

# Adelaide University Law Students' Society Inc. Report

## Special General Meeting



**Date:** Monday 12 September 2022

**Time:** 6:00pm ACST

**Location:** Lecture Theatre 1, Ligertwood 231, The University of Adelaide and Zoom

### 1. Interpreting the proposed constitutional amendments

- A. 'Part of the AULSS Constitution':
  - Reflects the Part of the Constitution under which the change is being made (i.e., 'Part 1 – Preliminary', 'Part 2 – Membership')
- B. 'Change No.':
  - Acts as a reference for the number of constitutional amendments being made (i.e., Change No.1 '1) To add in a properly formatted contents such that the Constitution is hyperlinked, making it easier to navigate').
- C. 'Clause':
  - Reflects the clause to which the amendment is being made or the clause in which will be inserted
- D. 'Purpose of Change':
  - Provides the reasoning behind the proposed constitutional amendment.
- E. 'Proposed Amendment to Text':
  - **Black**/black text represents the current clause of the Constitution,
  - Text that is ~~struck out and red~~ means that those words have been removed from the Constitution,
  - **Red text that is not struck out** indicates the new text to be inserted into the Constitution.

## 2. Proposed constitutional amendments

Part of the AULSS Constitution	Change No.	Clause	Purpose of Change	Proposed Amendment to Text
Part 1 — Preliminary	1.	2(a)	Amend the wording of Adelaide University Union to YouX in line with the new YouX Marketing Guidelines	<p><b>2 —Affiliations</b></p> <p>The AULSS:</p> <p>(a) shall be registered with <del>the YouX Adelaide University Union</del>; and</p> <p>(b) may affiliate with the Australian Law Students' Association (ALSA).</p>
Part 1 — Preliminary	2.	4 — Interpretation	Amend the wording of Adelaide University Union to YouX in line with the new YouX Marketing Guidelines	<p><i><b>Student Care</b> means the Student Care services as provided by <del>the YouX Adelaide University Union</del>;</i></p>
Part 1 — Preliminary	3.	9	Amend the wording of Adelaide University Union to YouX in line with the new YouX Marketing Guidelines	<p><b>9 —Assets upon dissolution of Society</b></p> <p>Where, upon dissolution of the Society, the liabilities of the Society have been discharged, and assets remain, title in those assets shall pass to <del>the YouX Adelaide University Union</del>.</p>
Part 3 —The Committee	4.	17(2)	Amend typo	<p><b>17 —Powers of the Executive</b></p>

of the Society				<p>(1) The Executive shall have the power to:</p> <p>(a) make decisions regarding the proper disbursement of Society monies;</p> <p>(b) impose or prescribes fees and/or charges for any activity or service offered by the Society;</p> <p>(c) pay all charges and expenses properly incurred by the Society subject to Part 6 of this Constitution;</p> <p>(d) bind the Society to any future liabilities, expenses or debts;</p> <p>(e) create any policy or code of conduct, except the election procedure under Part 7;</p> <p>(f) convene a sub-committee in the furtherance of the Committee's duties;</p> <p>(g) exercise any other power of the Executive specified by this Constitution; and</p> <p>(h) approve any resolution or budget by circulating resolution distributed by the President.</p> <p>(2) Subject to clause <u>17(1)(a)</u> and <u>42(a)</u>, the Executive has the management and control of all other property of the Society.</p>
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Part 3 —The Committee of the Society	5.	19	To allow the Executive to set the election counting method so that it is not necessarily required to be Hare-Clark. The Hare-Clark method is extremely difficult to count correctly.	<p><b>19 —Co-opting of First Year Representatives</b></p> <p>(1) Any person who is a member of the Society may be co-opted onto the Committee, in accordance with the process set out in clause 19(3).</p> <p>(2) <del>Co-option of First Year Representatives under this clause must only occur if</del> First Year elections via ballot paper(s) <del>using there are to occur using a system of Hare-Clark Option Preference system of voting is unable to occur. preferential voting, as determined by a special majority of the Executive, before the calling of the election.</del></p> <p><u>(3) Co-option of First Year representatives is only permitted if First-Year elections are unable to occur as per clause 19(2).</u></p> <p><del>(4)</del> The following processes shall apply for the purposes of co-opting First Year Representatives:</p> <p>(a) No First Year Representative may be co-opted on to the committee unless the Executive first approves, by ordinary resolution, the call for first year</p>
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				<p>representative applications (including any requirements that will apply to those applications).</p> <p>(b) Within a reasonable time of the approval under clause 19(<del>43</del>)(a), the President shall publicise the call for applications on all authorised communication forums.</p> <p>(c) Applications shall be submitted to the President. The deadline for applications must be no earlier than 10 calendar days after the publication of the call for applications.</p> <p>(i) By special resolution, the Executive may shorten this deadline, but in no circumstances may this deadline be less than 4 calendar days.</p> <p>(d) The President shall confidentially collate and de-identify the applications received. For the purposes of clause 19, an application shall be considered deidentified if it does not contain the applicant's name, photograph, student number, age, gender or postcode.</p> <p>(e) The de-identified applications shall be circulated by the President amongst the</p>
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				<p>Education Portfolio, who shall keep the applications confidential. The Education Portfolio shall co-opt the successful applicant by ordinary resolution and the reasons shall be provided in the report of the Director of Education and tabled at the next Committee meeting after the vacancy has been filled.</p> <p>(54) Eligibility requirements for co-option under this clause are the same as those that would apply to elections for the relevant position under Part 7.</p> <p>(65) An appointment under this clause will have effect from the time the name and position of the co-opted person is published on all authorised communication forums. The Director of Education is responsible for doing this within a reasonable time.</p>
Part 3 —The Committee of the Society	6.	18(2)(d)	Amend Mature Age Officer to Mature Age Representative to align with the correct terminology of the relevant position.	<p><b>18 —Co-opting of Committee members</b></p> <p>(2) The following process shall apply for the purposes of co-option:</p> <p>(d) The President shall confidentially collate and de-identify the applications received. For the purposes of clause 18, an application shall be considered deidentified if it does not</p>

				<p>contain the applicant's name, photograph, student number, age, gender or postcode.</p> <p>Note: Age need not be removed from applications for the position of Mature Age <del>Officer</del><u>Representative</u>.</p>
Part 3 —The Committee of the Society	7.	18(8)	Amend typo by un bolding the number 8.	<p><b>18 —Co-opting of Committee members</b></p> <p><del>(8)(8)</del> This clause does not apply to the position of President.</p>
Part 8 — Duration of Committee and positions	8.	80	To insert clause 80 to ensure that if the President, Vice-President or Treasurer are unable to perform their duties either by incapacitation, resignation or removal, their power may be performed by another person until they return or the vacancy has been filled.	<p><u>80 —Line of Succession</u></p> <p><u>(1) If the President is incapacitated and unable to perform their duties, then the Vice-President shall perform the duties of the President until such time that the President may return to their duties.</u></p> <p><u>(2) If the President resigns, or is removed from office pursuant to clause 77, the Vice-President shall perform the duties of the President until the President vacancy has been filled.</u></p> <p><u>(3) If the Vice-President is incapacitated and unable to perform their duties, then the President shall perform the duties of the Vice-President until such time that the Vice-President may return to their duties.</u></p>

				<p><u>(4) If the Vice-President resigns, or is removed from office pursuant to clause 77, the President shall perform the duties of the Vice-President until the Vice-President vacancy has been filled.</u></p> <p><u>(5) If the Treasurer is unable to perform their duties, then the President shall perform the duties of the Treasurer until such time that the Treasurer may return to their duties.</u></p> <p><u>(6) If the Treasurer resigns, or is removed from office pursuant to clause 77, the President shall perform the duties of the Treasurer until the Treasurer vacancy has been filled.</u></p>
Part 1 — Preliminary	9.	4— Interpretation	To create the definition of incapacitated for the purposes of clause 80 above.	<u><b>Incapacitated</b> means either the President, Vice-President or Treasurer who is unable to fulfil their duties under Part 5 due to travel, illness or other reason as defined by the Executive;</u>
Part 5 — Powers and duties of	10.	50	To create an International Student Representative to represent the needs of International Students.	<u><b>50 —International Student Representative</b></u> <u>The International Student Representative shall have the following powers and duties:</u>



Committee positions				<p><u>(a) to represent and promote the needs and interests of International members; and</u></p> <p><u>(b) to work within the Education Portfolio to facilitate events and activities aimed specifically at International members.</u></p>
Part 7 — Society Election	11.	73	<p>To create the eligibility requirements for the International Student Representative as per the University of Adelaide’s classification of International Students.</p> <p>See definition:  <a href="https://future.ask.adelaide.edu.au/app/answers/detail/a_id/1356/~/am-i-a-domestic-or-international-student%3F">https://future.ask.adelaide.edu.au/app/answers/detail/a_id/1356/~/am-i-a-domestic-or-international-student%3F</a></p>	<p><b><u>73 —Eligibility for nomination for position of International Student Representative</u></b></p> <p><u>In order to be eligible to nominate for the position of International Student Representative, the member must be</u></p> <p><u>(a) a Temporary Resident (visa status) of Australia;</u></p> <p><u>(b) a Permanent Resident (visa status) New Zealand; or</u></p> <p><u>(c) a sole resident or Citizen of any other country.</u></p>
Part 5 — Powers and duties of Committee positions	12.	55	<p>To create a Queer Representative to represent the needs of Queer students.</p>	<p><b><u>55 —Queer Representative</u></b></p> <p><u>The Queer Representative shall have the following powers and duties:</u></p> <p><u>(a) to represent and promote the needs and interests of Queer members; and</u></p> <p><u>(b) to work within the Social Justice and Equity Portfolio to facilitate events and activities aimed specifically at Queer members.</u></p>

Part 7 — Society Election	13.	74	To create the eligibility requirements for the Queer Representative.	<b><u>74 —Eligibility for nomination for position of Queer Representative</u></b>  <u>In order to be eligible to nominate for the position of Queer Representative, the member must identify as part of the LGBTQIA+ community.</u>
Part 5 — Powers and duties of Committee positions	14.	57	To create a Sponsorship Representative to assist the Treasurer.	<b><u>57 —Sponsorship Representative</u></b>  <u>The Sponsorship Representative shall have the following powers and duties:</u>  <u>(a) to assist the Treasurer to maintain existing sponsorship agreements and to negotiate their renewal when appropriate;</u> <u>and</u> <u>(b) to assist the treasurer in seeking to secure further sponsorship for the Society from both the legal profession, other professions and the wider community.</u>
Part 5 — Powers and duties of Committee positions	15.	47(e)	To empower the Education Director to direct the International Student Representative.	<b>47 —Director of Education</b>  The Director of Education shall have the following powers and duties:  (e) to direct the Education Representatives, First Year Representatives, <del>and</del> Mature Age Student Representative <u>and International Student Representative.</u>

Part 5 — Powers and duties of Committee positions	16.	48(f)	To empower the Social Justice and Equity Director to direct the Queer Representative.	<p><b>48 —Director of Social Justice and Equity</b></p> <p>The Director of Social Justice and Equity shall have the following powers and duties:</p> <p>(f) to direct the Social Justice and Equity Representatives, <del>and</del> the Aboriginal Representative <u>and the Queer Representative</u>.</p>
Part 5 — Powers and duties of Committee positions	17.	42(h)	To empower the Treasurer to direct the Sponsorship Representative.	<p><b>42 —The Treasurer</b></p> <p>The Treasurer shall have the following powers and duties:</p> <p>(a) to manage and control, and authorise the management and control of, and to issue, or authorise the issue of, receipts for all monies and finances of the Society in accordance with this Constitution;</p> <p>(b) to take reasonable steps to ensure that such accounting records are kept so as to correctly record and explain the financial transactions and financial position of the Society;</p> <p>(c) to prepare and submit a balanced account to Members at the Annual General Meeting;</p> <p>(d) to prepare and submit a balanced account to the Committee at each Committee meeting unless the Committee does not require such an account;</p>

				<p>(e) to manage the Society’s relationship with any accounting firms;</p> <p>(f) to maintain existing sponsorship agreements and to negotiate their renewal when appropriate;</p> <p>(g) to seek to secure further sponsorship for the Society from both the legal profession, other professions and the wider community; <u>and</u></p> <p><u>(h) to direct the Sponsorship Representative.</u></p>
Part 3 —The Committee of the Society	18.	15(2)	To amend the composition of the Committee to include the additional members of International Student Representative, Queer Representative and Sponsorship Representative as above.	<p><b>15 —The Committee</b></p> <p>(1) All the functions, powers and conduct of the Society shall be vested in the Committee, which shall be responsible to the members in the performance of any of its functions.</p> <p>(2) Subject to clause 18 the Committee shall comprise of:</p> <p>(a) the Executive;</p> <p>(b) up to four Activities Representatives;</p> <p>(c) up to five Careers Representatives;</p> <p>(d) up to three Communications Representatives;</p> <p>(e) up to six Competitions Representatives;</p> <p>(f) up to two Education Representatives;</p>

				<p>(g) up to four Social Justice and Equity Representatives;</p> <p>(h) an Aboriginal Representative;</p> <p>(i) an IT Representative;</p> <p>(j) two First Year Representatives;</p> <p>(k) a Mature Age Student Representative;</p> <p><b>and</b></p> <p>(l) up to three Magazine Editors;</p> <p><u>(m) an International Student Representative;</u></p> <p><u>(n) a Queer Representative; and</u></p> <p><u>(o) a Sponsorship Representative.</u></p>
Part 5 - Powers and duties of Committee positions	19.	50-58	To accommodate the addition of clause 50, 55 and 57, original clauses 50-54 will now each move up a number to reflect appropriate numbering. Clause 54 will move up two numbers.	<p><u>50 —International Student Representative</u></p> <p><del>50-51</del> —IT Representative</p> <p><del>51-52</del> —First Year Representatives</p> <p><del>52-53</del> —Mature Age Representative</p> <p><del>53-54</del> —Magazine Editor(s)</p> <p><u>55 —Queer Representative</u></p> <p><del>54-56</del> —Representatives</p> <p><u>57 —Sponsorship Representative</u></p> <p><del>585</del> —Duty to assist Committee and other portfolios</p>

Part 7 — Society Elections	20.	73-75	To accommodate the addition of clause 73 and 74, clause 73 will now move up two numbers to reflect appropriate numbering	<u>73 —Eligibility for nomination for position of International Student Representative</u> <u>74 —Eligibility for nomination for position of Queer Representative</u> <del>75</del> —Notification of results
Division 8.2 —Removal from Committee	21.	80-81	To accommodate the addition of clause 80-Line of Succession, clause 80 as it currently stands will now move up one number to reflect appropriate numbering	<u>80 —Line of Succession</u> <del>81</del> —Powers of Incorporated Association
Part 1 — Preliminary	22.	4 — Interpretation	To accommodate the addition of the incapacity definition, member will move down one row and have a full stop rather than a semi colon to reflect appropriate alphabetical ordering and grammar	<b><i>Executive</i></b> means the Executive of the Society as outlined in clause 16; <u><b><i>Incapacitated</i></b> means either the President, Vice-President or Treasurer who is unable to fulfil their duties under Part 5 due to travel, illness or other reason as defined by the Executive;</u> <b><i>member</i></b> means a member of the Society;;

N/A	23.	N/A	To insert the updated version of the Constitution as it will stand after this Special General Meeting	<p><b>Enactment history</b></p> <p><u>Version 1 of 2022 – changes of 12/09/22 Special General Meeting adopted.</u></p> <p>Version 1 of 2021 – changes of 26/07/21 Special General Meeting adopted.</p> <p>Version 2 of 2020 – changes of 14/09/20 Special General Meeting adopted.</p> <p>Version 1 of 2020 – changes of 12/02/2020 instructed by the Consumer and Business Services Customer Service.</p> <p>Version 1 of 2019 – changes of 24/10/2019 Annual General Meeting adopted.</p> <p>Version 2 of 2018 – changes of 23/7/2018 Special General Meeting adopted.</p> <p>Version 1 of 2018 – changes of 5/3/2018 Special General Meeting adopted.</p> <p>Version 1 of 2017 – changes of 26/10/2017 Annual General Meeting adopted.</p> <p>Version 1 of 2016 – changes of 29/11/2016 Special General Meeting adopted.</p> <p>No further enactment history dates</p>
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