

LA TROBE UNIVERSITY LAW STUDENTS' ASSOCIATION INC. CONSTITUTION

As amended 21 September 2026

LA TROBE UNIVERSITY

LAW STUDENTS' ASSOCIATION INC.

ASSOCIATION NUMBER: A0030807V

ABN:

83 936 323 688

LSA OFFICE, ROOM 203 SS BUILDING

LA TROBE LAW SCHOOL

LA TROBE UNIVERSITY

BUNDOORA VIC 3086

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Note: the persons who from time to time are members of the Association are an incorporated association by the name given in rule 1 of these Rules. Under section 46 of the Associations Incorporation Reform Act 2012, these Rules are taken to constitute the terms of a contract between the Association and its members.

PART 1 – PRELIMINARY

1. Name

(1) The name of the incorporated association is "La Trobe University Law Students' Association Inc."

Note: Under section 23 of the Act, the name of the association and its registration number must appear on all its business documents.

(2) The Association shall also be known as "La Trobe Law Students' Association".

2. Purposes

The purposes of the association are—

(3) to encourage discussion between law students, academic staff, the legal profession, alumni and the wider community;

(4) to organise the participation by the Association and its members in relevant state and national bodies;

(5) to promote involvement in the legal education offered by the La Trobe Law School and the University;

(6) to produce publications for the interest of law students;

(7) to arrange addresses and seminars for the benefit of law students;

(8) to organise and promote activities for the benefit of law students; (9)

to organise competitions for the benefit of law students;

(10) to organise careers events, both commercially and non-commercially focused, for the benefit of law students;

(11) to promote diversity and inclusion for the benefit of law students.

3. Affiliation

The Committee may determine from time to time that the Association should affiliate, or cease to be affiliated, with the LTSU or LTSA. During any period of such affiliation, these rules and regulation will prevail over the Regulations of the LTSU and LTSA to the extent of any inconsistency.

Note: while the LTSU and LTSA are the current student representative bodies at the University, this section extends to any future student representative bodies should they be so created and recognised as official representative bodies by the University.

4. Financial Year

The financial year of the Association is each period of 12 months ending on 30 June.

5. Definitions

In these Rules, unless the contrary intention appears—

AGM means annual general meeting;

Absolute majority, of the committee means, a majority of the committee members currently holding office and entitled to vote at the time, and present at a committee meeting;

Academic day means any ordinary teaching day as outlined in La Trobe's Official Annual Academic Calendar;

Academic Period means the period during Semester 1 and 2 as outlined in La Trobe's Official Annual Academic Calendar, and includes any LTU Terms where law subjects are offered during such term;

Association means La Trobe University Law Students' Association Inc.;

Chairperson, of a general or committee meeting, means the person chairing the meeting as required under rule 41;

Committee means the Committee having management over the business of the Association;

Committee meeting means a meeting of the committee held in accordance with these rules;

Committee member means a member of the Committee elected or appointed under Division 3 of Part 5;

Disciplinary appeal meeting means a meeting of the members of the Association, convened under the purpose of rule 17;

Disciplinary meeting means a meeting of the committee convened for the purposes of rule 17;

Disciplinary subcommittee means the subcommittee appointed under rule 17;

Executive means members of the Executive Leadership and General Executive;

Executive Leadership means the President and Vice Presidents;

General Executive means the members referred to in rule 39 subrule (3);

General meeting means a meeting of the members of the Association in accordance with Part 4 of the rules;

Law Student/s means persons enrolled in the Bachelor of Laws, Bachelor of Laws (Honours), Master of Laws and Juris Doctor at La Trobe University;

LTSA means the La Trobe University Student Association;

LTSU means the La Trobe University Student Union;

Member means a member of the Association;

Member entitled to vote means a member, who under rule 11 is entitled to vote at a general meeting;

School means the School of Law at La Trobe University;

Special Resolution means a resolution that requires not less than three-quarters of the members voting at a general meeting, whether in person, to vote in favour of the resolution;

The Act means the *Associations Incorporation Reform Act 2012* and includes any regulations made under that Act;

The Registrar means the registrar of Incorporated Associations;

University means La Trobe University;

Vice President/s means the Vice President (Secretary), Vice President (Treasurer) and Vice President (Sponsorship);

Vice President (Secretary) means Secretary, and vice versa, and holds the Secretary's responsibilities under the *Association Incorporation Reform Act 2012*; and

Vice President (Treasurer) means Treasurer and vice versa.

PART 2 – POWERS OF THE ASSOCIATION

6. Powers of the Association

(1) Subject to the Act, the Association has power to do all things incidental or conducive to achieve its purposes.

(2) Without limiting subrule (1), the Association may— (a) acquire, hold and dispose of real or personal property;

(b) open and operate accounts with financial institutions;

(c) invest its money in any security in which trust monies may lawfully be invested;

(d) raise and borrow money on any terms and in any manner as it thinks fit;

(e) secure the repayment of money raised or borrowed, or the payment of a debt or liability;

(f) appoint agents to transact business on its behalf;

(g) enter into any other contract it considers necessary or desirable.

(3) The Association may only exercise its powers and use its income and assets (including any surplus) for its purposes, and in the interests of the continued operation of the association.

7. Not for Profit Organisation

(1) The Association must not distribute any surplus, income or assets directly or indirectly to its members. The Association's assets and income shall be applied solely to further its purposes.

(2) Subrule (1) does not prevent the Association from paying a member— (a) reimbursement for expenses properly incurred by the member; or (b) for goods or services provided by the member; or (c) to reasonably advance the purposes of the Association— if this is done in good faith on terms no more favourable than if the member was not a member.

Note: Section 33 of the Act provides that an incorporated association must not secure pecuniary profit for its members. Section 4 of the Act sets out in more detail the circumstances under which an incorporated association is not taken to secure pecuniary profit for its members.

Example: The Association may decide to open discounted event ticket applications for disadvantaged members. The Association would be required to handle any personal information received with utmost confidentiality and must ensure all members have an equal opportunity to apply.

PART 3 – MEMBERSHIP, DISCIPLINARY PROCEDURES AND GRIEVANCES

Division 1 – Membership

8. Minimum Number of Members

The Association must have at least 5 members.

9. Who is Eligible to be A Member

Any person who is a La Trobe University law student may sign up as a member.

10. Annual Subscription and Fees

The Association will not charge subscription or membership fees.

11. General Rights of Members

(1) An ordinary member of the association shall have the right— (a) to attend and vote at all general meetings of the Association;

(b) to attend meetings of the Committee;

(c) to vote in any committee elections of the Association, pursuant to rule 46;

(d) to stand in elections for positions on the Committee;

(e) to have access to the minutes of committee meetings and other documents of the Association as provided under rule 73.

12. Honorary Life Members

(1) The Committee may, by two-thirds majority of those present at the Annual General Meeting, confer on any past or current Committee member the status of being an honorary life member, unless that person elects not to be a member.

(2) A Committee member will be eligible for honorary life membership if they fulfil the following requirements— (a) They have served 3 terms; or (b) They have served in 2 executive positions; or (c) At the discretion of the President.

(3) An honorary life member shares the same rights as ordinary members conferred under rule 11.

(4) An honorary life member shall not be subject to any subscription fee.

(5) If an eligible committee member fails to participate in the handover process of their positions, the Executive Leadership may revoke honorary life membership.

13. Ceasing Membership

(1) The membership of a person ceases when the person is no longer an enrolled law student, upon resignation, expulsion, or death.

(2) The membership of a person does not cease when the person is no longer an enrolled law student if that person is an honorary life member pursuant to rule 12.

14. Resigning as a Member

A member may resign by notice, via email, sent to the Secretary.

15. Register of Members

The Secretary must keep and maintain a register of members, in accordance with section 56 of The Act.

Division 2 – Disciplinary Procedures

16. Grounds for Taking Disciplinary Action

(1) The Association may take disciplinary action against a member in accordance with this division if it is determined that the member—

(a) has failed to comply with these Rules; or

(b) refuses to support the purposes of the Association; or

(c) has engaged in conduct prejudicial to the Association.

17. Disciplinary Sub-Committee

(1) If the Executive is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.

(2) The Immediate Past President will be the head of every disciplinary sub-committee.

(a) Should the Immediate Past President be absolutely unavailable, the Immediate Past Vice President (Secretary) will be the head of the disciplinary subcommittee;

(b) Should the Immediate Past Vice President (Secretary) be absolutely unavailable, then the committee can appoint, by resolution, any Past President or Past Vice President (Secretary) to be the head of the disciplinary subcommittee; and

(c) Should any Past President or Past Vice President (Secretary) be absolutely unavailable, then the committee can appoint, by resolution, any member it sees fit to be the head of the disciplinary sub-committee.

(3) The members of the disciplinary subcommittee—

(a) may be Committee members, members of the Association or anyone else; and

(b) must not be biased against, or in favour of, the member concerned.

18. Notice to Member

(1) Before disciplinary action is taken against a member, the Secretary must give written notice to the member—

(a) stating that the Association proposes to take disciplinary action against the member; and

(b) stating the grounds for the proposed disciplinary action; and

(c) specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the disciplinary meeting); and

(d) advising the member that they may do one or both of the following—

(i) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;

(ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and

(iii) setting out the member's appeal rights under rule 20.

(2) The notice must be given no later than 14 days, prior to the date of the disciplinary meeting.

19. Decision of Disciplinary Sub-Committee

(1) At the disciplinary meeting, the disciplinary subcommittee must—

(a) give the member an opportunity to be heard; and

(b) consider any written statement submitted by the member.

(2) After complying with subrule (1), the disciplinary subcommittee may— (a) take no further action against the member; or (b) subject to subrule (3)— (i) reprimand the member; or

(ii) suspend the membership rights of the member for a specified period; or (iii) expel the member from the Association.

(3) The disciplinary subcommittee may not charge a fine to the member. (4) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

20. Appeal Rights

(1) A person whose membership rights have been suspended or who has been expelled from the Association under rule 21 may give notice to the effect that they wish to appeal against the suspension or expulsion.

(2) The notice must be in writing and given—

(a) to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or

(b) to the Secretary not later than 10 business days after the vote.

(3) If a person has given notice under subrule (2), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 business days after the notice is received.

(4) Notice of the disciplinary appeal meeting shall be made available to each member of the Association who is entitled to vote as soon as practicable and must— (a) specify the date, time and place of the meeting; and (b) state—

(i) the name of the person against whom the disciplinary action has been taken;

(ii) the grounds for taking that action; and

(iii) that at the disciplinary appeal meeting the members present must vote on and whether the decision to suspend or expel the person should be upheld or revoked.

21. Conduct of Disciplinary Appeal Meeting

(1) At a disciplinary appeal meeting—

(a) no business other than the question of the appeal may be conducted; and

(b) the disciplinary subcommittee must state the grounds for suspending or expelling the member and the reasons for taking that action; and

(c) the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.

(2) After complying with subrule (1), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.

(3) A member may not vote by proxy at the meeting.

(4) The decision is upheld if not less than three quarters of the members voting at the meeting vote in favour of the decision.

Division 3 – Grievance Procedure

22. Application

(1) The grievance procedure set out in this Division applies to disputes under these Rules between—

(a) a member and another member;

(b) a member and the Committee; or (c) a member and the Association.

(2) A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

23. Parties Must Attempt to Resolve the Dispute

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

24. Appointment of a Mediator

(1) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 23, the parties must within 10 days—

(a) notify the Committee of the dispute; and

(b) agree to or request the appointment of a mediator; and (c) attempt in good faith to settle the dispute by mediation. (2) The mediator must be— (a) a person chosen by agreement between the parties; or

(b) in the absence of agreement: any person appointed by the Committee. (3) A mediator appointed under subrule (2) may be a member or former member of the Association but in any case, must not be a person who—

(a) has a personal interest in the dispute; or

(b) is biased in favour of or against any party.

25. Mediation Process

(1) The mediator to the dispute, in conducting the mediation, must—

(a) give each party every opportunity to be heard; and

(b) allow due consideration by all parties of any written statement submitted by any party; and

(c) ensure that natural justice is accorded to the parties throughout the mediation process.

(2) The mediator must not determine the dispute.

26. Failure to Resolve Dispute by Mediation

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

PART 4 – GENERAL MEETINGS OF THE ASSOCIATION

27. Annual General Meetings

(1) The Committee must convene an annual general meeting of the Association to be held within 5 months after the end of each financial year.

Note: the AGM must occur prior to 30 November.

(2) The Committee may determine the date, time and place of the annual general meeting.

(3) The ordinary business of the annual general meeting is as follows— (a) to confirm the minutes of the previous annual general meeting and of any special general meeting held since then; (b) to receive and consider—

(i) the annual report of the Committee on the activities of the Association during the preceding financial year; and

(ii) the financial statements of the Association for the preceding financial year submitted by the Committee in accordance with Part 7 of the Act; (c) to communicate the results of the annual Committee election.

(4) The annual general meeting may also conduct any other business of which notice has been given in accordance with these Rules.

28. Special General Meetings

(1) Special General Meetings may be convened at any time by a majority of the Committee or by a petition of no less than 15 Committee members.

(2) The Committee may convene a special general meeting whenever it thinks fit. (3) No business other than that set out in the notice under rule 30 may be conducted at the meeting.

Note: General business may be considered at the meeting if it is included as an item for consideration in the notice under rule 30 and the majority of members at the meeting agree.

29. Special General Meetings Held at the Request of Members

(1) The Committee must convene a special general meeting if a request to do so is made in accordance with sub-rule (2) by a petition signed by at least 10% of the total number of ordinary members.

(2) A request for a special general meeting must—

(a) be in writing; and

(b) state the business to be considered at the meeting and any resolutions to be proposed; and

(c) include the names and signatures of the members requesting the meeting; and

(d) be given to the Secretary.

(3) If the Committee does not convene a special general meeting within one month after the date on which the request is made, the members making the request (or any of them) may convene the special general meeting.

(4) A special general meeting convened by members under subrule (3) —

(a) must be held within 3 months after the date on which the original request was made; and

(b) may only consider the business stated in that request.

(5) The Association must reimburse all reasonable expenses incurred by the members convening a special general meeting under subrule (3).

30. Notice of General Meetings

(1) The Secretary (or, in the case of a special general meeting convened under rule 29(3), the members convening the meeting) must make available to each member of the Association—

(a) at least 21 days' notice of a general meeting if a special resolution is to be proposed at the meeting; or

(b) at least 14 days' notice of a general meeting in any other case;

(2) The notice must —

(a) specify the date, time and place of the meeting; and

(b) indicate the general nature of each item of business to be considered at the meeting; and

(c) if a special resolution is to be proposed— (i) state in full the proposed resolution; and

(ii) state the intention to propose the resolution as a special resolution

(3) This rule does not apply to a disciplinary appeal meeting.

31. Quorum at General Meetings

(1) No business may be conducted at a general meeting unless a quorum of members is present.

(2) The quorum for a general meeting is the presence (physically, by proxy or as otherwise allowed by these Rules) of 20 members.

(3) If a quorum is not present within 45 minutes after the notified commencement time of a general meeting—

(a) in the case of a meeting convened by, or at the request of, members under rule 29—the meeting must be dissolved;

Note: If a meeting convened by, or at the request of, members is dissolved under this subrule, the business that was to have been considered at the meeting is taken to have been dealt with. If members wish to have the business reconsidered at another special meeting, the members must make a new request under rule 29.

(b) in any other case—

(i) the meeting must be adjourned to a date not more than 21 days after the adjournment; and

(ii) notice of the date, time and place to which the meeting is adjourned must be made available at the meeting and confirmed by written notice made available to all members as soon as practicable after the meeting.

(4) If a quorum is not present within 45 minutes after the time to which a general meeting has been adjourned under subrule (3)(b), the members present at the meeting (if not fewer than 10) may proceed with the business of the meeting as if a quorum were present.

32. Adjournment of General Meeting

(1) The Chairperson of a general meeting at which a quorum is present may, with the consent of a majority of members present at the meeting, adjourn the meeting to another time at the same place or at another place.

(2) Without limiting subrule (1), a meeting may be adjourned—

(a) if there is insufficient time to deal with the business at hand; or

(b) to give the members more time to consider an item of business

Example: The members may wish to have more time to examine the financial statements submitted by the Committee at an annual general meeting.

(3) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.

(4) Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 30.

33. Voting at General Meeting

(1) On any question arising at a general meeting—

(a) subject to subrule (3), each member who is entitled to vote has one vote; and

(b) members may vote personally; and

(c) except in the case of a special resolution, the question must be decided on an absolute majority of votes.

(2) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.

(3) If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting are eligible to vote.

34. Special Resolutions

(1) A special resolution is passed if not less than three quarters of the members voting at a general meeting vote in favour of the resolution.

(2) In addition to certain matters specified in the Act, a special resolution is required to alter these Rules, including changing the name or any of the purposes of the Association.

35. Determining Whether Resolution Carried

(1) The Chairperson of a general meeting may, on the basis of a show of hands or poll, declare that a resolution has been—

(a) carried; or

(b) carried unanimously; or

(c) carried by a particular majority; or

(d) lost — and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.

36. Minutes of a General Meeting

(1) The Committee must ensure that minutes are taken and kept of each general meeting.

(2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.

(3) In addition, the minutes of each annual general meeting must include— (a) the names of the members attending the meeting, including proxies; and

(b) the financial statements submitted to the members in accordance with rule 27(3)(b)(ii); and

(c) the certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Association; and

(d) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

PART 5 – COMMITTEE

Division 1 – Powers of Committee

37. Role and Powers of The Committee

(1) The business of the Association must be managed by or under the direction of a Committee.

(2) The Committee may exercise all the powers of the Association except those powers that these Rules or the Act require to be exercised by general meetings of the members of the Association.

(3) The Committee may—

(a) appoint and remove Committee members, with the prior approval of the Executive Leadership;

(b) to establish subcommittees consisting of members with terms of reference it considers appropriate.

38. Delegation

(1) The Committee may delegate to a member of the Committee, or a subcommittee, any of its power and functions other than—

(a) This power of delegation; or

(b) A duty imposed on the Committee by the Act or any other law.

(2) The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.

(3) The Committee may, in writing, revoke a delegation wholly or in part.

38A. Circular Committee Resolutions

(1) The Committee may pass a circular resolution without a committee meeting being held.

(2) A circular resolution is passed if all the committee members entitled to vote on the resolution sign or otherwise agree to the resolution in the manner set out in subrule (3) or (4).

(3) Each committee member may sign:

(a) a single document setting out the resolution and containing a statement that they agree to the resolution, or

(b) separate copies of that document, as long as the wording of the resolution is the same in each copy.

(4) The Association may send a circular resolution by email to the committee and the committee may agree to the resolution by sending a reply email to that effect, including the text of the resolution in their reply.

(5) A circular resolution is passed when the last committee member signs or otherwise agrees to the resolution in the manner set out in subrule (3) or (4).

Division 2 – Composition of Committee and duties of members

39. Composition of Committee

(1) The Committee shall consist of all elected committee members and all co-opted committee members, being the Executive Leadership, General Executive and General Committee.

(2) The Executive Leadership of the Association shall be:

(a) a President;

(b) a Vice President (Secretary); (c) a Vice President (Treasurer); and (d) a Vice President (Sponsorship).

(3) The General Executive of the Association shall be:

(a) a Director of Activities;

(b) a Director of Alumni;

(c) a Director of Commercial Careers;

(d) a Director of Competitions;

(e) a Director of Education;

(f) a Director of Equity and Social Justice;

(g) a Director of External Competitions;

(h) a Director of Industry Careers;

(i) a Director of Juris Doctor;

(j) a Director of Marketing; and (k) a Director of Publications.

(4) The General Committee of the Association shall be:

(a) three Activities Officers;

(b) three Commercial Careers Officers;

(c) four Competitions Officers;

(d) three Education Officers;

(e) up to ten Equity Officers;

Note: the 'Equity Officer' position title is synonymous with the titles provided below. For example, the position of 'Bendigo Representative' can be referred to as both 'Bendigo Representative' and 'Equity Officer'.

(i) including:

1) a Bendigo Representative;

Note: This position will be offered to the President of the Bendigo Law and Criminology society in the first instance, provided that they are a La Trobe law student. Otherwise, the candidate must be any enrolled Bendigo student.

2) a Disability Representative;

Note: Candidate must identify as having a disability or being a primary caregiver to someone with a disability.

3) a General Equity Officer;

4) a Mature Age Student Representative;

Note: Candidate must be an enrolled mature age student, defined as being 21 years of age at the commencement of their current course.

5) a Mental Health Officer;

6) a Queer Officer;

Note: Candidate must identify as being LGBTQ+ or a LGBTQ+ ally.

7) a Sport and Wellbeing Officer;

8) a Women's Officer;

Note: Candidate must identify as female.

9) an Indigenous Students' Representative; and

Note: Candidate must identify as being of Aboriginal or Torres Strait Islander descent.

10) an International Students' Representative.

Note: Candidate must be an enrolled international student.

(f) three Industry Careers Officers;

(g) four Juris Doctor Officers;

(h) a Marketing Officer (Graphics Designer);

(i) a Marketing Officer (Merchandise);

(j) four Marketing Officers (Social Media);

(k) three Publications Officers; and

(l) up to 15 First Year Representatives; and

(m) two External Competitions Officers

(n) a Sponsorship Officer

40. General Duties

(1) As soon as practicable after being elected or appointed to the Committee, each committee member must become familiar with these Rules and the Act.

(2) The Committee is collectively responsible for ensuring that the Association complies with the Act and that individual members of the Committee comply with these Rules.

(3) Committee member must exercise their powers and discharge their duties with reasonable care and diligence.

(4) Committee members must exercise their powers and discharged their duties— (a) in good faith in the best interests of the Association; and (b) for a proper purpose.

(5) Committee members and former committee members must not make improper use of—

(a) Their position; or

(b) Information acquired by virtue of holding their position— so as to gain an advantage for themselves or any other person or to cause detriment to the Association. **Note:** See also Division 3 of Part 6 of the Act which sets out the general duties of the office holders of an incorporated association.

(6) In addition to any duties imposed by these Rules, a committee member must perform any other duties imposed from time to time by resolution at a committee meeting.

41. President and Vice President (Secretary)

(1) Subject to subrule (2), the President or, in the President's absence, the Secretary is the Chairperson for any general meetings and for any committee meetings.

(2) If the President and the Secretary are both absent, or are unable to preside, the Chairperson of the meeting must be—

(a) the Vice President (Treasurer); or

(b) the Vice President (Sponsorship); or

(c) In the case of a general meeting—a member elected by the other members present; or

(d) In the case of a committee meeting—a committee member elected by the other committee members present.

42. Vice President (Secretary)

(1) The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.

Example: Under the Act, the secretary of an incorporated association is responsible for lodging documents of the association with the Registrar.

(2) The Secretary must—

(a) Maintain the register of members in accordance with section 56 of The Act; and

(b) Keep custody of the common seal (if any) of the Association and, except for the financial records referred to in rule 67(3), all books, documents and securities of the Association in accordance with rules 69 and 72; and

(c) Subject to the Act and these Rules, provide members access to the minutes of general minutes and other books and documents; and

(d) Provide general administrative assistance to the Committee as whole, in particular to support Directors as required; and

(e) Be a point of contact for the law school, firms, and other industry contacts as required; and

(f) Assist the President with leadership responsibilities; and

(g) Perform any other duty or function imposed on the Secretary by these Rules.

(3) The Secretary must give to the Registrar notice of their appointment within 14 days after the appointment.

43. Vice President (Treasurer)

(1) The Treasurer must—

(a) Receive all moneys paid to or received by the Association and issue receipts for those moneys in the name of the Association; and

(b) Ensure that all moneys received are paid into the account of the Association

(c) Make any payments authorised by the Committee or by a general meeting of the Association from the Association's funds; and

(d) Ensure cheques are signed by the President and the Treasurer as signatories.

(e) Ensure that the financial records of the Association are kept in accordance with the Act; and

(f) Coordinate the preparation of the financial statements of the Association and their certification by the Committee prior to their submission to the annual general meeting of the Association.

(2) The Treasurer must ensure that the President has access to the accounts and financial records of the Association as a signatory.

44. Juris Doctor Portfolio

(1) Only members enrolled in a Juris Doctor or LLM degree will be eligible to serve on the committee as a JD Portfolio member.

(2) The existence of this rule does not limit or discourage Juris Doctor or LMM members from serving in any other committee positions.

45. Positions Not for Election

(1) Marketing Officer

(a) One Marketing Officer (Social Media) shall be appointed by resolution of the Committee and not be directly elected.

(b) Applications for this position will open upon the commencement of a new term.

Note: the purpose of this subrule is to ensure at least one Marketing Officer (Social Media) is appointed based solely on information technology related skills.

(2) First Year Representatives

(a) First Year Representatives shall be appointed by resolution of the Committee and not be directly elected.

(b) The Committee may determine the number of First Year Representative positions to open.

(c) Applications will be opened by the Committee during the first semester of the academic year.

46. Immediate Past President

(1) The Immediate Past President shall hold office in an ex officio capacity for the duration of the term immediately following their term as President.

(2) The optional duties of the Immediate Past President include advising and assisting the new Executive Leadership where appropriate and available to do so. **Note:** the Immediate Past President acts in an optional and advisory capacity to the Executive, without any defined power or responsibility, unless the President of the day chooses to delegate responsibility to the Immediate Past President and the Immediate Past President willingly accepts such delegation.

Division 3 – Election of Committee Members and Tenure of Office

47. Conduct of Elections

(1) All elections shall be by secret ballot.

(2) All positions on the committee will be available for election, subject to rule 45.

(3) The Committee shall determine a voting system.

(4) A Returning Officer, chosen from the members by the Committee, shall be responsible for the conduct of the elections. The Returning Officer shall not vote or stand for any position to be filled by ballot and shall not move or second any nominations.

(5) No nominee shall spend more than $50 on their campaign.

(6) The Association reserves the right to demand an account of expenditure. (7) Successful candidates shall take office on the conclusion of the last academic day of the second semester in the year in which they are elected, or on any other date determined by the Committee.

Note: the committee are required to undertake a detailed handover period commencing from the end of the AGM until the date referred to in subrule (7).

48. Annual General Elections

(1) All committee positions shall be open for election at the Annual General elections subject to rule 45.

(2) Nominations shall be open for at least one week.

(3) The elections shall be held during the second semester of the academic year on dates to be determined by the Committee.

49. Who is Eligible to Be A Committee Member

(1) A member is eligible to be elected or appointed as a committee member if the member—

(a) is 18 years or over;

(b) is entitled to vote at a general meeting; and

(c) has not been removed from office in accordance with these Rules. (2) In addition to subrule (1) above, a candidate for any Executive Leadership position must have previously served on the committee for at least three months.

50. Nominations

(1) The Returning Officer must call for nominations to fill all vacant positions.

(2) An eligible member of the Association may—

(a) Nominate themself; and

(b) The nomination must be moved by a member of the Association; and (c) The nomination must be seconded by a member of the Association.

(3) A member may nominate any position on the Committee so long as they are eligible in accordance with rule 49.

51. Elections of the Executive and Committee

General and executive committee members will be elected by and from the members.

52. Ballot

(1) The returning officer shall be in charge of the ballot.

(2) Ballots for annual elections are to be completed electronically.

(3) Ballots for by-elections can be completed by secret ballot or poll at a committee meeting.

(4) All members of the Association are eligible to vote in by-elections for all committee positions.

53. Vacation of Office

(1) A committee member may resign from the Committee by written notice addressed to the Secretary.

(2) A person ceases to be a committee member if they—

(a) cease to be a member of the Association; or

(b) fail to attend 3 consecutive committee meetings (other than special or urgent committee meetings) without leave of absence under rule 64; or

(c) otherwise cease to be a Committee member by operation of section 78 of the Act.

(3) Subrule (2)(b) does not apply to the Director of Juris Doctor or Juris Doctor Officers.

54. Filling of Vacancies

(1) For any vacancies—

(a) The Committee must appoint a Returning Officer to conduct a by-election to fill any vacancies; or

(b) The Committee may resolve to co-opt an eligible member of the Association to fill a vacant position on the Committee; and

(c) The Committee may continue to operate despite any vacancies.

(2) In addition to subrule (1) above, if the position of President, Vice President (Secretary), Vice President (Treasurer) or Vice President (Sponsorship) becomes vacant, the committee must co-opt a member to the vacant position within 14 days after the vacancy arises.

Division 4 – Meetings of the Committee

55. Meetings of the Committee

(1) The Committee must meet at least once a month during the ordinary academic period on the dates, times and places determined by the Committee.

(2) The date, time and place of the first committee meeting must be determined by the members of the Committee as soon as practicable after the annual general meeting of the Association at which members of the Committee were elected.

56. Notice of Meetings

(1) Notice of each committee meeting must be given to each committee member no later than 7 days before the date of the meeting.

(2) Notice may be given of more than one committee meeting at the same time.

(3) The notice must state the date, time and place of the meeting.

(4) The only business that may be conducted at the meeting is business for which the meeting is convened. Additional business items can be added at the discretion of the Secretary.

57. Urgent Meetings

(1) In case of urgency, a meeting can be held with 48 hours notice being given to each committee member by email.

(2) Any resolution made at the meeting must be passed by an absolute majority of the Committee.

(3) The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

58. Procedure and Order of Business

(1) The procedure to be followed at a meeting of the Committee must be determined from time to time by the Committee.

(2) The order of business may be determined by the members present at the meeting.

59. Use of Technology

(1) A committee member who is not physically present at a committee meeting may participate in the meeting by the use of technology that allows that committee

member to clearly and simultaneously communicate with each other participating member.

(2) For the purposes of this Part, a committee member participating in a committee meeting as permitted under subrule (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

(3) A committee member attending a committee meeting via the use of technology under subrule (1) shall not be considered to have attended the meeting, and shall be subject to rule 53(2)(b), unless the committee member has received approval to not be physically present from –

(a) the President;

(b) the Vice President (Secretary); or

(c) the Director of Equity, Diversity and Inclusion.

(4) In deciding under subrule (3), consideration must be given to any Equity, Diversity and Inclusion related circumstances. In considering any Equity, Diversity and Inclusion related circumstances, any decision made must not result in any disadvantage whatsoever to the relevant committee member seeking approval.

60. Quorum

(1) No business may be conducted at a Committee meeting unless a quorum is present.

(2) The quorum for a committee meeting is the presence (in person or as allowed under rule 59) of a majority of the committee members holding office.

Note: this subrule does not extend to include any subcommittee members.

(3) If a quorum is not present within 45 minutes after the notified commencement time of a committee meeting—

(a) in the case of a special meeting—the meeting lapses;

(b) in any other case—the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with rule 56.

61. Voting

(1) On any motion arising at a committee meeting, each committee member present at the meeting has one vote.

(2) A motion is carried if an absolute majority of committee members present at the meeting vote in favour of the motion.

(3) If votes are divided equally on a motion, the Chairperson of the meeting has a second or casting vote.

(4) Voting by proxy is permitted.

(a) Notice of proxy is to be emailed to the Secretary prior to the commencement time of the meeting.

62. Conflict of Interest

(1) A committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Committee.

(2) The member—

(a) must not be present while the matter is being considered at the meeting; and

(b) must not vote on the matter.

Note. Under section 81(3) of the Act, if there are insufficient committee members to form a quorum because a member who has a material personal interest is disqualified from voting on a matter, a general meeting may be called to deal with the matter.

(3) This rule does not apply to a material personal interest—

(a) that exists only because the member belongs to a class of persons for whose benefit the Association is established; or

(b) that the member has in common with all, or a substantial proportion of, the members of the Association.

63. Minutes of Meeting

(1) The Secretary must ensure that minutes are taken and kept of each committee meeting.

(2) The Secretary must distribute a copy of the minutes for each committee meeting to each member of the committee within 5 academic days.

(3) The minutes must record the following—

(a) The actual time of commencement and cessation of the meeting;

(b) apologies and proxies received;

(c) the names of the members in attendance at the meeting;

(d) the business considered at the meeting;

(e) any resolution on which a vote is taken and the result of the vote; (f) any material personal interest disclosed under rule 62.

64. Leave of Absence

(1) The Executive Leadership may grant a committee member leave of absence from committee meetings for a period not exceeding 2 months.

(2) The Executive Leadership must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the committee member to seek the leave of

absence.

Note: the maximum period of time in subrule (1) refers to concurrent leave and not a total amount of time. That is, a committee member may take a total amount of leave longer than 2 months provided the leave is not served consecutively.

PART 6 – SUB-COMMITTEES

65. Sub-Committees

(1) The Committee shall have the power to establish a sub-committee for a specific purpose, as determined by the Committee.

(2) The terms of reference for a particular sub-committee must define the specific purpose and must be accepted by the Committee prior to the establishment of that sub-committee.

(3) The Committee shall have the power to appoint — (a) any member onto a subcommittee.

(b) any member to chair a sub-committee.

(4) The Chair of a sub-committee shall report on a regular basis to the Committee.

(5) The President and Vice President's may serve as ex officio members of any subcommittee.

PART 7 – FINANCIAL MATTERS

66. Source of Funds

The funds of the Association may be derived from annual subscriptions, donations, fund-raising activities, grants, interest and any other sources approved by the Committee.

67. Management of Funds

(1) The Association must open an account with a financial institution from which all expenditure of the Association is made and into which all of the Association's revenue is deposited.

(2) Subject to any restrictions imposed by a general meeting of the Association, the Committee may approve expenditure on behalf of the Association.

(3) The President and Treasurer may –

a) expend funds on behalf of the Association (including by electronic funds transfer) up to $500 without requiring approval from the Committee for each item on which the funds are expended; and

b) expend any sum of money on behalf of the Association (including by electronic funds transfer) without approval from the Committee where that sum of money relates to a debt, liability or legal obligation owed by or imposed on the Association.

(4) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by the President and Treasurer as account signatories.

(5) All funds of the Association must be deposited into the financial account of the Association no later than 15 working days after receipt.

(6) With the approval of the Committee, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

68. Financial Records

(1) The Association must keep financial records that—

(a) correctly record and explain its transactions, financial position and performance; and

(b) enable financial statements to be prepared as required by the Act.

(2) The Association must retain the financial records for 7 years after the transactions covered by the records are completed.

(3) The Treasurer must keep in their custody, or under their control—

(a) the financial records for the current financial year; and

(b) any other financial records as authorised by the Committee.

69. Financial Statements

(1) For each financial year, the Committee must ensure that the requirements under the Act relating to the financial statements of the Association are met.

(2) Without limiting subrule (1), those requirements include—

(a) the preparation of the financial statements;

(b) if required, the review or auditing of the financial statements;

(c) the certification of the financial statements by the Committee;

(d) the submission of the financial statements to the annual general meeting of the Association;

(e) the lodgement with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

PART 8 – GENERAL MATTERS

70. Common Seal

(1) The Association may have a common seal.

(2) If the Association has a common seal—

(a) the name of the Association must appear in legible characters on the common seal;

(b) a document may only be sealed with the common seal by the authority of the Committee and the sealing must be witnessed by the signatures of:

i) a member of the Executive Leadership and a member of the General Executive; or ii) two members of the

Executive Leadership;

(c) the common seal must be kept in the custody of the Secretary.

70A. Signature Rule

(1) If the Association does not have a common seal –

(a) a document may be executed on behalf of the Association by

(i) a member of the Executive Leadership and a member of the General Executive; or

(ii) two members of the Executive Leadership.

71. Registered Address

The registered address of the Association is—

(a) the address determined from time to time by resolution of the Committee; or

(b) if the Committee has not determined an address to be the registered address—the postal address of the Secretary.

72. Notice Requirements

(1) Any notice required to be given to a member or a committee member under these Rules may be given—

(a) by handing the notice to the member personally; or

(b) by sending it by post or to the member at the address recorded for the member on the register of members; or

(c) by email or facsimile transmission.

(2) Subrule (1) does not apply to notice given under rule 57.

(3) Any notice required to be given to the Association or the Committee may be given—

(a) by handing the notice to the Secretary; or

(b) by sending the notice by registered post to the registered address; or (c) email to the email address of the Association

73. Custody and Inspection of Books and Records

(1) Members may on request inspect free of charge—

(a) the register of members;

(b) the minutes of general meetings;

(c) subject to subrule (2), the financial records, books, securities and any other relevant document of the Association, including minutes of Committee meetings.

Note: See note following rule 15 for details of access to the register of members.

(2) The Committee may refuse to permit a member to inspect records of the

Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.

(3) The Committee must on request make copies of these rules available to members and applicants for membership free of charge.

(4) Subject to subrule (2), a member may make a copy of any of the other records of the Association referred to in this rule and the Association may charge a reasonable fee for provision of a copy of such a record.

(5) For purposes of this rule— relevant documents means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Association and includes the following—

(a) its membership records;

(b) its financial statements;

(c) its financial records;

(d) records and documents relating to transactions, dealings, business or property of the Association.

74. Winding Up and Cancellation

(1) The Association may be wound up voluntarily by special resolution.

(2) In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association.

(3) Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to the Association and which is not carried on for the profit or gain of its individual members.

(4) The body to which the surplus assets are to be given must be decided by special resolution.

75. Alteration of Rules

(1) These Rules may only be altered by special resolution of a general meeting of the Association, provided that the Executive Leadership have first approved the sought amendment(s).

Note: An alteration of these Rules does not take effect unless or until it is approved by the Registrar. If these Rules (other than rule 1, 2 or 4) are altered, the Association is taken to have adopted its own rules, not the model rules.

(2) At least 21 days notice of the meeting and the intention to propose amendments to these Rules at the meeting must be given, unless a greater period is required by law.