



CONSTITUTION AND RULES OF
THE OTAGO UNIVERSITY STUDENTS'
ASSOCIATION INCORPORATED

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Part A: Constitution

1 Name

- 1.1 The name of the society is “The Otago University Students' Association (Incorporated), Te Roopu Taurira o te Whare Waananga o Otaakou.”

2 Interpretation

- 2.1 In these rules, unless the context otherwise requires:

2.1.1 **“Act”** means the Incorporated Societies Act 1908 and any subsequent amendments.

2.1.2 **“Association”** means The Otago University Students' Association (Incorporated).

2.1.3 **“Building Levy”** means the fee paid annually to the Association by members reserved for capital expenditure.

2.1.4 **“Casual Vacancy”** means the situation where any executive position is currently unoccupied or where there is no person elected to fill a position following any election.

2.1.5 **“Distance Student”** means a student defined as such by the University.

2.1.6 **“Executive”** means the Executive Committee of the Association.

2.1.7 **“General Ballot”** means secret ballot carried out in accordance with these Rules.

2.1.8 **“General Manager”** means the person appointed by the Executive as the chief executive of the Association.

2.1.9 **“Levy”** means the fee paid annually to the Association by members.

2.1.10 **“Member”** means a student at the University.

2.1.11 **“Notice”** means a notice placed on the Association's notice board and supplied to Student Media.

2.1.12 **“Officer”** means the Executive Officers, the Secretary and the Chairperson of the Student General Meeting.

2.1.13 **“Post Graduate”** means a student defined as such by the University.

- 2.1.14 **“Resolution”** means a motion requiring positive votes of at least half of the total number of members voting at any meeting of the Association.
- 2.1.15 **“Rules”** means the Constitution and Rules of the Association herein contained or as subsequently amended.
- 2.1.16 **“Secretary”** means the Secretary of the Association.
- 2.1.17 **“Special Resolution”** means a motion requiring positive votes of at least two-thirds (2/3) majority of the total number of members voting at any meeting of the Association.
- 2.1.18 **“Specific Notice”** means notice plus notice delivered in writing to the person or persons named in the subject of the notice.
- 2.1.19 **“Student Body”** means the members of the Association.
- 2.1.20 **“Student Media”** means any such media outlets as the Association or its subsidiaries may own including the Association's website.
- 2.1.21 **“Treaty of Waitangi”**, as referred to in these Rules, means the literal translation of the Treaty of Waitangi by Sir Hugh Kawharu.
- 2.1.22 **“Total Budgeted Expenditure”** means the total of all operating and capital expenditure budgeted.
- 2.1.23 **“University”** means the University of Otago.

3 **Objects of the Association**

- 3.1 Any income, benefit or advantage shall be used within New Zealand for the following charitable objects of the Association:
 - 3.1.2 To foster culture and recreation within the University environment.
 - 3.1.3 To advocate for and protect its members.
 - 3.1.4 To support and represent members of the Association in attaining their educational and academic goals.
 - 3.1.5 To promote the interests of the Association and its future members.
 - 3.1.6 To promote university education participation in New Zealand.
 - 3.1.7 To work in accordance with the Treaty of Waitangi.

4 Powers of the Association

- 4.1 The Association has the widest powers possible to do all the things it deems necessary in pursuit of the objects of the Association.
- 4.2 The Association is not formed for the pecuniary gain of its members, provided that the Association may make payment as reasonable remuneration to any servant or officer of the Association or the payment of reasonable expense to any authorised representative or delegate of the Association.
- 4.3 The Association may join with any other person, association or body corporate for the pursuit of any of the objects of the Association, by way of deed or other contractual agreement.

5 Membership

- 5.1 All students at the University are members of the Association and may exercise the privileges and rights of membership upon payment of the levy.
- 5.2 Membership for any one year ceases on the date nominated by the University as the due date for payment of fees for the following year.
- 5.3 The President is a full member of the Association in the year he/she holds office and is exempt from payment of the Levy and Building Levy.
- 5.4 The Secretary is an ex officio member of the Association and is exempt from payment of the Levy and Building Levy.
- 5.5 Students enrolled for interest only are exempt from membership and payment of the Levy and Building Levy, but are barred from exercising the privileges and rights of membership unless the levy is paid.
- 5.6 The following persons are life members of the Association and are exempt from payment of the Levy and Building Levy and are deemed to be full members:
 - 5.6.1 All past Presidents of the Association; and;

- 5.6.2 Up to another two (2) people elected as Life Members by special resolution of the Executive in any one year.
- 5.7 Where any person objects on grounds of conscience to being a member of the Association such person may apply to the Executive for exemption from membership.
- 5.8 Any person granted an exemption from membership on grounds of conscience will be required to pay the Levy which the Executive will donate to a charity of its choosing. Such persons will be barred from exercising the privileges and rights of membership.
- 5.9 The Student Body may expel a person from the Association by special resolution at a Student General Meeting.
- 5.10 Specific notice must be given to any person facing expulsion at least ten (10) working days before the Student General Meeting voting on the issue, and that person must be given final right of reply to the meeting before the special resolution is put.
- 5.11 Any member withdrawing from University is entitled to a refund of the Levy and Building Levy under the same circumstances as those on which the University refunds tuition fees.
- 5.12 Any refund of the Levy and Building Levy upon withdrawal from the University terminates the recipient's membership forthwith.
- 5.13 The Executive may set policies expanding upon the membership provisions and procedures in these Rules provided that such policies are consistent with these Rules.

6 Powers of the Student Body

- 6.1 The Student Body exercises its powers through Student General Meetings and Referenda.
 - 6.1.1 All members of the Association may attend and vote at Student General Meetings.
 - 6.1.2 All members of the Association may vote in referenda.
- 6.2 The Student Body may exercise the following powers at Student General Meetings:

- 6.2.1 To make resolutions on any matters, and to transmit recommendations to the Executive.
- 6.2.2 To amend these Rules.
- 6.2.3 To set external policy.
- 6.2.4 To remove Executive members from their positions through a motion of 'no confidence'.
- 6.2.5 To call a referendum, except on questions of finance or administration.
- 6.2.6 To set the Association budget and the Association Levy.
- 6.3 The Student Body may exercise the following powers through Binding Referenda:
 - 6.3.1 To make resolutions on any matters, and to transmit recommendations to the Executive.
 - 6.3.2 To amend these Rules.
 - 6.3.3 To set external policy.
 - 6.3.4 To set the Association budget and the Association Levy.

7 Powers of the Executive

- 7.1 The Executive is the governing board of the Association and controls the business, activities and all operations of the Association in pursuit of its objects except for those powers specifically reserved by these Rules to the Student Body.
- 7.2 The Executive oversees all bodies, committees and Executive Officers of the Association and may direct such bodies, committees or Executive Officers regarding performance of their duties and may choose to override such bodies, committees or Executive Officers and perform their duties or functions as it sees fit, except as referred to in the section immediately above.
- 7.3 The Executive may appoint and remove agents, delegates and committees and may delegate to them either generally or for a particular purpose or time, the full powers or part of the powers of the Executive in relation to any matter and may withdraw these delegations when it sees fit, provided that:

- 7.3.1 All powers that the Executive chooses to delegate must be recorded in a motion in the minutes of the Executive; and;
- 7.3.2 The minutes must record all the details of such delegation, including to whom the power or powers are delegated, for what purpose and for how long.
- 7.4 The Executive acts as the shareholder in respect of any companies in which the Association holds shares.
- 7.5 The Executive controls the funds of the Association and authorises all expenditure, and may borrow funds from such organisations as it sees fit.
- 7.6 All resolutions of the Executive and all acts done will be binding upon all the members of the Executive whether present at any such meeting or not and upon all the property and assets of the Association unless a resolution is illegal or contrary to these Rules.

8 Construction and Amendment of these Rules

- 8.1 Where any dispute arises as to the interpretation or construction of these Rules such dispute will be determined by the Executive.
- 8.2 These Rules, excluding section 3 as per the Charities Act 2005, may only be amended or rescinded by a special resolution at a Student General Meeting or by a two-thirds (2/3) majority in a binding referendum.
- 8.3 Ten (10) working days notice must be given of any proposed constitutional amendment.
- 8.4 Any amendment or rescission of these Rules must be registered with the Registrar of Incorporated Societies in accordance with the requirements of the Incorporated Societies Act 1908, and such amendment or rescission takes effect at the time of registration.
- 8.5 No amendment or rescission of these Rules will be valid if it conflicts with section 4.2 or section 9, or is otherwise contrary to the laws of New Zealand.

9 Winding up of Association

- 9.1 In the event of the winding up or dissolution of the Association, all the real and personal property of the Association, after payment of all costs,

debts and liabilities of the Association, will vest in the University upon trust until a charitable body similar to the Association is formed.

Part B: Governing Rules

10 Levy and Building Levy

- 10.1 Except insofar as these Rules provide otherwise, all members are required to pay the Levy and the Building Levy by the date nominated by the University as the due date for payment of fees.
- 10.2 Any member failing to comply with the section immediately above will not be entitled to exercise any rights or privileges of membership until the appropriate levy has been paid.
- 10.3 The Student Body will set the Levy and Building Levy for the next Association year.
- 10.4 If no change to the Levy and Building Levy is made it will remain the same as the most recent Levy and Building Levy.
- 10.5 The Levy for Post Graduate members who are not Distance Students shall be set at one half of the Levy.
- 10.6 The Levy for all Distance Students, regardless of location, will be set at one quarter of the Levy.
- 10.7 The Levy for members studying outside the Dunedin campus of the University who are not Distance Students will be one quarter of the Levy plus the cost per student for the Association's membership of any national student organisations.
- 10.8 The Levy for members taking a course of less than one hundred eight (108) points but more than fifty-four (54) points will be two thirds of the ordinary Levy.
- 10.9 The Levy for members taking a course of less than fifty-four (54) points will be one third of the Levy.
- 10.10 The Building Levy may only be spent on capital expenditure for the benefit of Association members.

- 10.11 Any member who is a Distance Student or is studying outside the Dunedin campus of the University is exempt from payment of the Building Levy.
- 10.12 Any member whose sole mode of study is extramural is exempt from payment of the Levy and Building Levy.
- 10.13 Any member who is ineligible to sit any degree examinations on the basis of being enrolled for 'Interest Only' status in all papers is exempt from payment of the Levy and Building Levy.
- 10.14 Any member who is solely taking papers during Summer School is exempt from payment of the Levy and Building Levy.
- 10.15 Any member who is normally employed by the University to work in excess of twenty (20) hours per week is exempt from payment of the Levy and Building Levy.

11 Policy

- 11.1 The Student Body will set policy regarding the position of the Association on matters external to the Association.
- 11.2 The Executive will set policy regarding matters of business, activities and all operations of the Association and any other matters internal to the Association.
- 11.3 Any policies set must be recorded in writing.
- 11.4 Five (5) working days notice must be given for the setting, rescinding or amending of policy and that notice must include the proposed policy or change of policy.
- 11.5 Policy will be set, rescinded or amended by resolution, except in the absence of notice where policy will be set, rescinded or amended by unanimous resolution.
- 11.6 No policy may be incompatible with, or contradict, these Rules.
- 11.7 If policy is breached it must be drawn to the attention of the next meeting of the body which set the policy by any officer of the Association who is aware of the breach.

12 Association Audit

- 12.1 The books of the Association must be audited at the end of each financial year.
- 12.2 The Auditors must be duly qualified Chartered Accountants and appointed by the Student Body for the next financial year.

13 Powers and Duties of the Secretary

- 13.1 The Secretary is an officer of the Association.
- 13.2 The Secretary will be available to the members of the Association to explain these Rules and the operations of the Association.
- 13.3 The Secretary will be nominated by the Executive and ratified by the Student Body.
- 13.4 The Student Body may only ratify the appointment of, or remove, the Secretary pursuant to recommendation by the Executive.
- 13.5 Appointments will be for a fixed term of four (4) years with the possibility of renewal for further fixed terms.
- 13.6 The Secretary may hold other employment either within or outside the Association provided that the constitutional requirements as Secretary are not affected.
- 13.7 The Secretary will report to the Association through the Executive.
- 13.8 The Secretary may delegate power in accordance with these Rules but must keep a public record of such delegation.
- 13.9 The Secretary of the Association acts as secretary of the Student General Meeting and the Executive and of all committees of the Association to which no other person has been appointed as secretary.
- 13.10 The Secretary must keep all necessary and usual minute books and such other records as may be required by these Rules or by the Executive.
- 13.11 The Secretary must retain in a place of safety a current copy of these Rules.
- 13.12 The Secretary will put into effect and maintain the provisions contained in these Rules.
- 13.13 The Secretary may not vote or be entitled or permitted to vote at any meeting of the Association or committee of the Association and will not

be counted in estimating whether a quorum is present at any such meeting.

14 Minutes and Records

- 14.1 The Secretary, or his/her delegate, must keep minute books for the Executive, the Student General Meeting and all other committees of the Association contained within these Rules.
- 14.2 The minutes of each meeting must include:
 - 14.2.1 The name of the committee.
 - 14.2.2 The date, time and place of the meeting.
 - 14.2.3 The number of members present and the name of the Chair of the meeting.
 - 14.2.4 Confirmation of any previous minutes.
 - 14.2.5 The text of every motion or amendment moved and seconded.
 - 14.2.6 An indication of whether such motions and amendments were carried, and the names of any members who requested that their dissent be recorded.
 - 14.2.7 The facts and details of any adjournment.
 - 14.2.8 Any notice of motion given.
 - 14.2.9 Details of any business raised at the meeting, required to be raised by these Rules, or raised by a member at the meeting.
 - 14.2.10 Any other matters which facilitate the historical and legal record of the Association.
- 14.3 The minutes of any meeting must be confirmed by the following meeting and signed as a "true and correct record" by the Chair of that following meeting.
- 14.4 The Secretary, or his/her delegate, must keep a policy book which contains a record of all policy set by the Association.

15 Common Seal

- 15.1 The Common Seal must be affixed to any deeds entered into by the Association.
- 15.2 The Common Seal must be kept by the Secretary.

- 15.3 The Executive must permit each affixing of the Common Seal to a document by resolution.
- 15.4 Any document to which the Common Seal is affixed must be signed by the Secretary and either the President or Finance and Services Officer as attesting witnesses.

16 Remedies

- 16.1 Where these Rules have been breached, or when a breach is inevitable due to an omission, contradiction or obfuscation in these Rules, it is the responsibility of Officers of the Association to call a Student General Meeting and report the breach.
- 16.2 The Student Body may determine to remedy the breach by either:
 - 16.2.1 Substantial compliance; or;
 - 16.2.2 Determining the appropriate course of action where such action must be consistent with these Rules.
- 16.3 Upon a Student Body motion validating a breach of these Rules, the Secretary must inform the Student Media immediately.

17 Substantial Compliance

- 17.1 If any of these Rules are breached and the Student General Meeting is satisfied that:
 - 17.1.1 There has been substantial compliance with these Rules; and
 - 17.1.2 The breach has not materially affected, and will not foreseeably materially affect, the rights or interests of any person or affiliated body; and
 - 17.1.3 The breach resulted in a positive benefit to the Association and its members and the objects of the Association then the Student Body may, by a special resolution at a Student General Meeting, validate the breach.

18 Affiliated Bodies

- 18.1 Any student Club, Society, Union or other body may apply to the Executive for affiliation to the Association.

- 18.2 The affiliation of any Club, Society, Union or other body to the Association will continue indefinitely until such time as:
- 18.2.1 The Executive, by resolution, ends the affiliation;
 - 18.2.2 The Club, Society, Union or other body ends the affiliation;
 - 18.2.3 The Club, Society, Union or other body ceases to meet the requirements of affiliation to the Association, including complying with these Rules; or;
 - 18.2.4 The Club, Society, Union or other body ceases to exist.
- 18.3 When considering an affiliation application the Executive must consider that:
- 18.3.1 The Association's investment in affiliating any Club, Society, Union or other body, whether financial or otherwise, benefits primarily Association members;
 - 18.3.2 Any Club, Society, Union or other body does not pose a risk, whether financial or otherwise, to the Association; and;
 - 18.3.3 The activities of any Club, Society, Union or other body are consistent with the objects of the Association contained in these Rules.
- 18.4 The affiliation of any Club, Society, Union or other body is subject to the overall discretion of the Executive and the Executive may resolve to assume the affairs of any affiliated Club, Society, Union or other body.
- 18.5 The Executive may set policies expanding upon the affiliated bodies provisions and procedures in these Rules provided that such policies are consistent with these Rules.

19 Conduct of Student General Meetings

- 19.1 The quorum for a Student General Meeting is one per cent (1%) of the total number of members of the Association, a figure which the Secretary will ascertain at the commencement of each semester and report to the Executive and the Student Media.
- 19.2 Student General Meetings may only be held on days when the Dunedin campus of the University is holding formal classes and at a time and place that is not inconvenient to students.

- 19.3 Except as otherwise provided by these Rules, the procedure of a Student General Meeting will be governed by the Standing Orders set forth in these Rules.
- 19.4 A Student General Meeting will be called by the Secretary:
- 19.4.1 On receipt of a petition signed by one per cent (1%) of the members of the Association, a figure which the Secretary will ascertain at the commencement of each semester and report to the Executive and the Student Media; or;
- 19.4.2 Upon resolution of the Executive.
- 19.5 Such meeting must be called between five (5) and fifteen (15) working days after receipt of such petition or resolution of the Executive. If the meeting is not so called, any member may call the meeting.
- 19.6 At least five (5) working days notice must be given by the Secretary for a Student General Meeting detailing the time, place and agenda items of the meeting.
- 19.7 There will be at least one Student General Meeting called in the first semester which, without limiting its business, will:
- 19.7.1 Receive and accept the annual report of the Association for the previous year;
- 19.7.2 Receive and accept the audited annual accounts for the previous year;
- 19.7.3 Appoint the Auditors for the next financial year; and;
- 19.7.4 Appoint the Honorary Solicitor for the next financial year.
- 19.8 There will be at least one Student General Meeting called in the second semester which, without limiting its business, will:
- 19.8.1 Set the Association levies for the forthcoming year; and;
- 19.8.2 Consider the budget for the forthcoming year.

20 Chair of the Student General Meeting

- 20.1 The Chair of the Student General Meeting is an elected member of the meeting, and cannot be a current Executive Officer.
- 20.2 The Chair of the Student General Meeting will be elected at the first Student General Meeting of the calendar year.

- 20.3 The duties of the Chair of the Student General Meeting are:
- 20.3.1 To conduct Student General Meetings of the Association according to these Rules;
 - 20.3.2 To convey all resolutions and recommendations made at a Student General Meeting to the appropriate persons as directed;
 - 20.3.3 To report to and advise the Executive on issues arising at Student General Meetings;
 - 20.3.4 To have an understanding of these Rules; and;
 - 20.3.5 To oversee the promotion of Student General Meetings.
- 20.4 In the event of the absence of the Chair of the Student General Meeting a member of the Association may chair the meeting in accordance with the provisions set forth in the Standing Orders relating to absence of the Chair.

21 Conduct of Referenda

- 21.1 Either the Executive, or the Student Body at a Student General Meeting, may determine that any matter be referred to the Student Body for decision by means of a Referendum.
- 21.2 Matters involving finance or administration, reserved elsewhere in these Rules for decision by the Executive, may only be referred to a Referendum by the Executive.
- 21.3 A Referendum will be called by resolution, and if the Referendum is to be binding on the Association, the resolution must so state.
- 21.4 For any binding Referendum, the Executive will report the matter to the Student Media and promote discussion and debate regarding the matter.
- 21.5 Any Referendum put to the Student Body will require ten (10) working days notice of the wording.
- 21.6 The Secretary must appoint a Returning Officer to supervise the conduct of the Referendum. If no Returning Officer is appointed, the Secretary will act as Returning Officer.

- 21.7 The Returning Officer must conduct the Referendum by secret ballot according to the Voting provisions contained in Part C of these Rules.
- 21.8 Any matter with regard to the conduct of the Referendum not dealt with by the Returning Officer is subject to the overriding supervision of the Executive.
- 21.9 Any Referendum at which fewer than five percent (5%) of the total number of members of the Association cast their vote will be considered as indicative only, a figure which the Secretary will ascertain at the commencement of each semester and report to the Executive and the Student Media.

22 Mediator of Referenda

- 22.1 The Honorary Solicitor will be the mediator for all Referenda.
- 22.2 The Mediator will:
 - 22.2.1 Set the wording of the question to be put to the Referendum.
 - 22.2.2 Ensure that the matters put to the Referendum are put fairly and that they are put in such a way to ensure that the result is a free expression of the voter's opinion rather than being dictated by the form of the question.
 - 22.2.3 Consider any submissions made by any member of the Association as to how the question should be phrased.
- 22.3 In seeking to determine the opinion of the Student Body on an issue, the Mediator may choose to put to the Referendum a series of different resolutions about the same issue in order to ensure that a clear result is obtained.

23 Budget

- 23.1 There will be a budget set which will cover operational and capital expenditure and to which expenditure will be linked.
- 23.2 The Executive will present a proposed budget for the forthcoming year to the Student Body in the second semester of each year.
- 23.3 The Student Body will consider the proposed budget and either resolve to set or reject it in its entirety.

- 23.4 If no budget has been set by the end of the University year, then the most recent budget set by the Student Body will be deemed to be the budget for the following year, adjusted up or down on a pro rata basis according to any change in income.
- 23.5 The Executive will give five (5) working days notice before setting the proposed budget to allow time for submissions to be made by members.
- 23.6 At least five (5) working days notice is required before the proposed budget is presented to the Student Body.
- 23.7 The Executive will supply copies of the budget for the forthcoming year to the Student Media following its setting by the Student Body.
- 23.8 At the commencement of each year, but before any Student General Meetings or referenda are held, the Executive may alter the budget set by the Student Body the preceding year, provided that the sum of the absolute values of all alterations made to individual budget lines does not exceed five (5) percent of total budgeted expenditure and provided also that the remuneration of Executive Officers is not altered from the budget set by the Student Body the previous year.
- 23.9 Any proposed budgetary alterations in excess of the sum in the section immediately above must be referred to the Student Body, which may set or reject the proposed altered budget.
- 23.10 The Executive may set policies expanding upon the budgetary provisions and procedures in these Rules provided that such policies are consistent with these Rules.

24 Expenditure Authorisation

- 24.1 Any Association expenditure must be approved and signed by any two (2) of the following, provided that at least one (1) of the approvers and signatories is an Executive Officer:
 - 24.1.1 President;
 - 24.1.2 Finance and Services Officer;
 - 24.1.3 General Manager;
 - 24.1.4 Secretary; or;

24.1.5 Up to two (2) other Officers or employees of the Association appointed by resolution of the Executive.

25 Committees

25.1 The Executive has the power to establish committees as it sees fit to develop further the policy and objects of the Association.

25.2 Any committee formed should have representation from both the Executive and, unless there are issues of confidentiality, the wider membership.

25.3 Where a committee has constitutional powers it must be incorporated into these Rules.

26 Membership Committee

26.1 The Membership Committee is vested with the power to exempt a student from payment of the annual levy on the ground of hardship or exempt a student from membership of the Association on the grounds of conscience.

26.2 The Membership Committee will meet no less than once a semester and no earlier than thirty (30) days after the beginning of each semester.

26.3 Any student applicant dissatisfied with a decision of the Membership Committee in relation to his/her application may appeal the decision to the Executive.

26.4 The Membership Committee will be comprised of the:

26.4.1 President;

26.4.2 Finance and Services Officer; and;

26.4.3 University Registrar or his/her nominee.

26.5 The Executive may, from time to time, set policies expanding upon the membership provisions and procedures in these Rules provided that such policies are consistent with these Rules.

27 Standing Committee of the Executive

27.1 There will be a Standing Committee of the Executive which will meet throughout the year to consider matters important to the Association.

- 27.2 During periods when there are not sufficient Executive Officers available for a quorum for meetings the Standing Committee of the Executive will exercise the powers of the Executive. Exercise of such power must be authorised by resolution of the Executive.
- 27.3 The Standing Committee of the Executive will be comprised of the:
- 27.3.1 President;
 - 27.3.2 Finance and Services Officer;
 - 27.3.3 Education Officer;
 - 27.3.4 Welfare Officer; and;
 - 27.3.5 Any other Executive Officer(s) that the Standing Committee of the Executive may co-opt.
- 27.4 The Executive may set policies expanding upon the Standing Committee of the Executive provisions in these Rules provided that such policies are consistent with these Rules.

28 Vacation of Office

- 28.1 The holder of any office in the Association must vacate office if such officer:
- 28.1.1 Ceases to be a member of the Association;
 - 28.1.2 Dies;
 - 28.1.3 Tenders written notice of resignation to the Secretary; or;
 - 28.1.4 Is the subject of a vote of No Confidence passed by the Student Body.
- 28.2 An Executive Officer will be deemed to have vacated office if she or he:
- 28.2.1 Is absent without leave from any three (3) consecutive ordinary meetings of the Executive;
 - 28.2.2 Is elected to a different position on the Executive during the term of office in the former capacity; or;
 - 28.2.3 Is found not to meet the prerequisites for holding that particular office by the Secretary.

29 OUSA's policy in relation to "The Otago University Students' Fund"

- 29.1 The document entitled “Policy regulating OUSA’s relationship with the trust” shall govern and guide OUSA’s relationship with “The Otago University Students’ Fund”.
- 29.2 This policy document shall regulate OUSA’s relationship as a parent organisation to an independent subsidiary organisation. Therefore, the policies it contains shall be considered separate from other internal policy documents.
- 29.3 The policies contained in this document shall only be amended where the following procedures have been adhered to:
- 29.3.1 A resolution has been passed by the OUSA executive, whereby a motion containing proposed amendments must be put to an SGM.
- 29.3.2 For any such amendments to come into effect, the motion brought to the SGM must be carried by special resolution.

Part C: Composition and Election of Executive

30 Term and General Prerequisites of Office

- 30.1 Executive Officers will hold that office for the entirety of the calendar year for which they are elected, or the remainder of the calendar year in the case of a by-election.
- 30.2 General prerequisites to being an officer of the Association:
- 30.2.1 All Officers of the Association must be members of the Association; that is they must be members in both the year they stand for election and the year they hold office, except for the President as provided for in these Rules; and;
- 30.2.2 Any member may hold more than one Executive office but not concurrently.
- 30.2.3 Each Officer of the Association must qualify as an Officer under the Charities Act 2005 or have a waiver from the Charities Commission.

31 Composition of the Executive from 1 January 2005

- 31.1 The Executive will consist of the following elected Executive Officers from the first day of January 2005:
- 31.1.1 A President;
 - 31.1.2 A Finance and Services Officer;
 - 31.1.3 An Education Officer
 - 31.1.4 A Welfare Officer;
 - 31.1.5 A representative from each Academic Division within the University;
 - 31.1.6 A Post-Graduate Students' Representative;
 - 31.1.7 An International Students' Representative;
 - 31.1.8 A Clubs and Societies' Representative;
 - 31.1.9 A Women's Representative;
 - 31.1.10 Two General Representatives;
 - 31.1.11 A Pacific Island Students' Representative; and;
 - 31.1.12 A Māori Students' Representative;
 - 31.1.13 A Queer Students' Representative.

32 Responsibilities of Executive Officers from 1 January 2005

- 32.1 President
- 32.1.1 The President must not hold office for longer than two (2) years.
 - 32.1.2 The President is the primary elected representative of members of the Association. He/she will lead the Association in fulfilling its core functions and achieving its goals of advancing the educational, welfare, social, cultural and sporting interests of the members of the Association.
- 32.2 Finance and Services Officer
- 32.2.1 The Finance and Services Officer is responsible for co-ordination and oversight of the legislative requirements, financial performance, commercial interests and development, implementation and monitoring of the strategic and commercial goals of the Association.

- 32.2.2 In addition to the duties immediately above, the Finance and Services Officer is the Vice President of the Association and will act as President and assume all the powers and duties of President in the absence of the President.
- 32.3 Education Officer
- 32.3.1 The Education Officer is responsible for co-ordination and oversight of the education affairs of the Association and will ensure that the academic interests of members are represented, respected and enhanced.
- 32.4 Welfare Officer
- 32.4.1 The Welfare Officer is responsible for co-ordination and oversight of welfare affairs of the Association and will ensure that welfare needs of members are represented, respected and enhanced.
- 32.5 Divisional Representatives
- 32.5.1 The Divisional Representatives must be enrolled for study at the University for a qualification in the academic division that they represent, both in the year of election and in the year of holding office.
- 32.5.2 The Divisional Representatives are responsible for the representation of the students from that division, within the University, the Association and the community.
- 32.6 Post-Graduate Students' Representative
- 32.6.1 The Post Graduate Students' Representative must be enrolled in a post-graduate programme at the University in the year he/she holds office.
- 32.6.2 The Post-Graduate Students' Representative is responsible for the representation of post-graduate students within the University, the Association and the community. He/she will also

facilitate quality representation of post-graduate students and pursue projects of benefit to post-graduate students.

32.7 International Students' Representative

32.7.1 The International Students' Representative must not be a New Zealand citizen.

32.7.2 The International Students' Representative is responsible for representing the interests of members who are not New Zealand citizens, within the Association, University and community. He/she will also facilitate quality representation of these members and pursue projects of benefit to these members.

32.8 Clubs and Societies Representative

~~32.8.1 The Clubs and Societies Representative must have been a member of an affiliated club, society, union or other body.~~

The Clubs and Societies Representative shall both in the year of election and in the year of holding office be a member of an affiliated club, society, union or other body.

32.8.2 The Clubs and Societies Representative is responsible for representing the interests of all clubs, societies, unions or other bodies affiliated to the Association and will provide these groups with assistance where required and ensure the necessary support, advice and resources for affiliated bodies.

32.9 Women's Representative

32.9.1 The Women's Representative must be female.

32.9.2 The Women's Representative is responsible for representing the interests of women within the Association, the University and the community and will facilitate quality representation of women and pursue projects of benefit to women.

32.10 General Representatives

32.10.1 The General Representatives are responsible for implementing the strategic goals of the Executive for the year and will assist in fulfilling the roles of the Executive that are not covered by other Executive Officers.

32.11 Pacific Island Students' Representative

32.11.1 The Pacific Island Students' Representative must be a Pacific Island student.

32.11.2 The Pacific Island Students' Representative is responsible for representing the interests of members who identify as Pacific Islanders within the Association, the University and the community. He/she will also facilitate quality representation of these members and pursue projects of benefit to these members.

32.12 Māori Students' Representative

32.12.1 The Māori Students' Representative must be a Māori student.

32.12.2 The Māori Students' Representative is responsible for representing the interests of Māori students within the Association, the University and the community. He/She will also facilitate quality representation of Māori and pursue projects of benefit to Māori.

32.13 Queer Representative

32.13.1 The Queer Representative must be a Queer Student

32.13.2 The Queer Representative is responsible for representing the interests of Queer Students within the Association, the University and the Community. They will also facilitate quality representation of Queer Students and pursue projects of benefit to Queer students.

32.14 The Executive may set policies expanding upon the responsibilities of Executive Officers in these Rules provided that such policies are consistent with these Rules.

33 No Confidence in an Executive Officer

- 33.1 Ten (10) working days notice is required for any vote of No Confidence in an Executive member.
- 33.2 A motion of No Confidence may not go against more than one person and the notice of such motion must specify in detail grounds for such motion.
- 33.3 Notwithstanding anything in these Rules the person who was the subject of a motion of No Confidence must be given the right to answer all charges and may speak last on such resolution and for a period of up to ten (10) minutes.

34 Absence of Executive

- 34.1 If there are not sufficient Executive Officers in office to hold a quorate Executive meeting all the powers of the Executive devolve to a committee, (hereinafter called the "Governing Committee"), which will be comprised of:
 - 34.1.1 The Honorary Solicitor of the Association;
 - 34.1.2 All the remaining Executive Officers;
 - 34.1.3 The Secretary of the Association; and;
 - 34.1.4 The Chair of the Student General Meeting.
- 34.2 The Governing Committee will conduct and supervise the affairs of the Association as if it were the Executive, including the calling of Executive Elections at the earliest possible time.
- 34.3 On the election of an Executive the powers of the Governing Committee automatically revert to the new Executive.

35 Meetings of the Executive

- 35.1 The Executive will meet regularly throughout the academic year and will meet during vacations if necessary.
- 35.2 A meeting of the Executive may be called by:
 - 35.2.1 The President;
 - 35.2.2 The Secretary; or;

- 35.2.3 By any three (3) Executive Officers.
- 35.3 Notice for Executive meetings must state the date, time and place of meetings only.
- 35.4 Seventy-two (72) hours notice will be required for an ordinary meeting.
- 35.5 An emergency meeting will require at least four (4) hours notice and as many Executive members as possible must be made aware of the meeting.
- 35.6 An emergency meeting called will have the full powers of an ordinary meeting provided that the next succeeding ordinary meeting must reconsider all resolutions or appointments made by the emergency meeting and ratify or rescind such resolutions or appointments as the Executive sees fit.
- 35.7 The President will chair Executive meetings and in the absence of the President a member elected by the meeting will assume the chair.

36 Reporting by Executive Officers

- 36.1 The Executive Officers will receive remuneration at the rates deemed appropriate and stipulated in the Budget set by the Student Body, and such remuneration will be paid in instalments approved by Executive.
- 36.2 At the conclusion of each academic quarter every Executive member must furnish a brief written report on that member's work during the term.
 - 36.2.1 Such report will be considered by the Executive, and may be requested by the next meeting of the Student General Meeting for perusal.
 - 36.2.2 No Executive member who fails to complete such a report will receive remuneration from the Association.
- 36.3 The Executive must withhold payment of all or part of any honoraria where it considers any Executive member has failed to carry out their duties or has failed to report adequately on their activities.
- 36.4 The Executive may set policies expanding upon the reporting requirements of Executive Officers in these Rules provided that such policies are consistent with these Rules.

37 Executive Elections

- 37.1 The Association will hold elections in the second semester of every year preceding the year in which the Executive is to hold office.
- 37.2 Voting may take place using any media, physical or electronic, provided it is carried out in a manner consistent with these Rules.
- 37.3 The Executive may set policies expanding upon the reporting election provisions in these Rules provided that such policies are consistent with these Rules.

38 Nominations

- 38.1 All members will be eligible for nomination, election and re-election and voting provided they hold the necessary prerequisites for the office.
- 38.2 The Secretary will, once nominations for the Executive positions are opened by Executive motion, post notice calling for nominations for the Executive. This notice will also specify a date not earlier than five (5) working days on which all nominations must be delivered to the Secretary.
- 38.3 All nominations must be in writing, made and signed by the nominee and two (2) other members.

Nominations for the Clubs and Societies Representative must be made by clubs, societies, unions or other bodies affiliated to the Association.

- 38.4 After the closing of nominations the Secretary will prepare a list contained under the heading of the various positions to be filled, a list in alphabetical order of the persons duly nominated for each position followed in each case by the name of both nominators and will give notice of this list and will allow all persons to inspect such list upon request.
- 38.5 No member will be nominated for more than two (2) Executive Offices.
- 38.6 The Secretary may not refuse a nomination for any reason other than form or eligibility.
- 38.7 Where the Secretary has for any reason refused to accept a nomination an appeal against such refusal may be made to the Executive and must

be delivered to the Secretary or President within twenty-four (24) hours after specific notice of such refusal.

- 38.8 Where the Secretary has allowed any nomination an appeal against such allowance may be made to the Executive and must be delivered to the Secretary or President within twenty-four (24) hours after the time fixed for the closing of nominations.
- 38.9 All appeals must be in writing and must state the grounds of appeal.
- 38.10 The Executive has full power to accept or reject any nomination under appeal or to determine the matter in any other manner.
- 38.11 If the Executive does not uphold an appeal the nominations will remain as determined by the Secretary.
- 38.12 Except as provided in these Rules, no objection may be made to any nomination and any nomination not appealed against will be valid for all purposes.
- 38.13 Where no nomination has been received in respect of any position a casual vacancy will be deemed to be created immediately after the taking of office by the new Executive.
- 38.14 Where a nominee wishes to withdraw from an election the nominee must deliver to the Secretary a written withdrawal signed by the nominee. Such withdrawal will be final.

39 Voting

- 39.1 The days for voting will be no sooner than ten (10) working days after notice is given of voting.
- 39.2 Voting will be held at the places and times determined by the Returning Officer in consultation with the Executive.
- 39.3 Any student unable to vote on Polling Days may cast special votes up to five (5) working days before the Election.
- 39.4 Not less than twelve (12) hours (not necessarily consecutive) will be allowed for normal voting, and not less than six (6) hours (not necessarily consecutive) for voting in by-elections.

- 39.5 Every member duly enrolled will be entitled to exercise one vote only for each position, except as otherwise provided in these Rules and as follows:
- 39.5.1 Only females may vote for the Women's Representative.
 - 39.5.2 Only non-New Zealand citizens may vote for the International Students' Representative.
 - 39.5.3 Only post-graduate Students may vote for the Post Graduate Representative.
 - 39.5.4 No student may vote for more than one Divisional Representative.
 - 39.5.5 A student may vote only for the Divisional Representative of the Division that teaches a qualification for which the student is currently enrolled.
 - 39.5.6 The polling officer at any polling station will have the discretion to refuse to allow a member to vote for a particular Divisional Representative position if she or he is not satisfied that the member is enrolled for a qualification taught in that Division.
 - 39.5.7 Only Pacific Island students may vote for the Pacific Islands Students' Representative.
 - 39.5.8 Only Māori students may vote for the Māori Students' Representative.

40 Returning Officer

- 40.1 The Secretary will appoint a Returning Officer for any election before nominations are closed.
- 40.2 In the event of no Returning Officer being appointed or in the absence or incapacity of any Returning Officer the Secretary will be the Returning Officer.
- 40.3 The Returning Officer will be responsible for the whole conduct of the Election.
- 40.4 The Returning Officer will be provided by the Secretary immediately upon the closing of the nominations with a list of names of the members duly nominated for each office.

The Returning Officer will have the power to and will:

- 40.4.1 Appoint such deputies, poll clerks, scrutineers and other assistants and with such powers and duties as the Returning Officer sees fit,
 - 40.4.2 Provide such material and facilities in such form as the Returning Officer deems requisite and suitable for the method of voting,
 - 40.4.3 Ensure that only members vote,
 - 40.4.4 Provide for the due secrecy and peaceful nature of the ballot,
 - 40.4.5 Give notice and inform such media as they see fit of the day or days on which the Ballot is to be held specifying the hours during which voting may take place and such day or days and such hours will accordingly be the day or days and hours for polling,
 - 40.4.6 Direct and regulate the manner of voting and of recording votes,
 - 40.4.7 Arrange for and supervise the counting and recounting of the votes and disallow votes not submitted in the specified manner or not sufficiently clear,
 - 40.4.8 Retain all voting papers and voting records safely for twenty (20) working days after the elections after which he/she will destroy all voting papers and voting records unless a recount is demanded as provided by these Rules,
 - 40.4.9 Generally do all things necessary, expedient or advisable in his/her opinion for the proper, fair and democratic conduct of the Election,
 - 40.4.10 Provide a report in writing in a timely manner to the Executive certifying that the Elections have been conducted in accordance with these Rules and in a proper, fair and democratic manner, or as the case may be notifying any irregularities in the Elections after the conclusion of the Ballot.
- 40.5 The Returning Officer will comply with any regulations not inconsistent with these Rules duly made by the Executive amplifying or specifying more particularly the powers and duties of the Returning Officer.

40.6 All acts and things done by the Returning Officer for any such purpose will be deemed to be done under the authority of the Executive.

41 General Ballot

41.1 All Executive members will be elected by general ballot.

41.2 There will be provided on the ballot papers an option of “no confidence in these candidates”.

41.3 If there are more “no confidence in these candidates” votes than votes cast for the highest polling candidate then no-one will be declared elected and a casual vacancy will exist.

41.4 There will be provided on the ballot papers an option to “abstain from casting a vote for these candidates”.

41.5 The Secretary will forthwith post on the notice board and in such media as the Secretary sees fit, a notice stating the names of the successful candidates for each position and stating the number of valid votes cast for each candidate and no confidence votes cast against each candidate.

41.6 The Executive may appoint an independent arbitrator, who must not be a member of the Association, to resolve any issues to do with the election.

41.7 A recount will in all cases be granted by the Executive if demanded by any candidate, provided that the method of voting allows for recounting, as hereinafter provided and will be conducted by the Returning Officer in the presence of such of the candidates as may desire to attend and at such time and in such manner as the Executive may direct.

41.8 A demand for a recount or a new Election will be in the form of a notice delivered to the Secretary within five (5) working days after the conclusion of the Election and will state fully the grounds upon which the demand is made.

41.9 The manner, conduct, determination and effect of any recount and new election will be such as may be decided upon by the Executive whilst remaining consistent with these Rules.

- 41.10 Every re-election must be completed within fifteen (15) working days after such Executive motion, and if not so completed the original result of the election will stand and be valid for all purposes.
- 41.11 Where there is more than one vacancy for any position:
- 41.11.1 Each person is entitled to as many votes as there are vacancies.
- 41.11.2 The highest polling candidates will be declared elected provided that these candidates poll higher than the number of "No Confidence in these candidates" votes cast.
- 41.11.3 **Where the existence of a tie prevents there being a highest polling candidate, the Returning Officer, in consultation with the Executive, shall be empowered to resolve the tie in a fair and timely manner**
- 41.11.4 **Where the existence of a tie prevents there being a highest polling candidate, the Returning Officer may, with the approval of the Executive, choose to extend a voting period determined under the relevant policy, whether or not the voting period has closed**
- 41.12 In the event of a candidate being elected for multiple offices he/she will choose the office he/she will occupy and the second-highest polling candidate for the other office will be considered to be elected to that office.

Part D: Standing Orders

42 Introduction

- 42.1 Any meeting may not commit any act, pass any resolution or make any appointment in contravention of these Rules. Any such action, resolution or appointment will be invalid and will not bind the Association.
- 42.2 Except As provided elsewhere in these Rules, these standing orders apply to all meetings of the Association, including Student General Meetings, meetings of the Executive and meetings of any other Committee of the Association.

42.3 These standing orders may by leave be suspended at any meeting for all or part of a meeting, except for 42.1 above.

43 Conduct of Business

43.1 The business of every meeting must be conducted in accordance with the Rules and Standing Orders of the Association.

43.2 All business (unless otherwise provided for by the Rules or Standing Orders) must be brought forward, discussed and dealt with in the form of a motion. No other business may be considered.

44 Order of Business

44.1 At ordinary meetings the order of business will be:

44.1.1 Election of a Chairperson if necessary.

44.1.2 In the case of a special meeting, the business for which such meeting has been called and in the order set out in the notice calling such meeting.

44.1.3 The confirmation of the Minutes of the last meeting.

44.1.4 The business to be conducted.

44.1.5 General business.

45 Quorum

45.1 Unless otherwise specified in these Rules the quorum of every meeting is half the maximum number of voting members of the committee or Body.

45.2 No meeting may commence until the required quorum is present. If such quorum is not present within fifteen minutes of the time for which the meeting is called the meeting must be abandoned.

45.3 All members of the committee must be physically present to participate in the meeting except Executive meetings, where Executive Officers may attend the meeting through a live telecommunications link provided that they can:

45.3.1 Hear the entire debate and motions.

45.3.2 Contribute to the meeting by speaking, putting motions and voting.

45.3.3 Have full access to any materials placed before the meeting.

45.4 If at any time any meeting loses its quorum the Chair must adjourn the meeting.

45.5 Any member of the committee may call for a quorum count at any time, unless the meeting is in the process of voting.

46 Strangers

46.1 All members of the Association are entitled to be at all meetings of the Association.

46.2 A member of the student press is entitled to be at all meetings of the Association.

46.3 Those people present at a meeting who are not members of that meeting may only speak with leave of the meeting.

47 Chairperson

47.1 The Chairperson will conduct and maintain order in the meeting.

47.2 Any member of the committee called to order by the Chairperson must immediately cease to speak and must resume his or her seat unless permitted by the Chair to explain.

47.3 The Chairperson may not permit to be discussed and will rule out of order all matters that do not pertain to the question before the meeting.

47.4 The Chairperson will by ruling determine any matter, dispute or question as to order and procedure.

47.5 The Chairperson may by ruling grant leave, provided that no member of the committee objects to this.

48 Absence of Chairperson

48.1 In the event of the Chair of a meeting not being present or being removed from the chair due to a motion of no confidence, a new Chairperson must be elected immediately.

48.2 The election of a Chairperson will take precedence over all other motions and business.

- 48.3 No person will move a motion of no confidence in the Chair more than once in any meeting.
- 48.4 If the Chairperson is stepping down to speak to a motion, or to avoid a conflict of interest, they may, if no member objects, appoint a Chairperson from the meeting to replace them. In all other instances an election must be held. The procedure is as follows:
- 48.4.1 The Secretary of the meeting will call for nominations by members of the meeting.
- 48.4.2 All persons nominated and seconded are permitted to address the meeting for no longer than two minutes.
- 48.4.3 The Secretary will then call for votes from all members present for all candidates.
- 48.4.4 The candidate with the greatest number of votes will assume the Chair, and the meeting will resume.
- 48.4.5 A new Chairperson will be considered to be so for that meeting only, and the Chair will return to the usual Chairperson of the meeting for subsequent meetings.

49 Motions

- 49.1 Only one motion may be placed before the meeting at a time, except as otherwise provided by the Standing Orders.
- 49.2 When a substantive motion has been lost, a motion the same in substance may not be moved at the same meeting without leave.
- 49.3 Substantive Motions
- 49.3.1 A substantive motion is any motion that is not a procedural motion.
- 49.4 Procedural Motions
- 49.4.1 A procedural motion is any motion that affects the process of the meeting.
- 49.4.2 A procedural motion may be put to the meeting while there is a substantive motion on the floor, and the procedural motion

must be resolved before the meeting can return to the substantive motion.

- 49.4.3 A procedural motion may not be put to the meeting while a person is speaking.
 - 49.4.4 No procedural motion may be moved or seconded by the mover or seconder of a substantive motion currently before the meeting.
 - 49.4.5 The Chairperson has the discretion to accept or reject a procedural motion, unless it challenges a ruling of the Chair, or is a motion of no confidence in the Chair.
 - 49.4.6 Only the mover of a procedural motion and the Chairperson may speak to the motion.
 - 49.4.7 A motion to move to the next business if passed will cause the substantive motion to lapse.
 - 49.4.8 A motion that "the motion now be put" if passed will cause the substantive motion to be immediately put to the meeting.
 - 49.4.9 A motion challenging the ruling of the Chair if passed will cause the Chair to accept the ruling of the meeting.
 - 49.4.10 A motion of no confidence in the Chair if passed will cause the Chairperson to vacate the chair, and a new Chair elected.
 - 49.4.11 A motion altering the order of business if passed will cause the new order of business to be as outlined in the motion.
- 49.5 Committee
- 49.5.1 A motion to move into committee is a procedural motion.
 - 49.5.2 A meeting may only move into committee for reasons of confidentiality or commercial sensitivity of the likely content of discussion.
 - 49.5.3 A motion to move into committee must state the reasons for moving into committee.
 - 49.5.4 No motions may be moved or voted upon while in committee, except a motion to move out of committee.

- 49.5.5 While in “committee of the whole” discussion must be held in confidence, and must not be discussed outside of committee.
- 49.5.6 While in “strict committee” all persons who are not members of the committee must leave the room. In addition, the conditions of “committee of the whole” apply.

- 49.6 Notice of Motion
 - 48.6.1 Except where otherwise provided by the Rules any motion may be moved without notice.
 - 48.6.2 Any notice of motion lapses if the mover and seconder when called for at the meeting by the Chairperson do not present the motion.

- 49.7 Withdrawal of Motion
 - 49.7.1 When any motion has been moved and seconded it may not be withdrawn except with leave of the meeting and with the consent of the mover and seconder.
 - 49.7.2 When a motion has been withdrawn, it may be again moved at the same or any subsequent meeting.
 - 49.7.3 Any motion requiring notice that is withdrawn will require notice to be moved again.

- 49.8 Amendments to motions
- 49.9 The Chairperson may rule that a complicated motion be put to the meeting in parts and then may do so.
- 49.10 At any time during the debate or discussion on a motion, an amendment to that motion may be moved, providing:
 - 49.10.1 That the Chairperson does not rule the amendment unreasonable.
 - 49.10.2 That the amendment does not constitute a direct negative of the motion.

- 49.10.3 That only one amendment may be before the meeting at any one time.
 - 49.10.4 That no amendment may be moved to a procedural motion, except with leave.
 - 49.10.5 Following the moving and seconding of an amendment, that amendment will be discussed and then voted upon as in Section 41 above.
 - 49.10.6 If an amendment is passed, the amendment becomes the new motion, and this new motion will be dealt with as if it were the original motion.
- 49.30 If an amendment fails to pass, the original motion continues.

50 Debate

- 50.1 Any member of the committee may speak to a motion.
- 50.2 No member may speak to a motion for longer than five (5) minutes except with leave.
- 50.3 No member may speak to a motion more than once, except for:
 - 50.3.1 The mover of a substantive motion who may speak to a motion when moving it, and then have a right of reply at the conclusion of the debate, except when there is no further debate, in which case the mover will be entitled to speak only once.
 - 50.3.2 The seconding of a motion which is not to be considered as speaking to it.
 - 50.3.3 The Chairperson who may permit any members who have spoken to explain themselves in regard to any part of their speech, or to answer questions from other members.
- 50.4 No member may speak to a procedural motion, except as provided by these Orders.
- 50.5 The Chairperson may speak to a motion only in order to make a personal explanation or an explanation as to the matter under debate.
- 50.6 A Chairperson wishing to take part in any debate must first leave the Chair, and cease to be the Chairperson until the motion currently before

the meeting has been resolved. In the interim another Chairperson must be elected.

51 Breaches of Order

- 51.1 The Chairperson may at any time during a meeting rule that any named member of the committee is or has been guilty of a breach of order.
- 51.2 If the Chairperson rules that any named member is or has been guilty of a breach of order, they must then move a motion immediately over any other motion except a motion of no confidence in the Chair, asking that:
 - 51.2.1 No further notice be taken of the breach;
 - 51.2.2 The member named be asked to apologise; or;
 - 51.2.3 The member named be expelled from the meeting for a specified time, or until an apology is offered to the meeting.

52 Voting

- 52.1 When any discussion on a motion is concluded, or when a motion "that the motion now be put" passes, the Chairperson must put the motion to the meeting.
- 52.2 The Chairperson must call upon all members present to vote for or against a motion by declaring "aye" or "nay". If the vote is close, or if any member requests it, then the Chairperson must call for a hand count of votes for and against.
- 52.3 All members have, and are entitled to exercise, one vote.
- 52.4 In voting, members must not cajole, threaten, bribe, vote in place of other members, or otherwise interfere with the democratic process.
- 52.5 Those members who do not vote are not to be considered to be part of the meeting for the purpose of determining the total number of votes cast, but can be considered to be part of the meeting for the purposes of quorum.
- 52.6 The Chairperson will declare a motion carried or lost, depending upon the required number of votes according to the Voting Schedule.

- 52.7 A motion carried takes effect immediately, unless otherwise stated in the motion.
- 52.8 The Chairperson has no vote, unless the vote on a motion is evenly tied, in which case the Chairperson must exercise a casting vote.
- 52.9 Where an error or confusion arises in connection with any vote, the Chairperson must rule that another vote be taken and this later vote overrides any earlier votes called for.
- 52.10 The Secretary of the meeting will not record the names of those voting for or against any motion unless any member specifically requests his or her vote to be recorded.

53 Voting Schedule

- 53.1 Except where noted, all motions require positive votes of at least half of the total number of members voting.
- 53.2 Motions seeking leave, of no confidence and amending or rescinding these Rules require a positive vote of at least two-thirds (2/3) of the total number of members voting.

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