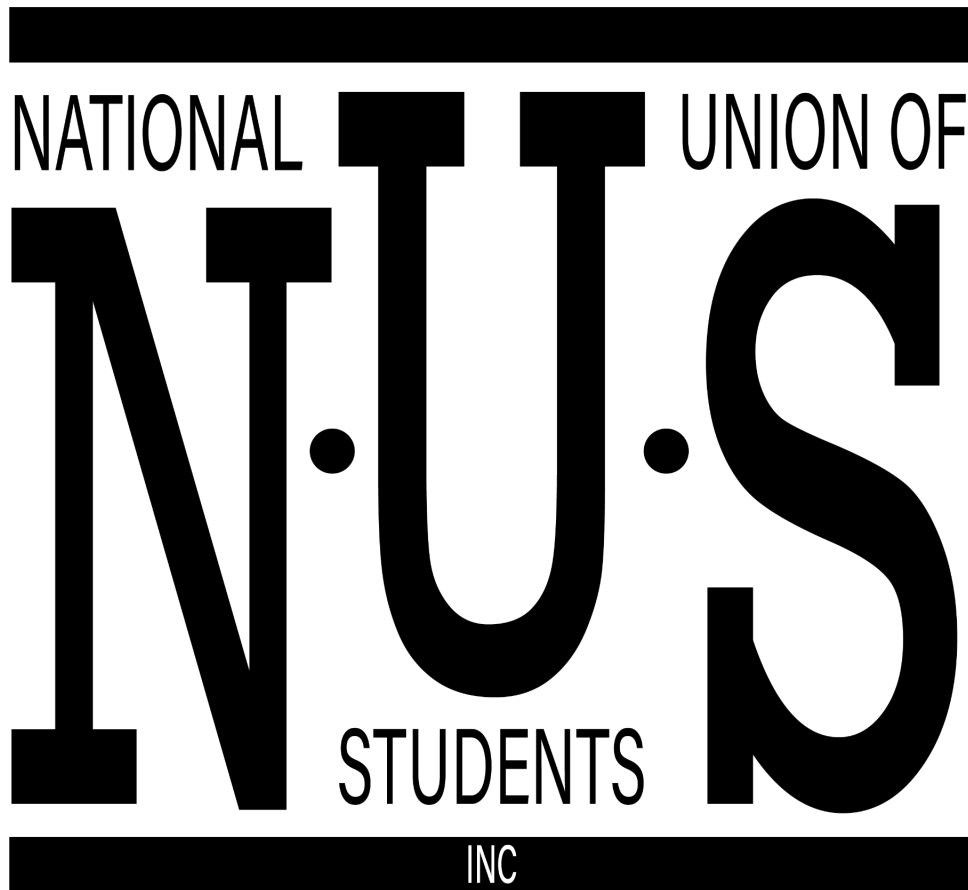


National Union of Students Incorporated

# Regulations

2020



# PART 1 – CONTENTS

## R1. Contents

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## **PART 2 – MEMBERSHIP**

### *Division 1 – Member Organisations*

#### **R2. Qualifications**

The qualifications for being admitted as a member organisation are that the organisation:

- a) represents the students or undergraduate students of one or more campuses of a post- school institution; and

- b) is controlled by students.

### **R3. Admission by Referendum**

An organisation is admitted as a member organisation if:

- a) the organisation holds a referendum to consider the question, “Do you agree that [insert name of organisation] should become a member of the National Union of Students Incorporated?”;
- b) if the referendum is to finish after 30 September - the referendum is held at the same time as the annual elections of the organisation;
- c) the organisation gives the National General Secretary and the State President notice in writing of the dates of the referendum:
  - i) if the referendum is to begin before 15 October - at least 2 weeks before the beginning of the referendum; or
  - ii) if the referendum is to begin on or after 15 October - no later than 30 September;
- d) voting in the referendum takes place:
  - i) by secret ballot,
  - ii) on at least 3 consecutive academic days, and
  - iii) for at least 5 hours each day; and
- e) the organisation notifies the National General Secretary and the State President in writing that a majority of the votes cast in the referendum were in favour.

### **R4. Admission by Resolution of Governing Body**

4.1 An organisation is also admitted as a member organisation if:

- a) the governing body of the organisation holds a meeting to consider a motion, “That [insert name of organisation] become a member of the National Union of Students Incorporated”;

- b) the organisation gives the National General Secretary and the State President at least 2 weeks notice in writing of the meeting; and
- c) the organisation notifies the National General Secretary and the State President in writing that the resolution was passed by an absolute majority.

4.2 A member organisation admitted under R4.1 after 30 September is not entitled to vote until after the next annual meeting of the National Conference.

## **R5. Admission after Reconstitution**

5.1 If:

- a) a member organisation is reconstituted (including by amalgamation with another organisation, or by division into separate organisations); and
- b) the reconstituted organisation requests in writing; National Executive may by resolution passed by an absolute majority admit the reconstituted organisation as a member organisation.

5.2 National Conference may reverse a decision of National Executive under R5.1.

## **R6. Subscriptions**

6.1 If National Executive is satisfied that the income of a member organisation has been or will be reduced as a result of government legislation, it may by resolution passed by an absolute majority reduce the annual subscription payable by that member organisation.

6.2 In R6.1, “government legislation” means legislation that applies particularly to student organisations, and does not include legislation of general applicability imposing taxes or charges.

- 6.3 For the purposes of R6.1, National Executive may: (a) request any information it considers necessary from the member organisation; and (b) rely on the advice of NUS's auditor.
- 6.4 The annual subscription is: (a) for the period 1 January to 31 December; and (b) due on 1 January each year.
- 6.5 The National General Secretary must invoice all member organisations for their annual subscriptions no later than 31 March each year.
- 6.6 If a member organisation is admitted before 1 July, it must pay 75% of the annual subscription for that year no later than 3 months after it was admitted.
- 6.7 If a member organisation is admitted on or after 1 July, it must pay 50% of the annual subscription for that year:
- a) no later than 3 months after it was admitted; and
  - b) before the annual meeting of National Conference.
- 6.8 The voting and all other membership rights of member organisations that have not paid their annual subscription by the due date are suspended until the annual subscription is paid, subject to R6.10.
- 6.9 For the purposes of this regulation, payment occurs when the money is in NUS's bank account and available to be spent by NUS.
- 6.10 The voting rights of member organisations that pay their annual subscription after the Accreditation Committee has sent the accreditation report for the annual meeting of National Conference to member organisations and members of National Executive in accordance with B45.5 remain suspended until the following 1 February.
- 6.11 Neither National Executive nor National Conference can overturn the suspension of voting rights under R6.8 and R6.10.
- 6.12 Member organisations must pay interest on overdue annual subscriptions at a rate equal to NUS's overdraft rate, or the rate that it would pay if it were in overdraft.

- 6.13 If National Executive is satisfied that a member organisation has good reason for not paying its annual subscription by the due date, it may by resolution passed by an absolute majority waive liability for some or all of the interest under R6.12 (but not the annual subscription).
- 6.14 A resolution under R6.13 may not be passed in the period beginning 4 weeks before the annual meeting of National Conference and ending at the end of the annual meeting of National Conference.
- 6.15 An organisation that ceases to be a member organisation remains liable for the full annual subscription for the year it ceases to be a member.

## **R7. Cessation**

- 7.1 A member organisation only ceases to be a member organisation if:
- a) the member organisation holds a referendum to consider the question, “Do you agree that [insert name of member organisation] should remain a member of the National Union of Students Incorporated?”;
  - b) the referendum is not held at the same time as any other referendum or election conducted by that member organisation or the post-school institution whose students it represents;
  - c) the member organisation gives the National General Secretary and the State President notice in writing of the dates of the referendum at least 3 months before the beginning of the referendum;
  - d) voting in the referendum:
    - i) by secret ballot,
    - ii) on at least 3 consecutive academic days, for at least five hours each day, and
    - iii) is open to all students who are represented by the member organisation;



- e) the referendum is conducted fairly, transparently and democratically, including:
- i) all voters are provided with a reasonable opportunity to vote;
  - ii) NUS, and other interested parties, are provided with a reasonable opportunity to campaign and advocate their position to students in advance of, and during, the referendum
  - iii) an independent returning officer conducts the referendum
  - iv) ballots are retained securely; and
  - v) there is a reasonable opportunity for scrutineering of the referendum, and
  - vi) a majority of the votes cast in the referendum are cast against, and the member organisation so notifies the National General Secretary and the State President in writing.

7.2 In addition R7.1, a member organisation also ceases to be a member organisation if the member organisation is wound up or otherwise dissolved.

### *Division 2 - Associate Members*

#### **R8. Qualifications**

The qualifications for being admitted as an associate member are that the organisation:

- a) has objects consistent with those of NUS;
- b) is controlled by students; and
- c) is not qualified to be a member organisation.

#### **R9. Admission**

9.1 An organisation is admitted as an associate member if:

- a) the organisation applies in writing to the National General Secretary;
- b) the application includes a copy of the constitution and other rules of the organisation (however described);

- c) National Executive by resolution passed by an absolute majority accepts the application; and
- d) the organisation pays its first subscription.

9.2 National Conference may reverse a decision of National Executive under R9.1, whereupon:

- a) the organisation ceases to be an associate member; and
- b) its subscription must be refunded.

## **R10. Subscriptions**

10.1 National Executive must set:

- a) the amount of the annual subscription for each associate member, and
- b) the date for its payment.

10.2 National Conference or National Executive may suspend the membership rights of an associate member that has not paid its annual subscription by the due date until the annual subscription is paid.

## **R11. Cessation**

An associate member ceases to be an associate member if:

- a) the associate member notifies the National General Secretary in writing that it wishes to cease to be an associate member;
- b) National Executive by resolution passed by an absolute majority terminates the membership of the associate member; or
- c) the associate member is wound up or otherwise dissolved.

### *Division 3 – Individual Members*

## **R12. Qualifications and Admission**

The national officers and the State Presidents are individual members

**R13. Cessation**

Individual members cease to be individual members when they cease to be an officer specified in R12.

## **PART 3 – NATIONAL CONFERENCE**

**R14. Constitution**

National Conference is constituted:

- (a) at meetings of National Conference – by the member organisations making decisions through their delegates in accordance with Division 1; and
- (b) between meetings of National Conference – by the member organisations making decisions by campus resolution in accordance with Division 2.

**R15. Powers**

15.1 National Conference:

- a) is the supreme decision making process of NUS; and
- b) may exercise all powers of NUS on its behalf; subject to C19.3.

15.2 Decisions of National Conference are binding on all officers of NUS.

**R16. Policy**

16.1 The policy of NUS may only be made by National Conference:

- a) at a meeting of National Conference in accordance with R24, or
- b) by campus resolution in accordance with R26

16.2 Policy remains in force until it is changed

*Division 1 – Meetings*

**R17. Convening**

17.1 National Executive must convene the annual meeting of National Conference in accordance with C14.2.

- 17.2 The annual meeting of National Conference must begin on the 2nd Monday in December, unless National Executive by resolution passed by an absolute majority sets another date, at least 3 months before the date set.
- 17.3 National Executive may by resolution passed by an absolute majority convene a special meeting of National Conference.
- 17.4 National Executive must convene a special meeting of National Conference if:
- a) a majority of member organisations, or
  - b) delegates who would be entitled to exercise an absolute majority of votes at a meeting of National Conference, not counting proxies, if the delegates of all member organisations had been accredited,
- request the National General Secretary in writing, stating the purpose for which the meeting is to be held
- 17.5 A special meeting of National Conference under R17.4 must be convened to be held within 8 weeks of the request being made.
- 17.6 The National General Secretary must give each member organisation at least 4 weeks notice of:
- a) the date or dates,
  - b) the time of commencement, and
  - c) the place,
- of each meeting of National Conference.
- 17.7 If, for whatever reason, the National President, National General Secretary and General Executive Members are not all elected at the annual meeting of National Conference:
- a) the election at that meeting of any national officers, General Executive Members and state officers is void and of not effect; and
  - b) the National General Secretary must convene a special meeting of National Conference to be held no later than 31 January.

- 17.8 R17.6 applies to a special meeting convened under R17.7, except that only 2 weeks notice need be given.
- 17.9 The special meeting:
- a) must elect:
    - i) the national officers and General Executive Members, and
    - ii) the state officers; and
  - b) may consider other business of which notice has been given in accordance with the by- laws.

**R18. Election of Delegates**

- 18.1 Each member organisation must elect its delegates to meetings of National Conference at its annual elections.
- 18.2 Delegates must be elected:
- a) by secret ballot,
  - b) using optional preferential proportional representation,
  - c) in a separate ballot in which other positions are not elected,
  - d) from the students represented by that organisation, and
  - e) by the students represented by that member organisation.
- 18.3 A delegate of 1 member organisation is not eligible to be elected as the delegate of another member organisation.
- 18.4 A member organisation that has held its annual elections before it was admitted as a member organisation:
- a) may elect its delegates without complying with R18.1; and
  - b) if National Executive is satisfied that it is not possible for the member organisation to comply with R18.2(e), National Executive may by resolution passed by an absolute majority allow the governing body of the member organisation to elect its delegates.

- 18.5 If a member organisation amalgamates after the annual meeting of National Conference and before 1 July:
- a) it must elect new delegates:
    - i) within 2 months of the amalgamation, or
    - ii) before 1 May, whichever is the later; and
  - b) in the meantime, its delegates are the combined delegates of the member organisations that have amalgamated;
- subject to R18.1.
- 18.6 If a member organisation amalgamates on or after 1 July and before the annual meeting of National Conference, its delegates are the combined delegates of the member organisations that have amalgamated (unless it elects new delegates), subject to R18.1.
- 18.7 Delegates elected in accordance with R18.1, R18.4 and R18.5(a) hold office from when they are declared elected until their successors are declared elected at the following year's annual elections
- 18.8 By nominating for election, delegates agree to comply with the rules of NUS. Other than the existing specifications in this regulation, the election of delegates by a member organisation shall be in accordance with the rules prescribed by that member organisation for its annual elections including:
- a) any process for appeals and recounts;
  - b) any restrictions on persons other than students represented by that member organisation campaigning in the election;
  - c) the grouping of candidates under a common name and brand for the election.

However, rules of the member organisation regarding the eligibility of candidates shall not apply.

#### **R19. Number of Delegates**

The number of delegates to be elected by each member organisation is:

EFTSLs	Number of Delegates
1-2,000	2
2,001-5,000	3
5,001-8,000	4
8,001-12,000	5
12,001-18,000	6
more than 18,000	7

Where EFTSLs are the EFTSLs of the students represented by the member organisation.

## **R20. Votes**

20.1 The total number of votes to be exercised by the delegates of a member organisation is the higher of:

a) the number obtained by:

i) dividing the EFTSLs of the students represented by the member organisation by 500; and

ii) rounding the result up to the nearest whole number; and

20.2 The votes to be exercised by each delegate of a member organisations are calculated by allocating the total number of votes under R20.1 one at a time to the delegates of that member organisation in the order of their election until all votes have been allocated.

20.3 For the purposes of R20.2, the order of election of the combined delegates of an amalgamated member organisation under R18.5 (b) and R18.6 is taken to be the delegates of the member organisation that represented the largest number of students in order of election, followed by those of the next largest member organisation, and so on.

- 20.4 In this regulation, “delegate” does not include a person who has ceased to be a delegate.
- 20.5 The delegates of a member organisation whose voting rights have been suspended under R6.8 are not entitled to exercise their votes until the annual subscription is paid.
- 20.6 Delegates are not entitled to exercise their votes until they have been accredited in accordance with the bylaws

**R21. Observers**

- 21.1 Member organisations may appoint the same number of observers to meetings of National Conference as their number of delegates under R19, subject to the by-laws.
- 21.2 Associate members may appoint observers to meetings of National Conference in accordance with the bylaws.

**R22. Proxies**

Delegates may appoint proxies in accordance with the by-laws.

**R23. Quorum**

The quorum for meetings of National Conference is the presence of delegates entitled to exercise an absolute majority of votes, not counting any proxies.

**R24. Regulations and By-Laws**

At least 14 days notice must be given of a motion for the making of:

- a) regulations under C17, and
  - b) by-laws under C18,
- in accordance with the by-laws.



*Division 2 – Campus Resolutions*

**R25. Campus Resolutions**

- 25.1 Any resolution that could be passed at a meeting of National Conference (except a special resolution) may instead be passed by a postal ballot of member organisations in accordance with the bylaws (in these regulations, “campus resolution”).
- 25.2 A resolution passed by campus resolution has the same effect as a resolution passed at a meeting of National Conference.
- 25.3 Campus resolutions may only be passed by an absolute majority of the votes of member organisations.

**PART 4 – NATIONAL EXECUTIVE**

**R26. Membership**

- 26.1 The members of National Executive are:
- a) the National President (chair, casting vote only),
  - b) the other national officers (nonvoting),
  - c) 12 General Executive Members (voting), and
  - d) the State Presidents (voting).
- 26.2 Members of National Executive may not hold more than 1 voting position on National Executive at the same time.

**R27. Responsibilities**

- 27.1 The responsibilities of National Executive are:
- a) to manage NUS in accordance with C19.3, including:
    - i) setting the budget for NUS;
    - ii) regularly monitoring the finances of NUS;
    - iii) employing staff on behalf of NUS; and

- iv) authorising the publication of material on behalf of NUS; and
  - b) to implement and interpret the policy of NUS.
- 27.2 National Executive may delegate its powers other than the power of delegation as it considers appropriate

## **R28. Meetings**

- 28.1 The National Executive must decide how the policy made by National Conference will be implemented.
- 28.2 National Executive must at each meeting consider the most recent financial statements in accordance with R75.
- 28.3 The National General Secretary must convene a meeting of National Executive:
- a) if National Executive so resolves; or
  - b) if requested in writing by:
    - i) The National President, or
    - ii) 3 GeneralExecutive Members.
- 28.4 Voting members of National Executive may appoint as a proxy another member of National Executive or a delegate to National Conference or an elected director of a member organisation.
- 28.5 National Executive must meet at least 2 days before the first day of a meeting of National Conference of which notice has been given under R17.6:
- a) to elect the conference Business Committee in accordance with B46.1; and
  - b) to consider and note the report of the Accreditation Committee under B45.4.

### **R30. Standing Resolutions**

National Executive may by an absolute majority pass standing resolutions to give effect to the constitution, regulations and by- laws.

## **PART 5 – NATIONAL OFFICERS**

### **R31. National Officers**

31.1 The national officers of NUS:

- a) the National President,
- b) the National General Secretary/National Deputy President,
- c) the National Education Officer,
- d) the National Welfare Officer,
- e) the National Small and Regional Campuses Officer, who must be a students currently enrolled at a small and/or regional NUS member campus.
- f) the National Women’s Officer, who must be a woman,
- g) two National Queer/LGBTI/LGBTI Officers, one of whom must be a woman,
- h) the National Aboriginal and Torres Strait Islander Officer Officer, who must identify as a student from an indigenous background,
- i) the National Ethno-Cultural Officer, who must identify as a student 28 from a culturally or linguistically diverse background, and,
- j) The National International Students Officer, who must be currently enrolled as an international student
- k) The National Disability Officer, who must identify as a student with a disability.

31.2 The paid national officers of NUS are:

- a) the National President,
- b) the National General Secretary/National Deputy President,
- c) the National Education Officer,
- d) the National Welfare Officer,
- e) the National Women's Officer,
- f) the National Queer/LGBTI/LGBTI Officers

31.3 Paid national officers will be remunerated at an hourly rate equal to the Australian Federal minimum wage. The hours per week required of officers will be set by the National Executive by 31st of January each year subject to the financial position of the NUS shall be: (a) in the case of the National President and National General Secretary, 1 FTE (b) in the case of other paid officers, no less than 0.5 FTE.

**R32. Eligibility**

32.1 A person who has been elected to NUS State Officer or National Officer positions three times in total is not eligible to nominate for a State Officer or National Officer position.

32.2 Candidates may nominate for:

- a) more than 1 national officer position, and
- b) a national officer position and a General Executive Member position, but, if declared elected to 1 position, are taken to have withdrawn from all other positions.

32.3 Candidates may nominate for both a national officer position and a state officer position, but, if declared elected to 1 position, are taken to have withdrawn from all other positions.

**R33. National President**

The National President:

- a) is the official spokesperson of NUS; and
- b) is responsible for the overall supervision of NUS's activities
- c) is responsible for the supervision of NUS's activities in all areas that are not the responsibility of another national or state officer.

**R34. National General Secretary/National Deputy President**

The National General Secretary/National Deputy President is responsible for the supervision of NUS's activities in the areas of administration, finance and services.

**R35. National Education Officer**

The National Education Officer:

- a) is the official spokesperson of NUS in the area of education (subject to the National President); and
- b) is responsible for the supervision of NUS's activities in the area of education.

**R36. National Welfare Officer**

The National Welfare Officer:

- a) is responsible for the supervision of NUS's activities in the areas of welfare, and
- b) is the official spokesperson of NUS in the area of welfare (subject to the National President)

**R37. National Small and Regional Campuses Officer**

The National Small and Regional Campuses Officer is responsible for the supervision of NUS's activities in the areas of small and regional member organisations

**R38. National Women's Officer**

The National Women's Officer:

- a) is responsible for the supervision of NUS's activities in the areas of women and equal opportunity, and
- b) is the official spokesperson of NUS in the areas of women and equal opportunity (subject to the National President)

**R39. National Queer/LGBTI Officers**

- a) The National Queer/LGBTI/LGBTI Officers are jointly responsible for the supervision of NUS's activities in the areas of sexuality and issues of concern to Queer/LGBTI/LGBTI – identifying people.
- b) Each National Queer/LGBTI/LGBTI Officer may choose to be referred to as either "National Queer/LGBTI Officer", "National LGBTI Officer" or "National Queer/LGBTI/LGBTI Officer".

**R40. National Aboriginal and Torres Strait Islander Officer**

The National Aboriginal and Torres Strait Islander Officer is responsible for the supervision of NUS's activities in the area of Indigenous issues and reconciliation.

**R41. National Ethno-Cultural Officer**

The National Ethno-Cultural Officer is responsible for the supervision of NUS's activities in the area of the ethno-cultural diversity and anti- racism.

**R42. National Disability Officer**

The National Disability Officer is responsible for the supervision of NUS's activities in the area of disability, including accessibility and mental health.

**R43. Accountability and Direction**

National officers are responsible to, and may be directed by (in increasing order of priority):

- a) the National President

- b) National Executive, and
- c) National Conference

**R44. Acting Officers**

- 44.1 If there is a vacancy in the position of National President, or the National President is overseas or otherwise unable to act, the National General Secretary must act as National President.
- 44.2 If there is a vacancy in the position of National General Secretary, or the National General Secretary is overseas or otherwise unable to act, the National President must act as National General Secretary

## **PART 6 – STATE BRANCHES**

**R45. Constitution**

- 45.1 The state branches of NUS are:
  - a) National Union of Students, New South Wales,
  - b) National Union of Students, Victoria
  - c) National Union of Students, South Australia,
  - d) National Union of Students, Queensland,
  - e) National Union of Students, Tasmania,
  - f) National Union of Students, ACT, and,
  - g) National Union of Students, Western Australia,subject to R45.2-R45.4.
- 45.2 If in a state:
  - a) the member organisation(s) represent at least 4,000 EFTSLs; and
  - b) each member organisation by resolution passed by an absolute majority of its governing body requests in writing;

National Executive may by resolution passed by an absolute majority establish a state branch in that state by the name of “National Union of Students, [insert name of state]”

- 45.3 National Conference may reverse a decision of National Executive under R45.2.
- 45.4 A state branch is dissolved if the member organisations no longer represent at least 4,000EFTSLs.
- 45.5 The members of each state branch are the member organisations in that state.
- 45.6 If there is no state branch in a state, a member organisation in that state may by resolution of its governing body passed by an absolute majority elect to become a member of the state branch in an adjoining state.
- 45.7 The state branches are otherwise constituted in accordance with the schedule to these regulations.

## **PART 7 – OFFICERS GENERALLY**

### **R46. Applicability**

- 46.1 R47 and R48 apply to all officers of NUS.
- 46.2 R49-R56 apply to all officers of NUS, except to the extent the rules of NUS or the resolution creating the officer position provide otherwise.

### **R47. Responsibilities**

- 47.1 All officers must implement the policy of NUS in their areas of responsibility.
- 47.2 All officers must carry out their responsibilities in cooperation with each other.
- 47.3 If there is a disagreement between officers as to the co-operative carrying out of their responsibilities:
  - a) in the case of national officers – the National President,



- b) in the case of state officers – the State President, or
- c) in the case of members of committees – the chair of the committee, must decide how the disagreement is to be resolved (subject to National Executive, the State Executive or the committee, as the case may be).

**R48. Method of Election**

All officers must be elected by secret ballot using optional preferential proportional representation.

**R49. Elections at Annual Meetings**

49.1 The following officers must be elected at the annual meeting of National Conference in the following order:

- a) national officers in the order listed in R31.1,
- b) the state officers in the order of State President followed by State Education Vice-President followed by Campus Representatives, and
- c) the General Executive Members

**R50. Eligibility**

50.1 Candidates for office must at the time of their election be:

- a) a student represented by a member organisation,
- b) an officer of a state branch, or
- c) a national officer.

50.2 A student represented by a member organisation is eligible to stand as a candidate regardless of if the member organisation which represents them is currently accredited with the NUS.

**R51. Term of Office**

- 51.1 The officers referred to in R49 hold office from 1 January to 31 December.
- 51.2 Other officers hold office from the time of their election or appointment until their successor is elected or appointed.
- 51.3 Officers cease to hold office if they resign, vacate their office, are removed or die or otherwise cease to hold office in accordance with the regulations or by-laws

**R52. Overholding**

- 52.1 Despite R49.1 and R51.1, if, for whatever reason, the National President, National General Secretary and General Executive Members are not all elected at the annual meeting of National Conference, the National President, National General Secretary, General Executive Members and State Presidents most recently in office continue to hold office until their successors are elected in accordance with R17.9(a), subject to R52.2.
- 52.2 Despite R31.2 and R31.3, the National President and National General Secretary must not be remunerated for any continuation in office after 31 December.

**R53. Resignation**

- 53.1 Officers may resign by writing to:
  - a) in the case of national officers and State Presidents – the National General Secretary
  - b) in the case of the National General Secretary – the National President, and
  - c) in the case of state officers – the State President.

53.2 The resignation of a national or state officer takes effect 24 hours after it is received by the person specified in R53.1, but may until then be withdrawn in writing.

**R54. Vacation of Office**

54.1 A National Officer or State President ceases to hold office if:

- a) the cease to be eligible to be elected
- b) they fail to give a written report in accordance with B60.1 for three consecutive meetings of National Executive (excluding any emergency meeting) of which they have been given notice; or
- c) they fail to attend three consecutive meetings of National Executive of which they have been given notice, unless they have provided an apology in advance in accordance with B60.2

54.2 General Executive Members and state officers cease to hold office if they cease to be eligible to be elected.

**R55. Removal**

Officers may be removed by the body that elected or appointed them by resolution passed by an absolute majority

**R56. Filling of Vacancies**

56.1 Vacancies may be filled by the body that elected or appointed the officer whose office has become vacant in accordance with the by-laws.

56.2 Officers filling vacancies hold office for the remainder of the term.

## **PART 8 – MEETINGS GENERALLY**

### **R57. Applicability**

This Part applies to all committees established by NUS (including National Executive, but not National Conference), except to the extent the rules of NUS or the resolution establishing the committee provide otherwise.

### **R58. Convening**

58.1 The chair of the committee or a majority of its voting members at the time may convene a meeting of the committee.

58.2 If the committee is to meet throughout the year at its first meeting after 1 January the committee must by resolution set the dates, times and places of ordinary meetings for its term of office.

58.3 The committee may by resolution subsequently alter the dates, times and places of ordinary meetings set under R58.2.

### **R59. Notice**

59.1 Notice of the date, time and place of meetings must be given to each member of the committee:

- a) in the case of an emergency telephone meeting – in writing or orally at least 24 hours before the meeting is to begin;
- b) in the case of an emergency face to face meeting – in writing or orally at least 72 hours before the meeting is to begin; or
- c) otherwise – in writing at least 10 clear days before the meeting.

59.2 Notice may be given of more than 1 meeting at the same time.

59.3 In the case of an emergency meeting, the notice must include the business to be considered, and no other business may be considered at the emergency meeting.

- 59.4 Members of committees must give the chair of the committee their address for notices, and any change in that address.
- 59.5 The address for notices may include a fax number and an email address.
- 59.6 Notice may be given to a member of a committee by sending it to the address last given by the member.
- 59.7 Notices sent by prepaid post are taken to have been given on the second day after posting that is not a Saturday, Sunday or public holiday at that address.
- 59.8 Notices sent by fax or email are taken to have been given on the first day after sending that is not a Saturday, Sunday or public holiday at that address.
- 59.9 The accidental failure to give notice to a member does not invalidate the meeting.

**R60. Quorum**

- 60.1 The quorum for meetings of the committee is the presence in person or via live technology of a majority of the voting members of the committee at the time.
- 60.2 If a quorum is not present within half an hour of the time the meeting was to begin or resume, then:
- a) in the case of a meeting for 1 day or less, or the final day of a meeting for more than 1 day – the meeting lapses; or
  - b) in the case of a meeting for more than 1 day, except the final day – the meeting is adjourned until 10.00 a.m. the following day.
- 60.3 No resolution may be passed at a meeting of the committee unless a quorum is present, but the meeting may otherwise consider business without a quorum being present.

**R61. Chairing**

- 61.1 If the chair of a committee is not present, or does not wish to chair the meeting (or part of the meeting), the committee must elect another of its members to chair.
- 61.2 The chair of the meeting does not have a casting vote

**R62. Attendance**

- 62.1 All students represented by member organisations may attend meetings of the committee, unless the committee resolves to proceed in camera.
- 62.2 A motion to proceed in camera must be considered in camera.
- 62.3 The committee may invite a person who is not a member of the committee to attend while the meeting is in camera.

**R63. Voting**

- 63.1 All members of the committee are voting members.
- 63.2 Each voting member of the committee has 1 vote.
- 63.3 Voting members of the committee may vote in person or by proxy.
- 63.4 If an equal number of votes are cast for and against a motion or amendment, the chair of the meeting must declare the motion or amendment lost.

**R64. Proxies**

- 64.1 Appointments of proxies must be in writing.
- 64.2 The proxy must be a person eligible to be elected or appointed to the committee

**R65. Disclosure of Interest**

- 65.1 Each member of a committee who has a personal or financial interest (whether direct or indirect) in a matter that is to be considered at a meeting of the committee:

- a) must not be present while the matter is being considered; and
- b) must not vote on the matter (including by proxy).

65.2 The committee may by resolution passed by an absolute majority exempt a member of the committee from R65.1(a) or R65.1(a) and R65.1(b), subject to such condition as it thinks appropriate.

65.3 Despite R65.1(a), the member concerned may still be counted towards the quorum.

65.4 This regulation applies in addition to C22.

**R66. Procedure**

Meetings of the committee must be conducted in accordance with the procedure for meetings of National Conference, to the extent the procedure is applicable and with any necessary modifications.

**R67. Meetings by Telephone**

The committee may meet by telephone, provided each member present is able to clearly communicate with every other member present.

**R68. Resolutions without Meetings**

A resolution set out in a document (or documents) signed by all members of the committee stating that they are in favour has the same effect as a resolution passed at a meeting of the committee.

**R69. Minutes**

The committee must ensure that:

- a) accurate and complete minutes are taken and kept of all its meetings; and
- b) a copy of the minutes is promptly sent to the National General Secretary.

## **PART 9 – FINANCIAL AND LEGAL**

### **R70. Bank Accounts**

Bank accounts in the name of NUS may only be opened and operated if authorised by National Executive.

### **R71. Receipts**

All money received on behalf of NUS must be deposited without delay into a bank account in the name of NUS.

### **R72. Orders**

No order may be placed on behalf of NUS unless authorised in writing by the National General Secretary

### **R73. Payments**

73.1 All payments for more than \$100 must be made by cheque, or, if electronic transfer, approved by the National General Secretary and one other cheque signatory.

73.2 No payment may be made on behalf of NUS unless:

- a) if an invoice has been received – the payment is authorised in writing by the National General Secretary; or
- b) if no invoice has been received – the payment is authorised in writing by the National General Secretary and another national officer.

### **R74. Cheques**

74.1 All cheques must be signed by the National General Secretary and another national officer.



74.2 Signatories must not sign cheques until the payee and amount have been written in.

**R75. Financial Statements**

The National General Secretary must ensure that monthly financial statements are circulated to all members of National Executive.

**R76. Records**

76.1 The National General Secretary is responsible for ensuring that the records of NUS are kept in secure custody.

76.2 Member organisations and members of National Executive may inspect the accounting records of NUS on request in writing to the National General Secretary.

**R77. Contracts**

All contracts entered into on behalf of NUS must be made in the name of NUS

**R78. Common Seal**

78.1 The National General Secretary is responsible for ensuring that the common seal is kept in secure custody.

78.2 A document may only be sealed with the common seal if authorised by resolution of National Executive.

78.3 The sealing must be witnessed by the signatures of the National President and the National General Secretary.

**R79. Rules of NUS**

79.1 The rules of NUS (in decreasing order of priority) are:

- a) the constitution,

- b) the regulations made under C17,
- c) the by-laws made by National Conference under C18,
- d) the standing resolutions of National Executive made under R30, and
- e) the standing resolutions of the State Executives made under S18

79.2 A body that is empowered to make rules of NUS must not make rules that are inconsistent with rules of NUS having a higher priority.

## **R80. Interpretation**

80.1 These regulations are to be interpreted in accordance with C38, as if they formed part of the constitution.

80.2 In addition, in these regulations, unless the contrary intention appears:

- a) “amalgamate” includes merge, and “amalgamation” includes merger;
- b) “campus resolution” has (except in the schedule) the meaning given in R26.1;
- c) “convene” includes setting:
  - i) the date or dates,
  - ii) the time of commencement, and
  - iii) the place, of the meeting;
- d) a fee for membership or use of the services of the member organisation” includes a fee payable to a post-school institution that provides funding directly or indirectly to the member organisation in respect of that student;
- e) “National General Secretary” means the National General Secretary/Deputy President;
- f) “post-school institution” means an Australian university, institute, college or similar body whose principal activity is post-school education;
- g) “state” includes:

- i) territory, and
    - ii) if R45.6 applies – the adjoining state;
  - h) “student” means a person enrolled as a student at a post-school institution; and
  - i) “writing” includes fax and email.
- 80.3 For the purposes of these regulations:
- a) all students who are eligible to pay a fee for membership or use of the services of the member organisation, and
  - b) the full-time paid officers of the member organisation, are taken to be students represented by that member organisation.
- 80.4 For the purposes of these regulations (other than a referendum conducted pursuant to R7), a ballot does not cease to be a secret ballot by reason only that a voter chooses:
- a) to show their completed ballot paper to another person before casting it; or
  - b) to allow another person to fill out and cast their ballot paper on their behalf.
- 80.5 A reference to “R” followed by a number or a number and letters is a reference to the correspondingly numbered provision of these regulations.
- 80.6 A reference to “S” followed by a number or a number and letters is a reference to the correspondingly numbered provision of the schedule to these regulations.
- 80.7 A reference to “B” followed by a number or a number and letters is a reference to the correspondingly numbered provision of the by-laws.
- 80.8 The interpretation of the rules of NUS is the responsibility of:
- a) at meetings of National Conference – the chair, subject to National Conference; and

- b) otherwise – the National President, subject to National Executive and National Conference.

## **SCHEDULE – STATE BRANCHES**

### *Division 1 – Name, Object and Membership*

#### **S1. Name**

Under R45.1 and R45.2 the name of the state branch is “National Union of Students, [insert name of state] !(in this schedule, “the state branch”).

#### **S2. Object**

The object of the state branch is to carry out the objects of NUS in its state

#### **S3. Membership**

The members of the state branch are the member organisations in the state.

### *Division 2– State Executive*

#### **S4. State Executive**

The members of the State Executive are:

- a) The State President (voting chair)
- b) The State Education Vice-President (voting)
- c) The President or equivalent elected official of each member organisation, or their representative (voting).

#### **S5. Powers**

5.1 The responsibilities of the State Executive are:

- a) Organising state based campaigns and activities,
- b) Co-ordinating the campaigns and activities of the NUS in that state,

- c) Authorising the publication of materials for the state branch on behalf of the NUS, subject to the National Executive.
  - d) Supporting the National General Secretary in the effective provision of services and support to member organisations in that state.
- 5.2 The State Executive may by absolute majority pass standing resolutions to give effect to this schedule.

## **S6. Meetings**

- 6.1 The State Executive must meet at least 4 times each year.
- 6.2 The State President may convene a meeting of State Executive.
- 6.3 The State President must convene a meeting of State Executive:
- a) if the State Executive so resolves, or
  - b) if requested in writing by one third of the voting members of the State Executive at the time.
- 6.4 The procedure at meetings of the State Executive is the same as that for National Executive, with any necessary modifications.

## **S7. Meetings of State Presidents**

- 7.1 The State Executive may by an absolute majority pass standing resolutions to give effect to this schedule.
- 7.2 The members of meetings of the State Presidents are:
- a) The National General Secretary (chair),
  - b) The National President,
  - c) The State Presidents.
- 7.3 Meetings of the state presidents may invite other State or National Officers to attend.
- 7.4 Meetings of the state presidents have specific responsibilities for:
- a) Supporting the National General Secretary in the effective provision of services and support for member organisations.

- b) Supporting the National General Secretary in the effective engagement of, and communication with member organisations.

*Division 3 – State Officers*

**S8. State Officers**

The officers of the state branch are:

- a) the State President, and
- b) the State Education Vice-President

**S9. State President**

9.1 The State President

- a) Is the official spokesperson of the state branch,
- b) Is responsible for the overall supervision of the activities of the state branch,
- c) Is responsible for liaising with the national officers on behalf of the state branch,
- d) Is responsible for reporting to the National Executive regarding the activities of the state branch, and on behalf of the members of the state branch, and
- e) Is responsible for calling and chairing meetings of the State Executive.

9.2 If there is any vacancy in the position of State President, or the State President is overseas or otherwise unable to act, the State Education/Vice President shall act as the State President until the position is filled.

**S10. State Education/Vice-President**

The State Education/Vice President is responsible for:

- a) Coordinating NUS campaigns in the state, including coordinating volunteers and activists, and

- b) Assisting the State President in performing their duties.

**S11. Accountability and Direction**

State Officers are responsible to, and may be directed by (in order of increasing priority):

- a) The State President,
- b) The State Executive,
- c) The National President,
- d) The National Executive, and
- e) The National Conference.