is a member other than a life member; and
 - 8.3.2 the member's membership rights are not suspended for any reason.

9 CEASING MEMBERSHIP

- 9.1 The membership of a person ceases on resignation, expulsion or death.
- 9.2 If a person ceases to be a member of the Club, the Secretary must, as soon as practicable, enter the date the person ceased to be a member in the register of members.

10 RESIGNING AS A MEMBER

- 10.1 A member may resign by notice in writing given to the Club.
- 10.2 A member is taken to have resigned if—
 - 10.2.1 the member's annual subscription is more than 3 months in arrears

11 REGISTER OF MEMBERS

- 11.1 The Secretary must keep and maintain a register of members that includes—

- 11.1.1 for each current member—
 - 11.1.1.1 the member's name;
 - 11.1.1.2 the address for notice last given by the member;
 - 11.1.1.3 the date of becoming a member;
 - 11.1.1.4 if the member is an associate member, a note to that effect;
 - 11.1.1.5 any other information determined by the Committee; and
 - 11.1.1.6 for each former member, the date of ceasing to be a member.

- 11.2 Any member may, at a reasonable time and free of charge, inspect the register of members.

12 DISMISSAL FROM THE EXECUTIVE COMMITTEE

- 12.1 The process for dismissing an Executive Committee Member can begin with a motion of the committee, or a petition bearing the names of at least ten members of the Club of whom 75% must be Full Members.
- 12.2 At the next Special General Meeting or Annual General Meeting, a motion shall be put to dismiss the Committee Member, provided that at least ten academic days' notice has been given to the Membership and to the Member concerned in writing. If this is passed by a two thirds majority, that Executive Committee position will become vacant and a new election held immediately. The Executive Committee Member to be impeached will be given at least seven minutes to speak before the vote is taken.

13 DISCIPLINARY ACTION OR EXPULSION FROM THE CLUB

- 13.1 The process to discipline or expel a General Club Member can begin with a motion of the Club Executive or a petition with the names of at least ten Full Club Members.
- 13.2 No Member may be disciplined or expelled on the ground of race, sex, religion, sexual orientation or political views.
- 13.3 The club may take disciplinary action against a member in accordance with this rule if it is determined that the member—
 - 13.3.1 has failed to comply with these rules; or
 - 13.3.2 refuses to support the purposes of the Club; or
 - 13.3.3 has engaged in conduct prejudicial to the Club.

14 DISCIPLINARY SUBCOMMITTEE

- 14.1 If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.
- 14.2 The members of the disciplinary subcommittee—
 - 14.2.1 may be Committee members, members of the Club or anyone else; but
 - 14.2.2 must not be biased against, or in favour of, the member concerned.

15 NOTICE TO MEMBER

- 15.1 Before disciplinary action is taken against a member, the Secretary must give written notice to the member—

- 15.1.1 stating that the Club proposes to take disciplinary action against the member; and
 - 15.1.2 stating the grounds for the proposed disciplinary action; and
 - 15.1.3 specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the disciplinary meeting); and
 - 15.1.4 advising the member that he or she may do one or both of the following—
 - 15.1.4.1 attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
 - 15.1.4.2 give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
 - 15.1.5 setting out the member's appeal rights under rule 17.
- 15.2 The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

16 DECISION OF SUBCOMMITTEE

- 16.1 At the disciplinary meeting, the disciplinary subcommittee must—
 - 16.1.1 give the member an opportunity to be heard; and
 - 16.1.2 consider any written statement submitted by the member.
- 16.2 After complying with rule 16.1, the disciplinary subcommittee may—
 - 16.2.1 take no further action against the member; or
 - 16.2.2 subject to rule 17—
 - 16.2.2.1 reprimand the member; or
 - 16.2.2.2 suspend the membership rights of the member for a specified period; or
 - 16.2.2.3 expel the member from the Club.
- 16.3 The disciplinary subcommittee may not fine the member.
- 16.4 The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

17 APPEAL RIGHTS

- 17.1 A person whose membership rights have been suspended or who has been expelled from the Club under rule 16.2 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.
- 17.2 The notice must be in writing and given—
 - 17.2.1 to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
 - 17.2.2 to the Secretary not later than 48 hours after the vote.
- 17.3 If a person has given notice under rule 17.2, a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.
- 17.4 Notice of the disciplinary appeal meeting must be given to each member of the Club who is entitled to vote as soon as practicable and must—

- 17.4.1 specify the date, time and place of the meeting; and
- 17.4.2 state—
 - 17.4.2.1 the name of the person against whom the disciplinary action has been taken; and
 - 17.4.2.2 the grounds for taking that action; and
 - 17.4.2.3 that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

18 CONDUCT OF DISCIPLINARY APPEAL MEETING

- 18.1 At a disciplinary appeal meeting—
 - 18.1.1 no business other than the question of the appeal may be conducted; and
 - 18.1.2 the Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and
 - 18.1.3 the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- 18.2 After complying with rule 18.1, the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- 18.3 A member may not vote by proxy at the meeting.
- 18.4 The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

19 GRIEVANCE PROCEDURE -

- 19.1 The grievance procedure set out in this rule applies to disputes under these Rules between—
 - a member and another member;
 - a member and the Committee;
 - a member and the Club.
- 19.2 A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

20 PARTIES MUST ATTEMPT TO RESOLVE THE DISPUTE

- 20.1 The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

21 APPOINTMENT OF MEDIATOR

- 21.1 If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 20.1, the parties must within 10 days—
 - 21.1.1 notify the Committee of the dispute; and
 - 21.1.2 agree to or request the appointment of a mediator; and
 - 21.1.3 attempt in good faith to settle the dispute by mediation.
- 21.2 The mediator must be—

- 21.2.1 a person chosen by agreement between the parties; or
- 21.2.2 in the absence of agreement—
 - 21.2.2.1 if the dispute is between a member and another member—a person appointed by the Committee; or
 - 21.2.2.2 if the dispute is between a member and the Committee or the Club—a person appointed or employed by the Dispute Settlement Centre of Victoria.
- 21.3 A mediator appointed by the Committee may be a member or former member of the Club but in any case must not be a person who—
 - 21.3.1 has a personal interest in the dispute; or
 - 21.3.2 is biased in favour of or against any party.

22 MEDIATION PROCESS

- 22.1 The mediator to the dispute, in conducting the mediation, must—
 - 22.1.1 give each party every opportunity to be heard; and
 - 22.1.2 allow due consideration by all parties of any written statement submitted by any party; and
 - 22.1.3 ensure that natural justice is accorded to the parties throughout the mediation process.
- 22.2 The mediator must not determine the dispute.

23 FAILURE TO RESOLVE DISPUTE BY MEDIATION

- 23.1 If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in any other fashion at law.

24 ANNUAL GENERAL MEETING (AGM)

- 24.1 There shall be one Annual General Meeting every affiliation year, which shall be held during the RMIT academic period
- 24.2 The Agenda of the AGM must include:
 - 24.2.1 The presentation of written reports by the members of the Club Executive;
 - 24.2.2 The presentation of the Clubs' annual affiliation period financial report;
 - 24.2.3 Ratification of the Club's Constitution and/or changes made to it;
 - 24.2.4 The election of the following affiliation year Club Executive and
 - 24.2.5 Approval of the Club Annual Activity Plan for the following affiliation period
 - 24.2.6 Other business and other motions as moved.

25 OTHER MEETINGS

- 25.1 A General Meeting is defined as any meeting other than an Annual General or Special General or Club Executive Meeting
- 25.2 The Club shall have at least five (5) General Meetings throughout the affiliation year in addition to the AGM
- 25.3 If ten, or one third of the membership, whichever is smaller, should petition the Club Executive for a Full Club General Meeting, such a meeting must be held within fifteen academic days, at a date set by the Club Executive
- 25.4 A Special General Meeting is defined as separate from a General, Annual General

or Club Executive Meeting, and shall be requested in writing to the Club Executive, to address a set item of importance to Club Business, by a minimum of 10 members or 1/3 of membership, whichever is smallest.

26 NOTICE OF MEETINGS

26.1 The Executive Committee shall be required to give at least five academic days' notice to all Club members of a General Meeting and ten academic days' notice for Special General and Annual General Meeting. Such notice must, as a minimum, be email notification

27 PROXIES

27.1 A member may appoint another member as his or her proxy to vote and speak on his or her behalf at all meetings other than at an Executive Committee Meeting and disciplinary appeal meeting.

27.2 The appointment of a proxy must be in a form as proscribed by the executive committee.

27.3 The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the member in any matter as he or she sees fit.

27.4 Notice of a meeting given to a member under rule 26 must—

27.4.1 state that the member may appoint another member as a proxy for the meeting; and

27.4.2 include a copy of any form that the Committee has approved for the appointment of a proxy.

27.5 A form appointing a proxy must be given to the Chairperson of the meeting before or at the commencement of the meeting.

28 USE OF TECHNOLOGY

28.1 All meetings may be conducted via electronic means.

28.2 A member not physically present at a meeting may be permitted to participate in the meeting by the use of technology that allows that member and the members present at the meeting to clearly and simultaneously communicate with each other.

28.3 For the purposes of this rule, a member participating in a meeting as permitted under rule 28.2 is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

29 QUORUM

29.1 Quorum is the minimum number of members that must attend a Club meeting for decisions made at that meeting to be considered valid club decisions

29.2 At an Annual, Special or General Meeting, Quorum shall be a minimum of 10% of members of which at least 75% attending must be Full members or 1/3 of the Membership of which 75% attending must be Full members, whichever is smallest

29.3 At a Club Executive Committee Meeting, Quorum shall be ½ the elected Club Executive Members plus one to the nearest whole number

- 29.4 Members attending via electronic means must be considered as attending in person.
- 29.5 Proxies shall be considered for the purpose of quorum for all meetings except Executive Committee Meetings in accordance with item 30.3.
- 29.6 If a quorum is not present within 30 minutes after the notified commencement time of a general meeting—
- 29.6.1 in the case of a meeting convened by, or at the request of, members under rule 25.3—
- 29.6.1.1 the meeting must be dissolved;
- 29.6.1.2 If a meeting convened by, or at the request of, members is dissolved under this subrule, the business that was to have been considered at the meeting is taken to have been dealt with. If members wish to have the business reconsidered at another special meeting, the members must make a new request under rule 25.3.
- 29.6.2 in any other case—
- 29.6.2.1 the meeting must be adjourned to a date not more than 21 days after the adjournment; and
- 29.6.2.2 notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting.
- 29.7 If a quorum is not present within 30 minutes after the time to which a general meeting has been adjourned under subrule 29.6.2.1, the members present at the meeting (if not fewer than may proceed with the business of the meeting as if a quorum were present.

30 VOTING

- 30.1 Voting at all Club meetings shall be democratic, with a simple majority required for the passage of a motion.
- 30.2 All tied motions are lost
- 30.3 Proxies shall be considered for the purpose of voting for all meetings except Executive Committee Meetings in accordance with rule 27.
- 30.4 Elections shall take place as per rules 37-40
- 30.5 Constitutional changes require a simple majority of members voting at a Special General Meeting or Annual General Meeting, and take effect from the end of the meeting
- 30.6 Constitutional motions must be presented in writing to the Executive Committee at least ten academic days before the meeting, and notice of these shall be given to the Membership
- 30.7 Constitutional changes must be approved by the RUSU Clubs and Societies Department before they are presented to a Club General Meeting.

31 EXECUTIVE COMMITTEE

- 31.1 The Club Executive Committee shall be financial members of the RMIT University Student Union (RUSU)
- 31.2 The Club shall be governed by a Club Executive Committee of Office Bearers,

hereafter referred to as the Club Executive; that shall be elected at the Annual General Meeting

- 31.3 The Club Executive shall consist of a minimum of four (4) Officer Bearers; fulfilling the traditional duties of President, Vice-President, Secretary and Treasurer
- 31.4 Clubs may change the title of the 4 office bearer positions at an AGM or SGM, so long as they continue to fulfil the traditional duties of the roles of president, vice president, treasurer and/or secretary.
- 31.5 Additional portfolio committee members may make up the Club Executive as deemed required by the Full Club Membership, and voted on at an Annual General Meeting but shall not have signatory control of the club bank account
- 31.6 In the event of a single casual vacancy within the Executive, the remaining executive may appoint a club member to fulfil the position for the remainder of the term
- 31.7 In event of two or more executive resignations it is the responsibility of the remaining executive to call a full general meeting to replace and fill the vacancies within the club executive, at the soonest possible convenience.

32 GENERAL DUTIES

- 32.1 As soon as practicable after being elected or appointed to the Committee, each committee member must become familiar with these Rules and any relevant legislation.
- 32.2 The Committee is collectively responsible for ensuring that the Club complies with any relevant legislation and that individual members of the Committee comply with these Rules.
- 32.3 Committee members must exercise their powers and discharge their duties with reasonable care and diligence.
- 32.4 Committee members must exercise their powers and discharge their duties—
 - 32.4.1 in good faith in the best interests of the Club; and
 - 32.4.2 for a proper purpose.
- 32.5 Committee members and former committee members must not make improper use of—
 - 32.5.1 their position; or
 - 32.5.2 information acquired by virtue of holding their position—so as to gain an advantage for themselves or any other person or to cause detriment to the Club.
- 32.6 In addition to any duties imposed by these Rules, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.

33 PRESIDENT AND VICE-PRESIDENT

- 33.1 Subject to subrule (2), the President or, in the President's absence, the Vice-President is the Chairperson for any general meetings and for any committee meetings.
- 33.2 If the President and the Vice-President are both absent, or are unable to preside,

the Chairperson of the meeting must be—

33.2.1 in the case of a general meeting—a member elected by the other members present; or

33.2.2 in the case of a committee meeting—a committee member elected by the other committee members present.

34 WHO IS ELIGIBLE TO BE AN EXECUTIVE COMMITTEE MEMBER

34.1 A member is eligible to be elected or appointed as an Executive Committee member if the member—

34.1.1 Has full membership and is entitled to vote at the annual general meeting as per rule [8.2](#).

35 POWERS OF THE CLUB EXECUTIVE

35.1 The Club Executive shall have day to day general control over the finances and activities of the Club in accordance with the Club Aims, Club Annual Activity Plan, all formal decisions of the Club, and RUSU and general legal requirements

35.2 The Club Executive is at all times bound by the decisions of a General (Full) Club Meeting including Special General Meetings and Annual General Meetings

35.3 Any Club Executive decision may be overturned by a Full Club General Meeting

36 DUTIES OF THE CLUB EXECUTIVE SHALL INCLUDE

36.1 To coordinate the Club's annual re affiliation to RUSU

36.2 To ensure the Club's activities are in line with the Club's stated aims and annual activity plan or that the Club formally alters its' aims or activity plan by formal vote at a full club meeting

36.3 To ensure the Club operates according to its' Constitution, in an otherwise legal and responsible manner; and to seek support from RUSU should the Club be unsure about these responsibilities

36.4 To act as representatives of the Club within RUSU, RMIT and the broader community

36.5 To organise, promote and run Club meetings (full club meetings and executive committee meetings)

36.6 To prepare and distribute Club meeting Agendas and other meeting documents in a timely manner

36.7 To take and distribute accurate minutes of Club meetings

36.8 To report regularly to the Club including presenting formal reports to the club Annual General Meeting

36.9 To coordinate the preparation and approval of the Club Annual Activity Plan and budgets for individual Club activities and events

36.10 To appoint a person to act as Returning Officer (RO) for the clubs' executive elections and to ensure the RO has the practical resources needed to run the elections as per rule 40

36.11 To ensure Club planning and budgeting is carried out in accordance with the

wishes of its members and all RUSU, RMIT and legal requirements

36.12 To maintain accurate accounts and records of all Club financial transactions, including up-to-date records of all Club income and spending

36.13 To present a written annual statement of the Clubs' accounts to the Club Annual General Meeting

36.14 To immediately deposit all monies received by the Club into the Club's Official RUSU Clubs and Societies Commonwealth Bank account

36.15 To make all approved Club payments and send out invoices promptly

36.16 To maintain Club membership records, organise membership drive efforts and membership administrative requirements

36.17 To ensure Club events and activities are legal, and carried out safely and with due risk management

36.18 To ensure all club records and assets are handed over to the following years elected Club Executive and to support the incoming Club Executive to successfully take over the coordination of the club

36.19 To present membership, meeting, financial or other records to the RUSU Clubs & Societies Department upon request

36.20 To appoint officers to the General Committee as required

37 POSITIONS TO BE DECLARED VACANT

37.1 At the annual General Meeting, the Chairperson of the meeting must declare all positions on the Executive Committee vacant and hold elections for those positions in accordance with rules 37 to 39.

38 NOMINATIONS

38.1 Prior to the election of each position, the Chairperson of the meeting must call for nominations to fill that position.

38.2 An eligible member of the Club may—

38.2.1 nominate himself or herself; or

38.2.2 with the member's consent, be nominated by another member.

38.3 A member who is nominated for a position and fails to be elected to that position may be nominated for any other position for which an election is yet to be held.

39 ELECTION OF EXECUTIVE OFFICERS ETC.

39.1 At the annual general meeting, separate elections must be held for each of the following positions—

39.1.1 President;

39.1.2 Vice-President;

39.1.3 Secretary;

39.1.4 Treasurer;

39.1.5 Executive Officer (if required)

39.2 If only one member is nominated for the position, the Chairperson of the meeting must declare the member elected to the position.

- 39.3 If more than one member is nominated, a ballot must be held in accordance with rule 39.
- 39.4 On his or her election, the new President may take over as Chairperson of the meeting.

40 BALLOT

- 40.1 If a ballot is required for the election for a position, the Chairperson of the meeting must appoint a member to act as RO as per subrule 35.10 to conduct the ballot.
- 40.2 The RO must not be a member nominated for the position.
- 40.3 Before the ballot is taken, each candidate may make a short statement in support of their election.
- 40.4 The election must be by secret ballot.
- 40.5 The returning officer must give a ballot paper to—
 - 40.5.1 each member present in person; and
 - 40.5.2 each proxy appointed by a member.
- 40.6 Ballot papers must clearly indicate the voter's preference of candidates
- 40.7 Ballot papers that do not comply with subrule 39.6 are not to be counted.
- 40.8 Preferential voting must be used
- 40.9 The returning officer must declare elected the candidate or, in the case of an election for more than one position, the candidates who received the most votes, or preferences when all preferences have been counted.

41 TERM OF OFFICE

- 41.1 Subject to subrule 41.3 and rule 36, a committee member holds office until the positions of the Committee are declared vacant at the next annual general meeting.
- 41.2 A committee member may be re-elected
- 41.3 A general meeting of the Club may—
 - 41.3.1 by special resolution remove a committee member from office as per rule 12; and
 - 41.3.2 elect an eligible member of the Club to fill the vacant position in accordance with these rules.
- 41.4 A member who is the subject of a proposed special resolution under subrule 41.3.1 may make representations in writing to the Secretary or President of the Club (not exceeding a reasonable length) and may request that the representations be provided to the members of the Club.
- 41.5 The Secretary or the President may give a copy of the representations to each member of the Club or, if they are not so given, the member may require that they be read out at the meeting at which the special resolution is to be proposed.

42 VACATION OF OFFICE

- 42.1 A committee member may resign from the Committee by written notice addressed to the Committee.

- 42.2 A person ceases to be a committee member if he or she—
- 42.2.1 ceases to be a member of the Club; or
 - 42.2.2 fails to attend 3 consecutive committee meetings (other than special or urgent committee meetings) without leave; or
 - 42.2.3 has their appointment terminated by the executive committee.

43 GENERAL COMMITTEE

- 43.1 There shall be a general committee comprised of officer bearers to assist with achieving the aims and purposes of the club
- 43.2 These office bearers shall be appointed by the Club Executive Committee as per rule 35.20

44 WHO IS ELIGIBLE TO BE A COMMITTEE MEMBER

- 44.1 A member is eligible to be elected or appointed as a committee member if the member—
- 44.1.1 is entitled to vote at a general meeting as per rule [8.3](#).

45 FINANCE

- 45.1 Records of all Club income and expenditure (including all receipts) shall be kept by the elected Club Treasurer and transferred to the care of the incoming Treasurer at the end of the current Treasurer's period of office. This transfer shall include the club cheque book
- 45.2 The Club shall maintain Club financial records for a period of five (5) years and may request that the RUSU C&S Department store these records
- 45.3 All Club funds shall be lodged in a bank account nominated by the Clubs and Societies Officer of the RMIT University Student Union
- 45.4 A RUSU C&S Staff member shall be the Chief Officer of the club account
- 45.5 Access to the club bank account and funds therein will only be available to the club if it maintains its' annual affiliation
- 45.6 Club funds and assets shall only be used for the purpose of achieving the clubs stated aims in accordance with the Clubs' approved annual activity plan and relevant RUSU Regulations and Policy
- 45.7 The Club shall bear all responsibility for identifying and meeting the Clubs' Taxation liabilities

46 DISSOLUTION CLAUSE

- 46.1 In the event of the Club being dissolved, any and all Club assets that remain after such dissolution and the satisfaction of all debts and liabilities shall be transferred to RUSU
- 46.2 The Club shall be deemed dissolved if:

- 46.2.1 The Club formally dissolves by majority vote at an Annual General or Special General Meeting and provides RUSU with a copy of the minutes of that Meeting or;
- 46.2.2 The Club fails to re-affiliate with RUSU for a period of not less than 2 affiliation periods (2 years)

47 RESPONSIBILITY/DISCLAIMER

- 47.1 RUSU accepts no responsibility for actions or decisions taken by a Club or its' Executive Committee; the Club Executive shall be deemed responsible for all decisions made for or on behalf of the Club
- 47.2 RUSU accepts no responsibility for any financial debts or other liabilities incurred by the Club

