

**AMENDED REPORT OF THE ACCREDITATION COMMITTEE FOR THE
NATIONAL CONFERENCE OF THE NATIONAL UNION OF STUDENTS
TO BE HELD 13 TO 15 DECEMBER 2021**

A. INTRODUCTION

1. The National Union of Students Inc. (the **NUS**) is governed by its Constitution [C1-C39], its Regulations [R1-R80], the Schedule to the Regulations [S1-S11] and its By-Laws [B1-B93] (collectively the **NUS Rules**).
2. The NUS Rules provide for the appointment of an Accreditation Committee for the purposes of accrediting delegates to the NUS National Conference, and other duties, as set out below.
3. The 2021 NUS National Conference is scheduled to commence on 13 December 2021.

B. MEMBERSHIP OF THE ACCREDITATION COMMITTEE

4. For the purposes of the 2021 National Conference an Accreditation Committee has been appointed in accordance with B45.1.
5. The Accreditation Committee comprises:
 - Cassie Serpell, Barrister, c/- Clerk B, 205 William Street, Melbourne, Victoria, 3000; and
 - Jim McKenna, c/- Clerk B, 205 William Street, Melbourne, Victoria, 3000.

C. CONSIDERATIONS & REPORT OF THE ACCREDITATION COMMITTEE

THE DUTIES

6. The duties of the Accreditation Committee are as set out at B45.2 as follows, to:
 - a. *accredit delegates and observers in accordance with B2 and B17;*
 - b. *review the accreditation of delegates and observers in accordance with B8;*
 - c. *allocate votes to delegates in accordance with R20; and*

d. verify the delegation of voting rights by delegates unable to attend Conference in accordance with B9.

7. B45.4 provides that:

The Accreditation Committee must prepare an accreditation report, which includes for each member organisation:

- a. the EFTSL;*
- b. confirmation of the payment of the annual subscription;*
- c. confirmation that the election of delegates satisfies the requirements of the constitution, regulations and by-laws;*
- d. the names of the delegates and observers, and*
- e. the number of votes for each delegate.*

8. B45.5 provides that:

The Accreditation Committee must send its accreditation report to:

- a. all member organisations; and*
- b. all members of National Executive, at least 1 week before each meeting of National Conference.*

Accredit delegates and observers and allocate votes

9. The NUS Rules prescribe that delegates to National Conference must be duly elected in properly conducted elections of member organisations of the NUS. Specifically, B2.2 prescribes:

The Accreditation Committee may only accredit delegates whose election complies with R18 and B3-B6, except as provided in B7.

10. Accordingly, in circumstances which the Accreditation Committee is satisfied that the election of delegates has complied “*with R18 and B3-B6*” or “*that the provisions were substantially complied with so that the election was fairly conducted*” (see B7), it will accredit those delegates.

11. The Accreditation Committee relies on the returning officers’ reports (or documents of a similar type) provided to it, in accordance with B6. B6 provides that:

6.1 Within 2 weeks of the end of the election, the member organisation must send to the Accreditations (sic) Committee [a]report on letter head signed by the returning officer:

- a. *stating that the election was conducted in accordance with B3-B5;*
- b. *setting out the names of the delegates in the order in which they were elected; and*
- c. *including:*
 - i. *the rules under which the election was conducted, and*
 - ii. *details of voting.*

6.2 *If delegates have been elected unopposed, the member organisation must send to the Accreditation Committee within 2 weeks of the close of nominations a report signed by the returning officer:*

- a. *stating that B4 was complied with; and*
- b. *setting out an order of election agreed to and signed by each delegate.*

6.3 *If the Accreditation Committee does not receive an agreed order of election as required by B6.2(b), it must determine the order of election by lot.*

- 12. Some returning officer's reports did not comply with the requirements of B6. Where such non-compliance was identified, the Accreditation Committee sought and received additional information from the relevant returning officers and determined compliance with the pertinent rules.
- 13. The NUS Rules also prescribe the number of delegates to be elected by each member organisation and the number of votes to be exercised by each delegate.
- 14. R19 provides that the number of delegates to be elected by each member organisation are based upon the number of EFTSLs of the students represented by the member organisation. EFTSLs are defined at C38(d) to mean "*equivalent fulltime student load based on the most recent available data from the Commonwealth Government, post-school institutions and member organizations.*" Accordingly, votes are allocated to member organisations as follows:

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

15. R20 prescribes the number of votes to be exercised by the delegates of a member organisation. R20.1 provides that:

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*

16. R20.2 provides that:

The votes to be exercised by each delegate of a member organisations (sic) 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.

Other matters

17. R6.8 – 6.11 provide:

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.

18. Schedule 1 to this report lists:
 - a. member organisations where confirmation of the payment of the (applicable) annual subscription and, returning officers' reports or, other sufficient documents or information, satisfactory to the Accreditation Committee have been provided;
 - b. the names of delegates accredited from those member organisations; and
 - c. the number of votes for each delegate based on EFTSL.
Delegates are listed in the order of their election, or as agreed, unless indicated otherwise.

19. Schedule 1 also includes the names of delegates that would have been accredited for each member organisation and the number of votes that would have been allocated to each delegate in circumstances where confirmation of the payment of the annual subscription has not been provided. This relates to the following member organisations:
 - a. Monash Student Association (Clayton) Incorporated; and
 - b. Edith Cowan University Student Guild.

20. The delegates from the member organisations identified at paragraph 19 have not been accredited in circumstances where the Accreditation Committee was not provided with confirmation of payment of the annual subscription for the relevant member organisations.

21. In accordance with R20.5, the delegates of member organisations are not entitled to exercise their votes until the annual subscription is paid. In accordance with R6.10, the voting rights of member organisations

that pay their annual subscription after the distribution of this report will remain suspended until 1 February 2022.

22. In relation to the EFTSL figures used in Schedule 1, we note the following:
- a. We have been referred to 2020 annual reports or other EFTSL data published by number of institutions, as well as 2019 EFTSL data published by the Commonwealth Government Department of Education, Skills and Employment through the website [www.http://highereducationstatistics.education.gov.au/](http://highereducationstatistics.education.gov.au/) (**DESE uCube data**).
 - b. We are not aware of any 2020 EFTSL data published by the Commonwealth Government for the relevant institutions.
 - c. Where the Accreditation Committee could identify a 2020 EFTSL figure in the annual report or other data published by the relevant institution for the correct cohort of students, we have used that figure.
 - d. If we have been unable to identify an EFTSL figure for the correct cohort of students in either the annual report or other data published by the relevant institution, we have relied upon “*Student Load Time Series*” data published by the Commonwealth Department of Education, Skills and Employment, containing 2019 EFTSL figures (**DESE SLTS data**). We utilised the DESE SLTS data as this provided more readily accessible data identifying undergraduate, postgraduate, pathway and non-degree EFTSL numbers than the uCube data.
 - e. Using the approach set out above, we have been unable to identify an EFTSL figure for the correct cohort of students for RMIT University Student Union (**RUSU**), MONSU (Caulfield) or MSA (Clayton). As such, we have retained the EFTSL figures for RUSU and MSA (Clayton) from our 2020 report.
 - f. The Accreditation Committee as currently constituted has not previously identified an EFTSL figure for the correct cohort of

students for MONSU (Caulfield). By clause 5 of the Constitution of MONSU (Caulfield), eligibility for membership is limited to “...[Caulfield campus of Monash University] enrolled undergraduate students...”. The only EFTSL data we have pertaining to the Monash Caulfield Campus is contained in a document published by Monash University titled “*Pocket Statistics 2020*”. The EFTSL data for the Monash Caulfield Campus in that document relates to 2019 and is not limited to undergraduate students. Notwithstanding this, we have adopted that figure in the absence of more accurate information.

23. Schedule 2 to this report contains an explanatory background to the Accreditation Committee’s 2015 report setting out the basis upon which the EFTSL figures have been reached. A review of the basis of the calculation of the EFTSL figures was undertaken for the 2015 Accreditation Committee report. Offshore students have not been included for the reasons set out in Schedule 2.

Observers

24. B17 provides for the appointment and accreditation of observers to National Conference. Relevantly, B17.1 – 17.8 prescribe:

17.1 Member organisations may only appoint as observers, students eligible to be elected as delegates of that member organisation.

17.2 Associate members may appoint the number of observers determined by National Executive.

17.3 Non-member student organisations may only appoint as observers, students entitled to elect the governing body and elected representatives of that non-member organisation.

17.4 Non-member organisations may only appoint 2 observers.

17.5 The observers from associate members and non-member organisations are:

(a) not members of Conference; and

(b) do not have moving, seconding or speaking rights.

17.6 Appointments of observers may only be made by resolution of the governing body of the organisation.

17.7 Notification of the appointment of observers must be:
(a) on letterhead of the organisation signed by the President or equivalent officer of the organisation; and
(b) be received by the Accreditation Committee before 12 midnight Eastern Standard Time on 1 December.

17.8 The Accreditation Committee may only accredit observers who comply with the requirements of this by-law.

25. The Accreditation Committee was advised by Param Mahal, the National General Secretary, that this year there has been no request from any member organisation to have any official observer accredited. As at the time of completing this report the Accreditation Committee has received no notification of the appointment of observers in accordance with R17.7.
26. Accordingly, no observers have been accredited and this element of the Accreditation Committee's duties is considered to have been satisfied.

Application for review of the refusal to accredit delegates of Edith Cowan University Student Guild

27. On 6 December 2021 at approximately 4.10 pm, the initial report of the Accreditation Committee for the National Conference of the National Union of Students to be held 13-15 December 2021 (the Initial Accreditation Committee Report) was sent to all member organisations and all members of National Executive.

28. R6.8 to 6.10 provide as follows:

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.

29. As at the time of the signing of the Initial Accreditation Committee Report, the Accreditation Committee was of the understanding that the payments of annual subscriptions for various member organisations, including the payment of its annual subscription for the Edith Cowan University Student Guild, was not “in NUS's bank account and available to be spent by NUS” as per R6.9. Accordingly, the Initial Accreditation Committee Report identified the names of delegates from the Edith Cowan University Student Guild that would have been accredited and the number of votes that would have been allocated to each delegate had the payment of Edith Cowan University Student Guild's annual subscription been made. In the circumstances, no delegates from the Edith Cowan University Student Guild were accredited or allocated votes.
30. On 6 December 2020, at 5.18pm Mr Param Mahal, General Secretary of the National Union of Students, contacted the Accreditation Committee by way of a text message, to inform the Accreditation Committee that the Edith Cowan University Student Guild's annual subscription payment had now been received into NUS's bank account. Mr Mahal provided documentary evidence of the payment from the Edith Cowan University Student Guild, being a sum of \$1,100.00, having been made to a bank account operated by the NUS, and that sum being available to be spent by NUS, on 6 December 2021. The sum of \$1,100.00 (GST inclusive) is identified in NUS Fee Review Committee Minutes as the relevant 2021 annual subscription amount for Edith Cowan University Student Guild. The

documentary evidence provided does not identify the precise time at which the funds arrived into the bank account of the NUS on 6 December 2021.

31. On 7 December 2021 at 8.26pm, the President of the Edith Cowan University Student Guild, sent an email to the Accreditation Committee. In that email, the President of Edith Cowan University Student Guild asserted a belief that its annual subscription payment was made to the NUS and that that payment arrived in the NUS bank account before the Accreditation Committee Report was published to member organisations and members of National Executive. Accordingly Edith Cowan University Student Guild's President made a request that the Accreditation Committee review its decision not to accredit Edith Cowan University Student Guild delegates. The basis upon which that request was the Edith Cowan University Student Guild President's declaration that the Edith Cowan University Student Guild's annual subscription payment was made and received by the NUS on 6 December 2021 before the Accreditation Committee Report was sent/published.
32. The Accreditation Committee made a request to Mr Mahal that he contact the NUS's bank to seek to ascertain a more precise time as to when the Edith Cowan University Student Guild annual subscription payment was received in the NUS's bank account. Mr Mahal subsequently advised that he sought to do so but was advised by the bank that it was not able to ascertain, with greater precision, the time at which the payment was received in the NUS's bank account.
33. Mr Mahal confirmed to the Accreditation Committee that he had checked the NUS bank account on Monday 6 December 2021 at approximately 12 midday and that at that time the Edith Cowan University Student Guild annual subscription payment had not yet arrived in the NUS's account.
34. In accordance with B8.1, "the Accreditation Committee must meet to review the accreditation of a delegate or observer when requested by a member Conference (sic) in writing, stating the grounds of objection".

35. The Accreditation Committee has now met to review the accreditation of delegates of the Edith Curtin University Student Guild.
36. Based on the current information and evidence available to the Accreditation Committee, the Accreditation Committee has determined that the Edith Cowan University Student Guild payment of \$1,100.00 was in NUS's bank account and available to be spent by NUS at a time *later* than midday on 6 December 2021 but *prior* to 5.18 pm on that same day. The Accreditation Committee, being unable to more precisely ascertain the time that payment was received into NUS's bank account, considers on the balance of probabilities, that the Edith Cowan University Student Guild payment arrived in the NUS's bank account *prior* to the Initial Accreditation Committee Report being published.
37. Accordingly, the suspension of Edith Cowan University Student Guild's voting and other membership rights have now been lifted. For the avoidance of doubt, this means that the voting rights of the Edith Cowan University Student Guild do not "*remain suspended*" until 1 February 2022.
38. In the circumstances, we consider it appropriate to accredit the following delegates from the Edith Cowan University Student Guild and confirm the allocation of votes for each delegate as follows:


Edith Cowan University Student Guild
Edith Cowan University relevant EFTSL – 20,654
Delegates: 7, Votes 41

<u>No.</u>	<u>Name</u>	<u>Votes</u>
<u>1</u>	<u>Singh Harwinder</u>	<u>6</u>
<u>2</u>	<u>Ali Haider</u>	<u>6</u>
<u>3</u>	<u>Michael Kosgey</u>	<u>6</u>
<u>4</u>	<u>Faizan Akram</u>	<u>6</u>
<u>5</u>	<u>Vimal Khetiya</u>	<u>6</u>
<u>6</u>	<u>Tendai Zvehama</u>	<u>6</u>
<u>7</u>	<u>Sachin Galapatha Arachchilage</u>	<u>5</u>

8 December 2021



Cassie Serpell



Jim McKenna

The 2021 Accreditation Committee

**SCHEDULE 1 –
Accredited delegates**

ANUSA

Australian National University (EFTSL 11,297)

Delegates: 5, Votes 23

No.	Name	Votes
1	Blake Lafeta	5
2	Luca Corby	5
3	Phoenix O'Neill	5
4	Sinead Winn	4
5	Christian Flynn	4

ARC Association

University of New South Wales (EFTSL 47,146)

Delegates: 7, Votes 94

No.	Name	Votes
1	Tom Kennedy	14
2	Nicholas Derlacki	14
3	John Economides	14
4	Nick Palmer	13
5	Vihan Roy	13
6	Cherish Kuehlmann	13
7	Lungol Wekina	13

USyd SRC

University of Sydney (EFTSL 33,049)

Delegates: 7, Votes 66

No.	Name	Votes
1	Matthew Carter	10
2	Grace Hu	10
3	Drew Beacom	10
4	Swapnik Sanagavarapu	9
5	Cady Brown	9
6	Yasmine Johnson	9
7	Mikaela Stella Pappou	9

UTS SA

University of Technology Sydney (EFTSL 35,760)

Delegates: 7, Votes 72

No.	Name	Votes
1	Damien Nguyen	11
2	Zebadiah Cruickshank	11
3	Holly Hayne	10
4	Sabrine Yassine	10
5	Eshna Gupta	10
6	Nour Al Hammouri	10
7	Chloe Rafferty	10

WUSA

University of Wollongong Australia (EFTSL 19,016)

Delegates: 7, Votes 38

No.	Name	Votes
1	Tiana Myers	6
2	Jasmine Duff	6
3	Ben Regan	6
4	Jye Langley	5
5	Jack Mansell	5
6	Kaia Cox	5
7	Liam Douglas	5

WSU SRC

Western Sydney University (EFTSL 36,592)

Delegates: 7, Votes 73

No.	Name	Votes
1	Natasha Ferrer	11
2	Leahanne Baker	11
3	Cameron Chesters	11
4	Sarah Cupitt	10
5	Simon Preuss-Kearney	10
6	Jonathan Espinas	10
7	Parkar Rameez	10

FUSA

Flinders University (EFTSL 17,422)

Delegates: 6, Votes 35

No.	Name	Votes
1	Molly Turnbull	6
2	Benika Bhoola	6
3	Ange Nishimwe	6
4	Isaac Beckmann	6
5	Emily Williams	6
6	Lachlan White	5

USA SA

University of South Australia (EFTSL 24,406)

Delegates: 7, Votes 49

No.	Name	Votes
1	Noah Beckmann	7
2	Trisha Banga	7
3	Anet Varghese	7
4	Rohit Sahdev	7
5	Gagandeep Kaur	7
6	Isaac Solomon	7
7	Sage Jupe	7

DUSA

Deakin University (EFTSL 43,883)

Delegates: 7, Votes 88

No.	Name	Votes
1	Emily Sagolj	13
2	Avinash Maurya	13
3	Jonathan De La Pena	13
4	Georgie Brimer	13
5	Max McGahan	12
6	Ebony Martinez	12
7	Jemima Tilly	12

LTSU

La Trobe University (EFTSL 27,416)

Delegates: 7, Votes 55

No.	Name	Votes
1	Georgina (Georgie) Beatty	8
2	Rory Gee	8
3	Lukas Jamieson	8
4	Yasmin Jenkins Gunn	8
5	Monika Galovic	8
6	Alicia Griffiths	8
7	Eric Seychell	7

MONSU (Caulfield)

Monash University (Caulfield Campus) (EFTSL 17,341)

Delegates: 6, Votes 35

No.	Name	Votes
1	Maxi Hunt	6
2	Aryae Suthar	6
3	Madeleine Trudel	6
4	Driti Thyagaraj	6
5	Tiana Schurmann	6
6	Wenhan Jia	5

MSA (Clayton)

Note that delegates would be accredited and votes allocated save that the annual subscription fee has not been paid.

Monash University (Clayton Campus) (EFTSL 37,468)

Delegates: ~~7~~ 0, Votes ~~75~~ 0

No.	Name	Votes
1	Tushar Kant	11 0
2	Mitchell Evans	11 0
3	Ananya Gupta	11 0
4	Utkarsh Ahuja	11 0
5	Rao Fu	11 0
6	Rounak Agarwal	10 0
7	Kelly Cvetkova	10 0

RUSU

RMIT University (EFTSL 44,522)

Delegates: 7, Votes 89

No.	Name	Votes
1	Jake Maraldo	13
2	Natalie Acreman	13
3	Jingyi Yin	13
4	Jacob Sartori	13
5	Dennis Southon	13
6	Amelia Christie	12
7	Liam Tall	12

SSU

Swinburne University (EFTSL 34,117)

Delegates: 7, Votes 68

No.	Name	Votes
1	James Atkins	10
2	Georgie McDaid	10
3	Isobel O'Dwyer	10
4	Tina Tsironis	10
5	Nidzam Shah Bin Ekbal Hussain	10
6	Nikitha Neelakantan	9
7	Kishaun Thiruchelvam	9

UMSU

University of Melbourne (EFTSL 52,151)

Delegates: 7, Votes 104

No.	Name	Votes
1	Jeremy Cameron	15
2	Jack Buksh	15
3	Andoni Fischer	15
4	Sophie Nguyen	15
5	Planning Jay Vynn Saw	15
6	Ngaire Bogemann	15
7	Shirely Killen	14

CUSG

Curtin University (EFTSL 35,728)

Delegates: 7, Votes 71

No.	Name	Votes
1	Chris Macfarlane	11
2	Lucy Rohl	10
3	Yie Xin Cheong	10
4	Madison Ainsworth	10
5	Dylan Botica	10
6	Freya North-Hickey	10
7	Cassidy Pemberton	10

ECUSG

Order determined by lot.

Edith Cowan University (EFTSL 20,654)

Delegates: 7, Votes 41

No.	Name	Votes
1	Singh Harwinder	6
2	Ali Haider	6
3	Michael Kosgey	6
4	Faizan Akram	6
5	Vimal Khetiya	6
6	Tendai Zvehama	6
7	Sachin Galapatha Arachchilage	5

UWASG

University of Western Australia (EFTSL 18,657)

Delegates: 7, Votes 37

No.	Name	Votes
1	Amitabh Jeganathan	6
2	Nicole McEwen	6
3	Maria Waters	5
4	Emma Mezger	5
5	Narendra Gammanpila	5
6	Abdul Rahman Abdul Rahim	5
7	Sapphire Carter	5

JCUSA

James Cook University (EFTSL14,428) Order determined by lot.

Delegates: 6 [5 elected], Votes 29

No.	Name	Votes
1	Brooke Shannon	6
2	Thomas Sherrington	6
3	Dillon Weightman	6
4	Emily Mulroy	6
5	Catherine Colgan	5

QUTSG

Queensland University of Technology (EFTSL 38,678)

Delegates: 7, Votes 77

No.	Name	Votes
1	Olivia Brumm	11
2	Oscar Davison	11
3	Natalie Tew	11
4	Sarah Balmer	11
5	Veronica Lancelot Palk	11
6	Zoe Davidson	11
7	Declan Kerr	11

SCHEDULE 2 –

Explanatory background to 2015 report regarding EFTSL figures

Cohorts of students and EFTSL figures

- I. In 2013 and 2014, the Accreditation Committee, [as it then was] resisted undertaking a fundamental review of the basis of the assessment of the cohort of students to be considered when deciding appropriate EFTSL figures for the purpose of the number of delegates and allocation of votes. The Accreditation Committee took the view that this was a longer-term discussion to be undertaken between NUS decision-making bodies and member organisations. It was noted that such discussions may affect the level of affiliation fees and other matters.

- II. The process for the preparation of the 2015 Accreditation Committee report was commenced earlier than in previous years. The Accreditation Committee had been provided with constitutions, or similar documents, for each organisation as well as significantly more material than in previous years in relation to EFTSL figures. It appeared that there had not yet been a resolution of the matters agitated in prior years. The Accreditation Committee therefore decided to undertake a review of the basis that each member organisation's EFTSL figures were arrived at. The process included the Accreditation Committee considering each member organisation's constitution, or similar document, and a variety of EFTSL figures provided to the Accreditation Committee.

- III. From 2015 the Accreditation Committee decided to apply the following principles:
 - i. R19 provides for calculation of the number of delegates of a member organisation on the basis of the "*EFTSLs of the students represented by the member organisation*". The Accreditation Committee reviewed the constitution, or

similar document, for each member organisation to establish the cohort of students represented by the member organisation. Once the cohort was established, the appropriate EFTSL figure was determined from within the material provided to the Accreditation Committee;

- ii. All other things being equal, the Accreditation Committee preferred primary university documents to the Government spreadsheet;
- iii. The Accreditation Committee only used *final* EFTSL figures (however designated) and did not adopt 'preliminary', 'current working' or 'as of today' figures;
- iv. Some of the information provided did not make allowance for multiple member organisations at the same institution or other information required to establish an EFTSL figure for the relevant student cohort;
- v. Where the Accreditation Committee is not able to establish an accurate updated figure, the Accreditation Committee has determined to leave the figure as it was in the Accreditation Committee's 2014 or earlier reports.

IV. The application of these principles to the information provided to the Accreditation Committee, led to significant changes in the number of delegates and votes for some member organisations, compared to 2014. Some organisations which were previously accredited, based on undergraduate and postgraduate EFTSL, have now been accredited on the basis of undergraduates and vice versa. Some EFTSL's have been updated after some years of no new material being supplied to the Accreditation Committee.

V. Where an organisation represents TAFE students, the Accreditation Committee calculated the relevant EFTSL to include these students. The Accreditation Committee considered TAFE to be a post school institution pursuant to C6 of the NUS Constitution.

- VI. Those member organisations for which EFTSL figures have changed significantly, include: ANU and University of Canberra (the member organisations only include undergraduates); Deakin and UNSW (the member organisations include postgraduates); and, Victoria University, Swinburne and RMIT (the member organisations include TAFE students).
- VII. The situation with off-shore students is more complicated. No express provision is made in the NUS Constitution, By-Laws or Regulations regarding the treatment of off-shore students. The Accreditation Committee considered off-shore students to be those students who study the vast majority of their course at a campus of an Australian institution geographically outside of Australia. At the time of the creation of NUS, there were most likely very few, if any, students in this category.
- VIII. Some member organisations may represent such students.
- IX. In considering this matter the Accreditation Committee considered the Constitutional Objects of NUS and, in particular, the general object at C3.1 of the NUS Constitution, which provides as follows:
“The general object of NUS is to represent and advance the interests of post-school students in Australia” (underlining added).
- X. Relevantly, C6 of the NUS Constitution provides as follows:
*“The qualifications that are a prerequisite to being admitted to membership of NUS are that:
(a) a member organisation is an organisation that represents all or some of the students of an Australian post-school institution, as specified in the regulations.”*
- XI. R80.2(g) [presently(f)] is also relevant. It provides as follows:
“ ‘post-school institution’ means an Australian university, institute, college or similar body whose principal activity is post-school education;”

- XII. The method of calculating numbers of delegates and votes in R19, refers to an Australian Government mechanism for calculating student load for institutions within Australia.
- XIII. On the basis of these provisions and a consideration of the NUS Constitution, By-Laws and Regulations as a whole, the Accreditation Committee considered that it was not intended that organisations' EFTSL figures for the purpose of accrediting NUS delegates and allocating votes to delegates, include off-shore students who are represented by member organisations. The Accreditation Committee therefore determined to not include off-shore students in the calculation of the relevant EFTSL for any organisation.