

# The Constitution of the Melbourne University Debating Society Incorporated

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Melbourne University  
Debating Society

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## PART 1 – PRELIMINARY

### 1. Name

The name of the Association is the 'Melbourne University Debating Society Incorporated'

### 2. Purposes

- (1) The main purpose of the Society is the encouragement of competitive debating.
- (2) The additional aims of the Society are –
  - a. To foster intellectual discussion and the art of debate, within the Society and the University;
  - b. To provide resources, training and access to competition for all members, in order to develop the skills of debating and public speaking;
  - c. To promote access to high level debate, and participation in intervarsity tournaments;
  - d. To provide a social community amongst members of the Society; and
  - e. To facilitate debate as a means of knowledge transfer between the University and broader society.

### 3. Financial Year

The financial year of the Society is each period of twelve months ending on 31 August.

### 4. Definitions

- (1) In these Rules, unless inconsistent with the context or subject matter –

**Absolute majority**, when referring to the Committee, means a majority of all members of the Committee, not only those present and including any abstentions in the number of people voting;

**Academic day** means a day in the teaching period of Semester 1 and Semester 2 of the University;

**AIDA** means the Australasian Intersvarsity Debating Association;

**Associate member** means an associate member of the society as outlined in section 13, who has limited participation rights in the society, but is not considered to be a member of the society;

**Australs** means the Australasian Intersvarsity Debating Championship held under the auspices of AIDA;

**Clubs and Societies Committee** means the Clubs and Societies Committee established by UMSU;

**Clubs and Societies Coordinator** means the person appointed to this role by the Clubs and Societies Committee;

**Constitution** means this document, which for the purposes of the Act constitutes the Rules of the Club;

**Contingent** means all of the debaters and adjudicators attending an intersvarsity debating tournament by virtue of being allocated a position by the Society;

**Easters** means the Easter Intersvarsity Debating Championship held under the auspices of AIDA;

**Member** means a member of the society and should NOT be taken to also refer to associate members;

**Student Number** refers to the member's University student number;

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

**The Registrar** means the Registrar of Incorporated Associations;<sup>1</sup>

**UMSU** means the Umsu Incorporated (Association Number: A0048033A), which is The University of Melbourne Student Union;

**University** means The University of Melbourne;

**Womens**, in Part 8 of this Constitution, means the Women's Intersarsity Debating Championship held under the auspices of AIDA; and

**Worlds** means the World Universities Debating Championships.

- (2) Unless otherwise stated, any expression appearing in the Constitution which is defined in the Act shall have the same meaning as it does in the Act.
- (3) Any provision in this Constitution which is inconsistent with the Act is invalid and of no force to the extent of that inconsistency.
- (4) Provisions in this Constitution should, where possible, be read in a manner that is not inconsistent with the Constitution of Umsu or the Regulations of the Clubs and Societies Committee, unless required by law (including the Act), or if this Constitution expressly states otherwise.
- (5) The Constitution is to be interpreted according to the provisions of the *Interpretation of Legislation Act 1984* (Victoria).

## **PART 2 – POWERS OF ASSOCIATION**

### **5. Powers of Association**

- (1) Subject to the Act, the Association has power to do all things incidental or conducive to achieve its purposes.
- (2) Without limiting subsection (1), the Association may—
  - a. Acquire, hold and dispose of real or personal property;
  - b. Open and operate accounts with financial institutions;
  - c. Invest its money in any security in which trust monies may lawfully be invested;
  - d. Raise and borrow money on any terms and in any manner as it thinks fit;
  - e. Secure the repayment of money raised or borrowed, or the payment of a debt or liability;
  - f. Appoint agents to transact business on its behalf;
  - g. Enter into any other contract it considers necessary or desirable.
- (3) The Association may only exercise its powers and use its income and assets (including any surplus) for its purposes.

### **6. Affiliation to Umsu**

- (1) The Society is affiliated to Umsu and, notwithstanding section 5, shall be bound by the Constitution of Umsu and the Regulations of the Clubs and Societies Committee with regard to all matters not specifically dealt with herein.
- (2) During the course of affiliation with Umsu the Society shall –
  - a. Comply with any requirements of the Clubs and Societies Committee for the provision of records and documents; and
  - b. Be under a duty to apply any grant monies received from the Clubs and Societies Committee in accordance with any conditions imposed.

### **7. Other Affiliation**

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<sup>1</sup> Note: this is currently Consumer Affairs Victoria

- (1) The Society may affiliate itself with or disaffiliate itself from any other Debating or Public-Speaking organisation by resolution of the Committee.
- (2) In light of its purpose and aims, the Society shall be a non-partisan organisation. This means that –
  - a. The Society will not provide resources (including funding and access to communications) to any candidate, political campaign or ideology. This applies to any election, whether based within the University or otherwise; and
  - b. The Society will not use public debates to promote any candidate or political campaign.
- (3) To avoid ambiguity, nothing in sub-section (2) prohibits the Society from holding a debate between the candidates at an election where all viable candidates have been offered a fair opportunity to participate.

## **8. Not for profit organisation**

- (1) The Society must not distribute any surplus, income or assets directly or indirectly to its members.
- (2) Subsection (1) does not prevent the association from paying a member –
  - a. Reimbursement for expenses properly incurred by the member; or
  - b. For goods or services provided by the member –if this is done in good faith on terms no more favourable than if a member was not a member.

# **PART 3 – MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES**

## **Division 1 – Membership**

### **9. Eligibility to be a member**

Any student currently enrolled in a course of study at the University who supports the purposes of the Society is eligible for membership.

### **10. Application for membership**

To become a member of the society a student must –

- (1) Provide the Committee with any details required in the membership form; and
- (2) Pay the annual subscription fee.

### **11. Annual Subscription Fee**

- (1) There shall be an annual subscription fee set by the Committee from time to time, payable annually to the Treasurer, at such time and in such manner as the Committee may decide.
- (2) The Committee may determine that a lower annual subscription is payable for an individual in their first year of membership or associate membership.
- (3) The Committee may waive payment of the annual subscription fee in cases of hardship or outstanding contribution to the Society.
- (4) The annual subscription fee entitles an individual to membership or associate membership of the Society until the last day of the month of February in the next calendar year.



- (5) The rights of a member (including the right to vote) who has not paid the annual subscription by the end of February are suspended until the subscription is paid.

## **12. General Rights of Members**

- (1) A member of the Society who is entitled to vote has the right –
- a. To receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and
  - b. To submit items of business for consideration at a general meeting; and
  - c. To attend and be heard at general meetings; and
  - d. To vote at a general meeting; and
  - e. To have access to the minutes of general meetings and other documents of the Society as provided under section 66; and
  - f. To inspect the register of members.
- (2) A member is entitled to vote if –
- a. More than 7 business days have passed since he or she became a member of the Society; and
  - b. The member is up-to-date on payment of their annual subscription fee; and
  - c. The member's membership rights are not suspended for any reason.

## **13. Associate Membership**

- (1) A person who is not a student at the University may join the society as an 'associate member'.
- (2) To become an associate member, a person must –
- a. Provide the Committee with any details required in the membership form; and
  - b. Pay the annual subscription fee.
- (3) In spite of anything else in this section, the Committee may, by an absolute majority, revoke a person's associate membership without cause within one month of them joining the Society. Where a person has their associate membership revoked in accordance with this sub-section, the Committee must –
- a. Refund their subscription fee; and
  - b. Notify the Clubs and Societies Committee of such a decision within two weeks.
- (4) The Committee must not allow the number of associate members in the society to number more than 10% of the number of members in the society.

## **14. General Rights of Associate Members**

- (1) An associate member of the society has the right –
- a. To receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and
  - b. To submit items of business for consideration at a general meeting; and
  - c. To attend general meetings.
- (2) To avoid ambiguity, an associate member does not have the right –
- a. To vote at general meetings; or
  - b. To have access to the minutes of general meetings and other documents of the Society as provided under section 66; or
  - c. To inspect the register of members.

## **15. Rights not transferable**

The rights of a member or associate member are not transferable and end when membership ceases.

## **16. Ceasing Membership**

- (1) The membership or associate membership of a person ceases on resignation, expulsion or death.
- (2) A member who no longer meets the eligibility requirements of section 9 ceases to be a member and becomes an associate member.
- (3) If a person ceases to be a member of the Society, the Secretary must, as soon as practicable, enter the date the person ceased to be a member in the register of members.
- (4) A member may resign by notice in writing given to the Society.
- (5) A member is taken to have resigned if the member has not paid their annual subscription by the end of March of a calendar year.
- (6) The Committee shall convene an Ordinary or Extraordinary General Meeting to consider a special resolution to expel a member or associate member if, and only if –
  - a. The Committee passes a motion authorising such a meeting; or
  - b. The Secretary or President is presented with a petition bearing the names and signatures of at least fifteen members.
- (7) A member or associate member who is subject to a motion to expel them from the society must, before the vote on the special resolution is taken, be allowed either –
  - a. Five minutes to speak; or
  - b. The opportunity before the meeting to make representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and request that the representations be provided to the members of the Association. If the representations are not so provided to members the member or associate member may require that they be read out before the vote is taken.

## **17. Register of Members and Register of Associate Members**

- (1) The Secretary must keep and maintain a register of members that includes –
  - a. For each current member –
    - i. the member's name;
    - ii. the address for notice last given by the member;
    - iii. the date of becoming a member; and
    - iv. any other information determined by the Committee; and
  - b. For each former member, the date of ceasing to be a member.
- (2) Any member may, at a reasonable time and free of charge, inspect the register of members.
- (3) The Secretary must keep and maintain a register of associate members that includes –
  - a. For each current associate member –
    - i. the associate member's name;
    - ii. the date of becoming an associate member; and
    - iii. any other information determined by the Committee; and
  - b. For each former associate member, the date of ceasing to be a member.
- (4) Any member may, at a reasonable time and free of charge, inspect the register of associate members.

## **Division 2 – Grievance and Disciplinary Procedure**

### **18. General Conduct and Obligations of Members**

- (1) A member or associate member –
  - a. Must not harass or bully another member or associate member;
  - b. Must not discriminate against another member or associate member on the basis of that member or associate member's age, culture, gender, sexuality, religion or family;
  - c. Must comply with the regulations, policies and guidelines made by the Society from time-to-time.
- (2) This section does not create a right enforceable by any member against the Society, UMSU, the University or any other member.

## **19. Member Grievances**

- (1) Any grievance that arises between the Society and UMSU, a member and another member, or a member and another University student is subject to the grievance procedure outlined in this section.<sup>2</sup> If the parties subject to a grievance are unable to meet and discuss the grievance and determine a resolution within 21 academic days, the UMSU Clubs & Societies Officer/s or their nominated representative shall appoint a mediator to facilitate mediation.
- (2) UMSU Clubs & Societies Officer/s may appoint a mediator before the 21 academic day deadline if requested by the Society or an individual who is party to a dispute.
- (3) Any mediator appointed under this section shall not be a student of the University of Melbourne or have been so within the past 5 years.
- (4) Notwithstanding anything in the Clubs and Societies Regulations, a member may appoint any person to act on behalf of the member in this grievance procedure. Alternatively, an individual may bring a support person to mediation. That support person may not be involved in the issue being mediated.
- (5) A mediator shall be appointed within 5 days of Clubs and Societies receiving a request for mediation (Regulation 9.2). It is then up to the mediator and the parties subject to the mediation to determine a time to convene the mediation.
- (6) If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.
- (7) While the mediation process is ongoing, the Committee may exclude a member from attendance at club events, with the exception of attending general meetings of the club, and committee and executive meetings of the club and exercising their ability to vote and run in elections. Members subject to mediation will still have access to minutes from club meetings and other documents that they would otherwise have access to, as well as the ability to call for an SGM and to petition to expel a member from the club.
- (8) Any reference to a member in this section should also be taken to include an associate member; however the rights retained by members in sub-section (7) are not retained by associate members unless they were already entitled to those rights by virtue of some other provision in this Constitution.
- (9) An associate member of the Society who is the subject of a disciplinary action under section 20 of the Constitution must not initiate a grievance procedure under this section in relation to the matter which is the subject of the disciplinary action until the disciplinary action has been completed.

## **20. Associate Member Disciplinary Action**

- (1) The Society may take disciplinary action against an associate member in accordance with this section if it is determined that the associate member –
  - a. Has failed to comply with this Constitution; or

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<sup>2</sup> This grievance procedure restates the procedure outlined in the UMSU Clubs and Societies Regulations.

- b. Refuses to support the purposes of the Association; or
  - c. Has engaged in conduct prejudicial to the Association.
- (2) If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against an associate member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the associate member.
- (3) The members of the disciplinary subcommittee –
  - a. May be Committee members, members of the Society or anyone else; but
  - b. Must not be biased against, or in favour of, the associate member concerned.
- (4) Before disciplinary action is taken against an associate member, the Secretary must give written notice to the associate member—
  - a. Stating that the Society proposes to take disciplinary action against the associate member; and
  - b. Stating the grounds for the proposed disciplinary action; and
  - c. Specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (*the **disciplinary meeting***); and
  - d. Advising the associate member that he or she may do one or both of the following—
    - i. attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
    - ii. give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting.
- (5) The notice under sub-section 4 must be given no earlier than 28 days, and no later than 7 days, before the disciplinary meeting is held.
- (6) At the disciplinary meeting, the disciplinary subcommittee must –
  - a. Give the associate member an opportunity to be heard; and
  - b. Consider any written statement submitted by the member.
- (7) After complying with sub-section (6), the disciplinary subcommittee may –
  - a. Take no further action against the associate member; or
  - b. Subject to sub-section (8) –
    - i. Reprimand the associate member; or
    - ii. Suspend some or all of the associate membership rights of the associate member for a specified period of no greater than two calendar years; or
    - iii. Expel the associate member from the Society.
  - c. The disciplinary subcommittee may not fine the member.
- (8) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.
- (9) Notwithstanding section 13, an associate member who is expelled under section 20(7)(b)(iii) may not re-join the society as an associate member unless the Committee, by an absolute majority, grants them permission.
- (10) If an associate member has initiated a grievance procedure under section 19 in respect of a dispute between the associate member and the Society, the Society must not take disciplinary action against the following persons in relation to the matter which is the subject of the grievance procedure until the grievance procedure has been completed –
  - a. The associate member who initiated the grievance procedure; and
  - b. An associate member appointed by a complainant associate member or member to act on their behalf in the grievance procedure.

## **PART 4 – GENERAL MEETINGS OF THE ASSOCIATION**

### **21. General Meetings**

- (1) A General Meeting may be by a majority vote of members present –
  - a. Rescind, overrule or vary any decision of the Committee or a previous General Meeting;
  - b. Exercise all powers of the Committee under this Constitution; and
  - c. Fill any vacancy arising by the exercise of section 47.
- (2) The Secretary must provide members, associate members and the Clubs and Societies Coordinator at least 7 days' notice of a General Meeting where no special resolution is to be proposed. Where a special resolution is to be proposed the Secretary must provide members, associate members and the Clubs and Societies Coordinator at least 21 days' notice of a General Meeting. Additionally, notice of all General Meetings must include 5 academic days. The notice must –
  - a. Specify the date, time and place of the meeting; and
  - b. Indicate the general nature of each item of business to be considered at the meeting; and
  - c. If a special resolution is to be proposed –
    - i. State in full the proposed resolution; and
    - ii. State the intention to propose the resolution as a special resolution; and
  - d. Detail to members how they may appoint a proxy.
- (3) A General Meeting must only be held on an academic day.
- (4) No business may be conducted at a general meeting unless a quorum of members is present. The quorum for a general meeting is the physical presence of twenty members, all of whom must be non-committee members.
- (5) If a quorum is not present within 1 hour after the notified commencement time of a general meeting –
  - a. In the case of a meeting convened by, or at the request of, members under section 24(1)(b) – the meeting must be dissolved;
  - b. In any other case –
    - i. The meeting must be adjourned to a date not more than 21 days after the adjournment; and
    - ii. Notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting.
- (6) All General meetings shall be reported to the Clubs and Societies Coordinator as stipulated in the Clubs and Societies Regulations.

## **22. Ordinary General Meetings**

- (1) An ordinary general meeting of the society shall be convened whenever the committee so authorises.
- (2) At least one ordinary general meeting will be the annual general meeting specified in section 23.
- (3) An ordinary general meeting may conduct business of which notice has been given, or where an absolute majority of members eligible to vote at the meeting approves adding an item to the agenda. Notice can be given by –
  - a. Emailing the Secretary at least five days before an ordinary general meeting; or
  - b. Through any other mechanism prescribed by the Committee.

## **23. Annual General Meeting**

- (1) The Committee must convene an annual general meeting in the first week of September, or at the soonest practicable date thereafter, but no later than the end of September.

- (2) The Committee may determine the date, time and place of the annual general meeting, provided that it is held on the premises of the University.
- (3) The ordinary business of the annual general meeting is as follows –
  - a. To confirm the minutes of the previous annual general meeting, and of any special general meetings held since then;
  - b. To consider amendments to, and to ratify, this constitution;
  - c. To receive and consider –
    - i. The annual report of the President, which will include the activities of the Society in the previous financial year;
    - ii. The annual report of the Treasurer, which will include the financial statements of the Association for the preceding financial year submitted by the Committee in accordance with Part 7 of the Act; and
    - iii. Annual reports from the Vice-President and the Secretary, should they choose to submit them;
  - d. To elect members of the Committee, whose positions shall commence on the 1<sup>st</sup> of December following the annual general meeting.

## **24. Extraordinary General Meetings**

- (1) An extraordinary general meeting of the society shall be convened –
  - a. Whenever the Committee so authorises; or
  - b. Within 30 academic days after the receipt by the Secretary of a written request in accordance with subsection (2) to do so signed by at least 20 members or one third of the membership, whichever is less.
- (2) A request for an extraordinary general meeting must –
  - a. Be in writing; and
  - b. State the business to be considered at the meeting and any resolutions to be proposed; and
  - c. Include the names, signatures and student numbers of the members requesting the meeting; and
  - d. Be given to the Secretary.
- (3) Where the Committee fails to convene an extraordinary general meeting within 30 academic days of a request under subsection (1)(b), the members requesting the extraordinary general meeting may convene the meeting. Such a meeting –
  - a. Must be held within three months after the date on which the original request was made; and
  - b. May only consider the business stated in that request.
- (4) The business of an extraordinary general meeting shall consist only of the business authorised by the committee when convening the meeting, as well as the business listed in a request made under subsection (1)(b).
- (5) Notwithstanding subsection (4), an extraordinary general meeting may not conduct 'general business' or 'business without notice'.

## **25. Adjournment of general meetings**

- (1) The Chairperson of an ordinary general meeting at which a quorum is present may, with the consent of a majority of members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- (2) The Chairperson of an extraordinary general meeting at which a quorum is present may, with the consent of a majority of members present at the meeting, adjourn the meeting as many as two times for up to half-an-hour at the same place or at another place.

- (3) Without limiting sub-sections (1) and (2), a general meeting may be adjourned –
  - a. To shift the venue of a meeting;
  - b. If there is insufficient time to deal with the business at hand; or
  - c. To give the members more time to consider an item of business.
- (4) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.
- (5) Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 21.

## **26. Proxies**

- (1) A member may appoint another member as his or her proxy to vote and speak on his or her behalf at a general meeting.
- (2) The appointment of a proxy must be in writing and signed by the member making the appointment, or made via email. Such appointment must be –
  - a. Handed to the Chairperson of the general meeting, or the Secretary, before or at the commencement of the meeting; or
  - b. Emailed to the Chairperson of the general meeting, or the Secretary, before the meeting commences.
- (3) The member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the member in any matter as he or she sees fit.

## **27. Use of Technology**

A member not physically present at a general meeting shall not be permitted to participate in the meeting by the use of technology, unless otherwise allowed by this Constitution

## **28. Voting at General Meetings**

- (1) On a question arising at a general meeting –
  - a. Each member who is entitled to vote has one vote; and
  - b. Members may vote personally or by proxy; and
  - c. Except in the case of a special resolution, the question must be decided on a majority of votes.
- (2) If votes are divided equally on a question, the motion is considered lost.
- (3) If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting may vote.
- (4) To avoid ambiguity, associate members have no voting rights at general meetings.

## **29. Special Resolutions**

A special resolution is passed if not less than three quarters of the members voting at a general meeting (whether in person or by proxy) vote in favour of the resolution. To avoid ambiguity, an abstention has the same effect as voting against a motion.

## **30. Determining Whether Resolution Carried**

- (1) Subject to subsection (2), the Chairperson of a general meeting may, on the basis of a show of hands, declare that a resolution has been—
  - a. Carried; or

- b. Carried unanimously; or
  - c. Carried by a particular majority; or
  - d. Lost –
- and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.
- (2) If a poll (where votes are cast in writing) is demanded by three or more members on any question –
    - a. The poll must be taken at the meeting in the manner determined by the Chairperson of the meeting; and
    - b. The Chairperson must declare the result of the resolution on the basis of the poll.
  - (3) Notwithstanding subsection (2), the Chairperson of the general meeting can order a poll.
  - (4) A poll demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately.
  - (5) A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.

### **31. Minutes of General Meetings**

- (1) The Committee must ensure that minutes are taken and kept of each general meeting.
- (2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- (3) In addition, the minutes of each annual general meeting must include –
  - a. The names of the members attending the meeting; and
  - b. A record of all valid proxies received for the meeting; and
  - c. Any reports submitted under section 23(3)(b); and
  - d. The certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Association; and
  - e. Any audited accounts and auditor's report or report of a review (if any) accompanying the financial statements that are required under the Act.

## **PART 5 – COMMITTEE**

### **Division 1 – Powers of Committee**

#### **32. Role and Powers**

- (1) The business of the Society must be managed by or under the direction of a Committee.
- (2) The Committee may exercise all the powers of the Society except those powers that this Constitution or the Act require to be exercised by general meetings of the members of the Association.
- (3) The Committee may –
  - a. Not appoint staff, unless a resolution at a general meeting allows them to do so;
  - b. Remove staff; and
  - c. Establish subcommittees consisting of members with terms of reference it considers appropriate.

#### **33. Delegation**

- (1) The Committee may delegate to a member of the Committee, a subcommittee or staff, any of its powers and functions other than –



- a. This power of delegation; or
  - b. A duty imposed on the Committee by the Act or any other law.
- (2) The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.
- (3) The Committee may, in writing, revoke a delegation wholly or in part.

## **Division 2 – Composition of Committee and Duties of Members**

### **34. Composition of Committee**

The Committee shall comprise of –

- (1) **Executive members**, being –
  - a. A President; and
  - b. A Vice-President; and
  - c. A Secretary; and
  - d. A Treasurer; and
- (2) **Non-executive members**, being –
  - a. A Media Officer; and
  - b. A Public Debates and Sponsorship Officer; and
  - c. Two Internal Competitions Officers; and
  - d. Two Schools Training Officers; and
  - e. A Social Officer; and
  - f. A Women’s Officer; and
- (3) The Immediate Past President.

### **35. General Duties**

- (1) As soon as practicable after being elected or appointed to the Committee, each committee member must become familiar with this Constitution and the Act.
- (2) The Committee is collectively responsible for ensuring that the Association complies with the Act and that individual members of the Committee comply with this Constitution.
- (3) Committee members must exercise their powers and discharge their duties with reasonable care and diligence.
- (4) Committee members must exercise their powers and discharge their duties –
  - a. In good faith in the best interests of the Association; and
  - b. For a proper purpose.
- (5) Committee members and former committee members must not make improper use of –
  - a. Their position; or
  - b. Information acquired by virtue of holding their position –
 so as to gain an advantage for themselves or any other person or to cause detriment to the Association.
- (6) Committee members are expected to –
  - a. Attend Committee meetings; and
  - b. Help in the organisation of the Society’s events; and
  - c. Promote the Society; and
  - d. Have a high level of attendance and participation in the Society’s activities; and
  - e. Promote the growth of the Society, particularly through the involvement of new members; and
  - f. Carry out their specific portfolio duties.
- (7) In addition to any duties imposed by these Rules, a committee member must perform any other duties imposed from time to time by resolution at a general meeting.

### **36. President and Vice-President**

- (1) Subject to sub-rule (2), the President or, in the President's absence, the Vice-President is the Chairperson for any general meetings and for any committee meetings.
- (2) If the President and the Vice-President are both absent, or are unable to preside, the Chairperson of the meeting must be –
  - a. In the case of a general meeting – a member elected by the other members present; or
  - b. In the case of a committee meeting – a committee member elected by the other committee members present.

### **37. Secretary**

- (1) The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.
- (2) The Secretary must –
  - a. Maintain the register of members in accordance with section 17; and
  - b. Keep custody of, except for the financial records referred to in section 62(3), all books, documents and securities of the Association in accordance with section 62; and
  - c. Subject to the Act and this Constitution, provide members with access to the register of members, the minutes of general meetings and other books and documents; and
  - d. Perform any other duty or function imposed on the Secretary by this Constitution.
- (3) The Secretary must give to the Registrar notice of his or her appointment within 14 days after the appointment.

### **38. Treasurer**

- (1) The Treasurer must arrange to –
  - a. Receive all moneys paid to or received by the Association and issue receipts for those moneys in the name of the Association; and
  - b. Ensure that all moneys received are paid into the account of the Association within 5 working days after receipt; and
  - c. Make any payments authorised by the Committee or by a general meeting of the Association from the Association's funds; and
  - d. Ensure cheques are signed by at least 2 committee members.
- (2) The Treasurer must –
  - a. Ensure that the financial records of the Association are kept in accordance with the Act; and
  - b. Coordinate the preparation of the financial statements of the Association and their certification by the Committee prior to their submission to the annual general meeting of the Association.
- (3) The Treasurer must ensure that the other Executive members of the Committee have access to the accounts and financial records of the Association.

## **Division 3 – Election of Committee Members and Tenure of Office**

### **39. Who is Eligible to be a Committee Member**

A member is eligible to be elected or appointed as a committee member if the member –

- (1) Is aged 18 years or over; and

- (2) Is entitled to vote at a general meeting; and
- (3) In the case of the position of Women's Officer, is a female.

#### **40. Positions to be Declared Vacant**

At any annual general meeting of the Society, after the annual reports and financial statements of the Association have been received the Chairperson of the meeting must declare all positions on the Committee (except for that of the Immediate Past President) open for election and hold elections for those positions in accordance with Sections 41 to 44.

#### **41. Appointment of Returning Officer**

The Committee shall appoint a returning officer to conduct the election, unless a returning officer has been appointed by the Clubs and Societies Committee. The returning officer shall be ineligible to run for any committee position, and is unable to nominate or second anyone running for office. The returning officer need not be a member of the Society.

#### **42. Nominations**

- (1) Prior to the election of each position, the returning officer of the meeting must call for nominations to fill that position.
- (2) An eligible member of the Society may –
  - a. Nominate himself or herself; or
  - b. With the member's consent, be nominated by another member.
- (3) A member may hold multiple positions in section 34(2) and section 34(3), but may not hold more than one position listed in section 34(1).

#### **43. Election of Positions**

- (1) At the annual general meeting, separate elections must be held for each of the positions listed in section 34(1) and section 34(2).
- (2) Elections for the positions listed in section 34(1) shall occur before the election of positions listed in section 34(2), and shall occur in the order in which they appear.
- (3) Elections for the positions held in section 34(2) shall occur in the order in which they appear, unless the returning officer or the meeting resolves otherwise.
- (4) If only one member is nominated for the position, except for the positions in sections 34(2)(c) and 34(2)(d), the returning officer must declare the member elected to the position.
- (5) If only two members are nominated for the positions in sections 34(2)(c) and 34(2)(d) the returning officer must declare the members elected to the position.
- (6) If more than one member is nominated (or two members in the case of the positions at sections 34(2)(c) and 34(2)(d)), a ballot must be held in accordance with rule 45.

#### **44. Election of Equity Officers**

- (1) After the election of all committee members listed in sections 34(1) and 34(2), the returning officer shall conduct an election for a male equity officer and a female equity officer.
- (2) Only members of the newly elected committee, including the new Immediate Past President, shall be eligible to run for the position of male equity officer and female equity officer.
- (3) The male equity officer must be a male, and the female equity officer must be a female.
- (4) If only one committee member is nominated for the position, the returning officer must declare the member elected to the position.

- (5) If more than one committee member is nominated a ballot must be held in accordance with rule 45.

#### **45. Ballots**

- (1) The returning officer shall conduct any ballot that is required for the election for a position.
- (2) Before the ballot is taken, each candidate may make a short speech in support of his or her election. The returning officer may set a time limit for each speech. That length may differ from position-to-position, but must remain the same for all candidates running for the same position.
- (3) The returning officer may also allow members present at the meeting to ask questions of candidates. The returning officer may limit the number of questions, the time to ask those questions and the time to answer those questions, so long as those limits are the same for each candidate for a position.
- (4) The returning officer may require other candidates for a position to leave the meeting for the duration of the speech of and questions asked to another candidate for a position.
- (5) The election must be by secret ballot.
- (6) The returning officer must give a blank ballot to –
  - a. Each member present in person who is eligible to vote; and
  - b. Each proxy appointed by a member eligible to vote.
- (7) If the ballot is for a single position, the voter must write on the ballot paper the name of each candidate in order of preference.
- (8) Ballots will be tallied using a simple preferential vote.
- (9) If the returning officer is unable to declare the result of an election under subsection (8) because 2 or more candidates received the same number of votes, the returning officer must decide by coin toss which of them is to be elected.

#### **46. Term of Office**

Subject to sections 47 and 48, a committee member holds office from the 1<sup>st</sup> of December after the AGM at which they are elected, until the 30<sup>th</sup> November the following year. To avoid ambiguity, a committee member may be re-elected. If, between the period of election and taking up office, the Clubs and Societies Committee is satisfied that the elections carried out at the AGM were inconsistent with this Constitution, they may declare the election invalid and order a new election be held within 20 academic days.

#### **47. Removal from Office**

- (1) The Committee shall convene an Ordinary or Extraordinary General Meeting to consider a special motion to remove a Committee Member if, and only if –
  - a. The Committee passes a motion authorising such a meeting; or
  - b. The Secretary or President is presented with a petition bearing the names and signatures of at least fifteen members.
- (2) A Committee Member who is subject to a motion to remove them from office must, before the vote on the special resolution is taken, be allowed either –
  - a. Five minutes to speak; or
  - b. The opportunity before the meeting to make representations in writing to the Secretary or President of the Association (not exceeding a reasonable length) and request that the representations be provided to the members of the Association. If the representations are not so provided to members the Committee Member may require that they be read out before the vote is taken.

#### **48. Vacation of Office**

- (1) A Committee Member may resign from the Committee by written notice addressed to the Secretary or President.
- (2) A person ceases to be a Committee Member if he or she –
  - a. Dies; or
  - b. Ceases to be a member of the Association; or
  - c. Fails to attend 3 consecutive committee meetings (other than urgent committee meetings) without leave of absence under section 59; or
  - d. Becomes insolvent under administration (within the meaning of section 38 of the Interpretation of Legislation Act (Vic) 1984); or
  - e. Becomes a represented person within the meaning of the Guardianship and Administration Act (Vic) 1986; or
  - f. Is disqualified from managing corporation under Part 2D.6 of the Corporations Act; or
  - g. is disqualified from managing Aboriginal and Torres Strait Islander corporations under Part 6-5 of the Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth); or
  - h. is disqualified from managing co-operatives under Division 2 of Part 3.1 of the Co-operatives National Law (Victoria); or
  - i. Otherwise ceases to be a Committee Member by operation of the Act.
- (3) The Secretary ceases to be a Committee Member if they cease to reside in Australia.

#### **49. Filling Casual Vacancies**

- (1) The Committee may fill casual vacancies of the non-executive Committee Members through co-opting any member eligible to fill the role, with the consent of that member.
- (2) Any vacancies of executive Committee Members may only be filled by a General Meeting.

### **Division 4 – Meetings of the Committee**

#### **50. Meetings of the Committee**

- (1) The Committee must meet at least 4 times in each year at the dates, times and places determined by the Secretary.
- (2) The Secretary must convene a committee meeting upon the request of any Committee Member.

#### **51. Notice of Meetings**

- (1) Notice of each committee meeting must be given to each committee member no later than 4 days before the date of the meeting.
- (2) Notice may be given of more than one committee meeting at the same time.
- (3) The notice must state the date, time and place of the meeting. Where the meeting is to be held on The University of Melbourne's Parkville campus, the exact room need not be included in the notice so long as it is communicated to each committee member at least one hour before the meeting.

#### **52. Urgent Meetings**

- (1) In cases of urgency, a meeting can be held without notice being given in accordance with section 51 provided that as much notice as practicable is given to each committee member by the quickest means practicable.
- (2) Any resolution made at the meeting must be passed by an absolute majority of the Committee, including two Executive committee members.
- (3) The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

### **53. Procedure and Order of Business**

- (1) The procedure to be followed at a meeting of a Committee must be determined from time to time by the Committee.
- (2) The order of business may be determined by the members present at the meeting.

### **54. Use of Technology**

- (1) The procedure to be followed allowing the use of technology at a meeting of a Committee must be determined from time to time by the Committee. The Committee may allow a committee member who is not physically present at a committee meeting to participate in the meeting by the use of technology that allows that committee member and the committee members present at the meeting to clearly and simultaneously communicate with each other.
- (2) For the purposes of this Part, a committee member participating in a committee meeting as permitted under subsection (1) is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.
- (3) The Committee may also pass motions with a circular resolution via email. Circular motions remain open for voting for a period of one week, and all circular resolutions carried must be recorded in the minutes of the following committee meeting. For a resolution to pass –
  - a. An Executive member of the Committee must notify all Committee members of the resolution; and
  - b. An absolute majority of the Committee must vote on the resolution; and
  - c. A simple majority of all votes must be in favour of the resolution.

### **55. Quorum**

- (1) No business may be conducted at a Committee meeting unless a quorum is present.
- (2) The quorum for a committee meeting is the presence (in person or as allowed under section 54) of a majority of the committee members holding office, excluding the Immediate Past President, providing that at least two of the Committee members present are Executive Committee Members.
- (3) If a quorum is not present within 45 minutes after the notified commencement time of a committee meeting the meeting lapses.

### **56. Voting**

- (1) On any question arising at a committee meeting, each committee member present at the meeting has one vote, except for the Immediate Past President who shall not have voting rights.
- (2) Where an individual holds multiple positions on the committee, they will still only exercise one vote.

- (3) A motion is carried if a majority of committee members present at the meeting vote in favour of the motion.
- (4) Subsection (3) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the Committee.
- (5) If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.
- (6) Voting by proxy is not permitted.

### **57. Conflict of Interest**

- (1) A committee member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Committee.
- (2) The member –
  - a. Must not be present while the matter is being considered at the meeting; and
  - b. Must not vote on the matter.
- (3) This rule does not apply to a material personal interest –
  - a. That exists only because the member belongs to a class of persons for whose benefit the Association is established; or
  - b. That the member has in common with all, or a substantial proportion of, the members of the Association.

### **58. Minutes of Meeting**

- (1) The Secretary must ensure that minutes are taken and kept of each committee meeting.
- (2) The minutes must record the following –
  - a. The names of the members in attendance at the meeting;
  - b. The business considered at the meeting;
  - c. Any resolution on which a vote is taken and the result of the vote;
  - d. Any material personal interest disclosed under section 57.

### **59. Leave of Absence**

- (1) The Committee may grant a committee member leave of absence from committee meetings for a period not exceeding 3 months.
- (2) The Committee must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the committee member to seek the leave in advance.

## **PART 6 – FINANCIAL MATTERS**

### **60. Source of Funds**

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

### **61. Management of Funds**

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

- (2) Subject to any restrictions imposed by a general meeting of the Society, the Committee may approve expenditure on behalf of the Society.
- (3) The Committee may authorise an Executive Committee Member to expend funds on behalf of the Society (including by electronic funds transfer) up to a specified limit without requiring approval from the Committee for each item on which the funds are expended.
- (4) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 Executive Committee Members.
- (5) All funds of the Association must be deposited into the financial account of the Society no later than 5 working days after receipt.
- (6) With the approval of the Committee, Executive Committee Member(s) may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

## **62. Financial Records**

- (1) The Society must keep financial records that –
  - a. Correctly record and explain its transactions, financial position and performance; and
  - b. Enable financial statements to be prepared as required by the Act.
- (2) The Society must retain the financial records for 7 years after the transactions covered by the records are completed.
- (3) The Treasurer must keep in his or her custody, or under his or her control –
  - a. The financial records for the current financial year; and
  - b. Any other financial records as authorised by the Committee.

## **63. Financial Statements**

- (1) For each financial year, the Committee must ensure that the requirements under the Act relating to the financial statements of the Society are met.
- (2) Without limiting subsection (1), those requirements include –
  - a. The preparation of the financial statements;
  - b. If required, the review or auditing of the financial statements;
  - c. The certification of the financial statements by the Committee;
  - d. The submission of the financial statements to the annual general meeting of the Association;
  - e. The lodgement with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

# **PART 7 – GENERAL MATTERS**

## **64. Registered Address**

The registered address of the Society is the address determined from time to time by resolution of the Committee or – if the Committee has not determined an address to be the registered address – the postal address of the Secretary.

## **65. Notice Requirements**

- (1) Any notice required to be given to a member or a committee member under these Rules may be given—
  - a. By handing the notice to the member personally; or



- b. By sending it by post to the member at the address recorded for the member on the register of members; or
  - c. By email or facsimile transmission; or
  - d. By text message.
- (2) Subsection (1) does not apply to notice given under rule 52.
- (3) Any notice required to be given to the Society, the Committee, or a particular Committee Member may be given –
- a. By handing the notice to an Executive member of the Committee; or
  - b. By sending the notice by post to the registered address; or
  - c. By leaving the notice at the registered address; or
  - d. By email to the email address of the Society or the Secretary.

## 66. Custody and Inspection of Books and Records

- (1) Members may on request inspect free of charge –
- a. The register of members;
  - b. The minutes of general meetings;
  - c. Subject to subsection (2), the financial records, books, securities and any other relevant document of the Society, including minutes of Committee meetings.
- (2) The Committee may refuse to permit a member to inspect records of the Society that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Society.
- (3) The Committee must on request make copies of this Constitution available to members and applicants for membership free of charge. Such copies may be in electronic form.
- (4) Subject to subsection (2), a member may make a copy of any of the other records of the Society referred to in this rule and the Society may charge a fee for provision of a copy of such a record.
- (5) For the purposes of this section –
- relevant documents** means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Association and includes the following –
- a. Its membership records;
  - b. Its financial statements;
  - c. Its financial records;
  - d. Records and documents relating to transactions, dealings, business or property of the Society.

## 67. Winding Up and Cancellation

- (1) The Association may be wound up voluntarily by special resolution.
- (2) In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association.
- (3) Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to the Association and which is not carried on for the profit or gain of its individual members.
- (4) Subject to the Act, in the event that the Society is wound up, or ceases to be affiliated to UMSU, the control of assets which have been 50% or more funded by UMSU Clubs and Societies Committee grants and which are less than 3 years old will revert to UMSU and be held in trust by UMSU Clubs & Societies Committee until such time that a club with the same aims is affiliated or a period of 18 months lapses.
- (5) The body to which the surplus assets are to be given must be decided by special resolution.

## **68. Alteration of Constitution**

- (1) This Constitution may only be altered by special resolution of a general meeting of the Association.
- (2) Any amendment to this Constitution requires the approval of the UMSU Clubs and Societies Office Bearer(s) before being presented at a general meeting.
- (3) Notwithstanding section 68(2), approval is not needed from the UMSU Clubs and Societies Office Bearers to alter the Constitution if –
  - a. The Society wishes to unaffiliate from UMSU, and proposed changes are to that affect; or
  - b. UMSU has entered receivership, administration, liquidation, or bankruptcy proceedings.
- (4) Changes to the Constitution do not take effect unless and until they are approved by the Registrar.

## **PART 8 – INTERVARSITY DEBATING**

### **Division 1 – Affirmative Action Policy**

#### **69. Application of Affirmative Action**

The Society's Affirmative Action Policy, as laid out in sections 70 to 72 shall apply at Easters, Australs, Worlds and, at the Committee's discretion, any other tournament.

#### **70. Affirmative Action**

- (1) A minimum of one third of debaters attending the tournament, and one third of the debaters in the top three teams, must be female-identifying, and a minimum of one third of debaters attending the tournament, and one third of the debaters in the top three teams, must be non-cis males.
- (2) Further, a minimum of one third of all adjudicators must be female-identifying, and a minimum of one third of all adjudicators must be non cis-male, and at least one female-identifying and one non cis-male must be ranked in the top three adjudication spots.
- (3) Finally, one third of the contingent must be female-identifying, and one third must be non cis-male. If adjustments need to be made to comply with this provision they will be made to the rankings of adjudicators.
- (4) Non cis-male throughout this section refers to someone who does not identify as cis-male.
- (5) To avoid ambiguity, a female-identifying individual is also a non cis-male and counts towards both requirements.
- (6) Where one third of debaters or adjudicators does not constitute a whole number, the number shall be rounded down to the nearest integer. Where one third of the contingent does not constitute a whole number, this number shall be rounded up except where one third of the contingent is a number less than one. Where one-third of the contingent is less than one, no minimum requirement applies.

#### **71. Affirmative Action Subordinate to Tournament Policies**

The Affirmative Action Policy is subject to the requirements of the relevant intervarsity tournament, which includes but is not limited to the *Australasian Intersvarsity Debating Association Constitution*.

## **72. Waiver of Affirmative Action**

If the Committee determines that adhering to the Affirmative Action Policy would reduce the number of teams or adjudicators that the Society will send to an intervarsity tournament, and all attempts to comply with the above requirements have been exhausted, the Committee shall have the discretion to waive, only to the extent necessary, affirmative action requirements for that tournament.

## **Division 2 – Easters and Womens (Novice Tournaments)**

### **73. Appointment of Trials Officer**

Unless the Committee specifies otherwise, the Vice-President shall act as the trials officer for Easters and Womens, and is responsible for ensuring that trials occur in accordance with this Division.

### **74. Appointment of Selectors**

The Committee shall appoint selectors for Easters and Womens. Selectors –

- (1) Shall be appointed taking into consideration their experience and impartiality; and
- (2) Must not participate or apply to participate at the relevant tournament as a debater.

### **75. Role of the Trials Officer**

The Trials Officer shall co-ordinate the trials process, and is responsible for –

- (1) Advising the Selectors of the method of selection, the debating style (Australasian, British Parliamentary, American Parliamentary or any other style) of the trials, and the date on which these trials are to be held;
- (2) Informing all members of the expected costs and subsidies of any tournament as early as possible;
- (3) Preparing a draw for debaters, in consultation with the selectors, taking into account that all trialling novice debaters must be seen by a Selector or their designate at least once;
- (4) Circulating a pro forma debating and adjudicating curriculum vitae for those trialling as pro debaters, or as an adjudicator;
- (5) Communicating the results of trials to those involved; and
- (6) Ensuring that all members of the Society are informed of trials at least seven days in advance.

### **76. Role of the Selectors**

- (1) The selectors shall allocate team and adjudicator spots in the Society's contingent in a manner which is consistent with –
  - a. The Society's Affirmative Action Policy (as outlined in Division 1);
  - b. Any guidance provided by the committee; and
  - c. Any requirements imposed by the tournament itself.

- (2) To avoid ambiguity, selectors may attend a tournament as an adjudicator, but may only appoint themselves to a contingent adjudicator position with the permission of the Committee.
- (3) The selectors may appoint delegates to watch novice debaters on their behalf. When appointing delegates the selectors must have regard to that person's experience and impartiality, and must not appoint someone trialling as a novice debater to the roll.
- (4) A delegate appointed under subsection (3) may, at the selectors' discretion, be involved in the team allocation discussion only when they are not attending that tournament as a debater. If attending as a debater, they are limited to reporting back to the selectors on the debaters that they have seen trial.

## **77. Additional Positions**

If additional teams, debating places, or adjudicator places become available after the initial allocation of places, the selectors shall fill them with other individuals who applied to attend the tournament. If that list is exhausted, the Trials Officer shall reopen applications, and the selectors may fill these spots after trialling these individuals, or on the basis of a curriculum vitae. The selectors may delegate this role to an executive member of the Committee.

## **Division 3 – Australs and Worlds**

### **78. Appointment of Trials Officer**

An *ad hoc* Trials Officer shall be appointed by the Committee to coordinate the selection of debaters and adjudicators to represent the Society at the Australasian Intersociety Debating Championships, the World Universities Debating Championships, and any other tournament at the Committee's discretion. The Trials Officer –

- (1) Shall not participate at the relevant tournament;
- (2) Shall, where possible, be a member of the Committee; and
- (3) Shall be responsible for ensuring that trials occur in accordance with this division.

### **79. Role of Trials Officer**

The Trials Officer shall co-ordinate the trials process, and is responsible for –

- (1) Advising the Selectors of the method of selection, the debating style (Australasian, British Parliamentary, American Parliamentary or any other style) of the trials, and the date on which these trials are to be held;
- (2) Informing all members of the expected costs and subsidies of any tournament as early as possible;
- (3) Preparing a randomised draw for debaters, in consultation with the selectors, taking into account that all trialling debaters must be seen by each Selector at least once;
- (4) Circulating a pro forma debating and adjudicating curriculum vitae for those trialling as an adjudicator;
- (5) Communicating the results of trials to those involved;
- (6) Ensuring that all members of the Society are informed of trials at least fourteen days in advance; and

- (7) Co-ordinating the Team Selection Meeting in accordance with section 82. Where the trials officer cannot chair the Team Selection Meeting the Trials Officer shall appoint a chair who shall not participate at the relevant tournament.

## **80. Appointment of Selectors**

The Committee shall appoint selectors to carry out trials for tournaments covered by this division. Selectors –

- (1) Shall be appointed taking into consideration their experience and impartiality; and
- (2) Must not participate or apply to participate at the relevant tournament as either –
  - a. A debater for any institution; or
  - b. A member of the Society's contingent –

## **81. Role of Selectors**

- (1) The selectors shall view each debater at least once, according to the draw prepared by the Trials Officer, and rank them numerically based on their performance at trials.
- (2) Debaters shall be ranked by taking the sum of each Selectors' individual rankings and, if necessary, the Selectors shall consult amongst themselves to resolve any ties that result.
- (3) Selectors shall individually rank all adjudicators numerically according to each adjudicator's curriculum vitae.
- (4) Adjudicators shall be ranked by taking the sum of the Selectors' individual rankings and, if necessary, the Selectors shall consult amongst themselves to resolve any ties that result.
- (5) Selectors shall also have regard to any additional guidance provided by the Committee. To avoid ambiguity, the Committee may authorise selectors to hold 'call-back' debates to aid selectors in –
  - a. Formulating their own rankings; or
  - b. Resolving any ties which have occurred.

## **82. Team Selection Meeting**

- (1) A Team Selection Meeting shall be convened not more than 1 week and not less than 1 hour after trials, and not less than 6 weeks before the start of the tournament.
- (2) Limited proxy voting (one proxy vote per attendee) may occur at the Team Selection Meeting so long as it is communicated to the Chair in writing prior to the commencement of the meeting.
- (3) At the meeting, ranked speakers and adjudicators will be asked by the Chair to confirm whether they can attend the tournament on behalf of the Society. If a ranked speaker or adjudicator cannot attend rankings will be adjusted to reflect this.
- (4) Those ranked as both speakers and adjudicators shall be asked by the Chair if they have made a decision to debate or adjudicate. If a decision has been made, rankings shall be adjusted to reflect this.
- (5) Rankings shall then be adjusted such that, if teams were to be formed from subsequently ranked speakers, they would form teams that comply with the Society's Affirmative Action Policy. The resulting ranking shall be known as the adjusted rankings. In making this adjustment –

- a. Rankings should first be adjusted to ensure that the requirements pertaining to non cis-male individuals are met; and
  - b. Rankings should then be adjusted to ensure that the requirements pertaining to female-identifying individuals are met, but such an adjustment should not, where possible, result in a non cis-male having their ranking lowered.
- (6) The Adjusted Rankings shall be used to allocate any subsidies distributed by the Committee acting in accordance with section 86, and to carry out the team formation process in subsections (7)-(13)
- (7) For tournaments where teams consist of two people (e.g. Worlds), the first ranked debater in the adjusted rankings may ask any person who trialled as a debater to be in their team.
- Any debater –
- a. May decline;
  - b. Who is skipped over by virtue of the ranked list may object. If an objection is raised the first ranked debater may ask the objecting debater to be in their team or elect to drop down –

If no objections are raised, then a team) is formed.

- (8) For tournaments where teams consist of three people (e.g. Australs), the first ranked debater in the adjusted rankings may ask any two people who trialled as a debater to be in their team. Any debater –
- a. May decline;
  - b. Who is skipped over by virtue of the ranked list may object. If an objection is raised the first ranked debater may ask the objecting debater to be in their team or elect to drop down –

If no objections are raised, then a team is formed.

- (9) The next ranked debater who is not currently in a team repeats the process outlined in subsection (7) or (8).
- (10) Any team which causes a breach of the Society's Affirmative Action Policy (Division 1 of this Part) may elect to drop down and remain unaffected by that policy. This subsection does not apply when the committee has authorised an Affirmative Action waiver under section 72 of this Constitution.
- (11) Once the debating spots have been allocated, the adjudicator spots should be allocated by adjusted rank, ensuring that there is no violation of the Affirmative Action policy.

### **83. Additional Positions**

- (1) If additional teams, debating places, or adjudicator places become available after the initial Team Selection Meeting, those places shall be allocated at an additional Team Formation Meeting conducted in accordance with section 82.
- (2) No changes may occur to teams finalised at earlier Team Formation Meetings, unless the change is unanimously approved by all whose team composition or adjudicator place is affected.
- (3) Adjudicators who were also ranked as speakers may elect to debate in additional teams, if they trialled as a debater.

- (4) If more debating or adjudicating places become available than there were people trialling then –
  - a. The Trials Officer who conducted the initial trials shall seek applications for the new position(s). Applications must include a debating curriculum vitae;
  - b. The Trials Officer shall forward the new applications to the Selectors appointed for the initial trial process;
  - c. Selectors shall individually rank all new applicants numerically according to each applicant's curriculum vitae;
  - d. New applicants shall be ranked by taking the sum of each Selector's individual rankings, with the selectors consulting amongst themselves to resolve any ties that result;
  - e. The Trials Officer shall add these new rankings below the list of teams or adjudicators formed at the most recently held Team Formation Meeting; and
  - f. A subsequent Team Formation Meeting will be held in accordance with this Division.
- (5) Notwithstanding anything else in this section, if, in the opinion of the committee, there is not enough time for the process outlined above to be practicably undertaken before a tournament, then the committee may allocate the additional debating or adjudicating places at its discretion.

## **Division 4 – Miscellaneous**

### **84. Eligibility to Attend Tournaments**

- (1) Only members of the Society are eligible to participate as debaters or adjudicators at Intersociety Debating Tournaments.
- (2) Subject to the selection procedures contained in this Part, all members of the Society shall be eligible to apply for selection to participate in any Intersociety Debating Tournament, subject to the requirements of that tournament.
- (3) Notwithstanding subsection (2), the committee may bar a member from attending a tournament where they have an unpaid debt to the society, or if a General Meeting passes a special resolution restricting their ability to attend.
- (4) Notwithstanding subsection (1), associate members may attend Intersociety Debating Tournaments covered by this Part if, and only if –
  - a. They are granted permission by the Committee to attend; and
  - b. All members wishing to attend the tournament have been allocated a spot in the contingent; and
  - c. They are otherwise eligible to attend the tournament.
- (5) The committee may waive the sub-section (4)(b) requirement by an absolute majority. When this has occurred, the associate member(s) may trial alongside any other member.
- (6) To avoid ambiguity, the Committee may, when exercising its powers under subsections (4) and (5) –
  - a. Choose to waive the requirements for all associate members; or
  - b. Choose only to allow certain individual associate members to attend.

### **85. Withdrawal from Contingent**

If a contingent member pulls out of a tournament subsequent to the Team Selection Meeting they –

- (1) Shall not have access to tournament subsidies for 12 months from the date of withdrawal;  
and
- (2) Shall remain liable for the cost of attending the tournament until a replacement is found to take the contingent spot –

unless the committee chooses to waive either or both of these requirements due to extenuating circumstances.

## **86. Funding for Intervarsity Tournaments**

- (1) Easters, Australs, Worlds, and other tournaments at the Committee's discretion, may be subsidised at levels decided by the Committee.
- (2) The amount of subsidy allocated to each of the tournaments contained subsection (a) shall be disclosed at the AGM each year in the Treasurer's Report. This disclosure shall be itemised so as to show the separate amounts allocated to each debater and each adjudicator at each of the aforementioned tournaments.
- (3) Payment of a subsidy is contingent on participation in the tournament in the capacity as funded (i.e. if you are a subsidized adjudicator, you must adjudicate at the tournament to receive the subsidy).
- (4) In order to be eligible for sponsorship, a member of the Society must contribute actively to the Society's activities. This subsection does not apply to Easters sponsorship. The Committee –
  - a. Must announce these eligibility requirements by the second academic week of each year;
  - b. May pro-rate the eligibility requirements in appropriate circumstances; and
  - c. May waive this requirement in exceptional circumstances.