



# CONSTITUTION OF THE SYDNEY UNIVERSITY POSTGRADUATE REPRESENTATIVE ASSOCIATION (SUPRA)

## 01: TITLE

01.01: 1) The name of the Association shall be the Sydney University Postgraduate Representative Association, hereafter “the Association,” within the University of Sydney.

## 02: DEFINITIONS

### 02.01: Definitions for the Association

02.01: 1) The University of Sydney shall be known as the University.

02.01: 2) The Senate of the University of Sydney shall be known as the Senate.

02.01: 3) A Constituent of the Association shall refer to all candidates for a postgraduate degree, postgraduate diploma, or postgraduate certificate within the University.

02.01: 4) A Member is a constituent of the Association that has provided their contact details and Student Identification Number (SID) to the Association.

02.01: 5) An Associate Member is a subscribed member of the Association with only some of the provisions of a Member, as specified in 04.01: 2) and 04.01: 3).

02.01: 6) Candidate shall refer to any student currently enrolled in, deferred or having temporarily suspended their Award Course of the University.

02.01: 7) Student Identification Number, hereafter SID, shall be the nine (9) digit number assigned to each student upon enrolment.

## **02.02: Definitions of the Council & its Officers**

02.02: 1) The Council of the Sydney University Postgraduate Representative Association shall be the governing body of the Association, hereafter known as the Council.

02.02: 2) A Councillor shall refer to any member of General Council and to any Equity Officer, whether they be elected or appointed through:

- 2.a) the General Election;
- 2.b) any Equity Election;
- 2.c) a Supplementary Election; or
- 2.d) by filling a casual vacancy.

02.02: 3) The General Election shall refer to the initial election of twenty-seven (27) General Councillors and of six (6) Equity Officers, as prescribed by this Constitution.

02.02: 4) An Office shall refer to any elected position of Council held by a Councillor or Member of the Association.

02.02: 5) An Officer Bearer shall refer to any Councillor that holds an Office of Council, including an Executive Office or Equity Office.

02.02: 6) A Satellite Campus shall refer to any Campus of the University that is not the Camperdown or Darlington campus.

## **02.03: Definitions of the Administration of the Association & its Records**

02.03: 1) A Disclosure Agreement shall refer to a documented statement of awareness and understanding of:

- 1.a) The nature of being on the board of a governing body of a non-incorporated association;  
and
- 1.b) The personal liability incurred in serving on the governing body of a non-incorporated association.

- 02.03: 2) A SUPRA Committee shall refer to a group of Councillors who have been delegated by Council to draft policy, take action, exercise delegated authority, and advise Council in relation to their matter of concern in accordance with this Constitution.
- 02.03: 3) A SUPRA Standing Committee shall refer to a permanent committee of SUPRA, which together are responsible for the day-to-day running of the Association.
- 02.03: 4) The SUPRA Policy Manual shall refer to an organised collection of policies of the Association that have been approved by:
- 4.a) the General Meeting for the Constitution and Duty Statements; and
  - 4.b) the Council for all other Policies.
- 02.03: 5) *In Camera* shall refer to items of discussion during a meeting considered confidential.
- 02.03: 6) *Ex Camera* shall refer to items of discussion during the course of a meeting considered non-confidential.
- 02.03: 7) Records shall refer to all minutes, books, documentation, files, securities, and formal correspondence of the Association, whether in soft or hard copy.

### **03: OBJECTS AND PRINCIPLES**

- 03.01: 1) The overriding object of the Association and the Council shall be to expand, advocate for, defend and preserve the rights and interests of the University's postgraduate students, and shall at all times endeavour to achieve this.
- 03.01: 2) The Association shall seek to reflect the views of the postgraduate students of the University, and shall consult regularly with the postgraduate population.
- 03.01: 3) The Association shall endeavour to ensure its conduct is transparent and democratic.
- 03.01: 4) The Association shall represent the postgraduate students of the University and make appropriate representations to all relevant parties, stakeholders and bodies on their behalf.
- 03.01: 5) The Association shall provide independent representation, advocacy and advice to postgraduate students of the University of Sydney.

## 04: MEMBERSHIP OF THE ASSOCIATION

### 04.01: Eligibility

- 04.01: 1) A constituent becomes a Member by providing their contact details and Student Identification Number (SID) in writing to:
- 1.a) The offices of the Association; or
  - 1.b) A party acting on behalf of the Association for this purpose.
- 04.01: 2) Persons who are located or studying at the University while enrolled as postgraduates at another tertiary institution may apply for Associate Member status.
- 04.01: 3) Persons who are studying a course at the University but not examined by the University may apply for Associate Member status.
- 04.01: 4) Any person who is eligible for membership but who suspended their studies shall remain a Constituent and/or a Member of the Association for the duration of their suspension. This includes the retention of their rights under 04.02:.

### 04.02: Rights

- 04.02: 1) All Constituents of the Association are entitled to:
- 1.a) Be provided with notice of elections and General Meetings; and
  - 1.b) Be given the opportunity to participate in these processes by becoming Members of the Association.
- 04.02: 2) All Members of the Association have the right to:
- 2.a) Stand for and hold elected positions of the Association;
  - 2.b) Vote in Elections for General Council and at General Meetings;
  - 2.c) Vote in Equity elections where they are a member of an Equity Group as defined in this Constitution; and
  - 2.d) Access the services, events, activities and resources offered by the Association.
- 04.02: 3) All Associate Members of the Association are entitled to:
- 3.a) Access the services, events, activities and resources of the Association.

### **04.03: Completion of Candidature**

04.03: 1) In the event that a Constituent completes the prescribed requirements for a degree, diploma, or certificate, they shall be deemed to be a Constituent until the date of their graduation.

04.03: 2) In the event that a Member completes the prescribed requirements for a degree, diploma, or certificate, they shall be deemed to be a Member of the Association until the conclusion of the Annual General Meeting following their graduation, and shall until then be eligible to vote at any General Meeting or election of the Association.

## **05: GENERAL MEETINGS**

### **05.01: Schedule of General Meetings**

05.01: 1) There shall be an Annual General Meeting of the Association first called after April 1, but before May 15 of each year.

05.01: 2) The rescheduling of a General Meeting due to adjournment or lack of quorum shall not be considered to contravene 05.01: 1).

05.01: 3) An Extraordinary General Meeting shall be called by the President, or delegated authority, at the direction of the Council, by a two-thirds majority, to conduct business of the Association, in accordance with sections 05.02:, 05.03:, 05.04: and 05.05: of this Constitution.

05.01: 4) An Extraordinary General Meeting shall be called by the President, or delegated authority, on the written request of any twenty (20) Members of the Association. The business to be conducted by the meeting shall be set out by the Members requesting the meeting.

### **05.02: Convening General Meetings**

05.02: 1) At least twenty-one (21) days notice shall be given of any General Meeting of the Association.

05.02: 2) Notice of any General Meeting shall set out the time, date, and location of the meeting, along with the business to be conducted.

05.02: 3) Notice of any General Meeting must be:

3.a) Posted at or around the University;

3.b) Advertised in at least one publication authorised by the Council, and as many publications as is reasonably practicable; and

3.c) Circulated via email to all Constituents of the Association, subject to article 05.02: 4).

05.02: 4) The caller of a General Meeting shall make a request of the University to facilitate any appropriate assistance to notify Constituents by circulation.

### **05.03: Quorum for General Meetings**

05.03: 1) The quorum for a General Meeting shall be twenty-five (25) Members, which shall include at least five (5) Members who are not Councillors.

05.03: 2) If a quorum is not present thirty (30) minutes after the time for which a General Meeting was called, the President, Secretary or delegated authority shall call for a vote of Members present to determine whether:

2.a) The meeting shall wait once for a further thirty (30) minutes for a quorum to be met; or

2.b) The meeting shall lapse.

05.03: 3) If a General Meeting is convened upon the requisition of Members and fails to meet quorum, subsequent to a vote as set out in 05.03: 2), then the meeting shall be dissolved.

05.03: 4) If a General Meeting is convened in a manner other than by the requisition of Members, and fails to meet quorum as per 05.03: 2), it shall stand adjourned until a time no earlier than the same day and time in the following week, but no later than two weeks after the date declared.

05.03: 5) Any meeting adjourned as per 05.03: 4) shall:

5.a) Have a quorum of at least fifteen (15) members, with a minimum of five (5) Members who are not Councillors;

5.b) Be able to transact the business for which the meeting was called; and

5.c) Have fresh notice given as per 05.02: 2) and 05.02: 3).

### **05.04: Business of a General Meeting**

05.04: 1) The business of the Annual General Meeting must include on the agenda the following items:

1.a) The minutes of the previous General Meeting, that shall be presented by the Secretary;

1.b) The Annual Report of the Association, that shall be presented by the President, or a delegated member of the Executive;

1.c) The SUPRA Policy Manual, that shall be presented by the President and Vice President;

1.d) The Financial Statement of the previous year and the accounts of the Association, having been audited in accordance with 12.03: 1) of this Constitution, that shall be presented by the Treasurer;

1.e) The report on the General election that shall be presented by the Returning Officer;

- 1.f) The appointment of the Auditor for the following year by the General Meeting, on the recommendation of the Council; and
  - 1.g) Any item for Other Business not listed.
- 05.04: 2) The business of a General Meeting may include:
- 2.a) Any of the items listed under 05.04: 1);
  - 2.b) Any items submitted by Members to the President or Secretary, provided it be submitted no less than three (3) days prior to the meeting;
  - 2.c) Constitutional Amendments that have been submitted in writing to the Secretary seven (7) days prior, and circulated to Council and via a publication approved by Council five (5) days prior, to a General Meeting;
  - 2.d) Supplementary Elections; and
  - 2.e) the removal of Councillors.
- 05.04: 3) At the conclusion of the Annual General Meeting, the President or Secretary shall submit to the Senate, where possible, for the next regular Senate meeting:
- 3.a) the Annual Report;
  - 3.b) the Financial Statement;
  - 3.c) the Constitution and any approved amendments; and
  - 3.d) the draft minutes of the Annual General Meeting.
- 05.04: 4) At the conclusion of a General Meeting other than the Annual General Meeting, The President or Secretary shall submit to the Senate, where possible, for the next regular Senate Meeting:
- 4.a) the Constitution and any approved amendments; and
  - 4.b) the draft minutes of the General Meeting.

#### **05.05: Standing Orders for a General Meeting**

- 05.05: 1) The President shall Chair all General Meetings.
- 05.05: 2) In the absence of a President, a member of the Executive shall initially chair the meeting, until a Chair is appointed by procedural motion.
- 05.05: 3) At any time, the meeting may appoint another Chair through a procedural motion.
- 05.05: 4) Each Member shall have one vote.

05.05: 5) A General Meeting shall decide matters by a simple majority, meaning half the total number of votes plus one, except where otherwise prescribed within this Constitution or the SUPRA Policy Manual.

05.05: 6) The Constitution may only be amended by a two-thirds majority, meaning two-thirds of the total number of votes at the General Meeting.

05.05: 7) A motion to remove any or all Councillors from their position(s) on Council at a General Meeting shall only be valid if:

7.a) it has been placed on notice in the manner prescribed in 09.04: of this Constitution; and

7.b) it shall specify by name, whether legal or preferred, those Councillors that have been proposed to be removed from Council.

05.05: 8) A General Meeting shall not accept proxy votes.

05.05: 9) All other standing orders shall be as prescribed in the SUPRA Policy Manual.

## **06: COUNCIL**

### **06.01: Eligibility for Council and for Election**

06.01: 1) Every Councillor must be a Member of the Association for the full length of their term, and prior to the time of their appointment to Council.

06.01: 2) Any Candidate standing for any election of the Association must be a Member of the Association by the time of closure of nominations.

06.01: 3) A Councillor-Elect must be a Member of the Association.

06.01: 4) Any person that has completed their Candidature but remains a Member, as outlined in 04.03:, shall not be eligible to nominate for Council.

06.01: 5) Any person that has suspended their Candidature and remains a Member, as outlined in 04.01: 4), shall be eligible to nominate for Council.

### **06.02: Council Powers**

06.02: 1) The Council of the Sydney University Postgraduate Representative Association shall have power to determine, change and interpret policy, and the strategic direction of the Association, in accordance with the Objects and Principles of the Association, subject to the powers of a General Meeting.

06.02: 2) The Council shall:



- 2.a) Uphold and advance the Objects and Principles of the Association;
  - 2.b) Oversee the Association's performance;
  - 2.c) Monitor and, where necessary, change the SUPRA Policy Manual, excepting the SUPRA Constitution;
  - 2.d) Report all changes in Policy to Members of the Association;
  - 2.e) Establish and monitor the Association's annual budget;
  - 2.f) Oversee risk management and risk assessment across the Association; and
  - 2.g) Ensure democratic, transparent and accountable conduct of the Association and its Councillors, and report any breaches, where reasonably possible, to the Members of the Association.
- 06.02: 3) Council shall have the power to establish and dissolve any Offices, as it may determine appropriate from time to time, in line with the Objects and Principles of the Association, except for those prescribed in 10.03:.
- 06.02: 4) Council shall have the power to elect any of the Offices, excepting those Equity Officers listed in 09.03: 8), prescribed in this Constitution at a meeting of Council from among Councillors present, in a manner Council may determine, provided it is consistent with the SUPRA Policy Manual.
- 06.02: 5) Council shall have the power to establish Committees and working parties from time to time, in line with the Objects and Principles of the Association.
- 06.02: 6) Council has the power to grant a Leave of Absence to any Councillor through an ordinary motion, where:
- 6.a) Leaves of Absence must be granted unless good reasons against are supplied to Council;
  - and
  - 6.b) Leaves of Absence are equal to or fewer than three (3) months.

### **06.03: Council Membership**

- 06.03: 1) The Council shall consist of thirty-three (33) Councillors, elected by the General Election, where:
- 1.a) twenty-seven (27) shall be General Councillors elected in the Election of General Council;
  - and

- 1.b) six (6) shall be Equity Officers elected autonomously in the Election of Equity Officers as per 09.03: 8).
- 06.03: 2) Of the Councillors elected by the General Election, or in supplementary elections or by filling a casual vacancy, there shall be positions reserved for:
- 2.a) Six (6) International students;
  - 2.b) Three (3) students located at a Satellite Campus;
  - 2.c) Twelve (12) women-identifying students;
  - 2.d) Three (3) non cis-male students;
  - 2.e) Six (6) coursework students; and
  - 2.f) Six (6) research students.
- 06.03: 3) The positions in 06.03: 2) are not exclusive, and a Councillor may count towards more than one of those positions.
- 06.03: 4) The Equity Officers shall be Office Bearers of the Association and:
- 4.a) the Aboriginal and Torres Strait Islander Officer shall be an Aboriginal or Torres Strait Islander Member of the Association;
  - 4.b) the International Student Officer shall be an international student Member of the Association;
  - 4.c) the Women's Officer shall be a woman-identifying Member of the Association;
  - 4.d) the Queer Officer shall be a queer-identifying Member of the Association;
  - 4.e) the Disabilities Officer shall be a Member of the Association that identifies as having a disability;
  - 4.f) the Satellite Campus Office shall be a Member of the Association from a Satellite Campus.

## **07: ELECTION TO COUNCIL**

### **07.01: The General Election**

- 07.01: 1) The General Election shall be conducted each year, for the term commencing July 1 of the same year to June 30 the following year.
- 07.01: 2) Any postgraduate at the University that becomes a Member of the Association at any point in the General Election, prior to the closure of ballots shall be:

- 2.a) eligible to vote in the election to General Council; and
  - 2.b) eligible to vote in the Election of Equity Officers provided that they are also a member of the relevant Equity Group.
- 07.01: 3) The General Election shall commence at the appointment of the Returning Officer, and conclude at the end of the Announcement of Results by the Returning Officer at the Annual General Meeting that year.
- 07.01: 4) All nominees and electors shall submit their name and SID to the Returning Officer of the General Election, or Place of Business of the Association, to ensure they are Members.
- 07.01: 5) The names and SIDs of all nominees and electors shall be retained until the conclusion of the General Election.
- 07.01: 6) The Election for General Council shall:
- 6.a) Elect up to twenty-seven (27) General Councillors;
  - 6.b) Be conducted by the Returning Officer appointed by Council; and
  - 6.c) Be conducted in a manner as the Council may prescribe, subject to this Constitution and the SUPRA Policy Manual.
- 07.01: 7) The Election of Equity Officers shall:
- 7.a) elect the six (6) Equity Officers as prescribed in 09.03: 8) of this Constitution;
  - 7.b) be completed, where possible, by April 30; and
  - 7.c) be completed in such a manner as Council may prescribe, subject to this Constitution and the SUPRA Policy Manual.
- 07.01: 8) Where an Election of Equity Officer is not completed by April 30, the President shall be responsible for giving notice of that Election of Equity Officer.

## **07.02: The Returning Officer(s)**

- 07.02: 1) The Returning Officer of the General Election shall:
- 1.a) be appointed no later than March 7 in any year;
  - 1.b) be suitably qualified to conduct the election;
  - 1.c) not be a Constituent of the Association;
  - 1.d) be responsible for the Election of General Council, subject to 07.02: 2);
  - 1.e) shall also act as Returning Officer for any Supplementary Elections as required;

1.f) may attend and observe any Election of Equity Officer at the request of the incumbent Equity Officer and with the assent of the meeting; and

1.g) shall be the Electoral Arbiter for the Election of the Equity Officers that take place during the General Election.

07.02: 2) Each Election of Equity Officer shall elect its own Equity Returning Officer from within the Equity Network, who:

2.a) may refer to the Returning Officer of the General Election for advice;

2.b) may not be a candidate or nominator of candidate in that particular Election of Equity Officer; and

2.c) must be a Member of the Association.

07.02: 3) The Returning Officer shall announce the results of the General Election no later than May 15.

### **07.03: Procedures for the Election of General Council**

07.03: 1) The Returning Officer of the General Election shall draft the notice of the Election to General Council, which shall be approved by the President, or delegated authority.

07.03: 2) The notice of any election shall contain at least the following information:

2.a) the number of positions to be elected;

2.b) criteria for who is eligible to nominate and vote;

2.c) where nomination forms may be obtained;

2.d) where a copy of the SUPRA Policy Manual may be obtained;

2.e) the means through which nominations will be accepted;

2.f) when nominations will open, close, and who they shall be returned to;

2.g) the time, date and location for voting; and

2.h) the following additional requirements:

i) the process for voting for Candidates;

ii) the electoral system under which the votes will be counted;

iii) when the outcome of the election will be declared; and

iv) the name and contact details of the person declaring the election.

07.03: 3) At least fourteen (14) days notice of the close of nominations shall be given for any Election of General Councillors.

07.03: 4) Notice of nomination of Election to Council shall be given by publication of a notice of election that shall be:

4.a) advertised at least at the Darlington/Camperdown campus of the University;

4.b) advertised in at least one publication approved by Council; and

4.c) circulated via email to all Constituents of the Association subject to 07.03: 5).

07.03: 5) The caller of any nominations shall make a request of the University to facilitate any appropriate assistance to notify Constituents by circulation.

#### **07.04: Procedures for the Election of Equity Officers**

07.04: 1) At least seven (7) days notice shall be given for the Election of Equity Officers, and shall specify at least:

1.a) the date, time and place of the election;

1.b) the time of closure of nominations;

1.c) where nomination forms may be obtained and must be submitted;

1.d) criteria for who is eligible to nominate and vote in the election;

1.e) how the election and the vote shall be conducted; and

1.f) any other requirements provisioned by the SUPRA Policy Manual.

07.04: 2) All Elections of Equity Officers shall:

2.a) elect an Equity Returning Officer from within the Equity Network;

2.b) allow candidates to speak to their nominations, and allow Members to ask questions of candidates;

2.c) have its vote conducted by secret ballot;

2.d) be conducted by optional preferential;

2.e) include a no-candidate option; and

2.f) have its votes counted by the Equity Returning Officer, and the result announced prior to the conclusion of the meeting.

07.04: 3) Equity Officer nominees and electors must submit their name and student ID to ensure they are Members.

07.04: 4) Names and SIDs of Equity Officer nominees and electors shall be retained until the conclusion of the General Election.

07.04: 5) The Equity Officers shall be elected as follows:

5.a) the Aboriginal and Torres Strait Islander Officer shall be elected by a meeting of Aboriginal and Torres Strait Islander Members;

5.b) the Disabilities Officer shall be elected by a meeting of Members who identify as having a disability;

5.c) the Satellite Campus Officer shall be elected by a meeting of Members from Satellite Campuses;

5.d) the International Student Officer shall be elected by a meeting of international student members;

5.e) the Women's Officer shall be elected by a meeting of women-identifying Members; and

5.f) the Queer Officer shall be elected by a meeting of queer-identifying Members.

07.04: 6) Where an Election of Equity Officer returns a No Candidate result, the Equity Returning Officer shall ask for a round of nominations from the floor, and conduct a new ballot.

07.04: 7) Where an Election of Equity Officer returns three (3) consecutive No Candidate results, the meeting shall be dissolved and fresh notice of election given no earlier than 11:59pm the same day, and no later than 11:59pm seven (7) days after the previously appointed time.

### **07.05: Supplementary Elections**

07.05: 1) Where there remain vacancies for General Council, there may be a Supplementary Election that:

1.a) shall be conducted by the Returning Officer of the General Election; and

1.b) be completed at the Annual General Meeting.

07.05: 2) At least seven (7) days notice of close of nominations for any Supplementary Election shall be given by publication in the manner prescribed in 07.03: 4).

07.05: 3) The Returning Officer of the General Election shall conduct the election in a manner as the Council may prescribe, subject to this Constitution and the SUPRA Policy Manual.

### **07.06: Multiple Elections to Seats on Council**

07.06: 1) No Member may hold more than one of the Councillor positions referred to in 06.03: 1).

07.06: 2) If a Member contesting the Election of General Council is elected to Council through any Election of Equity Officer, then:

2.a) If they are elected before the ballot form is finalised for the Election of General Council, they shall be excluded from the ballot for the Election of General Council;

2.b) If they are elected after the ballot form is finalised but before it is counted, they shall be excluded at the start of the counting process as per Schedule 1 on elections;

2.c) If elected after the ballot for the election of General Council is counted, and they had been allocated one of the General Council positions, then their position shall automatically become vacant, and they shall either:

i) Nominate a replacement person to be appointed at the meeting of Councillors-elect, or at the first meeting of Council; or

ii) The position shall be filled through election before the conclusion of the second meeting of Council after the commencement of the term.

07.06: 3) The time of election shall be considered to be when the Returning Officer of the General Election receives the results of the relevant election.

### **07.07: Council Terms & Nomenclature**

07.07: 1) Councillors shall hold office from July 1 in the year of their election until the June 30 in the year after their election, subject to this Constitution.

07.07: 2) Prior to July 1, Members elected in the General Election shall be referred to as either:

2.a) Councillor-elect, for those elected to General Council; or

2.b) Equity Officer-elect, for those elected to Equity Office positions.

### **07.08: Meeting of Council-Elect & Initial Election to Office**

07.08: 1) The Councillors-elect & Equity Officers-elect shall meet at least seven (7) days after the Annual General Meeting subsequent to the General Election, but no later than the second week of June in the same year as they were elected.

07.08: 2) The meeting shall:

2.a) determine the election of the Councillors to the Offices prescribed in 07.08: 5);

2.b) accept any resignations received by the Returning Officer of the General Election, or their nominee; and

2.c) vote on any other Offices created by the incumbent Council or a General Meeting that have been determined to be voted on by the meeting of Councillors-elect.

07.08: 3) Proxies shall be accepted at the Meeting of Council-elect.

07.08: 4) The convenor of the Meeting of Council-elect shall be the Returning Officer of the General Election, or their nominee, who shall:

4.a) not be a Constituent of the Association;

4.b) not be eligible to vote; and

4.c) not be eligible to nominate for any position.

07.08: 5) The order of the elections at the Meeting of Council-elect shall be:

5.a) any resignations of Councillors-elect received by the Returning Officer;

5.b) the President;

5.c) the Vice President;

5.d) the Education Officer;

5.e) the Secretary;

5.f) the Treasurer;

5.g) the Director of Student Publications; and

5.h) any other position to be voted upon as determined by the incumbent Council or a General Meeting.

07.08: 6) The nominees shall:

6.a) be Councillors-elect or Equity Officers-elect for the Officers listed in 07.08: 5);

6.b) members of the Association for any other Officers, as determined by the incumbent Council or General Meeting;

6.c) nominate no later than twenty-four (24) hours prior to the commencement of the meeting in 06.03: 2);

6.d) be seconded, either prior to the meeting or from the floor;

6.e) be allowed to self-nominate;

6.f) be allowed to nominate with another Councillor-elect or Equity Officer-elect, subject to any other limitations as prescribed in this Constitution; and

6.g) declare any previous offences of fraud at the time of their nomination.



07.08: 7) All elections shall:

- 7.a) be conducted separately and sequentially;
- 7.b) be by secret ballot;
- 7.c) include a No Candidate option;
- 7.d) have its votes counted by the convenor of the meeting of Council-elect; and
- 7.e) have its result declared prior to the commencement of the next election.

07.08: 8) Nominees are entitled to appoint a scrutineer to observe the conduct and counting of any ballot where that person is a Nominee.

07.08: 9) No scrutineer may also be a nominee in any ballot at the Meeting of Council-elect.

07.08: 10) Where no nominations have been received for an elected position, or where the election of that position returns a No Candidate result, the Returning Officer may call for nominations from the floor of the Meeting of Councillors-elect.

07.08: 11) In the event of three (3) consecutive No Candidate results for a particular election, then the election shall be delayed until the next Council meeting, excepting where that election is for the President, wherein the meeting shall continue until the President is elected.

### **07.09: Instatements and Disclosure**

07.09: 1) All Councillors and Equity Officers are required to attend Council Instatements.

07.09: 2) Councillors and Equity Officers shall not be eligible to vote at Council meetings, nor eligible to sit in on *in camera* items if they have not, within six (6) weeks of the commencement of their term:

- 2.a) completed a Council Instatement;
- 2.b) signed a Disclosure Statement; and
- 2.c) signed a copy of the SUPRA Code of Conduct.

07.09: 3) All Executive and Office Bearers are required to attend Office Bearer Instatements.

07.09: 4) Any person that holds an Office Bearer position shall not be entitled to their stipend until such time as:

- 4.a) they have completed their Office Bearer Instatements; and
- 4.b) signed a copy of their Duty Statement, stating their awareness and understanding of the duties and responsibilities delegated to them by Council.

07.09: 5) Private Instatements may be arranged for:

- 5.a) any Councillor or Office Bearer that has provided sufficient notice and good reason for not attending their initial Instatement; and
- 5.b) any Councillor or Equity Officer that is appointed or elected after the commencement of the term on July 1.

## **08: COUNCIL PROCEDURES**

### **08.01: Schedule of Meetings**

08.01: 1) The Council shall meet at least once per calendar month.

08.01: 2) At least seven (7) clear days' notice of the meeting shall be given in writing to all Councillors by the Secretary, or delegate authority, and shall:

- 2.a) Include the place, date and time of the meeting;
- 2.b) Include the nature of the business to be transacted; and
- 2.c) Be circulated by appropriate means.

### **08.02: Quorum for Council**

08.02: 1) Quorum for a Council meeting shall be eleven (11), subject to any necessary devolution of authority in this Constitution.

08.02: 2) If a quorum is not present thirty (30) minutes after the time for which a Council Meeting was called, the President or Secretary shall call for a vote of Members present to determine whether:

- 2.a) the meeting shall wait once for a further thirty (30) minutes for a quorum to be met; or
- 2.b) the meeting shall lapse.

08.02: 3) In the event that a Council meeting lapses, the President, or appropriate representative of Council, may recall that meeting provided that:

- 3.a) it holds the same agenda as the lapsed meeting;
- 3.b) it is called within one (1) University working day after it has lapsed; and
- 3.c) it is held in a period no fewer than two (2) University working days but not more than seven (7) days after the date of the lapsed meeting.

### 08.03: Delegated Authority

08.03: 1) The Council shall have full authority, provided that there are eleven (11) or more members of Council.

08.03: 2) Should the number of Councillors, at any time, fall below eleven (11), then the remaining Councillors must meet to make necessary arrangements for an Extraordinary General Meeting of the Association for the purpose of filling the vacant positions on Council.

08.03: 3) In the absence of the President, the Vice President shall act as the President until such time as Council elects a Councillor to act as the President.

08.03: 4) In the event any Executive Office is vacant, Council may appoint a Councillor to act as that Executive until such time as an election for that Executive Office may be held.

### 08.04: Standing Orders for Council

08.04: 1) All meetings of Council shall be subject to the Safer Spaces Policy, the Code of Conduct, and the Rules of Order.

08.04: 2) Motions shall be carried by a simple majority of Councillors present, except as otherwise prescribed for in this Constitution or the SUPRA Policy Manual.

08.04: 3) The Chairperson of any meeting of Council shall have only a casting vote and cannot exercise proxies except when voting for candidates in elections.

08.04: 4) The President shall Chair meetings of Council.

08.04: 5) Where the President is unable to Chair, and until such time as Council appoints another Chair by procedural motion, the Chair shall default, in the follow order, to:

5.a) the Vice President;

5.b) the Education Officer;

5.c) the Treasurer; or

5.d) any other Office Bearer that volunteers to open the meeting.

08.04: 6) Council may determine to move a discussion *in camera* by procedural motion.

08.04: 7) The following discussions are automatically considered *in camera*:

7.a) the management, staff compensation, employment, and termination of Staff of the Association;

7.b) any complaints made by or made against Staff of the Association;

- 7.c) all negotiations with the University and other student bodies regarding funding and SSAF allocation; and
- 7.d) all grievance matters.
- 08.04: 8) Council may permit, through a procedural motion, an observer to sit in on any individual *in camera* item for that meeting.
- 08.04: 9) The following persons automatically hold observer status to Council:
- 9.a) all Members and Constituents of the Association;
  - 9.b) the Postgraduate Fellow of the Senate;
  - 9.c) any postgraduate student appointed as representative to Academic Board, the Senior Executive Group, or their subcommittees;
  - 9.d) any postgraduate student that is elected or appointed a Faculty representative;
  - 9.e) the President, or nominee from the Executive, of any national peak body representing postgraduate students;
  - 9.f) any Past President of the Association;
  - 9.g) the President of the Student Representative Council of the University of Sydney; and
  - 9.h) a member of the Staff of the Association, who is appointed as a delegate by Staff.
- 08.04: 10) The President may invite any person as a guest to any meeting of Council, and they will hold observer status for the duration of that meeting.
- 08.04: 11) The President must invite any person as a guest to a meeting of Council if requested in writing by at least three (3) other members of Council, and they will hold observer status for the duration of that meeting.
- 08.04: 12) A person may hold observer status to Council, which may be granted by a procedural motion of Council. Observers may:
- 12.a) attend that meeting of Council;
  - 12.b) observe and speak to any ex camera matter before Council; and
  - 12.c) request items to be included on the agenda by submitting them in writing to the President prior to the meeting, in accordance with the SUPRA Policy Manual.
- 08.04: 13) Any invitation to attend may be overridden by a procedural motion of Council.
- 08.04: 14) Council may suspend an individual's observer status by a procedural motion for any length of time it determines, except where that person is also a Member of the Association.

## **08.05: Conflicts of Interest**

- 08.05: 1) Councillors shall disclose to all meetings of the Association any material or personal interests that Councillor may have in a matter before the meeting, during the governance agenda item or during the relevant agenda item.
- 08.05: 2) All disclosures of a Conflict of Interest shall be recorded in the minutes of the meeting at which the disclosure was made.
- 08.05: 3) In response to a Conflict of Interest, the Member with the declared conflict may elect to:
- 3.a) leave the room for the duration of the discussion;
  - 3.b) refrain from participating in the discussion and/or decision making; or
  - 3.c) suspend their voting rights.
- 08.05: 4) Council may move, by procedural motion, to implement one of the options listed in 08.05: 3) in response to a Conflict of Interest.

## **08.06: Motions of Censure**

- 08.06: 1) A motion of censure is a formal expression of disapproval or opposition to the actions, conduct or statements of a councillor or councillors.
- 08.06: 2) Council shall endeavour to consider all options possible to resolve an issue prior to considering a motion of censure.
- 08.06: 3) A motion of censure shall require a mover and a seconder.
- 08.06: 4) Notice of a motion of censure shall be circulated to all of Council a minimum of seven (7) days prior to the meeting where it will be moved.
- 08.06: 5) A motion of censure shall require to be carried:
- 5.a) in the first instance, a simple majority; and
  - 5.b) in subsequent instances, where a Councillor has had a motion of censure successfully moved against them, a two thirds majority.
- 08.06: 6) The Chair of the meeting may determine a motion of censure to be frivolous or vexatious, or rule the motion out of order in line with 06.04: 1) of the SUPRA Rules of Order.
- 08.06: 7) Discussion of a motion of censure shall take the form of a debate in accordance with 02.04 of the SUPRA Rules of Order.
- 08.06: 8) A motion of censure can be moved by any Councillor if:

- 8.a) a councillor is in clear and serious breach of the SUPRA Constitution, Code of Conduct and other SUPRA policies;
- 8.b) a councillor fails to adhere to a directive of Council;
- 8.c) a Councillor is in clear breach of the confidentiality of SUPRA, in accordance with any one or more of the following:
- i) 10.03:, 10:04: 4), 10:04: 7) of the Constitution;
  - ii) 02:08: 5) of the Rules of Order, 02:04: of the Code of Conduct; and
  - iii) 04.01 of the Grievance Policy & Procedures.
- 8.d) an Office Bearer is in clear breach of their duty statement; or
- 8.e) a Councillor fails to adhere to their requirements regarding Council and/or Committee attendance, in accordance with 08.06: 2).
- 08.06: 9) In the ordinary course of events, the consequences for motions of censure shall be:
- 9.a) A first censure motion shall be considered a formal warning against the conduct of the Councillor or Councillors.
  - 9.b) A second censure motion shall result in any non-Equity Office held by the individual being declared vacant, with further remedial action to be determined by Council.
  - 9.c) A third censure motion shall result in the Councillor or Councillors being removed from Council and any Equity Office they hold being opened to election.
- 08.06: 10) Motions of censure shall not extend or be counted beyond a single Council term, unless the sitting Council through ordinary motion reaffirms prior censures.
- 08.06: 11) A motion of censure shall be considered a formal warning in line with 05.02 of the Grievance Policy & Procedures.

### **08.07: Motions by Circulation**

- 08.07: 1) In an exceptional circumstance where there is an urgent matter of business that is both essential to the operations of the Association and must be completed before the date of an appropriate meeting, then Council may make motions through circulation.
- 08.07: 2) Motions by circulation require an absolute majority of the whole Council, and all members of Council hold one vote.
- 08.07: 3) Motions by circulation are only valid where the President presents the matter for decision to all members of Council via appropriate methods of circulation, and ensuring that:

3.a) the matter is formulated as an ordinary motion of Council; and

3.b) a deadline is set for the completion of voting.

08.07: 4) The deadline for the voting of motions by Circulation shall be:

4.a) no earlier than 11:59pm on the first day subsequent to the President presenting the question to Council;

4.b) no later than 11:59pm the seventh day subsequent to the President presenting the question to Council.

08.07: 5) Votes for motions by circulation must be submitted in writing to either the President or Secretary.

08.07: 6) The results of a motion by circulation must be presented to the Council at its next meeting.

08.07: 7) Should the number of votes, including abstentions, received by the deadline not equal an absolute majority of Council, the motion shall be taken as failed.

08.07: 8) A failed motion may be taken to a subsequent meeting of Council for continued deliberation.

## **08.08: Extraordinary Powers**

08.08: 1) In exceptional circumstances where there is an urgent matter of business that is both essential to the operations of the Association and must be completed before the date of a meeting, then the Executive may take actions and make decisions on behalf of Council.

08.08: 2) Any extraordinary decisions or actions taken on behalf of Council are to be reported by the President to the next meeting of Council.

08.08: 3) Extraordinary powers as prescribed by this section shall not extend to matters related to:

3.a) the appointment or election of any Member to Council;

3.b) the appointment or election of any Offices;

3.c) the removal of any Councillor from Council or Office; or

3.d) any expenditure greater than \$5,000.

## 09: RESIGNATIONS & MID-TERM APPOINTMENTS

### 09.01: Resignations from Council and Offices

09.01: 1) A Councillor or Officer of the Association may resign from their Office or from Council by tendering resignation in writing to:

1.a) a meeting of Council; or

1.b) the President or Secretary.

09.01: 2) Where an Officer of the Association resigns from their Office, but is also a Councillor, they shall remain a Councillor unless their intention to resign from Council is specified in their resignation.

09.01: 3) A resignation is effective from the date specified in the notice of resignation. Where no date is given, the resignation will take immediate effect.

09.01: 4) An Equity Officer may resign from their position and remain a Councillor, provided that:

4.a) a current vacancy exists on Council for a General Councillor;

4.b) they are currently eligible to nominate to Council; and

4.c) an election by the Equity Group for the Equity Officer position is called within two months by the outgoing Officer and the President.

09.01: 5) If an Equity Officer resigns their Equity Office and continues to hold any other Office of the Association, they shall continue to hold that other Office provided a current vacancy for a General Councillor exists, and that they are accepted to that vacancy.

09.01: 6) If the place of any member of Council becomes vacant through resignation, the Council shall fill the vacancy through appointing as prescribed in section 09.02:.

### 09.02: Appointment to Council Vacancies

09.02: 1) Council acknowledges the value of as diverse a representation of the postgraduate student body as possible from amongst its constituency. Efforts will be undertaken to advertise Council vacancies widely and to target students in designated Equity Groups.

09.02: 2) The Council should endeavour to ensure good representation of Candidates who are women-identifying, international students, queer-identifying, living with a disability, and/or Aboriginal or Torres Strait Islander when filling vacancies.



09.02: 3) If the place of any Councillor becomes vacant through resignation, the Council shall fill the vacancy by appointing to the position a Member nominated by the vacating Councillor, subject to that nominee's consent being given in writing.

09.02: 4) If the place of a Councillor is declared vacant in any manner stipulated in this Constitution, or if a resigning Councillor is unable to provide a nominee for replacement, then the Council may elect a Member of the Association to General Council provided that:

4.a) the Secretary or President receives a written nomination from the nominee; and

4.b) the nomination is signed by at least two Members of the Association.

09.02: 5) Councillors appointed to Casual Vacancies shall hold Office until the thirtieth day of June subsequent to their appointment, provided they continue to be eligible to be a Councillor.

### **09.03: Equity Officer By-Elections**

09.03: 1) Where an Equity Officer resigns their Office after July 1 and before June 30, there shall be an Equity Officer By-Election.

09.03: 2) The notice of an Equity Officer By-Election shall be drafted by the out-going Equity Officer, and the President or delegated authority.

09.03: 3) An Equity Officer By-Election shall be conducted within six (6) weeks of the position falling vacant.

09.03: 4) At least seven (7) days notice shall be given for an Equity Officer By-Election, and shall specify at least:

4.a) the date, time and place of the election;

4.b) the time of closure of nominations;

4.c) where nomination forms may be obtained and must be submitted;

4.d) criteria for who is eligible to nominate and vote in the Equity Officer By-Election;

4.e) how the vote shall be conducted; and

4.f) any other requirements provisioned by the SUPRA Policy Manual.

09.03: 5) All Equity Officer By-Elections shall:

5.a) elect an Equity Returning Officer from within the Members of the Equity Group present at the meeting.

- 5.b) allow candidates to speak to their nominations, and allow Members to ask questions of candidates;
- 5.c) be conducted by secret ballot;
- 5.d) be conducted by optional preferential;
- 5.e) include a No Candidate option; and
- 5.f) have its votes counted by the Returning Officer, and the result announced prior to the conclusion of the meeting.
- 09.03: 6) Equity Officer nominees and electors must submit their name and student ID to ensure they are members.
- 09.03: 7) Equity Officer nominees and electors names and SIDs shall be retained until the conclusion of the first meeting of Council subsequent to the Equity Officer By-Election.
- 09.03: 8) The individual Equity Officers shall be elected as follows:
- 8.a) the Aboriginal and Torres Strait Islander Officer shall be elected by a meeting of the Aboriginal and Torres Strait Islander Members;
- 8.b) the International Student Officer shall be elected by a meeting of the international student Members;
- 8.c) the Women's Officer shall be elected by a meeting of the women-identifying Members;
- 8.d) the Queer Officer shall be elected by a meeting of the queer-identifying Members; and
- 8.e) the Disabilities Officer shall be elected by a meeting of Members who identify as having a disability.
- 8.f) the Satellite Campus Officer shall be elected by a meeting of Members that are from Satellite Campuses.
- 09.03: 9) Where an Equity Officer By-Election returns a No Candidate result, the Equity Returning Officer shall ask for a round of nominations from the floor, and conduct a new election.
- 09.03: 10) Where an Equity Officer By-Election returns a No Candidate result three (3) times in a row, the meeting shall be dissolved a fresh notice of election given no earlier than 5pm the same day, and no later than 5pm seven (7) days after the previously appointed time.
- 09.03: 11) In the absence of an Equity Officer, Council may appoint a Councillor to act in the role:
- 11.a) should the Councillor be a member of the Equity Group, they shall be termed the Acting Equity Officer.

11.b) where an Equity Officer is elected through an Equity Officer By-Election, any Acting Officer will surrender their role.

#### **09.04: Removal from Council**

- 09.04: 1) A member of Council may only be removed from Council by resolution of a General Meeting, except as otherwise provisioned by this section of the Constitution.
- 09.04: 2) The position of a member of Council becomes vacant automatically if that Councillor fails to attend three (3) meetings of Council in a row, except where:
- 2.a) they have been granted a prior leave of absence; or
  - 2.b) they have submitted apologies appropriately.
- 09.04: 3) The position of a Councillor becomes vacant automatically if a Councillor fails to attend three (3) meetings in a row of any of their allocated committees, except where:
- 3.a) they have been granted prior leave of absence; or
  - 3.b) they have submitted apologies appropriately.
- 09.04: 4) The position of member of Council becomes vacant automatically if they have been absent, without good reason being provided in writing to Council, for more than half of the meetings of Council held:
- 4.a) between July 1 and January 1, if that Councillor's term commenced on July 1;
  - 4.b) more than half of the total twelve (12) meetings of Council prescribed by this Constitution, if their term commenced on July 1; or
  - 4.c) more than half of the total meetings of Council prescribed by this Constitution since that Councillor's term commenced, unless the prescribed number is fewer than four (4) meetings of Council.
- 09.04: 5) The position of a member of Council becomes vacant if they have been absent, without good reason being provided in writing to Council, for:
- 5.a) more than half of the total prescribed number of meetings for the Council term of any one of their allocated committees; or
  - 5.b) a total of four (4) meetings in a row of a member of Council's allocated subcommittees, excepting meetings that are in addition to the prescribed minimum for the Council term.
- 09.04: 6) Meetings of Council or its Committees that are inquorate shall not be counted for the purposes of this section.

# 10: OFFICES

## 10.01: Eligibility

- 10.01: 1) Only Councillors are eligible to hold or run for an Office of the Association, excepting the Council-elect as per 07.08:.
- 10.01: 2) Any Councillor who has completed their Candidature, but remains a Councillor as prescribed by article 06.01: 4) shall:
- 2.a) not be eligible to nominate for Office in the manner prescribed in 07.01:., 10.06: and 10.07:., but;
  - 2.b) retain any Offices they currently hold until the end of the Council term, subject to Subsections 09.01:., 09.04:., 10.04: and 10.05:.
- 10.01: 3) A Councillor may not hold the Office of President if they also concurrently hold another Executive Office. Where a Councillor is elected to President and also holds any other Executive Office, they shall resign that Office prior to commencing their term as President.
- 10.01: 4) A Councillor may not hold two Executive Offices concurrently. Where a Councillor holds an Executive Office and is elected to another Executive Office, they shall resign their previous Office prior to commencing as the new Executive.

## 10.02: The Executive

- 10.02: 1) There shall be an Executive, which shall act as both the management of the Place of Business of the Association, and the representatives of Council between meetings of Council, subject to direction by Council or a General Meeting.
- 10.02: 2) The Executive will have the following powers, subject to the direction of a meeting of the Council and other limitations as prescribed under this section of the Constitution:
- 2.a) have authority and responsibility for the daily administration of the Association; and
  - 2.b) take actions and act as representatives on behalf of Council.
- 10.02: 3) The Executive will consist of the Offices of the President, Vice-President, Education Officer, Secretary, and Treasurer.
- 10.02: 4) Duty Statements for the incumbent Executive and Office Bearers will be made available at the Annual General Meeting within the SUPRA Policy Manual.

10.02: 5) Duty Statements of incoming Executive of Office Bearer roles to be proposed or amended within the SUPRA Policy Manual must be provided to the Annual General Meeting where those roles shall be voted on.

### **10.03: Permanent Offices**

10.03: 1) The Following Offices shall be permanent and subject to election each term:

- 1.a) President
- 1.b) Vice-President
- 1.c) Education Officer
- 1.d) Treasurer
- 1.e) Secretary
- 1.f) Director of Student Publications

10.03: 2) The President will have duties and powers as:

- 2.a) the General Manager of the Offices of the Association;
- 2.b) Chief Executive Officer of the Association;
- 2.c) Chairperson and Spokesperson of the Council;
- 2.d) Arbiter of interpretation of the Constitution and SUPRA Policy Manual; and
- 2.e) as defined within their description statement.

10.03: 3) All Office Bearers will have duties and powers as defined within their duty statements.

### **10.04: Removal from Office by Vote of No Confidence**

10.04: 1) Council may, at any meeting of Council and by a two-thirds majority vote of the total number of the members of Council, not including abstentions, remove any member of Council from Office through a Vote of No Confidence.

10.04: 2) At least three (3) days notice of a Vote of No Confidence must be provided in writing to all of Council.

10.04: 3) A Vote of No Confidence shall accept proxy votes only where those Councillors have expressed their intention to vote in writing prior to the meeting, and sent apologies appropriately.

10.04: 4) A Vote of No Confidence shall be initially presented as a debate of Council.

- 10.04: 5) At the conclusion of the debate, A Vote of No Confidence motion must be carried out as follows:
- 5.a) the motion must have a mover and a seconder;
  - 5.b) the vote must be conducted by secret ballot;
  - 5.c) the Returning Officer must be elected by Council, and shall not be entitled to vote; and
  - 5.d) the Returning Officer shall count the vote, and the result of a Vote of No Confidence shall be announced prior to the closing of the meeting.
- 10.04: 6) Any Officer that has a Vote of No Confidence put against them may appoint a scrutineer to observe the conduct and counting of the ballot.
- 10.04: 7) A mover of a Vote of No Confidence may appoint a scrutineer to observe the conduct and counting of the ballot.
- 10.04: 8) No Scrutineer may be the subject of any Vote of No Confidence motion presented at that meeting.

#### **10.05: Removal from Office by Other Means**

- 10.05: 1) The Office of a member of Council shall be declared vacant if they have twice sequentially failed to call and hold the committee that they Chair in the prescribed schedule of meetings.
- 10.05: 2) The Office of a member of Council shall be declared vacant if they have failed to submit their Officer Reports for circulation for three (3) consecutive Council meetings.
- 10.05: 3) Council may declare vacant the Office of a member of Council that consecutively fails to attend three (3) meetings of any of their relevant University Committees without good reason being provided in writing to Council.

#### **10.06: Appointment to Office Vacancies**

- 10.06: 1) In the event that one of the Offices specified in this Constitution remains unfilled, or falls vacant, the Council shall hold an election for that Office at a meeting of Council.
- 10.06: 2) Notice must be given to all Councillors at least seven (7) days prior to the election of the Office at a meeting of Council.
- 10.06: 3) A Councillor nominating for an Office must provide written notice of nomination three (3) days prior to the meeting.
- 10.06: 4) A nomination requires a seconder, which may be prior to the meeting or from the floor.

10.06: 5) Elections for any Office vacancies shall be from among Councillors and shall be conducted in the following manner:

5.a) the Returning Officer must be elected by Council, and shall not be entitled to vote;

5.b) candidates shall be allowed to speak to their nominations, and Councillors shall be permitted to ask questions of Candidates;

5.c) all nominations shall require a seconder, which may be from the floor of the meeting;

5.d) the vote shall be conducted by secret ballot;

5.e) the vote shall use the optional preferential system;

5.f) the ballot shall include a No Candidate option;

5.g) the vote shall be counted by the Returning Officer;

5.h) any Councillor will be eligible to nominate from the floor, and shall require a seconder.

10.06: 6) A candidate for an Office may appoint a scrutineer to observe the conduct and counting of the ballot.

10.06: 7) Where an election returns a No Candidate result, the Returning Officer may ask for a round of nominations from the floor.

10.06: 8) Where an election returns a No Candidate result three (3) times, the election shall be deferred until the next meeting of Council.

## **10.07: Shared Offices**

10.07: 1) Nominations for two (2) Candidates to run jointly for an Office may be accepted.

10.07: 2) A sole holder of an Office may call for a nomination of a Councillor to hold their Office jointly at any time during their term. This may be filled by nomination of the Officer or by nomination from the floor, subject to the approval of Council.

10.07: 3) Holders of an Executive Office are not eligible to nominate to share another Executive Office.

10.07: 4) Councillors appointed to share an Office shall hold this position until a time specified by the Council at the time of appointment or as otherwise specified in this Constitution.

10.07: 5) Councillors appointed to share an Office shall, through negotiation:

5.a) share in the duties and responsibilities of that Office; and

5.b) may share the stipend for that Office.

10.07: 6) Should one of the co-Officers elect to resign, the Council may:

- 6.a) appoint the other co-Officer to the full position, where that co-Officer gives written consent;
  - 6.b) seek nominations for a Councillor to fill the co-Officer position, with the written consent of the other co-Officer.
- 10.07: 7) Only one Member of the Association may be elected to the position of an Equity Officer.
- 10.07: 8) At any time during their term, an Equity Officer may elect to share their Office with a Deputy Equity Officer, subject to the assent of Council.
- 10.07: 9) A Deputy Equity Officer may be any Member of the Association that is a member of the Equity Group appointed by the Council, on the recommendation of the relevant Equity Officer, to assist that Equity Officer in their duties to the Association.
- 10.07: 10) Deputy Equity Officers shall:
- 10.a) not be entitled to vote at Council meetings unless they are also a General Councillor or hold a proxy vote;
  - 10.b) submit reports to Council jointly with the relevant Equity Officer;
  - 10.c) through negotiation share the duties and stipend of the relevant Equity Officer; and
  - 10.d) resign their Deputy Office in the event that the relevant Equity Officer resigns.

## **11: COMMITTEES**

### **11.01: Committee Powers**

- 11.01: 1) Committees shall draft policy, take action, exercise delegated authority, and advise Council in relation to the responsibility delegated to them by Council and the relevant clauses of this Constitution.
- 11.01: 2) No committee may have authority or powers that exceed that of Council, or of the Management Committee.

### **11.02: Standing Committees**

- 11.02: 1) Standing Committees are permanent committees of SUPRA, and are responsible for carrying out the day-to-day business of the Association.
- 11.02: 2) The Standing Executive Committees shall include the Management Committee, the Equity Committee and the Finance Committee.



11.02: 3) The Management Committee shall have as its business matters including but not limited to:

- 3.a) Staffing and administration;
- 3.b) finances and cash flow;
- 3.c) budgetary planning and review;
- 3.d) infrastructure; and
- 3.e) monthly oversight of expenditure.

11.02: 4) The Equity Committee shall have as its business matters including but not limited to:

- 4.a) the review and planning of events across the Equity Networks;
- 4.b) matters referred from meetings of any of the Equity Networks;
- 4.c) any matters as determined from time-to-time by the Council.

11.02: 5) The Finance Committee shall have as its business matters including but not limited to:

- 5.a) economic modelling;
- 5.b) preparing a draft of the annual and interim budget; and
- 5.c) any matters as determined from time-to-time by Council.

11.02: 6) The Standing Working Committees shall include the Policy Committee, the Education Committee, the Publications and Media Committee, and the Community Engagement and Activities Committee.

11.02: 7) The Policy Committee shall have as its business matters including but not limited to:

- 7.a) internal policy;
- 7.b) submissions;
- 7.c) any matters relevant to the activities of the officer(s) in charge of the Policy Portfolio; and
- 7.d) any matters as determined from time-to-time by Council.

11.02: 8) The Education Committee shall have as its business matters including but not limited to:

- 8.a) monitoring the quality and standard of education, both at the University and generally;
- 8.b) campaigning to maintain and improve the quality and standard of education, both at the University and generally;
- 8.c) any matters relevant to the duties of the Education Officer(s) in charge of the Education portfolio; and

8.d) any matters as determined from time-to-time by the Council.

11.02: 9) The Publications and Media Committee shall have as its business matters including but not limited to:

9.a) the upkeep of SUPRA's visibility and accountability to its constituents;

9.b) the upkeep of SUPRA's publications;

9.c) the maintenance of SUPRA's website and social media presence;

9.d) the scheduling and development of any major publications of the Association, including the development of new publications;

9.e) any matters relevant to the duties of the Director(s) of Student Publications in charge of the Publications and Media Portfolios; and

9.f) any matters as determined from time-to-time by the Council.

11.02: 10) The Community Engagement and Activities Committee shall have as its business matters including but not limited to:

10.a) outreach;

10.b) community development and engagement;

10.c) any matter relevant to the duties of the Officer(s) chairing this committee; and

10.d) any matters as determined from time to time by the Council.

### **11.03: Committee Membership**

11.03: 1) Any Member of the Association may attend any Committee specified in 11.02:.

11.03: 2) Any Councillor or Member of the Association that is a member of any of the Equity groups specified in this Constitution may attend the Equity Committee.

11.03: 3) Councillors shall have voting rights at all of the Association's Committees.

11.03: 4) Members of the Association shall only have voting rights at Standing Working Committees.

11.03: 5) The President shall be considered a member of all committees listed in this Constitution.

11.03: 6) All Office Bearers shall be considered members of Management Committee.

11.03: 7) Each Member of General Council, excepting the Executive, shall nominate to be part of at least two (2) of the following Committees by August's meeting of Council, or within two (2) weeks of their appointment:

- 7.a) Management Committee;
- 7.b) Finance Committee;
- 7.c) Policy Committee;
- 7.d) Education Committee;
- 7.e) Publications and Media Committee; or,
- 7.f) Community Engagement and Activities Committee.

11.03: 8) Each Equity Officer shall nominate to be part of at least one (1) of the following Committees by August's meeting of Council, or within one (1) weeks of their appointment:

- 8.a) Finance Committee;
- 8.b) Policy Committee;
- 8.c) Education Committee;
- 8.d) Publications and Media Committee; or,
- 8.e) Community Engagement and Activities Committee.

11.03: 9) The Equity Committee shall have as its members all Equity Officers and Deputy Equity Officers, including any Acting Equity Officers, specified by this Constitution, or established by Council.

11.03: 10) The Chair of the Equity Committee may invite any other person to attend.

11.03: 11) The Secretary shall keep records related to Committee Membership and attendance, and ensure consistent attendance at meetings of Committees.

11.03: 12) The Secretary shall endeavour to ensure as close to equal numbers of Councillors for the membership of the Standing Committees.

11.03: 13) Any Staff of the Association shall be permitted to attend any Committee as an observer.

11.03: 14) An external guest may be invited by the Chair to attend a committee as an observer.

#### **11.04: Additional Working Committees**

11.04: 1) Council may establish, by ordinary motion, additional Working Committees as necessary to transact specific aspects of the business of the Association.

11.04: 2) The powers and responsibilities shall be as determined by Council, subject to this Constitution.

11.04: 3) The Chair of an Additional Working Committee shall be as determined by Council at the Committee's formation.

11.04: 4) All Members of the Association shall have voting rights at, and be members of, Additional Working Committees, unless determined by Council.

### **11.05: Prescribed Number & Schedule of Meetings**

11.05: 1) The prescribed number of meetings per Council term shall be:

- 1.a) twelve (12) for the Management Committee;
- 1.b) six (6) for the Equity Committee;
- 1.c) two (2) for the Finance Committee;
- 1.d) six (6) for any of the Standing Working Committees.

11.05: 2) The schedule for the Executive Committees shall be:

- 2.a) at least once per calendar month for the Management Committee;
- 2.b) once in October and once in March for the Finance Committee;
- 2.c) at least once every two months from the beginning of the Council term for the Equity Committee; or
- 2.d) as convened by the Chair, where required and in addition to the prescribed number of meetings.

11.05: 3) The schedule for any Standing Working Committees shall be:

- 3.a) at least once every two (2) months from the beginning of the Council term; or
- 3.b) as convened by the Chair, where required and in addition to the prescribed number of meetings.

11.05: 4) The schedule for any Additional Working Committees established by Council shall be as directed by Council at its formation, or as convened by the Chair.

11.05: 5) At least five (5) days' notice of the meeting shall be given in writing to all Members of Council by the Chair, or delegated authority, and shall:

- 5.a) include the place, date and time of the meeting; and
- 5.b) be circulated by appropriate means.

## 11.06: Quorum

- 11.06: 1) Quorum for the Management committee shall be four (4) Councillors, where at least one person present is not an Executive of the Association.
- 11.06: 2) Quorum for the Finance Committee shall be three (3) Councillors, where at least one person present is an Executive of the Association.
- 11.06: 3) Quorum for the Equity Committee shall be three (3) Equity Officers.
- 11.06: 4) Quorum for any Standing or Additional Working Committee meeting shall be three (3) Members of the Association, where there is at least one (1) Councillor and one (1) Member of the Executive present.

## 11.07: Standing Orders

- 11.07: 1) The Standing Orders for SUPRA Committees shall be those of the SUPRA Policy Manual.
- 11.07: 2) The Chairs of the Subcommittees shall generally be as following:
- 2.a) The Chair of the Management Committee shall be the President or nominee;
  - 2.b) The Chair of the Finance Committee shall be the Treasurer or nominee;
  - 2.c) The Chair of the Policy Committee shall be the Vice-President or nominee;
  - 2.d) The Chair of the Education Committee shall be the Education Officer or nominee;
  - 2.e) The Chair of the Publications and Media Committee shall be the Director of Student Publications or nominee;
  - 2.f) The Chair of the Community Engagement and Activities Committee shall be the Education Officer or nominee; and
  - 2.g) The Chair of the Equity Committee shall be an Equity Officer or nominee from an Equity Group chosen by the current Equity Officers.
- 11.07: 3) The meeting may elect to appoint another Chair at its discretion, by a procedural motion.
- 11.07: 4) All Committees shall have minutes of their meetings taken, with the minute-taker being the Secretary, or nominee.

## 12: FINANCES

### 12.01: Assets

12.01: 1) The Council may determine that a bank account or accounts be opened in the name of the Association.

12.01: 2) In the event of the Association being dissolved, as per Section 16 of this Constitution, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to any association with similar purposes, and which is not carried on for the profit or gain of its individual members.

### 12.02: Management and Expenditure

12.02: 1) The assets and income of the Association shall be applied solely in furtherance of its objects prescribed in Subsection 03: and no portion shall be distributed directly or indirectly to the Constituents or Members of the association except where:

1.a) it is *bona fide* compensation for services rendered or expenses incurred on behalf of the Association; and

1.b) all expenses are approved by the Council, or delegated authority.

12.02: 2) At least two members of the Executive, and any other members of Council as Council may determine from time-to-time, and two senior staff members are signatories to the accounts of the Association.

12.02: 3) Expenditure shall be made only with the approval of Council, provided that Council may devolve funds to any Standing Committee or Office, it thinks fit for purposes and within limits specified by Council.

12.02: 4) The Council shall engage a Finance Manager with an appropriate financial background who will be accountable for ensuring that the Association is properly managed financially and who will provide advice and reports to the Council on a quarterly basis on the financial management of the Association.

4.a) This individual should report misconduct or breach of financial regulation, made by Councillors or Executive.

4.b) This individual will be protected when reporting a misconduct or a breach of the financial regulations.

### **12.03: Auditing**

12.03: 1) The accounts of the Association shall be audited by an auditor registered under the Corporations Act 2001, as amended. The auditor shall be appointed at the Annual General Meeting or, where no such appointment is made or where a vacancy occurs, at a subsequent General Meeting.

## **13: EMPLOYMENT**

### **13.01: Employers**

13.01: 1) For the purposes of employment, the employer shall be the Association's Councillors as defined in 02.02:.

### **13.02: Employment of Members**

- 13.02: 1) An employee of the Association who is also a Member of the Association shall not stand for election to Council or for any other elected position in the Association.
- 13.02: 2) A Councillor of the Association shall not be employed by the Association, and shall not apply to be considered for paid employment by the Association.
- 13.02: 3) Articles 13.02: 1) and 13.02: 2) shall, in no way, prevent the Council from offering stipends to any of its elected Officers.
- 13.02: 4) Should a Councillor wish to apply for paid employment with the Association, then that Councillor must first resign from Council.

## **14: RECORDS**

### **14.01: Custody of Records**

- 14.01: 1) The Custodial Officers for all general Records shall be the Executive.
- 14.01: 2) The Custodial Officers for all Confidential Records shall be the Secretary and the President.
- 14.01: 3) The Custodial Officers for all Financial Records shall be the Treasurer, Secretary, Finance Manager, and the President.

14.01: 4) The Custodial Officer for all Sensitive Records shall be the President.

14.01: 5) All duties of Custody are subject to Subsections 14.03: and 14.04:.

### **14.02: Chain of Custody**

14.02: 1) A Custodial Officer may authorise a transfer of Custody through a Chain of Custody, subject to any regulations of the Association.

14.02: 2) A Custodial Bearer may only hold Custody for Records that are relevant to the discharge of their duties to the Association.

14.02: 3) All Custodial Bearers are required to uphold the duties of Custody.

### **14.03: Confidential and Sensitive Records**

14.03: 1) Confidential Records shall include, but are not limited to, all:

- 1.a) *in camera* minutes;
- 1.b) correspondence relating to *in camera* minutes;
- 1.c) commercial-in-confidence materials;
- 1.d) documents which relate to budget or staffing matters;
- 1.e) documents in confidential advocacy or legal case files; and
- 1.f) documents of legal proceedings.

14.03: 2) Any other document may be declared confidential by an ordinary motion of the Council or the Management Committee.

14.03: 3) Sensitive Records shall include, but are not limited to, all:

- 3.a) documents pertaining to personal matters;
- 3.b) personnel files and documents;
- 3.c) documents pertaining to complaints and grievances; and
- 3.d) other documents considered private according to Australian legislation.

### **14.04: Access of Records**

14.04: 1) All approved minutes of General Meetings, Council, and Standing Committee meetings, except *in camera* portions, shall:

- 1.a) be displayed on the website of the Association; and



- 1.b) be available in the offices of the Association for viewing by Members of the Association upon request.
- 14.04: 2) Any Member of the Association is entitled to examine any records, and make copies of any of the Association's records.
- 14.04: 3) A Member seeking access to documents shall apply in writing to the President or the Secretary. If the requested records are non-confidential, the President shall provide the requested records for examination and/or copying within five working days of receipt of the request.
- 14.04: 4) If the requested document could be considered confidential or sensitive, the matter shall be referred by the President or Secretary to Management Committee, with access delayed pending the decision of Management Committee.
- 14.04: 5) If the President or Secretary delays access to records under 14.04: 4) then they shall communicate this in writing to the Member requesting the information within five working days of receipt of the request.
- 14.04: 6) Councillors may examine any record kept by the Association during office hours, except those that are Sensitive Records, provided they give sufficient notice to the Secretary to facilitate the access of the requested records.
- 14.04: 7) No person outside a given Chain of Custody may access Sensitive Records except where:
- 7.a) it is otherwise required by law;
  - 7.b) it is it used for legitimate purposes of business, not in contravention of privacy legislation; or
  - 7.c) consent has been given by the person or persons to whom the Record or Records relate.

## 15: DISSOLUTION<sup>1</sup>

- 15.01: 1) The Association shall become extinct when six successive General Meetings have lapsed for want of quorum and in that event the Association shall be dissolved by the Senate.

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<sup>1</sup> An Article which read: 'The Council may resolve, by ordinary resolution, to seek the incorporation of the Association or of any subsidiary or related part of the Association' was endorsed by the 1998 AGM of the Association, but was rejected by the University Senate in December 1998.

## 16: RESERVE POWERS

16.01: 1) This constitution is subject to Senate Resolution 284/06.<sup>2</sup>

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<sup>2</sup> Senate Resolution 284/06 states in part: 'The Vice-Chancellor may recommend to Senate that the internal auditor of the University or an appropriately qualified external expert with experience in a not-for-profit or community sector ("Investigator") carry out an investigation ("Investigation") into alleged financial, electoral or other governance irregularities concerning a Student Organisation of which the Vice-Chancellor becomes aware and which the Vice-Chancellor believes may be of a serious nature.' Senate Resolution 284/06 has a note which states: "It is not intended that the administrator, the Vice-Chancellor or the Vice-Chancellor's nominee have the capacity to determine the outcome of decisions about a Student Organisation's financial and operating policies. The full version of Senate Resolution 284/06 is included as Schedule 2 of this Constitution.

# SCHEDULE 1

## PROPORTIONAL REPRESENTATION WITH THE SINGLE TRANSFERABLE VOTE METHOD AND MECHANISM FOR ASSIGNING RESERVED POSITIONS FOR DESIGNATED EQUITY GROUPS WHERE MORE THAN ONE POSITION IS TO BE FILLED:

The general steps for a count of ballots are as follows:

1. Determination of reserved and eligible candidates.
2. Initial Distribution of votes.
3. Calculation of quota.
4. Election of candidates above quota or Elimination of the candidate with the lowest number of votes (subject to 1).
5. Distribution of any votes produced by step 4.

Steps 4 and 5 are to be repeated until all available positions in the election are filled or no candidates remains eligible for election.

### 1. Determination of reserved and eligible candidates

1. Any candidate that has withdrawn from the election or been made ineligible in some other way shall first be removed from the count. Any votes that were to be recorded in their favour shall pass at their current full value to the candidate having the next preference on that ballot.
2. Before any count can begin a determination must be made as to the number of positions that must be filled by candidates that satisfy the requirements of [relevant section] of the Constitution. For any election not enforcing reserved position requirements this step may be skipped along with any accounting for reserved positions.
  - a. For each group defined in [relevant section] of the Constitution a list of the candidates who meet those requirements shall be made.
  - b. Candidates may meet the requirements of more than one reserved position
  - c. If less than the required number of candidates for a given reserved group is found they must all be declared elected and any remaining deficit must be declared as vacant and a supplementary election held.

### 2. Initial Distribution of votes

1. For each ballot the preferred candidate shall have a vote counted in their favour at full value.
2. The order of preference of the voter shall be taken in ascending numerical order as indicated on the ballot paper. The first preference of the voter shall be the number one (1) and each successive natural number shall indicate further preferences.
3. Notwithstanding the point 2. If the intention of the voter is clear, the vote shall be considered valid. Circumstances explicitly envisaged include:
  - a. A single 'tick' for a candidate and no other marks.
  - b. A single 'cross' for a candidate and no other marks.

c. Words that unambiguously represent numbers.

The final decision on intention and vote validity shall be at the discretion of the Returning Officer.

4. Votes that do not indicate a clear preference for a valid candidate shall be counted and recorded in as 'informal'
5. Votes shall be recorded with a precision of two (2) decimal places.

### 3. Calculation of quota

The quota of votes that a candidate requires for election shall be calculated in the following manner:

1. The total number of valid votes recorded for all candidates in the election shall be divided by one more than the number of positions to be filled. The result of this division shall be increased by one and any remainder shall be discarded.
2. The number obtained in 3 (1) shall be recorded as the Quota for election.

### 4. Election of candidates above quota or Elimination of the candidate with the lowest number of votes (subject to 1)

Once step four is reached the rest of the election is the repetition of this step and step five until all positions have been filled or all candidates have been excluded.

The general procedure for the count is as follows:

Election of candidates above quota

1. Any candidate who has obtained a number of votes equal to or greater than the quota shall be set apart and their vote prepared for distribution.
2. When more than one candidate has satisfied the requirements of 4 (1) then the candidates shall be dealt with in order from the candidate having the most votes to the candidate holding the least. If two candidates have the same number of votes then they shall be ordered in the following ways:
  - a. Whomever had the higher number of votes at any previous distribution in the election
  - b. Should 4 (2)(a) fail then the candidates shall be order by the drawing of lots
3. Before a candidate is declared elected and assessment shall be made of the effect their election will have on the reserved positions determined in section 1. Should the candidate's election not affect the potential to fill all outstanding reserved positions from the remaining candidates then they shall be declared elected and their votes prepared for distribution in the following way:
  - a. If a candidate's votes exactly match the quota then all of their votes shall be set aside and taken to be exhausted. They have zero (0) votes to distribute.
  - b. If a candidate's votes are in excess of the quota then a 'Transfer value' shall be calculated in the following manner:
    - i. The number of votes in excess of the quota shall be divided by the total number of votes received by the candidate.
    - ii. The precision of the transfer value shall be to the third decimal place.
    - iii. The transfer value multiplied by the previous value of each vote shall be the new 'full value' of each vote.
4. The elected candidates votes shall be distributed in accordance with section 5.

5. All Candidates to be elected by virtue of being above the quota shall be dealt with before any candidate is eliminated from the count.

#### Elimination of the candidate with the lowest number of votes

6. Should there still be positions to fill and no candidate meets the requirements of 4 (1), that is having reached or exceeded the quota, then the candidate with the lowest number of votes shall be set apart and prepared for elimination.
7. In the case where two or more candidates have equally few votes the order of the position shall be determined in the following ways:
  - a. Whomever had the few number of votes at any previous distribution in the election shall be eliminated first.
  - b. Should all other methods be exhausted the candidate to be eliminated shall be determined by drawing lots.
8. Before a candidate is eliminated an assessment shall be made of the affect their elimination will have on the ability to fill all reserved positions determined in section 1. Should the elimination of the candidate reduce the number of any potential reserved group below the number required for that group as determined in section 1 then the candidate must not be eliminated and the candidate with the next fewest votes should be dealt with in accordance with 4(6) and above.
9. If a candidate is eligible for elimination as determined in 4(8) then their votes shall be distributed in accordance with section 5 at their current full values.

#### **5. Distribution of any votes produced by section 4**

1. Votes to be transferred produced by section 4.
2. Votes to be transferred shall be re-examined. Votes shall be recorded for any candidate not yet elected by taking the next valid preference subsequent to that which generated the result in section 4. The general procedure for decided vote validity as outlined in section 2(3) shall apply.
3. When multiple candidates have reached the quota and are having their votes distributed, any candidate who has reached or exceeded quota shall be prohibited from receiving any more votes from a distribution.
4. Notwithstanding 5(3), if a candidate is raised above the quota by votes in a single distribution then they shall remain eligible to receive the entirety of the votes generated by that distribution
5. Votes shall be recorded with a precision of two (2) decimal places.
6. Once the distribution is complete the procedure shall return to section 4.

## SCHEDULE 2<sup>3</sup>

### SENATE RESOLUTION FOR RESERVE POWERS FOR CERTAIN STUDENT ORGANISATIONS

- 1: Each of the following student organisations is a student organisation ('Student Organisation') to which this Resolution applies: the Sydney University Postgraduate Representative Association and the Students' Representative Council.
- 2: The Vice-Chancellor may recommend to Senate that the internal auditor of the University or an appropriately qualified external expert with experience in a not-for-profit or community sector ('Investigator') carry out an investigation ('Investigation') into alleged financial, electoral or other governance irregularities concerning a Student Organisation of which the Vice-Chancellor becomes aware and which the Vice-Chancellor believes may be of a serious nature.
- 3: Before making any such recommendation to Senate, the Vice-Chancellor will consult with the governing body of the relevant Student Organisation.
- 4: Senate will consider any such recommendation by the Vice-Chancellor and may, if it believes it is appropriate to do so, authorise an Investigation.
- 5: Any authorisation by Senate of an investigation must be reported by the Registrar of the University to the governing body of the relevant Student Organisation and unless the Registrar believes there is good reason not to do so, to the members of the relevant Student Organisation.
- 6: Members of the governing body, staff and members of the relevant Student Organisation must provide the Investigator with all such information and documentation as the Investigator may reasonably require.
- 7: Upon completion of the Investigation, the Investigator must report findings and any recommendations to the Vice-Chancellor or the Vice-Chancellor's nominee, who may take any one or more of the following actions having regard to that report and/or recommendations:
  - a) appoint, for a specified temporary period, an administrator with power to do all things necessary or convenient to be done for or in connection with or incidental to the management of the affairs of the relevant Student Organisation;
  - b) direct the carrying out of a fresh election of all or any Officers under the supervision of the University and/or an independent firm of accountants or lawyers or other appropriately qualified expert;
  - c) appoint, for a specified temporary period, an external auditor for ongoing monitoring and appraisal of the relevant Student Organisation;
  - d) implement such other steps which take account of the findings or recommendation of the Investigation.
- 8: The Vice-Chancellor will report, in a timely way as required by Senate, on any action taken or proposed to be taken pursuant to this Resolution to Senate; and will recommend how and to whom further reports will be made.

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<sup>3</sup> It is not intended that the administrator, the Vice-Chancellor, or the Vice-Chancellor's nominee have the capacity to determine the outcome of decisions about a Student Organisation's financial and operating policies.