Victoria University of Wellington Students' Association
Te Rōpū Tauira o te Kura Wānanga o te Upoko ō te Ika a Maui Inc

Constitution and Schedules
April 2017

Table of Contents

PART I - INTRODUCTION 4
Section 1 - Name 4
Section 2 - Interpretation 4
Section 3 - Goals of the Association 4
Section 4 - Membership 5
Section 5 - Powers of the Association 6
Section 6 - Independent Arbitrator 6
Section 7 - Registered Office 6
PART II - GENERAL MEETINGS OF THE STUDENT BODY AND REFERENDA 6
Section 1 - General Meetings 6
Section 2 - Initial and Annual General Meetings 7
Section 3 - Special General Meetings 7
Section 4 - Miscellaneous 7
Section 5 - Referenda 8
PART III - THE EXECUTIVE 9
Section 1 - The Officers 9
Section 2 - The Executive 9
Section 3 - Powers of the Executive 10
Section 4 - Meetings of the Executive 10
Section 5 - Cessation of Executive Membership 10
Section 6 - Vacancies on the Executive 11
PART IV - COMMITTEES 12
Section 1 - Executive Committees 12
Section 2 - Constitutional Committees 12
Section 3 - Clubs Council 12
Section 4 - The Student Media Committee 12
Section 5 - Membership of all Committees 13
PART V - ELECTIONS 13
Section 1 - Election Committee 13
Section 2 - Applications 14
Section 3 – Conduct of Voting 14
Section 4 - Polling Day 15
Section 5 - Polling Booths 15
Section 6 - Counting of Votes 15
Section 7- Declaration of Election Results 17
Section 8 – Disputes 17
Section 9 - Conduct of Electors and Applicants 18
Section 10 - Absentee Voters 18
PART VI - STUDENT GROUPS 18
Section 1 - Student Groups 18
PART VII - FINANCE 19
Section 1 - Subscription 19
Section 2 - Control of Funds 19
PART VIII - MINUTES AND RECORDS 20
Section 1 - Record Keeping 21
PART IX – THE CONSTITUTION 21
Section 1 - The Constitution 21
Section 2 - Interpretation of the Constitution 21
Section 3 - Statutes and Policy 22
PART X - MISCELLANEOUS 22
Section 1 - Publications 22
Section 2 - The Common Seal 22
Section 3 - Annual Returns 22
Section 4 - Winding Up 23
Section 5 - Personal Benefit 23
Section 6 - Conflicts of Interest 23
SCHEDULE 1: STANDING ORDERS 23
SCHEDULE 2: SALIENT CHARTER 26

SCHEDULE 3: GRANTS **27**
SCHEDULE 4: MANAGEMENT REGULATIONS **27**
SCHEDULE 5: THE ASSOCIATION'S STUDENT DELEGATES **27**
SCHEDULE 6: REPRESENTATIVE GROUPS **28**
SCHEDULE 7: VUWSA REPRESENTATIVE GROUPS CHARTER **29**

PART I - INTRODUCTION

Section 1 - Name

(1) The name of the Association shall be the Victoria University of Wellington Students' Association and Te Rōpū Tauira o te Kura Wānanga o te Upoko ō te Ika a Māui Incorporated.

Section 2 - Interpretation

(1) In these rules, unless a contrary intention appears:

Academic Year means the period commencing on the day in any year on which lectures commence at the University and ends on the day preceding that upon which lectures are commenced at the University in the following year.

Affiliated Group means any club, society or similar student body affiliated to the Association.

Association or **VUWSA** means the Victoria University of Wellington Students' Association and Te Rōpū Tauira o te Kura Wānanga o te Upoko ō te Ika a Māui Incorporated.

Constitution means the Constitution of the Victoria University of Wellington Students' Association and Te Rōpū Tauira o te Kura Wānanga o te Upoko ō te Ika a Māui Incorporated.

Current Year, **Association Year**, **Financial Year and Year** mean the calendar year commencing on the 1st of January and ending on the 31st of December.

Day means a weekday that is not a public holiday under the Holidays Act.

Executive means the Executive of the Association elected or appointed in accordance with the Constitution.

Fees mean any type of enrolment examination or tuition fee and includes PhD students. **Fees** also means the sum required irrespective of whether the student or the University or any other organisation pays by any method whatsoever.

Goals means the goals objects of the Association set out in Part I, Section 3 of the Constitution.

Member means any person who is a member of the Association in accordance with the Constitution and includes a life member.

Notice means a message being posted on the noticeboard outside the VUWSA Kelburn Office, on the VUWSA website and in Salient.

Representative Group means an organisation representing a defined constituency of students that has representative functions devolved to it by resolution of the VUWSA Executive or by a General Meeting.

Salient means the current official newspaper of the Association.

Student means any person who is enrolled as a student at the University.

University means Victoria University of Wellington.

Vice-Chancellor means the Vice-Chancellor of Victoria University of Wellington.

VUWSA Trust means the Victoria University of Wellington Students' Association Trust established by deed dated 29th August 1978.

Section 3 - Goals of the Association

(1) VUWSA is an organisation run by its members and is a voice of students at Victoria University. VUWSA acts, where possible, in the interests of all students, but is ultimately responsible to its members.

(2) VUWSA will be:

(a) Democratic;
(b) Representative;
(c) Transparent;
(d) Accountable; and
(e) Inclusive.

(3) VUWSA recognises Māori as Tangata Whenua of Aotearoa and will act in accordance with Te Tiriti o Waitangi/The Treaty of Waitangi and that VUWSA acknowledges Ngāi Tauira o te Kura Wānanga o te Upoko ō te Ika a Māui as the official representatives of Māori students on campus.

(4) The goals of the Association are:
(a) Goal 1 - Education Quality: To ensure that the University provides the best teaching and learning, research opportunities, assessment and training to students.
(b) Goal 2 - Student Support: To advocate for adequate financial support, income and welfare for students in order to remove barriers to education.
(c) Goal 3 - Equity and Access: To promote equity for disadvantaged students in access to and within the University.
(d) Goal 4 - Services: To provide quality, cost effective services for the benefit of members, and, where appropriate, students.
(e) Goal 5 - Activities: To support sporting, social and cultural activities for and by members and students, particularly through Clubs.
(f) Goal 6 - Public Issues: To be the critic and conscience of the University and society, by promoting discussion and action on issues concerning students.
(g) Goal 7 - Finance: To maximise the member benefits by minimising fees or user charges through internal efficiency and non-member revenue.
(h) Goal 8 - Accountability: To ensure accountability to, and representation of, members
(i) Goal 9 - Sustainability: To recognise the needs of current and future generations by promoting sustainable lifestyles and actions to members while ensuring the sustainable operation of the Association and University members

Section 4 - Membership

(1) Student Membership:
(a) The following persons shall be eligible for student membership of the Association:
(i) Every person enrolled at the University;
(ii) Any person whose written application is accepted by the Executive;
(iii) Every person who is enrolled at another tertiary institution where the Students' Association at that institution has so requested that membership be made available to such students.
(b) Eligible persons shall become members on application to the VUWSA Executive or in accordance with any other processes determined by the VUWSA Executive.

(2) The President of the Association shall become a member on the day they assume office as President and hold membership as President until the office of President is relinquished.

(3) All members with membership through clause (1) of this section shall remain members continuously until any of the circumstances in clause (5) of this section come into effect.

(4) Life Membership:
(a) A person may become a life member of the Association, with their consent, when they are elected as a life member by a two-thirds majority vote of those present and voting at a General Meeting.

(5) Cessation of Membership
Membership of the Association shall cease in the following circumstances:
(a) death of a member
(b) notice of resignation is given in writing to the Executive, by any member
(c) if no subscription is imposed by the Association, then for Student Members, membership shall lapse at the end of each academic year unless they enrol for further study in the subsequent academic year at the University, subject to any total or partial exemption under clause (1)(b) of this section.
(d) in the case of a subscription being imposed by the Association, then:

(i) for student members, membership shall lapse on 31 March in the year following that in which the subscription was last paid, subject to any total or partial exemption under clause (1)(b) of this section.
(ii) any student member whose subscription is not paid by the beginning of any academic year shall be disentitled to the privileges of membership until such subscription is paid or 31 March, when their membership will lapse as laid out in clause (5)(d)(i) of this Section, subject to any total or partial exemption under clause (1)(b) of this Section.

Section 5 - Powers of the Association

(1) The Association may exercise the following powers in pursuance of the Goals contained in Section 3 of Part I.
   (a) To deal with and control, and to represent and act for the members, in all matters in which the members as a body are interested.
   (b) To manage and control such buildings or parts of buildings or other premises as are delegated to the Association by the University Council.
   (c) To acquire, manage and control the assets and funds of the Association for the use and benefit of members.
   (d) To raise funds by any means the Executive may deem fit for all or any Goals of the Association.
   (e) To edit, print, publish, issue and circulate such publications as the Executive may deem fit
   (f) To apply for and acquire any licences or permits (including licences relating to the sale of liquor under the Sale of Liquor Act or any subsequent related Act) deemed necessary by the Executive to further or accomplish any of the objects or goals of the Association.

Section 6 - Independent Arbitrator

(1) At the Initial General Meeting, members shall appoint an Independent Arbitrator who shall be a registered Barrister and Solicitor of the High Court of New Zealand.
(2) The Independent Arbitrator has powers regarding referenda, as per Section 5 of Part II.

Section 7 - Registered Office

(1) The registered office of the Association shall be the Victoria University of Wellington Students' Association office, Student Union Building, Kelburn Parade, Wellington.

PART II - GENERAL MEETINGS OF THE STUDENT BODY AND REFERENDA

Section 1 - General Meetings

(1) Subject to the provisions of the Constitution, all resolutions of General Meetings shall be binding on the VUWSA Executive.
(2) The quorum for all General Meetings shall be one hundred members.
(3) If the quorum is not met within 30 minutes of the time appointed for the meeting, no business may be discussed or dealt with, and the meeting shall lapse or be void for all purposes.
(4) After the meeting has commenced the meeting shall close if at any time there is not a quorum present.
   (a) Any business that has been enacted while a meeting has quorum shall be valid.
(5) Any motion before a General Meeting may be passed by a simple majority of those members present and voting, except:
   (a) constitutional amendments, motions of no confidence, and life memberships which require a two thirds majority of those members present and voting.
(6) All General Meetings will be held during academic trimesters 1 and 2 on days between 10am and 4pm.

Section 2 - Initial and Annual General Meetings

(1) The Initial General Meeting must be held within the first six weeks of Trimester 1.
  (a) The exact date of the meeting will be determined by the VUWSA Executive.
(2) At this meeting the following documents will be submitted for adoption:
  (a) the Annual Report for the previous year; and
  (b) the audited statement of income and expenditure for the previous year; and
  (c) the statement of financial position for the previous year.
(3) Notice of the Initial and Annual General Meetings shall be posted on the Association notice board at least ten days before the meetings, stating time, date and place thereof.
(4) These documents shall be published and made available at least two days before the Initial General Meeting.
(5) General business may be transacted at the Initial General Meeting.
(6) No motion of "no confidence" in Executive Officers shall be accepted at an Initial General Meeting.
(7) The Annual General Meeting must be held during Trimester 2.
  (a) The exact date of the meeting will be determined by the VUWSA Executive.
(8) At this meeting the following documents will be submitted for adoption:
  (a) a half-year report; and
  (b) the statement of accounts to 30 June of the current year.
(9) These documents shall be published and made available for at least two days before the Annual General Meeting.
(10) General business may be transacted.
(11) No motion of "no confidence" in Executive Officers shall be accepted at an Annual General Meeting.

Section 3 - Special General Meetings

(1) The Executive may by resolution convene a Special General Meeting.
(2) The Executive shall, within five days of the receipt by the President or one of the Vice Presidents of a request in writing signed by at least ten members of the Association, call a Special General Meeting.
  (a) The Executive shall set the date for the Special General Meeting.
    (i) It may not be earlier than five days after the request for the meeting has been received.
    (ii) It may not be later than fifteen days after the request for the meeting has been received.
(3) Notice of a Special General Meeting shall be given by posting the time, date, place and motions to be discussed on the Association notice board.
(4) If the Executive fails to call the Special General Meeting within the required period, the members making the request may themselves convene a meeting.
(5) All resolutions and petitions calling for a Special General Meeting must state any motion to be moved at the meeting, or the business to be discussed.
(6) At a Special General Meeting the order of business shall be as follows:
  (a) any motion of which notice has been given in accordance with clause (3) of Section 3 of Part II; then
  (b) any motion of which notice in writing was given to the President at least three days before the Special General Meeting being posted.
  (c) any motion directly arising from discussion of the meeting or clauses (a) and (b) above.

Section 4 - Miscellaneous

(1) Notwithstanding anything contained in Section 2 of Part I or elsewhere in this Constitution, for the purposes of this Part, “member” shall mean “person entitled to vote at the meeting”.
(2) There shall be no voting by proxy.
(3) At all General meetings, each eligible member shall exercise one vote only except:
  (a) the Chair, who shall possess both a deliberative and a casting vote.

Section 5 - Referenda

(1) The Executive, by resolution, or any member, by presenting to the President a petition with the names and signatures of fifty members, may request that the Executive put an issue to the members by way of a Referendum.

(2) The President will give five days' notice of the question before sending the proposed question to the Independent Arbitrator to allow time for submissions to be made by members.
   (a) After this notice period the question must be sent to the Independent Arbitrator to determine neutral wording of the question to be put.

(3) After the Independent Arbitrator has decided upon the question to be put to the members there will be ten days' notice before voting opens.

(4) For a referendum to be binding, the motion or petition must state this and 5% of members must vote in the Referendum.
   (a) If either of these conditions are not met, the referendum result is indicative only.
   (b) Any referendum involving finance or administrative matters shall be indicative only and not binding on the Association, however this clause shall not apply in the case where a referenda is held as per Section 7 of Part X of this constitution or where the Executive determines that the referendum can be financially binding.

(5) The Executive will announce the Referendum to the Student Media and promote discussion and debate regarding the subject of the referendum.
   (a) The Executive will provide an explanatory document for each question which discusses the pros and cons of the issue. This document must be approved by at least two thirds of the Executive members and sent to the Independent Arbitrator who shall ensure the document is neutral.

(6) The Association Secretary may appoint a Returning Officer to supervise the conduct of the Referendum.
   (a) If no Returning Officer is appointed or in the absence or incapacity of any Returning Officer the Association Secretary will be the Returning Officer.

(7) The Returning Officer shall conduct the Referendum according to the voting provisions contained in Part V as if the Referendum were an election, with all necessary changes.

(8) Any matter with regard to the conduct of the Referendum is subject to the overriding supervision of any Independent Arbitrator appointed by the Executive for that purpose.

(9) Voting in a Referendum must take place online in a manner that enables all members to cast their ballot.

(10) The Independent Arbitrator will:
   (a) Set the wording of the question to be put to the Referendum.
   (b) Ensure that the matters put to the Referendum are put fairly and that they are put in such a way to ensure that the result is a free expression of the members' opinions rather than being dictated by the form of the question.
   (c) Consider any submissions made by any member as to how the question should be phrased.

(11) The Independent Arbitrator may only decline to put a question to a Referendum if:
   (a) The question is frivolous;
   (b) The question is contrary to the Constitution;
   (c) The question unfairly affects any individual, including students, VUWSA employees and University employees;
   (d) The question is biased or leading and cannot be made neutral; or
   (e) There is already a question of a similar nature being put to the members, in which case the Independent Arbitrator may recommend that only one question be asked on the one topic.

(12) In seeking to determine the opinion of the members on an issue, the Independent Arbitrator may choose to put to the Referendum a series of different Resolutions about the same issue in order to ensure that a clear result is obtained.

PART III - THE EXECUTIVE

Section 1 - The Officers

(1) The Officers of the Association shall be:
  (a) the President;
  (b) the Academic Vice President
  (c) the Welfare Vice President;
  (d) the Engagement Vice President; and
  (e) the Treasurer-Secretary.

(2) The President is a full time position and shall receive a salary in 2012 of $34,500 gross.
  (a) In subsequent years the salary shall be automatically adjusted by the CPI for the year preceding the year for which the President takes office.

(3) Every candidate for President shall be a student member of the Association at the time of their election.

(4) No person may hold the position of President for more than a total of twenty-four months.

(5) The President-elect in any one year shall be paid an amount equivalent to one-twelfth of the current President's salary for the month of December, provided that they carry out the following duties to the satisfaction of the Executive:
  (a) to familiarise themself with the administration and the running of the main building and any services run by the Union, the Association or the VUWSA Trust;
  (b) to familiarise themselves with student government and the workings of the Executive and the committees of the Association;
  (c) any other matters which are necessary to be known by an incoming President for the efficient and effective running and administration of the Association.

(6) Each of the three Vice Presidents shall be paid up to twenty hours per week at the minimum wage payable by law during their time in office.
  (a) This shall be paid on a fortnightly basis upon approval by the Executive.

(7) Each member of the Executive, other than the President and the Vice Presidents, shall be paid up to ten hours per week at the minimum wage payable by law during their time in office.
  (a) This shall be paid on a fortnightly basis upon approval by the Executive.

Section 2 - The Executive

(1) The Executive of the Association shall comprise of:
  (a) the President
  (b) the Academic Vice President
  (c) the Welfare Vice President
  (d) the Engagement Vice President
  (e) the Treasurer-Secretary
  (f) the Campaigns Officer
  (g) the Clubs and Activities Officer
  (h) the Education Officer
  (i) the Equity Officer
  (j) the Wellbeing and Sustainability Officer

(2) In the period between their election and taking office, the President-election shall become a non-voting member of the Executive.
  (a) This clause does not apply to any person who is, at the time of their election, a member of the Executive.

(3) The Executive shall be elected annually in accordance with Part V of this Constitution and no later than the third week of September.
  (a) The Executive takes office on 1 January of the following year.

(4) Every member of the Executive of this part shall be a student member of the Association at the time of their election and during their time in office, provided that the President need not enrol or student as a student during their term of office.

(5) No act or proceeding of the Executive, or of any committee thereof, or of any person acting as a member of the Executive or of any committee, shall be invalidated in consequence of there being a vacancy in the number of the said Executive or committee at the time of the act of proceeding, or of the subsequent discovery that there was some defect in the appointment or

election of any person so acting, or that they were incapable of being or had ceased to be such a member.

Section 3 - Powers of the Executive

(1) The Executive, subject to the provisions of the Constitution, may do all things deemed by it to be necessary or expedient for the fulfilment of the objects and goals of the Association.

(2) The Executive may appoint agents, delegates and committees to be responsible to the Executive for any control of any business of the Association, and any such committee or individual so appointed shall, subject to this Constitution or any resolution of a General Meeting, have full power and authority to carry out such business.

(3) Any member of the Executive appointed by the Executive for the purpose may attend as of right in an advisory capacity any meetings of any affiliated group or its committees.

(4) The Executive shall have power, subject to this Constitution, to administer and control all funds, property and effects of the Association.

(5) The Executive shall have power to interpret this Constitution, to vary time or date specified therein, in accordance with Section 9 of Part IX of this Constitution, and to make such policy to regulate all aspects of building management, finance, cultural events, employees and sports awards.

(6) The Executive shall exercise the disciplinary powers of the Association in accordance with the VUWSA Code of Conduct.

(7) The Executive, in the exercise of the powers delegated to it in Section 3 clause (4), Section 3 clause (5) and Section 3 clause (6) of this Part, shall not be subject to the direction of General Meetings.

Section 4 - Meetings of the Executive

(1) Meetings of the Executive shall be held at least twelve times a year.

(2) Six Executive members shall be a quorum.

(3) A meeting of the Executive may be called by any member of the Executive.
   (a) The President shall give twenty four hours' notice of the meeting to all other Executive members.
   (b) The President shall give the same notice to non-Executive members of the Association by means of the Notice Board.
   (c) Notwithstanding the provisions of (a) and (b) of this clause, and with the consent of a quorum of Executive members, a meeting may be called with less than twenty four hours' notice.

(4) Every member of the Association shall be entitled to attend any Executive meeting, and shall be given speaking rights upon resolution of the Executive.

(5) Any group or member of the Association desiring to bring business before the Executive must do so by means of a deputation, and give notice to the President of the Association.

Section 5 - Cessation of Executive Membership

(1) If any Executive member is absent from three consecutive Executive meetings or General Meetings without having their apologies accepted by the Executive they shall be deemed to have resigned.

(2) Notwithstanding clause (1) of this section the Executive may grant continuation of Executive membership if, at the Executive meeting immediately following the third absence, a two-thirds vote of Executive resolves that the member's absence was due to exceptional circumstances.

(3) The Executive, or any member thereof, shall resign if a resolution to do so is carried by a two-thirds majority of those members present and voting at a Special General Meeting called for that purpose.

(4) If the Executive deems that the President has made or intends to make, a statement to any person or organisation outside of the Association, including a statement to the media or the University or the Vice-Chancellor, and the Executive deems that such statement is contrary to the best interests of the Association the Executive may, with a two-thirds majority, pass a motion of restraint on the President.

(5) If a motion as per clause (4) of this section is carried it shall:

(a) require the Executive to convene a Special General Meeting at the earliest practical time to discuss either:
    (i) a motion to decide the Association's policy on the issue in dispute; or
    (ii) a motion of no confidence in the President
(b) require the President to refrain from making that statement, or any other public statement without the express agreement of the Executive; and
(c) at the discretion of the Executive, require the President to withdraw, retract or neutralise such statement if it has already been made.

(6) If the Executive deems that the President has failed to comply with the motion of restraint as per clause (4) of this section, the President shall be deemed to have resigned.

(7) The authority of a motion as per clause (4) of this section shall continue until the Special General Meeting resolves as to clauses (5)(a)(i) or (5)(a)(ii) of this section.
(a) the decision of the Special General Meeting called as per clause (5)(a) of this section becomes binding on the President and failure to comply with that decision shall be deemed as a resignation by the President.

(8) An Executive member may resign their membership of the Executive by giving written notice of their resignation to the President.

(9) The President may resign by giving written notice of their resignation to the Executive.

(10) The term of the Executive ends on 31 December of the year for which the Executive were elected.

Section 6 - Vacancies on the Executive

(1) The position of any Executive member shall become vacant if the person holding such a position:
(a) ceases to be a member of the Association;
(b) dies;
(c) is the subject of "No Confidence" motion carried by a two thirds majority at a Special General Meeting duly called for that purpose; or
(d) resigns from office.

(2) The position of any Executive member shall be vacant if an annual or special election fails to elect any person an Executive position, or if an election is declared void in accordance with this Constitution.

(3) In the event of the offices of President or a Vice President becoming vacant, the Executive shall appoint from amongst its members an Acting President or Acting Vice President to fill the vacant role.
(a) The Acting President or Vice President shall continue in that office until the vacant position is filled by way of election.

(4) In the event of a vacancy amongst Executive members other than the President or a Vice Presidents, the Executive:
(a) may appoint an Acting Officer to the vacancy who shall have all rights and responsibilities of an Executive member provided that they may not cast a vote at Executive meetings.
    (i) Any Executive member appointed under clause (4)(a) of this section shall remain until a new Executive member is elected to that position at which point they shall resume their original position.
(b) shall resolve whether the vacancy will be filled by election at a Special General Meeting or by a by-election.
    (i) by-elections shall not be held after the end of the second academic trimester.

(5) By-elections for vacant positions shall be conducted according to the rules contained in Part V of this constitution.

(6) In the event of the entire Executive being called upon to resign by a Special General Meeting, the Special General Meeting shall appoint a temporary Executive which shall continue in office until such time as a new Executive takes office in accordance with Part V of this constitution.

PART IV - COMMITTEES

Section 1 - Executive Committees

(1) There shall be standing committees of the Executive that function continuously.
(2) These committees are:
    (a) The Audit and Finance Committee
    (b) The Executive Reporting Committee
    (c) The Performance Review Committee
    (d) The Policy Committee
(3) A Terms of Reference document for each of these committees shall contain:
    (a) Membership of the committee; and
    (b) Meeting frequency of the committee; and
    (c) The scope of the committee.
(4) Any positions on Executive committees that are not prescribed by the Committee's Terms of Reference must be determined by resolution at a meeting of the Executive.
(5) Ad hoc sub-committees may be set up by the Executive and shall be responsible to the Executive.
    (a) Membership and meeting frequency of sub-committees shall be determined by the Executive.

Section 2 - Constitutional Committees

(1) There shall be Constitutional Committees which must report to the Executive.
(2) These committees are:
    (a) The Student Academic Committee
    (b) The Student Equity and Diversity Committee
    (c) The Clubs Council
    (d) The Student Media Committee
    (e) The Publications Editor Appointment sub-committee

Section 3 - Clubs Council

(1) Membership of the Clubs Council shall be:
    (a) Clubs Council Representatives who are appointed as delegates to the Clubs Council from Student Groups.
    (b) The President;
    (c) The Clubs and Activities Officer;
    (d) The Treasurer-Secretary;
(2) The Clubs Council shall meet at least once a year.
(3) Each student group shall possess one vote exercised in person by a delegate.
(4) No person shall be a delegate for more than one student group.
(5) There shall be a Committee of the Clubs Council to administer the activities of the Council.
    (a) This committee shall be composed of:
        (i) The Clubs and Activities Officer
        (ii) The VUW Clubs Manager
        (iii) a Treasurer and
        (iv) as many members as the Clubs Council appoints.
(6) In all other matters the Council shall set its own procedure and rules, provided they are in accord with this Constitution.
    (a) Such rules and procedures must be in a written and accessible form.

Section 4 - The Student Media Committee

(1) The Student Media Committee shall be responsible to the Executive for the financial supervision of Salient and any other media forms or publications delegated to it by the Executive.
(2) The Committee shall consist of:
    (a) the Treasurer-Secretary, who shall convene the Committee;

(b) the President;
(c) the Publications Editor(s);
(d) one person appointed by the Publications Editor(s);
(e) one person appointed by Ngāi Tauira;
(f) two student members who shall be elected in conjunction with the Executive elections the previous year;
(g) The General Manager; and
(h) any other people appointed by the Executive to the Committee.

(3) The General Manager and any other person appointed by the Executive shall be non-voting members.

(4) There shall be a Publications Editors Appointment sub-committee which shall consist of:
(a) The President;
(b) Current Publications Editor(s);
(c) Both Student Media Committee student representatives; and
(d) A representative from Ngai Tauira.
(e) A further non-voting member with expertise in newspaper journalism, appointed by the Student Media Committee.

(5) If any of the above are candidates for the position, their places shall be taken by the following persons in order:
(a) For President: Academic Vice President, Welfare Vice President, Engagement Vice President, any other Executive member (appointed by the Executive).
(b) For Student Media Committee Student Representatives: Students appointed by the Student Media Committee.
(c) For Editor: Journalist, other Salient staff member chosen by the Student Media Committee.

(6) The subcommittee:
(a) Shall advertise the position of the Publications Editor for the following year.
(b) Shall set and advertise the closing date for applications.
(c) Shall consider the candidates.
(d) May appoint a candidate to the position for the following year.

(7) In the event that an appointment is not made at that time the Committee shall determine how the appointment shall be made.

(8) If the event that the position becomes vacant during the year of appointment, the sub-committee shall appoint a new Publications Editor for the remainder of the year, provided that if the Editor has been dismissed from office, they shall not form part of the sub-committee.

(9) This appointment shall be made subject to the provisions of a contract of employment approved by the Executive between the Executive and the appointee(s).

(10) The Publications Editor employment shall be terminated in case of death or resignation or termination by the employer.

Section 5 - Membership of all Committees

(1) Notwithstanding anything contained in this Constitution, the President and the Treasurer-Secretary, or their nominee, shall have the right to attend any meetings of any committee.

PART V - ELECTIONS

Section 1 - Election Committee

(1) The annual election and any special election shall be held as prescribed by these rules.

(2) The Executive shall appoint an Election Committee which shall consist of three past Association Officers or past Returning Officers who upon accepting office shall be disqualified from standing as applicants in that election.

(3) The Election Committee shall appoint a Returning Officer.

(4) No person accepting an appointment by the Election Committee may stand as an applicant in that election.

(5) The Election Committee shall appoint the place or places where polling booths shall be and the times at which they shall be open, shall fix the mechanism by which votes may be cast electronically, and shall fix the polling day or days for the election.
(6) Any person or body wishing to hold a survey, referendum or questionnaire to obtain information shall apply to Executive at least fourteen days before the election for permission to have this included in the process of the election.
(7) The survey, referendum or questionnaire form shall be approved by the Election Committee and sufficient quantity of forms for electors handed to the Returning Officer at least one day before the first polling day.
(8) The Executive shall, on recommendation of the Election Committee, pay the election officials for their services, the total of the payments being determined by Executive in consultation with the Election Committee prior to the election.
(9) The Returning Officer shall be appointed at least twenty-one days before the first polling day.
(10) The Returning Officer shall conduct the whole election as hereinafter outlined
(11) The electoral roll shall include all persons eligible for membership of the Association. Persons on the electoral roll shall be defined as electors.
(12) On production of sufficient evidence alterations, amendments, or additions to the roll shall be made by the Returning Officer.
(13) If any dispute arises as to the qualification of a member to vote or stand for election, the decision of the Returning Officer shall be final, subject to clause (1) of Section 8 of this Part.

Section 2 - Applications

(1) No less than fourteen office days before the first polling day, a notice calling for applications for any position or positions to be filled shall be posted on the Association noticeboard and such notice shall specify the time and date for the closing of applications. At the same time the Returning Officer shall cause to be placed in the public portion of the Association Office a box for the receipt of applications which box will remain available in the said office until the closing time for applications. The aforesaid box to be locked in the Association's safe while the office is closed.
(2) Each applicant must be a member or have applied to be a member of the Association, by the day set down for the closing of applications, and, if elected, their right to assume office is contingent upon their acceptance as a member.
(3) Each applicant shall make a signed application specifying whether they wish to stand for the position of President, Academic Vice President, Welfare Vice President, Engagement Vice President, Treasurer-Secretary, Campaigns Officer, Clubs and Activities Officer, Education Officer, Equity Officer or Wellbeing and Sustainability Officer and including their address and telephone number (if any).
(4) Applications must be lodged in the application box by 4.30pm at least five days before the first polling day.
(5) Applications can be accepted by the Returning Officer via email using the appropriate form.
(6) The Returning Officer shall post on the Association noticeboard details of application as soon as possible after they are made.
    (a) Before 4.30pm two days after the day on which applications close, the Returning Officer shall post on the Association noticeboard a full list of the applicants.
(7) An applicant may withdraw by written request to the Returning Officer at any time until 4.30pm on the day after applications close.
(8) An applicant may stand for more than one position on the Executive, but can only hold one of those positions.
    (a) If an applicant wins election to more than one position, they shall withdraw from one of those positions.
(9) If after applications close there is only one candidate for the position of President, Academic Vice President, Welfare Vice President, Engagement Vice President, Treasurer-Secretary, Campaigns Officer, Clubs and Activities Officer, Education Officer, Equity Officer or Wellbeing and Sustainability Officer, the applicant(s) shall not be deemed to be elected, but shall stand in the election and may be elected or defeated in the manner hereinafter provided.

Section 3 – Conduct of Voting

(1) Five days before polling day the Returning Officer shall make arrangements for the printing of ballot papers.

(2) The ballot papers shall be on paper and electronically
    (a) Ballot papers must contain voting instructions, the position and the names of all candidates running for that position.
(3) Where possible the Returning Officer will send an email to all students advertising elections and the website of the electronic voting system.

Section 4 - Polling Day

(a) The Returning Officer shall ensure that sufficient notices are displayed around the campus giving details of the location of polling booths and the dates and hours of opening and/or shall cause the same information to be displayed on the front page of the last issue of Salient prior to the first polling day.
(b) An election supplement of Salient shall be issued under the authority of the Returning Officer and paid for by the Association.
(c) At each polling booth there shall be a board on which the Returning Officer shall make available copies of the Salient election supplement.
(d) Candidates shall be given the opportunity to use a Salient photographer at the Association's expense.
(e) Every person who is on the roll of electors shall be entitled at each election to one vote in respect to the President, one vote in respect of the Academic Vice President, one vote in respect of the Welfare Vice President, one vote in respect of the Engagement Vice President, one vote in respect of the Treasurer-Secretary, one vote in respect of the Campaigns Officer, one vote in respect of the Clubs and Activites Officer, one vote in respect of the Equity Officer, one vote in respect of the Education Officer, one vote in respect of the Wellbeing and Sustainability Officer, one vote in respect of the Student Representative on the University Council, and a maximum of two votes in respect of representatives on the Student Media Committee.
(f) The Officer in charge of the polling booth, having satisfied themself as to the eligibility of the member to vote shall where a vote is being cast on a paper ballot:
    (a) Delete the elector's name from the roll by ruling a line through it.
    (b) Write upon the left hand corner of the ballot, survey, referendum or questionnaire papers their own initials and the number appearing on the roll next to the said elector's name.
    (c) Hand the said paper(s) to the said elector.
    (d) Ensure that the said elector places their vote in the official ballot box.
(g) No ballot paper shall be removed from the polling booth. No ballot paper shall be placed in the ballot box except where the foregoing provisions have been strictlycomplied with. Votes may be cast electronically, in accordance with this schedule.
(h) At least two officials must be present at each of the places of voting when the poll is open.

Section 5 - Polling Booths

(1) The Returning Officer shall ensure at every place for voting that there is a means of depositing ballots safely and secretly.
(2) There shall be at least one ballot box per polling booth.
(3) The Returning Officer shall permit only those people whose names appear on the revised electoral roll held by them to vote.
(4) Electors may be required to verify their eligibility for voting. The form of the verification shall be determined by the Election Committee.
(5) The Returning Officer shall have full and absolute control over the polling booths and the precincts thereof. They may appoint assistants to control the approach of electors to the booth and take such measures as may to them seem desirable to keep the peace and good order during the course of the poll.
(6) The Returning Officer shall before the opening of the poll and in the sight of the assistants see that the ballot box is empty and shall close, lock and seal the same and retain the key in their possession and the ballot box shall not be opened until after the final close of the poll.

Section 6 - Counting of Votes

(1) There shall be present at the counting of votes the Returning Officer and the candidates' scrutineers. No other person shall be present unless the Election Committee has approved his or her presence.

(2) Immediately on the close of the poll the Returning Officer together with the locked ballot boxes and those persons as in clause (1) of this Section shall lock themselves in a room to be provided for the purpose.

(3) The Returning Officer shall cause the votes to be counted in the following manner:

(a) The Returning Officer shall compare all rolls from the polling booths, and the electronic voting record to determine that no student has voted twice and shall count from the rolls the number of those who have voted.

(b) Should any occurrence of dual voting be detected the votes shall be extracted and immediately deemed invalid.

(c) Each unopened paper shall be checked for the initials of the polling booth official or in the case of an absentee vote the signature of the Returning Officer and the number of a student on the electoral roll.

(d) Each paper shall be opened.

(e) Each paper shall be examined for validity of voting

(f) For the positions of President, Academic Vice President, Welfare Vice President, Engagement Vice President, Treasurer-Secretary, Campaigns Officer, Clubs and Activities Officer, Equity Officer, Education Officer and Wellbeing and Sustainability Officer, the candidate polling the most votes for each of those positions shall be declared elected to that position. If any position on the Executive remains vacant then the Returning Officer shall declare the position vacant and it shall be filled in the manner prescribed by this constitution.

(g) Any other voting paper not adhering strictly to the instructions on the paper shall be examined by the Returning Officer and one assistant who shall declare it invalid unless they both agree that the paper does show a clear vote for one applicant. In the event of a tie, the Returning Officer and one of their assistants shall toss a coin or draw lots to decide which of the tied applicants shall be elected.

(h) Clause (3)(g) of this Section will apply only insofar as it is applicable to electronic votes.

(i) Where votes have been cast using the electronic voting system, the Returning Officer will cause these to be tabulated by the electronic voting system used.

(4) Each candidate for election may appoint one scrutineer (who shall not be an candidate) with the right to be present at the counting of votes and the right to protest against the interpretation by the Returning Officer and/or one of their assistants of any ballot paper, in the first instance to the Returning Officer and in the second and final instance to the arbitrators appointed by the Election Committee under clause (1)(c) of Section 8 of this Part.

(5)

Victoria University of Wellington Students' Association Inc.
DECLARATION OF ELECTION RESULT

I Returning Officer, declare that I have complied with all the provisions of the Constitution and its schedules regarding elections and declare that the following number of votes was cast:

Votes

Name
Name
Name
Name
Name
No Confidence

Total

Accordingly, I hereby declare the following elected as:

(position) (name)
Signature of Returning Officer:
Signature of assistants:
Time Date Place

Section 7- Declaration of Election Results

(1) The Returning Officer shall then unlock the counting room and declare the result of the election by posting one copy of the declaration on the Association noticeboard and shall deliver as soon as practicable a copy of the said declaration to the General Manager of the Association and the Publications Editor.

(2) On completion of the count of votes the Returning Officer shall make all the voting papers and electoral rolls into a packet which shall be securely fastened and sealed with the signatures of the Returning Officer and at least two of their assistants. Such packet shall be handed to the General Manager of the Association for safe custody and shall be retained by them for one month or until the determination of any enquiry arising out of the election and at the end of that time they shall cause the packet and all the voting papers and rolls to be effectively and entirely destroyed.

(3) The electronic record of votes cast will be retained by the electronic voting system for one month or until the determination of any enquiry arising out if the election and at the end of that time record of votes on the electronic voting system will be deleted.

Section 8 – Disputes

(1) When any applicant and five electors, or any ten electors, are dissatisfied with any election they may within five office days of the declaration of the result of such election make application in writing to the Secretary demanding an enquiry as to the conduct of the election or of any candidate or person thereof.
   (a) Such application shall be accompanied by a deposit of ten dollars.
   (b) Such application shall allege specific grounds upon which the complaint is founded.
   (c) Immediately on receipt of such demand the General Manager of the Association shall forward the complaint to the Election Committee which shall appoint three impartial persons to act as arbitrators who shall be given full powers for investigation and inquiry into the cause of the complaint.
   (d) The arbitrators shall appoint a time for hearing the complaint and all necessary evidence.
   (e) The arbitrators shall, at the conclusion of the inquiry deliberate in private and shall by majority, decide whether the election was valid or not.
   (f) The decision of the arbitrators shall be sent to the Election Committee and they shall inform the General Manager of the Association.
   (g) If the election is held valid the deposit shall be forfeited unless the arbitrators certify that there was just cause for complaint.
   (h) If the election is held invalid, a written notice to that effect is sent to the General Manager of the Association who shall take immediate steps to hold a fresh election, and the deposit is returned to the applicant.

(2) Where any applicant has, or ten electors have, reason to believe that the declaration by the Returning Officer of the number of votes received by each applicant is incorrect and that on a recount thereof any other applicant might be found to be elected they may within five office days after such declaration of result of election make written application to the General Manager of the Association for a recount of the votes.
   (a) Every application shall be accompanied by a deposit of ten dollars.
   (b) Immediately on receipt of such application the General Manager of the Association shall notify the Election Committee which shall appoint arbitrators as provided for in clause (1)(c) of this Section.
   (c) Such arbitrators shall cause a recount of the votes to be made in their presence or in the presence of some person appointed by them. Special scrutiny shall be made to detect any invalid ballot paper.
   (d) If the result arrived at does not alter the result as declared the deposit money shall be forfeited to the Association.
   (e) If the result arrived at shows another candidate to be elected the arbitrators shall send written notice to the Election Committee and they shall inform the General Manager of the Association who shall thereupon post up a declaration stating that the election of the former candidate is annulled and that the new candidate is elected in their place, or in the case of an election on a proposal that the reverse decision has been arrived at, and the deposit shall be returned to the applicant.

(f) Each candidate in an election may nominate one observer to be present at any recount as provided for in this Clause.

Section 9 - Conduct of Electors and Applicants

(1) No candidate shall spend or cause to be spent more than $250 on the provision of personal election publicity.
   (a) All candidates shall provide the Returning Officer with receipt for all their expenditure on personal or joint election publicity.
   (b) Any departure from this may be dealt with under the sections relating to disputes in this schedule.

(2) No person shall on the day of any poll or election:
   (a) In any way interfere with any elector either in the polling booth or on their way thereto with the intention of influencing them or advising them as how to vote.
   (b) Print, distribute or deliver to any person or place in the University anything having thereon any matter likely to influence any vote, or having or purporting to be an imitation of the voting paper to be used at the poll and having thereon the names of any candidates together with directions or indication of how any person should vote unless hereinbefore provided.
   (c) It shall be the responsibility of the candidates to remove as far as physically possible all election propaganda other than that therein before authorised before the commencement of the poll.
   (d) Attempt to breach the security of the electronic voting system in any way.
   (e) Send mass e-mail to students.

(3) No person shall do any act to cause a departure from these election procedures while the poll is in progress. Any irregularities during the conduct of the poll should be notified according to the procedures outlined in this schedule.

Section 10 - Absentee Voters

(1) Any student enrolled at the university who is prevented or likely to be prevented from complying with the above regulations may forward to the Returning Officer an absentee vote showing:
   (a) The elector's name.
   (b) The names of the candidates for which they wish to vote.
   (c) The signature of the voter and two witnesses who shall not be candidates in the election.

(2) The Returning Officer shall add the number of absentee votes to the number of electronic votes after:
   (a) Checking the eligibility of the elector and their co-signatories.
   (b) Removing their access to the electronic voting system
   (c) Shall sign the vote accordingly with their initials

(3) All such absentee shall be considered valid votes only when signed by the Returning Officer.

PART VI - STUDENT GROUPS

Section 1 - Student Groups

(1) Any group or organisation formed among students at the University may become affiliated to the Association at the discretion of the Executive, by
   (a) making application to the Executive, and having its constitution and any subsequent alterations to it approved by the Executive.

(2) Applications for re-affiliation must be made every year by a date nominated by the Executive, and re-affiliation shall be granted at the discretion of the Executive.

(3) The Executive shall only refuse an application if the purpose of the group or organisation is inconsistent with the goals of the Association.

(4) Affiliated groups shall conduct their ordinary business in accordance with their own constitution and rules.

(5) Any member shall be eligible to belong to any affiliated group upon application to it, and if applicable a payment of a subscription to that group, which shall be the same for all members.

(6) Notwithstanding clause (5) of this Section, affiliation may be granted on application to such groups as those:
   (a) in which the group is subject to stipulation from another organisation in which it is affiliated where such stipulation renders an open membership policy impossible; or
   (b) in which the purposes of the group would be defeated by an open membership clause.
(7) The constitution of any affiliated group shall be subject in all respects to this constitution and shall be no effect where they conflict with this constitution.
(8) Every application for affiliation shall be deemed to be an agreement and undertaking on the part of the applicant and its members to submit to and be bound by this constitution.
(9) All property including cash held or possessed by any affiliated body shall prima facie be deemed to be the property of the Association.
(10) Immediately upon the lapse or cancellation of the affiliation of the body with the Association, the body shall be deemed to be dissolved and control and ownership of all property of the body shall revert to the Association.

PART VII - FINANCE

Section 1 - Subscription

(10) The VUWSA Membership Fee (if any) shall be set by motion at the Annual General Meeting in each year,
   (a) the new membership fee to take effect in the following year.
(11) Life members shall be exempt from payment of the subscription.
(12) If a membership fee is imposed by the Association, the Executive may, from time to time, set a reduced annual membership fee for specified classes of students, where the Executive deems that class of students to be one which receives a reduced benefit from membership, provided that the Executive shall not wholly exempt any class of students from payment of the annual membership fee. Exemptions from payment of the annual subscription shall only occur under the provisions of membership in clause (2) of this Section.

Section 2 - Control of Funds

(1) All monies received by the Association, the Sports Council, the Cultural Council and Salient shall form part of the funds of the Association and shall be banked at the next available opportunity at a bank to be nominated by the Executive.
(2) All expenditure of the Association, Sports Council, Cultural Council and Salient shall be recorded either as a motion in the appropriate minute book, or as a financial report on a budget which has been previously approved by the Executive.
(3) Signatories to cheques drawn on Association funds shall be any two current Executive members, one from each of List A and List B:

List A:
President
Academic Vice President
Welfare Vice President
Engagement Vice President
Treasurer-Secretary

List B:
Education Officer
Wellbeing and Sustainability Officer
Clubs and Activities Officer
Equity Officer
Campaigns Officer

(4) Association funds shall include any expenditure in respect of Clubs Council and the Student Media Committee.
(5) The Association shall retain an Accountant to:

(a) supervise the duties of writing up the Association's books of General Account;
(b) draw up for presentation to the Initial General Meeting of the Association:
(i) a statement of income and expenditure;
(ii) a statement of financial position;
(c) audit and special accounts of the Association;
(d) render general advice and guidance especially in relation to matters of finance;
(e) be available as necessary to advise whenever assistance would be useful; and
(f) shall in addition carry out duties which they may be given from time to time.

(6) The Association shall at each Initial General Meeting appoint an auditor to hold office until the next Initial General Meeting.

(7) The Executive shall determine the financial policy of the Association and shall determine the budget.

(8) The Executive shall have the power to acquire and dispose of properties, to expend and invest monies in securities authorised by law for the investment of trust funds in New Zealand, and in any debentures or shares or stock units issued by any company carrying on business in New Zealand (provided that any investment in such bills shall not exceed two thirds of the funds then held), to open bank accounts, to enter into contracts, and to borrow or raise money on loan or otherwise, and to give such security for the repayment thereof over the property, funds and effects of the Association as it shall think fit, to lend and advance money or give credit to any person, unincorporated body or corporation on such security or without security and upon such terms and conditions as Executive deem fit, and give guarantees for the payment of money or the performance of contracts or obligations and otherwise assist any person or corporation.

(9) That Executive or the Association shall not make any purchase or investment in the shares of a limited liability company, either public or private, without first receiving written advice from the Association's Accountants and Solicitors which specifically address the financial viability of such a purchase or investment and advises on the impact of such a purchase or investment on the Association's financial situation.
(a) Such written advice is to be made available to Association members at least 10 days prior to the meeting called to consider such purchase or investment.

(10) In considering any application involving underwriting, guaranteeing or advancing loans, the Executive shall consider the financial resources of the applicants in respect of guaranteed repayments and the advice of the Association's Accountant and Solicitors.

(11) All contracts in writing and documents dealing with property and/or securities shall be signed on behalf of the Association by the President and Treasurer-Secretary of the Association.

(12) Applications for annual grants shall be made by the end of the first trimester.
(a) The Executive shall consider all such applications and make such grants as it sees fit, provided that no such grant shall be made to any group unless that group provides such of the following as are relevant:
(i) an audited Balance Sheet and Income and Expenditure Account from the previous year.
(ii) a copy of the previous year's Annual Report.
(iii) a detailed estimate of expenditure for the current year, together with a statement of estimated revenues.
(iv) any agenda of intended activities for the current year.
(v) any other information required by the Executive.

(13) The Executive may, at its discretion, make further grants to a group, imposing such conditions and requiring such information as it sees fit.

(14) All clubs, before undertaking any important engagement or incurring any substantial liability, shall obtain the approval of the Executive.

(15) The financial year of the Association shall end on 31 December.

(16) All clubs must, by 30 April each year, present to the Executive audited accounts for the previous year which are of no more than four months' standing.

PART VIII - MINUTES AND RECORDS

Section 1 - Record Keeping

(1) The Treasurer-Secretary shall keep or cause to be kept a record in which shall be recorded all the transactions and decisions of all General Meetings, all meetings of the Executive.
(2) The Clubs and Activities Officer shall keep or cause to be kept a record in which shall be recorded all the transactions and decisions of the Clubs Council.
(3) In records of meetings, the following details must be kept: -
  (a) the nature of the meeting;
  (b) the date, time and place of the meeting;
  (c) an indication of the number of members present and an indication as to the name of the member in the Chair;
  (d) the confirmation of any minutes;
  (e) the text of every motion and amendment which was duly moved and seconded;
  (f) a statement or note showing whether any motion or amendment was lost or carried and a showing of the name of any member who has expressly desired that their dissent or abstention be recorded;
  (g) the fact and details of any adjournment;
  (h) the fact of the giving of any notice of motion;
  (i) the receipt, discussion, adoption, nature and effect of any notice, resignation, report, letter or any other document received, discussed or adopted; and
  (j) all such other matters and things as are or may be usually conveniently or properly recorded in the minutes of any proceedings.
(4) It shall be the duty of the relevant Executive member to see that the minutes of any meetings are duly confirmed by the next succeeding meeting and are signed and dated as correct by the Chairperson of that meeting.
(5) All members of the Association shall have the right to examine all minutes of the Association.

PART IX – THE CONSTITUTION

Section 1 - The Constitution

(1) This Constitution shall consist of parts I to X together and the attached schedules.
(2) Alterations to the Constitution of the Association may be made only at a General Meeting by a two thirds majority of those members present and voting.
  (a) motions must be sent to the President ten days before such a meeting
  (b) a notice setting forth the wording of the proposed alterations must be posted on the Association notice board ten days before such a meeting
(3) No addition to or alteration of the non-profit objects set out in Part I, Section 3, the personal benefit clause in Part X, Section 5 or the winding up clause in Part X, Section 4 can be adopted without the approval of the Inland Revenue Department.
(4) The provisions and effect of clause of (3) of Section 1 of this Part cannot be removed from this Constitution and shall be included and implied into any amendment of the Constitution.
(5) Where any time or date is prescribed by this constitution within which any act is to be done or performed, the Executive shall have the power to alter that time or date as may be required.
(6) Printed copies of the Constitution shall be kept by the President, who shall make them available to the Vice-Chancellor of the University and any members of the Association on request.

Section 2 - Interpretation of the Constitution

(1) The Executive shall have power to interpret the Constitution and its decisions shall be binding
  (a) Any member who disagrees with an interpretation may appeal to the Independent Arbitrator, whose decision shall be final and binding on all members.
(2) Substantial compliance with this Constitution whether as to form, time, number of as to any other matter shall in all cases be good and sufficient and no regulations, resolution, decision, election, appointment, notice or other matter or thing shall be invalidated by reason only of a failure to comply exactly with these rules.
(3) Breaches of the Constitution must be reported to a General Meeting and may be validated by resolution of that meeting.

Section 3 - Statutes and Policy

(1) VUWSA is guided by:
  (a) the VUWSA Constitution;
  (b) Statutes; and
  (c) Policy
(2) Statutes may not be inconsistent with the VUWSA Constitution
(3) Policies may not be inconsistent with Statutes
(4) Statutes may be created, amended or repealed by a simple majority at an Executive meeting; however:
  (a) Any motions changing, amending or repealing a statute must be notified to members 10 days before the motion is put to the Executive.
  (b) Statutes may be amended by a resolution at a General meeting.
(5) Policies may be created, amended or repealed by a simple majority at an Executive meeting.
(6) The Constitution may as only amended as per the rules stipulated in the Constitution.
(7) All Statutes and Policies must be made publically available.

PART X - MISCELLANEOUS

Section 1 - Publications

(1) There shall be a periodical published by the Association entitled Salient which shall be the official newspaper of the Association.
(2) Salient will be run pursuant to the Salient Charter as prescribed in Schedule 2 of this constitution.
(3) The Salient Editor shall be selected as prescribed in Section 4 of Part IV of this Constitution.

Section 2 - The Common Seal

(1) The Common Seal of the Association shall be kept by the Treasurer-Secretary or such other Officer as the Executive may appoint and must be stored at all times at the Association offices.
(2) The Common Seal shall not be affixed to any document or instrument, deed, writing, paper or other thing unless:
  (a) a resolution to that effect has been passed by the Executive, or
  (b) a committee consisting of the President, the Treasurer-Secretary, and one other Executive member, acting in accordance with an authority for that purpose conferred on it by the Executive.
(3) The Common Seal shall be affixed in the presence of the President and another Executive member.
(4) The Executive member affixing the Common Seal shall sign such document, instrument, deed, writing, paper or other such thing.

Section 3 - Annual Returns

(1) The Association shall deliver to the Charities Registrar and the Registrar of Incorporated Societies immediately after the Initial General Meeting in each year in such form as required, a statement containing the following particulars:
  (a) the income and expenditure of the Association during the Association's last financial year;
  (b) the assets and liabilities of the Association at the close of the financial year;
  (c) all mortgage charges and securities of any description affecting any of the property of the Association at the close of the financial year; and
  (d) a certificate signed by an officer of the Association that the statement has been submitted to and approved by the members of the Association at the Initial General Meeting.
(2) The Association shall deliver to the Charities Registrar and the Registrar of Incorporated Societies immediately after the alteration of the Constitution two copies of any alterations in printed form signed by at least three Executive members of the Association and accompanied by a declaration made by an officer that the alterations are in accordance with this Constitution.

Section 4 - Winding Up

(1) The Association shall be wound up if, at any Special General Meeting called for that purpose, a resolution to that effect is carried by a majority of those present and entitled to vote; and at a subsequent Special General Meeting called for that purpose, held not earlier than twenty days after the date of the meeting declaring such winding up, such winding up is confirmed by a resolution to that effect carried by a majority of those members present and voting.
(2) Such winding up shall date from the time of such confirmation.
(3) Upon the winding up of the Association, all property, both real and personal shall vest in the VUWSA Trust or its successors to be held upon trust for any similar Association which must also have an approved income tax exemption and be formed for the benefit of the students as a whole attending lectures at Victoria University of Wellington.

Section 5 - Personal Benefit

(1) No member of the Association or any person associated with a member shall participate in or materially influence any decision made by the Association in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever.
(2) Any such income shall be reasonable and relative to that which would be paid in an arm's length transaction (being open market value).

Section 6 - Conflicts of Interest

(1) Candidates for the VUWSA Executive and other positions elected under this Constitution should declare any conflicts of interest.
    (a) In particular candidates should inform Salient of any personal, financial or other interests that could create a conflict for the candidate if they are elected to the VUWSA Executive or other positions elected under this Constitution.
(2) Candidates should declare affiliations to political organisations.
(3) Candidates should declare all circumstances they believe could result in a conflict of interest.

Section 7 - Affiliation to External Organisations

(1) Before VUWSA can apply for, or relinquish, affiliation or membership to an external organisation:
    (a) There must be a referendum held asking the question if affiliation or disaffiliation should occur.
    (b) The referendum explanatory document as per clause (5)(a) of Section 5 of Part II must state the annual levy or fee for affiliation to that organisation.
    (c) If the referendum is binding VUWSA must, as soon as is practicable, apply for affiliation or membership to that external organisation.

SCHEDULE 1: STANDING ORDERS

Section 1 - The Chairperson

(1) The Chairperson for meetings is the President.
    (a) If the President is absent the Chair shall be highest ranking person present in the following list:
        (i) the Academic Vice President;
        (ii) the Welfare Vice President;
        (iii) the Engagement Vice President
        (iv) the Treasurer-Secretary; or
        (v) if none are present, the meeting may appoint its own chair.
(2) The Chairperson shall be heard without interruption.
(3) At any time during the meeting any officer may, at the request of the Chairperson, or any Acting Chairperson, take the chair as an Acting Chairperson.
(4) Every member desiring to speak shall address themselves to the Chair.

(5) When two or more members desire to speak, the Chairperson shall call upon the member whom in the Chairperson's opinion first indicated their desire to speak.
(6) The Chairperson may at their discretion at any stage of the meeting impose a time limit on speakers, whether generally or on the speakers to any particular motion or amendment then before the meeting.
(7) The Chairperson shall have a deliberate vote, and in the case of the voting being declared tied, the Chairperson shall have a casting vote.
(8) When necessary scrutineers shall be appointed by the Chairperson.

Section 2 - Motions

(1) When a motion has been made and seconded, the question shall be proposed to the meeting by the Chairperson.
(2) Any motion not seconded may not be further debated and shall be dropped and no entry of it shall be made in the minutes.
(3) After a motion has been received by the Chair it shall be deemed to be in the possession of the meeting and cannot be withdrawn without leave of the meeting
(d) leave means leave granted without a dissentient voice from any member.
(4) A motion which by leave of the meeting has been withdrawn may be made again during the same meeting.
(5) A motion or amendment may not be proposed which is of the same substance as any question which during the same meeting has been resolved in the affirmative or negative.
(6) A matter that has been resolved by the meeting may be rescinded or recommitted by a majority vote of the meeting.
(7) A motion may be amended by the mover with the consent of the seconder.
(8) After a motion or amendment has been moved and seconded it shall not be withdrawn without the leave of the meeting.

Section 3 - Amendments

(1) When a motion has been seconded and the question has been accepted by the Chair for discussion, an amendment may be received from any member other than the mover and seconder of the original motion.
(2) At the discretion of the Chairperson, an amendment to amendment shall be accepted.
(3) No amendment shall be proposed which is a direct negation of the substantive motion before the meeting.
(4) If an amendment is carried it shall become and shall be stated from the Chair as a substantive motion.
(5) The mover of a motion or of an amendment shall have the right of reply before the original motion or the amendment respectively is put.
(6) A motion shall be decided by voices
(a) a show of hands may be requested by any member of the meeting;
(b) if requested a secret ballot shall be taken.

Section 4 - Procedural Motions

(1) A debate on a particular matter may be interrupted by a following motion being proposed:
(a) "That the motion be now put"
(i) The motion shall be seconded.
(ii) The Chairperson shall have discretion whether to accept it or not.
(iii) It shall not be moved by a person who has moved or seconded the principal motion.
(iv) It may be applied to an amendment as well as to a motion.
(v) Discussion, amendment, or adjournment shall not be allowed.
(vi) It may be moved while another member is speaking.

(b) "That the meeting proceed to the next business"
(i) The motion shall be seconded.
(ii) The Chairperson shall have discretion whether to accept it or not.
(iii) It cannot be moved or seconded by the mover or seconder of the original motion or amendment.

(iv) Discussion on the principal motion is to be resumed if it is moved on an amendment and carried.
(v) It shall not be moved while another person is speaking.

(c) "That the debate be adjourned"
(i) The motion shall be seconded.
(ii) The Chairperson shall have discretion whether to accept it or not.
(iii) It cannot be moved or seconded by the mover or seconder of the principal motion, but previous speakers may speak to it.
(iv) The mover has the right to reply and the right to re-open the debate on its subsequent resumption.
(v) Amendments as to time, date and place of the adjourned debate are the only amendments permissible.
(vi) The motion can only be moved at the conclusion of a speech.
(vii) Adjournment may be to a definite date or indefinitely and the particular motion is adjourned but the meeting shall continue.
(viii) Although at first rejected, a motion to adjourn debate may be moved again at a later stage of the discussion.
(ix) The business to which the debate relates shall be placed on the agenda paper of the meeting to which it is adjourned.
(x) Adjourned business shall have priority over any other except formal business.

(d) "That the question do lie upon the table"
(i) The motion shall be seconded.
(ii) The Chairperson shall have discretion whether to accept it or not.
(iii) It shall only be moved or seconded by someone who has not moved or seconded the original motion.
(iv) It may be debated and the previous speakers may speak to it.
(v) No amendment shall be allowed.
(vi) There shall be no right of reply.
(vii) It can be moved on any question or amendment.
(viii) If it is moved and carried on an amendment the original motion must also lie upon the table
(ix) There shall be a subsequent motion either at the same or a later meeting to take the question from the table.

(e) "That the speaker be no long heard"
(i) The motion shall be seconded.
(ii) The Chairperson shall have the discretion whether to accept it or not.
(iii) It shall not be debated or amended.
(iv) It may be moved while another is speaking.

(f) "That the Chairperson's ruling be disagreed with"
(i) The motion shall be seconded.
(ii) The Chairperson shall, immediately the motion has been seconded, vacate the chair.
(iii) The mover of the motion shall speak to the motion and the Chairperson shall reply.
(iv) The motion shall be put to the vote without further debate.
(v) The Chairperson shall then resume the chair and accept the ruling of the meeting.

Section 5 - Committee of the Whole

(1) At any time the meeting may resolve itself into a committee of the whole.
(2) Except for motions which are carried the proceedings of the committee of the whole shall not be reported or recorded.

Section 6 - Points of Order and Personal Privilege

(1) Any member at any time may address the Chairperson on a point of order.
(a) they must at once state they are taking a point of order and must confine their observations to the point of order raised.
(b) A point of order should be taken immediately when the breach of order occurs.

(c) A speaker called to order should be given the opportunity to explain and the Chairperson may give others permission to speak briefly, but new matter must not be debated.
(d) The Chairperson's ruling on a point of order is final and must not be discussed unless the dissent is moved.

(1) By permission of the Chairperson and when no other person is speaking, a person who has already spoken may speak briefly in personal explanation of their remarks or actions which have been queried
(a) they must state concisely the point they wish to explain and must keep to that point.
(b) They may not interrupt other speakers in order to explain nor may they employ additional arguments.

Section 7 - Breaches of Order

(1) The Chairperson may at any time during a meeting rule that a member is or has been guilty of a breach of order.
(2) If the Chairperson rules that any named member is or has been guilty of a breach of order, they must then move a motion immediately over any other motion, except a motion of no confidence in the Chair, asking that:
(a) No further notice be taken of the breach;
(b) The member be asked to apologise; or
(c) The member be expelled from the meeting for a specified time, or until an apology is offered to the meeting.

Section 8 - General

(1) Any of the Standing Orders, or any part thereof, may be suspended by resolution provided:
(a) the resolution must have a two-thirds majority of those voting.
(b) This resolution must be seconded,
(c) discussion is permitted with strict order of debate
(d) the motion may be moved at any time.
(2) Any motion, question, order, or procedure not provided for or not fully provided for in the Standing Orders shall be determined by the Chair by a ruling.

SCHEDULE 2: SALIENT CHARTER

(1) The Editor(s) shall determine the form and content of *Salient* with complete freedom from political interference.
(2) The Association has the right to expect reasonable coverage of the year's priority goals. The Editor retains control of the form that this coverage takes.
(3) There will be an annual Te Reo Māori issue for which Ngāi Tauira will take joint editorial responsibility with the current Publications Editor. Ultimate editorial responsibility will remain with the Publications Editor(s).
(4) The Editor(s) will be appointed by the Publications Editor(s) Appointment Sub-Committee in the second trimester of each year for the following year.
(5) The Editor(s) will be employed at a salary decided upon by the Student Media Committee. The General Manager and Editor(s) shall negotiate conditions and responsibilities. Nothing in the contract may negate or contradict this Charter.
(6) If a contract cannot be settled, the matter will be referred to an independent arbitrator agreed on by both parties.
(7) The Editor will appoint, and be responsible for, their own staff.
(8) These staff members are employees of VUWSA, and both the Editor(s) and the Association have a responsibility to provide satisfactory working conditions.
(9) The Publications Committee will be available to mediate in any disputes between the Editor(s) and their staff.
(10) *Salient* has the right to criticise and comment on the performance of the Association and its officers.
(11) The President and Executive shall keep the Editor regularly informed of Association business. Any deadlines for information set by the Editor(s) should be respected.

(12) *Salient* staff are entitled to attend all meetings of the Executive. The Editor(s), or in their absence, any person delegated by the Editor(s), is entitled to remain in the meeting if it moves into committee. They may not report on the content of any discussion in committee, but may criticise the decision to go into committee.
(13) Because of its role in all goals of the Association, *Salient* is entitled to adequate funding by the Association.
(14) Salient is entitled to adequate accommodation, furnishings and equipment, to be provided by the Association.
(15) Once the budget is set, the Editor(s) is responsible to the Publications Committee for it, and may spend it at their discretion subject to any VUWSA policy and resolutions of the Student Media Committee. This implies a requirement for responsible management of the paper.

SCHEDULE 3: GRANTS

Section 1 - Criteria for Allocation of Grants

(1) The criteria for allocating grants to student groups shall include:
  (a) the number of students involved in the group;
  (b) the type and number of activities; and
  (c) the number of Association goals furthered by the group.

SCHEDULE 4: MANAGEMENT REGULATIONS

Section 1 - Finance

(1) The Executive shall determine the budget and recommend the level of annual subscription (if any) to a Special General Meeting.
(2) The Executive may not budget for expenditure in excess of the amount of revenue from the annual subscription and other revenue which can reasonably be anticipated.
(3) The Executive shall not prevent the effective operation of any part of the Association provided for in this constitution by failing to make budgeting provision for it or by making unreasonably low budgeting provision for it.
(4) The Executive shall ensure the effective pursuit of all the Association's goals and this shall be reflected in the budget.

SCHEDULE 5: THE ASSOCIATION'S STUDENT DELEGATES

Section 1 - Appointment of Student Delegates

(1) The following positions shall be held ex-officio by the following office holders within the Association.

Position	Office Holder
Joint Student Union Board	President
SJS Regional Management Committee	President

(2) All people so appointed shall hold such positions for the term of their office and the specified office holder shall be deemed to have resigned such positions when their term of office ceases.
(3) Any additional student representatives on Council shall be elected by a ballot open to all student members of the Association. Such a ballot shall be conducted in conjunction with the annual executive elections.
(4) The Executive shall be responsible for ensuring that a full list of all student representative positions within the University is kept and made available to all students.

(5) All student delegates shall be bound by the Constitution and by resolutions of the Association's General Meetings.
(6) The period of appointment for all association delegates shall be specified at the time of their election/appointment.
(7) All student delegates must resign if a vote of no confidence is carried by two thirds of student members present and voting at a Special General Meeting called for that purpose.

SCHEDULE 6: REPRESENTATIVE GROUPS

Section 1 - Recognition

(1) To become a Representative Group recognised by the Association:
  (a) a General Meeting must pass a resolution to that effect.
    (i) In which case recognition shall last until a resolution is passed that the organisation no longer be recognised; or
  (b) the Executive must pass a resolution to that effect,
    (i) In which case the recognition shall last for one calendar year from the date the resolution is passed.
(2) The Association shall make available a list of all recognised Representative Organisations.
(3) To be a recognised Representative Group, the group must
  (a) represent the interests of a defined portion of the student population at the University;
  (b) accept some devolved representative function otherwise performed by the Association; and;
  (c) have policies and undertake activities that are consistent with the goals of the Association.

Section 2 - Representative Group Funding

(1) The Executive shall grant funds according to:
  (e) the number of students whose interests are represented by the Representative Organisation;
  (f) the extent of the representative functions that the Representative Organisation has had devolved to it;
  (g) the type and number of activities to be undertaken; and
  (h) the number of Association goals furthered by the Representative Groups.

Recognised Representative Groups:

(a) The Victoria University Post-Graduate Students' Association (representing all post-graduate students)
(b) The Victoria University of Wellington Law Students' Society Incorporated (representing all law students)
(c) STUDiO (representing all students in the faculty of Architecture and Design)
(d) The Mature Students' Network (MSN) (representing all mature students)
(e) UniQ (representing all gay, lesbian, bisexual, transsexual, transgender, and intersex students)
(f) International Students' Council (representing all international students)
(g) VicCom (representing all commerce and administration students)
(h) Pasifika Students' Council (representing all Pacific Island students)
(i) Can-Do (representing all students with disabilities)
(j) Crèche Parents' Committee (representing all student users of the university crèche)
(k) Vic Earth (representing all students of the School of Geography, Environment and Earth Studies)
(l) Women's Group (Representing all students who identify as women on campus)
(m) New Zealand School of Music Group (representing all music students on campus)
(n) Victoria Student Media (representing all students studying media and arts, or who participate within student media on campus)
(o) The Victoria University of Wellington Science Society (representing all of the students studying within the Faculty of Science).

Section 3 - Administration

(1) The Representative Groups shall appoint one person from its membership who shall have the principal function of liaison and communication with the VUWSA Executive.
(2) In other matters the Representative Groups shall set its own procedures and rules, provided they are in accord with this Constitution.
    (a) Such rules and procedures must be in a written and accessible form.

SCHEDULE 7: VUWSA REPRESENTATIVE GROUPS CHARTER

Section 1 - Preamble

(1) VUWSA believes that the student population at the University is diverse and that VUWSA needs to have a representative structure that reflects and celebrates that diversity.
(2) VUWSA believes that decisions about students' collective interests are best made as close as possible to the students concerned and that VUWSA needs to have a representative structure that enables such decisions to be made.
(3) VUWSA believes that so long as students collectively control the representative organisation that represents them that accountability of that organisation should be back to those students and that the VUWSA Executive should respect its autonomy and independence.
(4) VUWSA believes that all money collected from students by student organisations needs to be spent efficiently and wisely and that appropriate reporting and monitoring should be in place to ensure this.

Section 2 - Executive Funding Regulations

(1) Funds will be made available by the Association by way of an annual grant to Representative Organisations.
(2) To be eligible for a grant the Representative Group must present The Executive the following information, which, in addition to and fully consistent with the constitutional obligations, will also be taken in account when determining the grant to be made:
(a) a budget submitted by the Representative Group,
    (b) the previous year's Annual Report, prepared by the Representative Group for its members,
    (c) the activities, and the number of students benefiting from those activities, proposed by the Representative Group,
    (d) a list of key performance and strategic objectives for the organisation for the year in question.
    (e) previous grants, undertakings and accordingly the reasonable expectation of the Representative Group for funding, and
    (f) the overall financial situation of the Association.
(3) Each Representative Group shall operate an account with the Association into which the total grant shall be placed.
    (a) This amount may be drawn upon providing it is done by approved representatives of the Representative Group; and
    (b) such spending is consistent with the budget approved by the committee of the Representative Group and submitted to the VUWSA Executive.
    (c) The Representative Group shall report quarterly, in written form, on its finances to the students whose interests it represents.
    (d) A copy of the report must be sent to the VUWSA Treasurer-Secretary.

Section 3 - Liaison and Interaction

(1) The Representative Group shall appoint one person from its membership who shall have the principal function of liaison and communication with the Executive.
(2) The Executive shall appoint an Executive member who shall have the principal function of liaison and communication with the Representative Organisation.
(3) VUWSA will seek the opinion of, and will be guided on appropriate matters, by the appropriate Representative Group.

(a) VUWSA will seek, wherever possible, to avoid making decisions or pursuing policies which affect the interests of a group of students whose interests are represented by a Representative Group, without fully consulting with that organisation.

(4) Representative Group shall not make decisions or pursue policies that will have an impact on other students without entering into discussions with VUWSA representatives so as to ensure consistency across the university and to ensure other students' interests are not harmed.

(5) The Representative Group shall establish its own rules for electing delegates internally and to university committees in consultation with the Executive.

(6) VUWSA acknowledges that representatives appointed by Representative Group will have issues unique to them, however maintains the importance of student representation being well coordinated.
(a) Therefore all student representatives on University boards and committees are required to attend pre-meetings before major meetings to discuss papers and issues that may arise in discussion.

(7) Office holders and other students involved in Representative Group may be involved in any peer advocacy system established by VUWSA, and may be allocated students under such a system who are from the group they represent.
(a) The VUWSA Education Team will be solely responsible for coordinating this system and has overall sole responsibility for dealing with academic grievances.

(8) Representative Group must acknowledge the support of VUWSA in their publications, and promotional materials, which includes signs, posters, advertisements, t-shirts, stickers, and any other material that advertises or promotes the Representative Group or their activities.
(a) Acknowledgement should be done in the most appropriate manner, taking into consideration the form of the publication or promotional material. Principally, using the VUWSA logo should do this. If the VUWSA logo is inappropriate, the words "supported by VUWSA – Your Students' Association" must be used. The size and position of the acknowledgement should be what is reasonable in the circumstances. The requirements of private sponsorship will be a consideration for what is reasonable in the circumstances.

(9) VUWSA will have responsibility to provide Representative Group with the VUWSA logo, letterheads, a link from the VUWSA website to the Representative Group site, and an email address in the form of [repgroup]@vuwsa.org.nz.

Section 4 - Policy Position and Autonomy

(1) The Representative Group will conform with and support VUWSA policy that has been decided by students in a General Meeting.

(2) So long as it is consistent with the broad policy framework provided by such VUWSA General Meeting decisions, Representative Group shall be free to determine their own policy.

(3) In taking policy positions Representative Group will represent the interests of their members collectively and will be accountable to their members using as wide a variety of democratic forms as possible.

(4) In other matters the Representative Group shall set its own procedures and rules, provided they are in accord with this Constitution. Such rules and procedures must be in a written and accessible form.

Section 5 - Organisational Structure

(1) Representative Group are run by an Executive Committee.

(2) This committee consists of:
(a) President. This person is the head of the Group. They direct the organisation, plan events, act as spokesperson, and chair meetings.
(b) Secretary. They are responsible for all communications, keeping accurate membership lists, and recording the minutes of organisation's meetings.
(c) Treasurer. They control the organisation's finances, liaise with the VUWSA, keep accurate financial records, and ensure the organisation stays out of debt.
(d) Committee members. Committee members can take responsibility for any number of things. For example some organisations have Publicity Officers, Events Organisers etc.

Section 6 - Meetings of Representative Group

(1) The Executive Committee must is elected at the Annual General Meeting (AGM) of the representative group.
(2) AGMs normally happen towards the end of the year, so that the Representative Group can start the next year with a clear direction and established leadership.
(3) It is mandatory that an AGM be held.
(4) The following things must take place in an AGM:
    (a) Presentation of a financial report (by the Treasurer) and a more general report by the President. Copies of these two reports must be given to VUWSA after the meeting.
    (b) Presentation of ;
    (c) Election of next year's Executive committee (including the President, Secretary & Treasurer).
    (d) Election of delegates to relevant University boards and committees if this is appropriate.
(5) An Inaugural General Meeting (IGM) is held at the beginning of the year (or soon after the representative group starts up). This is an opportunity for new members to get onto the committee and have a say about the years activities. IGMs are not compulsory but they are a good idea, as first year students should always be given a chance to get experience in Representative Organisation management.