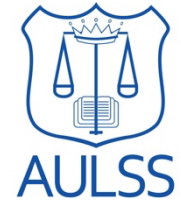


Adelaide University Law Students' Society Inc. Report: Special General Meeting



Date: Monday 26 July 2021

Time: 6:00pm ACST

Location: Lecture Theatre 1, Ligertwood 231, The University of Adelaide and Zoom

1. Interpreting the proposed constitutional amendments

1. 'Part of the AULSS Constitution':
 - Reflects the Part of the Constitution under which the change is being made (i.e., 'Part 1 – Preliminary', 'Part 2 – Membership').
2. 'Change No.':
 - Acts as a reference for the number of constitutional amendments being made (i.e., Change No.1 '1) To add in a properly formatted contents such that the Constitution is hyperlinked, making it easier to navigate').
3. 'Clause':
 - Reflects the clause to which the amendment is being made.
4. 'Purpose of Change':
 - Provides the reasoning behind the proposed constitutional amendment.
5. 'Proposed Amendment to Text':
 - **Black**/black text represents the current clause of the Constitution,
 - Text that is ~~struck out and red~~ means that those words have been removed from the Constitution,
 - **Blue text** indicates the new text to be inserted into the Constitution, and
 - *Italicised* words reflect further explanation that are not constitutional amendments.

2. Proposed constitutional amendments

Part of AULSS Constitution	Change No.	Clause	Purpose of Change	Proposed Amendment to Text
Contents	1	N/A	1) To add in a properly formatted contents such that the Constitution is hyperlinked, making it easier to navigate.	<i>The AULSS Constitution will now be hyperlinked.</i>

Part 1 – Preliminary	2, 3, 4, 5, 6	4	<p>2) To substitute the terms 'Indigenous' and 'Aboriginal and Torres Strait Islander' with 'Aboriginal' to reflect culturally safe terminology.</p> <p>3) To substitute the use of 'he or she lives' in the definition with 'they live' to reflect gender neutral language.</p> <p>4) To amend the section within the definition to reflect the updated clause number.</p> <p>5) To outline that the clause which provides the meaning for the word 'term' has been updated as a result of the additions of clauses 19, 51 and 52 to the Constitution.</p> <p>6) To outline that the clause which provides meaning for the term 'valid apology' has been updated as a result of the addition of clause 19 to the Constitution.</p>	<p>4 – Interpretation</p> <p><i>Indigenous</i> means (subject to clause Error! Reference source not found.0), in relation to a member, a member of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community in which he or she lives;</p> <p><i>Indigenous Aboriginal</i> means (subject to clause 68(2)71(2)), in relation to a member, a member of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community in which he or she lives they live;</p> <p><i>term</i> has the meaning given by clause 7474;</p> <p><i>valid apology</i> has the meaning given in clause 2526.</p>
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	7, 8, 9	6	<p>7) To bring clause 6(1) in line with section 39B(1) and (2) of <i>Associations Incorporations Act 1985</i> (SA), which it was otherwise inconsistent with.</p> <p>Section 39B(1) of the Act states that no provision in the rules indemnifying any officer of any liability to the association that by law would otherwise attach to him or her in respect to any negligence, default, breach of duty or breach of trust of which he or she may be guilty of in relation to the association, may be valid.</p> <p>Section 39B(2) of the Act only further allows indemnity for a liability incurred by an officer in defending any proceedings, whether civil or criminal, in which judgment is given in his or her favour or in which he or she is acquitted.</p> <p>8) To bring the rest of clause 6 in line with the amended clause 6(1) by deleting clause 6(2) in</p>	<p>6—Indemnification of Committee members</p> <p>(1) Subject to this clause, all Committee members acting in relation to any of the affairs of the Society shall be indemnified with respect to any legal action or claims made against the Committee member as a result of their acting in relation to the affairs of the Society.</p> <p>(2) Subject to this clause, any loss or damage sustained to the person or property of a Committee member shall be justly and reasonably compensated by the Society, provided that the loss or damage sustained was not a direct or indirect result of the negligence or fault of the Committee member.</p> <p>(1) The Society shall indemnify any Committee member against any liability incurred by them in defending any proceedings, whether civil or criminal, in which judgment is given in their favour or in which they are acquitted.</p> <p>(3)(2) Any indemnity or compensation provided under this clause shall only be granted where a</p>
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			<p>its entirety and thus elevating clause 6(3) to clause 6(2) and clause 6(4) to clause 6(3).</p> <p>9) To remove the term 'compensation' from the new clauses 6(2) and 6(3) to reflect its absence in section 39B of the <i>Associations Incorporations Act 1985 (SA)</i>.</p>	<p>Committee member was duly exercising a function provided for in this Constitution.</p> <p>(4)(3) No indemnity or compensation provided for under this clause shall be provided except by special resolution of the Executive.</p>
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Part 2 — Membership	10, 11	12(1)(a), 12(2)	<p>10) To add in ‘of Adelaide’ to the end of the phrase ‘an undergraduate or postgraduate student of the University’ so as to provide more specificity to the clause – a member of the AULSS must be a student of the University of Adelaide</p> <p>11) To remove the phrase ‘with the University or the Law Society of South Australia’. This clarifies that it is not only people who are completing the Graduate Diploma of Legal Practice at those two institutions who are ineligible to be a member of the Society, but rather anyone completing their Graduate Diploma of Legal Practice (who is not concurrently completing their Bachelor of Laws).</p>	<p>12 - Basic membership requirements</p> <p>(1) To qualify as a member, a person must be:</p> <p>(a) an undergraduate or postgraduate student of the University of Adelaide; and</p> <p>(b) enrolled in a Bachelor of Laws.</p> <p>(2) A person completing the Graduate Diploma of Legal Practice with the University or the Law Society of South Australia is not eligible to be a member of the Society.</p>
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	12	13(2)	<p>12) To remove the reference to the ‘Competitions Code of Conduct’ (which is no longer used by the Competitions Portfolio) and replace the phrase with the words ‘with the rules of each competition as defined by the Competitions Portfolio’. Each AULSS competition now has its own conduct rules specific to that competition and is provided to participants of each competition prior to commencing the competition.</p>	<p>13 – Eligibility to participate in competitions</p> <p>(2) Any member who enters any competition agrees to participate in accordance with the ‘Competitions Code of Conduct’ rules of each competition as defined by the Competitions Portfolio.</p>
Part 3 – The Committee of the Society	13, 14	15(2)	<p>13) To order the Committee positions in alphabetical order, subject to the ordering of the constitution and hierarchy of positions.</p> <p>14) To substitute the term ‘Indigenous’ with ‘Aboriginal’ to reflect culturally safe language.</p>	<p>15 – The Committee</p> <p>(2) Subject to clause 18, the Committee shall comprise of:</p> <ul style="list-style-type: none"> (a) the Executive; (b) up to four Activities Representatives; (c) up to five Careers Representatives; (d) up to six Competitions Representatives; (e) up to four Social Justice and Equity Representatives; (f) up to two Education Representatives; (g) a Mature Age Student Representative;

				<p>(h) up to three Communications Representatives;</p> <p>(i) an IT Representative;</p> <p>(j) up to three Magazine Editors;</p> <p>(k) two First Year Representatives; and</p> <p>(l) an Indigenous Representative.</p> <p>(2) Subject to clause 18, the Committee shall comprise of:</p> <p>(a) the Executive;</p> <p>(b) up to four Activities Representatives;</p> <p>(c) up to five Careers Representatives;</p> <p>(d) up to three Communications Representatives;</p> <p>(e) up to six Competitions Representatives;</p> <p>(f) up to two Education Representatives;</p> <p>(g) up to four Social Justice and Equity Representatives;</p> <p>(h) an Aboriginal Representative;</p> <p>(i) an IT Representative;</p> <p>(j) two First Year Representatives;</p> <p>(k) a Mature Age Student Representative; and</p> <p>(l) up to three Magazine Editors.</p>
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	15	16	<p>15) To order the Committee positions in alphabetical order, subject to the ordering of the constitution and hierarchy of positions.</p>	<p>16 - The Executive There shall be an Executive of the Society, which shall be comprised of:</p> <ul style="list-style-type: none"> (a) the President; (b) the Vice-President; (c) the Treasurer; (d) the Director of Education; (e) the Director of Careers; (f) the Director of Activities; (g) the Director of Competitions; (h) the Director of Social Justice and Equity; and (i) the Director of Communications. <p>16 – The Executive There shall be an Executive of the Society, which shall be comprised of:</p> <ul style="list-style-type: none"> (a) the President; (b) the Vice-President; (c) the Treasurer; (d) the Director of Activities; (e) the Director of Careers; (f) the Director of Communications;
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				<p>(g) the Director of Competitions; (h) the Director of Education; and (i) the Director of Social Justice and Equity.</p>
	16	17	<p>16) To amend clause 17(2)(c) and add clause 17(2) to make it clear that the Executive can only pay all charges and expenses of properly incurred by the Society subject to Part 6 of the Constitution and that Executive has the management and control of all other property of the Society.</p> <p>This change is in response to the requirements under section 23A(1)(c)(vi) <i>Associations Incorporated Act</i> 1985 (SA) and addresses the concerns of the Consumer and Business Services that the Constitution does not contain rules with sufficient particularity and certainty on who manages or controls the funds and other property of the Society.</p>	<p>17— Powers of the Executive</p> <p>(1) The Executive shall have the power to:</p> <p>(a) make decisions regarding the proper disbursement of Society monies; (b) impose or prescribes fees and/or charges for any activity or service offered by the Society; (c) pay all charges and expenses properly incurred by the Society subject to Part 6 of this Constitution; (d) bind the Society to any future liabilities, expenses or debts; (e) create any policy or code of conduct, except the election procedure under Part 7; (f) convene a sub-committee in the furtherance of the Committee’s duties; (g) exercise any other power of the Executive specified by this Constitution; and (h) approve any resolution or budget by circulating resolution distributed by the President.</p>

			Note: This amendment should be read with the Change No. 31 and 48.	(2) Subject to clause 42(a) the Executive has the management and control of all other property of the Society.
	17, 18, 19, 20	18	<p>17) To amend the word ‘clause’ under sub-clause 18(2)(b) to reflect that sub-clause 18(2) is, in fact, a sub-clause.</p> <p>18) To amend the word ‘For this clause’ under sub-clause 18(2)(d) to ‘For the purposes of’ to reflect better grammar.</p> <p>19) To amend the word ‘clause’ under clause 18(7)(a) to reflect that sub-clause 18(2) is, in fact, a sub-clause.</p> <p>20) To amend the word ‘For this clause’ under clause 18(7)(c) to ‘For the purposes of’ to reflect better grammar.</p>	<p>18 – Co-opting of Committee members</p> <p>(1) Any person who is a member of the Society may be co-opted onto the Committee, including onto the Executive, in accordance with the process set out in sub-clause 180.</p> <p>(2) The following process shall apply for the purposes of co-option:</p> <p>(a) No person may be co-opted on to the Committee unless the Executive first approves, by ordinary resolution, the call for applications (including any requirements that will apply to those applications).</p> <p>(b) Within a reasonable time of the approval under sub-clause 18(2)(a) the President shall publicise the call for applications on all authorised communication forums.</p> <p>(c) Applications shall be submitted to the President. The deadline for applications must be</p>

				<p>no earlier than 10 calendar days after the publication of the call for applications.</p> <p>(i) By special resolution, the Executive may shorten this deadline, but in no circumstances may this deadline be less than 4 calendar days.</p> <p>(d) The President shall confidentially collate and de-identify the applications received. For this the purposes of clause 18, an application shall be considered de-identified if it does not contain the applicant's name, photograph, student number, age, gender or postcode.</p> <p>(7) After the conclusion of the election process outlined in Part 7, and before the conclusion of the current term, the Executive may approve, by special resolution, the call for applications of vacant positions of the incoming Executive only.</p> <p>(a) Within a reasonable time of the approval under sub-clause 18(2)(a), the incumbent President shall publicise the call for applications on all authorised communication forums.</p> <p>(b) Applications shall be submitted to the President. The deadline for applications must be</p>
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				<p>no earlier than 10 calendar days after the publication of the call for applications.</p> <p>(i) In no circumstance may this deadline be any later than 30 November of that calendar year.</p> <p>(c) The incumbent President shall confidentially collate and de-identify the applications received.</p> <p>For this the purposes of clause 18, an application shall be considered de-identified if it does not contain the applicant's name, photograph, student number, age, gender or postcode.</p>
	21	N/A	<p>21) To add in a clause outlining a co-option process for First Year Representatives in the event that First Year Elections are unable to occur - for example, in the event that COVID-19 restrictions prevented student attendance on campus and thus, in-person voting (as is the current election process for all AULSS elections).</p> <p>The co-option process outlined in clause 19 will be conducted and run by the Education</p>	<p>19 – Co-opting of First Year Representatives</p> <p>(1) Any person who is a member of the Society may be co-opted onto the Committee, in accordance with the process set out in clause 19(3).</p> <p>(2) Co-option of First Year Representatives under this clause must only occur if First Year elections via ballot paper(s) using the Hare-Clark Option Preference system of voting is unable to occur.</p> <p>(3) The following processes shall apply for the purposes of co-opting First Year Representatives:</p>

			<p>Portfolio in line with the Education Portfolio’s current powers to conduct and run the First Year Elections. However, the President will receive, collate and de-identify the applications before sending them to the Education Portfolio such that anonymity can be preserved and any bias in voting is avoided.</p>	<p>(a) No First Year Representative may be co-opted on to the committee unless the Executive first approves, by ordinary resolution, the call for first year representative applications (including any requirements that will apply to those applications).</p> <p>(b) Within a reasonable time of the approval under clause 19(3)(a), the President shall publicise the call for applications on all authorised communication forums.</p> <p>(c) Applications shall be submitted to the President. The deadline for applications must be no earlier than 10 calendar days after the publication of the call for applications.</p> <p>(i) By special resolution, the Executive may shorten this deadline, but in no circumstances may this deadline be less than 4 calendar days.</p> <p>(d) The President shall confidentially collate and de-identify the applications received. For the purposes of clause 19, an application shall be considered de-identified if it does not contain the applicant’s name, photograph, student number, age, gender or postcode.</p>
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				<p>(e) The de-identified applications shall be circulated by the President amongst the Education Portfolio, who shall keep the applications confidential. The Education Portfolio shall co-opt the successful applicant by ordinary resolution and the reasons shall be provided in the report of the Director of Education and tabled at the next Committee meeting after the vacancy has been filled.</p> <p>(4) Eligibility requirements for co-option under this clause are the same as those that would apply to elections for the relevant position under Part 7.</p> <p>(5) An appointment under this clause will have effect from the time the name and position of the co-opted person is published on all authorised communication forums. The Director of Education is responsible for doing this within a reasonable time.</p>
Part 4 – Meetings	22	N/A	22) To add a page break between ‘Part 3 -The Committee of the Society’ and ‘Part 4 –	<i>There will now be a page break between ‘Part 3 – The Committee of the Society’ and ‘Part 4 – Meetings’ of the Constitution.</i>

			Meetings' in line with the rest of the formatting of the Constitution.	
	23	19-38	23) To accommodate the addition of clause 19, clauses 19-38 will now each move up a number to reflect appropriate numbering.	<p>Division 4.1 – Rules applying to all meetings</p> <p>19 20 – Location of meetings of the Society</p> <p>20 21 – Vice-President to call meetings in consultation with the President</p> <p>21 22 – Quorum for meetings</p> <p>22 23 – Transaction of business at meetings</p> <p>23 24 – Chairing of meetings</p> <p>24 25 – Powers of the chair of meetings</p> <p>Division 4.2 – Apologies for Committee meetings</p> <p>25 26 – Definition of valid apology</p> <p>26 27 – Providing apologies</p> <p>27 28 – Automatic lapse of valid apology</p> <p>28 29 – Failure to attend meetings without valid apology</p> <p>Division 4.3 – Committee Meetings</p> <p>29 30 – Notice requirements for Committee meetings</p> <p>30 31 – Number of Committee Meetings</p>

				<p>31 32—Executive to provide report on portfolio affairs</p> <p>32-33—Transaction of business at Committee Meetings</p> <p>Division 4.4 – Executive Meetings</p> <p>33 34 – Notice requirements of Executive meetings</p> <p>34 35 – Number of Executive Meetings</p> <p>35-36 –Executive to provide report on portfolio affairs</p> <p>36 37— Transaction of business at Executive Meetings</p> <p>Division 4.5 – General Meetings of the Society</p> <p>37 38 – Notice requirements of General Meetings of the Society</p> <p>38 39 –Requirement to call General Meetings of the Society</p>
	24	20	24) To remove the unnecessary use of ‘on those grounds’ in clause 20.	<p>20 —Location of meetings of the Society</p> <p>Any meeting of the Society described in this Part must be held at the University of Adelaide North Terrace Campus, and should, unless impractical</p>

				to do so, be held in the Ligertwood Building. on these grounds.
	25	22	25) To capitalise the 'm' in clause 22(4) to be consistent with other uses of the term 'General Meeting'.	<p>22— Quorum for meetings</p> <p>(1) The quorum for any Committee meeting is half of the current Committee members plus one, including at least two members of the Executive.</p> <p>(2) The quorum for any Executive meeting is half of the current Executive membership plus one.</p> <p>(3) The quorum for any General Meeting of the Society is the number of members (including at least two members of the Executive) that is greater than 50% of the number of Committee Members as at the date of that General Meeting.</p> <p>(4) At the discretion of the President, attendance by technology may be permitted at a Committee meeting, Executive meeting or General Meeting for the purposes of reaching quorum.</p>
	26	23	26) To remove the (1) from clause 23 to reflect the formatting of the rest of the Constitution.	<p>23— Transaction of business at meetings</p> <p>(1) No business shall be transacted at, and no resolution passed at any meeting, unless:</p>

				<p>(a) a quorum is present at the time when the meeting proceeds with the business; and</p> <p>(b) the business to be transacted or the resolution(s) to be passed were specified in the notice requirements; and</p> <p>(c) the meeting is chaired by an Executive of the Society.</p>
Part 5 – Powers and duties of Committee positions	27, 28, 29, 30	39-52	<p>27) To accommodate the addition of clause 19, clauses 39-52 will now each be amended to reflect appropriate numbering.</p> <p>28) To add a ‘First Year Representatives’ and ‘Mature Age Representative’ clause (under clauses 51 and 52 respectively) to reflect the listing of the Committee positions in clause 15(2).</p> <p>29) To re-arrange clauses 39-52 to reflect the order that Committee and Executive positions are listed in clauses 15(2) and 16.</p>	<p>39 – The President</p> <p>40 – The Vice-President</p> <p>41 – The Treasurer</p> <p>42 – Director of Education</p> <p>43 – Director of Careers</p> <p>44 – Director of Activities</p> <p>45 – Director of Social Justice and Equity</p> <p>46 – Director of Competitions</p> <p>47 – Director of Communications</p> <p>48 – Magazine Editor(s)</p> <p>49 – IT Representative</p> <p>50 – Indigenous Representative</p> <p>51 – Representatives</p>

			<p>30) To substitute the term 'Indigenous' with 'Aboriginal' in clause 49 to reflect culturally safe language and be consistent with the language used in clause 15(2).</p>	<p>52 – Duty to assist Committee and other portfolios</p> <p>40 – The President</p> <p>41 – The Vice-President</p> <p>42 – The Treasurer</p> <p>43 – Director of Activities</p> <p>44 – Director of Careers</p> <p>45 – Director of Communications</p> <p>46 – Director of Competitions</p> <p>47 – Director of Education</p> <p>48 – Director of Social Justice and Equity</p> <p>49 – Aboriginal Representative</p> <p>50 – IT Representative</p> <p>51 – First Year Representatives</p> <p>52 – Mature Age Representative</p> <p>53 – Magazine Editor(s)</p> <p>54 – Representatives</p> <p>55 – Duty to assist Committee and other portfolios</p>
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	31	42(a)	<p>31) To amend clause 42(a) in response to the requirements under section 23A(1)(c)(vi) <i>Associations Incorporations Act 1985 (SA)</i> and address the concerns of Consumer and Business Services that the Constitution does not contain rules with sufficient particularity and certainty on who manages or controls the funds and other property of the Society.</p> <p>By making this amendment, sufficient particularly and certainty can be achieved, as the Treasurer is provided with the express power and duties to manage, control, issue and authorise the management, control and issue of receipts for all monies and finances of the Society in accordance with the Constitution. This amendment is intended to create a distinction between the Executive’s power under clause 17 and the Treasurer’s power under clause 42.</p>	<p>42 - The Treasurer</p> <p>The Treasurer shall have the following powers and duties:</p> <p>(a) to manage and control, and authorise the management and control of, and to issue, or authorise the issue of receipts for all monies and finances of the Society in accordance with this Constitution;</p>
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			<p>The Treasurers power pursuant to clause 42 relates to the management, control, authorisation and issue of <u>receipts</u> for all monies and finances of the Society.</p> <p>Whereas clause 17 empowers the Executive to make decisions about the proper <u>disbursement</u> of Society monies, <u>decide</u> the costings of the activities/services offered by the Society, and pay all charges and expenses properly incurred by the Society. This Executive power is <u>subject to Part 6 of the Constitution</u>, which provides that approval for the issue of monies below the prescribed amount must first be obtained by the Treasurer. This requirement for approval by the Treasurer is intended to highlight the separation between the powers of the Treasurer and the Executive and to increase the specificity on who manages or controls the funds of the Society.</p> <p>Note: This amendment should be read with Change No. 16 and 48.</p>	
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	32	43(a)(i)	<p>32) To add in ‘and’ under clause 43(a)(i) to keep consistency with the rest of the Constitution.</p>	<p>43 – Director of Activities The Director of Activities shall have the following powers and duties:</p> <p>(a) to organise social activities and events of the Society, including:</p> <p>(i) Law Ball; and</p> <p>(ii) at least 1 alcohol-free social event; and</p> <p>(b) to direct the Activities Representatives.</p>
	33	46(b)	<p>33) To substitute the term ‘Director of Careers and Sponsorship’ with that of ‘Treasurer’ to reflect the changes in the powers and duties of the Executive Directors.</p> <p>That is, the Treasurer now has the power and duty under clause 42(g) ‘to seek and secure further sponsorship for the Society from both the legal profession, other professions and the wider community’. In previous Constitutions, this was a power and duty of the Director of Careers.</p>	<p>46 – Director of Competitions</p> <p>(b) to work with the Director of Careers and Sponsorship Treasurer to ensure that the requirements of any sponsorship agreements are met;</p>

	34	47(d)	34) To amend clause 47(d) such that it recognises the new clause 19. The Director of Education will not govern the First Year Representatives election process in the event that First Year Co-opting pursuant to clause 19 occurs because First Year Co-opting is not an election process and thus, does not need to be governed as is currently outlined.	47 - Director of Education (d) to govern the First Year Representatives election process (except in the event of First Year Co-opting pursuant to clause 19); and
	35, 36	48(f)	35) To add the words 'and Equity' to bring the title of the representatives in line with the updated Portfolio title. 36) To substitute the term 'Indigenous' with 'Aboriginal' to reflect culturally safe language.	48 – Director of Social Justice and Equity (f) to direct the Social Justice and Equity Representatives and the Indigenous-Aboriginal Representative
	37, 38	49	37) To substitute the terms 'Indigenous' and 'Aboriginal and Torres Strait Islander' with 'Aboriginal' to in all parts of the clause in which the former term arises to reflect culturally safe language.	49 – Aboriginal Representative The Indigenous Aboriginal Representative shall have the following powers and duties: (a) to recognise and respond to the various issues facing Indigenous-Aboriginal members within the Adelaide Law School;

			<p>The term ‘Aboriginal and Torres Strait Islander’ singles out Torres Strait Islander people, who are in and of themselves, Aboriginal being the traditional owners and custodians of the Country which we now call Australia. By including ‘Torres Strait Islander’ in the aforementioned term, the people of the Tiwi and Fraser Islands (for example) are excluded. The inclusion of ‘Torres Strait Islander’ suggests that ‘Aboriginal’ and ‘Torres Strait Islander’ people are two distinct groups of people and also that if that were to be the case, there were only two distinct groups (which we know is false).</p> <p>This knowledge was obtained by the Vice-President of the AULSS at the ‘Cultural Respect and Safety Training’ they received (in the course of their employment outside of the AULSS) and were accredited for on 09/06/21 by Bookabee Australia. The Vice-President felt</p>	<p>(b) to promote and further the rights and interests of Indigenous Aboriginal members;</p> <p>(c) to ensure that Indigenous Aboriginal issues perspectives and experiences are considered recognised by the Committee;</p> <p>(d) to facilitate a stronger relationship between the Society and Indigenous-Aboriginal members;</p> <p>(e) to act as the official liaison between the Society and the Adelaide Law School Aboriginal and Torres Strait Islander Co-ordinator.</p>
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			<p>it was important for the AULSS to adopt these changes.</p> <p>38) To amend clause 49(c) to remove the phrasing ‘issues are considered’ which is clunky, vague and inappropriate, and replace it with the phrase ‘perspectives and experiences are recognised’. This will provide the Aboriginal Representative with the power and duty to ensure that the Committee turns their minds to the cultural nuances between Aboriginal non-Aboriginal people in every function, affair or decision of the Society and hopefully promote a more culturally safe Society.</p>	
	39, 40	50	<p>39) To add in clause 50(f) to reflect the language and formatting of the other representative positions outlined in the Constitution.</p> <p>40) To amend the formatting of clause 50(d) and (e) to account for this new clause.</p>	<p>50 – IT Representative</p> <p>The IT Representative shall have the following powers and duties:</p> <p>(a) to manage the Society’s information technology (which includes any computer or other electronic asset);</p>

				<p>(b) to manage the Society’s email lists and computer-based services;</p> <p>(c) to ensure that the AULSS website is functional;</p> <p>(d) to advise the President on the steps that must be taken to maintain any IT-related registrations or subscriptions; and</p> <p>(e) to take reasonable steps to secure the Society’s information technology, email lists, computer-based services and the AULSS website, including any data associated with the foregoing, from attacks, unauthorised access, unplanned disruption, loss or other fault; and</p> <p>(f) to work within the Communications Portfolio to facilitate the communicative needs of the Society.</p>
	41	N/A	41) To add in a ‘First Year Representatives’ clause to enshrine the positions in the Constitution and reflect the Committee positions listed in clause 15(2) and Change No. 28.	<p>51 – First Year Representatives</p> <p>The First Year Representatives shall have the following powers and duties:</p> <p>(a) to represent and promote the needs and interests of First Year members; and</p>

				(b) to work within the Education Portfolio to facilitate events and activities aimed specifically at First Year members.
	42	N/A	42) To add in a 'Mature Age Representative' clause to enshrine the position in the Constitution and reflect the Committee positions listed in clause 15(2) and Change No. 28.	<p>52 – Mature Age Representative</p> <p>The Mature Age Representative shall have the following powers and duties:</p> <p>(a) to represent and promote the needs and interests of Mature Age members; and</p> <p>(b) to work within the Education Portfolio to facilitate events and activities aimed specifically at Mature Age members.</p>
	43, 44	53	<p>43) To remove the requirement for the Magazine Editor(s) to ensure that any sponsorship advertising requirements are met under clause 53(b).</p> <p>The AULSS has moved away from offering sponsorship items within the Hilarian magazine in the prospectus as it is no longer considered that sponsorship within the Hilarian is</p>	<p>53 - Magazine Editor(s)</p> <p>The Magazine Editor(s) shall have the following powers and duties:</p> <p>(a) to produce four Hilarian magazines, published on a quarterly basis; and</p> <p>(b) to work with the Director of Careers and Sponsorship to ensure that any sponsorship advertising requirements are met. within the</p>

			<p>appropriate (given its often satirical nature and the desire for the Hilarian to be as independent and student led as possible).</p> <p>44) To insert new language under clause 53(b) that is consistent with the language and formatting of the other Representative positions.</p>	<p>Communications Portfolio to facilitate the communicative needs of the Society.</p>
	45	54(1)	<p>45) To re-word this clause to provide more specificity.</p>	<p>54 – Representatives (1) Notwithstanding the other provisions of this Constitution, the rRepresentatives shall assist their relevant Executive Director in the fulfilment of their duties.</p>
Part 6 – Financial transactions	46, 47	53-56	<p>46) To accommodate the addition of clause 51 and 52, clauses 53-56 will now each be amended to reflect appropriate numbering.</p> <p>47) To add an ‘s’ to clause 56 to be in line with clause 57 and reflect proper grammar.</p>	<p>53 56 – Procedure for financial transactions under prescribed amount</p> <p>54 57 – Procedure for financial transactions equal to or over the prescribed amount</p> <p>55 58 – Prescribed amount</p> <p>56 59 – Financial year</p>
	48	56	<p>48) To amend clause 56 to reflect the new express functions and duties of the Treasurer</p>	<p>56 - Procedure for financial transaction under prescribed amount</p>

			<p>pursuant to Change No. 31 and the remainder of clause 42 of the Constitution.</p> <p>Under this amendment, any expense or exposure to a liability less than the prescribed amount must be approved by the Treasurer upon reasonable consultation with the President and be included in the Treasurer’s report at the next Committee meeting.</p> <p>The words “must be approved by the Treasurer”, directly reflect that the Treasurer has the power and duty to manage, control and issue, and authorise the management, control and issue of, receipts for all monies and finances of the AULSS pursuant to Change No. 31.</p> <p>This amendment also directly reflects the remainder of clause 42 of the Constitution, which prescribes the Treasurer other financial and accounting powers and duties.</p>	<p>Any function, affair or decision of the Society which involves an expense or exposure to a liability less than the prescribed amount must be approved by the President (not necessarily in a Society meeting) Treasurer upon reasonable consultation with the President and details of such transactions must be included in the President’s Treasurer’s report at the next Committee meeting.</p>
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			<p>This amendment will also be supported by Change No. 16, which under clause 17(1)(c) allows the Executive to pay all charges and expenses properly incurred by the Society subject to Part 6 of the Constitution, for which clause 56 is under and to which some of the conditions that clause 17(1)(c) is subject to provides.</p> <p>It is essential for the day-to-day business and functioning of the AULSS to have the flexibility created by clause 56, which provides for the issue of funds without approval of the majority of the Executive under the prescribed amount.</p> <p>However, in consideration of the President's responsibilities pursuant to clause 40, and to prevent a situation where a Treasurer (who unlike the President need not have experience on the AULSS or in an Executive Director position) would unreasonably and unduly approve frivolous spending under the</p>	
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			<p>prescribed amount, the AULSS wish to maintain an oversight/ check and balance for the issue of money specifically below the prescribed amount. Therefore, the words “upon reasonable consultation with the President” is present within the amended clause 56.</p> <p>The requirement to have the issue of monies under the prescribed amount in the Treasurer’s report further emphasises the responsibility of the Treasurer to have the management, control over the receipts of all monies and finances of the Society.</p>	
	49	57(2)	49) To amend the clause number within this clause to reflect the updated numbering of Part 6 of the Constitution.	<p>57- Procedure for financial transactions equal to or over prescribed amount</p> <p>(1) Approval under clause 5457(1) may be obtained by way of circulating resolution distributed by the President or Vice-President and shall be deemed effective as at the time and date that an ordinary majority is achieved.</p>

Part 7 – Society Elections	50, 51	57-70	<p>50) To accommodate the addition of clause 51 and 52, clauses 57-70 will now each be amended to reflect appropriate numbering.</p> <p>51) To substitute the term ‘Indigenous’ with ‘Aboriginal’ in clause 71 to reflect culturally safe language.</p>	<p>57 60 – Vacancies of position</p> <p>58 61 – Positions of student representation</p> <p>59 62 – Timing of elections</p> <p>60 63– Conduct during elections</p> <p>6164– Appointment of a Returning Officer</p> <p>62 65 – Committee position nominations</p> <p>63 66 – Acceptance of nominations</p> <p>6467 – Nomination for multiple positions</p> <p>6568 – Eligibility to vote in election</p> <p>66 69 – Eligibility for nomination for the position of President</p> <p>67 70 – Eligibility for nomination for position of First Year Representative</p> <p>6871 – Eligibility for nomination for position of Indigenous Aboriginal Representative</p> <p>69 72 – Eligibility for nomination for position of Mature Age Representative</p> <p>70 73 – Notification of results</p>
	52	71	<p>52) To substitute the term ‘Indigenous’ with ‘Aboriginal’ throughout the remainder of clause 71 to reflect culturally safe language.</p>	<p>71 - Eligibility for nomination for position of Aboriginal Representative</p>

				<p>(1) In order to be eligible to nominate for the position of Indigenous-Aboriginal Representative, the member must be Indigenous Aboriginal.</p> <p>(2) In the event of uncertainty as to a member's eligibility for the position of Indigenous Aboriginal Representative, the Society shall defer to any University records or processes to determine whether that member is Indigenous Aboriginal.</p>
	53	61, 69(2)	53) To accommodate the new clause numbers within Part 7, clause 61 and 69(2) will be amended to reflect the correct numbering.	<p>61 – Positions of student representation</p> <p>Pursuant to clause 3940 the President shall be the student representative to the Law School Board or any other committee convened by the Dean of the Law School. However, if the President is unwilling or unable to act in such a capacity, the Committee shall have the power to appoint or elect, according to such election procedures as it may decide, another person to become the student representative for such events.</p> <p>69 – Eligibility for nomination for the position of President</p>

				(2) If no person satisfies clause 66 69(1)(a), then that clause shall not apply
Part 8 – Duration of Committee and positions	54, 55	71-77	<p>54) To accommodate the addition of clause 51 and 52, clauses 71-77 will each be amended to reflect appropriate numbering.</p> <p>55) To reflect the accommodation of clause 19, 51 and 52, the title of clause 79 will be changed such that the correct sections are provided for.</p>	<p>Division 8.1 – Term of the Committee</p> <p>71 74 – Duration of term for elected Committee</p> <p>72 75 – Resignation from the Committee</p> <p>Division 8.2 – Removal from Committee</p> <p>73 76 – Interpretation of Division</p> <p>74 77 – Reasons for removal from Committee</p> <p>75 78 – Process for removal from Committee</p> <p>76-79 – Appeal of clause 75 78 or 28 29 removal from Committee</p> <p>77-80 – Powers of Incorporated Association</p>
	56	74(2), 75(2), 75(5)(a), 76, 78, 79	56) To accommodate the new clause numbers within Part 7, the numbering of clauses within clauses 74(2), 75(2), 75(5)(a), 76, 78 and 79 will be amended to reflect the correct numbering.	<p>Division 8.1 – Term of the Committee</p> <p>74 – Duration of term for elected Committee</p> <p>(2) Notwithstanding clause 7474(1), the First Year Representatives shall take office immediately upon election, and their term in office shall expire on the 30th of November the year in which they were elected.</p>

				<p>75 – Resignation from the Committee</p> <p>(2) Subject to clause 7275(3) the Committee member who provided a letter of resignation under clause 7275(1) shall wholly cease to be a member of the Committee effective immediately upon receipt of the letter by the President.</p> <p>(5) A Committee Member will be automatically removed from the Committee upon completion of their undergraduate study in a Bachelor of Laws degree, or any other instance in which they are no longer enrolled in a Bachelor of Laws.</p> <p>(a) A Committee Member subject to clause 7275(5) is not subject to the ordinary resignation procedure outlined in this clause.</p> <p>Division 8.2 – Removal from Committee</p> <p>76 – Interpretation of Division</p> <p>In this division, unless the contrary intention appears:</p> <p><i>removed Committee member</i> means a Committee member who has been removed from the Committee due to a contravention of</p>
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				<p>this Constitution under clause 75Error! Reference source not found. or 28Error! Reference source not found.;</p> <p>78 – Process for removal from Committee</p> <p>(1) Any removal under clause 2829or clause 7578 may be appealed under the process outlined in this Part.</p> <p>(2) Any member of the Executive may request that the President, or in the event of the President being the contravening member, the Vice-President, calls a meeting of the Executive to determine whether a Committee member suspected of breaching clause 7476 (<i>contravening Committee member</i>) should be removed from the Committee under this division. Such a request must not be made without reasonable cause.</p> <p>(3) Where a meeting is requested under clause 7578(2), the President, or the Vice-President as</p>
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				<p>the case may be, must call a meeting within 10 academic days of the request (the first meeting).</p> <p>(4) At the first meeting, members of the Executive shall vote on whether or not the contravening Committee member should be removed from the Committee, which shall require a special majority.</p> <p>(5) If a special resolution is passed under clause 7578(4) the President must inform the contravening Committee member in writing of the intention to remove the contravening Committee member from the Committee (notice of intention to remove) within 5 academic days of the first meeting occurring. That notice must contain:</p> <p>(a) all reasons for the decision to remove the Committee member from the Committee; and</p> <p>(b) a statement that the Committee member has 3 academic days to respond to the reasons provided in the notice.</p> <p>(6) If a response is provided to the President's message under clause 7578(5), the President</p>
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				<p>must convene a meeting of the Executive (the second meeting) within 3 academic days of the response to consider the responses given by the contravening Committee member.</p> <p>79 – Appeal of clause 78 or 29 removal from Committee</p> <p>(1) A removed Committee member may appeal a decision made under clause 7578 or 2829 by written request to the President within 10 academic days.</p> <p>(2) Upon receipt of the request under clause 7678(1), the President must call a Committee meeting for the removed Committee member to appeal their removal.</p> <p>(3) Any Committee member and the removed Committee member may present information at the meeting in relation to the conduct of the removed Committee member.</p> <p>(4) The chair must, after giving all Committee members a reasonable chance to present</p>
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				<p>information, call a secret vote for Committee members to vote on whether the removed Committee member's removal should be confirmed, or whether the removed Committee member should be reinstated.</p> <p>(5) The appeal of the removal of the removed Committee member shall fail unless a special majority votes in favour of reinstating them.</p> <p>(6) A person may not appeal under this clause if they did not provide a response to the notice of intention to remove under clause 7578(6).</p> <p>(7) Notwithstanding any laws of the Commonwealth or the State of South Australia, a decision made under clause 7679 cannot be appealed.</p>
Enactment History	57, 58	N/A	57) To correct the Enactment history such that it reflects the amendments adopted at the 2020 Special General Meeting.	<p>Enactment history</p> <p>Version 1 of 2021 – changes of 26/07/21 Special General Meeting adopted.</p> <p>Version 2 of 2020 – changes of _____ instructed by the Consumer and Business</p>

			<p>58) To add in the updated version of the Constitution as it will stand after this Special general Meeting.</p>	<p>Services Customer Service 14/09/20 Special General Meeting adopted.</p> <p>Version 1 of 2020 – change of 12/02/2020 instructed by the Consumer and Business Services Customer Service.</p> <p>Version 1 of 2019 – changes of 24/10/2019 Annual General Meeting adopted.</p> <p>Version 2 of 2018 – changes of 23/7/2018 special general meeting adopted.</p> <p>Version 1 of 2018 – changes of 5/3/2018 special general meeting adopted.</p> <p>Version 1 of 2017 – changes of 26/10/2017 Annual General Meeting adopted.</p> <p>Version 1 of 2016 – changes of 29/11/2016 special general meeting adopted.</p> <p><i>No further enactment history dates</i></p>
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