



**The Constitution of Auckland University of Technology Law  
Student's Society Incorporated**

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# **Part 1: Interpretation**

## **1) Definitions**

1. In this Constitution:
  - 1.1. “Academic Year” refers to the period beginning in Semester 1, continuing through Semester 2 and concluding at the end of the Summer School Period;
  - 1.2. “AGM” means Annual General Meeting;
  - 1.3. “ALSA” means Australian Law Students’ Association;
  - 1.4. “AUSM” means AUT Student Movement;
  - 1.5. “AUT” means Auckland University of Technology;
  - 1.6. “AUTLSS” means Auckland University of Technology Law Students’ Society;
  - 1.7. “enrolled” means accepted into a course;
  - 1.8. “Executive” has the meaning given to it by clause 8;
  - 1.9. “Faculty” means the Auckland University of Technology Business, Economics and Law Faculty;
  - 1.10. “law course” means any course of study at the AUT Law School;
  - 1.11. “law student” means any person enrolled in any law course at AUT;
  - 1.12. “legal career” means a career applying legal education and includes a career practicing law;
  - 1.13. “legal skills competition” means a competition that develops, tests or requires skills for legal education or legal careers, and includes but is not limited to:
    - 1.14. Client Interviewing Competitions;
    - 1.15. Negotiation Competitions;
    - 1.16. Mooting Competitions;
    - 1.17. Witness Examination Competitions; and
    - 1.18. Sentencing Competitions;
  - 1.19. “Member” means a member of the Auckland University of Technology Law Students’ Society as defined in Part 3;
  - 1.20. “Member of the Executive” means a Member of the Executive as defined under Part 4;
  - 1.21. “Notice” means taking reasonable steps to ensure members are notified within the context.
  - 1.22. “NZLSA” means New Zealand Law Students’ Association;
  - 1.23. “SGM” means special general meeting;
  - 1.24. “Society” means the Auckland University of Technology Law Students’ Society;
  - 1.25. “Term” means the Term of the Executive as defined by clause 21;
  - 1.26. “Written Notice” includes but is not limited to email, social media message or a physical letter.

# **Part 2: Objectives and Aims**

## **2) Objectives**

1. There shall continue to be a law student society known as the Auckland University of Technology Law Student Society, and it shall be known by abbreviation as AUTLSS.
2. AUTLSS must not operate a profit for distribution to its’ members.

## **3) Purpose and Aims**

1. The purpose of AUTLSS is to enhance and support the legal education of its’ members.
2. To achieve this purpose, the AUTLSS aims to:
  - 2.1. promote and provide opportunities to enhance its members’ legal education;
  - 2.2. promote and provide opportunities for its’ members to transition into legal careers;
  - 2.3. promote and provide legal skills competitions for members to compete in with other members and other law students;
  - 2.4. promote and provide social activities and events for members to enjoy, be collegial and develop support systems within their legal studies; and
  - 2.5. promote and support an inclusive environment which all law students can enjoy.

## **Part 3: Membership**

### **4) Types of membership**

1. The two types of membership of AUTLSS shall be general membership and life membership.

### **5) General Membership**

1. General Members can belong to one of two categories:
  - 1.1. Full Members; or
  - 1.2. Associate Members
2. A Full Member is a student of AUT who is enrolled in at least one law paper at AUT during the academic year, and who has also completed the registration requirements and paid the membership fee as prescribed by the Executive.
3. An Associate Member is anyone who is not enrolled in a law course at AUT, but has also completed the registration requirements and paid the membership fee as prescribed by the Executive.

### **6) Life Membership**

1. The Executive may grant life membership to one person per term when:
  - 1.1. A unanimous vote in favour of granting a person life membership is passed at a meeting of the Executive; and
  - 1.2. The granting of life membership is voted on and approved at the AGM or an SGM; and
  - 1.3. A person becomes a life member if the motion to appoint them passes with a 75% majority at the SGM or AGM.
2. A person granted life membership under this clause becomes a life member immediately upon the motion being carried at an AGM or SGM.
3. When a person becomes a life member of the AUTLSS under sub clause 2, the Executive shall automatically amend the Constitution to insert that person's name in Appendix One.

### **7) Voting Rights**

1. Only Full Members of AUTLSS possess voting rights at AGMs, SGMs, or Elections.
2. To avoid confusion, Associate Members do not possess any voting rights, while Life Members only possess voting rights if they are also a Full Member.

### **8) Cessation of Membership**

1. A person shall cease to be a member:
  - 1.1. when the Administration Vice-President receives written notice of their decision to cease membership;
  - 1.2. when the member dies; or
  - 1.3. the Academic Year in which the Member joined ends.
2. When any of the above occur, the Administration Vice-President must remove the Member's name from the membership list.

## **Part 4: The Executive**

### **9) The Executive**

1. The Executive shall conduct the day-to-day operation of the society.
2. The Executive shall consist of:
  - 2.1. The President;
  - 2.2. The Administration Vice-President;
  - 2.3. The Treasurer;
  - 2.4. Two City Education Officers;
  - 2.5. The Media Officer;
  - 2.6. Two City Social Officers;
  - 2.7. Two Competitions Officers
  - 2.8. The South Social Officer;

- 2.9. The South Education Officer; and
- 2.10. The Junior Officer.
- 3. The Executive retain their voting rights as Full Members of AUTLSS.

### **10) Eligibility of Persons to be a Member of the Executive**

- 1. To be a Member of the Executive, a person must be a Full Member of AUTLSS for the duration of their term.
- 2. Furthermore, certain roles must also fulfil additional criteria:
  - 2.1. The Junior Officer must be a First or Second year student. To avoid doubt, this includes all people that are taking stage 1 or 2 papers.
  - 2.2. The South Officers (Education and Social) must undertake most their study at the South Campus.

### **11) Roles of All Members of the Executive**

- 3. All members of the Executive shall:
  - 3.1. uphold the purposes and aims of the AUTLSS as outlined in clause 3;
  - 3.2. be positive representatives of the AUTLSS;
  - 3.3. assist in making events and activities organised by the AUTLSS successful;
  - 3.4. build and maintain good relationships with members, sponsors, the Faculty and all other partners that the AUTLSS associates with;
  - 3.5. make responsible financial decisions which align with one or all aspects of purpose of AUTLSS pursuant to clause 3; and
  - 3.6. abide by the Constitution
- 4. The roles of members of the Executive outlined in this Constitution are not exhaustive.
- 5. All members of the Executive should do their best to ensure the AUT Law School is an inclusive place for all law students which may include building relationships with any law-based student organisation.
- 6. A member of the Executive may assist any other member of the Executive to perform their role when necessary.

### **12) Role of the President**

- 1. The President shall:
  - 1.1. be ultimately responsible for ensuring clauses 2 and 3 are upheld;
  - 1.2. co-ordinate the functions, duties, and powers of the Society;
  - 1.3. form a vision for the Society with the input of their Executive and lead the Executive per this vision;
  - 1.4. represent the AUTLSS at all necessary functions and meetings or organise a representative on their behalf;
  - 1.5. delegate tasks to other members of the Executive when required;
  - 1.6. chair each meeting they attend including Executive meetings, AGMs and any SGMs;
  - 1.7. manage any conflicts of interest that members of the Executive may have;
  - 1.8. oversee all major decisions made by other portfolio holders;
  - 1.9. apply for sponsorship on behalf of the Society and its events;
  - 1.10. promote and ensure an inclusive AUTLSS and, where possible, provide equal opportunities to all members; and
  - 1.11. build and maintain a good relationship with all partners including but not limited to AUSM, AUT University, The Law Faculty, NZLSA and all other sponsors.

### **13) Role of the Administration Vice-President**

- 1. The Administration Vice-President shall:
  - 1.1. assist the President in the performance of their role;
  - 1.2. perform the role of the President when the President is unable to do so;
  - 1.3. chair meetings of the executive they attend when the President is absent;
  - 1.4. organise and apply for sponsorship for the Society and its events in conjunction with the President;
  - 1.5. receive and take responsibility for managing any complaint made by a member about AUTLSS;

- 1.6. in conjunction with the President, be responsible for overseeing the Executive and the activities of AUTLSS;
- 1.7. take minutes of meetings of the Executive they attend and take minutes of the AGM and any SGMs;
- 1.8. manage incoming posted mail and emails;
- 1.9. in conjunction with the Treasurer, maintains a database of, or access to a database of, the contact details of the AUTLSS members;
- 1.10. advise the Executive of compliance with this Constitution and be responsible for updating it when relevant; and
- 1.11. provide members with notice of the AGM and any SGMs per clause 31(1).

### **14) Role of the Treasurer**

1. The Treasurer shall:
  - 1.1. chair meetings of the Executive they attend when the President and the Administration Vice-President are absent;
  - 1.2. responsibly manage and account for the funds of the AUTLSS;
  - 1.3. keep proper accounts of all financial transactions entered into by the Society, and present annual financial statements to the AGM;
  - 1.4. approve a budget of revenues and costs before any events run by the Society take place to ensure that such events are run in a prudent manner;
  - 1.5. ensure any tax obligations including detailed returns are fulfilled in a timely manner;
  - 1.6. Where AUTLSS attains incorporated society status, the Treasurer shall ensure that AUTLSS retains its status as an incorporated society and as a charity by sending all proper documentation to the Incorporated Societies Registrar and Charities Commission each year; and
  - 1.7. subject to joint approval of the President, process and refund the Executive Members for expenses incurred whilst carrying out their portfolios.

### **15) Role of the Education Officers**

1. The Education Officers shall act as advocates for members on issues that affect legal education which may include:
  - 1.1. attending Faculty or committee meetings as representatives of students studying the law at AUT;
  - 1.2. attending to matters that affect members' legal education including matters involving the Council of Legal Education; and
  - 1.3. building and maintaining a good relationship with the NZLSA Education Vice-President.
2. The Education Officers shall provide members with opportunities to enhance their legal education and to transition into legal careers. They may do this by:
  - 2.1. Facilitating learning, such as by helping to organise study groups for members;
  - 2.2. organising or promoting seminars on legal issues and legal education issues that members may attend;
  - 2.3. developing mentoring programmes to further members' holistic legal education, with a focus on strengthening relationships between Senior and Junior students, and Senior students and the legal profession; and
  - 2.4. organising events and activities that educate members about the different opportunities for employment in legal careers and how best to take advantage of these opportunities.
3. The Education Officers shall promote and advocate for the welfare of members including promoting awareness of the importance of mental wellbeing.
4. The Education Officers will also be the first point of contact with AUT Employability and Careers Department

### **16) Role of the Media and Publications Officer**

1. The Media and Publications Officers are responsible for:
  - 1.1. producing and publishing any newsletter, magazine, annual or other publication of the AUTLSS to a professional standard;
  - 1.2. maintaining an AUTLSS website and ensuring that the information displayed on it is current;
  - 1.3. promoting events and activities organised by the AUTLSS, including:

- 1.4. ensuring that posters are designed and printed if reasonably requested by other members of the Executive; and
- 1.5. working with the Administration Vice-President and President to ensure that e-mails are sent to members if reasonably requested by other members of the Executive.
- 1.6. in conjunction with the President and Administration Vice-President, managing communications between the executive and members which may include, but is not limited to, any AUTLSS notice board, Facebook and other social media, email and posters.

### **17) Role of the Competitions Officers**

1. The Competitions Officers shall:
  - 1.1. promote and provide opportunities for all Members of AUTLSS to enter and compete in Legal Skills Competitions at the AUT Law School.
  - 1.2. co-ordinate, publicise, and administer competitions, working with law firms, students and the Faculty itself to ensure that such events run effectively.
  - 1.3. liaise with NZLSA and ALSA and other such national and international law organisations to provide opportunities for the winners of Legal Competitions to represent AUT Law School wither nationally and/or internationally; and
  - 1.4. build and maintain an effective working relationship with the NZLSA Competitions Vice President.
2. The Competitions Officers shall build, maintain and enhance positive working relationships with all parties who are essential to the successful running of legal skills competitions including the Faculty, judges and sponsors.
3. The Competitions Officers shall not be permitted to enter any Legal Skills Competitions that they assist in organising.
4. The Competitions Officers shall take all reasonable steps to ensure that no Members of the Executive have any advantage over any other member by virtue of their position.

### **18) Role of the Social Officers**

1. The aim of the Social Officers is to build a sense of community amongst the members and make members' time spent while studying law more enjoyable.
2. The Social Officers shall:
  - 2.1. organise, publicise, and run social events and activities for Members, that may include, but are not limited to:
    - 2.1.1. An orientation programme;
    - 2.1.2. An annual Law Ball;
    - 2.1.3. An annual Law Camp
    - 2.1.4. A mid-year social event;
    - 2.1.5. An event to celebrate the end of the academic year;
    - 2.1.6. An event for members finishing their legal study at the Law Faculty;
    - 2.1.7. Assisting the Sports Officers in organising the Law Camp and Log O Wood along with activities which are inherently of a social nature; and
  - 2.2. The Social Officers should organise both alcoholic and non-alcoholic events during their term.
  - 2.3. Ensure the financial viability of the social portfolio.
3. Furthermore, the Social Officers will have responsibility over the sporting events that AUTLSS takes part in. This may include:
  - 3.1. organising, publicising and running the sporting events of AUTLSS as determined by the Executive. The events may include, but are not limited to:
    - 3.1.1. Publicising, advocating and managing the teams for the inter-faculty sports tournaments.
    - 3.1.2. The Log O' Wood sports exchange to Waikato;
    - 3.1.3. A Law School team for Round the Bays;
    - 3.1.4. A Law v Commerce Futsal match; and
    - 3.1.5. An annual Law Camp.



## **19) Role of the South Campus Education Officer**

1. The South Campus Representative shall:
  - 1.1. advocate for the interests of members studying at the South Campus;
  - 1.2. take an active role in ensuring that South Campus students have an adequate degree of educational support;
  - 1.3. take an active role in ensuring that other portfolios are successful;
  - 1.4. be the main contact person for South Campus members; and
  - 1.5. organise a committee of year level representatives in an aim to provide a greater level of representation for the South Campus members as the Executive deems appropriate.
2. In consultation with the City Education Officers, the South Campus Rep may organise:
  - 2.1. a programme where members enrolled in first year papers are mentored by members who have progressed further in their legal education, and
  - 2.2. End of Semester Workshops.

## **20) Role of the South Campus Social Officer**

1. The South Campus Social Officer shall:
  - 1.1. advocate for the interests of members studying at the South Campus, and
  - 1.2. take an active role in ensuring that South Campus students have an adequate number of social events.
  - 1.3. take an active role in ensuring that other portfolios are successful.
  - 1.4. promote AUTLSS events and initiatives to all law students on the South Campus.
  - 1.5. organise a committee of year level representatives in an aim to provide a greater level of representation for the South Campus members as the Executive deems appropriate.
2. In consultation with the City Social Officers, the South Campus Rep may organise a social event primarily aimed at building a sense of community amongst the South Campus members and ensure those members' experience at AUT is more enjoyable.

## **21) Role of the Junior Officer**

1. The Junior Officers shall:
  - 1.1. advocate for the interests of members enrolled in first year and second year papers, and
  - 1.2. attend the SSCC meetings and promote issues and interests of the first year and second year papers.
  - 1.3. take an active role in ensuring other portfolio initiatives are successful.
2. In consultation with the Education and Social Officers, the Juniors may organise:
  - 2.1. a programme where members enrolled in first year papers are mentored by members who have progressed further in their legal education, and
  - 2.2. a social event primarily aimed at building a sense of community amongst the first and second year members and ensure those members' experience at AUT is more enjoyable.

## **22) Term of the Executive**

1. Each term of the Executive commences on the day after the last day of teaching in semester two and ceases on the last day of semester two the following year.
2. Each member of the Executive is responsible for ensuring that they are Full Members of the Society for the full duration of their term.
  - 2.1. To avoid confusion, a member of the Executive is automatically deemed to have abandoned their office if they do not have a current full membership.
3. Persons elected to be members of the Executive at a SGM or by an Executive motion shall be members of the Executive for the remainder of the term in which they were elected.

## **23) Members of Executive Ceasing to Hold Office and Replacing Them**

1. A member ceases to be a member of the Executive:
  - 1.1. if they cease to meet the criteria set out in clause 10;

- 1.2. once the President receives written notification from the member that they no longer wish to be a member of the Executive or if the President resigns, written notification is received by the Administration Vice-President
- 1.3. if the member misses three consecutive Executing meetings and a motion is passed at an executive meeting by at least seven members of the Executive that the member has abandoned office;
- 1.4. if the member fails to perform the duties required of all Executive members under clause 11 and/or required of their individual portfolios and, at a meeting of the Executive, a motion is moved by the President and passed by six other members of the Executive vote that the member be deemed to have been removed from office;
- 1.5. if the member in subclause (1.4) is the President, the motion must be moved by the Administration Vice-President and passed by a two-thirds majority of the Executive.
- 1.6. if they die or become incapacitated.
2. If a Member of the Executive ceases to be a Member of the Executive, the Executive must take steps to find a suitable replacement for that Member within 28 days. This can include:
  - 2.1. division of that Member's workload;
  - 2.2. election of an officer at an SGM; or
  - 2.3. internal appointment as the Executive sees fit.
3. If the President ceases to hold office, the Administration Vice-President shall take over all functions of the President in the interim
4. Where a SGM is held to replace a President, despite any clause in this Constitution, the Administration Vice-President:
  - 4.1. chairs the SGM and performs the functions of the President at the SGM; and
  - 4.2. if at the time of the AGM the President has ceased to be the President, the Administration Vice-President chairs the AGM and performs the functions of the President at the AGM.
5. If any Member of the Executive ceases to hold office or is replaced, Administration Vice-President must notify all members of this occurrence.

## **24) Meetings of the Executive**

1. The frequencies of meetings are at the discretion of the President and Administration Vice-President should be no more than 4 weeks apart.
2. The Administration Vice-President will publicise the minutes of each meeting to the Executive not more than a calendar week after each meeting.
3. All members of the Executive are required to attend, unless they have received permission to miss the meeting from the President or Administration Vice-President.

## **25) Associate members of the Executive**

1. The Executive may appoint a member as an associate member of the Executive with the consent of that member and by a decision endorsed by eight or more members of the Executive at a meeting of the Executive.
2. An associate member of the Executive:
  - 2.1. has the roles of a member of the Executive under clause 11;
  - 2.2. may attend meetings of the Executive;
  - 2.3. may not cast a vote at meetings of the Executive; and
  - 2.4. may assist any member of the Executive to perform their role.
3. An associate member of the Executive ceases to be an associate member of the Executive if:
  - 3.1. they cease to be a member under clause 7;
  - 3.2. a decision that they should no longer be an associate member of the Executive is endorsed by six or more members of the Executive at a meeting of the Executive;
  - 3.3. the term of the Executive that appointed them ceases; or
  - 3.4. the President receives written notification from the associate member of the Executive that they no longer consent to being an associate member the Executive.

## **26) NZLSA Conference Committee**

1. During a term when the AUTLSS will host the NZLSA Conference, the Executive shall nominate any member to be the Conference Convenor.
2. The NZLSA Conference Convenor has no power to use any funds held by AUTLSS unless they are specifically intended to be used to host the NZLSA Conference
3. For the avoidance of doubt, a person appointed as Conference Convenor or as a member of the NZLSA Conference Committee can only be appointed as an associate member of the Executive under clause 25.

## **Part 4: Finances**

### **27) Finances**

1. The AUTLSS may hold bank accounts that are operated by the Executive and that may only be debited with the authority of the President and the Treasurer.
2. The Executive has the power to invest, save, spend or lend funds and the power to purchase, rent, borrow or lend assets on behalf of the AUTLSS.
3. The AUTLSS EFTPOS card may be used only by the President or Treasurer with the permission of the other.
4. AUTLSS does not have the power to borrow money from financial institutions.

### **28) Pecuniary gain**

1. Members may not make a pecuniary gain from the AUTLSS.
2. Pecuniary gain does not include reimbursement for expenses incurred or reasonable payment for goods or services rendered.
3. For the avoidance of doubt, pecuniary gain does not include receiving free or discounted admission to events or activities organised by the AUTLSS.

### **29) Wind Down Operations**

1. When a motion is passed to dissolve the Society under clause 33, the Society shall be wound up and all surplus assets after payment of the costs of winding up debts and liabilities of the AUTLSS shall be held on trust by the Faculty or AUSM.
2. Such assets are held on trust for a student body or organisation which must:
  - 2.1. Be formed for the benefit of all Law Students enrolled at the AUT Law Faculty;
  - 2.2. Operate exclusively for charitable purposes; and
  - 2.3. Have rules prohibiting the distribution of its assets and funds amongst its members.

## **Part Five: The AGM and SGM**

### **30) Requirements for the AGM and SGM**

1. No less than 7 calendar days' notice must be given by the Administration Vice-President before the AGM or a SGM can be held.
2. The term 'notice' in clause 31.2 requires but is not limited to:
  - 2.1. at least one email to all members; and
  - 2.2. at least one post on the AUTLSS Facebook page to that effect.
3. The quorum of the AGM and a SGM shall be 14 General Members of AUTLSS.
  - 3.1. If either of these meetings do not meet quorum, then the Administration Vice-President must reschedule the meeting for a later date.
  - 3.2. This can be no later than 21 days after the abandoned meeting, and fresh notice of 7 days must be given
  - 3.3. To avoid confusion, all matters due to be discussed at the meeting are postponed to the rescheduled meeting.
4. All Full Members present shall be entitled to one vote.

5. To avoid confusion, Associate Members count for the purpose of meeting quorum but are not entitled to any vote.

### **31) The Annual General Meeting (AGM) and regular elections**

1. The Executive must call an AGM once every year in Semester Two.
2. At the AGM the President shall:
  - 2.1. propose a motion that the minutes of the last AGM be adopted;
  - 2.2. present a report of the operations of AUTLSS during the current Term; and
  - 2.3. announce the results of the election of the Executive and the Society.
  - 2.4. announce the name of any person that it is agreed under clause 6.2.1 will be granted life membership.
3. At the AGM, the Treasurer shall present the financial accounts of the Society for acceptance.

### **32) Special General Meeting (SGM)**

1. The Executive may call a SGM during regular Semester time.
2. The Administration Vice-President must provide at least 7 calendar days' notice of the SGM.
3. The Executive must call a SGM within 28 days when it receives a written request to call a SGM signed by at least 30 Members who are identified by their first and last names and their student identification number.
4. Motions that a member of the Executive be dismissed will pass if approved by a 75% majority of the members at the SGM.
5. Any Member may propose a relevant variation of the motion by notice of the Administration Vice-President no less than two days before the SGM.
6. At any SGM the President shall:
  - 6.1. propose a motion that the minutes of the most recent SGM be adopted, unless the AGM was held after the most recent SGM;
  - 6.2. call for any motions to amend the Constitution before beginning any elections; and
  - 6.3. call for and explain any further motions.

### **33) Power to dissolve the AUTLSS**

1. The Society may only be dissolved by passing a motion at an SGM or AGM with at least 80% voting in favour.
2. The Society will then be wound down per the process described in clause 29.

## **Part Six: Elections**

### **34) Elections**

1. Elections must be held in the first half of Semester Two preceding the year the Executive is to hold office.
2. The President and Administration Vice-President shall preside over elections as returning officers and determine any disputes that arise.
3. It is the responsibility of the Administration Vice-President to advertise the nominations and election as widely and reasonably as appropriate, this includes but is not limited to:
  - 3.1. making a reasonable number of advertisement posts in the AUTLSS Facebook page; and
  - 3.2. sending an Email to all current Members informing them of the nominations and election.
4. Only Members of the current year are eligible for nomination for the following year.
5. Nothing in this constitution prevents an eligible Law Student from becoming a Member for voting or being nominated for elections.
6. The Executive has the power to outline any guidelines or rules as required for the regulation of candidate conduct for the duration of polling.
7. If either the President or Administration Vice-President are running for election, the Treasurer and/or other appropriate Members of the Executive shall act as returning officers and the role of Administration Vice-President in clauses 33 and 34 shall be replaced by the relevant Member of the Executive as appropriate.

### **35) Returning Officers**

1. The Returning Officers are presumed to be the President and Administration Vice-President in the current year.
2. The Returning Officers are responsible for accounting for the votes and ensuring that the elections are conducted fairly and without prejudice.

### **36) Nominations**

1. Any Member can nominate any Full Member, including themselves for election.
2. Reasonable time must be given for nominations to be open.
3. Candidates must accept their nominations within a reasonable time when requested by the President or Administration Vice-President.
  - 3.1. A candidate accepts their nomination by sending written notice of their acceptance to the Administration Vice-President.
4. No campaigning is permitted until nominations have opened.
5. Once nominations have closed the Administration Vice-President shall publicly advertise a list of nominees as appropriate.
6. Where no nominations are received for an available position, nominations may be:
  - 6.1. accepted and voting may take place at the AGM or SGM; or
  - 6.2. accepted and considered by the new Executive after the election.

### **37) Casting Votes**

1. Only Full Members shall be eligible to vote.
2. Voting shall open at a reasonable time, to be decided by the Executive, after nominations have been announced and campaigning has begun.
3. Votes may be collected by the President and Administration Vice-President at any time during the relevant period by:
  - 3.1. online web form;
  - 3.2. direct email; or
  - 3.3. in writing.
4. All votes are collected during the relevant period and are not cast until voting has closed at a time specified by the Executive, on the day of the AGM.

### **38) Election Results**

1. Where the portfolio contains only one position, the candidate with the highest number of votes will be elected.
2. Where the portfolio contains two positions, the two candidates with the highest number of votes will be elected.
3. Once the results have been announced, a recount may be requested by any candidate in the election in writing to the President. The recount is subject to the following rules:
  - 3.1. The request be made within 24 hours of the conclusion of the AGM or SGM at which the results were announced.
  - 3.2. The Returning Officers will be responsible for recounting the votes within a reasonable time.
  - 3.3. No additional votes may be cast to be included in the recount.
  - 3.4. The results of the recount are final.

## **Part Seven: Relationship with NZLSA**

### **39) Explanation of the relationship**

1. AUTLSS is a voting member of NZLSA.
2. The President sits on the NZLSA Council and represents all AUT Law Students on the Council.

#### **40) Ceasing or altering the relationship**

1. A decision that the AUTLSS cease or alter the relationship with the NZLSA can only be made at the AGM or a SGM if the number of members who vote for a motion to cease or alter a relationship is more than double the number of members who vote against it or abstain from voting.

### **Part Eight: Relationship with AUSM@AUT**

#### **41) Disclaimer**

1. Nothing in this section shall apply if it conflicts with AUTLSS' obligations under the Incorporated Societies Act 1908.

#### **42) Definitions**

1. In this section:
  - 1.1. "The Club" refers to AUTLSS

#### **43) AUSM Affiliated Club Obligations**

1. The Club is an affiliated Club under the relevant clauses and sections of the Constitution of the AuSM @ AUT relating to affiliated Clubs
2. Anything in this constitution or any act of the Club or its office bearers which are inconsistent with the AUSM@AUT Constitution or any amendment thereto or special rule hereunder shall be null and void in so far as it is inconsistent.
3. The Club is a non-profit organisation.
4. The Club, by way of a general meeting, shall appoint two Club Signatories (one of whom shall be the Treasurer) that shall be jointly and severally liable and responsible for all the Club's finances and financial transactions.
5. All monies drawn from the AuSM Club Account shall be by way of a Club payment requisition.
6. All monies held in accounts other than the AuSM Club Account shall be the responsibility of the individual Club. Club Signatories shall be responsible for the operation of such accounts on behalf of their Club.
7. The Club shall be accountable to AuSM for all financial matters which include reporting on account activity by way of financial reports formed by your treasurer.
8. AuSM may suspend access to AuSM Club accounts and retain ownership of AuSM Club property, both real and intangible in accordance with AuSM affiliation rules and other rules that AuSM may apply from time to time.
9. An executive member of the Club must attend each AuSM General Meeting.
10. The Executive shall appoint one of their office holders as Properties Manager.
11. Equipment of the Club; granted to the Club or bought by the Club with AuSM funds/granted funds shall remain the property of AuSM.
12. Equipment may not be sold, bailed, encumbered, modified or disposed of without the permission of AuSM.
13. A stocktake will be conducted at the end of each academic year and all capital items of equipment must be accounted for by the Properties Manager to the AuSM Clubs Coordinator.
14. The Constitution shall not be amended unless two thirds of current financial members present at an Annual or Extraordinary General Meeting are in favour of such an amendment. AuSM **must** then ratify any amendment.
15. All affiliated AuSM Clubs shall indemnify AuSM against any loss and/or liabilities resulting from any acts and/or omissions of the Club during and after the Club's formation and/or existence. Such indemnity includes, but is not limited to, legal costs and disbursements.
16. Grants from AuSM shall be transferred into the AuSM Club bank account and held there until the appropriate paper work has been completed in full and returned to the Clubs Coordinator.

## **Part Nine: Amending the Constitution**

### **44) Amending the Constitution**

1. This Constitution may only be amended or replaced at the AGM or a SGM if the number of members who vote for a motion is at least a 2/3 majority at the meeting.
2. The Administration Vice-President must notify the Societies Registrar of any constitutional changes.

### **45) Disputes**

1. Any disputes about the interpretation of this constitution shall be resolved by the Dean of the Law Faculty. Where the Dean is unavailable, the Head of School will resolve any disputes.

### **46) Good Practise Guides**

1. The Good Practise Guides (GPGs) located in Appendix Three are not binding upon any future executive. They are instead included to provide future Executives with a guide of how to deal with common problems.
2. Nothing in the GPGs supersede any right or obligation granted under the remainder of this constitution, and they are not binding upon an Executive unless they are approved in an Executive meeting.

## **Part Ten: Miscellaneous Provisions**

### **47) The Common Seal**

1. The Executive shall provide a common seal for the AUTLSS and may from time to time alter or replace it with a new one.
2. The Executive shall have custody of the common seal, which shall only be used by the authority of the Executive, to validate documents issued in the name of AUTLSS.
3. The image in Appendix Two is the Common Seal of the AUTLSS

## **Appendix One: Life Members**

1. Mark Dignan
2. Ming Lim Pollard

## **Appendix Two: Common Seal**

## **Appendix Three: Good Practise Guides**