



Constitution

University of Queensland Union

Part One — Contents

The contents of this Constitution are:

- Part One – Contents
- Part Two – Name, Objects and Powers
 - C1 Name C2 Objects
 - C3 Powers
- Part Three – Membership
 - C4 Members
 - C5 Life Membership
 - C6 Rights of All Members
 - C7 Rights of Students
 - C8 Discipline
- Part Four – General Meetings and Referenda
 - C9 Powers of General Meetings
 - C10 Powers of Referenda
 - C11 Calling
 - C12 Notice of General Meeting
 - C13 Notice of Referenda
 - C14 Conduct
 - C15 Decisions
- Part Five – Union Council
 - C16 Status
 - C17 Responsibilities
 - C18 Delegation
 - C19 Membership
 - C20 Meetings of Union Council
 - C21 Chairing of Union Council
 - C22 Annual Meeting
- Part Six – Union Bodies
 - C23 Union Bodies
- Part Seven – Elected Officers
 - C24 Elected Officers
 - C25 Sharing of Positions

Part Eight – Elections

- C26 Conduct
- C27 Electoral Tribunal
- C28 Eligibility to Stand and Vote
- C29 Eligibility to Hold Positions
- C30 Terms of Office
- C31 Casual Vacancies

Part Nine – Duties of Elected Officers

- C32 Obligations and Liabilities
- C33 Proper Use of Position
- C34 Additional Duties
- C35 Indemnity

Part Ten – Affiliated Bodies

- C36 Affiliated Bodies

Part Eleven – Finance and Legal

- C37 Financial Year
- C38 Sources of Funds
- C39 Cheques
- C40 Union Development Fund
- C41 Union Contingency Fund
- C42 Union Depreciation Account
- C43 Budget Adjustment
- C44 Union Building Fund
- C45 Regulation Transfers
- C46 Liability of the Union
- C47 Acquisition of Monies
- C48 Properties
- C49 Statement of Accounts
- C50 Audit
- C51 Publisher
- C52 Legal Proceedings
- C53 Staff
- C54 Alteration of the Constitution
- C55 Regulations
- C56 Validity of Acts and Decisions
- C57 Winding Up
- C58 Definitions
- C59 Commencement
- C60 Transition

Part Two — Name, Objects and Powers

C1 Name

1.1 The name of the organisation shall be the University of Queensland Union.

C2 Objects

2.1 The objects of the Union are:

- a) to specifically promote the educational and academic activities and progress of the University community; and generally to further the aims, objects and interests of the University community;
- b) to further the right of all people to a quality education on an equal basis;
- c) to advance the interests of students in the fields of social security, health, welfare, equity, equal opportunity and cultural activities;
- d) to represent students within the University and the community; ^{e)}to financially assist bodies affiliated to the Union;
- e) to provide quality facilities and services to members;
- f) to foster the principle of student unionism; and
- g) to do all such other things as are incidental or conducive to the attainment of these objects and the exercise of the powers of the Union.

2.2 The Union shall not affiliate with or subscribe to the platforms of:

- a) any political party or religious organisation; or
- b) any person, organisation or body corporate that affiliates with or provides funds to any political party or religious organisation.

2.3 The Union shall not provide funds to any political party or religious organisation.

2.4 The assets and income of the Union shall be applied exclusively to the promotion of its objects.

2.5 No portion of the Union's profits, assets and income shall be paid or distributed directly or indirectly to Members or Officers except as bona fide remuneration for services rendered or expenses incurred on behalf of the Union.

2.6 The Union shall be a not-for-profit organisation.

C3 Powers

3.1 The Union has the power to do any and all things necessary to carry out its objects, including those powers of a natural person.

3.2 Without limiting C3.1, the Union may:

- a) expend and invest its income;
- b) operate banking accounts;
- c) borrow money;
- d) lend money to its members; ^{e)}enter into contracts;
- e) acquire, dispose and in any way deal with any property whether real or personal;
- f) sue for and recover money or property owing to the Union;

- g) operate and administer facilities, services and commercial outlets for the benefit of Members;
- h) engage and terminate employees;
- i) publish any newspaper or other publication;
- j) hold licences under legislation;
- k) recognise and / or grant financial assistance to any club or society;
- l) receive and distribute grants;
- m) discipline Members in accordance with this Constitution and the Regulations;
- n) pay Officers;
- o) grant leave to members of Union Council;
- p) affiliate with and / or grant financial assistance to properly constituted bodies;
- q) make policy; and
- r) conduct campaigns and make representations on behalf of students.

3.3 The Union may only exercise its powers in the furtherance of its objects.

Part Three — Membership

C4 Members

4.1 The following will be Members of the Union:

- a) all students; and
- b) Life Members.

C5 Life Membership

5.1 Union Council may by Special Resolution appoint a person to be a Life Member, provided that such a person is not a student at the University.

C6 Rights of All Members

6.1 All Members may use the amenities and services of the Union, subject to C8.1.

C7 Rights of Students

7.1 Subject to this Constitution and Regulations, only students may:

- a) stand and vote in elections;
- b) requisition, and vote in, a Referendum;
- c) requisition and attend, and speak and move and second motions and vote at, General Meetings;
- d) attend and speak and move and second motions at, any meeting of any Union body which is not in camera (except where such persons constitute the Union body holding the meeting); and
- e) by prior arrangement with the Union Secretary, inspect any records of the Union which:
 - i. do not relate to personal or staffing matters;
 - ii. do not relate to legal proceedings (whether commenced, threatened or reasonably likely);

- iii. the Union can otherwise lawfully disclose; and
- iv. are not commercially confidential.

C8 Discipline

- 8.1 Union Council may by Special Resolution suspend (for such period as it sees fit) or terminate the right of a Member to use the amenities and services of the Union, if that Member has caused serious disruption to the use of amenities or services by other Members.
- 8.2 Before Union Council makes any decision under C8.1, the Member shall have the right to put their case to Union Council both in person and in writing.
- 8.3 The Union may not fine Members.

Part Four — General Meetings and Referenda

C9 Powers of General Meetings

- 9.1 A General Meeting may:
 - a) by a simple majority:
 - i. direct any Union body to make any decision within the Union body's powers; and
 - ii. determine a matter of Union policy; and
 - a) by a three-quarters majority dismiss any Officer.
- 9.2 Before a General Meeting makes a decision to dismiss an Officer under C9. I(b) the Officer subject to the proposed dismissal shall have the right to put their case to the General Meeting both in person and in writing.

C10 Powers of Referenda

- 10.1 A Referendum may by a simple majority:
 - a) direct any Union body to make any decision within the Union body's powers;
 - b) determine a matter of Union policy;
 - c) dismiss any Officer; and
 - d) amend the Constitution or Regulations.
- 10.2 A Referendum will only decide a question put to it in the positive if in a simple majority of Faculties a simple majority of students enrolled in a degree in that Faculty decide the question in the positive, subject to C14.9.

C11 Calling

- 11.1 The Union Secretary must give notice of a General Meeting to consider any question if:
 - a) the Union Secretary receives a requisition requesting the General Meeting signed by at least 2% of students; or
 - b) Union Council so decides by two-thirds majority; or
 - c) C11.5 applies.

- 11.2 The Returning Officer must give notice of a Referendum to consider any question if:
- a) the Union Secretary receives a requisition requesting the Referendum signed by at least 5% of students.
 - b) Union Council so decides by a two-thirds majority; or
 - c) Cl 1.4 applies.
- 11.3 The Union Secretary must give notice of an adjourned General Meeting.
- 11.4 Subject to Cl 1.5, if fifty students present at a General Meeting require that a Referendum be held to determine any question which was to be considered by a General Meeting:
- a) then the General Meeting must be immediately adjourned, until the Referendum can be held, without considering the question; and
 - b) the Union Secretary must inform the Returning Officer who must give notice of a Referendum to consider the question.
- 11.5 If a Referendum is held in accordance with Cl 1.4, but does not achieve the minimum vote required by Cl 1.9, given the Union Secretary must give notice of another General Meeting to consider the question. Cl 1.4 will not apply at the General Meeting of which notice is in accordance with this clause.

C12 Notice of General Meeting

- 12.1 Notice of the General Meeting must be given within fourteen (14) clear days of the requisition or decision having been made to call a General Meeting.
- 12.2
- a) The notice of the General Meeting must be placed on the Union Noticeboard and outside all Union-run premises at least fourteen (14) clear days before the General Meeting and state the time, date and place of the meeting and the question to be considered.
 - b) No General Meeting may be held until this C12.2(a) has been complied with.
- 12.3 A General Meeting which has been requisitioned must be held within fourteen (14) clear days of notice having been given.

C13 Notice of Referenda

- 13.1 Notice of the Referendum must be given within fourteen (14) clear days of the requisition or decision having been made to call a Referendum.
- 13.2
- a) The notice of a Referendum must be placed on the Union Noticeboard and outside all Union-run premises at least fourteen (14) clear days before the commencement of the Referendum and state the time, dates and places of polling and the question to be considered.
 - b) No Referendum may be held until C13.2(a) has been complied with.
- 13.3 A Referendum which has been requisitioned must be held within fourteen (14) clear days of notice having been given.

C14 Conduct

- 14.1 Union must make Regulations for the conduct of General Meetings and Referenda.
- 14.2 Union Council may, by a three-quarters majority, reword for the purposes of clarification only any question to be considered by a General Meeting or Referendum.
- 14.3 General Meetings may only be held on Academic Days.
- 14.4 The balloting for Referenda must be open over at least three Academic Days.
- 14.5 Students may not appoint proxies for General Meetings or Referenda.
- 14.6 Questions being considered at General Meetings may only be amended by a two thirds majority of that General Meeting.
- 14.7 Voting at Referenda must be by a secret ballot.
- 14.8 The quorum for a General Meeting shall be the lesser of;
 - i. 2% of students; or
 - ii. 300 studentsNo decision may be made at a General Meeting unless a quorum is present and votes on that decision.
- 14.9 No decision may be made by Referendum unless at least five per cent of students vote in the Referendum.

C15 Decisions

- 15.1 Subject to C15.2, A decision of a General Meeting is suspended if a Referendum to consider the same question is called by Union Council or requisitioned within five Academic Days of the General Meeting.
- 15.2 If the Referendum does not achieve the minimum vote prescribed in C 14.9, the decision of the General Meeting shall cease to be suspended from the day after the last day of polling in the Referendum.
- 15.3 Referendum decisions prevail over decisions of General Meetings.
- 15.4 Referendum and General Meeting decisions prevail over decisions of Union Council.

Part Five — Union Council

C16 Status

- 16.1 Union Council is the governing body of the Union.

C17 Responsibilities

17.1 Union Council is responsible for exercising the powers of the Union on its behalf.

C18 Delegation

18.1 Union may by Regulation delegate its power under this Constitution to:

- a) an appropriately qualified member of Union Council; or
- b) an appropriately qualified Union body that includes one or more members of Union Council.

18.2 A power delegated under C 18.1 may not be further delegated.

18.3 Union Council may impose any conditions on the delegation that it sees fit.

C19 Membership

19.1 The members of Union Council are:

- a) the Chairperson (voting);
- b) the Elected Officers (non-voting);
- c) one (1) Councillor per two-thousand (2000) enrolled students, elected by and from students;
- d) two representatives elected by and from those employees of the Union who are not Managers (non-voting);
- e) the Managers of the Union (non-voting); and
- f) a representative of the Alumni Association of the University of Queensland (non-voting).

C20 Meetings of Union Council

20.1 Union Council must meet at least once every month from February to November inclusive.

20.2 The Union Secretary is responsible for calling and giving notice of meetings of Union Council.

20.3 a) The Union Secretary must give notice of an Extraordinary Meeting of Union Council if:

- i) a requisition signed by ten members of Union Council calls for such a meeting;
- or
- ii) the President requests such a meeting in writing; or
 - iii) a requisition signed by one percent of students calls for such a meeting.

b) The Union Secretary must give notice of an Extraordinary Meeting of Union Council so that it is held within one week of a request under C20.3(a) being received.

20.4 Where the Union Secretary fails to convene an Extraordinary Meeting of Union Council according to C20.3, any member of Union Council may convene the meeting and must be provided with appropriate contact details of the other members of Union Council in order to do so.

20.5 The quorum for meetings of Union Council shall be eight (8) Councillors.

C21 Chairing of Union

21.1 The Chairperson shall chair meetings of Union Council.

21.2 In the absence of the Chairperson, Union Council must elect one of its members to chair that meeting.

21.3 At the first meeting of Union Council immediately following the Annual Meeting of Union Council, Union Council must elect, by secret ballot, a student to be Chairperson.

21.4 The Chairperson may only cast a vote on motions or ballots in the case of a tie.

21.5 Candidates for Chairperson of Union Council shall be nominated and seconded by members of Union Council from the floor at the meeting where they are to be elected.

C22 Annual Meeting

22.1 The Annual Meeting of Union Council must be held on or before 15 December in each year.

22.2 The Union Secretary must call and give notice of the Annual Meeting of Union Council in accordance with C22.1.

22.3 Where the Union Secretary fails to call and give notice of the Annual Meeting of Union Council according to C22.1, any member of Union Council may convene the meeting.

22.4 The following must be presented to the Annual Meeting of Union Council:

- a) the audited statement of accounts for the last completed Financial Year;
- b) the auditor's report on those accounts;
- c) a report signed by the Treasurer.

Part Six — Union Bodies

C23 Union Bodies

23.1 Union Council must make Regulations determining the membership and responsibilities of Union bodies.

23.2 Union Council must make Regulations for the conduct and convening of Union bodies, including which Union bodies may meet in camera and when.

Part Seven — Elected Officers

C24 Elected Officers

- 24.1 Subject to the Constitution and Regulations, the following Officers must be directly elected by and from students:
- a) President;
 - b) Union Secretary;
 - c) Treasurer;
 - d) Vice-President (Student Rights);
 - e) Vice-President (Campus Culture);
 - f) Vice-President (Gender and Sexuality Rights);
 - g) Environment Officer;
 - h) Postgraduate Officer;
 - i) Herston Campus Officer;
 - j) Turbot Street Officer;
 - k) Medical Students Officer;
 - l) PACE Campus Officer;
 - m) Ipswich Campus Officer;
 - n) Gatton Campus Officer;
 - o) International Students Officer;
 - p) Goorie Berrimpa Officer;
 - q) Colleges Officer, and
 - r) Union Newspaper Editor (Semper Floreat)

C25 Sharing of Positions

- 25.1 Subject to C25.2, C25.3 and C25.4, up to two people may on a shared basis stand for and hold any Elected Officer position.
- 25.2 C25.1 does not apply to the President, Union Secretary and Treasurer positions.
- 25.3 Up to ten persons may on a shared basis stand for and hold the position of Union Newspaper Editor (Semper Floreat).
- 25.4 Two persons must stand for and hold the position of Vice-President (Gender and Sexuality Rights), of whom:
- a) at least one must be a woman, and
 - b) at least one must identify as queer.
- 25.5 When more than one person is elected to hold an Elected Officer position:
- a) the rights and responsibilities (including but not limited to the voting rights and remuneration) are attached to the position and not the individuals who hold the shared position;
 - b) each person so elected has the same rights and responsibilities as if only one person had been elected;
 - c) except for the Union Newspaper Editor (Semper Floreat) and the Vice President (Gender and Sexuality Rights), if a vacancy occurs in the position of one person so elected, a vacancy occurs in the position as a whole. The

remaining person ceases to hold the position and the provisions of C31 shall apply;

- d) if a vacancy occurs in the position of one person so elected to the position of Union Newspaper Editor (Semper Floreat) or the Vice President (Gender and Sexuality Rights), a vacancy occurs only for that person, not for the Elected Officer position as a whole. The person shall be replaced in accordance with C31.
- e) for the purposes of attendance at meetings of Union bodies, the attendance of one of the persons so elected shall be sufficient for the Elected Officer to be considered in attendance; and
- f) in the event that a vote at a Union body is taken and there is an irreconcilable difference among the persons sharing the Elected Officer position as to the manner in which the vote shall be cast, the Elected Officer's vote will be recorded as an abstention.

25.6 No Elected Officer position may be shared other than in accordance with C25.

Part Eight — Elections

C26 Conduct

26.1 Union Council must make Regulations for the conduct of Elections.

26.2 All Elections must be conducted by secret ballot using optional preferential voting for Elected Officers and for other single member Office positions and optional preferential proportional representation voting for Multi-Member Offices.

26.3 For the purposes of C26.2, an Election shall have been conducted by secret ballot if:

- a) each person entitled to vote is given the opportunity to cast a vote in secrecy; and
- b) any ballot papers that are marked in such a way so as to disclose the identity of the voter are held to be informal.

26.3 Union Council must make Regulations for the method of appointment of a Returning Officer.

26.4 Elections must be held annually for all Elected Officer positions.

26.5 For a period of one year after an Election is held, the Returning Officer shall retain all ballot papers and for multi-member positions:

- a) record the order of election and the number of points of those candidates elected;
- b) eliminated; and
- c) the order of elimination and the number of points of those candidate;
- d) the number of points of any candidates neither elected nor eliminated.

C27 Electoral Tribunal

27.1 Union Council must make Regulations to establish and delegate appropriate electoral powers to an independent Electoral Tribunal.

C28 Eligibility to Stand and Vote

- 28.1 Subject to the remainder of C28, all students may stand as, vote for, or nominate or second candidates for any position created by the Constitution or Regulations.
- 28.2 Full-time employees of the University or Union may not stand for any Officer position.
- 28.3 A person who has been a member of Union Council for 3 years or more in total may not be nominated or elected as a member of Union Council..
- 28.4 The Electoral Tribunal shall have the power to deem a person ineligible to stand or vote if they are found to be in breach of the Regulations that pertain to elections.
- 28.5 Only International Students as verified by University enrolment records may stand as, vote for, nominate or second candidates in an Election for the International Students Officer.
- 28.6 Only Postgraduate Students as verified by University enrolment records may stand as, vote for, nominate or second candidates in an Election for the Postgraduate Officer.
- 28.7 Only College Students as verified by the University's enrolment records may stand as, vote for, nominate or second candidates in an Election for Colleges Officer.
- 28.8 Only Herston Students may stand as, vote for, nominate or second candidates in elections for Herston Campus Officer.
- 28.9 Only Turbot Street Students may stand as, vote for, nominate or second candidates in an Election for Turbot Street Officer.
- 28.10 Only PACE Students may stand as, vote for, nominate or second candidates in elections for PACE Campus Officer.
- 28.11 Only Ipswich Students may stand as, vote for, nominate or second candidates in elections for Ipswich Campus Officer.
- 28.12 Only Gatton Students may stand as, vote for, nominate or second candidates in elections for Gatton Campus Officer.
- 28.13 Only Medical Students may stand as, vote for, nominate or second candidates for the Medical Students' Officer.
- 28.14 Only students who identify as Aboriginal or Torres Strait Islander may stand as, vote for, nominate or second candidates in elections for Goorie Berrimpa Officer.

C29 Eligibility to Hold Positions

- 29.1 A person may not:

- a) stand for more than one Elected Officer position; or
 - b) hold more than one position on any single Union body, but may hold a position on more than one Union body.
- 29.2 A person who would otherwise be in breach of C29.1 must vacate sufficient positions so as to not breach C29.1 within 24 hours of being called upon to do so by the Union Secretary.
- 29.3 A person who does not comply with C29.2 shall be deemed to have vacated any and all of the positions that put them in breach of C29.1.
- 2.9.4 A person ceases to be eligible to hold a position established by or under the Constitution or the Regulations if they would be ineligible to stand for that position if an Election were to be held.

C30 Terms of Office

- 30.1 Unless otherwise specified in this Constitution or the Regulations, a person elected to any position established by or under this Constitution or under the Regulations holds those positions from the conclusion of the Annual Meeting immediately following their election to the conclusion of the subsequent Annual Meeting.

C31 Casual Vacancies

- 31.1 An elected position established by or under this Constitution or the Regulations becomes vacant (a Casual Vacancy) and the person ceases to hold the position if the person holding the position:
- a) delivers a signed resignation to the Union Secretary, or if the person is the Union Secretary, to the President;
 - b) is dismissed by a General Meeting or Referendum;
 - c) ceases to be eligible to hold the position;
 - d)
 - i) in the case of a member of a Union body holding a Multi-Member Office, does not attend three consecutive Ordinary Meetings of the Union Body without a leave of absence approved by that Union body; or
 - ii) in the case of a position listed under C19.1(a), C 19. I(b) and C 19. I(c), does not attend any three meetings of six consecutive Ordinary Meetings of Union Council or three consecutive ordinary meetings without a leave of absence approved by Union Council.
- 31.2 If a Casual Vacancy occurs in an elected position established by or under this Constitution or Regulations :
- a) For the positions of President, Union Secretary or Treasurer:
 - i. If the Casual Vacancy occurs prior to June 30 in the year following the Annual Election, a by-election must be held to fill the position vacated; or
 - ii. If the Casual Vacancy occurs after June 30 in the year following the Annual Election, Union Council shall elect a person to undertake the position vacated by secret ballot;

- a) For the Elected Officer positions other than the President, Union Secretary or Treasurer, Union Council shall elect a person to undertake the position vacated by secret ballot.
- b) In any Multi-Member Office, if the Casual Vacancy occurs prior to June 30 in the year following the year of election, then the bundle of ballots which elected the vacating member shall be distributed among the unelected candidates for the Multi-Member Office in accordance with the Regulations. After redistribution, the candidate with the next highest points shall be elected to undertake the position vacated. If there are no further unelected candidates remaining, Union Council shall elect a person to undertake the position by secret ballot.
- c) In any Multi-Member Office, if the Casual Vacancy occurs after June 30 in the year next following the year of election, Union Council shall elect a person to undertake the position by secret ballot.
- d) A position filled under C31.2 is held from the date of election until the next Annual Meeting.

31.3 Where Union Council is required to elect a person under C31.2, the following process will apply:

- a) The Returning Officer must give seven days' notice of the Casual Vacancy;
- b) Candidates shall be nominated and seconded in accordance with C28 and in the form required by the Regulations to nominate for election;
- c) Nominations must be received by the Returning Officer no later than 2 clear days before the meeting of Union Council at which the position is to be elected; and
- d) The position must be filled at the next meeting of Union Council.

31.4 Elected Officer Positions that are not filled at the Annual Election become a Casual Vacancy at the end of the Annual Meeting held immediately after the Annual Election.

Part Nine — Duties of Elected Officers

C32 Obligations and Liability

32.1 By nominating for election or accepting appointment, Officers agree to comply with this Constitution and the Regulations.

32.2 Officers have no liability to contribute towards payment of:

- a) the debts and liabilities of the Union, or
- b) the costs, charges and expenses of winding up the Union.

C33 Proper Use of Position

33.1 Officers must not improperly use their position:

- a) to gain, directly or indirectly, an advantage for the Officer or another person; or
- b) so as to cause detriment to the Union.

C34 Additional Duties

- 34.1 In addition to their duties under C32 and C33, Officers must in their capacity as Officers :
- a) act with honesty and in good faith; and
 - b) exercise reasonable care and due diligence.
- 34.2 All Elected Officers must deliver a report to each Ordinary Meeting of Union Council.

C35 Indemnity

- 35.1 The Union indemnifies its Elected Officers and members of the Electoral Tribunal against any liability incurred by them in their capacity as Elected Officers and members of the Electoral Tribunal respectively, unless the liability arises out of conduct involving fraud, wilful misconduct or a breach of their duties to the Union:
- a) under the Constitution or the Regulations, or
 - b) under the laws of Queensland or the Commonwealth of Australia.

Part Ten — Affiliated Bodies

C36 Affiliated Bodies

- 36.1 Union Council must make Regulations governing the admission, conduct, financing and any other matters relating to Affiliated Bodies.

Part Eleven — Finance and Legal

C37 Financial Year

- 37.1 The financial year of the Union is from January 1 to December 31.

C38 Sources of Funds

- 38.1 The funds of the Union may be derived from:
- a) grants, donations, interest or any other payments made to the Union, or
 - b) money raised by the Union.

C39 Methods of Payment

- 39.1 All negotiable instruments and methods of payment must be approved by two persons authorised by the Regulations.

C40 Union Development Fund

- 40.1 The Union shall establish and operate a Union Development Fund in accordance with the Regulations for the purposes of providing new or replacement capital items.

C41 Union Contingency Fund

41.1 The Union shall establish and operate a Union Contingency Fund in accordance with the Regulations for the purposes of new services or new expenditure.

C42 Union Depreciation Fund

42.1 The Union shall establish and operate a Union Depreciation Fund in accordance with the Regulations for the replacement of depreciating assets.

C43 Budget Adjustment Fund

43.1 The Union shall establish and operate a Budget Adjustment Fund in accordance with the Regulations for the purposes of funding unexpected short falls in the Union's budget.

C 44 Union Building Fund

44.1 There shall be a Union Building Fund established in accordance with the Regulations for the purposes of renovations and improvements to Union buildings.

C45 Regulation Transfers

45.1 Union Council may make Regulations providing for fixed annual transfers to the Funds.

C46 Liability of the Union

46.1 The Union shall not be liable for any expenditure by Affiliated Bodies.

46.2 The Union will not be liable for any expenditure made by Union bodies or Elected Officers unless such expenditure is authorised under the Constitution or Regulations.

46.3 The members of the Union body incurring the expenditure, or the Elected Officers incurring the expenditure, will be liable in the circumstance of C46.2 and will fully indemnify the Union in respect of any claims.

C47 Acquisition of Monies

47.1 Union Council may compulsorily acquire without compensation all monies standing to the credit of Affiliated Bodies up to the amount of any grant provided by the Union under the Constitution or Regulations in the current or previous Financial Year only if such action is necessary to discharge the debts of the Union.

C48 Property

48.1 All real and personal property whatsoever belonging to the Union shall be vested in and be under the control of the trustees for the time being of the Union for the use and benefit of the Union and its members.

- 48.2 Property held by the Union shall be held in the name 'The Trustees of the University of Queensland Union'.
- 48.3 The trustees shall be the President, Union Secretary and Treasurer of the Union from time to time.
- 48.4 Subject to C48.5, if a Casual Vacancy exists for the President, Union Secretary or Treasurer positions, the positions that are not subject to Casual Vacancy will continue to act as the trustees.
- 48.5 In the event that a Casual Vacancy exists for all of the President, Union Secretary and Treasurer positions, then until one of the Casual Vacancies is filled the trustees shall be:
- a) the Chairperson of Union Council; and
 - b) a person elected by and from Union Council.
- 48.6 The property shall vest in the continuing or succeeding trustees for the same estate and interest as the former trustees and be subject to the same trusts without any conveyance or assignment.
- 48.7 If at any time the Union shall cease to exist, the provisions of C57.3 shall apply.

C49 Statement of Accounts

- 49.1 The Treasurer must cause a statement of accounts to be prepared for:
- a) audit in accordance with CSO; and
 - b) presentation to the Annual Meeting in accordance with C22.4.

C50 Audit

- 50.1 The Treasurer must have the accounts of the Union audited annually by a member of the Institute of Chartered Accountants in Australia or the Australian Association of Accountants, or a successor to either of these bodies.
- 50.2 The Annual Meeting must appoint an auditor for the next Financial Year.

C51 Publisher

- 51.1 The President is the publisher of all material published by the Union.

C52 Legal Proceedings

- 52.1 Proceedings brought by or against the Union shall be brought in the name of the President representing the Members.
- 52.2 The President will be fully indemnified by the Union in respect of such legal proceedings.

C53 Staff

- 53.1 Through this Constitution, students are responsible for the governance of the Union.
- 53.2 The staff of the Union are responsible for implementing the lawful decisions of Union bodies as directed.
- 53.3 Students must not interfere with staff carrying out their responsibilities under C53.2

C54 Alteration of Constitution

- 54.1 This Constitution, including this clause, may only be amended by Referenda in accordance with CIO. I(d).
- 54.2 An amendment to this Constitution is deemed to have come into effect at the time the resolution was passed unless the resolution provides otherwise.

C55 Regulations

- 55.1 Union Council may make or amend Regulations to give effect to this Constitution by resolution of Union Council provided that:
- a) at least five clear days' notice of:
 - i. the meeting; and
 - ii. the motion proposing the amendment; has been given to all members of Union Council; and
 - b) the resolution is passed by a two-thirds majority.

C56 Validity of Acts and Decisions

- 56.1 The acts and decisions of Union bodies are not invalid by reason only of:
- a) a Casual Vacancy in its membership (including a vacancy arising out of the failure to elect or appoint a member of the Union body),
 - b) a defect or irregularity in, or in connection with, the election or appointment of a member of the Union body, or
 - c) a defect or irregularity in, or in connection with, the election of the chair of a meeting.
- 56.2 The acts and decisions of Officers are valid despite a defect or irregularity in, or in connection with, their election or appointment.
- 56.3 Union Council may, by a two-thirds majority, extend or abridge any time limit imposed by this Constitution or in the Regulations.
- 56.4 After a period of five years, any act or decision that might be challenged as being invalid shall be deemed to be fully valid and binding on the Union.

C57 Winding Up

- 57.1 The Union may be wound-up voluntarily by resolution of Union Council provided
- a) at least ten clear days' notice of:
 - i. the meeting; and

- ii. the motion proposing to wind the Union up; has been given to all members of Union Council; and
- b) the resolution is passed by a two-thirds majority of votes.

57.2 If the Union is wound up:

- c) voluntarily; or
- d) by a court;

the remaining assets of the Union must not be distributed to any Member.

57.3 Instead the remaining assets shall devolve upon the University upon trust to be used for the benefit of such objects, of a like nature, to those of the Union as set out in this Constitution.

C58 Interpretation

58.1 Unless otherwise defined, words and phrases in this Constitution shall be based upon the Acts Interpretation Act 1954 (QId) and any superceding Acts thereto.

58.2 In this Constitution, unless the contrary intention appears:

- a) "Academic Days" means a day during the first or second semester which is not a Saturday, Sunday or University holiday.
- b) "Affiliated Bodies" means organizations affiliated to the Union in accordance with this Constitution and Regulations.
- c) "Annual Meeting" means the meeting of Union Council described by C22
- d) "Annual Election" means an election held in accordance with C26.4.
- e) "By-election" means an election held in accordance with C31.2(a)(i).
- f) "Casual Vacancy" has the meaning given to it by C3 1.1.
- g) "Casual Vacancy Election" means an election under C31.3
- h) "clear days" means a number of days exclusive of:
 - i. the day on which the event occurred that triggered the number of
 - ii. days falling on a Saturday,
 - iii. days falling on a Sunday, and
 - iv. days falling on a public holiday.
- i) "college" means a University College as prescribed by the University.
- j) "College Student" means a student whose place of residence is a college.
- k) "Elected Officer" means an Officer listed in C24.1.
- l) "Election" means Annual Elections, By-elections and Casual Vacancy Elections.
- m) "Electoral Tribunal" means the group created in accordance with C27.
- n) "Extraordinary Meeting" means a meeting of a Union body where the Union Secretary is not able to give the requisite amount of notice as stipulated by the Regulations.
- o) "Faculty" means an academic organisational unit as defined by the University from time to time.
- p) "Financial Year" means the period of time as described in C37.
- q) "Fund" means any or all of the following:
 - i. Union Development Fund;
 - ii. Union Contingency Fund;
 - iii. Union Depreciation Fund;
 - iv. Budget Adjustment Fund; and
 - v. Union Building Fund.

- r) "Gatton Student" means a student who is enrolled in a degree administered at the University's Gatton campus.
- s) "General Meeting" means a quorate meeting of students held in accordance with the Constitution and Regulations.
- t) "International Student" means any student whose permanent residence is outside the Commonwealth of Australia.
- u) 'PACE Student' means a student who is enrolled in a degree administered at the University's PACE campus.
- v) "Ipswich Student" means a student who is enrolled in a degree administered at the University's Ipswich campus.
- w) "N/lanager" means a person employed from time to time by the Union in a senior management role.
- x) "Medical Student" means a student who is enrolled in a degree administered by the University's School of Medicine, or its successor.
- y) "Member" means those people described in C4.
- z) "member of Union Council" means those people listed in C19.1.
- aa) "Multi-Member Office" means those positions on Union bodies to which multiple persons must be elected, but does not include any of the Elected Officer positions.
- bb) "Officer" means a person holding a position created by the Union, and includes members of Union Council and Union bodies, but not employees of the Union or Managers.
- cc) "Ordinary Meeting" means all meetings of a Union body that are not Extraordinary Meetings.
- dd) "Postgraduate Student" means a student enrolled in a postgraduate course provided by the University.
- ee) "Referendum" means a valid poll of students held in accordance with the Constitution and Regulations.
- ff) ee) "Regulations" means the Regulations made pursuant to and under this Constitution.
- gg) "Returning Officer" means the person appointed to that position in accordance with the Regulations made under C26.3.
- hh) "Semester" means a unit of time as prescribed by the University.
- ii) "Herston Student" means a student who is enrolled in a degree administered at the University's Herston campus
- jj) 'simple majority" means 50%+1 of the votes exercisable, rounded up to the next highest integer.
- kk) ii) "Special Resolution" means a resolution of Union Council passed by a two-thirds majority of votes at an Ordinary Meeting of Union Council provided notice has been given in the agenda.
- ll) "student" means a student enrolled in a course or subject provided by the University.
- mm) 'three-quarters majority" means 75% of the votes exercisable, rounded up to the next highest integer.
- nn) ll) "Turbot Street Student" means a student who is enrolled in a degree administered at the University's Turbot Street campus.
- oo) 'two-thirds majority" means 66% of the votes exercisable rounded up to the next highest integer.
- pp) "Union" means the University of Queensland Union.
- 00) "Union body" means any body described as such by or under this Constitution or the Regulations, and includes Union Council, but does not include a General Meeting or Referendum.
- qq) Constitution or the Regulations, and includes Union Council, but does not include a General Meeting or Referendum.

- rr) "Union Noticeboard" means the noticeboard set aside for Union notices in the Union Administration Building.
- ss) "University" means the University of Queensland.
- tt) "Votes exercisable" means:
 - i. in the context of a Union body, the total number of votes eligible to be cast by a meeting of the Union body. If a Casual Vacancy has arisen for whatever reason, then a vote is not eligible to be cast for that position;
 - ii. in the context of a General Meeting, the total number of students present at the General Meeting;
 - iii. in the context of a Referendum, the total number of students who vote in the Referendum.

58.3 In this Constitution the singular includes the plural and vice versa.

58.4 Unless a provision in this Constitution expressly provides otherwise, a right, privilege or entitlement conferred on a student by this Constitution is not available to or exercisable by a student who by reason of provision of this Constitution is ineligible to exercise the right, privilege or entitlement.

58.5 A reference to "C" followed by a number or a number and letters is a reference to the correspondingly numbered provision of this Constitution.

58.6 Union Council is responsible for interpreting this Constitution.

C59 Commencement

59.1 Subject to C60, this Constitution is deemed to have come into operation and be in full force and effect at the time the Special Resolution adopting the Constitution was passed, subject to C60.

C60 Transitional

60.1 Notwithstanding the adoption of this Constitution, the members of Union Council who were members immediately prior to the adoption of this Constitution will remain as members of Union Council in accordance with the Old Constitution, including C33.

60.2 Notwithstanding the adoption of this Constitution, the people who were the Elected Officers and Officers immediately prior to the adoption of this Constitution will remain as Elected Officers and Officers in accordance with the Old Constitution, including C33.

60.3 "Old Constitution" means the Constitution as it existed and applied immediately prior to the amendment of this Constitution in which these transitional provisions were inserted.