

Adelaide University Law Students' Society Inc.

Agenda: Annual General Meeting



To be held according to the following details:

Date: Monday 23 October 2023

Time: 6:00pm ACST

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

The Annual General Meeting will have the following items of business:

1. Welcome and taking of attendance;
2. Statement of Acknowledgement of Country;
3. Acceptance of the minutes of the Monday 24 October 2022 Annual General Meeting;
4. Confirmation of amendments made to the AULSS Constitution at the 11 September 2023 Special General Meeting of the Society;
5. Proposal of and discussion of amendments to the AULSS Constitution in accordance with clause 7 of the Constitution;
6. Discussion of the 2023 Annual Report;
7. Any other business or announcements that may arise; and
8. Meeting close.

1. Interpreting the proposed constitutional amendments

- A. 'Change No'
 - Acts as a reference to the number of constitutional amendments being made (ie Change No 1) to make it easier to find which amendment is being discussed and what it pertains to.
- B. 'Clause'
 - Reflects the clause to which the amendment is being made or the clause in which will be inserted.
- C. 'Purpose of change'
 - Provides the reasoning as to why the amendment is being made.
- D. 'Proposed amendments'
 - **Highlighting** reflects changes to numbering, grammar, or formatting that otherwise might not be noticed by members.
 - **Bolded** shows definitions and subheadings present in the document.

Proposed Amendments

Change No	Purpose of Change	Proposed Amendment
1	Numbering	<p>4—Interpretation</p> <p>(1) In this Constitution, unless the contrary intention appears:</p> <p><i>academic day</i> means any days Monday to Friday, except public holidays, on which lectures are scheduled to be conducted by the University in the normal course of the academic year;</p> <p><i>AULSS office</i> means Room 1.06 in the Ligertwood Building at the University’s North Terrace Campus;</p> <p><i>AULSS website</i> means the website connected to the aulss.org domain;</p> <p><i>authorised communication forum</i> means a forum through which the communications of the Society may be transmitted and includes:</p> <p>(a) the AULSS website; (b) the Society email; (c) the AULSS Facebook page; (d) the notice board outside the AULSS office;</p> <p><i>casting vote</i> means a vote which may be exercised by the chair, in addition to their normal vote, to resolve a deadlock and which can only be exercised when such a deadlock exists;</p> <p><i>circulating resolution</i> means a resolution on which votes are cast in writing by electronic or other means, outside a formal meeting of the Committee or Executive;</p> <p><i>Committee</i> means the Committee of the Society;</p> <p><i>Committee email</i> means the email address associated with the domain aulss.org that distributes emails to the Committee as a whole;</p> <p><i>Committee member</i> means a member of the Committee of the Society;</p> <p><i>Constitution</i> means the Constitution of the Society;</p>

		<p>Executive means the Executive of the Society as outlined in clause 16;</p> <p>First Nations means (subject to clause 79(2)), in relation to a member, a member of First Nations descent who identifies as First Nations and is accepted as such by the community in which they live;</p> <p>incapacitated means a member of the Executive who is unable to fulfil their duties under Part 5 due to travel, illness or other reason as defined by the Executive;</p> <p>ordinary majority means more than one half (1/2) of the Committee members, Executive or members present and entitled to vote as the case may be;</p> <p>ordinary resolution means any resolution which is deemed to be resolved in the affirmative if approved by an ordinary majority;</p> <p>Society means the Adelaide University Law Students' Society Incorporated;</p> <p>Society email means the email address allstudents-v.lawss@student.adelaide.edu.au;</p> <p>special majority means more than three quarters (3/4) of the Committee members, Executive or members present and entitled to vote as the case may be;</p> <p>special resolution means any resolution which is deemed to be resolved in the affirmative if approved by a special majority;</p> <p>term has the meaning given by clause 82;</p> <p>University means the University of Adelaide or successor institution; and</p> <p>valid apology has the meaning given in clause 26.</p> <p>(2) Definitions in this Constitution shall apply to all policies, rules, resolutions and codes of conduct, unless the contrary intention appears.</p>
2	Amending typographical error for Competitions Development Representative	<p>15—The Committee</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 four Communications Representatives;</p> <p>(e) up to twelve Competitions Representatives;</p> <p>(f) up to two Education Representatives;</p> <p>(g) up to four Social Justice and Equity Representatives;</p> <p>(h) a Competitions Development Representative;</p> <p>(i) up to two Engagement Representatives;</p> <p>(j) an External and Intervarsity Competitions Representative;</p> <p>(k) a First Nations Representative;</p> <p>(l) two First Year Representatives;</p> <p>(m) an International Student Representative;</p> <p>(n) an IT Representative;</p> <p>(o) up to three Magazine Editors;</p> <p>(p) a Mature Age Representative;</p> <p>(q) a Queer Representative; and</p> <p>(r) up to two Sponsorship Representatives.</p>
3	Numbering	<p>79—Eligibility for nomination for position of First Nations Representative</p> <p>(1) In order to be eligible to nominate for the position of First Nations Representative, the member must be First Nations.</p> <p>(2) In the event of uncertainty as to a member’s eligibility for the position of First Nations Representative, the Society shall defer to any University records or processes to determine whether that member is First Nations.</p>
4	Numbering	<p>80—Eligibility for nomination for position of Mature Age Representative</p> <p>In order to be eligible to nominate for the position of Mature Age Representative, the member must not have attended secondary school in the three years prior to when they commenced their Bachelor of Laws at the University.</p>
5	Numbering	<p>81—Notification of results</p> <p>(1) The Returning Officer shall notify all candidates in the election and the serving President at the time of the</p>

		<p>election of the results of the election by email within 3 academic days after the close of polls.</p> <p>(2) The President shall post the results of the election on all authorised communication forums within 48 hours of receipt of the results from the Returning Officer.</p>
6	Numbering	<p>82—Duration of term for elected Committee</p> <p>(1) The terms of each Committee and its elected Committee members shall be from the 1st of December the year in which that Committee was elected to the 30th of November the following calendar year (term), upon which date the Committee members shall vacate their positions.</p> <p>(2) Notwithstanding clause 82(1), the First Year Representatives shall take office immediately upon election, and their term in office shall expire on the 30th of November the year in which they were elected.</p>
7	Numbering	<p>83—Resignation from the Committee</p> <p>(1) Any Committee member may resign from their position on the Committee upon providing the President with a written letter of resignation sent via email.</p> <p>(2) Subject to clause 83(3), the Committee member who provided a letter of resignation under clause 83(1) shall wholly cease to be a member of the Committee effective immediately upon receipt of the letter by the President.</p> <p>(3) The President may, in good faith, require the resigning Committee member to complete any duties which were being completed by the resigning Committee member at the time of their resignation, or otherwise assist the members of the current or incoming Committee with the transition process.</p> <p>(4) The resigning Committee member shall return to the Society all Society property, documents, login information and other information upon request by the President.</p> <p>(5) A Committee Member will be automatically removed from the Committee upon:</p> <p>(a) failing to attend the minimum number of meetings of the Committee, as defined in clause 29;</p> <p>(b) completion of their study in a Bachelor of Laws degree, or any other instance in which they are no longer enrolled in a Bachelor of Laws.</p> <p>(i) A Committee Member subject to clause 83(5) is not subject to the ordinary resignation procedure outlined in this clause.</p>

8	Numbering	<p>84—Interpretation of Division</p> <p>In this division, unless the contrary intention appears:</p> <p>removed Committee member means a Committee member who has been removed from the Committee due to a contravention of this Constitution under clause 85 or 29;</p> <p>secret vote means a vote whereby the identity of the voters cannot be determined; and</p> <p>special majority means specifically for this division 5 members of the Executive.</p>
9	Numbering	<p>85—Reasons for removal from Committee</p> <p>(1) A person may be removed from the Committee, and cease to be a Committee member, if that Committee member has:</p> <ul style="list-style-type: none"> (a) acted in a way which brought the Society into disrepute; (b) attempted, whether successfully or not, to conduct business of the Society in private or with the intention of ensuring another Committee member or the Committee was unaware that the business was being conducted; (c) executed a power of this Constitution they did not have the right to execute; (d) harassed or acted inappropriately to another Committee member; (e) intentionally contravened a provision of the Constitution; (f) interfered, to the detriment of the Society, with the affairs of the Society; (g) led another person to believe that they had authority to do something they did not have authority to do; (h) misappropriated any assets or monies of the Society to the benefit of themselves or another; (i) neglected to execute their duties under this Constitution; or (j) used Society funds without authorisation or for unauthorised purposes. <p>(2) The Executive may prescribe further reasons for removal from the Committee by special resolution at a Committee meeting.</p>
10	Numbering	<p>86—Process for removal from Committee</p> <p>(1) Any removal under clause 29 or clause 86 may be appealed under the process outlined in this Part.</p>

		<p>(2) Any member of the Executive may request that the President, or in the event of the President being the contravening member, the Vice-President, calls a meeting of the Executive to determine whether a Committee member suspected of breaching clause 86 (contravening Committee member) should be removed from the Committee under this division. Such a request must not be made without reasonable cause.</p> <p>(3) Where a meeting is requested under clause 86(2), the President, or the Vice-President as the case may be, must call a meeting within 10 academic days of the request (the first meeting).</p> <p>(4) At the first meeting, members of the Executive shall vote on whether or not the contravening Committee member should be removed from the Committee, which shall require a special majority.</p> <p>(5) If a special resolution is passed under clause 86(4), the President must inform the contravening Committee member in writing of the intention to remove the contravening Committee member from the Committee (notice of intention to remove) within 5 academic days of the first meeting occurring. That notice must contain:</p> <ul style="list-style-type: none"> (a) all reasons for the decision to remove the Committee member from the Committee; and (b) a statement that the Committee member has 3 academic days to respond to the reasons provided in the notice. <p>(6) If a response is provided to the President’s message under clause 86(5), the President must convene a meeting of the Executive (the second meeting) within 3 academic days of the response to consider the responses given by the contravening Committee member.</p> <p>(7) The Executive must, after the second meeting, determine by special majority whether the Committee member should be removed from the Committee. The Executive must, in reaching their decision, make its decision in good faith in the best interests of the Society.</p>
11	Numbering	<p>87—Appeal of clause 86 or 29 removal from Committee</p> <p>(1) A removed Committee member may appeal a decision made under clause 86 or 29 by written request to the President within 10 academic days.</p> <p>(2) Upon receipt of the request under clause 86(1), the President must call a Committee meeting for the removed Committee member to appeal their removal.</p>

		<p>(3) Any Committee member and the removed Committee member may present information at the meeting in relation to the conduct of the removed Committee member.</p> <p>(4) The chair must, after giving all Committee members a reasonable chance to present information, call a secret vote for Committee members to vote on whether the removed Committee member's removal should be confirmed, or whether the removed Committee member should be reinstated.</p> <p>(5) The appeal of the removal of the removed Committee member shall fail unless a special majority votes in favour of reinstating them.</p> <p>(6) A person may not appeal under this clause if they did not provide a response to the notice of intention to remove under clause 86(6).</p> <p>(7) Notwithstanding any laws of the Commonwealth or the State of South Australia, a decision made under this clause cannot be appealed.</p>
12	Numbering	<p>88—Line of Succession</p> <p>(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.</p> <p>(2) If the President resigns, is removed from office pursuant to clause 86, or the position is unfilled at the previous election, the Vice-President shall perform the duties of the President until the President vacancy has been filled.</p> <p>(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.</p> <p>(4) If the Vice-President resigns, is removed from office pursuant to clause 86, or the position is unfilled at the previous election, the President shall perform the duties of the Vice-President until the Vice-President vacancy has been filled.</p> <p>(5) If the Treasurer is unable to perform their duties, then the President shall perform the duties of the Treasurer</p>

		<p>until such time that the Treasurer may return to their duties.</p> <p>(6) If the Treasurer resigns, is removed from office pursuant to clause 86, or the position is unfilled at the previous election, the President shall perform the duties of the Treasurer until the Treasurer vacancy has been filled.</p>
13	Numbering + removed quotation mark at the end of clause 89(4)	<p>89—Continuity of Governance</p> <p>(1) If any member of the Executive, other than the President, Vice-President or Treasurer becomes incapacitated and unable to perform their duties, then the President shall nominate a member of the Committee to perform the duties of the incapacitated member until such time that the member may return to their duties.</p> <p>(2) If any member of the Executive, other than the President, Vice-President or Treasurer resigns, is removed from office pursuant to clause 86 or the position is unfilled at the previous election, the President shall nominate a member of the Committee to perform the duties of the vacant position until the vacancy has been filled.</p> <p>(3) If the President nominates:</p> <p>(a) a member of the Executive, the nominated member must exercise their powers with reasonable consultation with the Representatives within the affected portfolio.</p> <p>(b) a Committee member who is not a member of the Executive, the nominated member must exercise their powers with reasonable consultation with the President.</p> <p>(4) No Committee member exercising the powers of a Director under this clause but who neither is, nor was previously, a Director shall be deemed to have ‘officially served’ as a member of the Executive.</p> <p>(5) A decision to appoint a Committee member nominated under this clause shall take effect immediately upon nomination, but the President shall not nominate any member without their consent.</p>
14	Numbering + addition of a full stop at the end of clause 90(1)	<p>90—Endowment Fund</p> <p>(1) The Society shall maintain an Endowment Fund which shall exist for the purpose of investing surplus monies of the Society to generate income for the Society, and to maintain the Society’s financial sustainability.</p> <p>(2) Notwithstanding anything within this clause to the contrary, the workings, scope, and structure of the</p>

		<p>Endowment Fund shall be determined and defined by a Policy.</p> <p>(3) Subject to clause 89(4) the Executive shall add monies to the Endowment Fund in accordance with a Policy, but no monies may be disbursed from the Endowment Fund unless authorised by a special resolution of the Committee.</p> <p>(4) The Treasurer shall have the power to prevent, or reduce the sum of, any monies appropriated to the Endowment Fund as stipulated in the Policy if the Treasurer deems the nominally appropriated sum to be unreasonable given the Society's expected revenues and expenses.</p> <p>(5) The Endowment Fund shall take the form of a term deposit account with an authorised deposit-taking institution, of either six or twelve months in duration, the capital of which must be reinvested in addition to any additional funds added from time to time in accordance with the Policy.</p>
15	Numbering	<p>91—Powers of Incorporated Association</p> <p>The association shall have all the powers conferred by section 25 of the <i>Associations Incorporation Act 1985</i> (SA).</p>
16	Noting the most recent set of changes made to the enactment history	<p>Enactment history</p> <p>Version 2 of 2023 – changed of 23/10/23 Annual General Meeting adopted.</p> <p>Version 1 of 2023 – changed of 11/09/23 Special General Meeting adopted.</p> <p>Version 1 of 2022 – changes of 12/09/22 Special General Meeting adopted.</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>