



# Constitution of the Sydney University Postgraduate Representative Association (SUPRA)

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## 1. Title

- 1.1 The name of the Association shall be the Sydney University Postgraduate Representative Association (**the Association**).

## 2. Definitions

- 2.1 For the purposes of this Constitution:
- 2.1.1 **Associate Member** means a person who is eligible for membership of the Association pursuant to subclauses 4.1.2 or 4.1.3 of the Constitution.
  - 2.1.2 **Ballot** means paper or online voting forms with a list of all eligible electoral Candidates.
  - 2.1.3 **Candidate** means any person standing for any SUPRA election.
  - 2.1.4 **Casual Election** means an election occurring outside of the General Election which serves to fill a General Council vacancy.
  - 2.1.5 **Constituent** means any person considered a postgraduate student of the University.
  - 2.1.6 **Council** means the thirty-four (34) Councillors who comprise the governing body of the Association.
  - 2.1.7 **Councillor** means any General Councillor and any Equity Officer.
  - 2.1.8 **Days** means calendar days unless otherwise stated.

- 2.1.9 **Disclosure Agreement** means a written statement of awareness and understanding of:
- (a) the nature of serving on the governing body of an unincorporated association; and
  - (b) the personal liability assumed through serving on the governing body of an unincorporated association.
- 2.1.10 **Electoral Arbiter** means any person appointed to arbitrate any disputes relating to the result of the election.
- 2.1.11 **Equity Election** means the election for a position of Equity Officer through an equity network during the General Election.
- 2.1.12 **Equity By-election** means an election occurring outside of the General Election which serves to fill an Equity Officer vacancy.
- 2.1.13 **General Election** means the annual election for the members of Council.
- 2.1.14 **In Camera** means items of discussion during the course of a Meeting which are considered confidential.
- 2.1.15 **Meeting** means a gathering of people at a physical or online location, using any technology approved by Council that provides attendees a reasonable opportunity to participate. A person who participates in a Meeting using that technology is taken to be present at the Meeting and to have cast any vote in person.
- 2.1.16 **Member** means a Constituent of the Association that has provided their contact details, SID, and unikey to SUPRA.
- 2.1.17 **Office** means any elected position on Council held by a Councillor, including an Executive Office or an Equity Office.
- 2.1.18 **Office Bearer** means any Councillor that holds an Office on Council.
- 2.1.19 **Record(s)** means all minutes, books, documentation, files, securities, and formal correspondence of the Association, whether in soft or hard copy.
- 2.1.20 **Returning Officer** means any person appointed to:
- (a) supervise and conduct the nominations and ballots of any election; and
  - (b) supervise and arbitrate any disputes between Candidates during the election.
- 2.1.21 **Satellite Campus** means any Campus of the University that is not the Camperdown or Darlington campus.

- 2.1.22 **Senate** means the Senate of the University of Sydney.
- 2.1.23 **SID** means the nine (9) digit Student Identification Number assigned to each student by the University.
- 2.1.24 **Student** means any person:
- (a) meeting the University's definition of a postgraduate student, as amended from time to time.
  - (b) whose higher degree by research thesis is under examination.
  - (c) having deferred or temporarily suspended a postgraduate award course at the University.
- 2.1.25 **Supplementary Election** means an election occurring at the Annual General Meeting of the Association for any unfilled General Councillor positions.
- 2.1.26 **SUPRA** means the Sydney University Postgraduate Representative Association
- 2.1.27 **SUPRA Committee** means a group of Councillors who have been delegated by Council to draft policy, take action, exercise delegated authority, and advise Council in relation to a matter of concern in accordance with this Constitution.
- 2.1.28 **SUPRA Policy Manual** means an organised collection of policies of the Association that have been approved by:
- (a) the General Meeting for the Constitution and Office duty statements; and
  - (b) the Council for all other Policies.
- 2.1.29 **SUPRA Standing Committee** means a permanent committee of SUPRA, which is responsible for the day-to-day running of the Association.
- 2.1.30 **Unikey** means the eight (8) character digital key assigned to each student by the University.
- 2.1.31 **University** means the University of Sydney.

### **3. Objects and Principles**

- 3.1 The overriding object of the Association shall be to expand, advocate for, defend and preserve the rights and interests of the University's postgraduate students, and it shall at all times endeavour to achieve this.
- 3.2 The Association shall seek to reflect the views of the postgraduate students of the University, and shall consult regularly with the postgraduate population.

- 3.3 The Association shall endeavour to ensure its conduct is transparent and democratic.
- 3.4 The Association shall represent the postgraduate students of the University and make appropriate representations to all relevant parties, stakeholders and bodies on their behalf.
- 3.5 The Association shall provide independent representation, advocacy and advice to postgraduate students of the University.

## **4. Membership of the Association**

### **4.1 Eligibility**

- 4.1.1 A Constituent becomes a Member by providing their contact details, SID, and unikey in writing to:
  - (a) the Association; or
  - (b) a party acting on behalf of the Association for this purpose.
- 4.1.2 Any person located or studying at the University while enrolled as a postgraduate student at another tertiary institution may apply for Associate Member status.
- 4.1.3 Any person studying a postgraduate course at the University but not examined by the University may apply for Associate Member status.
- 4.1.4 Any person who is eligible for membership but who has suspended their studies shall remain a Constituent and/or a Member of the Association for the duration of their suspension. This includes the retention of their rights under subclause 4.2 of this Constitution.

### **4.2 Rights**

- 4.2.1 All Constituents of the Association are entitled to:
  - (a) be given the opportunity to be provided with notice of elections and General Meetings; and
  - (b) participate in these processes by becoming a Member of the Association.
- 4.2.2 All Members of the Association have the right to:
  - (a) stand for and hold elected positions of the Association;
  - (b) vote in Elections for General Council and at General Meetings;
  - (c) vote in Equity elections where they are a member of an equity group as defined in this Constitution; and

- (d) access the services, events, activities and resources offered by the Association.
- 4.2.3 All Associate Members of the Association are entitled to:
- (a) stand for and hold elected positions of the Association;
  - (b) vote in Elections for General Council and at General Meetings;
  - (c) vote in Equity elections where they are a member of an equity group as defined in this Constitution; and
  - (d) access the services, events, activities and resources offered by the Association.

### **4.3 Completion of Course Requirements**

- 4.3.1 In the event that a Constituent receives their completion letter they shall be deemed to be a Constituent until the date of their graduation.
- 4.3.2 In the event that a Member receives their completion letter, they shall be deemed to be a Member of the Association until the date of their graduation.
- 4.3.3 In the event that a Member who is a Councillor receives their completion letter during their term, they shall be deemed to be a Member of the Association until the conclusion of their term and may during this period continue to hold any Office they held prior to receiving their completion letter.
- 4.3.4 Any person deemed to be a Member pursuant to subclauses 4.3.2 and 4.3.3 of this Constitution shall be entitled to the rights set out in clause 4.2 of this Constitution save that they will:
- (a) not be eligible to nominate or be nominated for any elected positions of the Association.
  - (b) be entitled to access the services, events, activities, and resources offered by the Association at the discretion of the Association.

## **5. General Meetings**

### **5.1 Schedule of General Meetings**

- 5.1.1 An Annual General Meeting of the Association shall be called at any time on or after 1 April but before 15 May in each year.

- 5.1.2 The rescheduling of an Annual General Meeting due to an adjournment or lack of quorum will not constitute a contravention of subclause 5.1.1 of this Constitution.
- 5.1.3 An Extraordinary General Meeting shall be called by the President, or their delegated authority, at the direction of the Council, by a two-thirds majority vote, to conduct business of the Association, in accordance with clauses 5.2, 5.3, 5.4, and 5.5 of this Constitution.
- 5.1.4 An Extraordinary General Meeting shall be called by the President, or their delegated authority, on the written request of any twenty (20) Members of the Association. The business to be conducted by the Meeting shall be set out by the Members requesting the Meeting.

## **5.2 Convening General Meetings**

- 5.2.1 At least twenty-one (21) days' notice shall be given of any General Meeting of the Association.
- 5.2.2 Notice of any General Meeting shall set out the time, date, and location of the Meeting, along with the business to be conducted.
- 5.2.3 Notice of any General Meeting must be:
  - (a) posted at or around the University;
  - (b) advertised in at least one (1) publication authorised by the Council, and as many other publications as is reasonably practicable; and
  - (c) circulated via email to all Members of the Association.
- 5.2.4 The caller of a General Meeting shall also send a written request to the University to provide any appropriate assistance to enable a Notice of the General Meeting to be circulated via email to all Constituents of the Association.

## **5.3 Quorum for General Meetings**

- 5.3.1 The quorum for a General Meeting shall be twenty-five (25) Members, which shall include at least five (5) Members who are not Councillors.
- 5.3.2 If a quorum is not present thirty (30) minutes after the time for which a General Meeting was called, the President, Secretary or their delegated authority shall call for a vote of Members present to determine whether:
  - (a) the Meeting shall wait once for a further thirty (30) minutes for a quorum to be met; or

- (b) the Meeting shall lapse.
- 5.3.3 If a General Meeting is convened upon the requisition of Members and it fails to meet quorum or lapses pursuant to subclause 5.3.2 of this Constitution, then the Meeting shall be dissolved.
- 5.3.4 If a General Meeting is convened in a manner other than by the requisition of Members and it fails to meet quorum or lapses pursuant to subclause 5.3.2 of this Constitution, it shall stand adjourned until a day and time no earlier than the same day and time in the following week, but no later than the same day and time two (2) weeks after the date and time of the originally scheduled Meeting.
- 5.3.5 Any Meeting adjourned pursuant to subclause 5.3.4 of this Constitution shall:
  - (a) have a quorum of at least fifteen (15) members, with a minimum of five (5) Members who are not Councillors;
  - (b) be able to transact the business for which the original General Meeting was called; and
  - (c) have notices given pursuant to subclauses 5.2.2, 5.2.3, and 5.2.4 of this Constitution.

#### **5.4 Business of a General Meeting**

- 5.4.1 The business of the Annual General Meeting:
  - (a) must include:
    - (i) the minutes of the previous Annual General Meeting, which shall be presented by the Secretary;
    - (ii) the Annual Report of the Association, which shall be presented by the President, or a delegated member of the Executive;
    - (iii) the SUPRA Policy Manual, which shall be presented by the President and Vice President;
    - (iv) the Financial Statement of the previous year and the accounts of the Association, having been audited in accordance with subclause 12.3.1 of this Constitution, which shall be presented by the Treasurer;
    - (v) the report on the General Election which shall be presented by the Returning Officer;
    - (vi) the appointment of the Auditor for the following year by the General Meeting, on the recommendation of the Council; and

(vii) any items for Other Business not listed;

(b) and may include:

(i) any items submitted by Members to the President or Secretary, provided they have been submitted no less than three (3) days prior to the Meeting;

(ii) constitutional amendments that have been submitted in writing to the Secretary seven (7) days prior, and circulated to Council and via a publication approved by Council five (5) days prior, to a General Meeting;

(iii) Supplementary Elections; and

(iv) the removal of Councillors.

5.4.2 The business of a General Meeting other than the Annual General Meeting may include:

(a) any items submitted by Members to the President or Secretary, provided they have been submitted no less than three (3) days prior to the Meeting;

(b) constitutional amendments that have been submitted in writing to the Secretary seven (7) days prior, and circulated to Council and via a publication approved by Council five (5) days prior, to a General Meeting;

(c) removal of Councillors; and

(d) any items for Other Business not listed.

5.4.3 Following the conclusion of the Annual General Meeting, the President or Secretary shall submit the:

(a) Annual Report;

(b) Financial Statement;

(c) Constitution and any approved amendments; and

(d) draft minutes of the Annual General Meeting;

to the appropriate authority as set out in the relevant University policy as soon as practicable. In the event that this is the Senate, where possible, submission should be in time for the next regular Senate Meeting.

5.4.4 Following the conclusion of a General Meeting other than the Annual General Meeting, the President or Secretary shall submit the:

(a) Constitution and any approved amendments; and

(b) draft minutes of the General Meeting;

to the appropriate authority as set out in the relevant University policy as soon as practicable. In the event that this is the



Senate, where possible, submission should be in time for the next regular Senate Meeting.

## **5.5 Standing Orders for a General Meeting**

- 5.5.1 The President, or one of the Presidents in the case of a joint presidency, shall Chair all General Meetings.
- 5.5.2 In the absence of a President, a member of the Executive shall initially chair the Meeting, until a Chair is appointed by procedural motion.
- 5.5.3 At any time, the Meeting may appoint another Chair through a procedural motion.
- 5.5.4 Each Member, including the Chair, shall have one (1) vote.
- 5.5.5 A General Meeting shall decide matters by a simple majority, meaning half the total number of votes plus one (1), except where otherwise prescribed within this Constitution or the SUPRA Policy Manual.
- 5.5.6 The Constitution may only be amended by a two-thirds majority, meaning two-thirds of the total number of votes at the General Meeting.
- 5.5.7 A motion to remove any or all Councillors from their position(s) on Council at a General Meeting shall only be valid if:
  - (a) it has been placed on the notice of the General Meeting pursuant to subclause 5.2.2 of this Constitution; and
  - (b) the notice specifies the name(s), whether legal or preferred, of those Councillors that have been proposed to be removed from Council.
- 5.5.8 General Meetings shall not accept proxy votes.
- 5.5.9 All other standing orders shall be as prescribed in the SUPRA Policy Manual.

## **6. Council**

### **6.1 Eligibility for Council and for Election**

- 6.1.1 Every Councillor must be a Member of the Association prior to the time of their appointment to Council, and for the full length of their term.
- 6.1.2 Any Candidate standing for any election of the Association must be a Member of the Association by the time of closure of nominations.

- 6.1.3 A Councillor-Elect must be a Member of the Association.
- 6.1.4 Any person that has completed the requirements for their course but remains a Member pursuant to clause 4.3 of this Constitution, shall not be eligible to nominate for Council.
- 6.1.5 Any person that has suspended their studies and remains a Member, pursuant to subclause 4.1.4 of this Constitution, shall be eligible to nominate for Council.

## **6.2 Council Powers**

- 6.2.1 The Council shall have the power to change and interpret policy, and to determine the strategic direction of the Association, in accordance with the Objects and Principles of the Association, subject to the powers of a General Meeting.
- 6.2.2 The Council shall:
  - (a) uphold and advance the Objects and Principles of the Association;
  - (b) oversee the Association's performance;
  - (c) monitor and, where necessary, change the SUPRA Policy Manual, save for the SUPRA Constitution and Office duty statements;
  - (d) report all changes in the SUPRA Policy Manual to Members of the Association;
  - (e) establish and monitor the Association's annual budget;
  - (f) oversee risk management and risk assessment across the Association; and
  - (g) ensure democratic, transparent and accountable conduct of the Association and its Councillors, and report any breaches, where reasonably possible, to the Members of the Association.
- 6.2.3 The Council shall have the power to establish and dissolve any Offices, as deemed appropriate from time to time, in line with the Objects and Principles of the Association, except the permanent Offices set out in subclause 10.3.1 of this Constitution and the Equity Offices prescribed by this Constitution.
- 6.2.4 The Council shall have the power to elect any of the Office Bearers, save for the Equity Officers prescribed in paragraph 6.3.1 (b) of this Constitution, from among Councillors present at a Meeting of Council, and to conduct this election in any manner Council may determine provided it is consistent with this Constitution and the SUPRA Policy Manual.

- 6.2.5 The Council shall have the power to establish Committees and working parties from time to time, in line with the Objects and Principles of the Association.
- 6.2.6 The Council shall have the power to grant a leave of absence to any Councillor through an ordinary motion, provided that no one leave of absence, or the total of all leaves of absence granted in a term, is equal to or fewer than three (3) months. Requests for leaves of absence must be approved unless Council is provided with good reasons why they should not be granted.

### **6.3 Council Membership**

- 6.3.1 The Council shall consist of thirty-four (34) Councillors, elected by the General Election, where:
- (a) twenty-seven (27) shall be General Councillors elected in the election of General Council; and
  - (b) seven (7) shall be Equity Officers elected autonomously in the election of Equity Officers pursuant to clause 7.4 of this Constitution.
- 6.3.2 Of the twenty-seven (27) General Council positions, there shall be positions reserved for:
- (a) twelve (12) women-identifying students;
  - (b) six (6) international students;
  - (c) six (6) coursework students;
  - (d) six (6) higher degree by research students;
  - (e) three (3) non cis-gendered identifying students; and
  - (f) three (3) students located at a Satellite Campus.
- 6.3.3 The positions in subclause 6.3.2 of this Constitution are not exclusive, and a Councillor may count towards more than one of those positions.
- 6.3.4 The Equity Officers shall be Office Bearers of the Association and:
- (a) the Aboriginal and Torres Strait Islander Officer shall be an Aboriginal or Torres Strait Islander Member of the Association;
  - (b) the Disabilities Officer shall be a Member of the Association that identifies as having a disability;
  - (c) the Higher Degree by Research Student Officer shall be a higher degree by research student Member of the Association;

- (d) the International Student Officer shall be an international student Member of the Association;
- (e) the Queer Officer shall be a queer-identifying Member of the Association;
- (f) the Satellite Campus Office shall be a Member of the Association from a Satellite Campus.
- (g) the Women's Officer shall be a woman-identifying Member of the Association;

## **7. Election to Council**

### **7.1 The General Election**

- 7.1.1 The General Election shall be conducted each year, for the term commencing 1 July of the same year to 30 June the following year.
- 7.1.2 Any Constituent that becomes a Member of the Association at any point in the General Election prior to the closure of ballots shall be:
  - (a) eligible to vote in the election to General Council; and
  - (b) eligible to vote in the election of Equity Officers provided that they are also a member of the relevant equity group.
- 7.1.3 The General Election shall commence at the commencement of the appointment of the Returning Officer, and conclude at the end of the Announcement of Results by the Returning Officer at the Annual General Meeting that year.
- 7.1.4 All Candidates and electors shall submit their name, SID, and unikey to the Returning Officer of the General Election for the purposes of ensuring they are Members.
- 7.1.5 The names, SIDs, and unikeys of all Candidates and electors shall be retained until the conclusion of the General Election.
- 7.1.6 The election for General Council shall:
  - (a) elect up to twenty-seven (27) General Councillors;
  - (b) be conducted by the Returning Officer appointed by Council; and
  - (c) be conducted in such a manner as Council may prescribe, subject to this Constitution and the SUPRA Policy Manual.
- 7.1.7 The election for Equity Officers shall:
  - (a) elect the seven (7) Equity Officers at the Meetings prescribed by subclause 7.4.5 of this Constitution;

- (b) be completed, where possible, by 30 April each year; and
- (c) be conducted in such a manner as Council may prescribe, subject to this Constitution and the SUPRA Policy Manual.

7.1.8 Where an election of an Equity Officer is not completed by 30 April in each year, the President shall be responsible for giving notice of the Election for that Equity Officer.

## **7.2 The Returning Officer**

7.2.1 The Returning Officer of the General Election shall:

- (a) be approved by Council with their appointment to begin no later than 7 March in any year;
- (b) be suitably qualified to conduct the election;
- (c) not be a Constituent of the Association;
- (d) be responsible for the election of Council, subject to subclause 7.2.2. of this Constitution;
- (e) also act as Returning Officer for any Supplementary Election as required;
- (f) may attend and observe any election of an Equity Officer at the request of the incumbent Equity Officer (or their delegated authority) and with the assent of the Meeting;
- (g) be the Electoral Arbiter for the elections of the Equity Officers which take place during the General Election period, unless they have provided advice to an Equity Returning Officer pursuant to paragraph 7.2.2 (a) of this Constitution; and
- (h) convene the Meeting of the Council-Elect and conduct the initial elections to Office as prescribed by clause 7.8 of this Constitution.

7.2.2 Each election for an Equity Officer shall elect its own Equity Returning Officer from within the Equity network, who:

- (a) may refer to the Returning Officer of the General Election for advice;
- (b) may not be a Candidate or nominator of a Candidate in that particular election of an Equity Officer; and
- (c) must be a Member of the Association.

7.2.3 The Returning Officer of each election shall announce the results of the elections no later than 15 May in each year.

### **7.3 Procedures for the Election of Council**

- 7.3.1 The Returning Officer of the General Election shall draft the notice of the election to General Council, which shall be approved by the President, or their delegated authority.
- 7.3.2 The notice of election shall contain at least the following information:
- (a) the number of positions to be elected;
  - (b) criteria for who is eligible to nominate and vote;
  - (c) where nomination forms may be obtained;
  - (d) where a copy of the SUPRA Policy Manual may be obtained;
  - (e) the means through which nominations will be accepted;
  - (f) when nominations will open, close, and who they shall be returned to;
  - (g) the time, date and location for voting; and
  - (h) the following additional requirements:
    - (i) the process for voting for Candidates;
    - (ii) the electoral system under which the votes will be counted;
    - (iii) when the outcome of the election will be declared; and
    - (iv) the name and contact details of the person declaring the election.
- 7.3.3 At least fourteen (14) days' notice of the close of nominations shall be given for any election of General Councillors.
- 7.3.4 The notice of election shall be:
- (a) posted at or around the University on at least the Darlington/Camperdown campus;
  - (b) advertised in at least one (1) publication approved by the Council, and as many other publications as is reasonably practicable; and
  - (c) circulated via email to all Members of the Association.
- 7.3.5 The President, or their delegated nominee, shall also send a written request to the University to provide any appropriate assistance to enable a Notice of the General Election to be circulated via email to all Constituents of the Association.

## **7.4 Procedures for the Election of Equity Officers**

- 7.4.1 At least seven (7) days' notice shall be given for the Election of Equity Officers, and shall specify at least:
- (a) the date, time and location of the election;
  - (b) the criteria for who is eligible to nominate and to vote in the election;
  - (c) where nomination forms may be obtained and must be submitted;
  - (d) the date and time of closure of nominations;
  - (e) how the election and the vote shall be conducted, including the opening and closing time of polling; and
  - (f) any other requirements prescribed by the SUPRA Policy Manual.
- 7.4.2 All Elections for Equity Officers shall:
- (a) elect an Equity Returning Officer from within the equity network;
  - (b) allow Candidates to speak to their nominations, and allow Members to ask questions of Candidates;
  - (c) have its vote conducted by secret ballot;
  - (d) be conducted by the optional preferential system of voting;
  - (e) include a no-candidate option; and
  - (f) have its votes counted by the Equity Returning Officer, and the result announced prior to the conclusion of the Meeting, where possible. In the event this is not possible, the result must be announced within twenty-four (24) hours of the close of voting.
  - (g) allow each Candidate to have a scrutineer present through the counting of votes. Scrutineers must comply with the requirements prescribed by the SUPRA Policy Manual.
- 7.4.3 Equity Officer Candidates and electors must submit their name, SID, and unikey to the Equity Returning Officer for the purposes of ensuring they are Members.
- 7.4.4 Names, SIDs, and unikeys of Equity Officer Candidates and electors shall be retained until the conclusion of the General Election.
- 7.4.5 The Equity Officers shall be elected as follows:
- (a) the Aboriginal and Torres Strait Islander Officer shall be elected by a Meeting of Aboriginal and Torres Strait

Islander Members;

- (b) the Disabilities Officer shall be elected by a Meeting of Members who identify as having a disability;
  - (c) the Higher Degree by Research Student Officer shall be elected by a Meeting of higher degree by research student Members;
  - (d) the International Student Officer shall be elected by a Meeting of international student members;
  - (e) the Queer Officer shall be elected by a Meeting of queer-identifying Members.
  - (f) the Satellite Campus Officer shall be elected by a Meeting of Members from Satellite Campuses; and
  - (g) the Women's Officer shall be elected by a Meeting of women-identifying Members.
- 7.4.6 In the event of a tied election, a new ballot shall be held.
- 7.4.7 Where an election of an Equity Officer returns a no-candidate result, the Equity Returning Officer shall ask for a round of nominations from the floor, and conduct a new ballot.
- 7.4.8 Where an election of an Equity Officer returns three (3) consecutive tied or no-candidate results, the Meeting shall be dissolved and a fresh notice of election given no earlier than 11:59pm the same day, and no later than 11:59pm seven (7) days after the date of the previous Meeting.

## **7.5 Supplementary Elections**

- 7.5.1 Where there remain vacancies for General Council, there may be a Supplementary Election that:
- (a) shall be conducted by the Returning Officer of the General Election; and
  - (b) be completed at the Annual General Meeting.
- 7.5.2 At least seven (7) days' notice of the close of nominations for any Supplementary Election shall be given by publication in the manner prescribed in subclause 7.3.4 of this Constitution.
- 7.5.3 The Returning Officer of the General Election shall conduct the election in a manner as the Council may prescribe, subject to this Constitution and the SUPRA Policy Manual.

## **7.6 Multiple Elections to Seats on Council**

- 7.6.1 No Member may hold more than one of the Councillor positions referred to in subclause 6.3.1 of this Constitution.



- 7.6.2 If a Member contesting the election of General Council is elected to Council through any election of an Equity Officer, the following provisions shall apply:
- (a) If the Member is elected as an Equity Officer before the ballot for the election of General Council is finalised, they shall be excluded from the ballot for the election of General Council.
  - (b) If the Member is elected as an Equity Officer after the ballot for the election of General Council is finalised but before counting has begun, they shall be excluded at the start of the counting process as set out in Schedule 1 to this Constitution.
  - (c) If the Member is elected as an Equity Officer after the ballot for the election of General Council is counted, and they had been allocated one of the General Councillor positions, then their General Councillor position shall automatically become vacant, and either:
    - (i) they shall nominate a replacement person to be appointed at the Meeting of Councillors-elect, or at the first Meeting of Council; or
    - (ii) the position shall be filled through election before the conclusion of the second Meeting of Council after the commencement of the term.
- 7.6.3 For the purposes of subclause 7.6.2 of this Constitution, the time of election to each position shall be deemed to be when the Returning Officer of the General Election receives the results of the relevant election.

## **7.7 Council Terms & Nomenclature**

- 7.7.1 Councillors shall hold office from 1 July in the year of their election until 30 June in the year after their election, subject to this Constitution.
- 7.7.2 Prior to 1 July, Members elected in the General Election shall be referred to as either:
- (a) Councillor-elect, for those elected to General Council; or
  - (b) Equity Officer-elect, for those elected to Equity Office positions.

## **7.8 Meeting of Council-Elect & Initial Election to Office**

- 7.8.1 The Councillors-elect & Equity Officers-elect shall meet at least seven (7) days after the Annual General Meeting subsequent to the General Election, but no later than the second week of

June in the same year as they were elected.

7.8.2 The Meeting shall:

- (a) accept any resignations or appointments received by the Returning Officer of the General Election or their nominee;
- (b) determine the election of Councillors to the Offices prescribed in subclause 10.3 of this Constitution; and
- (c) vote on any other Offices created by the incumbent Council or a General Meeting that have been referred to the Meeting of Council-elect to be voted on.

7.8.3 The quorum, and procedures where quorum is not met, shall be as prescribed by clause 8.2 of this Constitution save that the Returning Officer of the General Election or their nominee will be responsible for calling any votes and recalling the Meeting where it lapses.

7.8.4 Proxies shall be accepted at the Meeting of Council-elect save that no one Councillor-elect or Equity Officer-elect may hold more than three (3) proxies.

7.8.5 The convenor of the Meeting of Council-elect shall be the Returning Officer of the General Election, or their nominee, who shall:

- (a) not be a Constituent of the Association;
- (b) not be eligible to vote; and
- (c) not be eligible to nominate for any position.

7.8.6 The order of business at the Meeting of Council-elect shall be:

- (a) the acceptance of any resignations and the confirmation of any appointments received by the Returning Officer;
- (b) the election of the President;
- (c) the election of the Vice President;
- (d) the election of the Education Officer;
- (e) the election of the Secretary;
- (f) the election of the Treasurer;
- (g) the election of the Director of Student Publications;
- (h) the election of the Community Engagement Officer; and
- (i) the election of any other Offices created by the incumbent Council or a General Meeting that have been referred to the Meeting of Council-elect to be voted on.

7.8.7 The Candidates shall:

- (a) be Councillors-elect or Equity Officers-elect for the Offices listed in subclause 7.8.6;

- (b) nominate no later than twenty-four (24) hours prior to the commencement of the Meeting of Council-elect;
  - (c) be seconded, either prior to the Meeting or from the floor;
  - (d) be allowed to self-nominate;
  - (e) be allowed to nominate for the position jointly with another Councillor-elect or Equity Officer-elect, subject to any other limitations as prescribed in this Constitution; and
  - (f) declare any previous offences of fraud at the time of their nomination.
- 7.8.8 All elections shall:
- (a) be conducted separately and sequentially in the order set out in subclause 7.8.6;
  - (b) be by secret ballot;
  - (c) include a no-candidate option;
  - (d) have its votes counted by the convenor of the Meeting of Council-elect; and
  - (e) have its result declared prior to the commencement of the election for the next office set out in subclause 7.8.6.
- 7.8.9 Candidates are entitled to appoint a scrutineer to observe the conduct and counting of any ballot where that person is a Candidate.
- 7.8.10 No scrutineer may also be a Candidate in any ballot at the Meeting of Council-elect.
- 7.8.11 Where no nominations have been received for an elected position, or where the election of that position returns a no-candidate result, the Returning Officer may call for nominations from the floor of the Meeting of Council-elect.
- 7.8.12 In the event of a tied election, a new ballot shall be held.
- 7.8.13 In the event of three (3) consecutive tied or no-candidate results for a particular Office, the election shall be delayed until the next Council Meeting, except where that election is for the Office of President, in which case elections shall continue until a President is elected.

## **7.9 Instatements & Disclosure Statement**

- 7.9.1 All Councillors and Equity Officers are required to attend a Council Instatement.
- 7.9.2 Councillors and Equity Officers shall not be eligible to vote at Council Meetings, nor eligible to sit in on *in camera* items if they have not, within six (6) weeks of the commencement of

their term:

- (a) completed a Council Instatement;
- (b) signed a Disclosure Statement; and
- (c) signed a copy of the SUPRA Councillor Code of Conduct.

7.9.3 In the event that an Office Bearers Instatement is available, all Office Bearers are also required to attend an Office Bearer Instatement.

7.9.4 Any person that holds an Office shall not be entitled to their stipend until such time as:

- (a) they have completed their Office Bearer Instatement in the event that an Office Bearer Instatement is available; and
- (b) signed a copy of their Duty Statement, stating their awareness and understanding of the duties and responsibilities delegated to them by Council.

7.9.5 An individual Instatement may be arranged for:

- (a) any Councillor or Office Bearer that has provided sufficient notice and good reason for not attending their initial Instatement; and
- (b) any Councillor or Equity Officer that is appointed or elected after the commencement of the new Council term on 1 July.

## **8. Council Procedures**

### **8.1 Schedule of Meetings**

8.1.1 The Council shall meet at least once per calendar month.

8.1.2 At least seven (7) clear days' written notice of the Meeting shall be given to all Councillors by the Secretary, or their delegated authority, and shall:

- (a) include the date, time, and location of the Meeting;
- (b) include the nature of the business to be transacted; and
- (c) be circulated by appropriate means.

### **8.2 Quorum for Council**

8.2.1 Quorum for a Council Meeting shall be eighteen (18), subject to any necessary devolution of authority in this Constitution.

8.2.2 If a quorum is not present thirty (30) minutes after the time for

which a Council Meeting was called, the President or Secretary, or their delegated authority, shall call for a vote of Members present to determine whether:

- (a) the Meeting shall wait once for a further thirty (30) minutes for a quorum to be met; or
- (b) the Meeting shall lapse.

8.2.3 In the event that a Council Meeting lapses, the President, or an appropriate representative of Council, may recall that Meeting provided that:

- (a) it retains the same agenda as the lapsed Meeting;
- (b) it is called within one (1) University working day after it has lapsed; and
- (c) it is held in a period no fewer than two (2) University working days but not more than seven (7) days after the date of the lapsed Meeting.

### **8.3 Delegated Authority**

8.3.1 The Council shall have full authority, provided that there are eighteen (18) or more members of Council.

8.3.2 Should the number of Councillors, at any time, fall below eighteen (18), then the remaining Councillors must meet to make the necessary arrangements for an Extraordinary General Meeting of the Association for the purpose of filling the vacant positions on Council.

8.3.3 In the absence of a President, the Vice President shall act as the President until such time as Council elects a Councillor to act as the President.

8.3.4 In the event any Executive Office is vacant, Council may appoint a Councillor to act as that Executive Office Bearer until such time as an election for that Executive Office may be held.

### **8.4 Standing Orders for Council**

8.4.1 All Meetings of Council shall be subject to the Safer Spaces Policy, the Code of Conduct, and the SUPRA Rules of Order.

8.4.2 Motions shall be carried by a simple majority of Councillors present, except as otherwise prescribed in this Constitution or the SUPRA Policy Manual.

8.4.3 The Chairperson of any Meeting of Council shall have only a casting vote and cannot exercise proxies except when voting for Candidates in elections.

- 8.4.4 The President, or one of the Presidents in the case of a joint presidency, shall Chair Meetings of Council.
- 8.4.5 Where the President, or one of the Presidents in the case of a joint presidency, is unable to Chair, and until such time as Council appoints another Chair by procedural motion, the Chair shall default, in the follow order, to:
- (a) the Vice President;
  - (b) the Education Officer;
  - (c) the Treasurer; or
  - (d) any other Office Bearer that volunteers to open the Meeting.
- 8.4.6 Council may determine to move a discussion *in camera* by procedural motion.
- 8.4.7 The following discussions are automatically considered *in camera*:
- (a) the management, employment, compensation, remuneration, and termination of staff of the Association;
  - (b) any complaints made by or made against staff of the Association;
  - (c) all negotiations with the University and other student bodies regarding any and all funding allocation; and
  - (d) all grievance matters.
- 8.4.8 A person may hold observer status for Council Meetings. Observers may:
- (a) attend that Meeting of Council;
  - (b) observe and speak to any matter before Council except matters dealt with *in camera*; and
  - (c) request items be included on the agenda by submitting them in writing to the President prior to the Meeting, in accordance with the SUPRA Policy Manual.
- 8.4.9 The following automatically hold observer status for Meetings of Council:
- (a) all Members and Constituents of the Association;
  - (b) the Postgraduate Fellow of the Senate;
  - (c) any postgraduate student appointed as a representative to Academic Board, the Senior Executive Group, or their subcommittees;
  - (d) any postgraduate student that is elected or appointed a Faculty representative;

- (e) the President, or a nominee from the Executive, of any national peak body representing postgraduate students;
  - (f) any Past President of the Association;
  - (g) the President of the Student Representative Council of the University of Sydney; and
  - (h) a member of the staff of the Association, who is appointed as a delegate by staff.
- 8.4.10 A person who does not automatically hold observer status may be granted observer status for Meetings of Council by a procedural motion of Council.
- 8.4.11 The President may invite any person as a guest to any Meeting of Council, and they will hold observer status for the duration of that Meeting.
- 8.4.12 The President must invite any person as a guest to a Meeting of Council if requested in writing by at least three (3) other Members of Council.
- 8.4.13 Any invitation to attend a Meeting of Council may be overridden by a procedural motion of Council.
- 8.4.14 Council may suspend an individual's observer status by a procedural motion for any length of time it determines, except where that person is also a Member of the Association.
- 8.4.15 Council may permit, by procedural motion, an observer, other than a journalist or a person acting as a representative for a media outlet, to sit in on any individual *in camera* item for a Meeting.

## **8.5 Conflicts of Interest**

- 8.5.1 At all Meetings of the Association, Councillors shall disclose any material or personal interests which that Councillor may have in a matter before the Meeting. This disclosure must be made during the governance agenda item, or before the relevant agenda item. Where a Councillor only becomes aware of a conflict of interest during the relevant agenda item, they must immediately disclose the conflict of interest.
- 8.5.2 All disclosures of a conflict of interest shall be recorded in the minutes of the Meeting at which the disclosure was made.
- 8.5.3 In response to a conflict of interest, the Councillor with the declared conflict may elect to:
- (a) leave the room for the duration of the discussion;
  - (b) refrain from participating in the discussion and/or decision making; or

- (c) suspend their voting rights.
- 8.5.4 In response to a conflict of interest, Council may move, by procedural motion, to implement one of the options set out in subclause 8.5.3 of this Constitution.

## **8.6 Motions of Censure**

- 8.6.1 A motion of censure is a formal expression of disapproval or opposition to the actions, conduct or statements of a Councillor or Councillors.
- 8.6.2 Council shall endeavour to consider all options possible to resolve an issue prior to considering a motion of censure.
- 8.6.3 A motion of censure shall require a mover and a seconder.
- 8.6.4 Notice of a motion of censure shall be circulated to all Councillors a minimum of seven (7) days prior to the Meeting where it will be moved.
- 8.6.5 To be carried, a motion of censure shall require:
  - (a) in the first instance, a simple majority; and
  - (b) in subsequent instances, where a Councillor has previously had a motion of censure successfully moved against them, a two thirds majority.
- 8.6.6 The Chair of the Meeting may determine a motion of censure to be frivolous or vexatious, or rule the motion out of order pursuant to the SUPRA Rules of Order.
- 8.6.7 Discussion of a motion of censure shall take the form of a debate conducted in accordance with the SUPRA Rules of Order.
- 8.6.8 A motion of censure can be moved by any Councillor if:
  - (a) a Councillor is in clear and serious breach of the provisions of this Constitution or the other governing documents which comprise the SUPRA Policy Manual;
  - (b) a Councillor fails to adhere to a directive of Council;
  - (c) a Councillor is in clear breach of the confidentiality provisions of this Constitution or the other governing documents which comprise the SUPRA Policy Manual;
  - (d) an Office Bearer is in clear breach of their duty statement;  
or
  - (e) a Councillor fails to adhere to the requirements regarding Council and/or Committee attendance.
- 8.6.9 In the ordinary course of events, the consequences for motions of censure shall be:



- (a) A first censure motion shall be considered a formal warning against the conduct of the Councillor or Councillors.
  - (b) A second censure motion shall result in any non-Equity Office held by the individual being declared vacant, with further remedial action to be as determined by Council.
  - (c) A third censure motion shall result in the Councillor or Councillors being removed from Council and any Equity Office they hold being declared vacant.
- 8.6.10 Motions of censure shall not extend or be counted beyond a single Council term, unless the sitting Council through ordinary motion reaffirms prior censures, or the motion has been passed after the commencement of the appointment of the Returning Officer for the next General Election of Council.
- 8.6.11 A motion of censure shall be considered a formal warning in line with the SUPRA Grievance Policy & Procedures current at the time of the motion.
- 8.6.12 Members of the Association will be advised of the motion of censure through the SUPRA website and at least one (1) other SUPRA publication within fourteen (14) days of the motion being passed.

## **8.7 Motions by Circulation**

- 8.7.1 In exceptional circumstances where there is an urgent matter of business that is both essential to the operations of the Association and must be completed before the date of an appropriate Meeting, Council may pass motions through circulation.
- 8.7.2 Motions by circulation require an absolute majority of the whole Council, and all members of Council hold one vote.
- 8.7.3 Motions by circulation are only valid where the President presents the matter for decision to all members of Council via appropriate methods of circulation, and ensures that:
- (a) the matter is formulated as an ordinary motion of Council; and
  - (b) a deadline is set for the completion of voting.
- 8.7.4 The deadline for voting on motions by Circulation must be:
- (a) no earlier than 11:59pm on the first day subsequent to the President presenting the question to Council;
  - (b) no later than 11:59pm on the seventh day subsequent to the President presenting the question to Council.
- 8.7.5 Votes on motions by circulation must be submitted in writing to

either the President or the Secretary.

- 8.7.6 The results of a motion by circulation must be presented to the Council at its next Meeting.
- 8.7.7 Should the number of votes, including abstentions, received by the deadline not equal an absolute majority of Council, the motion shall be taken to have failed.
- 8.7.8 A failed motion may be taken to a subsequent Meeting of Council for continued deliberation.

## **8.8 Extraordinary Powers**

- 8.8.1 In exceptional circumstances where there is an urgent matter of business that is both essential to the operations of the Association and must be completed before the date of a Meeting, the Executive may take actions and make decisions on behalf of Council.
- 8.8.2 Any decisions or actions taken by the Executive on behalf of Council must be reported to the next Meeting of Council by the President.
- 8.8.3 Extraordinary powers as prescribed by clause 8.8 of this Constitution shall not extend to matters related to:
  - (a) the appointment or election of any Member to Council;
  - (b) the appointment or election of any Offices;
  - (c) the removal of any Councillor from Council or Office; or
  - (d) any expenditure greater than \$5,000.

## **9. Resignations and Mid-term Appointments**

### **9.1 Resignations from Council and Offices**

- 9.1.1 A Councillor may resign from Council and/or their Office by tendering their written resignation to:
  - (a) a Meeting of Council; or
  - (b) the President or Secretary.
- 9.1.2 A resignation is effective from the date specified in the notice of resignation. Where no date is given, the resignation will take effect immediately.
- 9.1.3 Where a General Councillor who holds an Office resigns from their Office, they shall remain a Councillor unless their intention to also resign from Council is specified in their resignation.
- 9.1.4 An Equity Officer may resign from their position and remain a

Councillor, provided that:

- (a) a vacancy exists on Council for a General Councillor;
- (b) they are eligible to nominate for Council at that time; and
- (c) they call an Equity Officer By-election as prescribed by clause 9.3 of this Constitution.

9.1.5 Where an Equity Officer resigns from their Equity Office but remains a Councillor pursuant to subclause 9.1.4 of this Constitution, they shall continue to hold any other Office of the Association unless their intention to also resign from that Office is specified in their resignation.

9.1.6 Where a position on Council becomes vacant through resignation, the Council shall fill the vacancy through appointment as prescribed by clause 9.2 of this Constitution.

## **9.2 Appointment to Council Vacancies**

9.2.1 Council acknowledges the value of as diverse a representation of the postgraduate student body as possible from amongst its constituency. Reasonable efforts will be made to advertise Council vacancies widely and to target students in designated equity groups.

9.2.2 When filling Council vacancies, the Council must endeavour to ensure good representation of Candidates who are women-identifying, international students, queer-identifying, living with a disability, and/or Aboriginal or Torres Strait Islander.

9.2.3 Where a position on Council becomes vacant through resignation, the Council shall fill the vacancy by appointing a Member nominated by the vacating Councillor to the position, subject to that nominee's consent being given in writing.

9.2.4 Where a position on Council is declared vacant in any manner prescribed in this Constitution, or where a resigning Councillor is unable to provide a nominee for replacement, the Council may elect a Member of the Association to General Council provided that:

- (a) they are eligible to nominate for Council at that time; and
- (b) the Secretary or President receives a written nomination from the nominee; and
- (c) the nomination is signed by at least two Members of the Association.

9.2.5 Councillors appointed to Council vacancies under this clause 9.2 of the Constitution shall hold their position until the end of the Council term during which they were appointed, provided they continue to be eligible to be a Councillor.

### **9.3 Equity By-Elections**

- 9.3.1 Where an Equity Officer resigns their Office after 1 July but before 30 June, there shall be an Equity By-election.
- 9.3.2 The notice of an Equity By-election shall be drafted by the outgoing Equity Officer, or the President or their delegated authority.
- 9.3.3 An Equity By-election shall be conducted within six (6) weeks of the position falling vacant.
- 9.3.4 An Equity By-election shall comply with all of the election requirements prescribed for Equity Elections by clause 7.4 of this Constitution, save that the Names, SIDs, and unikeys of Equity Officer Candidates and electors shall only be retained until the conclusion of the first Meeting of Council which occurs at least seven (7) clear days following the Equity By-Election.
- 9.3.5 Where an Equity Officer position is vacant, Council may appoint a Councillor to act in the role until an Equity Officer is elected through an Equity By-election. Where possible, the Councillor appointed to act in the role shall identify as a member of the equity group in which case they shall be referred to as Acting Equity Officer.

### **9.4 Removal from Council**

- 9.4.1 A member of Council may only be removed from Council by a resolution of a General Meeting, except as otherwise provided by this clause 9.4 of the Constitution.
- 9.4.2 The position of a Councillor becomes vacant automatically if that Councillor fails to attend three (3) consecutive Meetings of Council, except where:
  - (a) they have been granted a prior leave of absence; or
  - (b) they have submitted apologies appropriately.
- 9.4.3 The position of a Councillor becomes vacant automatically if a Councillor fails to attend three (3) consecutive Meetings of any of their allocated committees, except where:
  - (a) they have been granted prior leave of absence; or
  - (b) they have submitted apologies appropriately.
- 9.4.4 The position of a Councillor becomes vacant automatically if they have been absent, without good reason (for example, documented serious illness) being provided in writing to Council, for:
  - (a) more than half of the Meetings of Council held between 1

- July and 1 January, where that Councillor's term commenced on 1 July;
- (b) more than half of the total number of twelve (12) Meetings of each Council term as prescribed by subclause 8.1.1 of this Constitution, where that Councillor's term commenced on 1 July; or
  - (c) more than half of the total number of Meetings of each Council term as prescribed by subclause 8.1.1 of this Constitution since that Councillor's term commenced, unless the prescribed number is fewer than four (4) Meetings of Council; or
  - (d) more than half of the total number of Meetings of their allocated committees during each Council term as prescribed by subclause 11.5.1 of this Constitution; or
  - (e) a total of four (4) consecutive Meetings of a Councillor's allocated committees, excepting Meetings that are in addition to the minimum prescribed by subclause 11.5.1 of this Constitution for the Council term.
- 9.4.5 Meetings of Council or its Committees that are inquorate shall not be counted for the purposes of this section.
- 9.4.6 Where a Councillor has been removed from Council whether by resolution of a General Meeting, or through the provisions of this clause 9.4 of the Constitution, they shall not be eligible to hold any position on Council for the remainder of the Council term during which they were removed.

## **10. Offices**

### **10.1 Eligibility**

- 10.1.1 Only Councillors are eligible to hold or run for an Office of the Association, save that members of Council-elect may run for an Office pursuant to clause 7.8 of this Constitution.
- 10.1.2 Any Councillor who completes the requirements for their course, but remains a Councillor pursuant to subclause 6.1.4 of this Constitution shall:
  - (a) be entitled to retain any Office they held immediately prior to completing the requirements for their course until the end of the Council term, subject to clauses 9.1, 9.4, 10.4, and 10.5 of this Constitution;
  - (b) not be eligible to nominate, either solely or jointly, for any Office of the Association prescribed by this Constitution.

- 10.1.3 A Councillor may not hold the Office of President concurrently with any other Office. Where a Councillor who holds another Office is elected to the Office of President, they must resign from that Office prior to commencing their term as President.
- 10.1.4 A Councillor may not hold two Executive Offices concurrently. Where a Councillor who holds an Executive Office is elected to another Executive Office, they must resign from their previous Executive Office prior to commencing their term in the new Executive Office.

## **10.2 The Executive**

- 10.2.1 There shall be an Executive, which shall act as both the management of the place of business of the Association, and the representatives of Council between Meetings of Council, subject to direction by Council or a General Meeting.
- 10.2.2 The Executive will have the following powers, subject to the direction of a Meeting of the Council and other limitations as prescribed under this clause 10.2 of the Constitution:
  - (a) authority and responsibility for the daily administration of the Association; and
  - (b) the right to take actions and act as representatives on behalf of Council.
- 10.2.3 The Executive will consist of the Offices of the President, Vice-President, Education Officer, Secretary, and Treasurer.
- 10.2.4 Duty statements for the incumbent Executive and Office Bearers will be made available at the Annual General Meeting within the SUPRA Policy Manual.
- 10.2.5 Any proposals for amendments to the duty statements for incoming Executive or Office Bearer roles must be provided to Members at the Annual General Meeting where they shall be voted on.

## **10.3 Permanent Offices**

- 10.3.1 The following Offices shall be permanent and subject to election each term:
  - (a) President
  - (b) Vice-President
  - (c) Education Officer
  - (d) Treasurer
  - (e) Secretary

- (f) Director of Student Publications
  - (g) Community Engagement Officer
- 10.3.2 The President will have duties and powers as:
- (a) the General Manager of the Offices of the Association;
  - (b) Chief Executive Officer of the Association;
  - (c) Chairperson and Spokesperson of the Council;
  - (d) arbiter of interpretation of the Constitution and SUPRA Policy Manual; and
  - (e) as defined within their duty statement.
- 10.3.3 All Office Bearers will have duties and powers as defined within their duty statements.

#### **10.4 Removal from Office by Vote of No Confidence**

- 10.4.1 Council may, at any Meeting of Council and by a two-thirds majority vote of the total number of members of Council not including abstentions, remove any member of Council from Office through a Vote of No Confidence.
- 10.4.2 At least three (3) days' notice of a Vote of No Confidence must be provided in writing to all Councillors.
- 10.4.3 A Vote of No Confidence shall not accept proxy votes.
- 10.4.4 A Vote of No Confidence shall be initially presented as a debate of Council.
- 10.4.5 Prior to the debate a Returning Officer must be elected by Council. The Returning Officer shall:
- (a) declare any conflict of interest in the matter;
  - (b) not be entitled to participate in the debate; and
  - (c) not be entitled to vote.
- 10.4.6 At the conclusion of the debate, a Vote of No Confidence motion must be carried out as follows:
- (a) the motion must have a mover and a seconder;
  - (b) the vote must be conducted by secret ballot;
  - (c) the Returning Officer shall count the vote; and
  - (d) the Returning Officer shall declare the result of the Vote of No Confidence prior to the closing of the Meeting.
- 10.4.6 Any Office Bearer that has a Vote of No Confidence put against them may appoint a scrutineer to observe the conduct and counting of the ballot.
- 10.4.7 A mover of a Vote of No Confidence may appoint a scrutineer

to observe the conduct and counting of the ballot.

- 10.4.8 No Scrutineer may be the subject of a Vote of No Confidence motion presented at that Meeting.

## **10.5 Removal from Office by Other Means**

- 10.5.1 The Office of a member of Council shall be declared vacant if they have failed to attend three (3) consecutive Meetings of Council.
- 10.5.2 The Office of a member of Council shall be declared vacant if they have failed to submit their written Office Reports in the prescribed form as set out in the SUPRA Policy Manual for circulation for three (3) Council Meetings.
- 10.5.3 The Office of a member of Council shall be declared vacant if they have failed to call and hold two (2) consecutive Meetings of a committee that they Chair in accordance with the prescribed number and schedule of Meetings set out in clause 11.5 of this Constitution.
- 10.5.4 The Office of a member of Council shall be declared vacant if they have failed to attend three (3) consecutive Meetings of any of their appointed University committees which are relevant to their Office without good reason (for example, documented serious illness) being provided in writing to Council.
- 10.5.5 Where an Office Bearer has been removed from Office through the provisions of this clause 10.5 of the Constitution, they shall not be eligible to hold any Office for the remainder of the Council term during which they were removed.

## **10.6 Appointment to Office Vacancies Other than Equity Offices**

- 10.6.1 In the event that one of the Offices specified in this Constitution, other than an Equity Office, remains unfilled at the start of the Council term, or falls vacant, the Council shall hold an election for that Office at the next Meeting of Council unless this occurs less than seven (7) clear days later in which case the election shall be held at the following Council Meeting.
- 10.6.2 Notice must be given to all Councillors at least seven (7) days prior to the election of an Office Bearer at a Meeting of Council.
- 10.6.3 A Councillor nominating for an Office can provide written notice of their nomination prior to the Meeting, or nominate from the floor.



- 10.6.4 A nomination requires a seconder, which may be provided in writing prior to the Meeting or from the floor of the Meeting.
- 10.6.5 Elections for any Office vacancies shall be from among Councillors present and shall be conducted in the following manner:
- (a) a Returning Officer must be elected by Council, and shall not be entitled to vote;
  - (b) Candidates shall be allowed to speak to their nominations, and Councillors shall be permitted to ask questions of Candidates;
  - (c) the vote shall be conducted by secret ballot;
  - (d) the vote shall use the optional preferential system of voting;
  - (e) the ballot shall include a no-candidate option;
  - (f) the vote shall be counted by the Returning Officer: and
  - (g) the Returning Officer shall declare the result of the vote before the end of the Meeting.
- 10.6.6 Candidates for an Office may appoint a scrutineer to observe the conduct and counting of the ballot.
- 10.6.7 Where no nominations have been received for an elected position, or where an election returns a no-candidate result, the Returning Officer may call for nominations from the floor.
- 10.6.8 In the event of a tied election, a new ballot shall be held.
- 10.6.9 In the event of three (3) consecutive tied or no-candidate results, the election shall be delayed until the next Council Meeting.

## **10.7 Shared Offices**

- 10.7.1 Nominations for two (2) Candidates to run jointly for an Office may be accepted.
- 10.7.2 A sole holder of an Office may call for a nomination of a Councillor to hold their Office jointly at any time during their term. This nomination may be from the holder of the Office or from the floor, subject to the approval of Council.
- 10.7.3 Holders of an Executive Office, whether held solely or jointly, are not eligible to nominate to share another Executive Office.
- 10.7.4 Councillors appointed to share an Office shall hold their position jointly until a time specified by the Council at the time of appointment or as otherwise specified in this Constitution.
- 10.7.5 Councillors appointed to jointly share an Office shall:

- (a) share in the duties and responsibilities of that Office; and
  - (b) through negotiation agree on which joint holder of the Office will be taking primary responsibility for each of the duties set out in the Office duty statement and advise Council of the division of duties in the manner prescribed in the duty statement; and
  - (c) through negotiation may share the stipend for that Office.
- 10.7.6 Should one of the joint Office Bearers elect to resign, the Council may:
- (a) appoint the other joint Office Bearer to the Office, provided the remaining joint Office Bearer provides written consent to their appointment as the sole holder of the Office;
  - (b) seek nominations for a Councillor to fill the Office jointly with the remaining joint Office Bearer. Any nominee may only be appointed with the written consent of the remaining joint Office Bearer.
- 10.7.7 Only one Member of the Association may be elected to an Equity Officer position.
- 10.7.8 At any time during their term, an Equity Officer may elect to share their Office with a Deputy Equity Officer, subject to the assent of Council.
- 10.7.9 A Deputy Equity Officer may be any Member of the Association that is a member of the equity group and will be appointed by the Council, on the recommendation of the relevant Equity Officer, to assist that Equity Officer in their duties to the Association.
- 10.7.10 Deputy Equity Officers shall:
- (a) not be entitled to vote at Council Meetings unless they are also a General Councillor or hold a proxy vote;
  - (b) submit written reports to Council jointly with the relevant Equity Officer;
  - (c) through negotiation share the duties of the relevant Equity Officer in which case the relevant Equity Officer and the Deputy Equity Officer must advise Council of the division of duties in the manner prescribed in the duty statement;
  - (d) through negotiation share the stipend of the relevant Equity Office; and
  - (e) resign their Deputy Office in the event that the relevant Equity Officer resigns.

## **11. Committees**

### **11.1 Committee Powers**

- 11.1.1 Committees shall draft policy, take action, exercise delegated authority, and advise Council in relation to the responsibility delegated to them by Council and the relevant clauses of this Constitution.
- 11.1.2 No committee may have authority or powers that exceed that of Council, or of the Management Committee.

### **11.2 Standing Committees**

- 11.2.1 Standing Committees are permanent committees of SUPRA and are responsible for carrying out the day-to-day business of the Association.
- 11.2.2 The Standing Executive Committees shall include the Management Committee, the Equity Committee, and the Finance Committee.
- 11.2.3 The Management Committee shall have as its business matters including but not limited to:
  - (a) staffing and administration;
  - (b) finances and cash flow;
  - (c) budgetary planning and review;
  - (d) infrastructure; and
  - (e) monthly oversight of expenditure.
- 11.2.4 The Equity Committee shall have as its business matters including but not limited to:
  - (a) the review and planning of events across the equity networks;
  - (b) matters referred from Meetings of any of the equity networks;
  - (c) matters regarding the University relevant to any of the equity networks; and
  - (d) any matters as determined from time-to-time by the Council.
- 11.2.5 The Finance Committee shall have as its business matters including but not limited to:
  - (a) economic modelling;
  - (b) preparing a draft of the annual and interim budget; and

- (c) any matters as determined from time-to-time by Council.
- 11.2.6 The Standing Working Committees shall include the Policy Committee, the Education Committee, the Publications and Media Committee, and the Community Engagement and Activities Committee.
- 11.2.7 The Policy Committee shall have as its business matters including but not limited to:
- (a) internal policy;
  - (b) submissions;
  - (c) any matters relevant to the activities of the officer(s) in charge of the Policy Portfolio; and
  - (d) any matters as determined from time-to-time by Council.
- 11.2.8 The Education Committee shall have as its business matters including but not limited to:
- (a) monitoring the quality and standard of education, both at the University and generally;
  - (b) campaigning to maintain and improve the quality and standard of education, both at the University and generally;
  - (c) any matters relevant to the duties of the Education Officer(s) in charge of the Education portfolio; and
  - (d) any matters as determined from time-to-time by the Council.
- 11.2.9 The Publications and Media Committee shall have as its business matters including but not limited to:
- (a) the upkeep of SUPRA's visibility and accountability to its constituents;
  - (b) the upkeep of SUPRA's publications;
  - (c) the maintenance of SUPRA's website and social media presence;
  - (d) the scheduling and development of any major publications of the Association, including the development of new publications;
  - (e) any matters relevant to the duties of the Director(s) of Student Publications in charge of the Publications and Media Portfolios; and
  - (f) any matters as determined from time-to-time by the Council.
- 11.2.10 The Community Engagement and Activities Committee shall have as its business matters including but not limited to:

- (a) outreach;
- (b) community development and engagement;
- (c) any matter relevant to the duties of the Community Engagement Officer(s) in charge of the Community Engagement portfolio; and
- (d) any matters as determined from time to time by the Council.

### **11.3 Committee Membership**

- 11.3.1 Any Councillor or Member of the Association may attend any Committee specified in clause 11.2 of this Constitution save for the Equity Committee.
- 11.3.2 Only Councillors or Members of the Association that are a member of one or more of the Equity groups specified in this Constitution may attend the Equity Committee.
- 11.3.3 Save for the Management Committee, Councillors shall have voting rights at all of the Association's Committees which they are entitled to attend pursuant to subclauses 11.3.1 and 11.3.2 of this Constitution.
- 11.3.4 Members of the Association shall have voting rights and be able to be members of the Standing Working Committees set out in subclause 11.2.6 of this Constitution.
- 11.3.5 The President shall be considered a member of all committees set out in this Constitution.
- 11.3.6 All Office Bearers shall be considered members of Management Committee.
- 11.3.7 Each Member of General Council, excepting the Executive, shall nominate to be part of at least two (2) of the following Committees by August's Meeting of Council, or within two (2) weeks of their appointment:
  - (a) Management Committee;
  - (b) Finance Committee;
  - (c) Policy Committee;
  - (d) Education Committee;
  - (e) Publications and Media Committee; or,
  - (f) Community Engagement and Activities Committee.
- 11.3.8 Each Equity Officer shall nominate to be part of at least one (1) of the following Committees by August's Meeting of Council, or within two (2) weeks of their appointment:
  - (a) Finance Committee;

- (b) Policy Committee;
  - (c) Education Committee;
  - (d) Publications and Media Committee; or,
  - (e) Community Engagement and Activities Committee.
- 11.3.9 The Equity Committee shall have as its members all Equity Officers and Deputy Equity Officers, including any Acting Equity Officers, specified by this Constitution or established by Council.
- 11.3.10 The Chair of the Equity Committee may invite any other person to attend.
- 11.3.11 The Secretary shall keep records related to committee membership and attendance, and ensure consistent attendance at Meetings of Committees.
- 11.3.12 The Secretary shall endeavour to ensure as close to equal numbers of Councillors for the membership of the Standing Committees.
- 11.3.13 Any staff member of the Association shall be permitted to attend any Committee as an observer.
- 11.3.14 An external guest may be invited by the Chair to attend a committee as an observer.

#### **11.4 Additional Working Committees**

- 11.4.1 Council may establish, by ordinary motion, additional Working Committees as necessary to transact specific aspects of the business of the Association.
- 11.4.2 The powers and responsibilities shall be as determined by Council, subject to this Constitution.
- 11.4.3 The Chair of an Additional Working Committee shall be as determined by Council at the Committee's formation.
- 11.4.4 All Members of the Association shall be entitled to be members of, and have voting rights at, Additional Working Committees, unless otherwise determined by Council.

#### **11.5 Prescribed Number and Schedule of Meetings**

- 11.5.1 The prescribed number of Meetings in each Council term shall be:
- (a) twelve (12) for the Management Committee;
  - (b) six (6) for the Equity Committee;
  - (c) two (2) for the Finance Committee;

- (d) six (6) for any of the Standing Working Committees.
- 11.5.2 The schedule for the Executive Committees shall be:
- (a) at least once per calendar month for the Management Committee;
  - (b) once in October and once in March for the Finance Committee;
  - (c) at least once every two (2) months from the beginning of the Council term for the Equity Committee; or
  - (d) as convened by the Chair, where required and in addition to the prescribed number of Meetings.
- 11.5.3 The schedule for any Standing Working Committees shall be:
- (a) at least once every two (2) months from the beginning of the Council term; or
  - (b) as convened by the Chair, where required and in addition to the prescribed number of Meetings.
- 11.5.4 The schedule for any Additional Working Committees established by Council shall be as directed by Council at its formation, or as convened by the Chair.
- 11.5.5 At least five (5) days' notice of the Meeting shall be given in writing to all members of Council by the Chair, or their delegated authority, and shall:
- (a) include the date, time and location of the Meeting; and
  - (b) be circulated by appropriate means.

## **11.6 Quorum**

- 11.6.1 Quorum for the Management Committee shall be four (4) Councillors, where at least one (1) person present is not a member of the Executive of the Association.
- 11.6.2 Quorum for the Finance Committee shall be three (3) Councillors, where at least one (1) person present is a member of the Executive of the Association.
- 11.6.3 Quorum for the Equity Committee shall be three (3) Equity Officers.
- 11.6.4 Quorum for any Standing or Additional Working Committee Meeting shall be three (3) Members of the Association, where there is at least one (1) Councillor and one (1) member of the Executive present.

## **11.7 Standing Orders**

- 11.7.1 The Standing Orders for SUPRA Committees shall be as set out in the SUPRA Policy Manual.
- 11.7.2 The Chairs of the committees shall be as following:
- (a) The Chair of the Management Committee shall be the President or their nominee;
  - (b) The Chair of the Finance Committee shall be the Treasurer or their nominee;
  - (c) The Chair of the Policy Committee shall be the Vice-President or their nominee;
  - (d) The Chair of the Education Committee shall be the Education Officer or their nominee;
  - (e) The Chair of the Publications and Media Committee shall be the Director of Student Publications or their nominee;
  - (f) The Chair of the Community Engagement and Activities Committee shall be the Community Engagement Officer or their nominee; and
  - (g) The Chair of the Equity Committee shall be an Equity Officer or a nominee from an Equity network chosen by the current Equity Officers.
- 11.7.3 The committee may elect to appoint another Chair at its discretion, by a procedural motion.
- 11.7.4 All committees shall have minutes of their Meetings taken, with the minute-taker being the Secretary, or their nominee.
- 11.7.5 Any Minutes recorded by a nominee of the Secretary pursuant to subclause 11.7.4 of this Constitution, must be submitted to the Secretary within seven (7) working days of the Meeting.

## **12. Finances**

### **12.1 Assets**

- 12.1.1 The Council may determine that a bank account or accounts be opened in the name of the Association.
- 12.1.2 In the event of the Association being dissolved pursuant to section 15 of this Constitution, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to any association with similar purposes, provided it is not carried on for the profit or the gain of its individual members.



## **12.2 Management and Expenditure**

- 12.2.1 The assets and income of the Association shall be applied solely in furtherance of its Objects and Principles as set out in section 3 of this Constitution and no portion shall be distributed directly or indirectly to the Constituents or Members of the Association except where:
- (a) it is *bona fide* compensation for services rendered or expenses incurred on behalf of the Association; and
  - (b) all expenses have been approved by the Council, or a delegated authority.
- 12.2.2 At least two (2) members of the Executive, and any other members of Council as Council may determine from time-to-time, and two (2) senior staff members shall be signatories to the accounts of the Association.
- 12.2.3 Expenditure shall be made only with the approval of Council, provided that Council may devolve funds to any Standing Committee or Office, it thinks fit for purposes and within limits specified by Council.
- 12.2.4 The Council shall engage a Finance Manager with an appropriate financial background who will be accountable for ensuring that the Association is properly managed financially and who will provide advice and reports to the Council on a quarterly basis on the financial management of the Association.
- 12.2.5 The Finance Manager shall:
- (a) report any misconduct or breach of financial regulations by Councillors or Executive Office Bearers to Council.
  - (b) be protected when reporting any misconduct or breach of the financial regulations to Council.

## **12.3 Auditing**

- 12.3.1 The accounts of the Association shall be audited by an auditor registered under the *Corporations Act 2001*, as amended from time-to-time.
- 12.3.2 The auditor shall be appointed at the Annual General Meeting or, where no such appointment is made or where a vacancy occurs, at a subsequent General Meeting.

## **13. Employment**

### **13.1 Employer**

- 13.1.1 For the purposes of employment, the employer shall be the

Association's Councillors as defined in subclause 2.1.7 of this Constitution.

## **13.2 Employment of Members**

- 13.2.1 An employee of the Association who is also a Member of the Association shall not stand for election to Council or for any other elected position in the Association.
- 13.2.2 A Councillor of the Association shall not be employed by the Association, and shall not apply to be considered for paid employment by the Association.
- 13.2.3 Subclauses 13.2.1 and 13.2.2 of this Constitution shall, in no way, prevent the Council from offering stipends to any of its elected Officers.
- 13.2.4 Should a Councillor wish to apply for paid employment with the Association, then that Councillor must first resign from Council.

## **14. Records**

### **14.1 Custody of Records**

- 14.1.1 The custodial officers for all general Records shall be the Executive.
- 14.1.2 The custodial officers for all confidential Records shall be the Secretary and the President.
- 14.1.3 The custodial officers for all financial Records shall be the Treasurer, Secretary, Finance Manager, and the President.
- 14.1.4 The custodial officer for all sensitive Records shall be the President.
- 14.1.5 All duties of custody are subject to clauses 14.2, 14.3, and 14.4 of this Constitution.

### **14.2 Chain of Custody**

- 14.2.1 A custodial officer may authorise a transfer of custody through a chain of custody, subject to any regulations of the Association.
- 14.2.2 A custodial officer may only hold custody for Records that are relevant to the discharge of their duties to the Association.
- 14.2.3 All custodial officers are required to uphold the duties of custody.

### **14.3 Confidential and Sensitive Records**

14.3.1 Confidential Records shall include, but are not limited to, all:

- (a) *in camera* minutes;
- (b) correspondence relating to *in camera* minutes;
- (c) commercial-in-confidence materials;
- (d) documents which relate to budget or staffing matters;
- (e) documents in confidential advocacy or legal case files;  
and
- (f) documents of legal proceedings.

14.3.2 Any other document may be declared confidential by an ordinary motion of the Council or the Management Committee.

14.3.3 Sensitive Records shall include, but are not limited to, all:

- (a) documents pertaining to personal matters;
- (b) personnel files and documents;
- (c) documents pertaining to complaints and grievances; and
- (d) other documents considered private according to Australian legislation.

### **14.4 Access of Records**

14.4.1 All approved minutes of General Meetings, Council, and Standing Committee Meetings, except *in camera* portions, shall:

- (a) be displayed on the website of the Association; and
- (b) be available in the offices of the Association for viewing by Members of the Association upon request.

14.4.2 Any Member of the Association is entitled to examine any records, and make copies of any of the Association's records.

14.4.3 A Member seeking access to documents shall apply in writing to the President or the Secretary. If the requested records are non-confidential, the President shall provide the requested records for examination and/or copying within five (5) working days of receipt of the request.

14.4.4 If the requested document could be considered confidential or sensitive, the matter shall be referred by the President or Secretary to Management Committee, with access delayed pending the decision of Management Committee.

- 14.4.5 If the President or Secretary delays access to records under subclause 14.4.4 of this Constitution, then they shall communicate this in writing to the Member requesting the information within five (5) working days of receipt of the request.
- 14.4.6 Councillors may examine any record kept by the Association during office hours, except those that are sensitive Records, provided they give sufficient notice to the Secretary to facilitate the access of the requested records.
- 14.4.7 No person outside a given chain of custody may access sensitive Records except where:
- (a) it is otherwise required by law;
  - (b) it is to be used for legitimate business purposes, and such use will not be in contravention of any relevant privacy legislation or the privacy provisions in the SUPRA Policy Manual; or
  - (c) written consent has been given by the person or persons to whom the Record or Records relate.

## **15. Dissolution<sup>1</sup>**

- 15.1.1 The Association shall become extinct when six (6) successive General Meetings have lapsed for want of quorum, in which event the Association shall be dissolved by the Senate.

## **16. Reserve Powers**

- 16.1.1 This constitution is subject to Senate Resolution 284/06.<sup>2</sup>

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<sup>1</sup> A subclause which read: 'The Council may resolve, by ordinary resolution, to seek the incorporation of the Association or of any subsidiary or related part of the Association' was endorsed by the 1998 AGM of the Association; but was rejected by the University Senate in December 1998.

<sup>2</sup> Senate Resolution 284/06 states in part: 'The Vice-Chancellor may recommend to Senate that the internal auditor of the University or an appropriately qualified external expert with experience in a not-for-profit or community sector ("Investigator") carry out an investigation ("Investigation") into alleged financial, electoral or other governance irregularities concerning a Student Organisation of which the Vice-Chancellor becomes aware and which the Vice-Chancellor believes may be of a serious nature.' Senate Resolution 284/06 has a note which states: 'It is not intended that the administrator, the Vice-Chancellor or the Vice-Chancellor's nominee have the capacity to determine the outcome of decisions about a Student Organisation's financial and operating policies. The full version of Senate Resolution 284/06 is included as Schedule 2 of this Constitution.'

## **Schedule 1**

### PROPORTIONAL REPRESENTATION WITH THE SINGLE TRANSFERABLE VOTE METHOD AND MECHANISM FOR ASSIGNING RESERVED POSITIONS FOR DESIGNATED EQUITY GROUPS WHERE MORE THAN ONE POSITION IS TO BE FILLED:

The general steps for a count of ballots are as follows:

1. Determination of reserved and eligible candidates.
2. Initial Distribution of votes.
3. Calculation of quota.
4. Election of candidates above quota or Elimination of the candidate with the lowest number of votes (subject to 1).
5. Distribution of any votes produced by step 4.

Steps 4 and 5 are to be repeated until all available positions in the election are filled or no candidates remains eligible for election.

#### **1. Determination of reserved and eligible candidates**

1. Any candidate that has withdrawn from the election or been made ineligible in some other way shall first be removed from the count. Any votes that were to be recorded in their favour shall pass at their current full value to the candidate having the next preference on that ballot.
2. Before any count can begin a determination must be made as to the number of positions that must be filled by candidates that satisfy the requirements of subclause 6.3.2 of this Constitution. For any election not enforcing reserved position requirements this step may be skipped along with any accounting for reserved positions.
  - a. For each group defined in subclause 6.3.2 of this Constitution a list of the candidates who meet those requirements shall be made.
  - b. Candidates may meet the requirements of more than one reserved position.
  - c. If less than the required number of candidates for a given reserved group is found, they must all be declared elected and any remaining deficit must be declared as vacant and a supplementary election held.

#### **2. Initial Distribution of votes**

1. For each ballot the preferred candidate shall have a vote counted in their favour at full value.
2. The order of preference of the voter shall be taken in ascending numerical order as indicated on the ballot paper. The first preference of the voter shall be the number one (1) and each successive natural number shall indicate further preferences.
3. Notwithstanding the point 2. If the intention of the voter is clear, the vote shall be considered valid. Circumstances explicitly envisaged include:
  - a. A single 'tick' for a candidate and no other marks.

- b. A single 'cross' for a candidate and no other marks.
- c. Words that unambiguously represent numbers.

The final decision on intention and vote validity shall be at the discretion of the Returning Officer.

- 4. Votes that do not indicate a clear preference for a valid candidate shall be counted and recorded in as 'informal'
- 5. Votes shall be recorded with a precision of two (2) decimal places.

### **3. Calculation of quota**

The quota of votes that a candidate requires for election shall be calculated in the following manner:

- 1. The total number of valid votes recorded for all candidates in the election shall be divided by one more than the number of positions to be filled. The result of this division shall be increased by one and any remainder shall be discarded.
- 2. The number obtained in 3 (1) shall be recorded as the Quota for election.

### **4. Election of candidates above quota or Elimination of the candidate with the lowest number of votes (subject to 1)**

Once step four is reached the rest of the election is the repetition of this step and step five until all positions have been filled or all candidates have been excluded.

The general procedure for the count is as follows:

Election of candidates above quota

- 1. Any candidate who has obtained a number of votes equal to or greater than the quota shall be set apart and their vote prepared for distribution.
- 2. When more than one candidate has satisfied the requirements of 4 (1) then the candidates shall be dealt with in order from the candidate having the most votes to the candidate holding the least. If two candidates have the same number of votes, then they shall be ordered in the following ways:
  - a. Whomever had the higher number of votes at any previous distribution in the election
  - b. Should 4 (2)(a) fail then the candidates shall be order by the drawing of lots
- 3. Before a candidate is declared elected and assessment shall be made of the effect their election will have on the reserved positions determined in section 1. Should the candidate's election not affect the potential to fill all outstanding reserved positions from the remaining candidates then they shall be declared elected and their votes prepared for distribution in the following way:
  - a. If a candidate's votes exactly match the quota then all of their votes shall be set aside and taken to be exhausted. They have zero (0) votes to distribute.
  - b. If a candidate's votes are in excess of the quota then a 'Transfer value' shall be calculated in the following manner:
    - i. The number of votes in excess of the quota shall be divided by the total number of votes received by the candidate.
    - ii. The precision of the transfer value shall be to the third decimal place.

- iii. The transfer value multiplied by the previous value of each vote shall be the new 'full value' of each vote.
4. The elected candidate's votes shall be distributed in accordance with section 5.
5. All Candidates to be elected by virtue of being above the quota shall be dealt with before any candidate is eliminated from the count.

#### Elimination of the candidate with the lowest number of votes

6. Should there still be positions to fill and no candidate meets the requirements of 4 (1), that is having reached or exceeded the quota, then the candidate with the lowest number of votes shall be set apart and prepared for elimination.
7. In the case where two or more candidates have equally few votes the order of the position shall be determined in the following ways:
  - a. Whomever had the fewest number of votes at any previous distribution in the election shall be eliminated first.
  - b. Should all other methods be exhausted the candidate to be eliminated shall be determined by drawing lots.
8. Before a candidate is eliminated an assessment shall be made of the affect their elimination will have on the ability to fill all reserved positions determined in section 1. Should the elimination of the candidate reduce the number of any potential reserved group below the number required for that group as determined in section 1 then the candidate must not be eliminated and the candidate with the next fewest votes should be dealt with in accordance with 4(6) and above.
9. If a candidate is eligible for elimination as determined in 4(8) then their votes shall be distributed in accordance with section 5 at their current full values.

#### **5. Distribution of any votes produced by section 4**

1. Votes to be transferred produced by section 4.
2. Votes to be transferred shall be re-examined. Votes shall be recorded for any candidate not yet elected by taking the next valid preference subsequent to that which generated the result in section 4. The general procedure for decided vote validity as outlined in section 2(3) shall apply.
3. When multiple candidates have reached the quota and are having their votes distributed, any candidate who has reached or exceeded quota shall be prohibited from receiving any more votes from a distribution.
4. Notwithstanding 5(3), if a candidate is raised above the quota by votes in a single distribution then they shall remain eligible to receive the entirety of the votes generated by that distribution
5. Votes shall be recorded with a precision of two (2) decimal places.
6. Once the distribution is complete the procedure shall return to section 4.

## **Schedule 2<sup>3</sup>**

### SENATE RESOLUTION FOR RESERVE POWERS FOR CERTAIN STUDENT ORGANISATIONS

- 1: Each of the following student organisations is a student organisation ('Student Organisation') to which this Resolution applies: the Sydney University Postgraduate Representative Association and the Students' Representative Council.
- 2: The Vice-Chancellor may recommend to Senate that the internal auditor of the University or an appropriately qualified external expert with experience in a not-for-profit or community sector ('Investigator') carry out an investigation ('Investigation') into alleged financial, electoral or other governance irregularities concerning a Student Organisation of which the Vice-Chancellor becomes aware and which the Vice-Chancellor believes may be of a serious nature.
- 3: Before making any such recommendation to Senate, the Vice-Chancellor will consult with the governing body of the relevant Student Organisation.
- 4: Senate will consider any such recommendation by the Vice-Chancellor and may, if it believes it is appropriate to do so, authorise an Investigation.
- 5: Any authorisation by Senate of an investigation must be reported by the Registrar of the University to the governing body of the relevant Student Organisation and unless the Registrar believes there is good reason not to do so, to the members of the relevant Student Organisation.
- 6: Members of the governing body, staff and members of the relevant Student Organisation must provide the Investigator with all such information and documentation as the Investigator may reasonably require.
- 7: Upon completion of the Investigation, the Investigator must report findings and any recommendations to the Vice-Chancellor or the Vice-Chancellor's nominee, who may take any one or more of the following actions having regard to that report and/or recommendations:
  - a) appoint, for a specified temporary period, an administrator with power to do all things necessary or convenient to be done for or in connection with or incidental to the management of the affairs of the relevant Student Organisation;
  - b) direct the carrying out of a fresh election of all or any Officers under the supervision of the University and/or an independent firm of accountants or lawyers or other appropriately qualified expert;
  - c) appoint, for a specified temporary period, an external auditor for ongoing monitoring and appraisal of the relevant Student Organisation;
  - d) implement such other steps which take account of the findings or recommendation of the Investigation.
- 8: The Vice-Chancellor will report, in a timely way as required by Senate, on any action taken or proposed to be taken pursuant to this Resolution to Senate; and will recommend how and to whom further reports will be made.

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<sup>3</sup> It is not intended that the administrator, the Vice-Chancellor, or the Vice-Chancellor's nominee have the capacity to determine the outcome of decisions about a Student Organisation's financial and operating policies.



## NOTES

### SUPRA Constitution

Date approved by members: 30 May 2023

Date approved by the Deputy Vice-Chancellor (Education) pursuant to subclause 7(3) of the University's *Student Associations Policy 2020*: 25 July 2023

Date commenced: 25 July 2023

Administrator: President, SUPRA

Review date: 28 February 2024