
Constitution of the Union of Aboriginal and Torres Strait Islander Students Incorporated

ACKNOWLEDGEMENT OF COUNTRY

UATSIS acknowledges the Traditional Owners of the lands and waterways throughout the Country and pays respect to Elders, past and present.

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NAME, OBJECTS and POWERS**

C2: Name

The name of the organisation is the “Union of Aboriginal and Torres Strait Islander Students” (referred to in this document as UATSIS).

C3: Objects

3.1 The general objective of UATSIS is to advance a national agenda of and for Aboriginal and Torres Strait Islander Undergraduate students.

3.2 To achieve the general objective of UATSIS, UATSIS possesses specific objects which are to work for:

- a. the right for all Aboriginal and Torres Strait Islander people to access University education
- b. the quality of education for Aboriginal and Torres Strait Islander students,
- c. the interests of Aboriginal and Torres Strait Islander students in areas of social and community justice,
- d. the positioning of an autonomous Aboriginal and Torres Strait Islander student voice within student unions,
- e. the positioning of an autonomous Aboriginal and Torres Strait Islander student voice within government debates on University policy,

3.3 UATSIS must never indirectly support or directly support political or religious organisations, except to the extent necessary for furthering any object of UATSIS.

C4. Legal Capacity and Powers

4.1 UATSIS has:

- a. the legal capacity and powers of an unincorporated body, and
- b. the legal capacity and powers of an individual.

4.2 UATSIS may only do the following for its objects:

- a. exercise its powers; and
- b. use its income, assets and profit

4.3 UATSIS must not distribute any of its profit, income or assets directly or indirectly to members or officers, except in the case of:

- a. reimbursement for expenses properly incurred by a member or officer, and
- b. for goods supplied and services provided by a member or officer, if this is done in good faith and on terms no more favourable than if the member or officer were not a member or officer.

C5. INTERPRETATION

C5.1 In this constitution, unless the contrary intention appears

- a. UATSIS means the Union of Aboriginal and Torres Strait Islander Students, as prescribed in C2.1
- b. "The Act" means the Associations Incorporations Act 1991 of the ACT.
- c. "ACT" means the Australian Capital Territory
- d. "The Registrar-General" is the Registrar-General of the ACT
- e. "Rules of UATSIS" means this constitution, the regulations and by-laws
- f. "The regulations" means the regulations of UATSIS made under C14
- g. "The by-laws" means by-laws of UATSIS made under C15
- h. "Member" means member organisation, associate member and individual member,
- i. "Officer" means a person holding an officer position created by UATSIS
- j. NISC means the National Indigenous Students Conference
- k. "Postal ballot" includes ballot conducted by electronic means.

5.2 A reference to "C" followed by a number or a number and letters is a reference to the correspondingly numbered provision in this constitution.

5.3 Where the constitution requires or permits a matter to be prescribed in the regulations, that matter may instead or in addition be prescribed in the by-laws of UATSIS.

5.3 This constitution is to be interpreted in accordance with the *Interpretation Act 1967* of the ACT as if this constitution were an Act of the ACT, unless the contrary intention appears.

MEMBERSHIP:

C6. The Members of UATSIS are:

- a. Member Organisations
- b. Associate Members
- c. Individual Members

C7. Qualifications: the following are the prerequisites required to be a member of UATSIS

- a. A member organisation is an organisation that represents Aboriginal and/or Torres Strait Islander students, as specified in the regulations.
- b. An associate organisation is an organisation that does not meet the requirements to be a member organisation, but does meet the requirements of an associate organisation; as specified in the regulations
- c. An individual member is an Officer specified in the regulations to be an individual member

C8. Admission

8.1 Admission to membership is governed by the regulations.

C9. Fees and Subscriptions

9.1 There are no entrance fees payable by member organisations to join UATSIS.

9.2 Member organisations must pay an annual subscription fee if they are to remain member organisations of UATSIS proportional to the number of Equivalent Full-Time Indigenous Students, multiplied by an amount specified in the regulations.

9.4 The amount of entrance fee, subscription fee or any other amount payable by associate members must be set in the regulations.

9.5 There are no entrance fees, subscription fees or other charges payable by individual members.

C10. Rights, Obligations and Liability

10.1 Only member organisations are entitled to vote

10.2 Associate members are not entitled to vote

10.3 Under section 50 of the Act, UATSIS must comply with the rules of natural justice in adjudicating a dispute between:

- a. Members;
- b. UATSIS and a member or members in relation to the rights of members under this constitution.

10.4 Members must comply with this constitution and other rules of UATSIS.

10.5 Under section 48 of the Act, this constitution is an enforceable contract between UATSIS and members.

10.6 Members have no liability to contribute towards the payment of:

- a. The debts and liabilities of UATSIS
- b. The costs, charges or expenses associated with winding of UATSIS, except for any unpaid subscriptions or other charges under C8.

C11. Discipline

The discipline of UATSIS members is governed by the regulations.

C12. Cessation

Cessation of membership is governed by UATSIS' regulations.

C13. Register of Members

UATSIS must maintain a register of members, in which are entered:

- a. The name and address of each member
- b. The type of membership each member holds
- c. The date on which each member became a member
- d. The date (if any) each member ceased to become a member

General Meetings

C14. The National Indigenous Students Conference

14.1 Meetings of NISC are general meetings of UATSIS

14.2 NISC is constituted in accordance with the regulations

C14 Annual General Meeting

14.1 For the purposes of the Act, the annual general meeting of UATSIS is NISC.

14.2 UATSIS will hold an Annual General Meeting:

- a. Once in each calendar year
- b. Within 5 months of the end of its financial year

14.3 The following must be present at UATSIS' annual general meeting

- a. The audited statement of accounts for the last financial year
- b. The auditors report on those accounts
- c. Any reports as outlined in UATSIS' regulations

C14 Special General Meetings

14.1 All other general meetings held outside of the annual general meeting are special general meetings of NISC.

14.2 The National Executive may convene a special general meeting of NISC, as specified in the regulations

14.3 At the request of no less than one third ($\frac{1}{3}$) of the total members, UATSIS must convene a special general meeting of NISC.

14.4 The request for this special general meeting of NISC must:

- a. Specify the purpose of this meeting
- b. Be signed by authorised representatives of the members requesting the meeting
- c. Be sent to the General Secretary of UATSIS

14.5 A special general meeting of NISC must be held within 6 weeks of the request being made.

C15 Convening and Conduct of General Meetings

15.1 UATSIS must make regulations for the following matters in relation to general meetings:

- a. The frequency with which general meetings occur
- b. The way in which general meetings are to be convened
- c. The procedure to be followed
- d. The quorum
- e. Whether or not voting by proxy is allowed
- f. The time in which and manner in which notices of meetings and notices of motions are to be given, published or circulated

C16 Amendment of Constitution

16.1 This constitution may only be amended by special resolution.

16.2 A special resolution is only passed if:

- a. At least 21 days notice is given to all members of:
 - (i) The meeting, and
 - (ii) The intention to propose the special resolution as a special resolution
- b) The resolution is passed by a majority of three quarters ($\frac{3}{4}$) votes cast

16.3 UATSIS must within 1 month of the resolution being passed lodge with the Registrar-General a notice in the approved form.

16.4 Amendment of this constitution is of no effect until this notice has been lodged.

16.5 Once the noticed is lodged, the amendment is deemed to have come into operation at the time the special resolution was passed, unless the special resolution provides otherwise.

C17 Regulations

17.1 NISC by resolution passed by a three-quarters ($\frac{3}{4}$) majority votes cast make regulations to give effect to this constitution

17.2 Regulations may be made by postal ballot, as well as at a meeting

17.3 If it is impracticable to pass a resolution, National Executive may amend the regulations.

C18 By-Laws

18.1 NISC may by resolution passed by a simple majority of votes cast make by-laws to give effect this constitution and the regulations.

18.2 By laws may be made by postal ballot as well as at a meeting.

18.3 If it is impracticable to pass a resolution, National Executive may amend the by-laws.

The Committee

C19. National Executive

19.1 National Executive is the executive committee of UATSIS.

19.2 National Executive is constituted in accordance with the regulations.

19.3 National Executive has managerial control of UATSIS.

19.4 National Executive may exercise all powers of UATSIS on its behalf, subject to C6.5.

19.5 National Executive is subject to direction by NISC.

C20 Election, Term of Office and Vacancy

20.1 UATSIS must make regulations in relation to members of National Executive:

- a. their election or appointment
- b. their term of office
- c. the grounds on which their office becomes vacant
- d. The manner of filling casual vacancies

20.2 UATSIS must within 1 month of the following lodge with the Registrar-General a notice in the approved form:

- a. a person becoming a member of National Executive
- b. a person ceasing to be a member of National Executive
- c. a member of National Executive changing address

20.3 Members of National Executive must within 1 month of changing address notify the General Secretary of UATSIS

C21. Convening and Conducting Meetings of National Executive

21.1 UATSIS must make regulations for the convening and conduct of meetings of National Executive, including:

- a. the quorum
- b. the procedure to be followed

C22. Disclosure of Interests

22.1 Members of National Executive who have any financial interests in a contract or proposed contract with UATSIS must:

- a. Disclose the nature and extent of the interest:
 - (i) to the National Executive as soon as the interest becomes apparent to the member
 - (ii) at the next meeting of NISC
- b) Not take part in any decision of National Executive with respect to that contract, but may participate in any deliberations of National Executive with respect to that contract.

22.2 C19.1 does not apply to interests in a contract or proposed contract that arise only because the member of National Executive is an employee of UATSIS

Officers

C23 Obligations and Liability

23.3 By nominating for election or accepting appointment, officers agree to comply with this constitution and the rules of UATSIS.

23.4 All officers are committee members of the National Executive, except in the case of C21.3

C24 Duties

24.1 Officers and former officers must not make improper use of:

- a. their position
- b. Information acquired by virtue of holding their position; so as:
- c. To gain, directly or indirectly, an advantage for themselves or any other person
- d. To cause detriment to UATSIS

C25 Public Officer

25.1 UATSIS must appoint a public officer, who:

- a. lives in the A.C.T
- b. is at least 18 years old

25.2 UATSIS must fill any vacancy in the office of public officer within 14 days of the vacancy occurring

25.3 The public officer must within 1 month after the following lodge with the Registrar-General a notice in the approved form:

- a. Being appointed
- b. Changing address

Financial and Legal

C26 Financial Year

23.1 The financial year of UATSIS is from the 30th June - 1st July.

C27 Sources of Funds

27.1 The funds of UATSIS may be derived from subscriptions, interest and any other sources approved by NISC or National Executive.

C28 Management of Funds

28.1 National Executive is responsible for the management of the funds of UATSIS.

28.2 UATSIS must keep accounting records:

- a. that correctly record and explain the transactions and financial position of UATSIS in such a way that:
 - (i) true and fair accounts can be prepared when necessary
 - (ii) a statement of accounts can conveniently and properly be audited in accordance with Part V of the Act
- b) For at least 7 years.

C29. Expenditure and Cheques

29.1 All expenditure must be approved by at least two persons authorised in accordance with the regulations

29.2 All cheques must be approved by at least two persons authorised in accordance with the regulations

C30. Annual Statement of Accounts

30.1 The National Executive must cause a statement of accounts to be prepared in accordance with section 72(2) of the Act for:

- a. audit in accordance with 27.2
- b. Presentation to the annual meeting of National Conference in accordance with C14.3.

C31. Audit

31.1 UATSIS must appoint an external auditor to audit the accounts annually.

31.2 The auditor must be:

- a. Appointed by National Executive, and
- b. May at any time be removed by National Executive

31.3 National Executive must take reasonable steps to ensure that the accounts for the last financial year are audited at least 14 days before the annual meeting of NISC.

31.4 Audited accounts must be presented at the annual general meeting of NISC.

C32. Annual Return

32.1 Within 6 months of the end of its financial year UATSIS must lodge with the Registrar-General an annual return in the approved form

C33 Common Seal

33.1 The common seal must be kept in secure custody in accordance with the regulations

33.2 The common seal may only be used in accordance with the regulations

C34 Records

34.1 The records of UATSIS , which include but are not limited to, securities and accounting records must be kept in secure custody in accordance with the regulations

34.3 UATSIS must make the register of members available for inspection by members

34.4 Except in the case of C31.2 and C31.3 the records of UATSIS may only be inspected by members in accordance with the regulations.

C35 Winding up

35.1 UATSIS may be wound up voluntarily by special resolution

35.2 If UATSIS is wound up:

- a. Voluntarily, or
- b. by a court

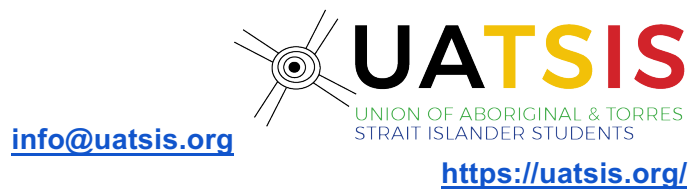
Its incorporation is cancelled and the remaining assets of UATSIS must not be distributed to any member.

35.3 Instead, the remaining assets will be given to a body that:

- a. has similar objectives to UATSIS
- b. Also prohibits the distribution of profit, income and assets to its members to at least as great as an extent as this constitution

35.4 The body referred to in C33.3 should be decided by special resolution

35.5 If it is impracticable to pass a special resolution, National Executive may decide the body.



Regulations of the Union of Aboriginal and Torres Strait Islander Students Incorporated

ACKNOWLEDGEMENT OF COUNTRY

UATSIS acknowledges the Traditional Owners of the lands and waterways throughout the Country and pays respect to Elders, past and present.

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Interpretation:

R.2 Definitions

2.1 These regulations are to be interpreted in accordance with C2 as if they formed a part of the constitution

2.2 In addition, in these regulation unless the contrary intention appears:

- a. "absolute majority" means a majority of all votes entitled to be exercised at the time, whether those votes are cast or not;
- b. "amalgamate " includes merge, and "amalgamation" includes merger;
- c. "convene" includes setting:
 1. the date or dates,
 2. the time of commencement, and
 3. the place of the meeting

- d. "university" refers to any post-school institution, excluding TAFE
- e. "nominated delegate" means a delegate that has met the requirements outlined in R17 and can be delegated to NISC

2.2 For the purpose of this regulation, all Indigenous students that pay a fee for the use of the services of a member organisation is said to be represented by that member organisation.

2.3 For the purpose of these regulations, a ballot does not cease to be a secret ballot by reason only that a voter chooses to:

- a. show their completed ballot paper to another person before casting it, or
- b. to allow another person to fill out their ballot paper on their behalf

2.4 A reference to "R" followed by a number or a number and letters is a reference to the correspondingly numbered provision of the schedule to these regulations

2.5 A reference to "B" followed by a number or a number and letters is a reference to the correspondingly number provision in the by-laws.

2.6 The responsibility of interpreting the rules of UATSIS is the responsibility of:

- a. at meetings of NISC - the chair, subject to NISC, and
- b. otherwise - the National President, subject to the National Executive and NISC.

Membership:

Division 1 - Member Organisations

R3 Qualifications:

3.1 To be a member of UATSIS an organisation must hold the following qualifications:

- a. represent undergraduate Aboriginal and/or Torres Strait students.
- b. be independently and democratically run by students.

R4 Admission by resolution:

4.1 An organisation is admitted as a member organisation if:

the governing body of an organisation holds a meeting to consider the motion "*Do you agree that [insert name of organisation] should become a member of the Union of Aboriginal and Torres Strait Islander Students*", and:

- a. the resolution passes by absolute majority,
- b. a copy of the minutes containing the resolution is sent in writing to the General Secretary,
- c. a copy of the organisation's constitution is sent to the General Secretary.

R5 Subscriptions

5.1 For the purpose of starting up UATSIS, annual subscriptions are:

- a. From March 15 to the 31st of December, and
- b. Due on March 15.

5.2 Because of this, member organisations required to pay only 80% of the subscription fee that would usually be payed, should they be admitted on or before March 15.

5.3 The annual subscription fee for UATSIS is \$32 times the number of Equivalent Full-Time Indigenous Students.

5.4 If an organisation be admitted as a member on or after the 1st of July, it must pay 50% of the annual subscription fee.

5.5 The voting and all other membership rights of member organisations that have not paid their annual subscription by the due date are suspended until the annual subscription is paid, subject to C3.7.

5.6 For the purpose of this regulation, payment occurs when the money is in UATSIS' bank account and available to be spent by UATSIS.

5.7 If National Executive is satisfied that a member organisation has good reason for not paying its annual subscription by the due date, it may by resolution passed by an absolute majority either extend the due date of the annual subscription fee for that organisation.

5.8 An organisation that ceases to be a member organisation remains liable for the full annual subscription for the year it ceases to be a member.

5.9 Should an organisation consider itself to hold outstanding reason to not pay the full membership fee, they may apply for a fee waiver.

5.10 The fee waver must:

- a. outline what the original the amount payable was and outline the final fee they are requesting to be able to pay, and
- b. clearly outline the reason why they are applying for a fee waiver, and
- c. be written by either the a person who has the power to speak on behalf of the student union,
- d. or the Aboriginal and Torres Strait Islander delegate
- e. be sent to the General Secretary at least 1 week before the subscriptions are due.

5.11 National Executive must then decide whether or not to accept or reject this fee waiver by resolution passing by absolute majority.

R6 Cessation

6.1 A member organisation only voluntarily ceases to be a member organisation if:

- a. the governing body of an organisation holds a meeting to consider the motion "*Do you agree that [insert name of organisation] should remain a member of the Union of Aboriginal and Torres Strait Islander Students*",

- b. the resolution passes by absolute majority,
- c. a copy of the minutes containing the resolution is sent in writing to the General Secretary; or

6.2 A member organisation also ceases to be a member organisation if it is wound up or dissolved.

Division 2 - Associate Members

R7 Qualifications

7.1 The qualifications for being admitted as an associate member are that the organisation:

- a. Has objectives consistent with those of UATSIS;
- b. Is controlled by students; and
- c. Is not qualified to be a member organisation.

R8 Admissions

8.1 An organisation is admitted as an associate member if:

- a. The organisation applies in writing to the General Secretary
- b. The application includes a copy of the constitution of the organisations
- c. National Executive by resolution passed by an absolute majority accepts the application; and
- d. The organisation pays it's first subscription

8.2 NISC may reverse a decision of National Executive under R6.1, whereupon:

- a. The organisation ceases to be an associate member
- b. Its subscription must be refunded

R9 Subscriptions

9.1 National Executive must set:

- a. The annual subscription for each associate member, and
- b. The date for its payment

9.2 National Executive may suspend membership rights of an associate member if it has not paid its subscription by the due date, until the annual subscription is paid.

R10 Cessation

10.1 An associate member ceases to be an associate member if:

- a. The associate member notifies the General Secretary in writing that it wishes to cease to be an associate member;

- b. National Executive by resolution passed by an absolute majority terminates the membership of the associate organisation; or
- c. The associate organisation is wound up or dissolved.

Division 3 - Individual Members

R11 Qualifications and Admission

11.1 The national officers and the branch chairs are individual members of UATSIS.

R12 Cessation

12.1 Individual members cease to be individual members when they cease to be either a national officer or a branch chair.

National Indigenous Students Conference

R13 Constitution

NISC is constituted:

- a. At meetings the annual general meeting of NISC - by member organisations making decisions through their delegates.
- b. At special general meetings of NISC - by member organisations making decisions through their delegates.

R14 Powers

14.1 NISC:

- a. Is the supreme decision making process of UATISIS, and
- b. May exercise all powers of UATSIS on its behalf; subject to C18.3

14.2 Policy developed by NISC remains in force until it is changed.

R15 Convening

15.1 National Executive must convene the annual meeting of National Conference in accordance with C16.2

15.2 National Conference must by resolution passed by an absolute majority set a date for National Conference at least 3 months before the date to be set.

15.3 National Executive may by resolution passed by an absolute majority convene a special meeting of NISC

15.4 The General Secretary must give each member organisation at least 3 weeks notice of the following information, in regards to each meeting of NISC:

- a. the date or dates,

- b. the time of commencement
- c. the place

15.5 If, for whatever reason, the National President, the General Secretary at least one other national office bearer are not elected at the annual general meeting of NISC:

- a. the election of all national officer bearers and state branch chairs is void and of no effect; and
- b. the General Secretary must convene a special general meeting of NISC no later than three weeks after the annual general meeting of NISC.

15.6 The special meeting:

- a. must elect:
 - 1. The National President, the General Secretary and at least one other national office bearer
 - b) may consider other business of which notice has been give in the way of due process as outlined in the by-laws

R16 Policy

16.1 The policy of UATSIS may only be made at annual general meetings of NISC and special general meetings of NISC.

16.2 Policy remains in force until it is changed.

R17 Nominating Delegates

17.1 The member organisation must nominate the first applicable Aboriginal and/or Torres Strait Islander student representative on the following list as their delegate to NISC:

- a. the Aboriginal and/or Torres Strait Islander student representative within the member organisation
- b. the chair of the external Aboriginal and/or Torres Strait Islander student organisation that is relevant to to the member organisation
- c. the chair of the Aboriginal and/or Torres Strait Islander student collective that is relevant to the member organisation
- d. the club president of the Aboriginal and/or Torres Strait Islander club that is relevant to the member organisation

17.2 An organisation's delegate must identify as Aboriginal and/or Torres Strait Islander.

17.3 In the case that the student originally chosen for delegation under R17.1 does not meet the requirement of R17.2, the process of delegation shall continue immediately down the list until one of the Aboriginal and/or Torres Strait Islander student representatives meets the requirement of R17.2 and can be delegated to NISC.

17.4 If a member organisation is not able to produce a delegate under R17.1 because:

- a. the positions outlined in R17.1 do not exist within the member organisation or are not relevant to the member organisation; or

- b. none of the student representatives identify as Aboriginal and/or Torres Strait Islander; then
- c. the governing body of the member organisation must pass a resolution by absolute majority to elect a single delegate to meetings of NISC.

17.5 A delegate nominated under R17.4 must still meet the requirement of R17.2

17.6 The position that holds the eligible nominated delegate is the nominated position.

17.7 In the event that the nominated position is jointly held, the body that the delegates are the co-chairs and co-presidents of must vote to decide who will go to NISC through process of blind voting.

17.8 The number of votes held by a member organisation remains the same even if more than one delegate attends NISC under R16.6

17.9 A delegate of one member organisation is not eligible to be elected as the delegate of another member organisation.

17.10 If a member organisation amalgamates after the annual meeting of NISC but before the July 1:

- a. It must nominate new delegates:
 - 1. Within 2 months of the amalgamation, or
 - 2. Before June 1st

b) In the meantime, its delegates are the combined delegates of the member organisations that have amalgamated.

17.11 If a member organisation amalgamates on or after July 1 and before the annual meeting of NISC its delegates are the combined delegates of the member organisations that have amalgamated, unless it chooses to elect new delegates.

17.12 In the act of becoming a delegate to NISC, delegates agree to comply with the rules of UATSIS.

R.18 Votes:

18.1 The number of votes held by delegates to NISC is equal to the number of Equivalent Full-Time Indigenous Students divided by twenty (20), rounded to the nearest whole number.

18.2 The delegates of a member organisation whose voting rights have been suspended under R6.8 are not entitled to exercise their votes until the annual subscription has been paid.

R.19 Observers:

19.1 Member organisations are able to appoint seven (7) observers each.

19.2 Associate members may appoint observers upon request to National Executive.

19.3 Upon request by an associate member, National Executive must decide how many observers to appoint them.

R.20 Proxies:

20.1 Delegates may appoint proxies, in accordance with the by-laws

20.2 All proxies delegates nominate must identify as Aboriginal and/or Torres Strait Islander

R.21 Quorum:

21.1 The quorum at meetings of NISC is the presence of delegates entitled to exercise an absolute majority of votes, including proxies.

22 Policy Process

22.1 A motion to make policy may only be considered at a meeting of NISC if:

- a. It is proposed by an organisation's nominated and nominated delegate; or
- b. It is proposed by a state branch; and
- c. It is submitted after the opening of policy submissions, 6 weeks before NISC, and before the close of policy submissions 1 week before NISC, and NISC resolves to consider the policy;

R.23 Regulations and By-Laws: at least 14 days notice must be given of a motion for the making of:

- a. regulations under under C14
- b. By-laws under C15

National Executive

R.23 Members

23.1 The members of National Executive are:

- a. the National President (chair, casting)
- b. the General Secretary (voting)
- c. all national general officers (voting)
- d. state chairs (voting)

R.24 Responsibilities:

24.1 The responsibilities of National Executive are:

- a. To manage UATSIS in accordance with x, including
 1. setting the budget for UATSIS;
 2. regularly monitoring the finances of UATSIS;
 3. employing staff on behalf of UATSIS;
 4. authorising the publication of material on behalf of UATSIS

b) to interpret and implement the policy of UATSIS

24.2 National Executive may delegate its powers as it considers appropriate.

24.3 National Executive will in use of its delegations power under R24.2 maintain a list of matters reserved to the National Executive, which will detail the matters it has not delegated to any committee or Officer.

24.4 National Executive will in the use of its delegations power under 24.2 maintain a comprehensive and up-to-date list of any functions of National Executive it has delegated to any Committees or Officers.

25.4 Despite 24.2, National Executive will in the use of its power under 24.2 not delegate:

1. This power of delegation,
2. The powers, authorities, duties or functions that are required to be exercised by National Executive under written law,
3. Any matter that requires an absolute majority vote or special majority vote of the National Executive,
4. Any matter determined by the constitution, regulation, by-laws or policy not to be delegatable.

R.25 Meetings

25.1 The first meeting must decide how the policy made by National Conference will be implemented

25.2 National Executive must at each meeting consider the most recent financial report.

25.3 The General Secretary must convene a National Executive meeting if:

- a. National executive so resolves
- b. If requested in writing by:
 1. the National President
 2. 2 National Executive members

25.4 National Executive must meet at least 2 days before the annual general meeting of NISC to elect any pre-conference committees that are outlined in the by-laws.

25.6 A voting member of National Executive may appoint a proxy to meetings of National Executive.

25.7 Any person appointed under 25.6 must meet the qualifications of an eligible delegate under

R.26 Standing Resolutions

National Executive may by an absolute majority pass standing resolutions to give effect to the constitution, regulations and by-laws.

National Officers

R.27 National Officers

27.1 The national officers of UATSIS are:

- a. the National President
- b. the General Secretary
- c. the Education Officer
- d. the National Correspondent

27.2 The officers that receive honorariums are:

- a. the National President
- b. the General Secretary
- c. the Education Officer
- d. the National Correspondent

27.3 The number of hours required by each Officer will be set by Jan 31 every year.

R.28 Eligibility

28.1 A person who has been elected into a position in UATSIS 3 times in total is not eligible to nominate as an officer. Further a person may not hold the same office more than twice.

28.2 Candidates may nominate for:

- a. more than one national officer positions, and
- b. A national officer position and a state branch chair, but if declared elected to one position are taken to have withdrawn from all other positions

R.29 National President:

29.1 The National President is:

- a. the official spokesperson of UATSIS
- b. the natural chair at all National Executive meetings and NISC meetings.
- c. responsible for the overall supervision of UATSIS' activities
- d. responsible for the supervision of UATSIS' activities in all areas that are not the responsibility of another national or state officer.

R.30 General Secretary:

30.1 The General Secretary is responsible for the supervision UATSIS' business operations, including but not limited to:

- a. Administration, and
- b. finance

R.31 Education Officer:

31.1 The Education Officer is:

- a. the official spokesperson of UATSIS in the area of education (subject to National President);
- b. responsible for the overseeing of UATSIS' activities in the area of education and its education policy.

R.32 National Correspondent:

32.1 The National Correspondent is responsible for overseeing UATSIS' activities in the areas of:

- a. media
- b. government relations, and
- c. stakeholder engagement

R.33 Accountability and Direction:

National officers are responsible to and may be directed by the following in increasing order of authority:

- a. the General Secretary
- b. the National President
- c. National Executive
- d. NISC

R.34 Acting Officers

34.1 If there is a vacancy in the position of National President, or the National President is overseas or otherwise unable to act, the General Secretary must act as National President and still maintain the duties of General Secretary.

34.2 If there is a vacancy in the position of General Secretary, or the General Secretary is overseas or otherwise unable to act, the National President must fulfill the duties of General Secretary.

Branches

R.35 Constitution

35.1 The branches of UATSIS are:

- a. Union of Aboriginal and Torres Strait Islander Students Victoria and Tasmania
- b. Union of Aboriginal and Torres Strait Islander Students New South Wales and ACT
- c. Union of Aboriginal and Torres Strait Islander Students South Australia
- d. Union of Aboriginal and Torres Strait Islander Students Western Australia
- e. Union of Aboriginal and Torres Strait Islander Students Northern Territory

35.1 If in a state or territory the following conditions are met UATSIS may establish a branch in that state or territory:

- a. The member organisation(s) represent at least 150 Equivalent Full-Time Indigenous Students, and
- b. Each member organisation by resolution passed by absolute majority of its governing body requests in writing

35.2 The state branch must notify National Executive if the number of Equivalent Full-Time Indigenous Students a branch represents is no longer at least 150.

35.3 After receiving this notice from a branch, UATSIS may decide whether or not to discontinue the branch.

35.4 Member organisations within a branch are the organisations contained within that branches state(s) and/or that branches territory.

35.5 Branches are sub-committees of UATSIS.

35.6 The branch committee directs the operations of the branch, subject to direction by National Executive.

35.7 All nominated delegates from member organisations that belong to a branch sit on that branches committee.

35.8 A budget is allocated to a branch by National Executive and is:

- a. Proportional to the number of Equivalent Full-Time Indigenous students represented by that branch.
- b. Considerate of the membership fees paid by member organisations within that branch.

Officers Generally

R.36 Applicability

36.1 R36 and R48 apply to all officers of UATSIS

R.37 Responsibilities

37.1 All officers must implement policy of UATSIS in their area of responsibility

37.2 All officers must carry out their responsibilities in cooperation with each other

37.3 Officers must work together where it is practical for the implementation of the policy

37.4 In the case of disputes between officers in the carrying out of cooperative duties it is the responsibility of the following officers to decide how the issue be resolved:

- a. in the case of national officers - the National President,
- b. in the case of office branch committee members - the branch chair,

- c. in the case of members of committees - the chair of the committee

R.38 Method of Election

All officers must be elected by secret ballot using optional preferential proportional representation.

R.39 Elections Annual Meetings

The following officers must be elected at the annual general meeting of NISC in the following order:

- a. national officers in the order listed in R27.1,
- b. the branch chairs.

R.40 Eligibility

40.1 Candidates for office must at the time of their election be an undergraduate student represented by a member organisation.

R.41 Term of Office

41.1 The officers in the referred to in R39 hold office from August 1 to July 31

41.2 Officers cease to hold office if they:

- a. resign
- b. vacate their office
- c. are removed
- d. die, or
- e. otherwise cease to hold office in accordance with the regulations or the by-laws

R.42 Overholding

42.1 If for some reason any of the national officers or branch chairs are not elected at the annual general meeting of NISC, the national officers must recently in office will continue to hold office until their successors are elected in accordance with R7.9 (a), subject to R42.2

42.2 Despite R21.2, none of the national office bearers will receive any form of honorarium for continuation in office past July 31.

R.43 Resignation

43.1 Officers may resign by writing to:

- a. in the case of national officers and branch chairs - the General Secretary
- b. in the case of the General Secretary the National President
- c. in the case of state committee members - the branch chair

43.2 The resignation of a national officer or state committee member takes place 24 hours after it is received by the person specified in R43.1, but may until then be withdrawn in writing.

R.44 Vacation of Office

44.1 A national officer of branch chair ceases to hold office if:

- a. They fail to give a written report in accordance with B18.1 for 3 consecutive meetings of National Executive (excluding emergency meetings) of which they have been given notice, unless they have an approved apology in advance in accordance with B18.4; or
- b. They fail to attend 3 consecutive meetings of National Executive of which they have been given notice, unless they have an approved apology in advance in accordance with B18.4

R.45 Removal

45.1 If misconduct of an Officer(s) or member of National Executive member(s) is reported to National Executive, a disciplinary Officer must be appointed to address the report.

45.2 The disciplinary Officer must be a member of National Executive.

45.3 The disciplinary Officer must nominate themselves to be the disciplinary Officer.

45.4 The disciplinary Officer must be voted on by National Executive through a blind vote.

45.5 In voting, National Executive must consider the nominees personal proximity to the Officer(s) that a report has been made against.

45.6 The nominee with the most votes is elected the disciplinary Officer.

45.7 The disciplinary Officer must then collect as much evidence as possible to create a report recommending the repercussion of the initial report made against the National Officer(s) of National Executive member(s).

45.8 National Executive must aid the disciplinary Officer as much as possible and in any way possible in the collection of evidence for the report.

45.9 In the report, the the disciplinary Officer may recommend any of the following actions:

- a. Suspension from Office or National Executive membership,
- b. Removal from office, or
- c. Any other action the the disciplinary Officer sees fit to recommend.

45.10 Officers may be removed from Office by a $\frac{2}{3}$ majority vote by National Executive on recommendation by the discipline committee.

45.11 Misconduct is:

- a. A breach of the constitution, regulations and by-laws of UATSIS,

- b. Behaviour unbecoming of an Officer
- c. Conduct that brings UATSIS or its reputation into disrepute.

R.46 Filling Vacancies

46.1 Vacancies may be filled in accordance with the by-laws.

46.2 Officers filling vacancies hold office for the remainder of the term.

Meetings Generally: This part applies to all committees established by UATSIS (including National Executive, but not including NISC), except to the extent to rules of UATSIS or the resolution establishing the committee provide otherwise.

R.47 Convening

47.1 The chair of the committee or a majority of its voting members at the time may convene a meeting of the committee

47.2 If the committee is to meet regularly throughout the year it must on its first meeting after Jan 1 set dates, times and places of ordinary meetings for its term of office.

47.3 The committee may by resolution subsequently alter the dates, times and places of ordinary meetings set under R47.2

R.48 Notice

48.1 Notice of the time, date and place of each meeting must be given to each member of the committee:

- a. In the case of an emergency telephone or video meeting - in writing or orally at least 24 hours before the meeting is to begin;
- b. In the case of an emergency face to face meeting - in writing or orally at least 72 hours before the meeting is to begin; or
- c. Otherwise - in writing at least 8 days before the meeting

48.2 In the case of an emergency meeting the notice must include the business to be considered

48.3 No other business but the business outlined in the notice of an emergency meeting may be considered at an emergency meeting

48.4 Members of the committee must give the chair their email address or fax number for notices

48.5 The chair must be notified of any changes to these addresses

48.5 Notice may be given to a member of a committee by sending it to the address last given by the member

48.6 Notices sent by fax or email are taken to be have been given on the first day after sending that is not a Saturday, Sunday or public holiday, in the location in which the committee member lives

48.7 The accidental failure to give notice to a member does not invalidate the meeting.

R.49 Quorum

49.1 The quorum for a meeting is the presence of in person or via live technology of the absolute majority of voting members of the committee at the time.

49.2 If quorum is not present within half an hour of the meeting starting the meeting lapses, and the chair must appropriately designate a new time and date to meet.

49.3 No resolution may be passed at a meeting of the committee unless quorum is present, but the meeting may otherwise consider business without quorum being present

R.50 Chairing

50.1 If the chair of a committee is not present, or does not wis to chair the meeting (or part of the meeting), the committee must elect another of its members to chair.

50.2 A new chair elected under R50.1 has casting vote.

R.52 Voting

52.1 All members of the committee are voting members.

52.2 Each member of the committee has one vote.

52.3 Voting members of the committees may vote in person or by proxy.

R.53 Proxies

53.1 Appointment of proxies must be in writing.

53.2 The proxy must be a person eligible to be elected or appointed to the committee

R.54 Disclosure of Interest

54.1 Each member of a committee who has personal or financial interests (whether direct or indirect) in a matter that is to be considered at a meeting of the committee:

- a. must not be present while he matter is being considered; and
- b. must not vote on the matter, including by proxy

54.2 The committee by resolution passed by absolute absolute majority exempt a member of the committee from R54.1(a) or R54.1(a) and R54.1(b)

54.3 Despite R65.1 (a) the member may still be counted towards the quorum.

54.4 This regulation applies in addition to x

R.55 Procedure

Meetings of the committee must follow the standard procedure outlined in B

56 Minutes:

56.1 The Committee must ensure that:

- a. accurate and complete minutes are taken and kept of all its meetings; and
- b. a copy of the minutes is promptly sent to the General Secretary, if the General Secretary wasn't the original minute taker.

Financial and Legal

R.57 Bank Accounts

57.1 Bank accounts in the name of UATSIS may only be opened if authorised by National Executive.

R.58 Receipts:

58.1 All money received on behalf of UATSIS must be deposited without delay into a bank account in the name of UATSIS

R.59 Orders

59.1 No orders may be placed on behalf of UATSIS unless authorised in writing by the General Secretary

R.60 Payments

60.1 All payments for more than \$100 must be made by cheque, or, if electronic transfer, approved by the General Secretary and the National President.

60.2 No payment may be made on behalf of UATIS unless:

- a. if an invoice has been received - the payment is authorised in writing by the General Secretary
- b. if no invoice has been received - the payment is authorised by the General Secretary and two other national officers.

R.61 Cheques

61.1 All cheques must be signed by the General Secretary and two other national officers.

61.2 The signatories must not sign cheques until the payee and amount have been written in.

R.62 Financial Statements

62.1 The General Secretary must ensure that monthly financial statements are circulated to all members of National Executive.

R.63 Records

63.1 The General Secretary is responsible for ensuring that the records of UATSIS are kept in secure custody.

63.2 Member organisations and members of National Executive may inspect the accounting records of UATSIS on request in writing to the General Secretary.

R.64 Contracts

64.1 All contracts entered into on behalf of UATSIS must be made in the name of UATSIS.

R.65 Rules of UATSIS

65.1 The rules of UATSIS (in decreasing order of priority) are:

- a. the constitution
- b. the regulations made under C17,
- c. the by-laws made by NISC under C18

65.2 A body that is empowered to make rules of UATSIS must not make rules that are inconsistent with rules of UATSIS having a higher priority.

R66 Discipline

R66.1 UATSIS may not discipline its members.

By-Laws of the Union of Aboriginal and Torres Strait Islander Students Incorporated

ACKNOWLEDGEMENT OF COUNTRY

UATSIS acknowledges the Traditional Owners of the lands and waterways throughout the Country and pays respect to Elders, past and present.

B.1 CONTENTS

B.2 Interpretation

B.3 - B.17 Meetings of NISC

B.18 National Executive

B.2 Interpretation

B2.1 These by-laws are to be interpreted in accordance with R2.1 as if they formed a part of the regulations.

B2.2 A reference to “B” followed by a number or a number and letters is a reference to the correspondingly numbered provision of these by-laws.

Procedure of NISC

B.3 Membership

3.1 Members of NISC are:

- a. members of national executive

- b. any nominated delegates
- c. branch chairs
- d. observers of member organisations

3.2 all members have moving, seconding and speaking rights.

3.3 Only:

- a. Delegates, and
- b. Other members to whom delegates have delegated voting rights, have voting rights

3.4 For the purpose of this part, the voting members of NISC are the members referred to in B16.3

B.4 Observers

4.1 Member organisations may appoint up to seven (7) observers each.

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

4.3 Non-member organisations may only appoint 2 observers.

4.4 Notification of the appointment of observers must be:

- a. on letterhead of the organisation signed by the President or the equivalent officer of the organisation, and
- b. be received by the General Secretary at least 1 month before NSIC.

B.5 Agenda and Session Times

5.1 The National Executive must determine the agenda and session times.

5.2 A determination of National Executive under B3.1 may be overturned by resolution of NISC passed by an absolute majority.

5.3 National Executive must give at least 1 hours notice of agenda and session times and changes to agenda and session times by quickest practicable means at the time.

B.6. Register of Attendance and Voting Cards

6.1 Voting members are not permitted to vote at NISC until they have

- a. Signed the register of attendance for that session kept by National Executive, and
- b. Been issued with a voting card.

6.2 If a delegate leaves they must sign off the register and hand in their voting card.

B.7 Quorum

7.1 The chair must ensure that a quorum is present before declaring a session open.

7.2 The chair must ensure that no vote is taken without a quorum being present.

B.8 Delegation of Moving, Seconding and Speaking Rights.

8.1 Members may delegate their moving, seconding and speaking rights.

B.9 Proxying of Votes

9.1 Delegates may proxy their votes to another person who is:

- a. From the same member organisation
- b. Eligible to be a NISC delegate.

B.10 Chair

10.1 Sessions must be chaired by:

- a. The president,
- b. A person nominated by National Executive.

10.2 The chair:

- a. Must be heard in silence and without interruption, and
- b. May name any person for behaviour disruptive to the conduct of NISC.

10.3 Any person named 3 times during the session:

- a. Must not be recognised by the chair, and
- b. Must leave NISC for the remainder of the session.

B.11 Conduct of Meeting

11.1 NISC may grant moving, seconding and speaking rights to any person.

11.2 NISC may exclude any person who is not a valid member of NISC.

11.3 Members may only address NISC when called to do so by the chair.

11.4 Speakers must be heard in silence, and may only be interrupted by the chair.

B.12 Motions:

12.1 All motions must have a mover and a seconder.

12.2 The person who moved the motion has the right of reply.

12.3 All speakers must only speak once unless exercising right of reply.

12.4 Motions must be affirmative in character.

B.13 Amendments:

13.1 Amendments must be relevant to the motion.

13.2 Amendments must not negate the motion.

13.3 Amendments must be given the opportunity to be debated on.

13.4 Only one amendment may be debated on at a time.

13.5 Amendments require absolute majority vote to pass.

13.6 There is no right of reply for amendments.

B.14 Voting:

14.1 No voting may be taken until all persons are seated.

14.2 The chair may name any person who is not seated while conference is trying to proceed to vote.

14.3 If equal amount of votes are declared for a motion or amendment, the chair must determine that motion or amendment lost.

B.15 Minutes:

15.1 The General Secretary must ensure adequate record is kept of the proceedings of NISC.

15.2 The General Secretary must within 1 month after any meeting of NISC send all member organisations:

- a. The minutes of the meeting,
- b. A booklet containing all policy of UATSIS.
- c. A separate book containing constitution, regulation and by-laws

B.16 Form of Nominations:

16.1 Nominations must be made on the prescribed form obtainable from the returning officer.

16.2 Nominations must be signed by:

- a. The nominator, who must be a current enrolled Indigenous student represented by an affiliated student organisation,
- b. The seconder, who must be a currently enrolled Indigenous student represented by an affiliated student organisation,
- c. The candidate, consenting for nomination

16.3 In their nomination a candidate may include a 500 statement to be circulated by the returning officer.

B.17 Close of Nominations

17.1 The returning officer must give at least 4 weeks notice of the closing date for nominations to all member organisations.

17.2 If there are no nominations for any given position(s), NISC may resolve to reopen nominations for the unfilled position(s).

B.18 Unopposed Elections

18.1 If any candidate is unopposed in the election of a position the returning officer must immediately declare that candidate elected to that position.

B.19 Ballot

19.1 Candidates for National Officer positions are all given 3 minutes to address the floor in support of their nomination.

19.2 All delegates are able to vote in election of National Officers.

19.3 The election of branch chairs must only be voted in by delegates from the member organisations that Branch represents.

National Executive

B.20 Officer Reports and Attendance:

20.1 National Officers and Branch Chairs must attend every meeting of National Executive and must give a written report to each meeting of National Executive (unless an emergency meeting)

20.2 Unless a written apology that fits into the criteria of being a reasonable apology has been given to the General Secretary, failure to not deliver 2 consecutive reports will result in an immediate cease to payment of that Officers honorarium.

20.3 Unless a written apology that fits into the criteria of being a reasonable apology has been given to the General Secretary, failure to 3 consecutive reports will result in removal from office.

20.4 The criteria of a reasonable apology are:

- a. Cultural events or cultural issues occupying the Officers time,
- b. Mental health issues,
- c. Physical health issues,
- d. Any other reasonable excuse deemed reasonable by the General Secretary.

B.21 Chair:

21.1 Meetings of National Executive must be chaired by:

- a. The National President, or
- b. A person elected by the meeting.

21.2 Meetings of National Executive must elect a person to be deputy chair.

21.3 If the chair wishes to take part in a debate, the deputy chair must chair the meeting for that debate.

B.22 Proxies:

22.1 Appointment of proxies under x must:

- a. Specify:
 - 1. The duration of the appointment,
 - 2. The proxy appointed,
 - 3. Any conditions attached to the appointment,
- b. be signed by the member,
- c. State the date and time the appointment was made,
- d. not be altered once signed,
- e. Be given to the General Secretary

B.23 Minutes and Reports:

The General Secretary must send the following to member organisations within one week of the meeting:

- a. Minutes of the meeting, and
- b. The officer reports.