

RMIT University Student Union
CONSTITUTION

Approved 10th August 2012

RMIT University Student Union - CONSTITUTION

Contents

1. ENABLING CLAUSE	3
2. AIMS AND OBJECTIVES	3
3. MEMBERSHIP	4
4. FEES.....	5
5. THE RMIT UNIVERSITY STUDENT UNION COUNCIL (SUC)	6
6. POWERS AND DUTIES OF THE RMIT UNIVERSITY STUDENT UNION COUNCIL (SUC).....	9
7. THE SECRETARIAT OF THE STUDENT UNION COUNCIL (SUC)	14
8. FINANCE.....	15
9. PROPERTY	16
10. AFFILIATED BODIES	17
11. ELECTIONS.....	18
12. GENERAL MEETINGS	27
13. REFERENDA OF THE RMIT UNIVERSITY STUDENT UNION	30
14. OPERATIONS OF THIS CONSTITUTION	31
15. REGULATIONS OF THE RMIT UNIVERSITY STUDENT UNION	31
16. DISCIPLINE OF MEMBERS.....	31
17. VALIDITY OF ACTS	31
18. INDEMNITY.....	32
19. AMENDMENT TO THE CONSTITUTION	32
20. WINDING UP	32
21. PROHIBITION OF DISTRIBUTION TO MEMBERS.....	33
22. DEFINITIONS AND ABBREVIATIONS	34

RMIT University Student Union - CONSTITUTION

1. ENABLING CLAUSE

- 1.1. There shall be an association called the “RMIT University Student Union” recognised by RMIT University, herein referred to as the “Student Union.”

2. AIMS AND OBJECTIVES

- 2.1. The Aims and Objectives of the Student Union shall be:
 - 2.1.1. To Represent and safeguard members of the Student Union in matters affecting their interests and rights.
 - 2.1.2. To advance the education, welfare, social life and cultural activities of members.
 - 2.1.3. To promote, encourage and co-ordinate the various activities of the Student Union and affiliated bodies.
 - 2.1.4. To afford a recognised means of communication between the members of the Student Union, the RMIT Administration and other authorities and organisations.
 - 2.1.5. To ensure that the Student Union’s practices, policies and procedure reflect the principles of equal opportunity and affirmative action.
 - 2.1.6. To endeavour to achieve changes to the University’s structure, policies and procedures so that all of these encompass the principles of equal opportunity and affirmative action.
 - 2.1.7. To establish and maintain contact with other organisations having aims similar in whole or in part to these aims and to co-operate with such organisations in pursuing these aims.
 - 2.1.8. To facilitate the effective co-ordination of student representation on all University bodies, including student representation on portfolio/College/School Board and Student Staff Consultative Committees.
 - 2.1.9. To do such other things as are conducive or incidental to the attainment

RMIT University Student Union - CONSTITUTION

of the above objects.

- 2.2. The Student Union acknowledges the RMIT Vietnam Student Council as the representative body of enrolled students of RMIT International University Vietnam.

3. MEMBERSHIP

- 3.1. The members of the Student Union are all students enrolled in a course of study prescribed by the RMIT Council, or its subsidiaries.
- 3.2. All students of RMIT may, after having given reasonable notice, inspect any or all of the open records of the Student Union.
- 3.3. All students of RMIT are entitled to reasonable use of the services and facilities of the Student Union and to take advantage of the representation provided by the Student Union.
- 3.4. Honorary membership of the Student Union shall be conferred upon all persons employed by the Student Union on a non-casual basis for the period of their employment. Honorary members shall not be eligible to stand for election to any position within the Student Union but may be appointed as Returning Officer.
 - 3.4.1. Any student elected to any position within the Student Union, and for which they receive an honorarium, shall not be deemed to be an employee of the Student Union, and shall be deemed to have all the rights and privileges of a student of the University.
- 3.5. Any student elected to any position within the Student Union shall be deemed to be a financial member of the Student Union for the duration they hold that position and shall be deemed to have all the rights and privileges of a student of the University.
- 3.6. The Student Union Council may raise a fee for financial membership of the Student Union. A member of the Student Union may elect to become a financial member of the Student Union by paying the relevant fee. Financial members shall be entitled to such benefits as are specified in this Constitution and are determined by the Student Union Council.

RMIT University Student Union - CONSTITUTION

- 3.7. A person who qualifies for membership shall retain membership status until March 31st of the following calendar year, unless:
 - 3.7.1. They resign in writing in accordance with section 3.11; or
 - 3.7.2. They withdraw their enrolment during the Academic year.
- 3.8. Financial members shall be eligible to stand for election to any position within the Student Union, subject to meeting criteria in other sections of this Constitution.
- 3.9. All members shall be eligible to participate and vote in collective/committee meetings.
- 3.10. All members shall be eligible to vote in elections, general meetings and referenda of the Student Union.
- 3.11. Any person may resign from the Student Union through notification in writing to the General Secretary of the Student Union.
 - 3.11.1. The General Secretary, or their nominee, is required to keep a roll of all those persons who have resigned their membership of the Student Union.
 - 3.11.2. Those who have resigned their membership of the Student Union shall not be eligible to vote in any of the Student Union's proceedings or stand for election to any position within the Student Union. Such people will be struck from the roll of eligible voters.
 - 3.11.3. The General Secretary shall be responsible for the keeping of a register of members to which shall be inserted the student name, student number and campus at which the student is enrolled.

4. FEES

- 4.1. There is no compulsory subscription or entrance fee payable by enrolled students to the Student Union for membership.
- 4.2. Any subscription or entrance fee payable for financial membership of the Student Union shall be determined annually by the SUC.

RMIT University Student Union - CONSTITUTION

5. THE RMIT UNIVERSITY STUDENT UNION COUNCIL (SUC)

5.1. Transition

5.1.1. For the purpose of remainder of the 2012 term, the governing body of the Student Union shall be the Student Union Council (SUC), shall comprise of twenty-five (25) voting members and shall be constituted as per the previous Student Union Council (SUC) Constitution (approved 26 August 2006).

5.2. The governing body of the Student Union shall be the Student Union Council (SUC) and shall comprise of twenty-five (25) voting members and shall be constituted as follows:

5.2.1. One (1) President, who shall be elected from and by all voting members of the SUC, pursuant to section 11.1.7 of this constitution.

5.2.2. One (1) General Secretary, who shall be elected from and by all eligible students enrolled at RMIT.

5.2.3. One (1) Education Officer, who shall be elected from and by all eligible students enrolled at RMIT.

5.2.4. One (1) Welfare Officer, who shall be elected from and by all eligible students enrolled at RMIT.

5.2.5. One (1) International Students Officer, who shall be elected from and by all eligible students enrolled at RMIT.

5.2.6. One (1) Postgraduate Students Officer, who shall be elected from and by all eligible students enrolled at RMIT.

5.2.7. One (1) Womyn's Officer, who shall identify and live as a womyn and shall be elected from and by all eligible female students enrolled at RMIT.

5.2.8. One (1) Queer Officer, which can be help by up to three (3) eligible students running on a joint ticket, one of who must be a woman and all of who shall identify as queer and who shall be elected from and by all

RMIT University Student Union - CONSTITUTION

eligible students enrolled at RMIT.

- 5.2.9. One (1) Media Officer, who shall be elected from and by all voting members of the SUC pursuant to section 11.1.7 of this Constitution.
- 5.2.10. One (1) Activities Officer, who shall be elected from and by all eligible students enrolled at RMIT.
- 5.2.11. One (1) Environment Officer, who shall be elected from and by all eligible students enrolled at RMIT.
- 5.2.12. One (1) Clubs and Societies Officer, who shall be or has been an office bearer of a Student Union affiliated club or society and shall be elected from and by all eligible students enrolled at RMIT.
- 5.2.13. One (1) TAFE Officer, who shall be enrolled in any TAFE programs or course (as determined by RMIT) and shall be elected from and by all eligible students enrolled in TAFE programs or courses.
- 5.2.14. One (1) Brunswick Coordinator, who shall be enrolled in programs at the Brunswick campus (as determined by RMIT) and shall be elected from and by all eligible students enrolled in programs at the Brunswick campus.
- 5.2.15. One (1) Bundoora Coordinator, who shall be (or will be in the coming year) enrolled in programs at the Bundoora campus (as determined by RMIT) and shall be elected from and by all eligible students enrolled in programs at the Bundoora campus.
- 5.2.16. One (1) City Coordinator, who shall be enrolled in programs at the City campus (as determined by RMIT) and shall be elected from and by all eligible students enrolled in programs at the City campus.
- 5.2.17. One (1) Brunswick Representative, who shall be enrolled in programs at the Brunswick campus (as determined by RMIT) and shall be elected from and by all eligible students enrolled in programs at the Brunswick campus.
- 5.2.18. One (1) Bundoora East Representative, who shall be (or will be in the

RMIT University Student Union - CONSTITUTION

coming year) enrolled in programs at the Bundoora campus (as determined by RMIT) and shall be elected from and by all eligible students enrolled in programs at the Bundoora campus.

5.2.19. One (1) Bundoora West Representative, who shall be (or will be in the coming year) enrolled in programs at the Bundoora campus (as determined by RMIT) and shall be elected from and by all eligible students enrolled in programs at the Bundoora campus.

5.2.20. One (1) City Representative, who shall be enrolled in programs at the City campus (as determined by RMIT) and shall be elected from and by all eligible students enrolled in programs at the City campus.

5.2.21. Five (5) General Representatives, who shall be elected from and by all eligible students enrolled at RMIT.

5.3. The Officers of the Student Union

5.3.1. The Officers of the Student Union shall be those detailed in 5.1 of this Constitution.

5.3.2. The powers, duties and responsibilities of the Officers of the Student Union shall be those set out in the Student Union Regulations.

5.3.3. No other person shall, by proxy or otherwise, hold, exercise the powers of, or be paid an honorarium for, any position within the Student Union, unless otherwise specified in this Constitution.

5.3.4. Subject to the approval of the SUC and pursuant to the relevant section of the Student Union Regulations, Committees and Collectives may elect, remove and prescribe the duties of convenors to assist with departments.

5.3.5. Subject to the approval of the SUC, where Committees or Collectives are not operational in any given area, the SUC may elect, remove and prescribe the duties of convenors to assist with operations of the SUC, pursuant to the relevant sections in the Student Union Regulations.

5.3.6. All convenors shall be non-voting members of the SUC.

RMIT University Student Union - CONSTITUTION

5.4. Ex-officio Membership.

- 5.4.1. The SUC may co-opt ex-officio (non-voting) members to represent the interests of disadvantaged and/or targeted/specific groupings of students.
- 5.4.2. Ex-officio members shall have speaking rights but no voting rights at meetings of the SUC.
- 5.4.3. Ex-officio members shall receive notice of SUC meetings in accordance with the same provisions of this Constitution provided to Officers of the Student Union.
- 5.4.4. Ex-officio members shall have the right to place items on the Agenda of SUC meetings, in accordance with the same provisions of this Constitution provided to Officers of the Student Union.
- 5.4.5. Ex-officio members of the SUC are expected to inform the SUC of issues relevant to students of their particular constituency and to comment on SUC proposals which have a particular impact on students of their particular constituency.
- 5.4.6. Additional duties and responsibilities of ex-officio members of the SUC shall be governed by the Student Union Regulations.

6. POWERS AND DUTIES OF THE RMIT UNIVERSITY STUDENT UNION COUNCIL (SUC)

6.1. The Powers and Duties of the SUC shall be:

- 6.1.1. To convene meetings of the SUC pursuant to section 6.2 of this Constitution.
- 6.1.2. To elect the Student Union President, Media Officer and other Secretariat members from among those elected to the SUC.
- 6.1.3. To make Policies in relation to domestic, state, national and international matters relating to education and the intellectual and material life of students and to act in these spheres in their interest.
 - 6.1.3.1. Policy will be formulated according to section 12 and section

RMIT University Student Union - CONSTITUTION

13 of this Constitution and will be binding upon the SUC.

- 6.1.3.2. All Policies of the SUC shall be binding on the SUC until amended or repealed.
- 6.1.4. To affiliate with or grant affiliation to, in accordance with section 10 of this Constitution, any body for the furtherance of any or all of the objectives of the Student Union.
- 6.1.5. To publish or authorise publication of any magazine, newspaper or other recorded matter on behalf of the Student Union.
- 6.1.6. To appoint representatives upon request to all University Committees where appropriate.
- 6.1.7. To make, amend or repeal Student Union Regulations, in accordance with section 15 of this Constitution for the effective achievement of the aims and objectives of the Student Union.
- 6.1.8. To administer Student Union controlled facilities and space as provided for the Student Union as it sees fit and in accordance with section 8 of this Constitution.
- 6.1.9. To convene the Annual General Meeting where it shall present for acceptance the Auditors' Report from the previous year and other financial statements in accordance with section 12.1 of this Constitution.
- 6.1.10. To appoint a Returning Officer/s pursuant to section 11.2.1 of this Constitution for the Annual Elections of the Student Union.
- 6.1.11. To appoint a Returning Officer/s for the Student Union by-elections and referenda at least four (4) weeks prior to the commencement of polling pursuant to section 11.2.1 of this Constitution.
- 6.1.12. To appoint an Auditor in accordance with this Constitution and the Student Union Regulations.
- 6.1.13. To acquire, manage, lease, mortgage, dispose of and otherwise deal

RMIT University Student Union - CONSTITUTION

with property both real and personal in accordance with section 9 of this Constitution.

- 6.1.14. To convene Departments, Collectives, Standing Committees and Working Parties and create regulations to govern their operations as necessary.
- 6.1.15. To co-opt ex-officio (non-voting) members to represent the interests of disadvantaged and/or targeted/specific groupings of students. The election and number of ex-officio members shall be governed by the Student Union Regulations.
- 6.1.16. To delegate any of the powers, except this power to further delegate, and duties to any Department, Committee, Collective or Council, member of Staff or Officer, in accordance with this Constitution and the Student Union Regulations.
- 6.1.17. To appoint, remove and prescribe the duties of its Staff and Officers in accordance with this Constitution, the Student Union Regulations, contracts and Industrial Agreement.
- 6.1.18. To receive and, where necessary, accept reports from all of its Committees, Collectives and Groups at each of its meetings.
- 6.1.19. To enter into and make agreements with persons or companies and to employ persons to assist in the fulfilment of the Aims and Objectives of the Student Union on such Terms and Conditions as it sees fit (in accordance with the Industrial Agreement).
- 6.1.20. To allocate a budget to each of its Departments, Collectives, Committees or Groups in accordance with section 8 of this Constitution.
- 6.1.21. To do such things as are conducive or incidental to the attainment of any or all of the Aims and Objectives of the Student Union.
- 6.1.22. To meet the minimum requirements of their roles, as per the Constitution, the Regulations and as defined by the SUC. If these requirements are not met, any individual SUC member may be removed

RMIT University Student Union - CONSTITUTION

from the SUC as per the regulations.

6.2. Meetings of the SUC.

6.2.1. Ordinary Meetings of the SUC.

6.2.1.1. The SUC shall in each academic year hold no less than eight (8) Ordinary SUC Meetings.

6.2.1.2. Notice of all Ordinary SUC Meetings shall be posted on the Official Notice Board on each Campus and sent to all members of the SUC by the General Secretary seven (7) days prior to the meeting.

6.2.1.3. A quorum for an Ordinary SUC Meeting shall be one half (1/2) plus one (1) of the total number of voting members of the SUC.

6.2.2. Special meetings of the SUC.

6.2.2.1. A Special SUC Meeting shall be convened by the General Secretary or the President to be held within seven (7) days of receipt of a written request to do so signed by no less than seven (7) voting members of the SUC.

6.2.2.2. Notice of a Special SUC Meeting shall be posted on the Official Notice Board of each campus and every reasonable attempt made to convey this notice to all voting members of the SUC by the campus Coordinators of each campus at least forty-eight (48) hours prior to the meeting.

6.2.2.3. Any duly convened Special SUC Meeting shall only deal with the business arising out of the objects set forth in the notices convening the Special SUC Meeting.

6.2.2.4. A quorum for a Special SUC Meeting shall be two-thirds (2/3) of the total number of voting members of the SUC.

6.2.3. All meetings of the SUC except meetings or parts of meetings held in

RMIT University Student Union - CONSTITUTION

camera shall be open to ordinary members of the Student Union to attend. Student Union members who are not on the SUC may be granted speaking rights at the discretion of the General Secretary and/or President.

6.2.4. Meetings Held in Camera.

6.2.4.1. The SUC may decide to meet 'in camera' in accordance with the Student Union Regulations.

6.3. Collectives and Committees of the Student Union.

6.3.1. The SUC shall convene the:

6.3.1.1. Education Committee;

6.3.1.2. Welfare Committee;

6.3.1.3. International Students Collective;

6.3.1.4. Post Graduate Association;

6.3.1.5. Womyn's Collective

6.3.1.6. Queer Collective;

6.3.1.7. Media Committee;

6.3.1.8. Activities Committee;

6.3.1.9. Environment Committee;

6.3.1.10. Clubs and Societies Council;

6.3.1.11. Brunswick Collective;

6.3.1.12. Bundoora East Collective;

6.3.1.13. Bundoora West Collective;

6.3.1.14. TAFE Collective;

RMIT University Student Union - CONSTITUTION

6.3.1.15. City Collective;

6.3.1.16. Finance Committee;

6.3.1.17. Staffing Committee;

6.3.1.18. Classifications Committee;

6.3.1.19. Health and Safety Committee; and

6.3.1.20. Any other Collective/s or Committee/s determined by the SUC, the operations of which shall be outlined in the Student Union Regulations.

6.3.2. The operations of all the Collectives and Committees of the Student Union shall be outlined in the Student Union Regulations.

7. THE SECRETARIAT OF THE STUDENT UNION COUNCIL (SUC)

7.1. There shall be a Secretariat of the SUC and the Secretariat shall consist of the following voting members:

7.1.1. General Secretary;

7.1.2. President;

7.1.3. Education Officer;

7.1.4. Brunswick Coordinator;

7.1.5. Bundoora Coordinator;

7.1.6. City Coordinator;

7.1.7. One (1) other Officer of the Student Union elected by the SUC from the Officers specified in sections 5.1 of this Constitution.

7.2. A meeting of the Secretariat may be called by:

7.2.1. The General Secretary; or

7.2.2. The President.

RMIT University Student Union - CONSTITUTION

- 7.3. A meeting of the Secretariat must be called:
 - 7.3.1. By the General Secretary or the President within forty-eight (48) hours of receipt of written request by any two (2) members of the Secretariat.
- 7.4. The General Secretary shall be the Chair of the Secretariat.
- 7.5. A quorum for a meeting of the Secretariat shall be four (4) members.
- 7.6. Any member of the Secretariat can be removed by a two thirds (2/3) majority vote of a SUC meeting and replaced by any other member of the SUC by a two thirds (2/3) majority vote of a SUC meeting.
- 7.7. The powers, duties and responsibilities of the Secretariat shall be those set out in this Constitution and the Student Union Regulations.

8. FINANCE

- 8.1. The funds of the Student Union shall be derived from a compulsory fee (where it exists), subscription fee or entrance fee, donations, grants, proceeds of fund raising activities, profits from the provision of amenities or services, interest on investments and other such sources as the SUC may approve.
- 8.2. The Budget Meeting of the SUC shall be held once each academic year. The SUC shall have the power to set the budget for the following year.
- 8.3. There shall be an SUC account with a bank or other financial institution administered by the SUC pursuant to this Constitution and the Student Union Regulations.
- 8.4. The SUC will have budgetary control over all income, including subscription or entrance fee and any other income.
- 8.5. All cheques must be signed by two (2) members of the Secretariat.
- 8.6. The SUC will have final responsibility for allocating monies to its subsidiary Committees, Collectives, Councils, Associations and Organisations. The SUC will hold final responsibility for the approval of the budget.
- 8.7. The financial year shall commence on 1st January and end of 31st December.

RMIT University Student Union - CONSTITUTION

- 8.8. The SUC shall prepare an Annual Financial Statement to be submitted to the members at the Annual General Meeting and to the RMIT Council.
- 8.9. A Finance Committee shall be formed and shall comprise of the following;
 - 8.9.1. The General Secretary;
 - 8.9.2. The President, or their nominee;
 - 8.9.3. Three (3) student representatives from the Secretariat, determined by the SUC;
 - 8.9.4. Relevant staff, ex-officio (non-voting) members, as determined by Student Union Regulations.
- 8.10. The responsibilities of the Finance Committee shall be as follows:
 - 8.10.1. The presentation of financial reports to each ordinary meeting of the SUC;
 - 8.10.2. Co-ordination of the financial affairs of the SUC;
 - 8.10.3. Initiation of the budget process.

9. PROPERTY

- 9.1. The SUC has the authority to purchase and dispose of property pursuant to section 6.1.13 of this Constitution.
- 9.2. All property and equipment will be administered by the SUC.
- 9.3. Property or equipment cannot be sold or otherwise disposed of or relocated without the permission of the SUC.
- 9.4. Any financial members may inspect the books and records of the SUC upon giving reasonable notice to the person responsible for the relevant documents. This does not apply to records relating to staff salaries, commercial contracts or litigation matters.
- 9.5. An asset register will be maintained as set out in the Student Union Regulations.

RMIT University Student Union - CONSTITUTION

10. AFFILIATED BODIES

10.1. The SUC shall have Powers of Affiliation as follows:

10.1.1. The SUC, if the members by referendum have approved the proposal, may affiliate with any Body or Organisation external to RMIT University, provided that such a Body or Organisation;

10.1.1.1. Has aims and objectives not incompatible with those of the Student Union as outlined in this Constitution; and

10.1.1.2. Is not a political party or religious organisation.

10.1.2. The SUC shall have the power to affiliate in accordance with the Referendum processes outlined in this Constitution.

10.1.3. The SUC must obtain and make available to students the audited Financial Statements and Annual Reports of any Organisation to which it is affiliated.

10.2. SUC Powers of Affiliating Subsidiary Bodies:

10.2.1. The SUC may, on behalf of their constituency, grant affiliation to any Body comprised of Student Union members provided that such a Body:

10.2.1.1. Has Aims and Objectives compatible with those of the Student Union as outlined in this Constitution; and

10.2.1.2. Has a Constitution conforming to the requirements of the Student Union Regulations.

10.2.2. All Affiliated Bodies shall be listed in the Annual Report of the Student Union.

10.2.3. Current copies of the Constitutions of all Affiliate Bodies shall be kept at the SUC Office and be made available to all members of the Student Union upon request.

10.2.4. The SUC may require affiliated bodies to:

RMIT University Student Union - CONSTITUTION

10.2.4.1. Submit copies of their Annual Balance Sheet or Financial Records.

10.2.4.2. Submit an interim balance sheet and a statement of income and expenditure.

10.2.4.3. Present for inspection their Minutes and Books of Account.

10.2.5. The SUC may disaffiliate any Body affiliated with the SUC or Student Union in accordance with the Student Union Regulations.

11. ELECTIONS

11.1. Elections

11.1.1. For the purpose of this Constitution, and the conduct of any election to the SUC, the positions of the SUC shall be those listed under section 5.1 of this Constitution.

11.1.2. The Annual Elections for the Student Union Council shall take place in August or September for all positions referred to in the previous section.

11.1.3. A person shall not be elected or appointed to, or remain a member of, the SUC, its Committees and/or its Departments unless that person is, and remains, an enrolled student at RMIT.

11.1.3.1. Exceptions may be made in the case of RMITV, as determined by Regulations, and, if so approved via the RMITV Annual General Meeting.

11.1.4. Staff shall not be entitled to hold any office of the Student Union.

11.1.5. A person shall not hold more than one (1) elected position on the SUC as a voting member, but

11.1.5.1. May nominate for more than one (1) position, and;

11.1.5.2. Shall be entitled to nominate for an alternate position in a by-election and if elected automatically vacates the previous

RMIT University Student Union - CONSTITUTION

position.

- 11.1.6. Members of the SUC elected at the Annual Elections shall hold office from 1st November of the year of their election to 31st October of the year following their election.
- 11.1.7. All those members of the SUC who have been elected to take office on 1st November shall be entitled to vote for the President elect and Media Officer elect of the SUC and the Secretariat of the SUC for the year of their term – at a meeting of those persons held in October of each year, convened by the General Secretary elect.

11.2. Election Procedure

- 11.2.1. The SUC may from time to time appoint a person who is a Representative of the Victorian Electoral Commission (or any other duly authorised and recognised body) as Returning Officer.
- 11.2.2. The Returning Officer may delegate all or part of their powers and responsibilities to any member of the Student Union who cannot be a candidate in any election during the period of appointment and who shall not then have the power to further delegate.
- 11.2.3. The Returning Officer shall, at least fifteen (15) academic days before 31st August of each year for the Annual Elections; and five (5) academic days prior to the commencement of any By-elections, post on the Official Notice Boards of the Student Union and advertise through the normal channels of the Student Union notices announcing the election date(s) for all positions.
- 11.2.4. Nominations shall be open for at least five (5) consecutive academic days, for both Annual and By-elections, and must be advertised on the relevant locations.
- 11.2.5. Nominations for all positions to be elected at the Annual Elections and any By-elections shall close seven (7) academic days prior to the commencement of the Election.

RMIT University Student Union - CONSTITUTION

11.2.5.1. After the closure of nominations, if insufficient candidates nominate to fill all available positions, nominations will automatically re-open for unfilled positions at noon on the academic day following closure of original nominations for a period of three (3) academic days.

11.2.5.2. The re-opening of nominations for unfilled positions shall be advertised on the Official Notice Boards of the SUC.

11.2.6. The Returning Officer shall, within twenty-four (24) hours of the final close of nominations, post on the Official Notice Boards a notice containing the list of candidates who have accepted nomination.

11.2.6.1. Candidates may withdraw from nomination no later than one (1) academic day following the posting on the official notice boards of nomination in writing to the Returning Officer.

11.2.7. The Student Union shall publish in the week preceding the Annual Election a publication containing the names, photographs and policy speeches of all candidates provided at nomination to the Returning Officer.

11.2.8. Every member of the Student Union shall be entitled to one (1) vote only for each position in the Election in which they are a constituent of the electorate subject to:

11.2.8.1. Only those students who identify as women may vote in the election of the Womyn's Officer.

11.2.8.2. Only those students who are enrolled in postgraduate programs may vote in the election of the Postgraduate Students Officer.

11.2.8.3. Only those students who are enrolled in programs at the Bundoora campus are eligible to vote for Bundoora Coordinator, Bundoora East Representative and Bundoora West Representative.

RMIT University Student Union - CONSTITUTION

11.2.8.4. Only those students who are enrolled in programs at the Brunswick campus are eligible to vote for the Brunswick Coordinator and Brunswick Representative.

11.2.8.5. Only those students who are enrolled in programs at the City campus are eligible to vote for the City Coordinator and City Representative.

11.2.8.6. Only those students who are enrolled in TAFE programs at RMIT are eligible to vote for the TAFE Officer.

11.2.8.7. Only those students who are International Students are eligible to vote for the International Students Officer.

11.2.9. All elections shall be by secret ballot.

11.2.10. Postal Voting facilities shall be made available to any person eligible to vote who is unable to attend a polling booth, in accordance with the Student Union Regulations.

11.2.11. Ballot boxes shall be open for at least:

11.2.11.1. Five (5) consecutive academic days for Annual Elections on all major campuses and sites of the University at times stipulated in the Student Union Regulations, allowing maximum access to all students. The Election need not be held simultaneously on all campuses and sites provided:

11.2.11.1.1. The poll be declared two (2) days after the election by posting on the Official Notice Boards.

11.2.11.1.2. No declaration is made in respect to any contested position until all polling has ceased.

RMIT University Student Union - CONSTITUTION

11.2.11.2. Three (3) consecutive academic days for By-elections on all major campuses of the University at times stipulated in the Student Union Regulations, allowing maximum access to all students. But if the election only involves one campus or site there is no need to have polling booths at any other campus.

11.2.11.3. No votes can be counted until all voting ceases.

11.2.12. Any claim of a breach of the Election Regulations must be presented to the Returning Officer within five (5) days of the declaration of the poll, must be in writing and must be supported by at least two (2) members of the Student Union.

11.2.13. Upon receipt of an appeal the Returning Officer may either dismiss the matter, uphold the appeal or convene an emergency meeting of the SUC Appeals Committee to hear the appeal.

11.2.14. No decision on an appeal, once made, may be subsequently overturned.

11.2.15. The Returning Officer shall declare the poll as soon as is practicable, after the close of the ballot by posting the results on the Official Notice Boards.

11.3. Vacancy

11.3.1. There shall be a vacancy on the SUC when:

11.3.1.1. A member delivers a signed resignation to the General Secretary, except that any resignation by the General Secretary shall be delivered to the President; or

11.3.1.2. The President is impeached by a two-thirds (2/3) majority of the SUC who vote to remove the President;
or

RMIT University Student Union - CONSTITUTION

11.3.1.3. A petition signed by at least eight-hundred (800) students (calling for the removal of the SUC President). In such a case the question shall go to Referendum for resolution. If quorate and carried, the decision shall be binding on the SUC and the position of President vacated; or

11.3.1.4. The President submits their resignation from the SUC to the General Secretary; or

11.3.1.5. A petition of recall by students requesting that a member of their constituency (with the exception of the President) face re-election signed by not less than five-hundred (500) students eligible to vote in that election. In such a case, a By-election shall be called within five (5) academic days of the tendering of the petition to the General Secretary. The member shall remain a full voting member of the SUC until the poll is declared; or

11.3.1.6. A member ceases to be eligible for the position they were elected to; or

11.3.1.7. A member has been required to face re-election pursuant to section 11.3.1.5 and is not re-elected then they will lose their position; or

11.3.1.8. The member ceases to be a member of the Student Union; or

11.3.1.9. The member is absent at, or within thirty (30) minutes after the notified place and time for the commencement of, three (3) Ordinary Meetings of the SUC without apology or the prior leave of that body; or

11.3.1.10. The member dies; or

RMIT University Student Union - CONSTITUTION

11.3.1.11. The member is elected as President or Media Officer of the SUC pursuant to section 6.1.2 of this Constitution.

11.3.2. In the event that a vacancy occurs in any position, not superseding section 11.3.3 and section 11.3.4 of this Constitution, the SUC may appoint by a two-thirds (2/3) majority one of the members of the Student Union to the vacant position and the member so elected shall hold office for the remainder of the term of that position for which they have been elected.

11.3.2.1. Failing a two-thirds (2/3) majority decision, a by-election will be conducted pursuant to Section 11.2 of this Constitution. The member so elected shall hold office for the remainder of the term of that position for which they have been elected.

11.3.3. In the event that a vacancy occurs within twenty (20) academic days prior to the Annual Elections, or after September, then the SUC may decide not to hold a By-election.

11.3.4. In the event of a vacancy in a General Representative position on the SUC, the first alternative member (as defined in section 11.5.3 of this Constitution) shall take up the position as a full voting member for the remainder of that term.

11.4. Order of the Ballot

11.4.1. The order of the ballot shall be

- 1) General Secretary
- 2) Education Officer
- 3) Welfare Officer
- 4) Activities Officer
- 5) Environment Officer

RMIT University Student Union - CONSTITUTION

- 6) Clubs and Societies Officer
- 7) Queer Officer
- 8) General Representatives;
- 9) Elections for other Representatives/Positions may be added to the same ballot paper.
- 10) Ballots for the positions of Womyn's Officer, International Students Officer, Postgraduate Officer, TAFE Officer and campus-based positions (Coordinators and Representatives) shall be on individual ballots.

11.5. Order of Counting

11.5.1. The order of counting shall be:

- 11.5.4.1 General Secretary
- 11.5.4.1 Education Officer
- 11.5.4.1 Welfare Officer
- 11.5.4.1 Activities Officer
- 11.5.4.1 Environment Officer
- 11.5.4.1 Clubs and Societies Officer
- 11.5.4.1 Queer Officer
- 11.5.4.1 Womyn's Officer
- 11.5.4.1 International Students Officer
- 11.5.4.1 Postgraduate Students Officer
- 11.5.4.1 TAFE Officer
- 11.5.4.1 Brunswick Coordinator

RMIT University Student Union - CONSTITUTION

11.5.4.1 Bundoora Coordinator

11.5.4.1 City Coordinator

11.5.4.1 Brunswick Representative

11.5.4.1 Bundoora Representative

11.5.4.1 City Representative

11.5.4.1 General Representatives

11.5.4.1 Elections for other Representatives/Positions added to the same ballot.

11.5.2. If in the order of counting a candidate who has nominated for more than one of the above positions is declared elected to the position of General Secretary, Education Officer, Welfare Officer, Activities Officer, Environment Officer, Clubs and Societies Officer, Queer Officer, Womyn's Officer, International Students Officer, Postgraduate Students Officer, TAFE Officer, Brunswick Coordinator, Bundoora Coordinator or City Coordinator then any votes cast for them in the position of campus based and General Representatives shall be distributed according to their preferences marked on the ballot.

11.5.3. In addition, the next three (3) candidates standing for election to be elected as General Representatives in an Annual Election, receiving the highest votes shall be the Alternative General Representatives for their constituency. In the event that an Alternative General Representative vacancy occurs, the position shall be filled by the first Alternative General Representative who received the highest vote in which all Representatives were elected. The Alternative General Representative shall become a full voting member for the duration of the term of office of the SUC if they are called upon to fill a vacancy as defined in section 11.3.4 of this Constitution.

11.6.Method of Election and Counting

11.6.1. The method of all Elections shall be by optional preferential ballot and

RMIT University Student Union - CONSTITUTION

the method of counting and distribution of votes shall be by the proportional representation count as outlined in the current edition of *N.E Renton, 'Guide for Voluntary Associations'*.

- 11.6.2. All elections of the SUC shall be conducted by the Returning Officer in accordance with this Constitution and the Student Union Regulations.

12. GENERAL MEETINGS

12.1. Annual General Meeting

- 12.1.1. There shall be an Annual General Meeting of the SUC to be held between 1st March and 31st May each year which shall be convened by the General Secretary or President, on the direction of the SUC.

- 12.1.2. The following shall be presented for consideration at the Annual General Meeting:

- 11.5.4.1 The Financial Statement and accompanying Auditor's report for the preceding year,

- 11.5.4.1 A report on the activities of the Student Union,

- 11.5.4.1 All other business included in the notice calling the meeting.

12.2. Ordinary General Meetings

- 12.2.1. An Ordinary General Meeting of the Student Union can be convened at any time by the General Secretary after being presented with a written directive from the Student Union Council; the request for which has been carried by a majority at a properly constituted meeting of the Student Union Council.

12.3. Special General Meetings

- 12.3.1. A Special General Meeting of the Student Union can be convened at any time by the General Secretary after being presented with a written directive from the Student Union Council; the request for which has been carried by a majority of votes at a properly constituted meeting of the Student Union Council.

RMIT University Student Union - CONSTITUTION

- 12.3.2. A Special General Meeting of the Student Union can be convened within fourteen (14) days of a request in writing, signed by at least three-hundred (300) members stating the business which is proposed to be discussed at that meeting.

12.4. Notice for General Meetings

- 12.4.1. For an Annual General Meeting, fifteen (15) academic days.
- 12.4.2. For an Ordinary General Meeting, ten (10) academic days.
- 12.4.3. For a Special General Meeting, five (5) academic days.
- 12.4.4. Notice for all General Meetings of the Student Union shall:
- 11.5.4.1 Be displayed on the Official Notice Boards of the Student Union and published via the normal publicity channels of the Student Union.
 - 11.5.4.1 Include the Agenda for the meeting, outlining all business to be considered by the meeting. A decision of a quorate General Meeting is binding on the SUC.
- 12.4.5. Additional items for inclusion on the Agenda of Annual General Meetings or Ordinary General Meetings shall be accepted by the General Secretary or President (or nominee) up to five (5) academic days prior to the General Meeting. Such additional items shall be displayed at least three (3) days prior to the scheduled date and put to the floor for inclusion on the Agenda. If carried by a majority, the items shall be included on the Agenda.
- 12.4.6. Proposed amendments to this Constitution shall be dealt with in accordance with section 19 of this Constitution and the Student Union Regulations.
- 12.4.7. Business shall not be transacted at a General Meeting of the Student Union unless a quorum is present.
- 12.4.8. Every member of the Student Union shall be entitled to one (1) vote on

RMIT University Student Union - CONSTITUTION

each matter presented before the meeting. No member may appoint a proxy.

12.4.9. Every motion put to a General Meeting shall be decided by a show of hands. If there is a call for a re-count from at least twenty (20) members, at any part of the meeting of the Student Union, voting shall be by presentation of a valid Student Card.

12.4.10. All General Meeting shall be in accordance with this Constitution and the Regulations.

12.4.11. General Meetings may not overturn any decision made by a quorate referenda.

12.4.12. Section 12.4.5 does not apply to a proposal to amend this Constitution.

12.5. Proceedings at General Meetings shall be as follows:

12.5.1. General Meetings shall consist of a meeting in four (4) components over three (3) academic days.

12.5.2. The Chair shall be the General Secretary or President of the Student Union Council.

12.5.3. The meetings shall be conducted on academic days:

11.5.4.1 In one (1) component on the Brunswick campus.

11.5.4.1 In one (1) component at the Bundoora campus;

11.5.4.1 In two (2) components on the City campus;

12.5.4. An opportunity through regulation shall be provided for the off campus / small sites members to participate in the meetings.

12.5.5. Where two components are specified, one component shall take place between noon and 2:00pm and one component between the hours of 5:00pm and 8:00pm.

12.5.6. Should a chairperson not be in attendance at any part, a member of the

RMIT University Student Union - CONSTITUTION

Student Union may be elected from the floor of the meeting to chair.

- 12.5.7. Only business on the notice can be put at a General Meeting.
- 12.5.8. A quorum shall be at least three-hundred (300) members present and entitled to vote as a total of all components under section 12.5.3 of this Constitution.
- 12.5.9. A member shall be entitled to vote only once on each motion at a General Meeting.
- 12.5.10. All meetings of the SUC shall be in accordance with this Constitution and the Student Union Regulations.

13. REFERENDA OF THE RMIT UNIVERSITY STUDENT UNION

13.1.A Referendum of the Student Union shall be held:

- 13.1.1. Upon resolution of the SUC; or
- 13.1.2. Within twenty (20) academic days of the receipt of a signed petition to the General Secretary signed by not less than five-hundred (500) members of the Student Union.

13.2.A Referendum may be held in conjunction with elections of the Student Union. Polling must be open for at least three (3) academic days.

13.3. Resolutions passed by a simple majority vote of a Referendum shall be binding on the SUC provided that:

- 13.3.1. At least ten (10) academic days' notice of a Referenda shall be given through the normal publicity channels of the Student Union. Notice shall include:

- 11.5.4.1 The proposed resolution;

- 11.5.4.1 The arguments for and against the proposed resolution;

- 11.5.4.1 The times and locations at which voting shall take place.

- 13.3.2. Not more than twenty-five percent (25%) of the votes cast are informal.

RMIT University Student Union - CONSTITUTION

13.4.To be quorate at least eight-hundred (800) students must cast a vote.

14. OPERATIONS OF THIS CONSTITUTION

14.1.This Constitution and all Regulations and decision made by the council under this Constitution shall be binding on every member of the Student Union. Decisions of any council shall bind its successors unless and until they are superseded or rescinded.

14.2.In the event of a conflict or possible conflict in the interpretations of the Constitution and Policies of the SUC, a two-thirds (2/3) majority decision made by the SUC shall be over-riding.

15. REGULATIONS OF THE RMIT UNIVERSITY STUDENT UNION

15.1.The SUC may make, amend or repeal Regulations not inconsistent with the provisions of this Constitution for the more effective achievement of the Aims and Objectives of the Student Union, provided that:

15.1.1. Notice is given to the General Secretary no less than seven (7) academic days prior to the meeting of the SUC at which any proposed amendment or repealing of any Regulations of the Student Union is to be considered, and that notice is given at least five (5) academic days to SUC members.

15.1.2. Notice shall specify in full the proposed resolution and shall be displayed on the Official Notice Board on each campus.

15.1.3. The proposed resolution is agreed to by a two-thirds (2/3) majority vote of the SUC.

16. DISCIPLINE OF MEMBERS

16.1.The SUC does not have the power to discipline members (except for SUC members pursuant to this Constitution and Student Union Regulations).

17. VALIDITY OF ACTS

17.1.If it is afterwards discovered that there was some defect in the appointment or election of a person as a member of the SUC, or that a person so appointed or

RMIT University Student Union - CONSTITUTION

elected was ineligible, all acts done at any meeting of the SUC or a Sub-Committee of the SUC or by any person acting as a member of the SUC are as valid as if that person had been duly appointed or elected and was eligible to be a member of the SUC.

18. INDEMNITY

18.1. The Student Union shall indemnify and keep indemnified staff, appointed or elected Student Representatives of the Student Union in relation to any action against the said person or expenses by the said person in the bona fide performance of their functions as staff, appointed or elected Student Representatives of the Student Union.

19. AMENDMENT TO THE CONSTITUTION

19.1. This Constitution may be amended as follows:

19.1.1. Notice of any proposed amendment to this Constitution shall be forwarded to the General Secretary or, in their absences, the President.

19.1.2. The amendments shall be then displayed on the Official Notice Boards at least ten (10) academic days prior to its consideration at a General Meeting of the Student Union.

19.2. The proposed amendment shall be passed if the resolution is agreed to by a two-thirds (2/3) majority of members voting at a quorate General Meeting of the Student Union held in accordance with section 14 of this Constitution.

19.3. Any agreements or contracts entered into by the SUC or its Representatives prior to any amendments to this Constitution shall be binding for the duration of the agreement or contract as if such amendment had not been made.

19.4. Any amendment passed in accordance with this Constitution shall be forwarded to the RMIT Council for noting within twenty-eight (28) days of the General Meeting at which the amendment was approved.

20. WINDING UP

20.1. If the Student Union is wound up, or its incorporation cancelled, the assets remaining after satisfying all liabilities must not be distributed amongst the

RMIT University Student Union - CONSTITUTION

members, but must be placed in trust until such time as the Student Union with similar Aims and Objectives is in place at which point the remaining assets may be used by that organisation in accordance with their Aims and Objectives.

21. PROHIBITION OF DISTRIBUTION TO MEMBERS

21.1. The income and property of the Student Union must be used and applied solely to the promotion of its purposes and to exercise of its powers as set out in this Constitution and the Student Union Regulations.

21.2. No portion of the income or property may be distributed directly or indirectly to or amongst the members of the Student Union.

21.3. Nothing in this section prevents the payment in good faith:

21.3.1. Of interest to any member in respect of money advanced by that member to the Student Union, or otherwise owing to that member;

21.3.2. Of remuneration to any Representative or Employee of the Student Union;

21.3.3. To any member for out-of-pocket expenses, money lent, reasonable and proper charges for the hire of goods by the Student Union, reasonable and proper rent for premises let to the Student Union, or the provision of service to the member, to which that member would be entitled in accordance with the Constitution regardless of membership.

RMIT University Student Union - CONSTITUTION

22. DEFINITIONS AND ABBREVIATIONS

In this Constitution, unless inconsistent with the context or subject matter:

Academic Day means a day on which classes are conducted by the University in either/or the TAFE or Higher Education sector.

Consecutive academic days shall preclude any Saturday or Sunday where classes may be conducted.

Academic Year means a calendar year consisting of academic days.

Affirmative Action means recognition and acceptance of the fact that it is not sufficient to make specific acts of discrimination unlawful.

Academic Day: means a day on which classes are conducted by the University in either/or the TAFE or Higher Education Sector.

Consecutive Academic days shall preclude any Saturday or Sunday where classes may be conducted.

Academic Year: means a calendar year consisting of academic days.

Affirmative Action: means recognition and acceptance of the fact that it is not sufficient to make specific acts of discrimination unlawful. Further steps are needed to relieve the effects of past discrimination, eliminate present discrimination and to ensure that future discrimination does not occur. For the purposes of this Constitution affirmative action does not mean a quota system.

Alternative General Representatives: are those students deemed eligible to fill vacancies in general representative positions in order determined by ballots conducted in annual general elections.

Annual Statements: means the annual accounts and auditor's report thereon including annual income and expenditure statements and balance sheets.

Brunswick campus: means the Brunswick campus/site of RMIT and any other site determined by RMIT or deemed by regulation.

RMIT University Student Union - CONSTITUTION

- Bundoora campus:** means the Bundoora East and West campus/site of RMIT and any other site determined by RMIT or deemed by regulation.
- Bundoora East campus:** means the Bundoora East campus/site of RMIT and any other site determined by RMIT or deemed by regulation.
- Bundoora West campus:** means the Bundoora West campus/site of RMIT and any other site determined by RMIT or deemed by regulation.
- Carlton/Brunswick campus/site:** shall mean the campuses/sites located in Carlton and Brunswick, as determined by RMIT or deemed by regulation.
- Casual Vacancy:** means a vacancy however occurring in the office of any member of the SUC other than by the retirement of such member on expiration of their term of office.
- City campus:** shall mean the campuses/sites located in the CBD including Carlton, or deemed by regulation.
- Compulsory Fee:** means a prescribed annual subscription fee paid by students upon enrolment as determined by the Council of the University.
- Constitution:** means this Constitution of the Student Union Council of RMIT.
- Co-ordinator:** means the Bundoora, Business, Carlton/Brunswick and Swanston St Co-ordinators elected at the Annual Elections of the Student Union Council.
- CSC:** means the Campus Student Council, established under the former structure of the Student Union Council.
- Equal Opportunity:** means that it is unlawful and prohibited to discriminate on the basis of sex, sexuality, race, age, disability, ethnicity, religion or political beliefs.
- Financial member:** means an enrolled student at RMIT who has paid the specified entrance, membership or subscription fee, as determined by the SUC.
- Full Time Student:** means any person who is enrolled in an approved course at the University and is defined as a full-time student by the Registrar of the University.

RMIT University Student Union - CONSTITUTION

- Honorary Member:** shall mean any staff member of the SUC employed on a non-casual basis.
- Industrial Agreement:** means an Industrial Agreement negotiated between authorised student representatives and the relevant Union representing employees, or employees, covering the terms and conditions of employees.
- International Student:** is a person who is not a citizen or permanent resident of Australia who is an enrolled student at RMIT.
- Joint Ticket:** means one, two or three eligible students running together on one ticket for an elected position of the Student Union Council.
- Member:** means all students enrolled in a course of study prescribed by the RMIT Council or its subsidiaries.
- Officer:** means a student elected to designated positions within the SUC. This includes students elected to General Representative positions.
- Official Notice Board(s):** means the Notice Board designated by the SUC from time to time and listed in the Regulations of the Student Union as the Student Union's Official Notice Board(s) at each campus.
- Part-Time Student:** means any person who is enrolled in an approved course at the University and is defined as a part-time student by the Registrar Regulations of the University.
- Political Party:** means a Body or Organisation which stands candidates for public office in either National, State or Municipal Elections, and shall not be deemed to include single issue groups and coalitions.
- President:** means the President of the SUC who shall be the President of the Student Union.
- Queer student:** means a student who identifies as lesbian, gay, bisexual, intersex, transgender or queer.
- Quorum:** means minimum number of members needed to be present throughout a meeting in order to transact any legal and/or binding business.

RMIT University Student Union - CONSTITUTION

- Registrar:** means that person defined by the University Council as the Academic Registrar of the University.
- Regulations:** means the Regulations of the Student Union Council
- RMIT Council:** means the Council of the RMIT University Council.
- RMIT University Student Union:** means the association specified in this Constitution.
- RMIT:** means RMIT University.
- RMITV:** Means the Student Community Television Inc, whose business/trading name shall be the RMITV.
- Secretariat:** means the Secretariat of the SUC, the composition as defined in the Constitution, and purpose and function thereof as defined in Regulation.
- Simple Majority:** shall mean a vote of fifty percent (50%) plus 1 of eligible voters present at the meeting.
- Staff:** means any person employed by the Student Union as determined in the Industrial Agreement.
- Student Union Card:** means the card identifying a person as a student and issued as such by RMIT University.
- Student:** means any person enrolled in a course or unit at the University.
- SUC:** means the RMIT Student Union unless it is clear from the context that it is the actual Council which has governance of the Student Union that is being referred to.
- Swanston St Campus:** shall mean the campuses/sites located in the CBD and not including the Business/Tivoli site or Carlton, or deemed by regulation.
- TAFE:** means the Technical and Further Education sector.
- University:** means RMIT University.
- Womyn student:** means a student who is a person who is a person who identifies and lives as a womyn.