

Constitution of the Adelaide University Law Students' Society

Preliminary

1. The name of the Society shall be the Adelaide University Law Students' Society Incorporated. The Society shall affiliate and shall be affiliated with the Clubs Association and ALSA.

Interpretation

2. In this Constitution, unless contrary intention appears, the following terms shall have the meanings set out below:

- 2.1. "Academic Day" shall denote any full day so defined by the University;
- 2.2. "ALSA" shall mean the Australian Law Students' Association and its successors;
- 2.3. "Clubs Association" shall mean the Adelaide University Clubs Association Incorporated and its successors;
- 2.4. "LSS Noticeboard" shall denote any noticeboard, situated on the ground floor of the Ligertwood building, which is principally for the purpose of informing members of the activities of the Society;
- 2.5. "Member" shall mean a person recognised as a member of the Society according to the terms of this Constitution;
- 2.6. "Ordinary Resolution" shall denote a resolution adopted by more than one half of the members present in person and voting at any meeting;
- 2.7. "Society" shall mean the Adelaide University Law Students' Society, as established by this Constitution;
- 2.8. "Special Resolution" shall denote a resolution adopted by more than three fourths of the members present in person and voting at any meeting and "Special Majority" shall have corresponding meaning; and
- 2.9. "University" shall mean the University of Adelaide and its successors.

Objects of the Society

3. The objects of this Society are:
- 3.1. To promote and foster an active interest in matters affecting the study and practice of law amongst members of the Society;
 - 3.2. To ascertain and provide for the social, cultural, sporting and academic needs of law students;
 - 3.3. To facilitate a sense of identity within the institution and contribute to a feeling of wellbeing and community amongst law schools;
 - 3.4. To represent the interests of its members to the Faculty, the University, the Legal Profession, ALSA and the broader community;
 - 3.5. To actively defend and promote issues of social justice. Further, to strongly oppose discrimination on the basis of gender, race, sexuality, disability, age, ethnic background, marital status, pregnancy status, socio-economic, religious and political beliefs; and
 - 3.6. Any other object, whether incidental to the preceding objects or not, which the Executive shall declare to be an object of the Society.

Assets of the Society

4. The assets and income of the Society shall be applied solely in furtherance of its objects and no portion shall be distributed directly or indirectly to its members except as bona fide compensation for services rendered or expenses incurred on behalf of the Society.

Indemnification of Committee Members

5.

5.1. Subject to this Section, all members of the Committee, acting in relation to any of the affairs of the Society shall be indemnified with respect to any legal action or claims made against the member of the Committee.

5.2. Subject to this Section, any loss or damage sustained to the person or property of a member of the Committee would be justly and reasonably compensated by this Society provided that the loss or damage sustained was not a direct or indirect result of the negligence or fault of the member of the Committee.

5.3. An indemnity or compensation provided under this section shall only be granted where the member of the Committee was duly exercising a duty or function provided for in this Constitution or by the Executive or the Committee.

5.4. An indemnity or compensation provided under this Section requires a special resolution of the Executive.

Membership

6. A member of the Society must be enrolled in a subject or subjects in either postgraduate and/or undergraduate courses offered by the University of Adelaide Law School.

Other Membership Requirements

7. The Executive may stipulate further membership requirements at the commencement of the academic year.

Membership Fees

8. The further membership requirements referred to in Section 7 may include the payment of a fee.

Law School Competitions

9.

9.1. All members of the Society shall be eligible to enter any of the open academic competitions run by the Society.

9.2. The terms and conditions of any academic competition run by the Society, including the award of any prize to the winner, shall be at the absolute discretion of the Executive.

9.3. Members of the Society who enter any of the academic competitions agree to be bound by any prior ruling of the Executive and the Constitution on the terms and conditions of that competition.

9.4. Until the Executive otherwise provides, the prize for the winners of the Open Moot, Witness Examination, Client Interviewing and Paper Presentation Competitions shall be the right to represent the Law School at the annual ALSA Conference. Such a right does not attract automatic funding and is not redeemable for cash.

Cross-Institutional, Non-Award and Exchange Students in Competitions

10. Until the Executive otherwise provides, cross-institutional students, non-award students, exchange students and the like who are members of the Society shall not be eligible to represent the Law School at the annual ALSA Conference competitions.

The Committee of the Society

11. The conduct of the Society's affairs is vested in a Committee, which is responsible to the members of the Society in the performance of its functions, and is comprised of the:

- 11.1. President;
- 11.2. Vice-President (Administration);
- 11.3. Vice-President (Education);
- 11.4. Vice-President (Careers & Sponsorship);
- 11.5. Activities Director;
- 11.6. Competitions Director;
- 11.7. Social Justice Director;
- 11.8. Social Justice Representative(s);
- 11.9. Competitions Coordinator(s);
- 11.10. Magazine Editor(s);
- 11.11. Activities Representative(s);
- 11.12. Careers & Sponsorship Representative(s);
- 11.13. First Year Representative(s);
- 11.14. Mature-Age Student Representative.
- 11.15. IT Officer; and
- 11.16. Educational Representative.

The Executive of the Society

12. There shall be an Executive of the Committee of the Society, which shall be comprised of the:

- 12.1. President;
- 12.2. Vice-President (Administration);
- 12.3. Vice-President (Education);
- 12.4. Vice-President (Careers & Sponsorship);
- 12.5. Activities Director;
- 12.6. Social Justice Director; and
- 12.7. Competitions Director.

Powers of the Executive

13. The Executive shall have power to:

- 13.1. Make decisions regarding the disbursement of the finances of the Society;
- 13.2. Impose or prescribe set charges or fees applicable to any activities or services offered by the Society;
- 13.3. Pay all charges and expenses incurred by the Society and bind the Society to pay any liability or meet any debt;
- 13.4. Appoint any person, irrespective of whether or not such a person is a member of the Committee, to act as a delegate of the Committee; and
- 13.5. Exercise any other power of the Executive specified by this Constitution.

Meetings of the Committee

14.

- 14.1. Meetings of the Committee or Executive may be called at any time at the discretion of the President or Vice-President (Administration) of the Society.
- 14.2. Notwithstanding Subsection 14.1, the President shall call a meeting at least once a month in the months of February to November inclusive
- 14.3. The Executive may, at its discretion conduct its business during the meetings of

the Committee, and nothing in this Constitution shall require the Executive to meet independently of the Committee.

Notice of Meetings

15. Notice of **Committee** meetings shall be given at least five (5) academic days prior to meetings being held. Such notice shall appear on the LSS noticeboard.

Minutes of Meetings

16. Minutes of the meetings of the Committee and Executive are to be displayed on the LSS noticeboard, no longer than five (5) academic days after the conduct of such meetings.

Ad hoc Meetings

17. Ad hoc meetings of the Executive and/or the Committee are to be ratified at the next immediate meeting of the Committee.

Quorum for Meetings

18. The quorum for Committee and Executive meetings shall be four (4) members of the Executive holding office at the time of the meeting, and no business shall be transacted, or resolution passed, unless quorum is present.

Transaction of Business at Committee and Executive Meetings

19.1. Except where this Constitution provides, any business of the Committee shall be resolved by ordinary resolution of Committee Members in any meeting of the Committee.

19.2. Except where this Constitution provides, any business of the Executive shall be resolved by ordinary resolution of Executive Members in any meeting of the Executive or Committee.

Conduct of Meetings

20. The following rules shall apply to the conduct of all Society Meetings:

20.1. The Chair is required to act in a fair and impartial manner;

20.2. The Chair may propose or second any motion, and may exercise a deliberative vote; and

20.3. In the event that the number of votes cast in favour of any motion before the Chair are equal in number to those cast against, the motion shall be lost.

Chairing of Meetings

21.

21.1. All meetings shall be chaired by the President, unless the President is unable or unwilling to chair a particular meeting.

21.2. If the President is unwilling or unable to chair a particular meeting, the particular meeting may elect one of the members of the Executive to chair that meeting.

Duties of the President

22. The President shall have a responsibility:

22.1. To act as the representative of the Society;

22.2. To co-ordinate the business of the Committee and Executive;

22.3. To represent the interests of the members of the Society to all relevant bodies

and the community at large;

22.4. To be an ex officio undergraduate student representative on the School Board and any other such university committees as appointed to by the Dean of the Law School; and

22.5. To attend, as representative of the Society, as near as practicable, all functions, competitions and meetings organised by the Society.

Duties of the Vice-President (Administration)

23. The Vice-President (Administration) shall have a responsibility:

23.1. To maintain a proper record of the Society's affairs;

23.2. To take minutes of meetings and assist in the notification of meeting notices, and where appropriate, prepare agendas, reports, papers and other documentation;

23.3. To administer the hire of lockers from the Society;

23.4. To control, authorise the control of, and to issue, or authorise the issue of receipts for all monies and finances of the Society;

23.5. To take all reasonable steps to ensure that such accounting records are kept as may be necessary to correctly record and explain the financial transactions and financial position of the Society;

23.6. To prepare and submit a balanced account to the members in the Annual General Meeting;

23.7. To prepare and submit a balanced account to the Committee at each Committee meeting unless the Committee does not require such accounts;

23.8. To ensure compliance with the processes outlined in this Constitution, as well as other external laws and obligations; and

23.9: To act as the Public Officer of the Committee.

Duties of the Vice-President (Education)

24. The Vice-President (Education) shall have a responsibility:

24.1. To actively coordinate and promote the Society's education policy on matters such as the curriculum, practical legal training, student grievances and other such issues as determined by the Committee;

24.2. To be the Society's ALSA Representative, and represent the Society at all ALSA council meetings, conferences and functions;

24.3. To endeavour to increase the profile of ALSA within the Law School, and accept responsibility for the conduct of all correspondence with ALSA; and

24.4. To be an ex officio undergraduate student representative on the School Board and other such university committees as appointed by the Dean of the Law School.

Duties of the Vice-President (Careers & Sponsorship)

25. The Vice-President (Careers & Sponsorship) shall have a responsibility:

25.1. To assist the President in the completion of duties;

25.2. To organise presentations from local and interstate firms regarding legal careers, clerkships, and other law-related employment;

25.3. To organise and provide information regarding alternative careers for law graduates;

25.4. To publish an annual Careers Guide, detailing such information and other relevant knowledge regarding careers for law graduates;

25.5. To maintain existing sponsorship agreements and negotiate their renewal when appropriate; and

25.6. To seek to secure additional sponsorship for the Society.

Duties of the Activities Director

26. The Activities Director shall have a responsibility:

- 26.1. To organise the activities of the Society, which shall include such events as, but not limited to, the Law Ball, the Law Dinner, Pub Nights, and sporting activities; and
- 26.2. To present budgets for all such events to the Executive for approval.

Duties of the Social Justice Director

27. The Social Justice Director shall have a responsibility:

- 27.1. To listen and respond to student complaints with respect to issues of discrimination;
- 27.2. To implement and inform students of the University's harassment policy;
- 27.3. To promote work experience opportunities relating to social justice and the law;
- 27.4. To run events and services which raise awareness about social justice and the law; and
- 27.5. To instruct and delegate to the Social Justice Representatives.

Duties of the Competitions Director

28. The Competitions Director shall have a responsibility:

- 28.1. To organise, convene and ensure the efficient running of such academic competitions as the Committee may, from time to time, direct;
- 28.2. To instruct and delegate to the Competitions Coordinators; and
- 28.3. To work with Vice-President (Careers & Sponsorship) to ensure that the requirements of any sponsorship agreements are met.

Magazine Editor(s)

29.

- 29.1 The Magazine Editor(s) will have a responsibility to produce a quarterly magazine to be known as the Hilarian.
- 29.2 The publishing of each edition of the Hilarian shall be subject to the approval of the Executive of the Society.
- 29.3 Prior to the publishing of the Magazine, the Executive of the Society may only censor parts of the Hilarian it considers defamatory or highly inappropriate.

Duties of the Activities Representatives

30. The Activities Representatives shall have a responsibility:

- 30.1. To assist the Activities Director in organising all the activities of the Society.

Duties of the Careers & Sponsorship Representative(s)

31. The Careers and Sponsorship Representative(s) shall have a responsibility:

- 31.1. To assist the Vice-President (Careers & Sponsorship) in all matters pertaining to the Careers & Sponsorship portfolio.

Duties of the Education Representative

32. The Activities Representatives shall have a responsibility:

- 32.1. To assist the Vice-President (Education) in all matters pertaining to education.

Other Duties

33. In addition to the above, all Committee Members shall endeavour to assist each other in the performance of their duties, where this is appropriate, and shall assist in

the regular staffing of the Society's office.

Meetings of the Society

34.

34.1. In this Section, 'due notice' requires:

34.1.1. Notice in writing given to the Clubs Association Executive at least fourteen (14) days prior to a general meeting;

34.1.2. Notice in writing specifying the business proposed to be conducted at the general meeting posted on the LSS noticeboard no less than ten (10) academic days prior to a general meeting;

34.1.3. Further business proposed to be conducted at the general meeting may be added to the notice as described in sub-paragraph (b), not less than two academic days before the general meeting.

34.2. The Executive may in its discretion convene a general meeting of the members of the Society at any time by giving due notice of the meeting, to be held on an academic day.

34.3. The Executive shall convene a general meeting within ten (10) academic days of receiving a written request, signed by no less than ten (10) members of the Society, specifying the business or resolutions to be dealt with by the general meeting.

Annual General Meeting

35. The Committee shall convene at least one general meeting a year, to be called the Annual General Meeting, for the purposes of:

35.1. Receiving reports of the Society's business for that year from the President, Vice-President (Education), Vice-President (Careers & Sponsorship) and the Activities Director; and

35.2. Receiving a balanced account for that year from the Vice-President (Administration).

Transaction of Business at General Meetings

36.

36.1. No business shall be transacted at, and no resolution passed by, any general meeting, unless:

36.1.1. A quorum of members is present at the time when the meeting proceeds with the business; and

36.1.2. The business to be transacted, or the resolutions to be passed, are specified in the notices which, pursuant to Section 34, are to be posted in the Law School.

36.2. For the purposes of 36.1.1., a quorum shall be ten (10) members of the Society.

Procedural Requirements for Financial Transactions

37. Any Society function which involves an exposure to a liability of \$500 or more must have all contractual agreements associated with it evidenced in writing and signed by all parties to it. The said agreement is to be approved by the Executive prior to its signing.

Law Revue

38.

38.1. The Law Revue Director(s) shall be appointed by the Executive on or before 31st of March of each year, having regard to all applications and any representations thereon lodged before that date.

38.2. Subject to Subsection 38.3, the organization and artistic direction of the Law Revue shall be entirely the responsibility of the Law Revue Director(s).

38.3. The Executive of the Society may censor any part of the Law Revue that, in its opinion, it considers defamatory no less than seven calendar days before the opening of the Revue.

Vacancy of Office

39.

39.1. Any vacancy of office, except for that of President, shall be filled by the Executive appointing any consenting Society Member.

39.2. The office of President, if it becomes vacant, shall be filled by a vote of Society members. The election shall be held in accordance with Sections 41 to 53 inclusive.

Student Representation

40.

40.1. The Society shall be responsible for the conduct of the election of student representatives on the School Board and other related university committees, as determined from time to time by the Executive and the Dean of the Law School.

40.2. The number of undergraduate student representatives on the School Board shall be determined from time to time by the Executive and the Dean of the Law School.

40.3. The President and the Vice-President (Education) shall be ex officio representatives on the School Board. The remaining representatives shall be elected from the general student body.

Timing of Elections

41. The elections of the Society shall be called at any time after 31 July in any calendar year, allowing for ten (10) academic days notice.

Conduct of Elections

42. The elections of the Society shall be governed by the rules contained in the document entitled "Procedures for the Election of Undergraduate and Postgraduate Students to the Faculty of Law, Department of Law and Adelaide University Law Students' Society", copies of which will always be made available from the Society's office.

Appointment of Returning Officer

43. A Returning Officer, who shall be appointed by the Dean of the Faculty of Law upon the advice of the President of the Society, shall call for nominations and seconding of members for the following positions:

43.1. President;

43.2. Vice-President (Administration);

43.3. Vice-President (Education);

43.4. Vice-President (Careers & Sponsorship);

43.5. Activities Director;

43.6. Social Justice Director;

43.7. Competitions Director;

43.8. Social Justice Representative(s);

43.9. Competitions Coordinator(s);

43.10. Magazine Editor(s);

43.11. Activities Representative(s);

- 43.12. Careers & Sponsorship Representative(s);
- 43.13. First Year Representative(s);
- 43.14. Mature-Age Student Representative; and
- 43.15. IT Officer; and
- 43.16. Educational Representative.

Qualifications of Returning Officer

44.

44.1. For considerations of fairness and impartiality, the Returning Officer should not have been a Committee Member of the Society, whether elected or delegated to that position, during that academic year.

44.2. The Returning Officer shall also be ineligible to run as a candidate in the elections for which they were appointed to conduct.

Joint Nominations

45. Joint nominations of no more than three members shall be accepted for the positions of Competitions Director(s), Magazine Editor(s), Activities Representative(s), Careers and Sponsorship Representative(s) and Social Justice Representative(s).

Acceptance of Nominations

46. Nominations and seconds shall be accepted during a period of no less than six academics days after the call for nominations.

Nomination for Multiple Positions

47. Provided that no member shall be elected to more than one position, a member may be nominated for any number of positions.

Cross-Institutional, Non-Award and Exchange Students Ineligible to Nominate

48. Cross-institutional, non-award, exchange students and the like, whilst eligible to be members of the Society, are ineligible to run in the elections.

Eligibility of Students to Vote

49. Only students enrolled in a subject or subjects in either postgraduate or undergraduate courses offered by the University of Adelaide Law School may vote in the elections of the Society. Cross-institutional, non-award, exchange students and the like are thus eligible to vote.

49.1 A member shall be entitled to appoint in writing a natural person who is also a member of the association to be their proxy, and attend and vote at any general meeting of the association.

Election of the First Year Representative

50. The First Year Representative shall be elected from students currently enrolled in the subject Torts in the Third Week of Semester One.

Eligibility for election to position of Mature-Age Student Representative

50A. Only students who commenced university studies at least 12 months after completing secondary school are eligible to be elected to the position of Mature-Age Student Representative.

Term of Office

51.

51.1. Members elected to any position upon the Committee of the Society shall take office on the 1st day of December in the year of their election.

51.2. Notwithstanding Subsection 52.1, the First Year Representative shall take office immediately upon election, and their term of office shall run until the 1st day of December in the year of their election.

Notification of Results

52.

52.1. The Returning Officer shall notify all candidates in the election of the results of the election by posting a notice on the Society's official noticeboard, declaring the election results.

52.2. The notice referred to in Subsection 52.1 shall be posted as soon as it is practicable after the results are finalised and not more than three (3) academic days after the close of voting.

Alterations & Winding Up

53. A member of the Committee shall cease to be a member of the Committee upon:

53.1. Delivery, by the member, to the Executive, of a letter of resignation;

53.2. Absence from two consecutive meetings of the Committee without leave of absence or a reasonable excuse;

53.3. Ceasing to be a member of the Society; or

53.4. A duly elected member taking over the office pursuant to the provisions of this Constitution, whichever occurs first.

Removal of Committee Members

54.1. Subject to Subsections 54.2 and 54.3, any Member of the Committee or Executive may be removed from office by special resolution of the Committee.

54.2. Ten (10) academic days notice of such a motion to remove a Member of the Committee must be given to each Member of the Committee including the member concerned.

54.3. The Member concerned must be given an opportunity to be heard before the resolution is voted upon.

Appeal of Removal

55. A Committee or Executive Member removed from office pursuant to Section 54 may appeal to a General Meeting of the Society, which may by special resolution overrule the resolution of the Committee, however:

55.1. Written notice of any appeal must be given to the Executive within three (3) academic days of the resolution dismissing the Committee Member from office; and

55.2. If a General Meeting called to consider an appeal does not by special resolution expressly revoke the decision of the Committee, the appeal shall be lost.

Alteration of the Constitution

56. Any provision of this Constitution may be altered by a special resolution passed at a General Meeting of the Society's members.

Dissolution of the Society

57. The Society may dissolve itself at any time by a special resolution passed at a

General Meeting of the Society's members.

Assets upon Dissolution of the Society

58. Where, upon the dissolution of the Society, the liabilities of the Society have been discharged and assets remain, those assets shall pass to the Clubs Association Trust Fund.

Interpretation

59.

59.1. The Executive shall have sole right of interpretation of the Constitution and any ruling by the Executive is conclusive and binding on members.

59.2. This Section is not to be interpreted as ousting the jurisdiction of relevant court or courts of law.

Operation

60. This Constitution will have effect as of the 7th day of August 1998.

Transition

61.

61.1. Notwithstanding Section 60, any Committee Members elected pursuant to previous provisions of this Constitution and holding office at the adoption of any new provisions on the 7th day of August 1998, shall continue to hold office and to perform such duties as they would, but for the adopting of any new provisions, perform.

61.2. This section shall be deemed to have been repealed as of 1st December 1998.

Schedule 1: Explanation of Committee Positions Executive Positions

The **President** is responsible for organisation of the day-to-day business of the Society's Committee and Executive, as well as representing the Society to the University and the broader community. The President is an ex officio representative on the Faculty of Law and Law Departmental Committee, and also represents the Society at the annual conference of ALSA (Section 22).

The **Vice-President (Administration)** maintains a proper record of the Society's affairs, including preparation of all meetings, agendas, reports, papers and other documentation. The bearer of this position is also responsible for the maintenance of the LSS Office, and coordinates the hiring of lockers from the Society. The Vice-President (Administration) authorises, monitors and controls all finances of the Society. The Vice-President (Administration) is expected to maintain proper accounting records of the Society's bank accounts, and to report on the financial nature of the all the Society's events and activities. (Section 23). The Vice-President (Administration) ensures compliance with the processes outlined in this Constitution, as well as other external laws and obligations. The Vice-President (Administration) oversees the hand-over process.

The **Vice-President (Education)** is the Society's ALSA Representative, and represents the Society at ALSA's annual Councils in April, July and September. The Vice-President (Education) also assists the President in all educational matters, and serves as an ex officio representative on the Faculty of Law and Law Departmental Committee (Section 24). The Vice-President (Education) also organizes education events such as study seminars for first year students.

The **Vice-President (Careers & Sponsorship)** collates careers information, and as such organises seminar presentations and may direct the Committee to produce a Careers Guide. They are also in charge of organising the Careers Fair. The Vice-President (Careers & Sponsorship) affirms the Society's public relations with the wider legal community by meeting with members of the profession in order to maintain sponsorship agreements.

The Vice-President (Careers & Sponsorship) is also responsible for liaising with other Committee members to ensure that any sponsorship agreements are complied with (Section 25).

The **Activities Director** organises all of the Society's social functions and activities, working with the Activities Representatives in preparation of these events. The Activities Director also resolves on which events are to be run, though usually a Law Ball, Law Dinner, Orientation Camp, and Law Revue are organised throughout the year. The Activities Director is responsible to the Executive for these events (Section 26).

Committee Positions

The **Social Justice Officer(s)** ensure that the Society's activities, events and policies are enacted in accordance with the concepts of social justice, as per Section 3.5 of the Constitution.

The Social Justice Officer(s) will also promote work experience opportunities relating to social justice and the law, run events and activities such as themed breakfasts to raise awareness of these concepts in the Law School and promote any other social justice-related law events organised by the wider community.

The **Competitions Director(s)** is responsible for the overall running of the Society's academic competitions. These may include an Open Moot, Trial Advocacy, Client Interviewing, Negotiations, Paper Presentation, Family Law Moot and First Year Moot. The position of Competitions Director(s) may be held by up to three (3) persons, though it is usual for actual organization of a competition to be delegated to as many people as are available (Sections 29, 45).

The **Magazine Editor(s)** produce the Society's quarterly magazine, Hilarian; names after Saint Hilary, the Patron Saint of Law Students. Hilarian is used to inform members both of the Society's activities and of relevant educational issues, but may include any material the Committee directs. The position of Magazine Editor(s) may be held by up to three (3) persons. The Magazine Editor(s) also assist the Vice-President (Careers & Sponsorship) in the technical aspects of production of the Careers Guide (Sections 29, 45).

The **Activities Representative(s)** assist the Activities Director in organising and planning all social functions. The Activities Representative(s) are also responsible for all of the Society's sporting events. The position of Activities Representative(s) may be held by up to three (3) persons (Section 30, 45).

The **Careers & Sponsorship Representative(s)** shall assist the Vice-President (Careers & Sponsorship) in all matters pertaining to the Careers & Sponsorship portfolio. (Section 31).

The **Education Representative** shall assist the Vice-President (Education) in all matters pertaining to the Education portfolio. (Section 32).

The **Mature-Age Student Representative** shall represent the interests of mature-age students on the committee.

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