

Constitution of Burton and Garran Members' Association 1994

1. NAME

The body established by this Constitution shall be called the Burton and Garran Members' Association, hereafter referred to as BAGMA.

2. OBJECTS

The objects of BAGMA shall be to promote and control all sporting and social activities of its members and generally to exercise, administer and control the activities of common concern to its members.

3. MEMBERSHIP

(a) There shall be two classes of membership:

- (1) Resident Members
- (2) Non-resident Members

(b) All members of Burton and Garran Hall in permanent residence shall be Resident Members of BAGMA.

(c) (1) All persons who have previously been a resident member of Burton and Garran Hall shall, upon payment of a subscription determined by a General Meeting of BAGMA, be accepted as a non-resident member of BAGMA

- (2) Non-resident Members shall be entitled to:
- (i) Accommodation at rates normally applicable to Resident Members.
 - (ii) Attendance at BAGMA functions at rates applicable Resident Members.
 - (iii) Use of facilities available to Resident Members.
 - (iv) Full rights of members at meetings of BAGMA.

4. SUBSCRIPTION

(1) All Resident Members shall pay within four (4) weeks of coming into residence an annual subscription to be used by the BAGMA Committee for the purposes of BAGMA.

(2) Non-resident Members shall pay the annual subscription before being accepted as a non-resident member.

(3) The amount of the annual subscription shall be determined by a General Meeting of BAGMA from time to time provided that a two-thirds majority of those present and voting is in favour of any change in the annual subscription.

(4) Unless a General Meeting determines otherwise, the annual subscription payable by a non-resident member shall be the same as the annual subscription for a resident member.

5. THE COMMITTEE

(1) Any person who is a resident member of BAGMA is eligible to be a member of the BAGMA Committee, hereafter referred to as the "Committee".

(2) The Committee shall consist of the President, Vice-President, Secretary, Treasurer, 2 General Representatives, 2 Male Sports Representatives, 2 Female Sports Representatives, an International Students Representative and a First Year Representative, who shall be in the first year of his/her study at University.

(3) The Committee shall hold office from the conclusion of the final exam period of one year to the conclusion of the final exam period of the next.

(4) If any member of the Committee

- (a) ceases to be a resident member; or
- (b) in writing signed by him/her directed to the Secretary, or in the case of the Secretary, to the President, resigns his/her office as a member of the Committee

his/her office as a member of the Committee shall become vacant.

(5) (a) Subject to section 5(5)(ii) of this Constitution, a position becoming vacant shall be filled by means of a by-election in the manner prescribed by section 11 of this Constitution.

(b) In the final teaching period, the position shall remain vacant.

(6) (a) The President shall chair General Meetings and Committee Meetings, represent and act as spokesperson of BAGMA and co-ordinate the activities of the Committee.

(b) The Vice-President shall carry out the functions of the President at such times as the President is unable to do so.

(c) The Secretary shall deal with the correspondence of BAGMA, keep account thereof and be responsible for all minutes relating to BAGMA and the BAGMA Committee and shall make such minutes and correspondence available to any member of BAGMA for perusal at any reasonable time. The Secretary shall also post on the BAGMA Notice board minutes of both General Meetings and Committee meetings within 72 hours of such meetings.

(7) Committee Meetings shall be held at the discretion of the President and at least three times per teaching period, with the provision that the Secretary shall call a Special Committee Meeting upon receipt of a written request signed by at least 25 members of BAGMA or 4 members of the Committee. Such meetings shall be advertised on the BAGMA notice board as soon as such a meeting is called.

(8) Committee meetings shall at all times be open to all members of BAGMA, such members so attending having speaking rights, but no voting or moving rights.

(9) No member of BAGMA may hold more than one Committee position concurrently.

(10) The Committee may delegate to a member of the Committee, or to a sub-Committee, or appoint any person as an agent to organise and functions for BAGMA. A delegation so made shall not be inconsistent with the powers of the Committee as described in section 6 of this Constitution.

(11) Any conflict which may occur between the Committee and a sub-Committee or a delegate of the Committee shall be resolved at a joint meeting of the Committee and the sub-Committee or delegate. If such conflict is not so resolved, it shall be resolved at a General Meeting within 10 days.

6. FUNCTIONS OF THE COMMITTEE

The functions of the Committee are:

- (1) To conduct the day-to-day activities of BAGMA.
- (2) To afford a recognised means of communication between BAGMA and the Warden.
- (3) To promote the social life of the members of BAGMA.
- (4) To represent the members in matters affecting their interest.
- (5) To organise general gatherings of members.

7. FINANCES

(1) The Treasurer shall be responsible to the Committee and BAGMA for all financial matters concerning BAGMA.

(2) The Treasurer shall receive all moneys payable to BAGMA and be responsible for issuing receipts and for making such payments as may be necessary subject to the provisions of this section

(a) The Treasurer shall not pay any sum in excess of \$200 in cash without the authority of any one of the President, Vice-President or Secretary having previously been obtained.

(b) The Treasurer shall at the first convenient opportunity lodge all moneys belonging to BAGMA to the credit of the BAGMA bank account.

(3) The Treasurer shall keep an accurate account of all receipts and payments in a ledger which shall be available at any Committee Meeting, and he/she shall be liable to account at any time for any moneys received by him/her.

(4) The Treasurer shall table the account book to each General Meeting and may be called upon to submit a full report on the current financial state of BAGMA to either a General Meeting or Committee meeting provided that he/she has been given at least 4 days notice.

(5) (a) The account of BAGMA shall be operated by cheque bearing the signature of any two of the President, Vice-President, Treasurer and Secretary.

(b) The Committee members who are from time to time the signatories to the BAGMA accounts shall be deemed as the trustees of BAGMA.

(c) The property and money of BAGMA are vested jointly in the trustees for the benefit and use of BAGMA.

(6) The Treasurer shall prepare and have presented at the next Annual General Meeting a statement of receipts and expenditure and a financial report for the year immediately preceding the Annual General Meeting.

(7) (a) A Committee member or agent of BAGMA is not liable to the BAGMA

- (i) for any act or omission of another Committee member or agent; or
(ii) for any loss or expense incurred by BAGMA unless the loss or expense resulted from his/her own act or default.

(b) BAGMA shall indemnify all Committee members and agents against all losses or expenses incurred in the performance of their functions and duties as officers or agents of BAGMA.

(8) No transaction shall be made in excess of \$500 without the approval of the BAGMA Committee.

8. GENERAL MEETINGS

(1) (a) The Secretary, upon the direction of the Committee, shall give 7 days notice of the holding of a General Meeting, by posting a notice to that effect, and shall post a copy of the agenda on the BAGMA notice board at least 2 full days before such meeting.

(b) If the Secretary is not in residence, the President or Vice-President shall give notice of such a meeting.

(c) In cases of emergency, as determined by the Committee, 24 hours notice of a General Meeting shall be sufficient.

(2) In the absence of the President, the Vice-President shall chair the General Meeting, provided that if neither of the above officers are present, the Secretary shall chair the meeting. If none of the above are present, the meeting shall elect one of its number to be chair the meeting.

(3) (a) A quorum at a General Meeting shall consist of not less than 50 members of BAGMA.

(b) A General Meeting shall lapse unless a quorum be present within 30 minutes of the time for which the meeting was called. A vote at any meeting shall not be taken unless a quorum is present.

(c) Where a General Meeting has lapsed, a further meeting to consider the same agenda shall be called by the Secretary within 10 days and at such meeting, all those present shall constitute a quorum.

(4) All members shall be eligible to vote upon all motions before the General Meeting. The Chairperson shall have a deliberative but not a casting vote.

(5) A General Meeting shall have the power to remove any Committee member from office provided that two thirds of those present vote in the affirmative.

(6) There shall be at least 6 General Meetings each year, as follows:

- (a) in the first teaching period – two meetings
- (b) in the second teaching period – one meeting
- (c) in the third teaching period – two meetings
- (d) in the fourth teaching period – one meeting

(7) A Special General Meeting shall be called by the Committee

- (a) at its own discretion; or
- (b) upon receipt of a written request signed by no fewer than 25 members, and such meeting shall be convened by the Secretary within 10 days of receipt of the request.

(8) A General Meeting must first consider the business set out on the agenda.

(9) If a vote at any General Meeting is tied, the motion is defeated.

9. ANNUAL GENERAL MEETINGS

(1) The Annual General Meeting shall be held in the final teaching period, after Valette Ball.

(2) Notice shall be given in the manner prescribed for General Meetings.

(3) Regulations governing General Meetings shall apply to the Annual General Meeting.

10. CONDUCT OF MEETINGS AND STANDING ORDERS.

(1) A General Meeting shall be of no longer duration than 3 hours at one sitting, provided that a two-thirds majority of those present and voting may authorise an extension.

(2) The Chairperson shall be heard in silence and without interruption and when he/she rises all debate and discussion shall cease.

(3) If the Chairperson wishes to enter into debate, he/she shall vacate the Chair and appoint another member to be Chairperson.

(4) The Chairperson shall maintain order and may at any time adjourn for such a period as he/she thinks fit, a meeting which in his/her opinion has become disorderly.

(5) The Chairperson shall, subject to the dissent of a General Meeting:

(a) reject any motion which is inconsistent with this Constitution and the regulations

(b) interpret the Constitution and the regulations

(c) interpret procedural matters not dealt with in this Constitution

(6) When two or more members indicate their desire to speak, the Chairperson shall call upon the member who, in his/her opinion, first indicated such intention.

(7) (a) All discussion shall be directed through the Chairperson in a courteous manner.

(b) No member shall use offensive or objectionable language.

(c) The Chairperson may, subject to the dissent of the meeting, suspend from the meeting for such period as he/she thinks fit, a member who contravenes the provisions of this section.

(8) A motion or amendment not seconded shall not be discussed or recorded in the minutes.

(9) The motion or amendment under discussion may be amended by the addition, substitution or deletion of words. An amendment which negates the motion or amendment under discussion is not permissible.

(10) (a) A motion may be foreshadowed at any time.

(b) A foreshadowed motion or amendment shall be considered when the previous motion or amendment has been decided.

(c) Discussion of a motion or amendment may be carried on in light of a foreshadowed motion or amendment.

(11) Short, relevant questions may be asked of any Committee Member at the General Meeting.

(12) Explanations may be allowed at the discretion of the Chairperson.

(13) No member shall interrupt another while he/she is speaking, except to a point of order or to move that the speaker no longer be heard.

(14) (a) A member may at any time raise a point of order. The member raising a point of order shall state it briefly, whereupon the Chairperson, without further discussion, shall give his/her ruling.

(b) A speaker called to order shall cease speaking until the point of order is decided.

(c) A point of order may be raised with regard to any irregularity in proceedings.

(15) A motion may be stood over until the next General Meeting by a motion "that the motion lie on the table" being carried.

(16) (a) If a motion "that the question be now put" is carried, the motion or amendment before the meeting shall be put immediately, without debate or amendment, provided that the mover of the motion or amendment shall have a right of reply.

(b) The closure shall not be moved while a member is speaking and shall require a two-thirds majority of those voting.

(17) If a motion "that strict order of debate be followed" is carried, no member may, without the permission of the Chairperson, speak more than once to any motion or amendment under discussion, provided that the mover of the motion or amendment shall have a right of reply.

(18) In the event of a motion being moved dissenting from the ruling of the Chairperson, the Chairperson shall vacate the Chair. The member dissenting may state concisely within two minutes the reasons for his ruling and the motion shall be put immediately. A two-thirds majority of those present and voting is required for the motion to be carried.

(19) The following motions shall be put without debate:

- (a) "That the question be now put."
- (b) "That strict order of debate be followed"
- (c) "That the speaker be no longer heard" (except that this motion shall not be moved when a speaker is exercising his/her right of reply)
- (d) "That an extension of time be given"

(20) All motions of a procedural nature, other than those referred to in the Standing Orders above, may be heard.

(21) (a) A motion or amendment may be amended or withdrawn by the mover with the consent of the seconder.

(b) A motion may be withdrawn by the mover without the consent of the seconder, but the seconder has primary option to move the motion again.

(22) Except where otherwise stated, a motion shall only require a simple majority of those voting to be carried.

(23) Votes shall be taken in the first instance by voice or by a show of hands at the Chairperson's discretion, provided that a secret ballot shall be held if the Chairperson is requested to do so by at least 20 members.

(24) The Chairperson may, and at the request of 10 members shall, make a recount of votes but only two recounts may be made unless the General Meeting otherwise determines.

(25) A member may, unless the vote was taken by secret ballot, have recorded in the minutes the fact that he voted for or against or abstained from voting on a motion.

(26) A non-member may, with the consent of the meeting, address the meeting.

(27) No member shall speak for longer than 5 minutes, provided that an extension of time not exceeding 5 minutes may be granted provided a two-thirds majority of those present and voting is obtained.

(28) The General Meeting may, by a two-thirds majority of those present and voting, suspend the operation of any standing order.

11. ELECTIONS AND BY-ELECTIONS

(1) The Committee shall determine the date of the annual election, election for First Year Representative and by-elections, subject to this Constitution. The members of the Committee shall be elected by the members of BAGMA in the manner prescribed below.

(2) The BAGMA Committee shall appoint a returning officer who shall be a member of BAGMA not standing for election. The Returning Officer shall have full discretion regarding conduct of the election except as otherwise provided by this Constitution.

(3) Nominations for the positions of Vice-President, Secretary, Treasurer, 2 General Representatives, 2 Male Sports Representatives, 2 Female Sports Representatives, 2 Interhall Representatives, International Students Representative, shall be opened ten days prior to the election, and shall be submitted in writing to the Returning Officer.

(4) (i) The President of BAGMA shall not concurrently hold an appointment as Senior Resident during the academic year for which he/she is President, subject to subsection (ii).

(ii) A member who has been appointed as a Senior Resident for the forthcoming year may stand for the position of President, provided that he/she resigns from the Senior Resident position within twenty-four hours of winning the election.

(5) Nominations for the position of First Year Representative shall be submitted to the Returning Officer during the third week of first teaching period. An election for the position of First Year Representative and any other outstanding committee positions will then be held subject to this section.

(6) A member of BAGMA standing for the position of President, Vice-President, Secretary or Treasurer may also stand for a non-executive position, provided that, if the member is elected to the Executive position, he/she shall not also be elected to the non-Executive position.

(7) Nominations shall be signed by the proposer, seconder and by the nominee, all of whom shall be Resident Members of BAGMA.

(8) The Returning Officer shall place details of the nominations on the BAGMA Notice board at the close of the nominations.

(9) The election shall be held between 6.00 p.m. to 9.00 p.m. on the second full day following the close of nominations.

(10) All Resident Members shall be entitled to vote at the annual elections.

(11) Only those members who are in their first year of University study are eligible to vote in the election for First Year Representative.

(12) The Warden(s) shall not hold a position on the Committee.

(13) Voting shall be by secret ballot by the Hare-Clark system of voting. A tie in the voting for a position on the Committee shall be resolved by an appropriate vote at a General Meeting to decide between those concerned.

(14) The result of the elections shall be declared and posted by the Returning Officer as soon as possible, including voting figures.

(15) By-elections shall be according to the procedure specified for the annual elections.

(16) In the event of a by-election, the committee shall appoint a member of BAGMA not standing for election to act as the Returning Officer for the purposes of the by-election.

(17) The Returning Officer shall give a report to the next general meeting of BAGMA.

(18) (a) Any complaints as to the validity of the whole or any part of the elections must be handed in writing to the Secretary of BAGMA before the declaration of the poll at the General Meeting.

(b) Such complaints shall be disclosed to the meeting by the Secretary before the declaration of the poll and the General Meeting shall refer any such complaints to a Committee of Disputed Returns.

(c) Where any complaints are required under the proceeding subsection to be referred to a Committee of Disputed Returns, the General Meeting shall elect three (3) members to form the said committee. No member who stood as a candidate, been the nominee of any candidate or acted as Returning Officer shall be eligible for election to the Committee.

(d) The Committee shall investigate the complaints referred to it, and may hear oral or written evidence and submissions from such persons as may, in the Committee's opinion, assist in the deliberations of the Committee. The Committee shall submit a report to the next General Meeting, but the Committee's decision shall be final.

(e) The poll shall not be declared in a part of an election so questioned until the Committee of Disputed Returns has made a decision on the validity of the complaints.

(19) The ballot papers shall be kept by the Returning Officer in a secure place until instructed by a general meeting to destroy the ballot papers.

(20) Candidates may appoint one scrutineer to observe the counting of the votes.

12. PROVISION FOR AMENDMENT

(1) This Constitution may be added to, repealed in whole or in part, or amended, only by the passing of a motion duly notified as in section 12(b) below.

(2) The text of any amendment to the Constitution must be posted on the BAGMA noticeboard at least four (4) days before the General Meeting at which it is to be considered, and also to be presented to the Warden at any time beforehand.

(3) An Amendment to the Constitution shall require a two-thirds majority of those present and voting at the meeting.

13. BREACHES OF THE CONSTITUTION

Any member of BAGMA may be removed from office by a two-thirds vote of a General Meeting if, in the opinion of the General Meeting, he/she wilfully commits a breach of this Constitution.

14. SUB-COMMITTEES

(1) Subject to this Constitution, a General Meeting may elect such Committees as it thinks necessary to consider particular matters of interest to BAGMA.

(2) Recommendations made by a Committee elected under sub-section (1) shall be considered at a General Meeting.

(3) A Committee elected under sub-section (1) shall have access to any information in the possession of the BAGMA Committee that is relevant to the matter to be considered by the sub-Committee.

15. COPIES OF CONSTITUTION

(1) A copy of this Constitution, as amended from time to time, shall be stored in the Burton and Garran Hall Library, and with the Warden.

(2) A copy of this Constitution shall be provided, by the Secretary, to any member who so requests.

16. DISSOLUTION

(1) BAGMA shall not be dissolved except by a resolution passed in accordance with this section at a General Meeting convened for that purpose.

(2) A resolution dissolving BAGMA is of no effect unless the resolution is passed by not less than three quarters of those present and voting.

(3) If BAGMA is dissolved, the property of BAGMA shall be realised and any money remaining after all the liabilities of the Association have been discharged shall be divided among the members, in such manner as is resolved by such of those members present at the meeting at which the resolution of dissolution was passed.