



THE NOTRE DAME SYDNEY LAW SOCIETY

CONSTITUTION

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PART 1 - Name and Effect

- (1) This Constitution formally establishes a society of law students at the University of Notre Dame Australia, Sydney.
- (2) The name of this society shall be the 'Notre Dame Sydney Law Society (NDSLS)'.
- (3) This constitution is binding on each member of the NDSLS.
- (4) Operation in relation to By Laws
 - (a) This Constitution operates in conjunction with the Notre Dame Sydney Law Society By Laws.
 - (b) In the event of an inconsistency between this Constitution and any policy, procedure, guideline or other governance document of the Society, this Constitution shall prevail to the extent of the inconsistency.

PART 2 - Definitions and Interpretations

- (1) In this Constitution, words and phrases have the meaning set out in Schedule 1.
- (2) This Constitution is to be interpreted as prescribed under Schedule 1.
- (3) If any dispute arises regarding interpretation of this Constitution, the Executive shall determine the matter.
- (4) The Executive may determine questions of interpretation arising under this Constitution, subject to any contrary resolution of the Committee.

PART 3 - Purpose of the Society

- (1) The purpose of this Society is to enrich the student experience through educational, vocational and social initiatives on a not-for-profit basis.
- (2) The assets and income of the Society shall be applied solely in furtherance of its purpose and no portion shall be distributed directly or indirectly to the Members of the Society

except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.

PART 4 - Objectives of the Society

- (1) To foster, promote and enhance the academic, professional and general wellbeing of Members at the University, particularly the environment in which law is studied at the University;
- (2) Respect, promote and uphold the values and ethos of the School of Law and the University;
- (3) To act as the officially recognised body responsible for the selection, accreditation and support of teams wishing to represent the University in intervarsity law competitions;
- (4) To organise and convene academic legal competitions, including but not limited to mooting, client interviewing, negotiation, witness examination, and other skills-based competitions;
- (5) To promote professional development opportunities and produce career-related initiatives, including publications, networking events, and educational resources;
- (6) Foster a strong and inclusive law student community through social, academic and professional initiatives;
- (7) Promote student wellbeing, resilience and positive engagement within the law student community;
- (8) To maintain strong relationships with:
 - (a) Student Association of The University of Notre Dame Australia (SAUNDA);
 - (b) Australian Law Students Association (ALSA);
 - (c) The School of Law;
 - (d) The University of Notre Dame Australia;
 - (e) Relevant legal or professional organisations; and
 - (f) any other society or association that is deemed appropriate.
- (9) ensure the effective governance, continuity and sustainability of the Society.

PART 5 – Not for Profit

- (1) The Society shall operate on a not-for-profit basis and in accordance with the policies and requirements of the University of Notre Dame Australia and the Student Association of the University of Notre Dame Australia (SAUNDA).

Part 6 – Membership

- (1) There are four (4) types of membership of the Notre Dame Sydney Law Society:

- (a) Ordinary membership;
- (b) Committee membership;
- (c) Alumni membership; and
- (d) Honorary Life membership.

- (2) All members of the Society must be natural persons.

- (3) Only Committee Members hold Internal Voting Rights, except as otherwise expressly provided by this Constitution.

- (a) External Voting Rights in elections are governed by Part 19.

- (4) Ordinary Members:

- (a) A person is taken to be an Ordinary member of the Society if:

- (i) The person is currently enrolled in a law degree at the University of Notre Dame Australia, Sydney; and
 - (ii) Is studying at least one law unit; and
 - (iii) The person has not ceased membership following the operation of 6(10).

- (b) Ordinary Members:

- (i) May attend and speak at general meetings.
 - (ii) Do not hold internal voting rights.

(5) Committee Members:

- (a) The person holds a position of office on the committee as prescribed in Part 10 of this Constitution.
- (b) Committee Members hold internal voting rights at meetings.
- (c) May propose motions in respect of general meetings.

(6) Alumni Membership:

- (a) All students who have graduated from any Sydney Campus of the University of Notre Dame Australia with recognition from the School of Law are automatically an Alumni Member of the NDSLS.
- (b) Alumni Members are eligible to nominate for the position of Alumni Representative(s) on the Society and cannot vote unless they have been appointed to such position.
- (c) May attend and speak at general meetings.
- (d) Do not hold voting rights.

(7) Honorary Life Members

- (a) Honorary Life Membership may be conferred upon a person through a special resolution of the Notre Dame Sydney Law Society Committee as the highest form of recognition for outstanding, meritorious and continual service to the NDSLS.
- (b) Appointments to Honorary Life Membership is limited to three (3) in any one calendar year.
- (c) May attend and speak at general meetings.
- (d) Do not hold voting rights.

(8) Membership of the Society is personal and not transferable.

- (9) If a Member, or person introduced by a Member, damages or loses any property of the Society, the Member shall make good the damage or loss to the extent of the damage or loss suffered.

(10) Cessation of Membership

(a) A person automatically ceases to be a Member of the Society if the person:

- (i) passes away; or
- (ii) withdraws enrolment from the School of Law; or
- (iii) the Member delivers to the Secretary-General a written notice of resignation of the membership.

(11) Subject to this Constitution, the membership of a Member may at any time be terminated by resolution in a General Meeting if the Member:

- (a) Refuses or neglects to comply with the provisions of this Constitution or any By-Law of the Society; or
- (b) Engages in conduct which is, in the opinion of the Committee, contrary to the interests of the Society; or
- (c) Fails to pay any debt due to the Society for a period deemed unreasonable by the Committee.
- (d) Where a person ceases to be a Member of the Society, the Secretary-General, or other Executive Member, shall remove that person's name and details from Society records in an expeditious manner.
- (e) Once membership of the Society terminates, the Secretary-General will record the date on which the Member ceased to be a Member.

(12) No fees are payable to be a member of the Society.

(13) Member Compliance

- (a) All Members agree to comply with and to be bound by this Constitution as a condition of their Membership;
- (b) This compliance also includes compliance with any Regulations, policies, procedures or other directions made by the Society and the University of Notre Dame Australia.

PART 7 – Records and Property

- (1) The Secretary-General must establish and maintain a register of Committee and Honorary Life Members of the Society, specifying the name and email address of each member of the Society together with the date on which the person became a Member.
- (2) The register of Members, all records, books and other documents relating to the Society must be kept at the Society's official address, whether that be physical or electronic.
- (3) The following documents must be open to inspection, free of charge, less printing costs, by any Member with the approval of the Committee:
 - (a) Register of Members, books and other documents;
 - (b) This Constitution;
 - (c) The Regulations, Policies and Procedures; and
 - (d) Minutes of Society Meetings.
- (4) Information contained on the register must be kept private and confidential and must not be used by a Member other than for:
 - (a) The Objects; or
 - (b) The purposes of sending the person correspondence, a notice in respect of a meeting or other event relating to the Society, or other material relating to the Society.
- (5) The Committee may refuse to permit a Member to inspect or obtain a copy of the records of the Society that relate to confidential, personal, employment, commercial or legal matters or where to do so would be prejudicial to the interests of the Society.
- (6) Records will be managed in a manner which ensures integrity, accuracy, privacy, and continuity of operations.
- (7) All Committee Members, office bearers, contractors, and volunteers must create and maintain records which accurately document decisions, financial activities, governance processes, and operational actions.

- (8) Official records must be stored only in approved systems and must not be kept on personal devices or unapproved platforms.
- (9) *Accuracy* - Records must present a complete, truthful and contemporaneous account of the activity they document.
- (10) *Security* - Records must be protected from loss, misuse, unauthorised access or alteration.
- (11) *Retention* - Subject to any specific retention period provided elsewhere in this Constitution, Official Records must be retained for a minimum period of seven (7) years, or longer where required for audit, operational, legal or historical purposes.
- (a) Where this Constitution expressly provides for a shorter retention period for a particular category of record, that retention period shall apply to that record.
- (12) *Transparency* - Records must be managed in a way that supports accountable and auditable decision-making.
- (13) All official records must be stored on authorised systems used by the Society.
- (14) Physical records, where held, must be securely stored and accessible only to authorised office holders.
- (15) Records may only be destroyed when:
- (a) the applicable retention period under this Constitution has expired; and
- (b) there is no ongoing audit, legal, investigative, electoral, disciplinary or operational requirement for the record; and
- (c) destruction is authorised by the Committee or is otherwise expressly authorised by this Constitution.
- (16) Destruction must occur securely and in a manner which prevents reconstruction or unauthorised access.
- (17) A register of destroyed records must be maintained as a permanent record of the Society.

- (18) The Society is committed to maintaining complete, accurate and reliable records which support transparency, accountability and auditability. Records must not be falsified, improperly altered, or destroyed outside the approved destruction process.
- (19) Failure to create required records, falsification of records, or unauthorised destruction of records may constitute misconduct and may be addressed under the Society's governance, fraud or disciplinary processes.
- (20) Governance Records
- (a) Agendas, minutes, notices and resolutions must be created for all formal meetings
 - (b) Circular motions and resolutions must be documented and filed
 - (c) Meeting papers must be collated and stored with the agenda.
- (21) Financial Records
- (a) All expenditure must be supported by receipts, invoices, approval documentation and payment evidence.
 - (b) Where evidence is not available, detailed notes must be documented.
 - (c) Records of SSAF funding applications, approvals, acquittals and risk assessments must be maintained.
 - (d) Correspondence relating to funding activities must be retained.
 - (e) The Society must provide all required documents to SAUNDA within required timeframes.
- (22) Naming Conventions
- (a) Records must include:
 - (i) date (DD-MM-YYYY)
 - (ii) subject or title
 - (iii) record type
 - (iv) version number (if applicable)

(23) Version Control

- (a) Drafts must be clearly labelled
- (b) Final versions must be retained
- (c) Superseded versions must be archived

(24) Email records

- (a) Emails which document decisions, approvals or instructions must be saved to the approved recordkeeping system.

(25) Digital Security and Assets

- (a) All digital accounts, assets, credentials, and records of the Society remain the property of the Society.
- (b) Committee Members must take reasonable steps to maintain the security of Society accounts and digital assets.
- (c) Committee Members must not share passwords or access credentials without authorisation.
- (d) Access to credentials and passwords for Society accounts must be transferred to the Executive or incoming Committee upon request or at the conclusion of a Committee Member's term.
 - (i) The President must maintain an accurate and current central record of Society account credentials and access information and coordinate the transfer of access during Committee handover
 - (ii) No Committee Member may change Society passwords without authorisation of the Executive.
 - (iii) If a Committee Member does change Society passwords, the President must be notified immediately.
- (e) The Executive may revoke access to Society digital assets at any time where appropriate.

(26) Physical Property

- (a) All records, property, materials, and assets obtained, created, or maintained for the Society remain the property of the Society.

- (b) Society property includes, but is not limited to:
 - (i) merchandise;
 - (ii) banners and promotional material;
 - (iii) event equipment; and
 - (iv) trophies and memorabilia.
- (27) Committee Members must return Society property upon request or at the conclusion of their term.
- (28) The Society shall maintain an annual reporting period for governance and financial purposes.
 - a. The reporting period shall ordinarily correspond with the term of the Committee.
 - b. Where required for financial, University, SAUNDA, audit or administrative purposes, the Executive may determine a different financial reporting period.
 - c. A financial reporting period determined under clause (b) does not alter the term of office of any Committee Member

PART 8 - Structure and Governance of the Society

(1) Legal Structure of the Society

- (a) The Society shall operate as an unincorporated association
- (b) As an unincorporated association, the Society does not operate as a separate legal entity from its Members except to the extent recognised by law.

(2) Governance of the Society

- (a) The Society shall be governed by the Executive.
- (b) The Executive shall be comprised of the:
 - (i) President
 - (ii) Vice President
 - (iii) Secretary-General

- (iv) Treasurer

(3) Terms of Office

- (a) The term of office of each Executive Member and Ordinary Committee Member elected at an Annual Election commences on the Annual Commencement Date determined for that Election Cycle.
- (b) The term of office concludes immediately before the Annual Commencement Date of the succeeding Committee, unless the position is earlier vacated in accordance with this Constitution.
- (c) The Annual Commencement Date must occur no later than the earlier of:
 - (i) Early October of that calendar year; or
 - (ii) twenty-one (21) calendar days before the commencement of the University's standard Semester 2 examination period.
- (d) Once nominations have opened, the Annual Commencement Date must not be altered except:
 - (i) where exceptional circumstances make the published date impracticable;
 - (ii) after consultation with the Executive; and
 - (iii) after reasonable notice is provided to candidates and Members.
- (e) The same Annual Commencement Date applies to all elected Committee positions unless this Constitution expressly provides otherwise.
- (f) The President must exercise the power under this clause consistently with Part 8(4), including the requirements to act reasonably, in good faith and without improper personal, factional or electoral advantage.

(4) Exercise of Powers

- (a) The Executive and Committee Members must exercise their powers:
 - (i) reasonably;

- (ii) in good faith; and
- (iii) in the best interests of the Society.

(b) Powers conferred under this Constitution must not be exercised for improper purposes or personal advantage, including, but not limited to:

- (i) a factional advantage;
- (ii) personal political advantage; or
- (iii) improperly influencing elections or appointments.

(c) The Executive must exercise all discretions reasonably, proportionately, and in good faith having regard to the objectives of the Society.

(5) Continuity of Governance

(a) Where:

- (i) insufficient nominations are received;
- (ii) vacancies remain following an election; or
- (iii) the Society otherwise cannot reasonably constitute a full Committee,

(b) The Executive may appoint eligible Members to vacant positions on an interim basis until the vacancy is filled in accordance with this Constitution.

(c) In the event that the Executive positions remain vacant, the outgoing Executive team may appoint eligible Members to vacant positions on an interim basis until the vacancy is filled in accordance with this Constitution.

(6) The Society is to be governed in a manner that promotes:

- (a) integrity;
- (b) accountability;
- (c) professionalism;
- (d) continuity;

(e) fairness; and

(f) the long term interests of Members and the Society.

Part 9 – Powers and Duties of the Executive

(1) The Executive shall be responsible for the strategic direction, governance, and oversight of the Society.

(2) Ensuring the efficient operation of the Society.

(3) Overseeing the Committee in the furtherance of the purpose and objectives of the Society.

(4) Ensuring compliance with this Constitution and any By-Laws.

(5) The Executive shall be responsible for ensuring the Society complies with all the requirements of The University of Notre Dame Australia, The Student Association of the University of Notre Dame Australia (Sydney), and any government regulators for recognition.

(6) Subject to this Constitution and resolution at a General Meeting, the Executive may do all things necessary or convenient for carrying out the purpose and objectives of the Society.

(a) This includes, but is not limited to:

(i) Opening and managing bank accounts;

(ii) managing Society funds;

(iii) entering into agreements on behalf of the Society;

(iv) overseeing Sponsorship arrangements; and

(v) administering the general affairs of the Society.

(7) The Executive may consult with the Committee on significant matters affecting the Society.

(8) Subject to this Constitution, the Executive may act independently of the Committee where it is appropriate in all circumstances.

(9) The Executive shall organise regular Portfolio meetings to allow for the dissemination of information.

- (10) The Executive may delegate any of its powers or functions to:
 - (a) a Committee Member;
 - (b) a Sub-Committee; or
 - (c) another Member;
 - (d) Subject to any conditions imposed by the Executive.
- (11) The Executive may revoke any delegation at any time.
- (12) Delegation Records
 - (a) A delegation made by the Executive under this Part must be recorded in writing.
 - (b) The record must identify, where applicable:
 - (i) the person or body receiving the delegation;
 - (ii) the power or function delegated;
 - (iii) any conditions or limitations applying to the delegation;
 - (iv) the date the delegation takes effect; and
 - (v) the date of expiry or revocation.
- (13) The Secretary General must maintain a record of current delegations.
- (14) When urgent action is required, the Executive may make decisions outside of a Committee Meeting.
- (15) Where this Constitution is silent on a matter, the Executive may act in the best interests of the Society provided that such action:
 - (a) is consistent with the objectives of the Society;
 - (b) is reasonable in the circumstances; and
 - (c) does not conflict with this Constitution.
- (16) The Executive has the power to create new By-Laws, so long as they are passed in accordance with this Constitution.

(17) The Executive shall be supported by all other Ordinary Committee Members.

Part 10 – Functions and Positions of the Committee

(1) The Ordinary Committee Members of the Society shall consist of the following:

- (a) one Advocacy & Social Justice Director;
- (b) up to two Advocacy & Social Justice Assistant Directors;
- (c) one Careers Director;
- (d) up to two Careers Assistant Directors;
- (e) one Chaplaincy Director;
- (f) one Communications and Marketing Director;
- (g) up to two Communications and Marketing Assistant Directors;
- (h) one Competitions (Internal) Director;
- (i) one Competitions (External) Director;
- (j) one Competitions (Development) Director;
- (k) up to six Competitions Assistant Directors;
- (l) one Education Director;
- (m) up to two Education Assistant Directors;
- (n) one Equity & Inclusion Director;
- (o) up to two Equity & Inclusion Assistant Directors;
- (p) one Information Technology (IT) Director;
- (q) one Publications Director;
- (r) up to two Publications Assistant Directors;
- (s) one Partnerships & Sponsorships Director;
- (t) up to two Partnerships & Sponsorships Assistant Directors;

- (u) one Social Engagement Director;
- (v) up to two Social Engagement Assistant Directors;
- (w) one Sports & Recreation Director;
- (x) up to two Sports & Recreation Assistant Directors;
- (y) one Wellbeing Director;
- (z) up to two Wellbeing Assistant Directors;
- (aa) up to two First Year Representatives;
- (bb) up to two Second Year Representatives;
- (cc) up to two Third Year Representatives;
- (dd) up to two Fourth Year Representatives;
- (ee) up to two Postgraduate Representatives;
- (ff) one Alumni Relations Director;
- (gg) up to two Alumni Representatives;
- (hh) one Immediate Past President (IPP);

(2) Specific responsibilities of the Ordinary Committee Members, including each Director, Assistant Director(s) and the Year Representatives, are outlined in the governing documents.

- (a) Subject to this Constitution and any resolution passed by the Committee, the Committee Members are to control and manage the affairs of the Society.
- (b) The Committee may exercise all functions that may be exercised by the Society other than those required to be exercised by resolution at a General Meeting.
- (c) The general business of the Society shall be managed by the Committee at the direction of the Executive.
- (d) The Committee is required to act for the furtherance of the purpose and objectives of the Society in accordance with this Constitution and other governing documents.

(e) No one Member is permitted to hold more than one Committee position, unless a casual vacancy is unable to be filled.

(f) Committee Members must not represent the Society in an official capacity unless authorised by the Executive.

(g) Committee Members must:

(i) act in good faith;

(ii) act in the best interests of the Society;

(iii) exercise reasonable care and diligence;

(iv) avoid conflicts of interest;

(v) not misuse their position;

(vi) not misuse Society information.

(h) Attendance

(i) Committee Members must attend all meetings of the Society for the duration of their term.

(ii) If unable to attend, a notice of absence with an explanation that is accepted as reasonable by the Executive must be provided in writing to the Secretary-General no later than 12 hours before the meeting.

(iii) Repeated absences may result in the Member losing their position of office under Part 11 of this Constitution.

(iv) All Committee Members must attend the Annual General Meeting.

(3) Ex-Officio Position

(a) The Immediate Past President shall hold an ex-officio position on a newly elected Committee if they are so inclined.

- (b) The Immediate Past President has no voting rights during their term as Immediate Past President.
- (c) In the event that a person holds both the position of President and Immediate Past President concurrently, they shall fulfil the obligations of both positions under the By-Laws and be entitled to exercise only one vote at any meeting.

(4) Terms of Office

- (a) The term of office of each elected Committee Member is determined in accordance with Part 8.
- (b) Where a Committee Member is appointed, co-opted or otherwise assumes office after the Annual Commencement Date, their term concludes immediately before the succeeding Annual Commencement Date unless otherwise provided by this Constitution.
- (c) The Committee shall be governed by this Constitution and the governing documents of the Society.

Part 11 – Removal of Committee Members

- (1) A Committee Member may be removed, before the end of their term of office where that member:
 - (a) has failed to adequately fulfil the requirements of their position as defined by this Constitution, the By-Laws, or any applicable policy or procedure of the Society;
 - (b) has failed to attend three (3) consecutive Committee Meetings or Society events without reasonably acceptable apologies;
 - (c) engages in serious misconduct;
 - (d) has acted in a manner prejudicial to the interests, reputation, proper governance, or effective operation of the Society;
 - (e) has breached this Constitution, the By-Laws, the Code of Conduct, or any applicable policy or procedure of the Society; or

(f) is otherwise no longer able or willing to properly discharge the duties of their position.

(2) A motion for removal may be proposed by:

(a) any Executive Member;

(b) any six (6) Committee Members; or

(c) the Executive acting under the Executive removal power in this Part.

(3) A motion for removal must specify:

(a) the person or persons proposing the resolution;

(b) the grounds upon which the Committee Member is proposed to be removed; and

(c) any material facts or conduct relied upon in support of the proposed removal.

(4) The Committee Member who is the subject of the proposed removal must be informed in writing of the proposed removal and the grounds relied upon.

(5) The written notice must be served on the Committee Member at least two (2) business days before the meeting or decision at which the proposed removal is to be considered, unless the Executive reasonably determines that urgent action is necessary to protect the interests, reputation, proper governance, safety, finances, or effective operation of the Society.

(6) The Executive must serve the written notice on the Committee Member. However, if the Committee Member is the President, then the Vice President will serve the notice.

(7) The Committee Member must be given a reasonable opportunity to respond to the proposed removal, either orally or in writing, before a final decision is made.

(8) Where the proposed removal is to be considered by the Committee:

(a) the Committee Member must be given at least five (5) minutes to speak on the matter at the relevant Committee meeting;

(b) the Committee Member may provide written submissions to the Committee no less than twelve (12) hours before the meeting; and

- (c) the Committee must vote on the motion to remove the Committee Member.
 - (d) a motion to remove a Committee Member by the Committee succeeds if supported by a simple majority of Committee Members present and voting, provided that at least one (1) Executive Member votes in favour of the motion.
- (9) The Committee Member who is the subject of the motion must not participate in, vote on, or attempt to influence any resolution or decision concerning their own removal.
- (10) The Committee Member who is subject to the proposed removal must treat any correspondence relating to the matter as private and confidential.
- (11) Despite any other provision in this Part, the Executive may remove a Committee Member, including an Executive Member, without referring the matter to the full Committee, where:
- (a) at least three (3) Executive Members participate in the decision;
 - (b) the removal is supported by a majority of the Executive Members participating in the decision;
 - (c) the Executive reasonably considers that removal is necessary or appropriate having regard to the interests, reputation, proper governance, safety, finances, or effective operation of the Society; and
 - (d) the Committee Member has been given written notice of the proposed removal and a reasonable opportunity to respond, unless urgent circumstances make it impracticable to do so before the decision is made.
- (12) Where urgent circumstances make it impracticable to provide notice or an opportunity to respond before the Executive makes a removal decision, the Executive must provide written reasons to the removed Committee Member as soon as practicable, and give the removed Committee Member a reasonable opportunity to request reconsideration by the Executive.
- (13) If the Committee Member who is the subject of the proposed removal is the President, the Vice President must serve any written notice required under this Part, and the President must not participate in, vote on, or attempt to influence the decision.

- (14) If the Committee Member who is subject of the proposed removal is an Executive Member, that Executive Member must not participate in, vote on, or attempt to influence the decision.
- (15) A removal decision takes effect immediately upon the passing of the relevant resolution or Executive decision, unless the resolution or decision provides otherwise.
- (16) The Executive must record the outcome of any removal decision in the Society's records. The record must include the position removed, the ground or grounds for removal, and the outcome of the vote, but is not required to include confidential or sensitive information.

Part 12 - Resignation of Committee Members

- (1) Any current Committee Member who wishes to resign from their position in the Society must provide written notice to the Secretary-General.
- (2) A resignation takes effect when written notice is received by the Secretary-General, unless a later date is specified in the notice.
- (3) Resignation does not relieve the former Committee Member of any reasonable handover or property return obligations arising under this Constitution.

Part 13 - Casual Vacancy

- (1) A Casual vacancy occurs if a Committee Member:
 - (a) dies;
 - (b) resigns;
 - (c) is removed from office;
 - (d) ceases to be a Member of the Society or otherwise becomes ineligible to hold the position under this Constitution; or
 - (e) the position is not filled at the time of elections.
- (2) A casual vacancy will be filled per co-opting procedures stated in this Constitution.

(3) A person appointed to fill a Casual Vacancy holds office for the remainder of the term applicable to that position, unless otherwise provided by this Constitution.

(4) Co-Opting Positions

- (a) The President may choose to co-opt a position where necessary.
- (b) Any person who is a member of the Society and has not been prohibited from a Committee Position under this Constitution, may be co-opted onto the Committee, including onto the Executive.
- (c) The President (or a delegate of the President) shall publicise the call for applications on at least two authorised communication forums, including, but not limited to the Society website.
- (d) Applications shall be submitted to the President.
- (e) The President shall confidentially collate and de-identify the applications received. An application shall be considered de-identified if it does not contain the applicant's name, photograph, student number, age, gender or postcode.
- (f) The de-identified applications shall be circulated by the President amongst the Executive, who shall keep the applications confidential. The Executive shall co-opt the successful applicant by ordinary resolution.
- (g) The Executive may resolve to not co-opt any applicant, even if there are less applicants than there are vacant positions requiring co-option, if the Executive deems the applicant unsuitable to the position.
- (h) The President shall write a report with reasons for each co-opt decision.
- (i) Eligibility for a casual vacancy is determined at the discretion of the President, in conjunction with the Executive team.
- (j) This clause does not apply to the position of President.

(5) Vacancy in the Office of President

- (a) Where the office of President becomes vacant, the Vice President shall immediately become Acting President.

- (b) The Committee may, by ordinary resolution, appoint a current Executive Member who satisfies the eligibility requirements for President under Part 19 to fill the vacancy for the remainder of the term.
- (c) Until an appointment is made, or where no eligible Executive Member is available, the Vice President shall continue as Acting President.

Part 14 - Sub Committee

(1) Establishment of Sub-Committees

- (a) The Executive may establish Sub-committees as it considers necessary for the efficient operation of the Society.
- (b) Sub-Committees shall operate as a permanent component of the Society's governance structure unless otherwise determined by the Executive

(2) Composition

- (a) Subcommittee shall consist of any such Member or Members that the Executive deems appropriate.
- (b) Sub-Committee Members must be allocated to a specific portfolio for the purpose of supporting specialised functions of that portfolio
- (c) Sub-Committee Members shall work under the direction of the Relevant Director and Assistant Director

(3) Functions

- (a) Sub-Committees shall assist in the planning, delivery, and administration of portfolio initiatives and activities

(4) Delegation

- (a) Any act, omission or thing done or suffered by a Subcommittee acting in the exercise of a delegation under this section has the same force and effect as it would have if it had been undertaken or omitted by the Committee or a Committee Member.

- (b) The Executive may at any time, revoke wholly or in part any delegation under this section.

(5) Meetings

- (a) Sub-Committees may meet as required for the purpose of carrying out their functions
- (b) Sub-Committees may regulate their own meetings as appropriate, subject to this Constitution

(6) Voting Rights

- (a) Sub-Committee Members are granted the same voting rights as a Committee Member unless otherwise determined by the Executive

(7) Removal and Revocation

- (a) The Executive may:
 - (i) remove a Sub-Committee Member;
 - (ii) dissolve a Sub-Committee; or
 - (iii) revoke or amend any delegation to a Sub-Committee;at any time, where it considers it appropriate.

Part 15 - Sponsorships

(1) Authority to Enter Sponsorships

- (a) The Society may enter into sponsorship or partnership arrangements consistent with the objectives of the Society.
- (b) Sponsorship arrangements must be approved by the Executive

(2) Sponsorship Arrangements

- (a) Sponsorship arrangements must be documented in writing where reasonably practicable

- (b) Sponsorship agreements must comply with University policies and requirements

(3) Sponsorship Management

- (a) The Executive is responsible for overseeing sponsorship relationships
- (b) The Executive may delegate responsibility for sponsorship management to a Director or Committee Member

(4) Use of Sponsorship Funds

- (a) Sponsorship funds must be used in accordance with:
 - (i) sponsorship agreements;
 - (ii) this Constitution; and
 - (iii) any applicable By-Laws.

(5) Sponsorship Conflicts

- (a) The Society must not enter into sponsorship arrangements that may:
 - (i) conflict with the objectives of the Society;
 - (ii) conflict with University policies; or
 - (iii) bring the Society into disrepute

(6) The Society may decline, suspend, or terminate sponsorship arrangements where the Executive reasonably considers it necessary to:

- (a) protect the reputation of the Society;
- (b) protect the interests of Members;
- (c) maintain compliance with University requirements; or
- (d) maintain the objectives and values of the Society.

Part 16 - Conduct

(1) Standard of Conduct

(a) All Committee Members must:

- (i) act in the best interests of the Society;
- (ii) act honestly and in good faith;
- (iii) exercise reasonable care and diligence;
- (iv) act professionally and respectfully;
- (v) avoid improper use of their position;
- (vi) comply with this Constitution and any By Laws;
- (vii) act in accordance with University policies and applicable codes of conduct; and
- (viii) avoid conduct that may bring the Society into disrepute.

(2) Committee Members must act professionally and cooperatively in the performance of their duties and must not improperly interfere with the lawful functions or authority of another Office Bearer.

(3) Committee Members are expected to actively and meaningfully participate in the governance and operation of the Society.

(a) This includes:

- (i) attendance at meetings;
- (ii) fulfilment of allocated responsibilities;
- (iii) timely communication; and
- (iv) reasonable contribution to Society activities and administration.

(4) Failure to comply with this Constitution, any By-Law, policy, lawful direction, or governance document may constitute misconduct.

Part 17 - Grievances

- (1) A grievance is any dispute arising between Committee Members in relation to the affairs of the Society.
- (2) Members and Committee Members must first attempt to resolve grievances informally through civil discussion.
- (3) Where a grievance cannot be resolved informally, the matter may be referred to the Executive for mediation.
- (4) All grievances must be treated confidentially and in accordance with the NDSLS Committee Code of Conduct, the University of Notre Dame Australia Code of Conduct and any related governing documents.
- (5) Where the grievance involves a member of the Executive, the remaining Executive Members shall manage the grievance.
- (6) Where the grievance involves multiple members of the Executive, or where the Executive is unable to resolve the grievance, the matter may be referred to the Committee for resolution.
- (7) In the case a grievance arises between a Committee Member and an Ordinary Member, the NDSLS does not have jurisdiction to resolve this grievance.
- (8) Conflict of Interest
 - (a) Any person involved in a grievance must not participate in the decision-making process relating to that grievance.
 - (b) Where a conflict of interest arises, the remaining Executive Members or Committee shall manage the grievance.
- (9) Good Faith
 - (a) Grievances must be raised and managed in good faith and not for improper, vexatious, or frivolous purposes.
 - (b) All grievances must be treated confidentially, unless disclosure is required for the resolution of the grievance.

(10) Where appropriate, grievances may be referred to relevant University authorities, including:

- (a) The University Respect Officer;
- (b) The University Grievance Officer;
- (c) The School of Law.

(11) Referral to University authorities may occur where:

- (a) The grievance cannot be resolved internally;
- (b) The grievance involves serious misconduct;
- (c) The grievance involved Members outside of the Committee; or
- (d) It is otherwise appropriate in the circumstances.

(12) If the aggrieved person remains unsatisfied by the resolution, the grievance may be resolved through other appropriate channels.

(a) These appropriate channels includes, but are not limited to:

- (i) The University Grievance Officer;
- (ii) The University Respect Officer;
- (iii) The School of Law.

(13) A Member must not victimise or retaliate against another Member for:

- (a) raising a grievance;
- (b) making a complaint;
- (c) participating in an investigation; or
- (d) reporting suspected misconduct in good faith.

Part 18 - Disciplinary Action

(1) Where a Committee Member:

- (a) breaches this Constitution or the By-Laws;
- (b) fails to fulfil the duties of their position;
- (c) engages in misconduct; or
- (d) acts in a manner prejudicial to the interest of the Society,

The Executive may take disciplinary action.

(2) Disciplinary actions may include:

- (a) informal warning;
- (b) formal warning;
- (c) suspension from duties;
- (d) referral to University authorities;
- (e) removal from the Committee in accordance with Part 11.

(3) A Committee Member subject to disciplinary action must:

- (a) be informed of the concerns;
- (b) be given an opportunity to respond; and
- (c) be treated fairly and reasonably

(4) In determining whether a Committee Member has failed to fulfil their duties, the Executive or Committee may have regard to:

- (a) attendance records;
- (b) completion of allocated responsibilities;
- (c) communication history;
- (d) compliance with deadlines; and
- (e) any other relevant operational evidence.

(5) A suspension from duties may only be enforced for a maximum two-week period.

(6) Where a person is subject to Written Disciplinary Action under this Part, the person is automatically ineligible to:

(a) nominate for, be elected to, be appointed or co-opted to, or hold any Committee position for two election cycles; and

(b) nominate for, be elected to, be appointed or co-opted to, or hold an Executive position for two election cycles.

(c) For the purposes of this clause, Written Disciplinary Action means any final disciplinary action taken under clause 18(2) and communicated to the person in writing including:

(i) a formal warning;

(ii) suspension from duties;

(iii) referral to University authorities;

(iv) removal from the Committee; or

(v) any other written disciplinary outcome authorised by this Constitution.

(d) Written Disciplinary Action does not include:

(i) an allegation or complaint;

(ii) an informal warning;

(iii) a notice of investigation; or

(iv) any preliminary or interim correspondence that does not communicate a final disciplinary outcome.

(e) Ineligibility under this clause arises automatically when the Written Disciplinary Action is served on the person.

(f) No separate resolution, determination or notice of ineligibility is required.

(g) The first Election Cycle affected by the automatic ineligibility is:

- (i) the current Election Cycle, where Written Disciplinary Action is served before nominations for that Election Cycle have closed; or
 - (ii) the next Election Cycle, where no Election Cycle is underway or nominations for the current Election Cycle have already closed.
- (h) Where a person becomes ineligible after submitting a nomination but before nominations close, the nomination is automatically invalid.
- (i) Where a person becomes ineligible after nominations close but before elections results are declared:
 - (i) the nomination is automatically invalid;
 - (ii) the Electoral Officer must remove the person from the ballot where reasonably practicable; and
 - (iii) any votes cast for the person must not be counted.
- (j) Where a person is elected, appointed or co-opted while ineligible under this clause, the election, appointment or co-option is void.
- (k) Automatic ineligibility under this clause does not, by itself, remove a person from the position they currently hold, unless the disciplinary action imposed is removal under Part 11 or clause 18(2)(e).
- (l) The Secretary-General must maintain a confidential record of:
 - (i) the Written Disciplinary Action;
 - (ii) the date on which it was served;
 - (iii) the Election Cycles affected; and
 - (iv) the date on which each period of ineligibility expires.
- (m) Resignation from office does not prevent the automatic operation of this clause where Written Disciplinary Action was issued before the resignation took effect.

PART 19 - Elections

(1) An annual election must be held once in each calendar year.

(a) For the purposes of this clause, the Annual Election commences when:

- (i) the formal Election Notice has been issued in accordance with this Part; and
- (ii) nominations for Committee positions have opened

(2) The ordinary voting period must conclude sufficiently before the Annual Commencement Date to permit:

- (a) the formal announcement of the Annual Election results;
- (b) the commencement of the transition period;
- (c) the holding of the Annual General Meeting in accordance with Part 20; and
- (d) an orderly transition and handover before commencement of the incoming Committee's term.

(3) Electoral Officer

- (a) The outgoing President shall be the Electoral Officer unless they are a candidate.
- (b) Where the outgoing President is a candidate, an Executive Member who is not a candidate shall be appointed Electoral Officer.
- (c) Where no Executive Member is available who is not a candidate, SAUNDA or a delegate of SAUNDA shall act as Electoral Officer.
- (d) The Electoral Officer is responsible for ensuring that the Annual Election is commenced and administered within the timeframes prescribed by this Part.

(4) The Electoral Officer must take all reasonable steps to ensure that the election timetable complies with the requirements of this Part.

(5) The Order of the Election Period is as follows:

- (a) Nomination Period
- (b) Campaigning Period

(c) Voting Period

(d) Results Released

(6) Notice of Elections

(a) Notice of election must be issued no less than 14 days prior to the commencement of voting

(b) Notice must be given through display on the Society website.

(c) An Election Notice shall outline:

- (i) that nominations have opened;
- (ii) The time and date for close of nominations;
- (iii) the date and time that campaigning may commence;
- (iv) the date and time that campaigning closes;
- (v) the times, dates, and places for voting
- (vi) the time and date that voting closes.

(7) Nominations

(a) The nomination period shall be open for seven (7) days

(b) Members may nominate for up to three (3) positions on the Committee.

- (i) If a Member's nomination has more than three (3) Committee positions, the whole nomination is to be deemed invalid.

(c) Nominations must include:

- (i) the Member's full name; and
- (ii) Student Identification Number (if a student); and
- (iii) Member's current year of study; and
- (iv) Member's degree; and

- (v) the Committee position(s) for which they are nominating (in order of preference); and
 - (vi) A statement of candidature (maximum 500 words).
- (d) Where an Alumni Member nominates for an Alumni Representative position:
- (i) the nominee is not required to provide a current year of study;
 - (ii) the nominee may provide their former Student Identification Number where available; and
 - (iii) the nominee must provide sufficient information to enable the Electoral Officer to verify their eligibility as an Alumni Member.
- (e) Subject to clause 19(9)(d), if a Member fails to satisfy the applicable nomination requirements under clause 19(9)(c), their nomination shall be deemed invalid.
- (f) If, by the close of the nominations period, only one eligible nomination is received for a position, that candidate will be deemed elected.
- (g) Where a position has more than one vacancy, the number of candidates elected shall not exceed the number of vacancies available.
- (h) Where the number of eligible nominees does not exceed the number of available vacancies, each nominee shall be deemed elected and any remaining vacancy shall become a Casual Vacancy.
- (i) If no eligible nominations are received for a Committee position, that position shall become a Casual Vacancy.
- (j) The First Year Representative position is an exception to be governed by the governing documents and this Constitution.
- (k) Any alteration to a nomination, including positions, must occur within the nomination period.
- (i) Any alteration that occurs to a Member's nomination outside of the nomination period is to be deemed invalid.

(8) Eligibility

- (a) To nominate for an Executive position, a Member must, at the close of the nomination period meet all requirements, including:
- (i) be a Current Committee Member; and
 - (ii) currently be in their third year of legal studies or higher at the time of nominations; or
 - (iii) currently be in the process of completing their second year of postgraduate studies; and
 - (iv) have held a position on the Committee for two full terms; and
 - (v) not have been previously removed from office following the operation of Part 11 of this Constitution; and
 - (vi) not be subject to a current period of ineligibility arising from Written Disciplinary Action under Part 18(6).
- (b) To nominate for the position of President, a Member must, at the close of the nomination period meet all requirements, including:
- (i) be a Current Committee Executive Member; and
 - (ii) have held an Executive position for at least one full term; and
 - (iii) either currently be in their third year of legal studies or higher at the time of nominations; or
 - (iv) currently be in the process of completing their second year of postgraduate studies; and
 - (v) must not have been previously removed from office following the operation of Part 11 of this Constitution; and
 - (vi) not be subject to a current period of ineligibility arising from Written Disciplinary Action under Part 18(6).
- (c) A Member is eligible to nominate as an Ordinary Committee Member, where:
- (i) the Member satisfies Part 6 of this Constitution; and

- (ii) the Member has not previously been removed from the Committee under Part 11; and
 - (iii) the Member is not subject to a current period of ineligibility arising from disciplinary action by the Committee or the University under Part 18(6).
- (d) A person who is ineligible under Part 18(6) must not be:
 - (i) accepted as a candidate;
 - (ii) elected to a position;
 - (iii) appointed to a casual vacancy;
 - (iv) co-opted to the Committee;
 - (v) appointed to an acting position; or
 - (vi) otherwise permitted to exercise the functions or authority of the relevant position.
- (e) The Electoral Officer must verify the eligibility of each candidate before accepting or publishing their nomination.
- (f) The Secretary-General must provide the Electoral Officer with confidential confirmation of whether a candidate is subject to a current period of ineligibility.
- (g) The Electoral Officer must not disclose the details of any disciplinary action and may only state that the person does not satisfy the constitutional eligibility requirements.
- (h) The purpose of these eligibility requirements is to ensure governance stability, and the effective management of the Society.

(9) Campaigning

- (a) The campaign period shall begin straight after the close of nominations.
- (b) Candidates shall be informed via email of the commencement of the campaign period by the President or a delegate.
- (c) The campaign period shall run for five (5) consecutive days.

- (d) Prior to the commencement of the campaigning period outlined in the Election Notice, campaigning activities are prohibited. Such activities include, but are not limited to:
- (i) Publicly displaying or distributing any publication (including posters, stickers, flyers, letters, online communications, videos, sound, recordings, t-shirts, photographs) containing any electoral matters;
 - (ii) Publicly displaying or distributing letters (online or otherwise), emails, text messages and other online communications;
 - (iii) Soliciting support or assistance for campaigning activities outside of the prescribed campaigning time.
- (e) This section shall apply to all candidates and their representatives during the election period.
- (i) a representative means a person authorised by, or acting at the request or direction of, a candidate for the purposes of campaign activities.
- (f) Current NDSLS Committee Members who are candidates participating in campaigning must include the following disclaimer:
- “This is my own view and does not represent the views of the NDSLS”*
- (g) No person shall cause damage or defacement to any public or private property of the University for the promotion of any candidate. For this provision, “damage and defacement” shall be taken to include any materials that cannot be removed.
- (h) A person shall not engage in any dishonest practice in relation to the election.
- (i) Any dispute or alleged breach regarding campaigning matters is to be brought to the attention of the Electoral Officer.
- (j) Any NDSLS or University database cannot be accessed or utilised for campaigning.
- (k) Nomination statements will be available to all students on the NDSLS website.
- (i) Statement of candidature posted on the NDSLS website or on any NDSLS Social platform will list candidates in order of last name alphabetically.

- (ii) In the case that individuals have the same last name, their first name(s) determines the order.
- (l) All candidates must conduct their campaign in good faith and on positive terms.
- (m) All candidates must comply with the NDSLS governing documents and all University policies regarding discrimination, vilification, and harassment whilst campaigning.
 - (i) a breach of this clause may constitute a serious breach of the election rules and may result in action under the Complaints Process, including disqualification where proportionate to the seriousness of the breach.
- (n) Candidates must not provide any incentives to prospective or potential voters.
 - (i) 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.

(10) Voting

(a) A voter includes:

- (i) A Committee Member of the NDSLS;
- (ii) An Ordinary Member of the NDSLS;
- (iii) Any Staff Member of the School of Law and Business.

(b) Voting is to be held via an electronic google form.

(c) The form must include:

- (i) the Voter's Full Name;
- (ii) where the voter is a student, their Student Identification Number;
- (iii) where the voter is a Staff Member, their University staff email address or other identifier; and
- (iv) Candidate Nominee Selections.

- (d) As each candidate is taken to be independent, the use of pre-filled voting forms (either wholly or partially filled) is prohibited.
- (e) For a position with one vacancy, the candidate who receives the greatest number of votes shall be elected.
- (f) For a position with multiple vacancies, candidates shall be ranked according to the number of votes received, and the candidates receiving the greatest number of votes, up to the number of vacancies available, shall be elected.
- (g) Only positions where the number of eligible nominees exceeds the number of available vacancies shall be listed on the voting ballot.
- (h) A vote need not be cast for all contested positions to be deemed valid.
- (i) The voting period must be open for no less than twenty-four (24) hours and no more than three (3) days.
- (j) Where circumstances beyond the control of the Electoral Officer prevent voting from occurring as prescribed by the Election Notice, the Electoral Officer may extend the voting period for no more than twenty-four (24) hours, provided that the extension does not prevent compliance with the Annual Commencement Date.
 - (i) If the voting period is extended, then the Electoral Officer must notify each nominee of the change.

(11) Voting Method

- (a) Candidates shall be elected according to the number of valid votes cast in accordance with Part 19(12)
- (b) Where a tie affects the determination of the final available vacancy, a further ballot shall be conducted between only the tied candidates
 - (i) Nominees must be notified in writing of the new voting period.
 - (ii) The further ballot must commence as soon as reasonably practicable and remain open for twenty-four (24) hours.
- (c) Where a candidate is elected or deemed elected to more than one position:

- (i) the candidate shall assume the position ranked highest in their stated order of preference; and
 - (ii) for each other position, the next highest ranked eligible candidate shall be elected, where applicable; and
 - (iii) where no eligible candidate remains for a position, that position shall become a Casual Vacancy.
- (d) The results of the election must be announced via email to candidates and published on the Society website as soon as reasonably practicable following the close of voting and, in any event, no later than twenty-four (24) hours after the close of the voting period and before the Annual Commencement Date.
- (e) Once votes have been counted, the ballots shall be retained by the Electoral Officer for a period of at least two (2) weeks after the announcement of elected candidates by the Electoral Officer.
- (f) A candidate may request a supervised inspection of the count or a recount, but must not be given access to information identifying how an individual voter voted.
- (g) Should any candidate believe an error in counting has occurred, in accordance with the procedures under this section, a candidate may request a recount.
 - (i) The request must be in writing and presented to the Electoral Officer of that election within seven (7) business days of the announcement of results.
 - (ii) The Electoral Officer may conduct a recount in the presence of the candidate.
 - (iii) Election ballots and identifiable voting records may be securely destroyed after the expiry of two (2) weeks following the announcement of the election results, provided that all recounts, complaints, disputes or other election processes have been finally resolved.
 - (iv) Destruction under this clause is expressly authorised for the purposes of Part 7.
 - (v) An individual candidate's total number of votes shall be emailed to them upon written request.

- (vi) An individual is not permitted to request the number of votes of any other candidate.

(h) Election Records

- (i) The final election results, final vote totals, declarations of election, complaints, recount determinations and other governance records relating to the administration of the election must be retained in accordance with Part 7.
- (ii) Records retained under this clause must not identify how an individual voter Voted.

(14) First Year Representative

- (a) Nominations for First Year Representative may be received from the date chosen by the President at their discretion.
- (b) Notice of election shall be given at the discretion of the President in Semester One.
- (c) The voting procedure shall, so far as applicable, follow the voting and voting method requirements set out in this Part.

(15) Transition Period

- (a) The transition period commences immediately upon the formal announcement of the Annual Election results, includes the period during which the Annual General Meeting is held, and continues until the Annual Commencement Date.
- (b) The outgoing President shall ensure that:
 - (i) each Member of the outgoing Committee prepare a handover document with all relevant materials and information to be handed to the incoming Committee;
 - (ii) A Committee Member must not intentionally withhold Society records, passwords, contacts, sponsorship information, templates or other Society property from their successor; and
 - (iii) the handover documents are provided to the incoming Committee as soon as reasonably practicable;

- (c) Outgoing Committee Members remain responsible for Society operations until commencement of the incoming Committee's term.
- (d) Outgoing Committee Member must take reasonable steps to facilitate an orderly transition, including, but not limited to, the transfer of:
 - (i) records;
 - (ii) passwords;
 - (iii) sponsorship information;
 - (iv) event materials;
 - (v) financial property; and
 - (vi) Society property.
- (e) Former Committee Members cease to hold authority upon conclusion of their term unless otherwise authorised.
- (f) An incoming Committee is deemed to be valid provided there are at least two incoming Executive Members and at least 3 incoming Committee Members.

(16) Complaints Process

- (a) Where the Electoral Officer has witnessed first-hand or has been provided with evidence that establishes, or possibly establishes, a breach of this Part, the Election Notice, or any applicable election rule or governing document, they must provide particulars of the alleged act or omission in writing to the person, candidate or primary contact, giving them a reasonable opportunity to respond to the allegation in writing.
- (b) In setting the timeframe for response, regard must be had to the remaining length of the election campaign and the need for expediency in determining the matter.
- (c) Complaints to the Electoral Officer must contain the name and contact details of the person(s) making the complaint, particulars of the allegation and any supporting evidence.

- (d) Any complaints received by the Electoral Officer must be investigated without delay.
- (e) In the event that the complaint involves the Electoral Officer, the School of Law shall be made aware and requested to resolve.
- (f) Depending on the seriousness of the breach, a candidate's entire nomination may be subject to disqualification.

Part 20 - Meetings

(1) Attendance

- (a) All Committee Members are required to attend all meetings.
- (b) The Secretary-General will keep a cumulative attendance register.
- (c) Apologies for meetings must be sent via email to the President and Secretary-General no less than 12 hours before the commencement of the meeting.
- (d) At the discretion of the Executive, meetings of the Society may be held:
 - (i) in person;
 - (ii) electronically; or
 - (iii) by hybrid format.

(2) The Chair:

- (a) The President shall be the Chair at all meetings of the NDSLS.
- (b) In the event of the President's absence, the Vice President must preside at the Committee Meeting.
- (c) Is responsible for maintaining order, and may eject persons making unreasonable disturbance;
- (d) Has the precedence to speak over other speakers when giving directions or rulings;
- (e) May adopt a speaking list or any other method of order to ensure the smooth running of the meeting;

- (f) May impose a maximum time limit on a debate.

(3) Conduct

- (a) All members must act respectfully and professionally in all meetings.
- (b) No student or groups of students shall be discriminated against on the basis of race, gender identity, religion, political ideologies, physical or mental disability or age in any discussion, debate or decision.
- (c) A motion to eject a member can be put by any member of the Committee and must succeed by majority after an opportunity for a debate.
- (d) Only Committee Members holding Internal Voting Rights may vote at an Annual General Meeting or Special General Meeting, except where this Constitution expressly provides otherwise.
- (e) Ordinary Members may attend and speak at General Meetings but do not hold voting rights unless expressly provided by this Constitution.

(4) Motions

- (a) Every motion raised by the NDSLS must have a mover and a seconder before discussion will commence.
 - (i) A mover and a seconder is not necessary where endorsement is required.
- (b) A motion for a proposed action or outcome should be stated and expressed.
- (c) When a time limit is set by the Chair, and that has expired, the Chair will put the motion to the Committee for a vote.

(5) Minutes of Meetings

- (a) The Society must keep a record of the proceedings of all meetings.
- (b) The minutes shall include:
 - (i) a record of attendance, including apologies and absences; and all proposed resolutions discussed; and all resolutions of the Committee; and the rationale behind Committee Members' decisions; and

- (ii) All voting results.
- (c) The minutes must be signed by the Chair at the next succeeding meeting to certify that they are a true and correct record of the proceedings of the meetings.
- (d) The minutes of all meetings shall be available to Members upon ratification by the Chair.

(6) Committee Meetings

- (a) NDSLS Committee business will be conducted in Committee Meetings, either:
 - (i) Held at least once per calendar month; or
 - (ii) Convened as and when required by the Executive or at least half of the Committee Members.
- (b) The President shall convene and chair Committee Meetings.
- (c) In the President's absence, the Vice President shall chair Committee Meetings.
- (d) All members of the Committee shall be given at least three (3) days notice of a meeting, including the time and place of the meeting by either:
 - (i) In writing;
 - (ii) By telephone;
 - (iii) Via electronic messaging; or
 - (iv) In person.
- (e) The Secretary-General shall prepare, in collaboration with the Executive Committee, and distribute the agenda to Committee Members at least 12 hours prior to the commencement of the meeting, either:
 - (i) In writing;
 - (ii) By telephone;
 - (iii) Via electronic messaging; or

- (iv) In person.
- (f) Quorum at Committee meetings shall be achieved when half of the current Committee members plus one, including at least two Executive members.
- (g) All Committee members may vote at Committee meetings.
- (h) A Committee Member who has any direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in contemplation of, the Committee, shall:
 - (i) As soon as he or she becomes aware of that interest, disclose the nature and extent of the interest to the Committee; and
 - (ii) Not take part in any deliberation or decision of the Committee with respect to that contract.
- (i) All Members are entitled to attend Committee meetings as observers. Observers may be granted speaking rights by the Chair.
- (j) A resolution put to the vote of a Committee Meeting is decided on a show of hands unless a private ballot is demanded by at least five (5) Members.
- (k) Where a private ballot is demanded, the votes shall be counted by the President and the Secretary-General, or in their absence, another Executive member.
- (l) Proxy votes may be accepted at Committee meetings.

(7) Annual General Meetings (AGM)

- (a) The Annual General Meeting of the Society shall be held annually after the formal announcement of the Annual Election results and before the Annual Commencement Date.
- (b) The President shall convene the Annual General Meeting.
- (c) An Agenda and Notice of the Annual General Meeting must be given to all Members at least seven (7) days prior to the meeting, which must specify the place, date and time of the meeting and the business to be transacted at the meeting.
- (d) The Annual General Meeting should aim to be held in October each calendar year, and before final exams.

(e) The agenda for the Annual General Meeting shall include:

- (i) Opening and Welcome;
- (ii) Acknowledgement of Country if appropriate;
- (iii) Apologies and leaves of absence;
- (iv) Correspondence;
- (v) Annual Reports from the outgoing President, Vice President, Treasurer and Secretary-General relating to the preceding Committee term
- (vi) Bank signatory transition arrangement; and
- (vii) General Business.

(f) Procedure at the Annual General Meeting.

- (i) Quorum shall be 15 Members or one third of the Society's Members at that time, whichever is the lesser.
- (ii) The President shall chair the Annual General Meeting. In the President's absence, the Vice President shall chair the Annual General Meeting.
- (iii) The Annual General Meeting shall be conducted in accordance with the governing documents.
- (iv) The President may, with the consent of the Members present by resolution, adjourn the meeting to another time if appropriate in all the circumstances.
- (v) A resolution put to the vote of the meeting is decided by a show of hands unless a private ballot is demanded by at least five (5) Members.
- (vi) Where a private ballot is demanded, the votes shall be counted by the President and the Secretary-General, or in their absence, another Executive Member.
- (vii) Proxy votes shall not be accepted at an Annual General Meeting.
- (viii) Outgoing Committee Members must provide handover documents to the President.

- (ix) Prior to the conclusion of the meeting, the Electoral Officer or President shall formally report the results of the most recent Annual Election and the composition of the Committee elected at that election shall be recorded in the minutes
- (g) The minutes of the meeting shall be provided to Committee Members no later than 4 days after the meeting.
- (h) These minutes must be formulated on the Society's Annual General Meeting Minutes Template.

(8) Special General Meetings

- (a) A Special General Meeting shall be called by the President and held within fourteen days of receiving a written requisition from: (a) two Executive members; or (b) 25 Members.
- (b) The written requisition must state the resolutions being put to the meeting.
- (c) The President may also call a Special General Meeting at any time.
- (d) The notice requirement shall be the same as for an Annual General Meeting.
- (e) The procedure shall be the same as for an Annual General Meeting.

(9) Remote Attendance and Voting

- (a) Remote Attendance is at the discretion of the Executive.
- (b) Remote Attendance may not be granted for Annual General Meetings.
- (c) A Committee Member attending a meeting electronically or by hybrid means is taken to be present at the meeting for the purposes of quorum and voting.
- (d) Votes cast electronically during a meeting are valid provided the identity of the Committee Member can be reasonably confirmed.

(e) Where technological issues prevent a Committee Member from participating in a meeting or casting a vote, the Chair may, where considered appropriate in the circumstances:

- (i) continue the meeting;
- (ii) pause proceedings for a reasonable period; or
- (iii) defer the relevant matter to a later time or meeting.

(f) A meeting is not invalid solely because of minor technological difficulties affecting one or more participants.

(10) Each Committee Member entitled to vote has one deliberative vote.

(11) In the event of equality of votes on an ordinary motion, the Chair has a casting vote in addition to their deliberative vote.

(12) In the event of equality of votes concerning:

- (a) constitutional amendment;
- (b) disciplinary action;
- (c) Suspension;
- (d) removal from office; or
- (e) dissolution of the Society,

the motion fails.

Part 21 - Acknowledgement of Country

(1) The Society acknowledges the importance of recognising Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of the land on which events and meetings are held.

(2) An Acknowledgement of Country or Welcome to Country may be delivered at official Society functions, events, meetings, Annual General Meetings, Special General Meetings,

and Committee Meetings where considered appropriate at the discretion of the President and Executive Committee, having regard to the nature, scale, and formality of the event.

- (3) The President and Executive Team may determine whether an Acknowledgement of Country or Welcome to Country is appropriate in the circumstances and whether either practice is necessary for a particular event or meeting.
- (4) Where an Acknowledgement of Country is delivered, the following example may be used:
 - (a) “The Notre Dame Sydney Law Society acknowledges the Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of the country throughout Australia and pays respect to Elders past and present.”

Part 22 - Circular Motions

- (1) Business that may be conducted by circular motion:
 - (a) Subject to this Constitution, any business that may be determined by the Committee may be conducted by Circular Motion.
 - (b) A circular motion must not be used to:
 - (i) Amend this Constitution;
 - (ii) Remove a Committee Member from office;
 - (iii) Terminate the Membership of a Member;
 - (iv) Dissolve the Society; or
 - (v) Determine any matter which this Constitution expressly requires to be determined at a General Meeting or Committee Meeting.
- (2) Any Committee Member may move a Circular Motion.
 - (a) A Circular Motion must be submitted in writing to the Secretary-General and must include:
 - (i) the name of the Committee Member moving the motion;

- (ii) the precise wording of the motion;
- (iii) any relevant supporting information or documents; and
- (iv) where appropriate, the date by which the proposed action is required.

(3) Upon receipt of a valid Circular Motion, in consultation with the President, the Secretary-General must circulate the motion and any accompanying material to all Committee Members as soon as reasonably practicable.

(4) The notice circulated by the Secretary-General must specify:

- (a) the time and date voting opens;
- (b) the time and date the voting closes; and
- (c) the manner in which votes are to be submitted.

(5) Voting Period

- (a) A Circular Motion must ordinarily remain open for voting for no less than forty-eight (48) hours.
- (b) Where the Executive reasonably considers that urgent action is required, the voting period may be reduced to no less than twenty-four (24) hours.
- (c) The reason for any shortened voting period must be recorded with the Circular Motion.

(6) Voting

- (a) A Committee Member may vote:
 - (i) In favour;
 - (ii) Against; or
 - (iii) Abstain.
- (b) Votes must be submitted to the Secretary-General, or through another voting method approved by the Executive and specified in the notice of the Circular Motion.

- (c) A Committee Member may change their vote at any time before the close of the voting period.
- (d) Where a Committee Member does not submit a vote before the close of the voting period, they shall be taken not to have voted.

(7) Quorum

- (a) Quorum for a Circular Motion shall be the same as the quorum required for a Committee Meeting under Part 20.
- (b) A Committee Member who expressly abstains from voting shall be counted for the purposes of quorum.
- (c) A Committee Member who does not respond to the Circular Motion shall not be counted for the purposes of quorum.

(8) Determination of Votes

- (a) Subject to this Constitution, a Circular Motion is carried where a simple majority of votes cast are in favour of the motion.
- (b) Abstentions are not counted as votes cast for the purpose of determining whether a majority has been achieved.
- (c) Where this Constitution requires a Special Majority or another specified majority for a particular decision, that majority applies to the Circular Motion.
- (d) In the event of an equality of votes on an ordinary Circular Motion, the President shall have a casting vote in addition to any deliberative vote cast by the President.
- (e) In the event of an equality of votes on a matter of the kind specified in Part 20(12), the Circular Motion fails

(9) Amendments

- (a) The mover may amend or withdraw a Circular Motion at any time before the close of voting.
- (b) Where a Circular Motion is materially amended:

- (i) all votes cast before the amendment shall cease to have effect;
- (ii) the Secretary-General must circulate the amended motion to all Committee Members; and
- (iii) a new voting period must commence.

(c) A minor clerical or typographical correction that does not alter the substance of the motion does not require voting to recommence.

(10) Lapsed Circular Motions

(a) A Circular Motion lapses where:

- (i) quorum is not achieved by the close of the voting period;
- (ii) the motion is withdrawn by the mover; or
- (iii) the motion cannot otherwise validly be determined under this Constitution.

(b) A Circular Motion that lapses because quorum was not achieved may be:

- (i) resubmitted as a new Circular Motion; or
- (ii) referred to the next Committee Meeting for consideration.

(11) Announcement and Recording of Results

(a) The Secretary-General must notify Committee Members of the outcome of a Circular Motion as soon as reasonably practicable and no later than three (3) days after the close of voting.

(b) The notification must record:

- (i) whether the motion was carried, not carried or lapsed;
- (ii) the number of votes cast in favour;
- (iii) the number of votes cast against;
- (iv) the number of express abstentions; and

- (v) whether quorum was achieved.
- (c) The Secretary-General must maintain a record of each Circular Motion, including:
 - (i) the motion;
 - (ii) supporting documents;
 - (iii) the voting period;
 - (iv) the result; and
 - (v) any amendment or withdrawal.
- (d) The President must report at each Committee Meeting on Circular Motions determined since the previous Committee Meeting.

Part 23 - Finances

- (1) The assets and income of the Society shall be applied solely in furtherance of its objectives, and no portion shall be distributed directly or indirectly to the Members of the Society except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.
- (2) The Society will maintain a financial control framework to ensure all funds are managed lawfully, ethically and transparently.
- (3) All financial transactions must be documented, authorised and recorded.
- (4) The Treasurer, in consultation with the Executive, shall oversee the financial management of the Society and ensure responsible handling of funds.
- (5) Bank Account and Signatories
 - (a) All funds must be managed through the Society's official business bank account.
 - (b) Only Executive Office-Bearers (President, Vice President, Treasurer, Secretary-General) may be bank signatories.
 - (i) Where required for SSAF purposes, the SAUNDA President or Treasurer may also be added as a signatory.

- (c) Access must be immediately cancelled upon the departure or removal of any office bearer.
- (d) Authorised signatories cannot co-sign or authorise their own reimbursement claims.
- (e) Funds and assets must be applied solely to achieving the Society's objectives and must not be distributed to members except for legitimate, approved reimbursements.
- (f) Debit cards must:
 - (i) be issued in the individual office-bearer's name;
 - (ii) use secure PINs;
 - (iii) have PIN's reset annually;
 - (iv) At the end of each term, the outgoing Executive must destroy their card and confirm this in writing to the Committee;
 - (v) The incoming Executive must apply for a new card following formal appointment.

(6) SSAF Funding

- (a) Where expenditure is funded through SSAF allocations, activities must comply with the Higher Education Support Act 2003 (Cth), the Higher Education Support (Student Services, Amenities, Representation and Advocacy) Guidelines 2022, and any applicable University or SAUNDA requirements.
- (b) SSAF expenditure must comply with allowable categories under the Higher Education Support Act and SSAF Guidelines and must not be used for prohibited activities.
- (c) All SSAF uses must be compliant with University, Government and SAUNDA policies and procedures.

(7) All expenditure must be supported by a valid tax invoice or receipt.

- (a) In the event that an invoice or receipt is not available, detailed notes must be recorded.

(8) Expenditure may be authorised by any Executive Member.

(9) Financial documentation must be retained for seven (7) years.

(a) Digital copies must be stored in the Society Google Drive folder.

(10) The funds of the Society are to be derived from sponsorship, donations, merchandise sales, event ticket sales and any other sources the Committee determines.

(11) All money received by the Society must be deposited in the Society bank account as soon as practicable.

(12) The Society must, as soon as practicable after receiving any money, issue an appropriate receipt or invoice.

(13) All Executive members must deal with the funds of the Society, honestly, in good faith, and responsibly.

(14) The Treasurer will have custody of all securities, books and documents of a financial nature and accounting records of the Society.

(15) Budgeting

(a) A budget shall be prepared at the beginning of each term of office by the Treasurer, in consultation with the President.

(b) The budget may be amended during the term of office where necessary, including upon receipt of sponsorship or other funding.

(c) The budget shall allocate funds to each Portfolio and outline anticipated income and expenditure.

(d) Any surplus funds not allocated to a Portfolio shall be allocated to the General Fund.

(e) Funds received from sponsors shall not be allocated to the General Fund unless:

(i) Sponsorship obligations have been fulfilled; or

(ii) Sufficient funds have been allocated to ensure the fulfilment of sponsorship obligations.

(16) Funds raised through fundraising initiatives shall be allocated in accordance with representations made by the Society, and otherwise to the General Fund.

(17) The General Fund

(a) The General Fund consists of all money collected by the Society not allocated to a specific Portfolio.

(b) Amounts in the General Funds may be allocated at the discretion of the Executive.

(c) The General Fund shall be used in accordance with this Constitution and any By-Laws.

(18) Restricted Funds

(a) Where funds are received for a specific purpose, those funds must be used for that purpose.

(b) The Treasurer must maintain a record of any restricted funds.

(19) Reimbursement and Funding

(a) Members may be reimbursed for expenses reasonably incurred in serving the interests of the Society.

(b) Reimbursement requests must be supported by appropriate documentation.

(20) Financial Assistance

(a) The provision of financial assistance shall be determined by the Executive at its sole discretion

(b) In determining whether to provide financial assistance, the Executive must consider:

(i) the purpose of the funding;

(ii) the benefit to Sydney Campus law students;

(iii) the availability of funds; and

(iv) any other relevant considerations.

(c) Financial assistance may only be provided where the Executive is satisfied that funding will benefit students of the University of Notre Dame Australia, Sydney Campus.

(d) Reimbursement and funding shall be conducted in accordance with this Constitution and the By-Laws.

(21) Insurance

(a) The Society, until such time that it becomes an incorporated entity, shall be insured by the University.

(22) Whistleblower Protections

(a) Any person who reports suspected fraud, corruption, or misappropriation in good faith is protected from retaliation.

(b) Victimisation or retaliation against a person who makes a report in good faith is a serious disciplinary matter and may be referred to an appropriate authority where required or appropriate by law.

(c) Confidential reports may be made to:

(i) the Society President (or, where the President is implicated, the next hierarchical Executive Member);

(ii) UNDA;

(iii) the School of Law; or

(iv) the relevant state authority.

(d) The report must be made in writing (email is acceptable) and must include:

(i) the nature of the suspected fraud;

(ii) the names of persons involved (if known);

(iii) relevant dates and amounts (if known); and

(iv) any supporting evidence.

(23) Investigating Reports of Fraud

- (a) Upon receiving a fraud report, the President (or nominated Committee Member) must convene an extraordinary meeting of the Executive Committee within five (5) business days.
- (b) The Executive Committee will appoint an Investigation Officer who is not implicated in the allegations to conduct an initial fact-finding review.
- (c) The subject of the allegation must be suspended from all financial duties and access for the duration of the investigation, without prejudice and without any adverse inference being drawn.
- (d) All relevant accounts, records, and evidence must be preserved and must not be altered, deleted or destroyed.
- (e) The Investigation Officer must report findings to the Executive Committee within twenty (20) business days.
- (f) If the investigation reveals a reasonable belief that fraud or misappropriation of funds has occurred, the Executive Committee must:
 - (i) notify UNDA in writing within five (5) business days;
 - (ii) consider referral to the relevant state authority or police; and
 - (iii) comply with all mandatory reporting obligations.
- (g) The subject of the allegation must be afforded procedural fairness and the right to respond before any finding is finalised.
- (h) The outcome of the investigation must be documented in writing and retained securely for a minimum of seven (7) years.

(24) Consequences of Fraud

(a) Any person found to have committed fraud, corruption or misappropriation of Society funds may face:

- (i) suspension from duties and removal from office in accordance with Parts 11 and 18 of this Constitution;
- (ii) referral to UNDA and the School of Law for disciplinary action;
- (iii) civil recovery of misappropriated funds;
- (iv) referral to police and prosecution under *Crimes Act 1900* (NSW).

Part 24 - Privacy and Confidentiality

(1) The Society will take all reasonable steps to ensure that information and data collected from its Members is kept confidential.

(2) All materials used and acquired in the carrying out of a Committee Members' role are to be considered the property of the Society.

(3) All Committee Members will be responsible for ensuring the privacy, security and confidentiality of all relevant materials and information.

(4) Confidential material and information includes, but is not limited to:

- (a) internal Committee discussions;
- (b) executive discussions;
- (c) voting outcomes not publicly released;
- (d) personal information of Members;
- (e) disciplinary matters;
- (f) grievances and complaints;
- (g) financial information;
- (h) sponsorship negotiations;
- (i) contractual arrangements;

(j) strategic planning discussions; and

(k) any information designated as confidential by the Executive.

(5) Committee Members must not use confidential information:

(a) for personal benefit;

(b) to benefit another person;

(c) to disadvantage the Society; or

(d) in a way that may bring the Society into disrepute.

(6) All Committee Members are to observe the highest standards of ethical behaviour and to act diligently to properly discharge their duties as Committee Members and facilitate the efficient and effective exercise of the functions of the Society.

(7) Committee Members must not engage in conduct likely to bring the Society into serious disrepute.

(8) All Committee Members are to avoid any action, position or interest that conflicts with, or may reasonably be perceived to be in conflict with, their duties of office, the Objectives of the Society, the Purpose of the Society and the general functions of the Society.

(9) All Committee Members must keep all meetings, meeting minutes, papers, discussions and deliberations confidential (except where required or otherwise permitted to be disclosed).

(10) Confidential information must not be disclosed to any person outside the Committee unless:

(a) authorised by the Executive;

(b) required by law; or

(c) required by University policy.

(11) Committee Members must not disclose confidential information to Members, sponsors, external organisations, or third parties without authorisation.

- (12) Committee Members must respect the confidentiality of sensitive discussions within the Committee.
- (13) Committee Members must not publicly disclose disagreements or internal deliberations of the Committee.
- (14) The Society will take reasonable steps to maintain the security of its systems and data but does not guarantee protection from unauthorised access, cyber incidents, or third-party breaches.
- (15) The Society shall not be responsible for individual breaches of privacy and confidentiality committed by Committee Members.
- (16) This clause does not prevent lawful disclosures, protected disclosures, or good faith participation in governance processes

Part 25 - Conflicts of Interest

- (1) A Committee Member must disclose any actual or perceived conflict of interest.
- (2) A Committee Member with a conflict must:
 - (a) disclose the conflict
 - (b) abstain from discussion
 - (c) abstain from voting
- (3) The disclosure must be recorded in the meeting minutes.
- (4) Conflicts of Interest Register
 - (a) The Secretary General must maintain a register of disclosed actual, potential and perceived conflicts of interest.
 - (b) Committee Members must disclose any relevant conflict upon becoming aware of it and must update any previous disclosure where circumstances materially change.
 - (c) The register must record the nature of the conflict and any action taken to manage it.

- (d) Access to the register may be restricted where necessary to protect confidential or personal information.

Part 26 - External Committee Positions

- (1) For the purposes of this Part, 'external' means any other club, society or student association / organisation, other than the NDSLS.
- (2) A Committee Member of the NDSLS must not concurrently hold more than one
(1) other Committee or Executive position on an external University club, society, or student organisation.
- (3) Committee Members must disclose any external Committee or Executive positions held during their term of office.
- (4) The Executive may require a Committee Member to provide details regarding any external leadership position where relevant to this Part.
- (5) The purpose of this Part is to:
- (a) promote commitment and continuity within the Society;
 - (b) minimise conflicts of interest;
 - (c) ensure Committee Members are capable of fulfilling their duties; and
 - (d) protect the operational effectiveness and reputation of the Society.

Part 27 - Conduct at Events

- (1) General Conduct
- (a) Committee Members must conduct themselves in a professional and respectful manner at all Society events.
 - (b) Committee Members must act in a way that promotes a safe, inclusive, and welcoming environment for all attendees.
 - (c) Committee Members must act in the best interests of the Society at all times while attending Society events.
- (2) Representation of the Society

- (a) Committee Members attending Society events are considered representatives of the Society.
- (b) Committee Members must act professionally at Society events and must not engage in conduct that may bring the Society into disrepute.
- (c) Committee Members must act professionally when interacting with:
 - (i) Members;
 - (ii) sponsors;
 - (iii) University staff;
 - (iv) venue staff;
 - (v) external organisations; and
 - (vi) members of the public.

(3) Responsible Behaviour

- (a) Committee Members must not engage in conduct that may:
 - (i) compromise safety;
 - (ii) disrupt the event;
 - (iii) create discomfort for attendees; or
 - (iv) damage the reputation of the Society.
- (b) Committee Members must comply with venue policies, University policies and applicable laws.

(4) Duty of Care

- (a) Committee Members must take reasonable steps to ensure the safety and wellbeing of attendees
- (b) Committee Members must assist in managing any issues that arise at Society events where reasonably required

- (c) Committee Members must notify the Executive of any significant incidents occurring at Society events.

(5) Professional Boundaries

- (a) Committee Members must maintain appropriate professional boundaries when interacting with Members and attendees.
- (b) Committee Members must not engage in conduct that may reasonably be considered inappropriate, intimidating, or unprofessional.

Part 28 - Service of Notice

- (1) For the purpose of this Constitution, a notice may be given to or served on a person:

- (a) by delivering it to the person personally; or
- (b) by sending it by post to the address of the person; or
- (c) by sending it by electronic transmission to an address specified by the person; or
- (d) by making it available to be viewed on the official website of the Society; or
- (e) by making it available to be viewed by other electronic means as determined by the Society.

- (2) For the purpose of this Constitution, a notice is taken to have been given or served:

- (a) in the case of a notice given or served personally, on the date of which it is received by the addressee; or
- (b) in the case of a notice sent by post, on the date it was sent out; or
- (c) in the case of a notice sent by electronic means, on the date it was sent; or
- (d) in the case of a notice being made available to be viewed on the official website of the Society, on the date it was made available to be viewed; or

(e) in the case of a notice being made available to be viewed by other electronic means as determined by the Committee, on the date it was made available to be viewed.

(3) Where personal notice is required by this Constitution, a notice must be either:

(a) delivered by hand to the person's body; or

(b) sent to an email address provided by the person to the Society; or

(c) sent to the person's residential address.

PART 29 - Dissolution

(1) The Society may be dissolved by Special Resolution at a Special General Meeting convened for that purpose.

(2) A Special General Meeting to consider dissolution must be convened in accordance with this Constitution and must:

(a) be petitioned in writing in accordance with this Constitution;

(b) include notice of the proposed dissolution and reasons for dissolution;

(c) comply with the notice requirements for General Meetings; and

(d) conduct no business other than the proposed dissolution.

(3) The quorum for a meeting to dissolve the Society shall be the same as that required for an Annual General Meeting.

(4) Members proposing the dissolution must be given an opportunity to present their case.

(5) Members opposing the dissolution must be given an opportunity to respond.

(6) A vote shall then be taken on the motion to dissolve the Society.

(7) Dissolution Due to Inactivity

(a) The Society may be dissolved where it has been financially and administratively inactive for a period of eighteen (18) months.

(b) Prior to dissolution under this clause, SAUNDA must provide:

- (i) twenty (20) business days' written notice to the President; and
- (ii) notice in an official SAUNDA publication.

(8) Distribution of Assets

- (a) Upon dissolution, the assets of the Society must not be distributed to Members.
- (b) Any remaining assets must be transferred to SAUNDA for safe-keeping.

PART 30 - Indemnity

- (1) The Society indemnifies Committee Members against any liability incurred in good faith in the performance of their duties, except where the liability arises from:
 - (a) fraud;
 - (b) negligence;
 - (c) wilful misconduct; or
 - (d) breach of this Constitution.

PART 31 - Social Media

- (1) The purpose of this Part is to establish standards for the use and management of social media platforms operated by the Society
- (2) This Part applies to all Committee Members of the Society
- (3) Official social media platforms include, but are not limited to:
 - (a) Instagram;
 - (b) Facebook;
 - (c) LinkedIn;
 - (d) TikTok;
 - (e) Websites;
 - (f) Email communications;

(g) Any other platform operated by the Society.

(4) All official social media accounts are the property of the Society.

(5) Login credentials and access details must be securely stored and accessible to the Executive.

(6) Authority to Post

(a) Only authorised Committee Members may post on official Society social media platforms

(b) Authority to post may be granted or revoked by the Executive at any time

(c) Committee Members must not share login credentials without the approval of the Executive

(7) Content Standards

(a) All content published on Society social media platforms must:

(i) reflect the purpose and objectives of the Society;

(ii) be accurate and not misleading;

(iii) be professional and respectful;

(iv) comply with University policies and applicable codes of conduct; and

(v) not bring the Society into disrepute.

(b) Content must not include:

(i) discriminatory or harassing material;

(ii) defamatory or misleading content;

(iii) confidential information;

(iv) inappropriate or offensive content; or

(v) unauthorised sponsorship or commercial material.

(8) Personal Social Media Use

(a) Committee Members must not represent personal views as those of the Society

(b) Committee Members must not publish or share content that:

- (i) is confidential to the Society;
- (ii) has not yet been publicly released by the Society;
- (iii) may bring the Society into disrepute; or
- (iv) misrepresents the Society or its activities.

(9) Use of Society Media

(a) Photographs, videos, graphics, and other media created, commissioned, or obtained by the Society are the property of the Society.

(b) Committee Members must not use, reproduce, distribute, or publish Society media on personal accounts without prior approval from the Executive.

(c) Committee Members must not publish photographs or videos of persons where:

- (i) consent has not been obtained by persons in the media;
- (ii) the content may reasonably be considered inappropriate or sensitive.

(d) Committee Members must comply with any privacy, consent, or media guidelines established by the Society.

(e) Where approval is granted to use Society media, the Committee Member must clearly acknowledge that the media is owned by the Notre Dame Sydney Law Society.

(i) such acknowledgement may include, but is not limited to:

- 1) including a caption acknowledging the Society; or
- 2) any other attribution method approved by the Executive.

(10) Removal of Personal Content

(a) The Executive may request the removal of any content posted by a Committee Member that:

- (i) breaches this Constitution;
- (ii) breaches privacy or consent requirements;
- (iii) misrepresents the Society; or
- (iv) is otherwise inappropriate.

(b) Committee Members must comply with any request under clause 10 within a reasonable time.

(11) Sponsorship and Branding

- (a) Sponsorship obligations must be complied with in all relevant social media content;
- (b) The Society's branding must be used consistently across all official platforms.

(12) Professional Conduct

- (a) Committee Members must act professionally and avoid conduct on personal social media that may reasonably undermine the professional reputation or cohesion of the Society
- (b) Committee Members should exercise professionalism and discretion when posting content relating to Society events or Members.
- (c) Committee Members must ensure that any public statements relating to Society events or initiatives are accurate and not misleading
- (d) Committee Members must not publish content that may reasonably create the impression that they are acting in an official capacity on behalf of the Society without authorisation.
- (e) Committee Members must ensure that public communications relating to Society events or initiatives are accurate, professional, and appropriately acknowledge the contributions of others where applicable.

- (f) Committee Members must not publish content that may reasonably be interpreted as representing the views, decisions, or positions of the Society without authorisation.

(13) Official Announcements

- (a) Official announcements, event summaries, or formal communications on behalf of the Society must only be made through official Society platforms or with Executive approval.

(14) Timing of Posts

- (a) Committee Members should not publish event-related content prior to official Society posts, unless approved by the Executive.

PART 32 - Media and Public Statements

(1) Authority to Make Public Statements

- (a) Only authorised Committee Members may make public statements on behalf of the Society.

(b) Authorised Committee Members include:

- (i) the President;
- (ii) the Vice President;
- (iii) the Secretary-General;
- (iv) the Treasurer; or
- (v) any Committee Member authorised by the Executive

- (c) Committee Members must not represent themselves as speaking on behalf of the Society unless authorised to do so.

(2) Official Communications

- (a) Official communications include; but are not limited to:

- (i) media statements;
- (ii) sponsorship announcements;

- (iii) partnerships or collaborations;
 - (iv) policy positions;
 - (v) event announcements
 - (vi) responses to incidents;
 - (vii) communications with external organisations; and
 - (viii) communications with the University.
- (b) Official communications must be approved by at least one (1) Executive Member prior to release.
- (c) Committee Members must not make commitments on behalf of the Society without approval.

(3) Accuracy and Professionalism

- (a) Public statements made on behalf of the Society must:
- (i) be accurate;
 - (ii) be professional;
 - (iii) not be misleading; and
 - (iv) reflect the values and objectives of the Society.
- (b) Committee Members must not publish or communicate information that:
- (i) has not been approved for release;
 - (ii) is confidential;
 - (iii) is inaccurate; or
 - (iv) may bring the Society into disrepute.

PART 33 - Executive Seals and Emblems

(1) Society Seal and Emblems

- (a) The Society may adopt and use an official seal, emblem, or logo for the purposes of representing the Society
- (b) The Executive shall have the authority to approve, adopt, modify, or discontinue any official seal, emblem, or logo of the Society

(2) Executive Seal or Emblem

- (a) The Executive may adopt an official Executive seal or emblem for use in formal communications, publications, and official Society matters.
- (b) The Executive seal or emblem may be used for:
 - (i) official correspondence;
 - (ii) certificates and awards;
 - (iii) formal publications;
 - (iv) official Society documentation;
 - (v) branding and promotional materials; and
 - (vi) other purposes as determined by the Executive.

(3) Authority to Use Seals and Emblems

- (a) The use of the Society seal, Executive seal, or any official emblem must be approved by the Executive
- (b) Committee Members must not use the Society seal, Executive seal, or official emblems without authorisation

(4) Custody and Control

- (a) The Secretary-General shall maintain custody and control of all official seals and emblems of the Society
- (b) The Executive may delegate responsibility for the storage and use of seals and emblems to a Committee Member

(5) Use of Society Branding

- (a) The Society seal, Executive seal, and official emblems remain the property of the Society
- (b) The Executive may determine guidelines for the appropriate use of the Society's seals and emblems

(6) Revocation of Use

- (a) The Executive may revoke permission to use any seal or emblem at any time

PART 34 - Acting Appointments

(1) Acting Appointments

- (a) The Executive may appoint a Member to act in a Committee position where it considers it necessary for the efficient operation of the Society.
- (b) An Acting Appointment may be made where:
 - (i) a Committee Member is temporarily unavailable to perform some or all of their duties; or
 - (ii) a Casual Vacancy exists and an Acting Appointment is necessary pending the filling of that vacancy.
- (c) Temporary acting arrangements do not diminish the authority, responsibilities, or office held by the substantive Office Bearer except to the extent expressly provided under this Constitution.
- (d) Where a substantive Office Holder remains in office, any lawful directions or decisions of that Office Holder shall prevail over those of an Acting Member

(2) Limitations on Acting Committee Member Authority

- (a) An Acting Member must not:
 - (i) undermine the authority of the substantive office holder;
 - (ii) act inconsistently with the directions of the substantive office holder; or

- (iii) represent themselves as holding the substantive position

(3) Limitations on Acting Executive Authority

- (a) A Member appointed in an acting capacity to an Executive position does not automatically assume full Executive Authority
- (b) Unless expressly authorised by the Executive, an Acting Member must not:
 - (i) access or control Society bank accounts;
 - (ii) authorise financial transactions;
 - (iii) enter into sponsorship or contractual agreements;
 - (iv) make substantive or strategic decisions affecting the Society; or
 - (v) represent themselves as holding the substantive Executive position.
- (c) The substantive Executive Member retains responsibility and authority for financial and strategic decisions where they continue to perform their duties
- (d) Acting Appointments are intended to provide operational support only, unless otherwise determined by the Executive

(4) Safeguards Against Misuse

- (a) Acting Appointments must not be used to replace or remove a Committee Member
- (b) An Acting Appointment does not constitute removal from office
- (c) Removal of a Committee Member must occur in accordance with this Constitution

(5) Acting Appointment and Eligibility

- (a) An Acting Appointment does not constitute holding the substantive position
- (b) A Member appointed in an acting capacity is not considered to have held that position for the purposes of eligibility, nominations, or elections
- (c) Service in an acting capacity must not be relied upon to satisfy any eligibility requirements for nomination to a position

(d) An Acting Appointment does not provide any preferential status in any election or nomination process

(e) A Member acting in a position must not:

- (i) represent themselves as holding the position;
- (ii) represent the acting appointment as conferring ongoing entitlement to office;
- (iii) represent themselves as holding substantive authority beyond the scope of the acting appointment;
- (iv) use an acting role for campaign advantage

(6) Duration and Revocation

(a) Where an Acting Appointment is made because the substantive Office Holder is temporarily unavailable, the Acting Appointment shall continue until the substantive Office Holder resumes their duties, unless earlier revoked by the Executive.

(b) Where an Acting Appointment is made because a Casual Vacancy exists, the Acting Appointment shall continue until the Casual Vacancy is filled in accordance with this Constitution, unless earlier revoked by the Executive.

(c) The Executive may revoke an Acting Appointment at any time.

(7) Committee Members must not act in a manner that undermines the Authority of the Substantive Office Holder

(8) Delegated responsibilities do not transfer ultimate responsibility

PART 35 - Changing this Constitution

(1) Any changes made to the Constitution must be passed by Special Resolution of the Committee.

(2) Upon approval of an amendment, the Secretary-General shall make available amended copies of the Constitution to all Members within a reasonable time.

(3) Amendments to this Constitution shall take effect immediately unless otherwise specified.

- (4) If any provision of this Constitution is held to be invalid, unenforceable, or ineffective, the remaining provisions continue in full force and effect.

PART 36 - Policies, Procedures, By-Laws and Society Governing Documents

- (1) The Executive may make, amend, repeal, replace, and administer:

- (a) By-Laws;
- (b) Policies;
- (c) Procedures;
- (d) Guidelines; and
- (e) Other governing or operational documents.

for the effective operation, administration, and governance of the Society.

- (2) Any By-Law, policy, procedure, guideline or other governing document made under this Part must not be inconsistent with this Constitution.

- (3) In the event of inconsistency between this Constitution and any By-Law, policy, procedure, guideline, or other governing document, this Constitution prevails.

- (4) By-Laws, policies, procedures, guidelines, and governing documents may provide for matters including, but not limited to:

- (a) elections and nominations;
- (b) meetings and voting procedures;
- (c) sponsorships and partnerships;
- (d) finances and reimbursements;
- (e) conduct and discipline;
- (f) grievances;
- (g) events and competitions;
- (h) branding, media, and communications;

- (i) social media;
 - (j) records and digital assets;
 - (k) transition and handover processes; and
 - (l) operational and administrative matters of the Society.
- (5) The Executive may determine the form, operation, implementation, and administration of any By-Law, policy, procedure, guideline, or governing document made under this Part.
- (6) The Executive may delegate responsibility for the administration of any governing document where appropriate.
- (7) The Executive must take reasonable steps to notify the Committee of any material amendment, repeal, or replacement of a governing document made under this Part.
- (8) All Committee Members must comply with:
- (a) this Constitution; and
 - (b) any By-Law, policy, procedure, guideline, or governing document made under this Part.

Effective Date

- (1) This constitution is effective as of 13 May 2026, following its adoption by special resolution at a Special General Meeting (SGM).

Schedule 1 - Definitions

ALSA

means the Australian Law Students' Association

Annual Commencement Date

means the date determined for the commencement of the incoming Committee following an Annual Election in accordance with Part 8 and Part 19.

Annual General Meeting (AGM)

means the annual meeting of Members of the Society held in accordance with this Constitution

Approved Record Keeping System

The authorised digital or physical location used to store Society records

Archival Record

A record of permanent governance, legal or historical significance

Assistant Director(s)

means an Ordinary Committee Member elected to an Assistant Director position, or appointed to such a position in accordance with the casual vacancy or continuity provisions of this Constitution

By-Laws

means any rules, policies, or procedures adopted by the Society in accordance with this Constitution

Casual Vacancy / Vacancies

means a vacancy that occurs in a Committee position before the expiry of a term of office

Committee

The Executive and all Ordinary Committee Members of the Society

Committee Meeting

means a meeting of the Committee convened in accordance with this Constitution

Committee Members

means any person elected or appointed to the Committee, including Executive Members and Ordinary Committee Members

Confidential Information

Sensitive or personal information requiring protection.

Constitution

means this Constitution of the Notre Dame Sydney Law Society, as amended from time to time.

Current Committee Member

means a person who holds a substantive Committee position at the relevant time and does not include a person serving solely in an acting capacity.

Director(s)

means a Committee Member responsible for a Portfolio of the Society

Disposal and / or Destruction

Permanent authorised elimination of a record

Election Cycle

means an annual election conducted under Part 19, beginning when nominations open and ending when the incoming Committee commences its term

Electoral Officer

means a person appointed to oversee elections conducted under this Constitution

Executive

means the President, Vice President, Treasurer, and Secretary-General of the Society

Executive Approval

means approval granted by Executive Members

Executive Authority

means the powers, functions, responsibilities, discretions, approvals, and decision-making authority conferred upon the Executive under this Constitution.

Executive Member

means a member of the Executive

External Voting Rights

means the right of a Member to vote on matters arising at an election, or other vote open to Members of the Society in accordance with this Constitution

Financial Records

Documents that record the Society's financial activity

General Meeting

means a meeting of Members of the Society, including an Annual General Meeting or Special General Meeting

Good Faith

means acting honestly, reasonably, properly, and in the best interests of the Society, without improper purpose, bad faith, malice, or personal advantage.

Governance Records

Agendas, minutes, notices, resolutions, registers

Grievance

means any dispute, complaint, or issue arising between Committee Members

Internal Voting Rights

means the right of a Committee Member to vote on matters arising from internal Committee meetings in accordance with this Constitution

Member

means a person who is eligible for membership of the Society in accordance with this Constitution

Misconduct

means conduct by a Committee Member which:

- (a) breaches this Constitution, any By-Law, policy, or lawful direction of the Society;
- (b) fails to meet the standards expected of a Committee Member;
- (c) is dishonest, improper, unreasonable, or prejudicial to the interests or reputation of the Society;
- or
- (d) otherwise constitutes misconduct as determined in accordance with this Constitution.

Misconduct may include both acts and omissions.

Official Records

Any document created or received in the course of Society business

Ordinary Committee Member

means a Committee Member who is not an Executive Member

Permanent Record

A record retained indefinitely due to its long-term value

Person

includes an individual, company, organisation, association, or other legal entity

Personal Information

Information identifying an individual

Portfolio

means an area of responsibility assigned to a Committee Member

Postgraduate

means a student enrolled in a postgraduate law degree at the University

President

means the person elected to the office of President of the Society

Record

Information created, received or maintained as evidence of decisions or actions

Retention Period

The minimum legal duration a record must be kept

SAUNDA

means the Student Association of the University of Notre Dame Australia (Sydney)

School of Law

means the School of Law at The University of Notre Dame Australia (Sydney Campus)

Secretary-General

means the person elected to the office of Secretary-General of the Society

Society

means the Notre Dame Sydney Law Society

Special General Meeting (SGM)

means a General Meeting other than an Annual General Meeting

Special Majority means:

- (a) two-thirds ($\frac{2}{3}$) of votes cast; or
- (b) such other majority as specified in this Constitution

Special Resolution

means a resolution passed by a Special Majority in accordance with this Constitution.

SSAF

The Student Services and Amenities Fee (SSAF) established under the *Higher Education Support Act 2003* (Cth).

Staff Member

means a member of the academic or professional staff of the School of Law and Business at the University of Notre Dame Australia, Sydney Campus

Subcommittee

means a group of Members established by the Executive in accordance with this Constitution

Term of Office

means the period during which a Committee Member holds office in accordance with this Constitution, generally being a period of 12 months

Treasurer

means the person elected to the office of Treasurer of the Society

UNDA

means the University of Notre Dame Australia

University

means The University of Notre Dame Australia (Sydney Campus)

Vice President

means the person elected to the office of Vice President of the Society

Whistleblower

means a person who, in good faith, reports suspected fraud, corruption, misappropriation, serious misconduct or other wrongdoing concerning the Society.

Written Notice includes notice given by:

- (a) email;
- (b) official Society communication platforms; or
- (c) other written communication approved by the Executive

Written Disciplinary Action

means final disciplinary action communicated in writing in accordance with Part 18(6)

Year of Study

means the academic year level of a Member, as recognised by The University of Notre Dame Australia based on their enrolment or completed units, at the close of nominations, and does not include any future or prospective year level.

Schedule 2 - Honorary Life Members