



# **THE NOTRE DAME SYDNEY LAW SOCIETY**

## **BY-LAW 01**

### **Duties, Roles and Responsibilities**

## **Part 1 – Definitions**

In these bylaws, unless the context requires otherwise:

*Constitution* means the Notre Dame Sydney Law Society Constitution; and all other terms are to take the meaning given to them in the Constitution.

## **Part 2 – Duties and Powers of the Committee Members**

1. The President
  - 1.1. Coordinate and oversee all activities of the Society, and to assist or to arrange assistance for any Committee member who may require it;
  - 1.2. Chair meetings of the Society;
  - 1.3. Write references upon request for each Committee member detailing their performance in their Portfolio(s);
  - 1.4. Oversee the preparation of the Society's sponsorship prospectus and meet with firms to obtain sponsorship;
  - 1.5. Exercise his or her discretion to appoint a member of the Executive or the Sponsorship Director to attend sponsorship meetings;
  - 1.6. Ensure that the Society is appropriately represented on the ALSA Council.
  - 1.7. Assign each Year Representative and the Mature Age Representative to a minimum of two Committee Directors to rotate through working with over the course of the year to complement the objective of 13.4. and ensure the transferral of skills and information;
  - 1.8. At their discretion, assign each Executive member to oversee the conduct of a portfolio or a number of portfolios;

- 1.9. Maintain regular and ongoing contact with the Vice President and other Executive members;
- 1.10. Ensure that the Vice President has a sufficient understanding of Society activities at all times in the event that the President takes a leave of absence.
- 1.11. Oversee the creation of the annual end-of-year committee report

## 2. The Vice President

- 2.1. Assist the President in coordinating and overseeing all activities of the Society;
- 2.2. Chair meetings of the Society in the President's absence;
- 2.3. Write references upon request for each Committee member detailing their performance in their portfolio(s);
- 2.4. Oversee the creation of the Society's sponsorship prospectus, and meet with firms to obtain sponsorship;
- 2.5. In executing its obligations under clause 2.1, the Vice President's duties include, but are not limited to:
  - (a) Maintaining regular and ongoing contact with the President and other Executive members;
  - (b) Overseeing organisation of all social events hosted by the Society;
  - (c) Assisting in the publishing of the Careers Guide and First-Year Guide;
  - (d) Participating in ALSA conferences or council meetings, at the discretion of the President; and
  - (e) Write the annual end-of-year report in collaboration with the Treasurer as per clause 4.13.

- 2.6 Ensure a sufficient understanding of the Society's activities at all times

### 3. The Secretary

- 3.1. Keep orderly minutes of meetings of the Society, including Committee meetings and General Meetings;
- 3.2. Issue Committee members with administrative information including, but not limited to, the Constitution, Bylaws, and contact details of Committee members;
- 3.3. Keep and maintain an up-to-date register of Members;
- 3.4. Oversee the regular dissemination of information to Members informing them of upcoming events and publications;
- 3.5. Endeavour to ensure the smooth running of the Society by producing and maintaining a procedures and templates manual, which includes all common procedures and forms used by the Society;
- 3.6. Organise the booking of appropriate venues for meetings of the Society.

### 4. The Treasurer

- 4.1. Keep the finances of the Society in order;
- 4.2. Regularly ensure that the Committee is aware of the financial position of the Society;
- 4.3. Ensure all debts to the Society and invoices are collected, filled and retained;
- 4.4. Ensure that the cash handling procedures and reimbursement procedures are followed;

- 4.5. Provide annual accounts to be tabled at the Annual General Meeting;
- 4.6. Deposit to the society's bank account all money received on behalf of the Society as soon as practicable;
- 4.7. Maintain up-to-date financial statements, including a budget, and profit and loss statements;
- 4.8. Perform all regular bank reconciliations and oversee handover of all society financial accounts;
- 4.9. Ensure the Society meets all payment deadlines;
- 4.10. The Treasurer shall be the signatory to the bank account(s) of the Law Society;
- 4.11. The Treasurer shall have access to all necessary financial information relating to the Law Society;
- 4.12. The Treasurer shall have possession of the Society bank card(s); and
- 4.13. Write the annual end-of-year report in collaboration with the Vice President as per clause 2.5(e).

5. The Career's Director

- 5.1. Organise the Annual Careers Expo;
- 5.2. Be responsible for the publication of the annual careers guide; and
- 5.3. Disseminate information about career opportunities.

6. The Competitions Director

- 6.1. Oversee and promote legal skills competitions;
- 6.2. Produce the annual Competitions Guide;

- 6.3. In consultation with the Executive and the Education Director, select the teams to represent the University and the Society in ALSA Conference competitions, giving priority to internal competition winners and finalists;
  - 6.4. Educate the competitions subcommittee members about the running of competitions during their term;
  - 6.5. Ensure the transferral of competitions information to his or her successor at the conclusion of his or her term; and
  - 6.6. Not compete in any internal NDSLS competition for the entirety of their term.
7. The Education Director:
- 7.1. Ensure that proper notification of ALSA conference is made to all Member;
  - 7.2. Be responsible for the registration of the Society's delegation to the ALSA Conference;
  - 7.3. Be responsible for all correspondent with ALSA and ALSA Directives;
  - 7.4. Respond to any educational concerns of Members and represent education concerns of Members where necessary; and
  - 7.5. Generate initiatives that encourage health and wellbeing amongst law students.
8. The Information Technology Director
- 8.1. Maintain and update the Society's website, including making improvements and changes to benefit Members, sponsors and all NDSLS stakeholders;
  - 8.2. Make recommendations to the Committee about improvements to the Society's website to increase its usefulness and applicability to all Members;

- 8.3. Once ratified, apply these changes in a timely fashion;
- 8.4. Ensure the website has online versions of all publications of the Society;
- 8.5. Ensure the website has online versions of all approved minutes of meetings;
- 8.6. Provide IT support and advice to Committee Members;
- 8.7. Facilitate online ticketing and website support for the Society's events and activities including creating record-keeping spreadsheets and practices;
- 8.8. Report website and YouTube statistics and data metrics; and
- 8.9. Troubleshoot website problems.

9. The Communications Director

- 9.1. Be responsible for the coordination of all internal marketing and advertising for Society activities. This shall include but not be limited to:
  - 9.1.1. developing marketing strategies in consultation with the Committee and facilitating their implementation;
  - 9.1.2. the development and distribution of marketing materials and messages;
  - 9.1.3. regularly updating the Society's social media accounts;
  - 9.1.4. organising photography for all Society activities;
  - 9.1.5. developing initiatives to increase student engagement both on and offline.
- 9.2. Be responsible for the production of regular publications, including but not limited to the NDSLS Weekly, and
- 9.3. Organise Merchandise at least once a year.

10. The Social Events Directors

10.1. Be responsible for the organising of social events including but not limited to:

10.1.1. the annual Law Ball;

10.1.2. the First Year orientation event.

10.2. They may, at the direction of the Committee, organise any other social event.

10.3. Social events do not include social justice events.

11. The Social Justice Director

11.1. Addressing issues of inequity or injustice that exist in the School of Law and endeavour to represent students who raise such issues; and

11.2. The Annual Social Justice Lecture, including determining in consultation with the Committee, a not-for-profit legal organisation to whom all the proceeds of the lecture, including but not limited to ticket sales and remaining sponsorship money after expenses, for the event are to be donated.

12. The Sponsorship Director

12.1. Work with the President to produce a professional prospectus to be distributed to firms and other potential sponsors with the intention of maximising sponsorship;

12.2. Ensure that all sponsorship obligations are met to a professional standard;

12.3. Coordinate sponsored career events and presentations as required by sponsors; and

12.4. Oversee other fundraising activities including but not limited to:

12.4.1. Barbeques;



- 12.4.2. Raffles; and
- 12.4.3. Other fundraising initiatives.

13. The Sports Director

- 13.1. Organise sporting initiatives including, but not limited to:
  - 13.1.1. Intervarsity sports Competitions; and
  - 13.1.2. Students v Staff Sports Day.
- 13.2. Work with the SAUNDA School of Law Representative to organise a team to compete in the annual ND Gift, and
- 13.3. Work with the Education director to produce health and wellbeing events and initiatives.

14. The Year Representatives and Mature Age Representative

- 14.1. Bring any issues felt by their respective cohorts to the attention of the Committee;
- 14.2. Assist in the operation of no less than 75 percent of fundraising initiatives at the direction of the Sponsorship director, or any other Committee member; and
- 14.3. Conduct surveys of their respective cohort at the direction of the Committee; and
- 14.4. At the direction of the President, shadow a minimum of two Committee directors throughout the year and assist them with the conduct of their portfolio.

15. Subcommittee

15.1. The role of each subcommittee shall be at the discretion of the Executive and the relevant portfolio Director.

15.2. The role of each subcommittee member will correspond with obligations relating to the portfolio they support.

15.3. No Committee representative assisting the Competitions Director shall compete in internal NDSLS competitions.

15.3.1. Committee representatives include Year Representatives, Competitions Assistants and the members of the Executive.

16. Immediate Past President

16.1. The Immediate Past President (IPP) is an ex-officio role as outlined in s 12.4 of the NDSLS Constitution.

16.2. The IPP shall provide guidance and advice to the current Executive and Committee during the course of their term as requested.

17. Equity Officer

17.1. One member of the Ordinary Committee will be elected to the role of Equity Officer.

17.2. Individuals may nominate themselves to take the role of Equity Officer at the first committee meeting, and will be elected by the Committee through a vote.

17.3. If no Ordinary Committee member nominates for the role, then the IPP will be automatically appointed as the Equity Officer.

17.4. The Equity Officer is responsible for:

17.4.1. The enforcement of the NDSLS Committee Code of Conduct; and

17.4.2. Addressing grievances in accordance with Section 17 of the Constitution and the NDSLS Code of Conduct.

### **Part 3 – Miscellaneous**

18. Minutes of Meetings

18.1. The minutes shall include:

18.1.1. A record of attendance;

18.1.2. All proposed resolutions discussed;

18.1.3. All resolutions of the committee; and

18.1.4. The rationale behind Committee members' decisions.

18.2. The minutes must be signed by the Chair at the next succeeding meeting.

19. Reimbursement

19.1. A Member may be reimbursed for an amount spent in the furtherance of the Purpose and Objects of the Society at the direction of the Committee.

19.2. Reimbursement may occur following the discretion of:

19.2.1. The Treasurer alone for amounts below \$300.00;

19.2.2. The Executive for amounts between \$300.00 and \$700.00; and

19.2.3. The Committee for amounts above \$700.00.

19.3. All expenditure shall be approved by the relevant party/parties prior to incurring the expenditure.

19.4. Reimbursement shall be granted, when approval has been obtained, and only when an application has been made to the Treasurer for reimbursement, stating:

19.4.1. The amount spent;

19.4.2. The reason for expenditure; and

19.4.3. The date approval was granted by the relevant parties.

19.5. This application should be accompanied by all receipts and supporting documentation to be kept by the Treasurer.

## 20. Funding

20.1. The Society may grant equity funding for up to the full amount invoiced for educational conference, intervarsity competitions, and other event which support the Purpose and Objects of the Society.

20.2. Funding will only be provided by the Society where:

20.2.1. Funds are available in the General Fund; and

20.2.2. The Executive deems it appropriate that an amount be granted to the applicant.

## 21. Petty Cash

21.1. The Treasurer shall keep \$100.00 as petty cash to be used for purposes including but not limited to a float for a fundraising event.

21.2. All other amounts are to be deposited to the Society's bank account as soon as practicable.

22. Correspondence

22.1. The Committee members shall conduct all Society related correspondence via their dedicated rolling email account.

23. Amending these Bylaws

23.1. These bylaws may be amended by resolution of the Committee.

24. Privacy

24.1. The NDSLS will take all reasonable steps to ensure that information and data collected from its members is kept confidential.

24.1.1. All materials used and acquired in the carrying out of a Committee Member's role is to be considered the property of the NDSLS

24.1.1.1. All Committee Members will be responsible for ensuring the privacy, security and confidentiality for all materials referred to in 23.1.

24.2. In the event that there is a breach of the NDSLS systems, or any third party databases utilised by the Society, no responsibility shall be attributed to the Society.

24.2.1. The NDSLS will not be responsible for individual breaches of privacy committed by Committee Members.





# **THE NOTRE DAME SYDNEY LAW SOCIETY**

## **BY-LAW 02**

### **Elections**

1. Scope and Purpose

- 1.1. The scope of this bylaw is to regulate, and provide rules regarding nominations and elections under the Notre Dame Sydney Law Society Constitution and is binding to all NDSLS members.
- 1.2. The purpose of the rules is to maintain the integrity and fairness of NDSLS nominations and elections procedures.
- 1.3. Should a conflict arise between the content of the Notre Dame Sydney Law Society Constitution and this bylaw, the NDSLS Constitution will prevail.
- 1.4. For the purpose of this bylaw, written correspondence shall include email correspondence.

2. Returning Officer

- 2.1. The Returning Officer shall be appointed by the Executive Committee and this decision shall be minuted.
- 2.2. The Returning Officer shall be an NDSLS Committee Member who is not nominating for a position on the incoming committee.
- 2.3. The role of the Returning Officer is:
  - 2.3.1. To oversee the elections and to promote a fair and just process.
  - 2.3.2. To receive all candidate nominations and votes.



- 2.3.3. To oversee the counting of the votes and release the successful candidates once counting is complete.
- 2.3.4. To report all results of the election to the Supervisor.
- 2.3.5. To refer and consult with the Supervisor as to any grievances.
- 2.4. Should the Returning Officer be unable to fulfil his or her duties, he or she may delegate their powers for a specified purpose and period of time in writing with the approval of the existing NDSLS Committee subject to 2.2.

### 3. Supervisor

- 3.1. The Supervisor shall be appointed by the Executive Committee and this decision shall be minuted.
- 3.2. The Supervisor shall be a representative of the School of Law or Student Services at the University.
- 3.3. The role of the Supervisor is:
  - 3.3.1. To oversee the elections and to promote a fair and just process in conjunction with the Returning Officer.
  - 3.3.2. To review all results of the election prior to their publication.
  - 3.3.3. To assist the Returning Officer in responding to grievances.

- 3.4. Should the Supervisor be unable to fulfil his or her duties, he or she may delegate their powers for a specified purpose and period of time in writing with the approval of the existing NDSLS Committee, subject to 3.2.

4. Breach of Election Rules

- 4.1. If the Returning Officer becomes aware of a breach of any of the election rules, whether that includes participation by a candidate or their representative(s), the Returning Officer must:

- 4.1.1. Notify the Supervisor;
- 4.1.2. Make a reasonable enquiry into the breach;
- 4.1.3. If satisfied a breach has occurred, to immediately provide the candidate with a warning of the breach and require the breach to be rectified as soon as reasonably practicable;
- 4.1.4. If the candidate fails to adhere to 4.1.3. the candidate must be disqualified immediately from the ballot.

- 4.2. A warning must be delivered by written notification to a candidate, and state:

- 4.2.1. The nature of the breach;
- 4.2.2. How the breach may be rectified; and
- 4.2.3. The time in which the rectification must occur.

- 4.3. A candidate has the onus of:

- 4.3.1. Ensuring all contact information provided to the Returning Officer is correct;
  - 4.3.2. Making themselves available for contact; and
  - 4.3.3. Notifying the Returning Officer how and when the breach has been rectified.
- 4.4. A warning is deemed to have been provided after all reasonable attempts to contact the candidate have been made.
  - 4.5. A determination that the breach has not been rectified is at the discretion of the Returning Officer and Supervisor.
  - 4.6. A decision that the breach has not been rectified is at the discretion of the Returning Officer and Supervisor.
  - 4.7. The Returning Officer, upon consultation with the Supervisor, may immediately dismiss a candidate from the election without warning in the event of a fundamental breach of the election rules.
  - 4.8. Any such determination or decision of the Returning Officer and/or Supervisor shall be final.
5. Notice of Elections and Nominations
    - 5.1. The President is to determine the precise date of the nomination period and precise date of the voting period.
    - 5.2. It is the responsibility of the President to ensure that the notice requirement is satisfied.

5.3. The nomination period is to run for twelve (12) consecutive days.

5.4. The voting period is to run for four (4) consecutive days.

6. Campaigning

6.1. The campaign period shall begin upon written notice by the President to the Candidates.

6.2. The campaign period shall run for seven (7) consecutive days.

6.3. This section applies to all candidates, and their representatives, during the election period.

6.3.1. A representative is any person actively or passively supporting a candidate.

6.4. Current Committee Members that are candidates that participate in campaigning must include a disclaimer that their view is their own and does not represent the views of the Society or the current Committee.

6.5. Any dispute regarding campaigning matters is to be brought to the attention of the Returning Officer.

6.6. Decisions of the Returning Officer and/or Supervisor as to the resolution of campaigning matters, including dismissing any dispute, shall be final.

6.7. Any NDSLS or University database cannot be accessed for the purpose of campaigning.

- 6.8. All candidates must comply with University policies regarding distribution and display of election and campaigning materials, including, but not limited to, posters and flyers.
- 6.9. Nomination statements will be available to all students on the NDSLS website.
- 6.10. Candidates must not use the NDSLS logo or NDSLS official means of communication (for example: NDSLS publications, the NDSLS website, any NDSLS Facebook group, the NDSLS Facebook page, the NDSLS Instagram page, and emails facilitated by means exclusive to the NDSLS) for campaigning, unless otherwise provided in these rules.
- 6.11. All candidates must conduct their campaign in good faith and on positive terms.
- 6.12. All candidates must comply with University policies, including the Student Code of Conduct regarding discrimination, vilification, and harassment whilst campaigning. Breaches of these policies are considered to be a fundamental breach as in 4.7.
- 6.13. All candidates must run independently.
  - 6.13.1. This section does not forbid candidates from showing their support to other candidates, provided that:
    - 6.13.1.1. They remain compliant with 6.4; and
    - 6.13.1.2. They do not publish any material supporting another student.
- 6.14. Candidates must not provide any incentives to prospective or potential voters.

- 6.14.1. Incentives are anything that may be interpreted as inappropriately encouraging or motivating a person to do something, including but not limited to gifts and financial incentives.
- 6.15. Candidates must not remove, cover, alter or move the poster of another candidate.
- 6.16. All posters are constrained to a maximum A4 size.

## 7. Order of Candidates' Names on Ballots

- 7.1. The order of appearance of candidates' names on the ballot shall be by preferences first, and be alphabetical by surname.
  - 7.1.1. For example: Robin Banks (1); Philippa Bucket (1); Anne Arkey (2); Theresa Green (2).

## 8. Voting

- 8.1. All NDSLS Members are eligible to vote in an election.
- 8.2. During the election period the method for casting votes may only be managed by the Returning Officer and any other person permitted by the Returning Officer to do so for the purposes of the election process.
  - 8.2.1. Only the Member voting may complete their ballot paper.
- 8.3. Voting may take place through the discretion of the Executive Committee, either by paper ballot or electronically. Only one form of voting may be used in a single election.

- 8.4. As each candidate is taken to be independent, the use of pre-filled voting forms (either wholly or partially filled) is prohibited.
- 8.5. The candidate with the majority of votes shall be declared elected.
- 8.6. Members may only vote once per election.

## 9. Counting of the Ballots

- 9.1. The voting system for all NDSLS election shall be by simple majority count.
  - 9.1.1. If more than one candidate obtains an equal number of votes, the Returning Officer shall convene a General Meeting of the outgoing Committee and conduct a vote to determine the incoming Committee Member on the basis of general majority.
    - 9.1.1.1. Each candidate shall be invited to submit an additional statement as to their suitability for the position and quality of their candidature.
      - 9.1.1.1.1. Each candidate shall be given three (3) days written notice to prepare the statement listed in 10.1.1.1.
    - 9.1.1.2. When making this decision, Committee Members shall take into account the suitability and quality of the Candidate for the position and make a reasonable and considered decision.

- 9.2. Once votes have been counted, the ballots shall be retained by the Returning Officer for a period of at least two (2) weeks after the declaration of elected candidates by the Returning Officer.
- 9.2.1. All candidates have the right to request inspection of the ballots during this period.
- 9.2.2. Should they believe an error in counting has occurred in accordance with the procedures under this section, a candidate may request a recount.
- 9.2.3. The request must be in writing and presented to the Returning Officer of that election within seven (7) days of the declaration of the poll.
- 9.2.4. The Returning Officer may conduct a recount in the presence of the candidate.
- 9.2.5. The Returning Office in his or her sole discretion may refuse either request if deemed vexatious or an abuse of process.
- 9.2.6. The ballots may be destroyed at the conclusion of the two (2) week period after the declaration of the poll but only until such time as all requests under the preceding clauses have been resolved.
- 9.3. The final election results shall be announced by the President through a global email to all candidates and published on the Society website as soon as practicable after the positions have been filled.
- 9.3.1. The vote breakdown shall be emailed to all candidates and only made available to individual Members upon request.



10. AGM Question Time

10.1. Prior to the new Committee being confirmed, any Member may pose a question to any candidate regarding their suitability for the role.

10.1.1. Each candidate may be asked up to five (5) questions, received in chronological order.

10.1.2. In the event that additional questions arise, a motion must be passed with a general majority to allow further questioning.



# **THE NOTRE DAME SYDNEY LAW SOCIETY**

## **BY-LAW 03**

### **Standing Orders**

1. Scope and Purpose

- 1.1. The scope of this bylaw is to regulate, and provide proper meeting procedure for Notre Dame Sydney Law Society Committee Meetings.

2. Operating Provisions

- 2.1. This bylaw is created under the power conferred upon the NDSLS Executive provided by clause 11.2 of the Notre Dame Sydney Law Society Constitution as promulgated at each NDSLS Annual General Meeting.
- 2.2. This bylaw operates subject to section 17 of the Notre Dame Sydney Law Society Constitution.
- 2.3. Should a conflict arise between the content of the Notre Dame Sydney Law Society Constitution and this Bylaw, the NDSLS Constitution will prevail.

3. Standing Orders

- 3.1. The Notre Dame Sydney Law Society will conduct all Committee Meetings in accordance with the “NDSLS Standing Orders”, as attached as Appendix to Bylaw 03.

**Part 1 Committee Meetings**

1. Convention and Commencement

- 1.1. The President shall convene all meetings of the NDSLS Committee.
- 1.2. Meetings shall commence promptly at the advertised starting time, but a meeting shall not commence until a quorum is attained.

2. Standing Orders

- 2.1. The Secretary shall ensure that copies of these Standing Orders are distributed to the Committee three (3) days prior to the meeting

3. Role of chair

- 3.1. The President is the Chair for meetings of the Committee.
- 3.2. The Chair is responsible for the observance of these Standing Orders, and for conducting debate.
- 3.3. The Chair has precedence to speak over other speakers when giving directions or rulings.
- 3.4. The Chair is responsible for maintaining order, and may eject persons making unreasonable disturbance.
- 3.5. The Chair may adopt a speaking list or any other method of order to ensure the smooth running of the meeting.
- 3.6. The Chair may impose a maximum time limit on the debate.
- 3.7. The Chair may temporarily vacate the Chair and nominate an acting Chair for the period of their absence.
- 3.8. The Chair shall have an additional casting vote in the event of a tie.
- 3.9. The Chair shall ensure that adequate minutes are taken.
- 3.10. The Chair shall interpret these Standing Orders when required to do so, subject to the meeting substituting a different interpretation by way of dissent.

## **Part 2 Order of Business**

### 1. Agenda

- 1.1. The Executive should communicate the agenda to the Committee three (3) days before the date scheduled for the Committee meeting. The initial order of the agenda for a meeting shall be as determined by the President, subject to the direction of the Council. The agenda shall include an opportunity for 'any other business' to be raised.

### 2. Foreshadowing

- 2.1. Motions may be foreshadowed at any time during a meeting, in which case they shall take precedence in the order in which they were foreshadowed.

### 3. New Agenda Items

- 3.1. Motions may be included on the agenda at any point with the leave of the Committee.

### 4. Change of Agenda

- 4.1. Motions may be brought forward, or the agenda rearranged, at the will of the Committee.

## **Part 3 Substantive Motions**

1. Style of Motions
  - 1.1. Motions must be submitted in writing in accordance with the prescribed form distributed to the Committee
2. Mover and Seconders
  - 2.1. Every substantive motion must have a mover and a seconder before discussion will commence
3. Expression
  - 3.1. A motion for a particular action should be clearly expressed and state the action intended to follow from it. The Chair should require a motion which is unclear or has no stated effect to be re-expressed by the mover.
4. Time Limit
  - 4.1. When the time limit set by the Chair for a substantive motion has expired, the Chair shall put the motion to the Committee, unless a motion for the extension of the debate is immediately moved and carried.
5. Reading of Motion
  - 5.1. At the time in which a motion or amendment is put, or where any member requests it during discussion, the Chair shall read the text of the motion or amendment under discussion.
6. Result by Count
  - 6.1. If requested, the Chair shall order a show of hands and conduct a count of those for and against.

6.2. If requested by a simple majority of the Committee or by the Chair's own discretion, the Chair shall order and administer a secret ballot.

7. Results

7.1. All results shall be recorded in the minutes, and any member may have recorded in the minutes their vote for or against a motion, or abstention. A simple majority of the Committee can request that the count of the result be recorded in the minutes.

8. Reintroduction of Motion

8.1. If a motion or amendment has been defeated, the same or a substantially similar motion cannot be reintroduced at the same meeting of the Committee, unless the moving of the motion is accepted by the same or greater number of votes that defeated the original motion.

9. Rescission of Motion

9.1. If a motion or amendment is proposed to rescind a motion passed at the same meeting of the Committee, it must be passed with the same or greater number of votes that passed the original motion.

#### **Part 4 Procedural Motions**

1. Definition

- 1.1. Procedural motions are motions to alter the manner, order, form or duration of proceedings.

2. Procedure

- 2.1. A procedural motion is introduced by a member interrupting the speaker or Chair. Procedural motions are to be addressed to the Chair.

3. No Debate

- 3.1. The Chair shall put procedural motions without debate.

4. Order of Preference

- 4.1. Procedural motions shall have increasing order of preference in the order in which they are set out in this Division (latest takes preference).

#### **Motions relating to the Present Speaker**

1. Speaker to be No Longer Heard

- 1.1. A member may move that the present speaker cease speaking. The Chair has a direction to reject this motion if it is imposed before the speaker has had a reasonable opportunity to express their views, or has spoken only briefly.



## 2. Personal Explanations

- 2.1. A member whose character or actions have been referred to by the present speaker may immediately make a personal explanation or rebuttal of the matters referred to, or may exercise such a right when the speaker finishes speaking.

### **Motions relation to the Present Motion or the Agenda**

#### 1. Adjournment of Present Motion

- 1.1. A member may move that the process of the present motion be adjourned. If a motion so adjourned is not returned to in the present meeting it shall automatically be adjourned to the following meeting.

#### 2. Call for Motion to be Put

- 2.1. Any member may move that the motion or amendment under the discussion be decided at once by moving that 'the question be put'. If the meeting agrees, the mover may exercise their right of reply and the Chair shall put the motion or amendment to the vote.

#### 3. Call for Last Speakers

- 3.1. Any member may move that the chair call for last speakers on a motion or amendment. The Chair will note all members who wish to speak on the topic, and they will be heard in accordance with these standing orders, after which the motion must be put.

#### 4. Extension of Debate

- 4.1. A member may move that the time allowed for the present motion may be extended.

5. Re-Ordering of Agenda

- 5.1. A member may move that the agenda be re-ordered, as allowed in Division II. However it shall not be in order to exclude the consideration of 'any other business'.

### **Motions relation to the Chair or the Meeting**

1. Adjournment of Meeting

- 1.1. A member may move that the meeting be adjourned, either for a brief period or to another time and place. The meeting may also be adjourned by a suggestion of the Chair approved by the meeting.

2. Extension of Meeting

- 2.1. A member may move that the time allowed for the meeting be extended, either before or after the completion of the allowed time. An extension shall be for up to 30 minutes. Successive extensions are permitted upon the completion of each extension.

3. Points of Order

- 3.1. A point of order consists of drawing the attention of the Chair to a suggested breach of the Standing Orders. The Chair shall consider whether the breach of order occurred and proceed accordingly.

4. Suspension of Standing Orders

4.1. A member may move that certain Standing Orders be suspended, or that so much of the Standing Orders be suspended as would prevent a particular course of action by the meeting.

5. Dissent

5.1. A member may move dissent in a ruling by the Chair. If such a motion is carried, the Chair shall substitute an alternative ruling.

6. Removal of the Chair

6.1. A member may move that the person in the Chair vacate the Chair. If such a motion is carried, the members present shall immediately elect a different person to the Chair.

**Part 5 Adjournment and closure**

1. Adjournment

1.1. Upon the completion of the time allowed for the meeting, the meeting is adjourned and any unfinished business on the agenda is adjourned to the next meeting.

2. Closure of Meeting

2.1. Upon the completion of the business set down in the agenda, and if there is no other business, the Chair shall close the meeting.



# **THE NOTRE DAME SYDNEY LAW SOCIETY**

## **BY-LAW 04**

### **Code of Conduct**

1. Scope and Purpose
  - 1.1. During the term of the committee, all committee members must:
    2. Act in a manner which promotes the best interests of the NDSLS.
    3. Be actively involved in the NDSLS by fulfilling the specific duties of the role to the best of their ability as outlined within the NDSLS Constitution and Bylaws.
    4. Maintain regular communication with the Executive regarding their role.
    5. Acknowledge the contribution of fellow Committee members by treating them with respect and courtesy at all times.
    6. Encourage and allow fellow committee members to perform their role or duties.
    7. Value all committee members and roles equally
    8. Attend all meetings of the NDSLS unless a written apology and explanation are forwarded to the Secretary via NDSLS email, no later than 48 hours before the commencement of the meeting.
    9. Declare to the Executive if they require to take a leave of absence from their duties for any period of time exceeding 3 weeks.
      - 9.1. A leave of absence includes but is not limited to holidays, illness and unexpected circumstances.
10. Declare conflicts of interest within the committee at the commencement of the committee's term.
  - 10.1. Conflicts of interest include but are not limited to personal relationships and professional relationships.
11. Comply with NDSLS finance and banking guidelines and policies.
  - 11.1. In addition, all decisions that involve the use of society funds must not be made in a private setting, and must be in consultation with the relevant Director and Treasurer, or the Executive.

12. Maintain Committee confidentiality regarding the content of closed Committee discussions.
13. Follow the UNDA Student Code of Conduct, particularly in their communication with other Committee members and members of the public.
14. During official NDSLS events, particularly in the presence of sponsors, committee members must:
  - 14.1. Treat students, staff, sponsors, and members of the public with courtesy and respect, and
  - 14.2. Refrain from engaging in other unprofessional and/or inappropriate behaviours including, but not limited to:
    - 14.2.1. Yelling, shouting, or swearing;
    - 14.2.2. Private or anti social behaviour;
    - 14.2.3. Rowdiness;
    - 14.2.4. Any other unprofessional or inappropriate behaviour.

### **Equity Concerns and Breaches**

15. In the event of an equity concern or potential breach of the Code, committee members can make the Equity Officer or the Executive aware of any breaches as soon as they arise.
16. There are a range of methods that the Equity Officer and Executive can undertake to resolve disputes arising under this Code of Conduct. These means may include, but are not limited to:
  - 16.1. Bringing the matter to the attention of the individual allegedly involved in the breach in a confidential, impartial and professional manner,
    - 16.1.1. This would involve:

- 16.1.1.1. A meeting between the Equity Officer and the parties in disagreement or in breach. This meeting will be minuted.
  - 16.1.1.2. If this meeting is held in person, it must be held on-campus in a formal and appropriate setting.
  - 16.1.1.3. If an in-person meeting is not applicable, it must be held over a non-personal video and communication software.
- 16.2. Conciliation,
  - 16.3. Mediation,
  - 16.4. Recommending a determination by the Executive Committee.
  - 16.5. Arbitration.
17. If the concerned member is not satisfied with the resolution, they can take action under s17.3 of the Constitution.

**Amending these By-laws**

- 18. These bylaws may be amended by resolution of the Committee





# THE NOTRE DAME SYDNEY LAW SOCIETY

## BY-LAW 05

### Competitions and Withdrawal

1. Scope and Purpose
  - 1.1. This Bylaw is applicable to members of the Society in their capacity as representatives of the society or as NDSLS members at Society related functions and events.
  
2. NDSLS competitions fall within the portfolio of the Competitions Director, who shall be responsible for the enforcement of these rules and the overall supervision of the competitions.
  - 2.1. Any concerns or appeals regarding competitions must be made initially to the Competitions Director for adjudication.

- 2.1.1. The Competitions Director's email address, [competitions@ndsls.org](mailto:competitions@ndsls.org), must be the first point of contact for all concerns.
  - 2.1.2. If a competitor is dissatisfied with the adjudication of the Competitions Director, he or she may appeal to the President of the NDSLS.
  - 2.1.3. In the event that the grievance or dispute involves the President or Competitions Director personally, the Vice President of the NDSLS may be substituted.
  - 2.1.4. A competitor dissatisfied with the decision of the Competitions Director, President or Vice President may appeal to the Executive of the NDSLS.
    - 2.1.4.1. This is the final level of appeal.
  - 2.1.5. The results of a competition cannot be appealed purely on the grounds of a disagreement.
    - 2.1.5.1. An appeal must either be administrative or equitable in nature.
  - 2.1.6. All correspondence should be via University student emails. Any other source shall not be deemed as official.
- 2.2. The Competitions Director reserves the right to disqualify any team or participant for:
- 2.2.1. A breach of the rules in this document; or
  - 2.2.2. A breach of any University policies and regulations, including the Student Code of Conduct, the School of Law Honour Code, and Academic Integrity Policy; or
  - 2.2.3. Conduct that is not befitting to the competitions including, but not limited to:

- 2.2.3.1. Being late or failing to appear to a competition;
    - 2.2.3.2. Failing to respect the authority of or misleading competition judges or organisers;
    - 2.2.3.3. Failing to show suitable respect towards or misleading fellow competitors;
    - 2.2.3.4. Making a serious or intentional ethical violation.
  - 2.2.4. The Competitions Director may hear complaints and make preliminary decisions in regard to the Section 4, however, the final decision requires joint agreement with the President of the NDSLS.
3. Subject to the discretion of the NDSLS, the winner(s) of the competitions may be invited to represent the NDSLS at the Australian Law Students' Association (ALSA) Conference.
- 3.1. The NDSLS is not under any circumstances obliged to invite a competitor to compete at the ALSA Conference.
  - 3.2. The Competitions Director may, if necessary, invite any other competitor to attend in the event the winner(s) is unable to attend the ALSA Conference.
    - 3.2.1. Invitees do not necessarily have to have been competitors in the most recent competition for which they would be representing the NDSLS.
    - 3.2.2. The NDSLS is under no obligation to provide financial support to those invited to compete at the ALSA Conference.
4. Competitor's Obligations
- 4.1. All competitions are run in accordance with the NDSLS rules – competitors should familiarise themselves with these rules before competing.

- 4.1.1. Participation in competitions signifies an agreement to abide by the rules and guidelines set out within this document.
  - 4.1.2. Participation in competitions is open to all Members of the Society as defined in the NDSLS Constitution.
  - 4.1.3. In order to participate in NDSLS competitions, Members must submit their registration to the Competitions Director in the method that he/she prescribes.
- 4.2. Registration must be received by the allocated date.
- 4.2.1. Acceptance of late registrations is at the discretion of the Competitions Director.
  - 4.2.2. Once competitions have commenced, there shall be no modifications made to teams subject to the Competitions Director's discretion.
  - 4.2.3. Modifications to teams may be made at the latest, 24 hours prior to the nominated time for round one.
  - 4.2.4. For mooted competitions, modifications may be made to a team at the latest, 24 hours prior to the due time for the submission of outline of arguments and is subject to the approval of the Competitions Director. After 24 hours a forfeit will automatically be applied and the team disqualified from the competition.
- 4.3. If a team member is unable to participate in a particular round after the commencement of competitions, the team must forfeit, unless suitable arrangements can be made. This will depend on:
- 4.3.1. The availability of judges and venues;
  - 4.3.2. The availability of the opposing team to reschedule;

- 4.3.3. The reason for the inability to compete; and
  - 4.3.4. The discretion of the Competitions Director.
- 4.4. Whilst all attempts will be made, there is no guarantee or obligation placed on the Competitions Director to schedule an alternative time slot in the event that a participant is unable to compete.
5. Obligations of the NDSLS
- 5.1. The Competitions Director will adhere to the 'Competitions Timeline' as published on the NDSLS website during Orientation Week, being the week prior to Week One of the academic semester.
    - 5.1.1. This timetable may be subject to change depending on judges and venue availability and the School of Law class timetable.
  - 5.2. The Competitions Director will update all competitors of changes to the timetable, if and when they arise.
    - 5.2.1. The Competitions Director will endeavour to ensure minimal clashes between competitions timetabling and School of Law class timetabling.
  - 5.3. In the event of a tie, the aggregate scores of the competition will be used to make a final decision.
    - 5.3.1. All decisions of judges in all competitions are final.
    - 5.3.2. All decisions of the Competitions Director are final unless otherwise specified in this bylaw.

- 5.4. If a party wishes to compete in an external competition, representing the NDSLS, they must first seek the permission of the President of the NDSLS.
- 5.5. If there is more than one party interested in the position, the Competitions Director will organise a selection process in consultation with the NDSLS Executive

6. Code of Conduct

- 6.1. All members of the society must follow the UNDA student code of Conduct, particularly in their communication with other members and members of the public.
- 6.2. Members will not engage in harassment (including sexual harassment) or bullying against other members or members of the public in any capacity. Such behaviour shall not be engaged:
  - 6.2.1. Through any social media platform; or during official and non-official NDSLS events and functions
  - 6.2.2. If a member engages or is suspected to engage in such conduct they will be referred to the equity officer.
- 6.3. During official NDSLS events, particularly in the presences of sponsors, members must
  - 6.3.1. treat, students, staff, sponsors, and members of the public with courtesy and respect, and
  - 6.3.2. refrain from engaging in other unprofessional and/or inappropriate behaviours including, but not limited to:
    - 6.3.2.1. Yelling, shouting or swearing
    - 6.3.2.2. private or anti-social behaviour

6.3.2.3. rowidness

6.3.2.4. Any other unprofessional or inappropriate behaviour

6.4. For violations of the Code of Conduct committed by committee members or NDSLS members of the Society in relation to functions and events, the University Code of Conduct and other disciplinary procedures and policies will apply.

### **Withdrawal from Competitions**

7. Scope and Purpose

7.1. This bylaw sets out the procedure to be undertaken in situations where competitors withdraw from NDSLS competitions without sufficient notice.

8. Sufficient Notice

8.1. Sufficient notice must be provided prior to withdrawal from a competition.

8.2. Sufficient notice is defined as seventy-two (72) hours prior to the commencement of the competition round.

9. This notice must be provided to the Competitions Director via email and must set out:

9.1. Competition round to the competition in;

9.2. Scheduled date for competition round; and

9.3. Reason for withdrawal.

**Procedure**

1. In the event that sufficient notice is not given, the competitor(s) may be issued with a warning and their names may be recorded on a warning list at the discretion of the Competitions Team and Executive Committee.
  - 1.1. Upon receipt of the competitor's second warning, they will be prohibited from competing in competitions for the remainder of the year.
2. This includes, but is not limited to, competing in:
  - 2.1. NDSLS Negotiations
  - 2.2. NDSLS Client Interview
  - 2.3. NDSLS Mooting
  - 2.4. NDSLS Witness Examination
  - 2.5. NDSLS Paper Presentation
  - 2.6. NDSLS Organised Interschool Competitions

**Notice**

1. In order for this bylaw to be effective, the Competitions Team must have provided written notice of the existence of this by law to the competitor(s), upon commencement of the competition.
  - 1.1. A breach of cl 2.1 will automatically engage cl 3.1 and 3.2 of this bylaw.
  - 1.2. The Competitions Team is not required to provide notice of this decision to the competitor(s) in breach.



**Review**

1. Upon receipt of a warning under cl 3.1 of this bylaw, a competitor can request a review from the Executive Committee.
2. The request must set out the reason(s) for insufficient withdrawal notice.

**LIST OF EDITORS**

<b>NAME</b>	<b>POSITION</b>	<b>DATE (Final edit)</b>
Andrew Gouveia	Vice President (2018-19)	05/12/2018