

# Governance (Student Representation) Rule 2007 No. 4

## Division 1 Introduction

### 1 Name of Rule

(1) This Rule is the Governance (Student Representation) Rule 2007 No. 4.

### 2 Commencement

(2) This Rule commences on 17 April 2007.

### 3 Purpose

(3) This Rule is enacted to support approved Student Representative Committees and to confer on those bodies certain functions. These committees include:

- a. Albury-Wodonga Student Representative Committee;
- b. Dubbo Student Representative Committee;
- c. Goulburn Student Representative Sub-Committee (which shall be a sub-committee of the Wagga Wagga Student Representative Committee);
- d. Bathurst (Mitchell) Student Representative Committee;
- e. Orange Student Representative Committee;
- f. Port Macquarie Student Representative Committee;
- g. Wagga Wagga Student Representative Committee;
- h. Online Study Student Representative Committee;
- i. Melbourne Study Group Student Representative Sub-Committee (which shall be a sub-committee of the Albury-Wodonga Student Representative Committee); and
- j. Sydney Study Group Student Representative Sub-Committee (which shall be a sub-committee of the Bathurst (Mitchell) Student Representative Committee).

### 4 Authority

(4) This Rule is made pursuant to authority granted to the University Council under clause 4 of Schedule 1 of the [Charles Sturt University Act 1989 No 76](#), section 20 and 32 of the Act.

### 5 Glossary

(5) In this Rule, unless the contrary intention appears:

- a. Academic Senate - means the Academic Senate of the University established under section 16 of the Act.
- b. Act - means the [Charles Sturt University Act 1989](#).
- c. By-law - means the [Charles Sturt University By-law 2005](#).
- d. Casual vacancy in an office - means a vacancy that occurs in that office otherwise than because of the expiration of the term of office of the person holding the office.

- e. Executive Leadership Team (ELT) - means persons appointed to assist the Vice-Chancellor in the day to day management of the University.
- f. Foresighting Committee - means the Foresighting Committee established by the University Council.
- g. Close of nominations (in relation to an election) - means the date and time determined by the Returning Officer by which nominations must be received by the Returning Officer for the election.
- h. Close of the ballot (in relation to an election) - means the date and time determined by the Returning Officer by which ballots must be received by the returning officer for the election.
- i. CPI - means the All Groups Consumer Price Index applicable to Sydney kept by the Commonwealth Statistician.
- j. Dispute Resolution Panel - means the Dispute Resolution Panel established under section 78.
- k. Chief Financial Officer - means the person occupying the position of Chief Financial Officer, from time to time (or such successor position as may be created by the University) and, in relation to a particular function of the Chief Financial Officer, includes a person or persons appointed by the Chief Financial Officer who is authorised or directed by the Chief Financial Officer to exercise that function.
- l. Executive Director, Student Success - means the person occupying the position of Executive Director, Student Success, who leads the Division of Student Success, from time to time (or such successor position as may be created by the University) and, in relation to a particular function of the Executive Director, Student Success, includes a person or persons appointed by the Executive Director, Student Success who is authorised or directed by the Executive Director, Student Success to exercise that function.
- m. Manager, Student Connection, Division of Student Success means the person occupying the position of Manager, Student Connection, Division of Student Success from time to time (or such successor position as may be created by the University) and, in relation to a particular function of the Manager, Student Connection, includes a person or persons appointed by the Executive Director, Student Success, who is authorised or directed by the Executive Director, Student Success to exercise that function.
- n. Former Student Association - means:
  - i. Rivcoll Union Incorporated (ABN 53 342 436 133);
  - ii. Charles Sturt University Students Association Bathurst Inc. also known as Mitchell Association of Student Councils Inc. (ABN 78 646 919 899);
  - iii. Charles Sturt University Murray Campus Student Association Inc also known as Charles Sturt University Student Association Albury-Wodonga (ABN 13 734 286 813);
  - iv. Dubbo Students Association of Charles Sturt University Inc. (ABN 48 262 975 526);
  - v. Orange Student Association (ABN 66 759 017 145).
- o. Notice - means notice in writing.
- p. Polling week - means all elections will be conducted on-line for all Student Representative Committee's on the same date in August giving two weeks for nominations. If the ballot is required, it is to be scheduled for two weeks after close of nominations.
  - i. in the case of an election conducted by postal ballot-the close of the ballot, and
  - ii. in the case of an on-campus election-the date on which the ballot is held as determined by the returning officer.
- q. Returning Officer - means a person appointed by the Executive Director, Student Success to the position of Returning Officer under this Rule from time to time and, in relation to a particular function of the Returning Officer, includes a deputy Returning Officer, poll officer or other person who is authorised or directed by the Returning Officer to exercise that function.
- r. Student Representative Committee - means the Student Representative Committees established under section 7.
- s. Student Senate - means the committee established under section 17.
- t. Student Representation and Clubs Officer - means the person occupying the position of Student Representation and Clubs Officer, from time to time (or such successor position as may be created by the University) and, in

relation to a particular function of the Student Representation and Clubs Officer, includes a person or persons appointed by the Executive Director, Student Success, who is authorised or directed by the Executive Director, Student Success to exercise that function.

- u. University Council - means the University Council established under section 9 of the Act.
- v. University Secretary - means the Secretary to the University Council appointed under clause 19 of the By-law and, in relation to a particular function of the University Secretary, includes a person or persons appointed by the University Secretary who is authorised or directed by the University Secretary to exercise that function.
- w. Vice-Chancellor - means the person occupying the position of Vice-Chancellor of the University, from time to time and, in relation to a particular function of the Vice-Chancellor, includes a person or persons appointed by the Vice-Chancellor who is authorised or directed by the Vice-Chancellor to exercise that function.

## **6 Hyperlinks and Headings**

(6) Hyperlinks in the text of this Rule are for guidance only and do not form part of this Rule.

(7) Headings do not form part of this Rule.

## **Division 2 Student Representative Committees**

### **7 Establishment**

(8) The foundation members of this Governance Rule created in 2007 were:

- a. Albury-Wodonga Student Representative Committee;
- b. Mitchell Student Guild (now Bathurst (Mitchell) Student Representative Committee);
- c. Dubbo Student Representative Committee;
- d. Orange Student Representative Committee; and
- e. Rivcoll Student Representative Committee (now Wagga Wagga Student Representative Committee);

(9) Students studying at regional and international centres (as opposed to campuses) should be treated as part of a proximate campus for the purpose of student representative to ensure comparable treatment including, for example:

- a. Goulburn and Griffith with Wagga Wagga;
- b. Wangaratta and Melbourne with Albury-Wodonga;
- c. Sydney and Canberra with Bathurst; and
- d. Parkes with Orange.

(10) The Vice-Chancellor may establish such other Student Representative Committees or sub-committees from time to time with respect to campuses formally established by the University Council under section 6 of the Act and may determine the composition of the committee.

- a. Port Macquarie and Online Study were established as members by the University Council.

(11) Where a location ceases to be a campus of the University under section 6 of the Act, the Student Representative Committee established under clause 8 and 9 will cease to operate effective from that date.

## **8 Glossary**

(12) For the purpose of this Division campus student means:

- a. an on-campus student enrolled by the University at the campus for which a Student Representative Committee has been established under this Rule;

- b. a student studying at a third party facility by the University and deemed by the Director, Student Administration, from time to time, to be enrolled at the campus for which a Student Representative Committee has been established under this Rule; and
- c. an international student studying outside Australia and deemed by the Director, Student Administration, from time to time to be enrolled at the campus for which a Student Representative Committee has been established under this Rule.

(13) The Director, Student Administration, will publish on the website of the University from time to time a schedule of student enrolment locations for the purpose of this Rule setting out the deemed enrolment location of students.

## **9 Terms of Reference**

(14) The principal function of each of the Student Representative Committees, with respect to the campus for which the Student Representative Committee has been established under this Rule, is to:

- a. identify, advance and promote the interest of campus students and the University;
- b. promote the participation of campus students in, and the consideration of, matters affecting their interests;
- c. afford a recognised means of communication between the students and the academic and administrative arms of the University;
- d. support students; student representatives on University Committees, Schools and Faculty Boards; and clubs, societies and other student organisations and campus student bodies that have been granted affiliated status;
- e. prepare and administer the draft Annual Budget for the committee;
- f. monitor expenditure against the approved Annual Budget and the conduct of campus students and clubs, societies and other student organisations and campus student bodies that have been granted affiliated status and have received funding under the approved Annual Budget;
- g. publish, from time to time, a journal, newsletter, newspaper or other publications to communicate to campus students; and
- h. conduct events and activities for students and to occupy premises within the University for the purposes of selling liquor on the premises.

## **10 Membership**

(15) Each Student Representative Committee shall set their own membership identifying a minimum of nine to a maximum of 15. If a Student Representative Committee has less than four members financial responsibility goes back to the Student Senate Executive who will consider decisions made by that campus.

(16) A Student Representative Committee may, by resolution of a majority of members present, request the University Council to amend this Rule to change the number of members at any time in accordance with clause 15 of this Rule.

## **11 Term of Office**

(17) Subject to this Rule, one half of the members of each of the Student Representative Committees shall be elected every year for a term of two years ending at one minute to midnight on the last date in the second year following the commencement of the member's term of office.

(18) The date of commencement of a term under clause 17 shall be determined by the Returning Officer after consultation with the Student Representative Committee.

(19) Where a member is elected or appointed to fill a casual vacancy in the office of a member of the Student Representative Committee, the term of office shall be the balance of the term of office of the previous member.

## 12 Election of Chair

- (20) The Student Representative Committee shall elect from amongst its members a Chair and a Deputy Chair.
- (21) Notwithstanding the expiry of the term of office of the member, the term of office of the Chair and Deputy Chair shall not expire until the election of a new Chair and Deputy Chair in accordance with this Rule.
- (22) The Returning Officer may decide all matters relating to the procedure for the conduct of an election for the Chair and Deputy Chair under this Rule.
- (23) Each candidate for election is entitled to nominate one scrutineer to be present at the counting of any votes.
- (24) An election to fill a vacancy in the office of Chair or Deputy Chair is to be held (where practicable):
- a. in the case of a vacancy that arises because of the expiration of the term of office of the previous office holders - at the first scheduled meeting of the new Student Representative Committee after the election of new members; or
  - b. in the case of a casual vacancy - at an ordinary or special meeting within one month after the vacancy arises.
- (25) The Returning Officer must give to each member of the Student Representative Committee at least five working days notice of an election to fill a vacancy in the office of Chair or Deputy Chair.
- (26) A nomination for election as Chair or Deputy Chair:
- a. must be in writing,
  - b. must be signed by the nominee and one other member of the Student Representative Committee; and
  - c. must be delivered to the Returning Officer before the meeting of the Student Representative Committee at which the election is to be held.
- (27) The Returning Officer is to preside during any part of a meeting of the Student Representative Committee at which an election of the Chair or Deputy Chair is to be held.
- (28) No business other than the election of the Chair or Deputy Chair may be conducted at a meeting of the Student Representative Committee while the Returning Officer is presiding.
- (29) If there is only one nomination for election of the Chair or Deputy Chair, the Returning Officer must declare the nominated candidate to be elected.
- (30) If there are two or more nominations for election of the Chair and Deputy Chair, the Returning Officer must conduct a poll of members of the Student Representative Committee by secret ballot.
- (31) At a poll for the election of the Chair or Deputy Chair each member of the Student Representative Committee is entitled to cast a vote for one of the candidates only.
- (32) When the poll is finished, the Returning Officer must count the number of votes cast at the poll for each candidate.
- (33) If one candidate has received more votes than any other, the Returning Officer must declare that candidate to be elected.
- (34) If two or more candidates receive an equal number of votes cast at the poll and no other candidate receives more votes than those candidates, the Returning Officer must conduct a further poll.
- (35) A further poll under clause 34 is to be conducted by secret ballot.

(36) At a further poll each member of the Student Representative Committee is entitled to vote for one of the candidates who received an equal number of votes at the original poll.

(37) The Returning Officer must count the number of votes cast for each candidate at the further poll and, if one candidate has received more votes than any other, the Returning Officer must declare that candidate to be elected.

(38) If two or more candidates receive an equal number of votes cast at the further poll, and no other candidate receives more votes at the further poll, the Returning Officer must decide by lot which of the candidates with an equal number of votes is to be declared elected. For that purpose, the Returning Officer:

- a. must write the names of the candidates concerned on similar slips of paper;
- b. must fold the slips so as to prevent identification; and
- c. must mix the slips and draw one of them at random.

(39) The candidate whose name is drawn first following the procedure under clause 38 is to be declared elected.

(40) The election of the Chair is to be held first if both the Chair and the Deputy Chair are to be elected at the same meeting of the Student Representative Committee.

### **13 Conditions for holding office as Chair**

(41) It is a condition on which the Chair and the Deputy Chair each hold office that they retain the confidence of the Student Representative Committee.

(42) The Chair or the Deputy Chair (as the case may be) ceases to hold office as such if the Student Representative Committee resolves by resolutions passed by a majority of at least two thirds of the Student Representative Committee members present and entitled to vote that they do not have the confidence of the members.

(43) Upon the passing of a resolution of no confidence in accordance with clause 42, the office of the Chair or Deputy Chair (as the case may be) shall become vacant and the Returning Officer shall conduct an election for a new Chair or Deputy Chair (as the case may be) in accordance with this Rule.

### **14 Removal of member**

(44) The Student Representative Committee may remove a member from office for:

- a. conduct which brings the Student Representative Committee, the Student Senate, the University, the students or an associated student body in disrepute;
- b. disruptive or inappropriate behaviour at a meeting of the Student Representative Committee; and
- c. a breach of these Rules.

(45) The removal from office may be effected only at a meeting of the Student Representative Committee of which notice (including notice of the motion that the member concerned be removed from office specifying the reasons for the motion) was duly given.

(46) The removal from office may be effected only if the motion for removal is supported by at least a two thirds majority of the total number of members for the time being of the Student Representative Committee.

(47) The motion for removal must not be put to the vote of the meeting unless the member concerned has been given a reasonable opportunity to reply to the motion at the meeting, either orally or in writing.

(48) If the member to whom the motion for removal refers does not attend the meeting, a reasonable opportunity to reply to the motion is taken to have been given if notice of the meeting has been duly given.

## **15 Vacation of office**

(49) The office of a member of the Student Representative Committee becomes vacant if the member:

- a. dies;
- b. resigns the office in writing addressed to the Committee Secretary;
- c. is removed from office by the Student Representative Committee pursuant to section 14 of this Rule;
- d. is absent from three consecutive scheduled meetings of the Student Representative Committee of which reasonable notice has been given to the member personally or in the ordinary course of post or electronic communication; or
- e. ceases to be qualified for election.

(50) If the office of a member of the Student Representative Committee becomes vacant, a person shall be appointed or elected to fill the casual vacancy in accordance with this Rule.

## **16 General procedure**

(51) The procedure for the calling of meetings of the Student Representative Committee and for the conduct of business at those meetings shall be as set out in Division 5 of this Rule.

## **Division 3 Student Senate**

### **17 Establishment**

(52) There is a Charles Sturt University Student Senate.

### **18 Terms of Reference**

(53) The principal function of the Student Senate is to:

- a. identify, advance and promote the interest of all of the students of the University;
- b. promote the participation of students across the University in, and the consideration of, matters affecting their interests;
- c. consult with, and make representations to the Vice-Chancellor, Academic Senate and Senior Executive of the University on matters of interest or concern to the student body;
- d. support the effective operation of the Student Representative Committees;
- e. publish, from time to time, a journal, newsletter, newspaper or other publications to communicate to the students of the University;
- f. collate and forward the draft Annual Budgets from the Student Representative Committees and Student Senate for approval by the University Council;
- g. make recommendations on the allocation of income generated from the Student Special Funds Account for approval by the University Council;
- h. review and monitor the performance and administration of the approved Annual Budgets of the Student Representative Committees and Student Senate;
- i. ensure equity and fairness to all students of the University in decision making regardless of the category of student, mode of study or study location within the University;
- j. consult with the University on the development of rules, regulations, policies, procedures and guidelines relevant to the administration of funds and conduct of student activities;
- k. comply with, and ensure compliance with, the rules, regulations and policies of the University relevant to the administration of funds and conduct of activities;
- l. petition the Academic Senate on any matter affecting the teaching or discipline of the University;

- m. a member of the Student Senate must be appointed to the undergraduate student representative position on the Academic Senate;
- n. petition the Vice-Chancellor on any matter affecting the students other than a matter affecting the teaching or discipline of the University; and
- o. appoint students to the membership of University committees and bodies as required.

## **19 Membership**

(54) The Student Senate shall comprise two members from each of the Student Representative Committees appointed by resolution of the Student Representative Committee — for a term ending on the date on which the member's term as a member of the Student Representative Committee expires. The Student Representative Committees are required to appoint one alternate member to the Student Senate so full representation can be achieved at all meetings.

(55) Each member appointed by the Goulburn Student Representative Sub-Committee may appoint a member of the Student Senate as a proxy for the purpose of voting on motions of the Student Representative Committee. Notwithstanding any other provision of this Rule, a member appointed as a proxy may cast one vote in their own right and one vote on behalf of the member for whom they hold proxy.

(56) A document appointing a proxy under clause 55 must be in writing and signed by the relevant member and should direct the member appointed to exercise the proxy (hereafter the proxy) how to vote on each resolution on which the member is authorised as proxy to vote. Where a proxy is appointed in accordance with this clause, but a written direction is not made to the proxy with respect to a vote on a resolution, the proxy may vote as the proxy sees fit.

(57) A member will be deemed to have attended a meeting of the Student Representative Committee or the Student Senate where:

- a. the member is entitled to appoint a proxy under clause 55;
- b. the member appoints a proxy in accordance with clause 55; and
- c. the proxy attends the meeting in accordance with this Rule.

(58) If the undergraduate and postgraduate representative on the Academic Senate are not Student Representative Committee members of the Student Senate then they will become ex-officio members of the Student Senate.

## **20 Election of President and Deputy President**

(59) The Student Senate shall elect from amongst its members a President and a Deputy President.

(60) The term of office of the President and Deputy President shall expire upon the election of a new President or Deputy President, notwithstanding the expiry of the term of a member holding that office.

(61) The Returning Officer may decide all matters relating to the procedure for the conduct of an election for the President and Deputy President under this Rule.

(62) Subject to this Rule, a decision of the Returning Officer relating to an election under this Rule, including a decision relating to the eligibility of a candidate or a voter, the conduct of the election or the result of an election, is final.

(63) An election to fill a vacancy in the office of President or Deputy President is to be held (where practicable):

- a. in the case of a vacancy that arises because of the expiration of the term of office of the previous office holders - at the first scheduled meeting of the new Student Senate after the election of new members; or
- b. in the case of a casual vacancy - at an ordinary or special meeting within one month after the vacancy arises.



(64) The Returning Officer must give to each member of the Student Senate at least five working days notice of an election to fill a vacancy in the office of President or Deputy President.

(65) A nomination for election as President or Deputy President:

- a. must be in writing,
- b. must be signed by the nominee and one other member of the Student Senate; and
- c. must be delivered to the Returning Officer before the meeting of the Student Senate at which the election is to be held.

(66) The Returning Officer is to preside during any part of a meeting of the Student Senate at which an election of the President or Deputy President is to be held.

(67) No business other than the election of the President or Deputy President may be conducted at a meeting of the Student Senate while the Returning Officer is presiding.

(68) If there is only one nomination for election of the President or Deputy President, the Returning Officer must declare the nominated candidate to be elected.

(69) If there are two or more nominations for election of the President and Deputy President, the Returning Officer must conduct a poll of members of the Student Senate by secret ballot.

(70) At a poll for the election of the President or Deputy President each member of the Student Senate is entitled to cast a vote for one of the candidates only.

(71) When the poll is finished, the Returning Officer must count the number of votes cast at the poll for each candidate.

(72) If one candidate has received more votes than any other, the Returning Officer must declare that candidate to be elected.

(73) If two or more candidates receive an equal number of votes cast at the poll and no other candidate receives more votes than those candidates, the Returning Officer must conduct a further poll.

(74) A further poll under clause 73 is to be conducted by secret ballot.

(75) At a further poll each member of the Student Senate is entitled to vote for one of the candidates who received an equal number of votes at the original poll.

(76) The Returning Officer must count the number of votes cast for each candidate at the further poll and, if one candidate has received more votes than any other, the Returning Officer must declare that candidate to be elected.

(77) If two or more candidates receive an equal number of votes cast at the further poll, and no other candidate receives more votes at the further poll, the Returning Officer must decide by lot which of the candidates with an equal number of votes is to be declared elected. For that purpose, the Returning Officer:

- a. must write the names of the candidates concerned on similar slips of paper, and
- b. must fold the slips so as to prevent identification, and
- c. must mix the slips and draw one of them at random.

(78) The candidate whose name is drawn first following the procedure under clause 77 is to be declared elected.

(79) The election of the President is to be held first if both the President and the Deputy President are to be elected at

the same meeting of the Student Senate.

## **21 Conditions for holding office as President and Deputy President**

(80) It is a condition on which the President and the Deputy President each hold office that they retain the confidence of the Student Senate.

(81) The President or the Deputy President (as the case may be) ceases to hold office as such if the Student Senate resolves by resolutions passed by a majority of at least two thirds of members present and entitled to vote at a scheduled meeting that they do not have the confidence of Student Senate.

(82) Upon the passing of a resolution of no confidence in accordance with clause 81, the office of the President or Deputy President (as the case may be) shall become vacant and the Returning Officer shall conduct an election for a new President or Deputy President (as the case may be) in accordance with this Rule.

## **22 Role of President**

(83) The President is responsible for representing and promoting the interests of students to the University and the wider community.

(84) The President is also responsible for:

- a. providing leadership to the Student Senate;
- b. taking responsibility for the Student Senate's development and that of individual members,
- c. planning and conducting Student Senate meetings effectively;
- d. following up on actions or resolutions of the Student Senate;
- e. getting all members involved in the Student Senate's work;
- f. engaging the Student Senate in assessing and improving its performance;
- g. overseeing the induction and development of new members;
- h. liaising with the Vice-Chancellor and members of the Executive Leadership Team (ELT) (as the case may be) on material matters arising from the deliberations of the Student Senate including issuing invitations to members of the ELT of the University to attend meetings of the Student Senate at least twice per year;
- i. consulting with the University on the Annual Budget;
- j. consulting with the administrative staff responsible for day to day operation of the Annual Budget; and
- k. approving the agenda and minutes of the Student Senate.

(85) The President shall have a right to attend meetings of the University Council (except where the University Council meets in confidential session) and shall have the right to raise matters of interest to the student body.

## **23 Leave of the President**

(86) On application in writing to the appropriate Executive Dean of Faculty, the President of the Student Representative Committee may be granted leave of absence from a course for which they are enrolled.

(87) Notwithstanding any other Rule or regulation of the University, the President of the Student Senate shall be deemed to be an enrolled student of the University during any period of leave of absence granted under clause 86.

## **24 Vacation of office**

(88) The office of a member of the Student Senate becomes vacant if the member ceases to be a member of the Student Representative Committee.

(89) Where a member's office becomes vacant under clause 88 and the member also holds the office of President or

Deputy President, the member ceases to hold that office as the case may be upon ceasing to be a member of the Student Representative Committee.

(90) Where the office of a member of the Student Senate becomes vacant, the Student Representative Committee shall appoint a member to replace the previous member for the remainder of the term of the previous member.

## **25 Advisory Sub-Committees**

(91) The Student Senate may establish advisory sub-committees to assist it in connection with the exercise of any of its functions.

(92) It is not necessary that members of advisory sub-committee be members of the Student Senate or Student Representative Committees.

(93) The procedure for the calling of meetings of an advisory sub-committee and for the conduct of business at those meetings shall be as determined by the Student Senate.

## **26 General meeting procedure**

(94) The procedure for the calling of meetings of the Student Senate and for the conduct of business at those meetings are set out in Division 5 of this Rule.

## **Division 4 Election to the Student Representative Committee**

### **27 Operation of Division**

(95) This Division sets out the method of the election of members of the Student Representative Committee.

### **28 How election is to be conducted**

(96) An election is to be conducted by secret ballot using the preferential system of voting as prescribed by this Division.

(97) Nomination as a candidate for election and voting in an election conducted under this Division is voluntary.

### **29 Returning Officer**

(98) Subject to this Rule, the Returning Officer may decide all matters relating to the procedure for the conduct of an election.

(99) A decision of the Returning Officer relating to an election, including a decision relating to the eligibility of a candidate or a voter, the conduct of the election or the result of an election, is final.

### **30 Rolls of electors**

(100) The Returning Officer is to prepare, at least one week before the close of nominations for an election, a SWRPOLC Banner report to determine active students for a Roll of Students for each campus of the University.

(101) A person is entitled to have their name entered on the Roll of Students for a particular campus if that person is enrolled at that campus as a candidate proceeding to an award.

- a. excludes online students.

(102) A person is not entitled to have their name and address entered on more than one Roll of Students at the same time.

(103) Where a person is eligible to have their name on more than one Roll of Students at the same time, the Returning Officer may record the name of the person on the roll that the Returning Officer determines, in their absolute discretion, is the most appropriate in the circumstances.

(104) The Returning Officer must remove from a Roll of Students the name and address of a person on being satisfied that the person is no longer eligible to have their name and address entered on that roll.

(105) The Returning Officer is to prepare election candidates profiles to be displayed on the Charles Sturt University web site before the on-line election ballot commences.

### **31 Determination of enrolment campus**

(106) On campus and mixed mode students can nominate and vote for the campus they are enrolled. Online students can only nominate and vote for the Online Student Representative Committee (not their enrolled campus).

(107) The campus location at which a student is deemed to be enrolled shall be determined by the Director, Student Administration, in accordance with ordinary University processes.

(108) For the purpose of an election under this Rule, a student shall not be eligible to vote, nominate or be a candidate in an election for more than one campus. A student enrolled in two or more courses of the University offered at different campuses will be deemed to be enrolled at the campus determined by the Director, Student Administration from time to time.

(109) For the purpose of an election under this Rule, a student enrolled in Goulburn, Melbourne or Sydney will only be eligible to vote, nominate or be a candidate in an election for the relevant Student Representative Committee Sub-Committee, and not the proximate campus Student Representative Committee that the sub-committee is linked to.

### **32 Qualifications for candidates and voters**

(110) The qualification for election and voting for a member of a Student Representative Committee are that the student's name is currently entered on a Roll of Students at the close of nominations for the election.

### **33 Timing of election**

(111) An election for the members of a Committee that arises because of the expiration of the term of office of the current members must be held at least one month before the term of office of the current members expire.

(112) An election for the members of a Committee that arises because of a casual vacancy in the office of an individual member must be held no later than one month after the vacancy arises.

### **34 Publication of notices**

(113) Where an election for membership of the Student Representative Committee is necessary, the Returning Officer must publish a notice on the website of the University and by electronic communication to each student.

(114) A notice referred to in clause 113 must:

- a. state that an election is necessary;
- b. specify the eligibility to vote and to nominate as a candidate for election,
- c. set out the number of vacancies to be filled;
- d. invite nominations for election;
- e. specify the form in which nominations are to be made; and
- f. prescribe the date and time by which nomination papers must be received by the Returning Officer.

(115) The notice may contain such other information relating to the election as the Returning Officer thinks fit.

### **35 Nomination of candidates for election**

(116) Subject to this Rule, the Returning Officer shall determine the form and method of nomination from time to time.

(117) There is to be a separate nomination for each person nominated.

(118) The Returning Officer must reject a nomination paper if the Returning Officer is satisfied that:

- a. it is not made in accordance with this clause;
- b. the person nominated is not eligible to be elected; or
- c. the nomination is not received by the date and time prescribed by the Returning Officer.

### **36 Procedure after close of nominations**

(119) The Returning Officer is to arrange on-line election. The process being:

- a. Returning Officer Student Senate – coordinates process with Returning Officers of each Student Representative Committee and the Communications Engagement Team;
- b. Student Representative Committee Returning Officer advise how many vacancies their Student Representative Committee has;
- c. Web team set up online nomination system for all Student Representative Committee's;
- d. Students receive email from their enrolled campus that nominations are open for their Student Representative Committee with a direct link to nominate themselves;
- e. Online Study Student Representative Committee receive notification based on study mode that nominations are open for their Student Representative Committee with a direct link to nominate themselves;
- f. Mix Mode students receive notification based on the predominate mode from which they study with a direct link to nominate themselves;
- g. Nominations open Session 2, Week 1, Wednesday and stay open for 2 weeks;
- h. Advertising will take place through appropriate channels:
  - i. Student Portal;
  - ii. Student Representative Committee publications;
  - iii. Social media channels;
  - iv. What's New; and
  - v. Posters.
- i. Once nominations have closed the Returning Officers check that all nominees are enrolled students and that they meet the eligibility requirements for the Student Representative Committee they have nominated for;
- j. The Returning Officer Student Senate will inform the Communications and Engagement Team which campuses require elections and an online voting form till be developed;
- k. Elections will take place 2 weeks after nominations have closed (Session 2, Week 5, Wednesday and stay open for 1 week);
- l. Students receive emails respective to their campus that elections are open for their Student Representative Committee with a direct link to the voting page;
- m. Elections will close Session 2, Week 6, Wednesday 10am. The Communications and Engagement Team will provide the voting data to the Returning Officer Student Senate;
- n. The Returning Officer Student Senate will provide results and distribute this information to the Student Representative Committee Returning Officers;
- o. Student Representative Committee Returning Officers will advise the nominees of the results; and

p. The Communications and Engagement Team will advise all students through email.

### **37 How the ballot is to be completed**

(120) An elector must cast a vote by placing the number "1" opposite the name of the candidate to whom the elector wishes to give the elector's first preference vote. The elector must then give contingent votes to the remaining candidates by placing the numbers "2", "3", "4" and so on, as the case requires, opposite the names of the other candidates so as to indicate unambiguously by numerical sequence the order of the elector's preference for those other candidates.

### **38 Votes not to be disclosed**

(121) A person must not in any way disclose or aid in disclosing the manner in which any voter has voted.

### **39 Withdrawal, death or ineligibility of candidate**

(122) If, before the close of nominations, a candidate withdraws their nomination, the candidate's name should be removed from the ballot (if practicable).

(123) If, before the declaration of the poll for an election, a candidate at the election dies, becomes no longer eligible for election or withdraws their nomination (and it was not practicable to remove the candidate's name from the ballot), the election is to proceed as if:

- a. the candidate had not been nominated for election;
- b. that candidate's name had not been included on the ballot; and
- c. any vote for that candidate had not been cast.

### **40 Procedure where no candidate nominates for election**

(124) If, at the close of nominations for an election, no candidates nominate for election or less candidates nominate than there are available positions, the Returning Officer may:

- a. extend the date for close of nominations and call for further nominations; or
- b. continue with the conduct of the election and declare those positions not filled to be a casual vacancy, in which case the provisions for filling a casual vacancy will apply.

### **41 Filling of casual vacancies after an election**

(125) After the exercise of the procedures in section 40, if there is a casual vacancy in the office of a member arising from less candidates nominating than available positions, the Returning Officer shall refer the matter to the first scheduled meeting of the new Student Representative Committee.

(126) The Student Representative Committee may, by resolution:

- a. request the Returning Officer to conduct a further poll for the vacant positions in accordance with the procedures set out in this Rule for elections; or
- b. appoint a person who is qualified to hold that office to hold the office of that member for the residue of the term.

### **42 Filling of casual vacancy during term**

(127) If there is a casual vacancy in the office of a member during the term of a Student Representative Committee the Returning Officer must, if that person consents, appoint the runner up in the most recent election for that position

to hold the office of that member for the residue of the term.

(128) If the office cannot be filled in accordance with clause 127 the Student Representative Committee must appoint a person who is qualified to hold that office to hold the office of that member for the residue of the term.

(129) In this clause runner up in an election means the person who, in the vote counting process at the election, was the last remaining candidate for election aside from the person or persons declared elected.

### **43 Electronic voting**

(130) The Returning Officer may conduct an election under this Division by electronic voting.

(131) Where the Returning Officer determines to conduct an election by electronic voting, the requirements set out in this Division apply only to the extent practicable to the conduct of an election by this method.

## **Division 5 Meeting Procedure**

### **44 Application**

(132) This Division applies to meetings of the Student Senate and Student Representative Committees.

(133) For the purpose of this Division, a reference to:

- a. Committee shall include the Student Representative Committee and Student Senate;
- b. Chair shall mean the President in respect of the Student Senate and the Chair in respect of the Student Representative Committees; and
- c. Deputy Chair shall mean the Deputy President in respect of the Student Senate and the Deputy Chair in respect of the Student Representative Committees.

### **45 Scheduled Meetings**

(134) The Committee shall hold at least four scheduled meetings each year at a time and date to be determined by resolution of the Committee.

### **46 Meeting timetable**

(135) The Committee will determine by resolution the time and date of meetings from time to time.

### **47 Quorum**

(136) At any meeting of the Committee, a majority of the total number of current representatives for the time being of the Committee constitutes a quorum.

### **48 Voting**

(137) Except as otherwise provided in this Rule, a resolution supported by a majority of the votes cast at a meeting of the Committee at which a quorum is present is the decision of the Committee.

### **49 Committee Secretary to be appointed**

(138) The committee shall appoint, by resolution, one of their members to be the Committee Secretary.

### **50 Committee Secretary to give notice of ordinary meetings**

(139) The Committee Secretary must (where practicable) send a notice of the date, time and place of each scheduled meeting to each member of a Committee, and the Executive Director, Student Success (or delegate), at least five

working days before the meeting in the form of an agenda.

(140) A Committee Secretary must call for agenda items from members of the Committee, and such persons with a right to audience and debate, at least 10 working days prior to the scheduled meeting.

(141) A notice under clause 139 may be sent to the electronic address provided by the member for that purpose.

(142) The agenda is to be accompanied by a copy of the business papers for the meeting and any relevant supporting documents.

(143) Notice of a meeting is not required to be given to a member where that member:

- a. has been given leave of absence by the Chair of the Committee; or
- b. is absent from Australia and has not provided the Committee Secretary with an electronic address at which that member may be given notice; or
- c. has not otherwise provided the Committee Secretary with an electronic address at which that member may be given notice.

## **51 Special meetings of the committee**

(144) The Committee Secretary must convene a special meeting of a committee for the consideration of urgent business on receipt of a written request to do so from:

- a. the Chair;
- b. at least three members of the Committee;
- c. the Executive Director, Student Success;
- d. the Vice-Chancellor.

(145) A request under clause 144 is to specify the purpose of the meeting, the items to be considered and any business papers to be considered at the meeting (if any).

(146) The date of the special meeting convened under clause 144 is to be a date as soon as reasonably practicable after the request to hold the meeting is made.

## **52 Right of Audience and Debate**

(147) The following shall have a right to attend and be heard at any meeting of the Committee (right of audience and debate):

- a. Executive Director, Student Success;
- b. Chief Financial Officer;
- c. University Secretary;
- d. Vice-Chancellor;
- e. Student Representation and Clubs Officer assigned responsibility by the University for the campus;
- f. the student members of the University Council appointed under section 8E (c) of the Act;
- g. Director, External Engagement,
- h. Student Representative Committee executives from Study Centres; and
- i. Manager, Student Connection, Division of Student Success.

## **53 Form of meeting**

(148) The Committee will ordinarily meet together for the dispatch of its business.



## **54 Use of technology in meetings**

(149) The Chair may approve:

- a. the convening or holding of a committee meeting using technology; or
- b. the attendance of a member or members of a committee at a meeting using technology.

(150) Notwithstanding clause 149, a member who is an online study student or an international student outside Australia or a member with a disability or a member with a reasonable basis for not being able to attend a meeting in person shall have a right to attend meetings using technology and the Chair shall not decline a reasonable request in these cases.

(151) The contemporaneous linking together of members sufficient to constitute a quorum using technology constitutes a meeting of the members and the rules relating to meetings of members apply, so far as they are able to, to that meeting.

(152) A member participating in a meeting using technology is to be considered present in person at the meeting.

(153) A meeting using technology is to be taken to be held at the place determined by the Chair of the meeting provided that at least one member was present at that place for the duration of the meeting.

(154) A member may not leave a meeting using technology by disconnecting their link to the meeting unless that member has previously notified the Chair.

(155) A member is conclusively presumed to have been present and to have formed part of a quorum at all times during a meeting using technology unless that member has previously obtained the express consent of the Chair to leave the meeting.

## **55 Standing over of unfinished business**

(156) If, at a meeting of a Committee, a quorum is not present:

- a. within half an hour after the time fixed for the meeting; or
- b. within such further time as the chair may reasonably allow all business that should have been transacted at the meeting is to be stood over until the next ordinary meeting, and is to take precedence at that meeting, unless a special meeting is convened in the meantime for the transaction of that business.

## **56 Adjournment of meetings**

(157) The Committee may, by resolution, adjourn a meeting of the Committee to a later time or date or to the same or another place.

## **57 Motions to be put to the meeting**

(158) A motion submitted by a member of the Committee and seconded by another member of the Committee in accordance with this Rule will be put to the meeting by the Chair.

## **58 Voting procedures**

(159) At any meeting of a Committee a motion put to the vote of the meeting will be decided on the voices unless a member requests a vote by show of hands prior to, or immediately after, the taking of the vote.

(160) Where a vote is requested by show of hands under clause 159, the Chair shall put the proposed resolution to a vote by show of hands.

(161) The Chair will declare whether a vote is carried or lost.

(162) A motion carried by a majority of the Committee present and eligible to vote shall become a resolution of the Committee.

(163) Members who vote against the motion, or abstain from voting, must bring their vote to the attention of the Secretary at the time the vote is taken to ensure that their vote is recorded accurately into the official minutes.

(164) An entry into the official minutes as to the vote cast by members will be sufficient evidence of that fact without a requirement for further proof.

(165) No objection may be made to the validity of any vote except at the meeting at which the vote is tendered, and every vote not disallowed at that meeting is valid for all purposes.

### **59 Casting vote**

(166) If on any motion an equal number of votes are cast for and against a motion, the Chair has a casting vote in addition to any vote cast by the Chair as a member.

(167) Where only two members are present and form a quorum or when only two members present are able to vote on the question at issue, the Chair does not have a casting vote and the proposal must be laid on the table until the next scheduled meeting of the Committee.

(168) A motion lapses if the person presiding declines to exercise a casting vote when the votes for and against the motion are equal.

### **60 Secretary to keep official minutes**

(169) The Committee Secretary will keep the official minutes of each meeting of a Committee.

(170) The official minutes shall record:

- a. attendance at the meeting;
- b. each motion;
- c. whether the motion was carried or lost;
- d. any member who voted against the motion;
- e. any member who abstained from voting; and
- f. a concise summary of the deliberations of the Committee on relevant issues.

(171) A member will be deemed to have abstained from voting on a motion if:

- a. the member was in attendance at the meeting, but was granted express approval from the Chair to be absent during that part of the meeting at which the vote was taken; or
- b. the member requests that their abstention to be noted.

### **61 Confirmation of official minutes**

(172) Within a reasonable time after the end of each meeting, the Committee Secretary shall prepare the draft official minutes of the meeting for approval by the Chair.

(173) After approval by the Chair under clause 172 the unconfirmed minutes will be included on the agenda of the next meeting of the Committee for confirmation by the members.

(174) Upon confirmation by the members, the Chair of the next Committee meeting must sign the minutes.

(175) The confirmed minutes shall be conclusive evidence of the business of the meeting.

## **62 Publication of agendas and official minutes**

(176) Confirmation of the minutes of the previous meeting will be on the agenda of the following meeting.

(177) A copy of the agenda and confirmed minutes of the Committee shall be sent to the members and forwarded to the:

- a. Executive Director, Student Success (or delegate);
- b. Manager, Student Connection, Division of Student Success; and
- c. Student Liaison Officer designated by the University as responsible for the campus.

## **63 Private and confidential matters**

(178) The Committee and its members must comply with the requirements of the [Privacy and Personal Information Protection Act 1998 No 133](#), the [Health Records and Information Privacy Act 2002 No 71](#), their common law obligations of confidentiality and all University rules, regulations, policies, plans and procedures relating to the management of private and confidential information.

(179) The Committee Secretary shall ensure that private and confidential matters (such as references to individual named persons) are recorded in a separate confidential agenda and minute and are not published on the University's intranet for staff and students.

## **64 Meetings in-camera**

(180) The Chair shall move a meeting 'in-camera' at the request of any two members supported by a majority of members for the discussion of matters pertaining to the private and personal information of an individual.

(181) Persons who are not members of the Committee shall not remain for discussions held in-camera except at the invitation of the Chair.

(182) The Committee Secretary shall not record matters discussed in-camera unless approved by the majority of members at the meeting.

## **65 Attendance at Meetings**

(183) Attendance at meetings by persons other than members and the persons specified in the 'Right of audience and debate' heading of this Rule shall be restricted to students of Charles Sturt University. All other attendees shall be at the discretion of the Chair.

(184) The Chair shall close a meeting to persons other than members for the discussion of matters listed by the Committee Secretary as private or confidential or "in camera".

## **Division 6 Student Representation**

### **66 Procedures for appointment to University bodies**

(185) Except as provided in the Act and By-law, where a policy, procedure or academic regulation of the University refers to a requirement for the appointment of a student from the former Student Associations to a body of the University, an appointment of a student by the Student Senate shall be accepted in satisfaction of this requirement.

(186) The University Council and the Academic Senate may, by resolution, determine from time to time the entitlement to student representation and how student representatives are to be selected and appointed to any body of the University.

## **Division 7 Student Special Funds Account**

### **67 Student Special Funds Account**

(187) The University shall establish a Student Special Funds Account to hold the net assets of the former Student Associations.

(188) The Student Special Funds Account may be invested together within the University's Long-term Investment Pool.

(189) Income earned on the Fund in accordance with clause 190 will be used to fund the annual operation of the Student Representative Committees named under clause 3(a) to 3(h) and the Student Senate, but excluding those named under clause 3(i) and 3(j). No part of the Student Special Funds Account shall be appropriated for any other purpose except as provided in this Rule.

(190) The University will contribute each year to the Student Special Fund Account an amount equal to CPI for the preceding 2 years. This will occur on 1 January each year and be based on the balance of funds held as at 31 December of the preceding 2 years.

(191) Following the allocation of CPI under clause 190, the University will allocate interest on the balance of the Student Special Funds Account on the 1 January each year. The interest rate shall be the average earnings rate earned by the University on its Long-term Investment Pool for the preceding 2 years subject to a floor rate of 4 percent and a ceiling rate of 9 percent.

(192) The University will provide to the Student Senate and the Student Representative Committee a financial report following the application of CPI and allocation of interest earnings. Other financial reports may be requested and will be provided as required.

### **68 Allocation of Annual Funding**

(193) Upon receipt of the statement of account under section 67 of this Rule, the Student Senate shall advise each of the Student Representative Committees of their budget allocation for the coming year.

(194) Notwithstanding clause 193, the Student Senate may, prior to the allocation of budgets to the Student Representative Committee:

- a. deduct from the total interest payable under clause 191 an amount not greater than 2 percent to cover the annual operating expenses of the Student Senate; and
- b. by a resolution of two thirds of the members present and eligible to vote allocate interest payable under clause 191 to:
  - i. fund cross-institutional activities; and
  - ii. development activities for a Student Representative Committee.

(195) After allocation of funds under clause 190, the remaining funds will be allocated to the Student Representative Committee based on the respective on-campus student load. Student load is determined on an EFTSL basis and to include all student irrespective of their fund source (Commonwealth, International, Fee-paying, etc) and level of study (Undergraduate or Postgraduate and including Research Higher Degree). The Student Senate re-distributes these funds in the following manner:

- a. Student Senate - 2%;
- b. Online Student Representative Committee - 5%; and
- c. The remaining 93% is divided between each campus based Student Representative Committee based of EFTSL (Internal Equivalent Full-Time Student Load).

## **69 Preparation of draft budget by Student Representative Committee**

(196) Upon receipt of the budget allocation from the Student Senate, the Student Representative Committees will prepare a draft Annual Budget for the expenditure of funds.

(197) The Student Representative Committee may approve the allocation of funds consistent with the functions of the Committee set out in section 9.

(198) Nothing in clause 197 shall prevent the Student Representative Committee from allocating funds to meet its reasonable operational expenses.

## **70 Budget and Expenditure Guidelines**

(199) The University Council may approve policies, procedures and guidelines for the preparation of Annual Budgets and the expenditure of funds under this Rule (including compliance with the [Government Sector Audit Act 1983](#)) that shall be binding on the Student Representative Committee and the Student Senate.

## **71 University to assist in budget preparation**

(200) The University will appoint authorised staff to assist each Student Representative Committee and the Student Senate in the preparation of a budget in the form and within the timelines required by the University.

## **72 Submission of draft Annual budgets**

(201) The Student Representative Committees will send to the Student Senate the draft Annual budgets for collation and submission to the University Council in accordance with the budget timeline that applies each year.

## **73 Approval of Annual budgets**

(202) The Executive Director, Student Success may approve the Annual Budget for the Student Representative Committees and the Student Senate if satisfied that:

- a. the draft Annual budget is consistent with the functions of the Student Representative Committee as set out in clause 14 (terms of reference);
- b. the allocation for the Student Senate (if any) is reasonable to meet its operational expenses; and
- c. any other allocation (if any) is consistent with the functions of the Student Senate under clause 53 (terms of reference).

## **74 Allocation of University Facilities**

(203) The University may charge, and the Student Representative Committees and/or the Student Senate will be responsible for paying, a proportionate fee for service provided, as determined by the University from time to time (excluding accommodation).

## **Division 8 Complaints**

### **75 Lodgement**

(204) A complaint may be lodged under this Rule regarding a Student Representative Committee or the Student Senate (or a member thereof) by:

- a. a student of the University;
- b. a member of the staff of the University; or
- c. a member of the public.

(205) Except as provided in this Rule, complaints shall be lodged with the President of the Student Senate in the first instance.

(206) A complaint lodged by a member of the public shall be referred to, and dealt with, by the Executive Director, Student Success in accordance with the policies and procedures of the University. The Executive Director shall, in investigating, making findings and determining appropriate action with respect to a complaint under this clause, have all the powers of the Dispute Resolution Panel under section 78.

(207) The Student Senate shall establish a policy and procedure for the management of complaints lodged with the President under clause 205 consistent with the University's Complaints Policy and Procedure and this Rule, and shall publish this on the web site of the University.

## **76 Complaints to the Executive Director, Student Success**

(208) Where a complaint cannot be resolved under the complaint management policy and procedures approved by the Student Senate, or where it is not appropriate for the complaint to be lodged through this mechanism, a complaint may be lodged to the Executive Director, Student Success.

(209) Complaints shall be lodged using the form determined by the Executive Director, Student Success, from time to time.

(210) The Executive Director, Student Success, may:

- a. refer the matter to the President of the Student Senate (where it has not been previously considered under the complaint management procedures of the Student Senate and it is appropriate to do so);
- b. investigate and seek to resolve the complaint;
- c. refer the complaint to the Dispute Resolution Panel or the University Ombudsman; or
- d. decline the complaint.

## **77 Declining complaints**

(211) The Executive Director, Student Success may decline a complaint at any time where they form the view that:

- a. it is lodged more than 6 months after the matters subject of complaint;
- b. it is principally concerned with matters of student policy or politics;
- c. the matter has been appropriately dealt with by the Student Senate;
- d. it can more appropriately be dealt with by an external agency; or
- e. it is frivolous, vexatious, misconceived or lacking in substance.

## **78 Dispute Resolution Panel**

(212) Where a complaint cannot be resolved by the Executive Director, Student Success, the complaint must be referred to the Dispute Resolution Panel.

(213) The Dispute Resolution Panel shall comprise:

- a. the University Secretary, who shall be Chair;
- b. the Chief Financial Officer; and
- c. a student member of the University Council under section 8E (c) of the [Charles Sturt University Act 1989 No 76](#) appointed by the University Secretary (or in the absence of a student member willing or able to serve, another member of the University Council).

(214) The Chair of the Dispute Resolution Panel shall determine the procedures for the investigation and determination of the complaint consistent with the principles of natural justice and procedural fairness.

(215) The Dispute Resolution Panel may make any finding it deems appropriate and determine the action to be taken, or sanction to be imposed, on the relevant body in response to the complaint.

(216) A decision of the Dispute Resolution Panel shall be by a majority and shall be final.

## **79 Reserve Powers**

(217) Notwithstanding any other provision of this Rule, the Student Representative Committees and the Student Senate remain subject at all times to the control, direction and discipline of the Vice-Chancellor.

(218) The Vice-Chancellor may, at any time, appoint the Internal Auditor or an external auditor to carry out an investigation into alleged financial, electoral or other governance irregularities concerning a Student Representative Committee or the Student Senate and which the Vice-Chancellor believes may be of a serious nature.

(219) Any investigation under clause 218 must be reported to the University Secretary for notification to the University Council at its next scheduled meeting.

(220) Members of Student Representative Committees and the Student Senate must provide any person appointed under clause 218 with all such information and documentation required.

(221) Upon completion of the investigation, a report shall be submitted to the Vice-Chancellor and the University Secretary setting out the findings and any recommendations.

(222) The Vice-Chancellor may take any one or more of the following actions having regard to that report and/or recommendations submitted under clause 221:

- a. appoint, for a specified temporary period, a person to undertake the ongoing monitoring and appraisal of the relevant Student Representative Committee or the Student Senate — such person to perform such duties and have such rights as may be determined by the Vice-Chancellor notwithstanding any other provision of this Rule;
- b. direct the carrying out of a fresh election for all or any office bearers of the Student Representative Committee and/or the Student Senate; or
- c. implement such other steps which take account of the findings or recommendation of the investigation.

(223) The Foresighting Committee of the University Council may exercise the authority granted to the Vice-Chancellor under clause 222 without requirement for an investigation where, in the opinion of the Foresighting Committee, there is prima facie evidence of:

- a. serious irregularities in the administration or governance of a Student Representative Committee and/or the Student Senate;
- b. a serious failure to comply with an obligation under this Rule; or
- c. engagement in conduct that brings the University into serious disrepute or exposes the University to substantial liability.

(224) A decision of the Foresighting Committee under clause 223 shall be final.

## **Division 9 Miscellaneous**

### **80 Role of Manager, Student Connection, Division of Student Success**

(225) In supporting the operation of the Student Senate and Student Representative Committees, the Executive

Director, Student Success will appoint staff to relevant student groups who shall:

- a. provide advice and recommendations with respect to the governance, financial arrangements and administration of the Student Senate and Student Representative Committees;
- b. obtain information from the University that is necessary for the decision-making of the Student Senate or Student Representative Committees (subject to any privacy or confidentiality obligations of the University);
- c. provide advice to the Student Senate and Student Representative Committees on matters relating to the University's and their legal, financial and procedural obligations;
- d. liaise with the Division of Finance to support appropriate management of funds; and
- e. provide guidance on the duties and responsibilities of members.

## **81 Payment of Honoraria**

(226) Members of the Student Representative Committee and the Student Senate may be reimbursed for expenses incurred in the performance of their functions on presentation of receipts in the form determined by the University from time to time.

(227) A Student Representative Committee and the Student Senate may approve the payment of an honoraria with respect to members or officeholders of that Student Representative Committee or the Student Senate.

(228) Unless otherwise approved by resolution of the University Council, an honoraria approved under clause 227 may be paid on the following terms:

- a. for a Chair of a Student Representative Committee or President of the Student Senate - \$13.61 (2017) per hour for a maximum of 40 hours per month;
- b. for a Deputy Chair of a Student Representative Committee or Deputy President of the Student Senate - \$13.61 (2017) per hour for a maximum of 30 hours per month;
- c. for an officeholder of a Student Representative Committee or the Student Senate - \$13.61 (2017) per hour for a maximum of 20 hours per month; and
- d. for a student appointed to edit or produce publications - an amount not greater than the amount provided under clause 228a on a per issue basis.

(229) The amounts specified in clause 228a-c may be changed on 1 January each year by an amount equal to CPI for the preceding year.

Note: As of 1 July 2022, the hourly rate under clause 228 is \$21.38

(230) Where an honoraria is paid under this clause, claims must be submitted to the next schedule meeting of the Student Representative Committee or the Student Senate including a written report detailing the work completed and length of time taken.

(231) Payments approved under this clause shall be paid from the funds allocated to the Student Representative Committee or the Student Senate approving the payment from the Annual Budget.

(232) Payments shall not be approved that exceed the Annual Budget for that year.

(233) Recipients of a payment under this clause shall be solely responsible for obtaining relevant advice on the receipt of payments, including with respect to taxation, and shall be solely liable for any claim, action or liability arising there from.

(234) Payment of reimbursement or honoraria under this Rule shall be made to the claimant and not to any other



person.

(235) A claimant may not claim an honoraria more than once (for example, where an officeholder holds more than one office with respect to a Student Representative Committee or the Student Senate).

## **82 Amendment to Rule**

(236) Without limiting the rule amending authority of the University Council under the Act, this Rule may also be amended after a request approved by a majority of the Student Senate.

(237) A request under clause 236 will be in writing specifying the amendments to be made and the purpose of the amendments.

(238) A request under clause 236 will be submitted to the Executive Director, Student Success for referral to the University Secretary. The Executive Director, Student Success may consult with the Student Senate on the terms and purpose of the amendment.

(239) Upon receipt of a request from the Executive Director, Student Success, the University Secretary will prepare a draft of the proposed amendments to give effect to the changes requested by the Student Senate, including engaging in negotiations (if necessary) to give effect to the changes proposed by the Student Senate.

(240) Where, in the opinion of the University Secretary, a proposed amendment is contrary to the best interests of the University or the law, the University Secretary may defer the drafting of the amendments and refer the request to the University Council for consideration. The University Council will invite the President of the Student Senate and one other delegate as nominated by the Student Senate to present their case for the amendments. A decision of the University Council on a request shall be final.

(241) Where the University Secretary is satisfied under clause 240, or otherwise approved by the University Council under clause 240, the University Secretary will prepare a recommendation containing the proposed amendments to the University Council for consideration. The University Council may take such action as it deems appropriate, having due regard to the purpose for which the Rule has been established and the law, including:

- a. approve the amendments;
- b. approve the amendments with variations;
- c. approve the amendments in part; or
- d. decline to approve the amendments.

(242) A decision of the University Council under clause 240 shall be final.

## **83 Use of University Logo or Name**

(243) Any use of the name of the University, its logos or trademarks must be authorised under the University's Policy on the Use of the University Name and Logo from time to time.

## **84 Publications**

(244) A reference in this clause to a Committee includes the Student Senate and the Student Representative Committees.

(245) The Committee may appoint a person or persons as responsible, on behalf of the Committee, for the approval of publications of the Committee.

(246) A decision by a person validly appointed under clause 245 shall be deemed to be a decision of the Committee.

(247) Notwithstanding an appointment under clause 245, the Committee will be accountable for each publication authorised by the Committee, or on behalf of the Committee, including but not limited to:

- a. ensuring that no publication contains any defamatory, vilifying or otherwise unlawful or actionable material; and
- b. ensuring that each publication complies with the relevant obligations of the University, including without limitation relevant privacy laws, fair trading laws, copyright laws, intellectual property laws, discrimination laws and trade practices laws.

(248) The Committee, or a person appointed by the Committee under clause 245, is under a good faith obligation to obtain appropriate legal advice where it is reasonable to believe that a publication may be unlawful, actionable or otherwise in breach of this Rule.

(249) The University Secretary may, where they form the view that a publication may be in breach of this Rule, the law or the best interests of the University, prohibit the publication.

(250) The Executive Director, Student Success, or the University Secretary may direct the Committee to withdraw any publication that, in their individual opinions, are in contravention of this Rule, the law or the best interests of the University.

(251) A publication will not be deemed to be against the interests of the University solely because the publication is critical of the University, its management or programs.

## **85 Public comment**

(252) The Student Senate and Student Representative Committees, or any member thereof, shall not make any public comment for, or on behalf of, the University under any circumstances.

(253) The Student Senate and Student Representative Committees may make public comment on behalf of the Student Senate and the Student Representative Committee (as the case may be) subject to the law.

## **86 Rule against commercial activities**

(254) The Student Representative Committees and the Student Senate will not:

- a. open any banking account;
- b. invest any monies of the body;
- c. borrow any money;
- d. employ any person;
- e. enter into any agreement, contract or legal undertaking;
- f. buy, sell, lease, rent or deal in any manner with land or property;
- g. engage in any commercial activity (either in its own right or through a third party) including without limitation any charitable fundraising activity or activity involving the sale for a fee of goods or services without the prior approval of the Executive Director, Student Success in accordance with the Act.

(255) Notwithstanding clause 254, the Executive Director, Student Success may approve Guidelines for Student Events and Related Activities from time to time.

(256) In approving the Guidelines for Student Events and Related Matters, the Executive Director, Student Success, will consult with the Student Senate.

(257) The Guidelines for Student Events and Related Activities will include:

- a. an agreed calendar of student events and activities;
- b. the distribution of income after costs between the University and Student Special Funds Account established under section 67; and
- c. such other matters as may be determined from time to time relating to student events and activities.

(258) The Student Senate may request amendments to the Guidelines for Student Events and Related Activities from time to time.

### **87 Student Representative Committee role in supporting affiliated student organisations, clubs, societies and other campus student bodies**

(259) In this section:

- a. 'affiliation' of a student organisation, club, society or other campus student body means formal recognition by and affiliation with the University, and other grammatical forms of that term have corresponding meanings; and
- b. 'association' means an informal association of any student organisation, club, society or campus student body operated by and for students of the University which does not have affiliated status.

(260) The relevant campus-based Student Representative Committee will be responsible for supporting any student organisation, club, society or other campus student body seeking affiliation or reaffiliation, and for supporting such bodies once affiliated, by:

- a. meeting with students and assisting/advising such bodies seeking affiliation or reaffiliation in accordance with this Rule and any related policies, procedures or guidelines;
- b. making recommendations to the University officer with respect to any request for affiliation or reaffiliation, or any proposed disaffiliation; and
- c. in accordance with relevant University policies, procedures and guidelines, providing funding to affiliated student organisations, clubs, societies or other campus student bodies out of the approved Annual Budget by way of a grant to promote the development of approved activities; and monitoring the expenditure of such funding against the approved Annual Budget and the activities and conduct of such bodies and their members.

(261) Student Representative Committees and the Student Senate may also, at their discretion, provide support to informal associations of student organisations, clubs, societies or other campus student bodies operated by and for students of the University. However, unless such associations are granted formal affiliated status by the University those unaffiliated associations will only have access to resources ordinarily available to all University students.

### **88 Liability of members**

(262) Except as provided for in section 88 or otherwise in this Rule, no matter or thing done or omitted to be done by:

- a. a Student Representative Committee;
- b. the Student Senate;

shall, if the matter or thing was done or omitted to be done in good faith for the purpose of executing this Rule, subject a member of the Student Representative Committee or the Student Senate personally to any action, liability, claim or demand.

### **89 Rule against requiring membership of student organisation or payment of certain amounts**

(263) In accordance with sections 19-37 of the [Higher Education Support Act 2003](#) nothing in this Rule shall require any person to:

- a. be or to become a member of an organisation of students, or of students and other persons; or

- b. pay to the University or any other entity an amount in respect of an organisation of students, or of students and other persons.

## **90 Student Events and Activities Agreement**

(264) The Executive Director, Student Success will cause to be approved a Student Events and Related Activities Agreement upon commencement of this Rule.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	25th July 2022
<b>Review Date</b>	17th April 2023
<b>Approval Authority</b>	University Council
<b>Approval Date</b>	22nd July 2022
<b>Expiry Date</b>	Not Applicable
<b>Unit Head</b>	Anthony Heywood University Secretary
<b>Author</b>	Anthony Heywood University Secretary
<b>Enquiries Contact</b>	Office of Governance and Corporate Affairs +61 2 63384207