

Victoria University Student Union Incorporated.

CONSTITUTION

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PART 2 - STATEMENT OF PURPOSES

2 NAME

- (1) The name of the incorporated association is ‘Victoria University Student Union Incorporated’, herein referred to as the ‘Student Union’.
- (2) The Student Union is recognised as an independent body by Victoria University, which is funded by SSAF and independent revenue.

3 PURPOSE

- (1) The purposes of the Student Union are:
 - (a) Represent the needs, interest and aspirations of students to the University;
 - (b) Advance the education, welfare, social life and cultural activities of the students to the University;
 - (c) Promote, encourage and co-ordinate the various activities of the Student Union;
 - (d) Afford a recognised means of communication between the members of the Student Union, Victoria University and other authorities and organisations;
 - (e) Facilitate the effective coordination of student representation on University bodies and Committees;
 - (f) Promote equal opportunity and affirmative action in its policies and activities through representation;
 - (g) Provide services for the student body of the University;
 - (h) To coordinate student representation on University decision making bodies;
 - (i) Achieve greater recognition and appreciation of the standard of the academic awards made by the University; and
 - (j) To do such other things as are conducive or incidental to the attainment of the above objects.

4 LEGAL CAPACITY AND POWERS

- (1) The Student Union has:

- (a) the legal capacity and powers of an incorporated body, and
 - (b) all the powers of an individual, subject to this clause.
- (2) The Student Union must not distribute any of its profit, income or assets directly or indirectly to members.
- (3) Section 4(2) does not prevent the Union from paying members:
- (a) reimbursement for expenses properly incurred by them; and
 - (b) for services or goods supplied by them.

5 NOT FOR PROFIT

- (1) The Student Union may only:
- (a) Exercise its powers; and
 - (b) Use its income and assets, including any surplus;
- For its purpose outlined in section 3.

PART 3 - MEMBERSHIP

6 CATEGORIES

- (1) All onshore students at Victoria University are eligible to reasonable use of services and facilities of the VUSU.
- (2) The Student Union has the following categories of membership:
- (a) Governing Members - refer to section 7;
 - (b) VIP Members - refer to section 8;
 - (c) Life Members - refer to section 9;
 - (d) Executive Officer - refer to section 10; and
 - (e) Associate Members - refer to section 11.

7 GOVERNING MEMBERS

- (1) Governing Members of the Student Union are those who are board members, executive members, members of the committees, and office bearers.

8 VIP MEMBERS

- (1) VIP Members are those who pay an annual subscription, which is to be determined by the Executive at the beginning of each financial year.

9 LIFE MEMBERS

- (1) The Life Members of the Student Union are those individuals who:

- (a) Have made an outstanding contribution to the Student Union, or Victoria University as a whole; and
- (b) Are admitted by a majority vote at a meeting of the Student Union Board.

10 EXECUTIVE OFFICER

- (1) The President of the Student Union, the nominated representative of the VUSU affiliated associations and the Manager of Student Life and Leadership shall ensure the employment of Executive Officer whenever there is a vacancy in that position.
- (2) The Executive Officer is:
 - (a) responsible for secretarial work for the purposes of the Associations Act, and with agreement from the General Secretary; and
 - (b) The Public Officer for the purposes of the Associations Act.
- (3) If the position of Executive Officer is vacant for more than 14 days, the President of the Student Union, the nominated representative of the VUSU affiliated association and the Manager of Student Life and Leadership shall ensure the appointment of an interim-Executive Officer to hold office until the position of Executive Officer is filled.
- (4) The interim-Executive officer must notify Consumer Affairs Victoria within 14 days of:
 - (a) The appointment as interim-Executive Officer; and
 - (b) Any subsequent change of address.
- (5) The person last notified to Consumer Affairs Victoria shall remain the Executive Officer until a new person has notified Consumer Affairs Victoria.
- (6) The Executive Officer is accountable to the Student Union Executive, the Constitution and the Regulations.

11 ASSOCIATE MEMBERS

- (1) The Associate Members of the Student Union are those individuals who:
 - (a) Are not students;
 - (b) Apply for membership;
 - (c) Pay an annual subscription, which is determined by the Executive; and
 - (d) Are admitted by a majority vote of the Executive.

12 FEES

- (1) There is no compulsory subscription or entrance fee payable by an enrolled student at Victoria University to the Student Union.
- (2) Any subscription or entrance fee payable for financial membership of the Student Union shall be determined annually by the Executive.

13 RIGHTS, OBLIGATIONS AND LIABILITIES

- (1) All students are entitled to use the amenities and services of the Student Union
- (2) All members must comply with the Constitution, Regulations and Standing Orders
- (3) Under s14A of the Association Act, this constitution is an enforceable contract between the Student Union and each member.
- (4) Under s15 of the Association Act, members are not liable to contribute to the debts and liabilities of the Student Union.

14 CESSATION

- (1) Members cease to be members on their resignation, expulsion or ceasing to have legal capacity.
- (2) Governing Members cease to be members if they cease to be a Student Union Board Member, Executive Member, Member of the Committees, or Office Bearer.

15 GRIEVANCE PROCEDURE

- (1) The Student Union Board must make regulations for a:
 - (a) Grievance Procedure; and
 - (b) Disciplinary Procedure.
- (2) The regulations outlined in section 15(1):
 - (a) Must require procedural fairness to be applied; and
 - (b) May include the suspension and expulsion of members for serious misconduct, or whatever else the Student Union Board deem appropriate.

PART 4 - MEETINGS GENERALLY

16 ANNUAL GENERAL MEETINGS

- (1) The General Secretary must convene an Annual General Meeting of the Association within five (5) months after the end of each financial year.

- (2) Annual General Meeting may conduct any special business of which notice has been given subject to clause 16(3)-(5).
- (3) The General Secretary must provide at least ten (10) academic days notice of an Annual General Meetings. Notice shall include:
 - (a) The time and location at which the Annual General Meeting shall take place;
 - (b) The agenda;
 - (c) Specification that the meeting is an Annual General Meeting; and
 - (d) The opening and closing times and dates for attendees to submit motions and questions.
- (4) The notice must be published:
 - (a) On the Student Union's Notice Boards, at all campuses;
 - (b) On the Student Union's Website; and
 - (c) Any other mode of publication, to the extent that is feasible.
- (5) Ordinary business of the Annual General Meeting shall be:
 - (a) To confirm the minutes of the previous Annual General Meeting and of any Special General Meeting held since that meeting;
 - (b) To receive from the Board reports upon the transactions of the Student Union during the last preceding financial year; and
 - (c) To receive and consider the statement submitted by the Student Union in accordance with Part 7 of the Act.
- (6) No item of business may be conducted at the Annual General Meeting unless a quorum is present at the time when the meeting is considering that item.
- (7) Twenty (20) students including eight (8) governing members of the Student Union must be personally present and signed into an attendance register to constitute a quorum for the conduct of the business of an Annual General Meeting.
- (8) Where quorum is not present within half an hour after appointment time for the commencement of an Annual General Meeting the meeting shall stand adjourned to the same day in the next academic week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice from the Chairperson to members given before the day to which the meeting is adjourned) at the same place.
- (9) The President, or in the President's absence, the General Secretary shall preside as Chairperson at each General Meeting of the Student Union.

- (a) If the President and the General Secretary are absent from the Annual General Meeting, or are unable to preside, the Student Union Board must appoint someone to chair the meeting.
- (b) The Chairperson of the meeting is entitled to exercise a second or casting vote.
- (10) Each Governing Member and Student present is entitled to vote at the Annual General Meeting.
- (11) Governing Members not in attendance may send a proxy. Proxies:
 - (a) Must be submitted to the General Secretary, in writing, at least two (2) prior to the Annual General Meeting;
 - (b) Do not count towards quorum; and
 - (c) Must indicate who's proxy they hold.
- (12) Any question put to the Annual General Meeting must be decided on a majority of votes.

17 SPECIAL GENERAL MEETINGS

- (1) The General Secretary may convene a Special General Meeting of the Association on the request in writing of at least 100 students, or an majority vote of the Student Union Board.
- (2) A request for a Special General Meeting must:
 - (a) state the objects of the meeting; and
 - (b) be signed by the students requesting the meeting; and
 - (c) be sent to the General Secretary.
- (3) Special General Meetings may conduct any special business and no other business provided that the notice of the Special General Meeting has been given in accordance with clause 17(4).
- (4) The General Secretary must provide at least five (5) academic days' notice of a Special General Meeting. Notice shall include:
 - (a) The time and location at which the Special General Meeting shall take place;
 - (b) The agenda;
 - (c) Specification that the meeting is a Special General Meeting; and
 - (d) The opening and closing times and dates for attendees to submit motions and questions.
- (5) The notice must be published:
 - (a) On the Student Union's Notice Boards, at all campuses;

- (b) On the Student Union's Website; and
 - (c) Any other mode of publication, to the extent that is feasible.
- (6) If the General Secretary does not cause a Special General Meeting to be held within one month after the date on which the request is sent to the address of the General Secretary, the students/Governing Members making the request may convene a Special General Meeting to be held not later than 3 months after that date.
 - (7) No item of business may be conducted at the Special General Meeting unless a quorum is present at the time when the meeting is considering that item.
 - (8) Eight (8) governing members of the Student Union must be personally present and signed into an attendance register to constitute a quorum for the conduct of the business of an Special General Meeting.
 - (9) Where quorum is not present within half an hour after appointment time for the commencement of a Special General Meeting the meeting shall be declared invalid.
 - (10) The President shall preside as Chairperson at each Special General Meeting of the Student Union.
 - (11) The Chairperson of the meeting is entitled to exercise a second or casting vote.
 - (12) Each Governing Member present is entitled to vote at the Special General Meeting.
 - (13) Governing Members not in attendance may not send a proxy.
 - (14) Any question put to the Special General Meeting must be decided on a majority of votes.

PART 5 – REFERENDUMS

18 CONVENING

- (1) A Referendum of the Student Union shall be held upon resolution of the Student Union Board.
- (2) A Referendum may be held in conjunction with elections of the Student Union.
- (3) A Referendum may be requested by any student at Victoria University provided they have:
 - (a) Attended a meeting with the President of the Student Union or nominee to discuss the referendum; and
 - (b) Made the request of referendum in writing to the General Secretary. The request must:
 - (i) State the proposed resolution;

- (ii) Outline the arguments for and against the proposed resolution; and
- (iii) Include the names, signatures and email addresses of twenty-five (25) students or staff members at Victoria University.

19 NOTICE

- (1) At least ten (10) academic days' notice of a referendum shall be given. Notice shall include:
 - (a) The proposed resolution;
 - (b) The arguments for and against the proposed resolution; and
 - (c) The times and locations at which voting shall take place.
- (2) The notice must be published:
 - (a) On the Student Union's Notice Boards, at all campuses;
 - (b) On the Student Union's Website; and
 - (c) Any other mode of publication, to the extent that is feasible.
- (3) If a referendum is requested pursuant to section 18 the General Secretary or nominee shall:
 - (a) Convene a meeting with at least ten (10) academic days' notice, pursuant to clause 19(1);
 - (b) Reword the proposed resolution for the purpose of clarification; and
 - (c) Publish the notice pursuant to clause 19(2).

20 QUORUM

- (1) Quorum for a referendum shall be:
 - (a) Three (3) out of five (5) Executive Members;
 - (b) More than half of the Student Union Board members; and
 - (c) The Executive Officer.

21 CHAIRING

- (1) The President of the Student Union shall be the chair of the Referendum.
- (2) If the President of the Student Union is not present, the Executive Officer shall chair the Referendum.

22 VOTING

- (1) Resolutions passed by a simple majority vote of a Referendum shall be binding on the Student Union.

- (2) Voting must be held by secret ballot.
- (3) If more than twenty-five percent (25%) of the votes cast are informal, the vote shall be deemed failed.
- (4) The Executive Officer:
 - (a) Does not have a vote;
 - (b) Will administer the ballot; and
 - (c) Will count the ballot.
- (5) In the case of a tied vote, the President has the casting vote.
- (6) Anyone in attendance may scrutineer the referendum ballot by notifying the Executive Officer, in writing, prior to the meeting.

23 OBSERVERS

- (1) Observers are students or staff members at Victoria University who attend the referendum meeting.
- (2) Observers must notify the General Secretary, in writing, two (2) days prior to the meeting.
- (3) Observers do not have voting rights.
- (4) Observers may openly contribute to the Referendum meeting in any way they see fit, with the exception of clause 22.

24 AMENDMENT

- (1) The Executive Officer must notify Consumer Affairs Victoria within one month of the passing of a referendum.
- (2) The amendment does not take effect until the Executive officer notifies Consumer Affairs Victoria.
- (3) Any contractual agreement entered into by the Student Union prior to the amendment to the Constitution shall be binding for the duration of the contractual agreement, as if such constitutional amendment had not been made.

PART 6 - VICTORIA UNIVERSITY STUDENT UNION BOARD

25 STATUS, RESPONSIBILITIES AND POWERS

- (1) The governing body of the Student Union shall be the Student Union Board.
- (2) The Student Union Board is responsible for:

- (a) the governance of the Student Union;
 - (b) developing Student Union Policies;
 - (c) strategic Planning for the Student Union;
 - (d) publishing or authorise publication of any magazine, newspaper or other recorded matter on behalf of the Student Union;
 - (e) receiving reports from the Office Bearers, and Executive;
 - (f) appointing representatives upon request to all University Committees where appropriate;
 - (g) making, amending or repealing Student Union Regulations, in accordance with these rules for the effective achievement of the purposes of the Student Union;
 - (h) appointing a Returning Officer/s for the Annual Elections of the Student Union;
 - (i) acquiring, managing, leasing, mortgaging, disposing of and otherwise dealing with property of the Student Union; and
 - (j) appointing students to any vacant office;
 - (k) delegating any of the powers, except this power to further delegate, any duties to any Officer, Staff, Student, Committee or the Executive;
 - (l) recommending employment of persons or students to assist in the fulfilment of the purposes of the Student Union;
 - (m) allocating and approve the Student Union budget;
 - (n) appointing an Executive Officer in accordance with section 10; and
 - (o) doing such things as are conducive or incidental to the attainment of any or all of the purposes of the Student Union.
- (3) The Board may act notwithstanding any vacancy on the Board.
- (4) The powers, duties and responsibilities of the Officers of the Student Union shall be those set out in the Regulations, subject to the Constitution.

26 MEMBERSHIP

- (1) The Student Union Board shall be constituted of the following voting members:
- (a) The Executive Office Holders
 - (b) The Women's Officer
 - (c) The Lesbian, Gay, Bi-Sexual, Transgender, Intersex and A-Sexual + Officer (Queer Officer)

- (d) The Cultural Diversity Officer
 - (e) The Digital Media Officer
 - (f) The Accessibility Officer
 - (g) The Indigenous Officer
 - (h) The VUSUteer Officer
 - (i) The President or appointee of each of the College Societies and the International Student Association under these rules.
- (2) With the exception of Part 8 of this Constitution, the above positions must be elected by students of Victoria University.
- (3) Only the President or appointee of each of the College Societies and International Student Association, may send a proxy to the Student Union Board Meetings, provided they are given to the General Secretary at least two (2) business days prior to the start of the meeting.
- (a) These proxies hold a voting right.
 - (b) VUSU Office-bearers may send non-voting proxies.
- (4) The Student Union Board may co-opt non-voting members with no additional powers.

27 HONORARIUMS

- (1) The Student Union Board may make standing orders and regulations as to paying an honorarium to any member of the Student Union Board.
- (2) The Student Union Board may;
- (a) Grant a leave of absence to any member of the Student Union Board who is paid an honorarium for a period of two (2) months;
 - (b) Elect a proxy who would be eligible to stand for the position for that period and receive the honorarium.

28 MEETINGS

- (1) The Student Union Board must meet at least five (5) times in each year.
- (2) The General Secretary shall:
- (a) Determine the time and place of the meeting;
 - (b) Provide written notice of each meeting to each relevant member at least five (5) business days before the date of the meeting; and
 - (c) Distribute the Agenda of the meeting at least five (5) business days before the date of the meeting.

- (3) Special Meetings of the Student Union Board may be convened by the President or by any 4 Student Union Board Members.
- (4) In the case of a Special Meeting, the President or 4 Student Union Board Members must:
 - (a) Determine the time and place of the meeting;
 - (b) Provide written notice of each meeting to each relevant member at least two (2) business days before the date of the meeting;
 - (c) Distribute the Agenda of the meeting at least two (2) business days before the date of the meeting; and
 - (d) Provide the specific business for the Special Meeting to discuss, and no other business is to be discussed.

29 QUORUM

- (1) The quorum for each meeting of the Board shall be more than half of the current members of the Board.
- (2) No business may be conducted unless a quorum is present.
- (3) If quorum is not met within half an hour of the time appointed for the commencement of a meeting a register of those members in attendance must be recorded by the General Secretary, or nominee. The General Secretary, or nominee must then:
 - (a) in the case of a Special Meeting, declare that the meeting lapses;
 - (b) in any other case - declare that the meeting may, if requested, stand adjourned to the same place and the same time and day in the following week.
- (4) At meetings of the Board -
 - (a) the President or, in the President's absence, the General Secretary presides; or
 - (b) if the President and the General Secretary are absent or are unable to preside, the Student Union Board must appoint someone to chair the meeting.
- (5) Each Board member is entitled to one vote only
- (6) If an equal number of votes is cast for and against a motion or amendment, the chair has the casting vote.

30 REGULATIONS

- (1) The Student Union Board, subject to the provisions of the Constitution shall have the power to make Regulations governing the good conduct of the Student Union.

- (2) The Student Union Board may by a two-thirds majority make regulations to give effect to this Constitution
- (3) At least 7 days notice in writing of the proposed making or amendment of regulations must be given to each member of the Student Union Board.
- (4) The notice must state the proposed regulations or change to the regulations.
- (5) Members must at all times comply with the regulations as if they formed part of this constitution.

PART 7 – VICTORIA UNIVERSITY STUDENT UNION EXECUTIVE

31 STATUS, RESPONSIBILITIES AND POWERS

- (1) The Executive Office Holders shall be elected from and by all students enrolled at Victoria University.
- (2) The powers, duties and responsibilities of the Officers of the Student Union shall be those set out in the Regulations subject to the Constitution.
- (3) There shall be an Executive of the Student Union consisting of the Executive Office Holders listed in clause 32.
- (4) The Executive is responsible on behalf of the Board for:
 - (a) the day to day management of the Student Union;
 - (b) media and legal matters;
 - (c) monitoring the finances;
 - (d) authorising expenditure as delegated by the Board;
 - (e) delivery of Student Union activities and services
 - (f) supervising staff; and
 - (g) implementation of policy
- (5) If the University makes provision for the Executive and/or President to be enrolled students of the University by virtue of holding those positions and without being required to undertake studies by subject to the statutes and regulations of the University, the Executive and/or President must be enrolled student of the University.

32 MEMBERSHIP

- (1) The Executive Office Holders shall be the following voting members:
 - (a) The President
 - (b) The General Secretary

- (c) The Vice President – Education
- (d) The Vice President – Welfare
- (e) The Vice President – Activities

33 MEETINGS

- (1) The quorum for each executive meeting shall be more than half of the current members.
- (2) No business may be conducted unless a quorum is present.
- (3) Voting members who are unable to be present may participate in the meeting electronically or by telephone or nominate a member of the Student Union as a non-voting proxy.
- (4) Written notice of each meeting must be given to each member at least 5 business days before the date of the meeting or at least 2 business days before the date of the meeting in the case of a special meeting.
- (5) The Executive may act notwithstanding any vacancy on the Executive.
- (6) At meetings of the Executive:
 - (a) the President is the Chairperson; or
 - (b) if the President is unable to be the Chairperson, they must appoint the General Secretary to Chair in their place.
- (7) Each Executive member is entitled to vote.
- (8) If an equal number of votes is cast for and against a motion or amendment, the Chair has the casting vote.
- (9) The executive must meet at minimum once each month, unless postponed by an unanimous majority.

34 REGULATIONS

- (1) The Student Union Board may establish Standing Orders and Regulations regarding the Executive, subject to the Constitution.

PART 8 - THE COMMITTEES, ASSOCIATIONS AND OTHER BOARDS

35 INTERNATIONAL STUDENT ASSOCIATION

- (1) The International Student Association members shall be elected from and by all eligible students enrolled at Victoria University in accordance with their Constitution.
- (2) The International Student Association shall represent the interests of International Students and subject to these rules and Regulations may manage their own affairs.
- (3) The President or Appointee of the Victoria University International Students Association will be nominated as a voting member to the Student Union Board.
- (4) There shall be an International Student Association committee consisting of the following:
 - (a) President
 - (b) Vice-President
 - (c) Secretary
 - (d) Treasurer
 - (e) General members
 - (f) Other members in accordance with the International Student Association Constitution.

36 COLLEGE SOCIETIES

- (1) There will be one recognised and affiliated College Society for each College in accordance with Regulations.
- (2) The President or Appointee of each College Society shall be a voting member.
- (3) The Student Union may recognise in accordance with Regulation only one College Society for each Academic College which exists at Victoria University in accordance with Regulations.

37 WELFARE COMMITTEE

- (1) The members of the Welfare Committee are:
 - (a) The Vice-President Welfare (chair); and
 - (b) Five (5) General Members.
- (2) The five (5) general members may be appointed by the Student Union Board:
 - (a) At the first Board meeting after the Annual Elections;

- (b) By a majority vote; and
- (c) With the support of two (2) students from Victoria University.

38 ACTIVITIES COMMITTEE

- (1) The members of the Activities Committee are:
 - (a) The Vice-President Activities (chair); and
 - (b) Five (5) General Members.
- (2) The five (5) general members may be appointed by the Student Union Board:
 - (a) At the first Board meeting after the Annual Elections
 - (b) By a majority vote; and
 - (c) With the support of two (2) students from Victoria University.

39 EDUCATION COMMITTEE

- (1) The members of the Education Committee are:
 - (a) The Vice-President Education (chair); and
 - (b) Five (5) General Members.
- (2) The five (5) general members may be appointed by the Student Union Board:
 - (a) At the first Board meeting after the Annual Elections
 - (b) By a majority vote; and
 - (c) With the support of two (2) students from Victoria University.

40 MEETINGS

- (1) Each Committee must meet at least five (5) times a year.

41 OTHER COMMITTEES

- (1) In addition to the Committees, the Student Union Board may by regulation or standing order establish other standing and ad hoc committees as it considers appropriate.

PART 9 - OFFICE BEARERS

42 OFFICE BEARERS

- (1) Office Bearers shall be elected from and by all eligible students enrolled at Victoria University in accordance with Regulations.
- (2) The Executive Office Bearers shall be the following:
 - (a) President;

- (b) General Secretary;
 - (c) Vice-President Education;
 - (d) Vice-President Activities; and
 - (e) Vice-President Welfare.
- (3) The non-Executive Office Bearers shall be the following:
- (a) The Women’s Officer - must be a student at Victoria University who identifies as a women;
 - (b) The Lesbian, Gay, Bi-Sexual, Transgender, Intersex and A-Sexual + Officer (LGBTQIA+ Officer) - must be a student at Victoria University who identifies as LGBTQIA+;
 - (c) The Cultural Diversity Officer - must be a student at Victoria University who identifies as ethnically or linguistically diverse;
 - (d) The Digital Media Officer;
 - (e) The Accessibility Officer - must be a student at Victoria University who identifies as having a disability or is a carer for someone who identifies as having a disability.
 - (f) The Indigenous Officer - must be a student at Victoria University who identifies as an Aboriginal or Torres Strait Islander; and
 - (g) VUSUteer Coordinator.

43 SHARING OF POSITIONS

- (1) Two (2) students who are each eligible may together stand to hold any Office Bearer Position, except:
- (a) President;
 - (b) General Secretary;
 - (c) Vice President Activities;
 - (d) Vice President Welfare; or
 - (e) Vice President Education.
- (2) The shared office bearers get one vote on behalf of the two (2) students in all Student Union Board Meetings and shall indicate who is exercising that vote to the General Secretary, in writing, prior to the meeting.

44 RESPONSIBILITIES AND DIRECTIONS

- (1) The powers, duties and responsibilities of the Officers of the Student Union shall be those set out in the Regulations subject to the Constitution.

45 DUTIES

- (1) The duties of the Officers of the Student Union shall be those set out in the Regulations subject to the Constitution.

46 REIMBURSEMENTS

- (1) Reimbursements for expenses the Office Bearers have incurred for duties performed under the Student Union shall be those set out in Standing Orders subject to the Constitution.

PART 10 - ELECTIONS

47 CONDUCT

- (1) The Student Union Board must make regulations for the conduct of elections.
- (2) The elections of the Student Union shall be conducted by a Returning Officer appointed by the Student Union Board in accordance with Regulations.
- (3) The Returning Officer may not:
 - (a) be a current member of the Student Union;
 - (b) be a candidate; or
 - (c) take part in activities designed to promote the electoral interests of any candidate or group of candidates in the election.
- (4) The Annual General Elections must be held prior to 1 November of each year in accordance with the Election Regulations.
- (5) The ballot for the election of Officers of the Student Union Board must be conducted at the Annual General Elections in accordance with Regulations.

48 ELIGIBILITY TO STAND AND VOTE

- (1) Only student members are entitled to stand for election and hold office.
- (2) Victoria University Staff may not vote nor stand for election and/or hold office, unless currently enrolled as a Student at Victoria University.
- (3) All students are eligible but not obligated to vote in elections.
- (4) All elections must be by secret ballot.

- (5) Clauses 49(1)-(4) do not prevent the Constitution or Regulations from limiting the eligibility to stand and vote in particular elections to specified categories of members and students.

49 ELIGIBILITY TO HOLD POSITIONS

- (1) Nominations of candidates for election as Officer Holders and Committees must be made in accordance with the Election Regulations.
- (2) A student member may stand for, but not hold:
- (a) More than 1 office-bearer position
 - (b) More than 1 position on the same Student Union body, or
 - (c) Any position on the Student Union Board and any other directly elected position.

50 TERMS OF OFFICE

- (1) Office-bearers and members of Student Union bodies elected at the annual elections hold office from 1 November until their successors take office.
- (2) Office-bearers and members of Student Union bodies not elected at the annual elections hold office from the time of their election or appointment until their successors take office.
- (3) Office-bearers and members of Student Union bodies filling vacancies hold office for the remainder of the term of office of the position being filled.
- (4) Clauses 51(2)-(3) are all subject to clause 52 and the regulations.
- (5) In the case of office-bearers elected at the annual elections, from the time of their election until they take office, their position may be termed “[*insert name of position*]”-Elect.

51 VACANCIES

- (1) The position of an Office-Bearer or of an Executive of the Student Union Board becomes vacant if the Office-Bearer or Executive:
- (a) Resigns in writing given to the General Secretary (or, in the case of the General Secretary, to the President);
 - (b) Ceases to be both a student member and a student;
 - (c) Becomes a permanent employment of the Student Union or the University;
 - (d) Is removed by a binding decision of
 - (i) A student general meeting in accordance with Part 4, or

- (ii) A referendum in accordance with Part 5.
 - (e) Is removed by resolution of the Student Union Board by a majority on the ground that the office-bearer or member has been certified by a registered medical practitioner to be incapable of carrying out the responsibilities of the position because of injury or illness; or
- (2) The position of an elected member of a Student Union Board also becomes vacant if the member fails on 3 consecutive occasions to attend within 30 minutes of the time of which notice has been given of a meeting of the body:
- (a) In the case of the Student Union Board - without leave of absence under clause 27(2) or;
 - (b) In any other case - without the member having given an apology in writing to the chair of the Student Union Board before the time of which notice has been given,
- Provided at least 7 days' notice in writing of each meeting has been given to each member.
- (3) The position of a person elected by a Student Union Association or College Society becomes vacant if that person is removed by resolution of the body passed by a majority.
- (a) It is then the responsibility for the Student Union Association or College Society to appoint a member to the Student Union Board.
- (4) The position of a person appointed to the Student Union Board becomes vacant if:
- (a) The person appointed resigns in writing given to the General Secretary (or, in the case of the General Secretary, the President); or
 - (b) The person making the appointment withdraws it.
- (5) In the event that a vacancy occurs in any position, not superseding clauses 49 and 50 of this Constitution, the Student Union Board may appoint by a two-thirds majority a Victoria University student to the vacant position and the student so elected shall hold office for the remainder of the term of that position for which they have been elected.
- (a) Failing a two-thirds majority decision, the position remains vacant until such time as a two-thirds majority decision is made in respect to any nominated student.
 - (b) In the event that a vacancy occurs within 20 academic days prior to the Annual Elections, then the Student Union Board may decide not to appoint a student to the vacant position.

- (6) The Student Union Board may continue to act notwithstanding vacancies in the Board.

52 VALIDATION

- (1) Even if it is subsequently found that a person who has acted as an office-bearer or member of the Student Union Board was not properly elected or appointed, the validity of:

- (a) The acts of that person in that capacity, and
- (b) Decisions of meetings of the Student Union bodies in which that person has participated,

Is not affected.

PART 11 - FINANCIAL AND LEGAL

53 SOURCES OF FUNDS

- (1) The funds of the Student Union shall be derived from SSAF, grants, fees, donations and such other sources as the Student Union may determine.

54 WINDING UP

- (1) In the event of the winding up or the cancellation of the incorporation of the Student Union, the assets of the Student Union must be disposed of in accordance with the provisions of the Act.

55 FINANCIAL YEAR

- (1) The Executive Officer is responsible for ensuring the proper management of the funds of the Union.
- (2) The Executive Officer must
- (a) ensure that true and fair accounts of the Union are kept; and
 - (b) ensure that the Student Union receive all moneys due to the Student Union and oversee all payments authorised by the Student Union
- (3) Any student may inspect the books and records of the Student Union upon giving reasonable notice of 14 days

56 CUSTODY AND INSPECTION OF RECORDS

- (1) Except as otherwise provided in this Constitution, the General Secretary must keep in their custody all books, documents and securities of the student union.
- (2) All accounts, books, securities and any other relevant documents of the Student Union may be available for inspection free of any charge by any student by giving reasonable notice of five (5) business days to the General Secretary.
- (3) A student may make a copy of any accounts, books, securities and any other relevant documents of the student union.

PART 12 - DEFINITIONS

57 DEFINITIONS

- (a) “academic day” means a day in a University Semester that is not a Saturday, Sunday or University holiday;
- (b) “the Associations Act” means the Victorian *Associations Incorporation Act 1981*;
- (c) “campus” means a campus of the University;
- (d) “convene” means call and arrange to hold;
- (e) “Executive Officer” has the meaning under clause 10;
- (f) “financial year” means the year ending on 30 June;
- (g) “majority” means a vote of more than fifty percent (50%) of eligible voters present at the meeting;
- (h) “SSAF” means Student Services and Amenities Fee;
- (i) “student” means a student enrolled at the University as defined by the Victoria University Act 2010;
- (j) “the University” means Victoria University;
- (k) “in writing” and “writing” include emails and documents sent electronically;
- (l) “VUSU-teer” means a volunteer for the VUSU.

Prepared by: Cat Abourizk – VUSU President 2019

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