

“Building our students, building our professions”



# By-Laws

OF THE  
UNIVERSITY OF THE SUNSHINE COAST  
LAW STUDENTS' ASSOCIATION

Introduced 17 September 2015, last amended 21 September 2017

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## **I. The Executive and the Committee**

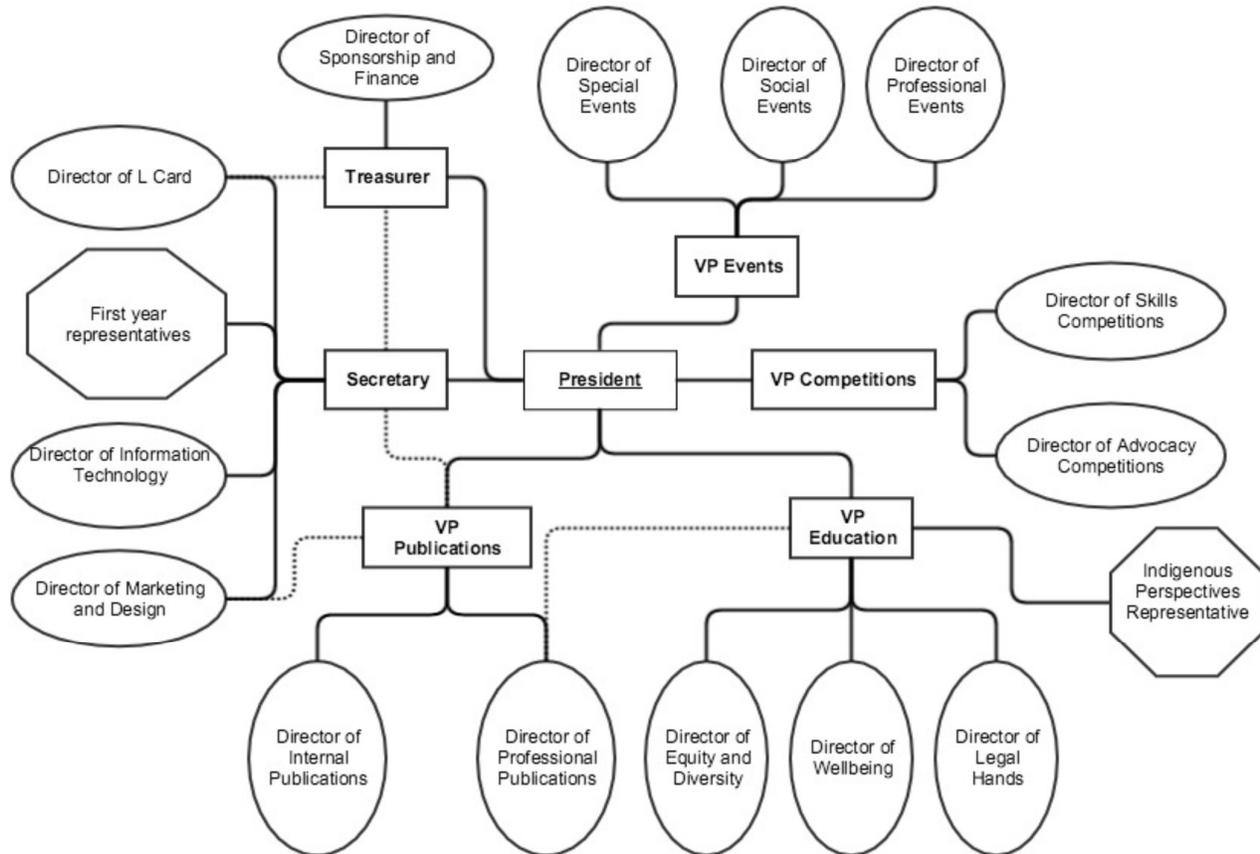
### **Executive**

1. The Executive functions as an inner core of the Committee, which makes the Association's day-to-day decisions. Each Executive member is responsible for a specific portfolio.
2. All Executive members must fulfil the following requirements in addition to those of their specific role:
  - 2.1. Oversee the work of members within their portfolio, assisting and delegating tasks where appropriate;
  - 2.2. Report the activities of their portfolio members to the Executive at each Executive meeting; and
  - 2.3. Produce an annual report of their portfolio's activities at the Annual General Meeting.
3. In addition to any specific requirements of their roles, each Executive member is expected to possess the following characteristics and skills:
  - 3.1. Exceptional time management, task prioritisation and communication skills;
  - 3.2. Professionalism;
  - 3.3. Punctuality;
  - 3.4. Readily contactable;
  - 3.5. Ethically and morally conscious; and
  - 3.6. Respectful.
4. The members of the Executive are as follows:
  - 4.1. President;
  - 4.2. Secretary;
  - 4.3. Treasurer;
  - 4.4. Vice-President Education;
  - 4.5. Vice-President Competitions;
  - 4.6. Vice-President Events; and
  - 4.7. Vice-President Publications.

### **Committee**

5. The Committee act as the elected representatives of the Association. The primary responsibility of the Committee is to advance the objects of the Association through their specific portfolio roles.
6. All Committee members must fulfil the following requirements in addition to those of their specific role. Executive members have these responsibilities in addition to the above.
  - 6.1. Participate in duly convened Committee meetings, including the Committee Retreat – which, if convened at the discretion of the Executive, will run in January or February of each year – unless a reasonable reason arises to qualify exemption; and
  - 6.2. Provide a report on their activities to the Executive member of their portfolio to be tabled at each Executive meeting.
7. The President's portfolio consists of:
  - 7.1. Representatives (as applicable).
8. The Secretary's portfolio consists of:
  - 8.1. Director of Information Technology; and
  - 8.2. First Year Representatives (as applicable).
9. The Treasurer's portfolio consists of:
  - 9.1. Director of Finance.
10. The VP Education's portfolio consists of:
  - 10.1. Director of Equity and Diversity;
  - 10.2. Director of Legal Hands;
  - 10.3. Indigenous Perspectives Representative; and
  - 10.4. Director of Wellbeing.
11. The VP Competitions' portfolio consists of:
  - 11.1. Director of Internal Competitions; and
  - 11.2. Director of Competitions (Skills).
12. The VP Events' portfolio consists of:
  - 12.1. Director of Events;
13. The VP Publications' portfolio consists of:

- 13.1. Director of Publications.
14. The diagram below illustrates the structure of the committee. Dotted lines indicate additional substantial working connections between members.



## II. Committee Roles

### President

15. The President is the public face of the Association, responsible for providing leadership and guiding the Association's strategic direction. As the leader and figurehead, the President is most responsible for managing both the internal and external relationships of the Association. This includes:
- 15.1. Acting as the Association's Public Officer;
  - 15.2. Representing the Association at a local, State, National and International level;
  - 15.3. Actively representing the Association's interests to Australian Law Students' Association (ALSA);
  - 15.4. Coordinating all aspects of the Association's relationship with ALSA;
  - 15.5. Preparing at least one report per semester detailing ALSA's activities and their impact on members;
  - 15.6. Promoting the objects of the Association and the interests of members;
  - 15.7. Representing the interests of the Association as an ex-officio member of the Sunshine Coast Law Association's Committee;
  - 15.8. Ensuring the smooth operation of the Executive and Committee;
  - 15.9. Ensuring all Executive members complete their duties;

- 15.10. Maintaining strong engagement with the Head/s of the Law School and other Law School staff;
  - 15.11. Maintaining strong relationships with sponsors and the wider legal profession; and
  - 15.12. Initiating and facilitating strategic planning and reviews with the Committee at least once per year.
16. PORTFOLIO: Oversees the entire Association. Responsible for: Executive, Representatives from time to time.
17. REQUIREMENTS AND SKILLS: Strong leadership aptitude, mutable yet dependable, judicious in decision making.
18. TIME COMMITMENT: 10-30 hours per week.

### **Immediate Past President**

19. The Immediate Past President (IPP), will hold an ex-officio position on the Executive and act in an advisory capacity to help guide the direction of the Association; the IPP will hold no voting rights. The IPP is the outgoing President of the previous Committee and as such is not elected to the role.
20. The IPP may choose to relinquish this advisory role at their sole discretion.
21. If the outgoing President is elected to a subsequent Committee position, there will be no IPP.
22. The IPP will act as Chairperson of the USC LSA Alumni Bursary Fund Committee.
23. The IPP will manage the LSA Alumni database. In the event the IPP chooses to relinquish their responsibilities, these will be allocated to the Secretary.

### **Representatives**

24. The Executive in their sole discretion may appoint any member of the Association to a "Representative" role as they see fit. These positions should be used to ensure the inclusivity of the Association and the opportunity to engage with a diverse range of students. Suggested representative positions may include (not exhaustive):
- 24.1. Mature-age student representative;
  - 24.2. International student representative;
  - 24.3. External students representative;
25. Any interested party who wishes to apply to act as a Representative must submit a written application to the Secretary, (Attn: "The Executive") setting out the reasons:
- 25.1. What role they would like to fulfil; and
  - 25.2. Why that role is necessary for the Association; and
  - 25.3. Why they would be a suitable candidate; and
  - 25.4. Any other relevant information.
26. Any application received will be review by the Executive, who may, at their discretion, invite the applicants to an informal interview to discuss the role and the applicant's involvement in it.
- 26.1.1. This interview maybe individual or group based.
27. The Executive may appoint any number of Representatives.

### **Secretary**

28. ROLE: The Secretary is responsible for managing the Association. This includes:
- 28.1. Fulfilling the Association's obligations as an incorporated association, once applicable;
  - 28.2. Managing the Association's documentation, including the membership list;
  - 28.3. Filing all correspondence relevant to the Association, and ensuring that the Association's filing system is always in order;
  - 28.4. Fulfilling the Association's obligations with respect to Executive,
  - 28.5. General, Annual and Special General Meetings;
29. Keeping minutes, action sheets and attendance details of official meetings and making them available to members;
30. Facilitating communication between the executive, committee and membership. This includes:
- 30.1.1. Notifying members about relevant information and opportunities on behalf of the Association;
  - 30.1.2. Frequently writing emails; and
  - 30.1.3. Posting announcements on various communication platforms.
- 30.2. Maintaining the Association's calendar, and ensuring this is available to members;

- 30.3. Maintaining and overseeing the Association's digital presence, such as:
  - 30.3.1. Website;
  - 30.3.2. Blackboard site;
  - 30.3.3. Facebook page and groups; and
  - 30.3.4. Committee forum.
- 30.4. All other aspects of the Association's administration.
- 31. PORTFOLIO: Management. Responsible for:
  - 31.1. Director of Information Technology; and
  - 31.2. Representative/s.
- 32. REQUIREMENTS AND SKILLS: Must be highly organised and able to plan ahead with efficiency. As the Association's first point of contact and overseer of the Association's digital presence, must be expeditious with necessary communications. Competence with computer technology is also essential, such as administrating the website and Blackboard.
- 33. TIME COMMITMENT: 10-30 hours per week.

### **Director of Information Technology**

- 34. The Director of Information Technology works with the Secretary to maintain and oversee the Association's digital presence. As such, competence with computer technology is essential to fulfilling this role.
- 35. The D. of Information Technology will participate in the Social Media Subcommittee, as per the Social Media Policy in these By-Laws.

### **First Year Representative/s**

- 36. All first year students will be invited to apply to fulfil the role of First Year Representative.
  - 36.1. Any application received will be review by the Executive, who may, at their discretion, invite the applicants to an informal interview to discuss the role and the applicant's involvement in it.
    - 36.1.1. This interview maybe individual or group based.
  - 36.2. The Executive may appoint any number of First Year Representatives that it sees fit but should, where possible, avoid appointing only one.

### **Treasurer**

- 37. The Treasurer handles all aspects of the financial management, growth and planning of the Association.
  - 37.1. Maintaining up-to-date accurate financial records of the Association;
  - 37.2. Producing budgets for the Association and all its events and projects;
  - 37.3. Ensuring all accounts owing are paid on time;
  - 37.4. Ensuring all monies owing to the Association are received within credit terms;
  - 37.5. Ensuring membership fees are paid and (in conjunction with the secretary) keeping the membership list up to date;
  - 37.6. Controlling the Associations' funds; and
  - 37.7. Allocating appropriate funding to each portfolio as needed.
- 38. PORTFOLIO: Finance. Responsible for:
  - 38.1. Director of Sponsorship and Finance.
- 39. REQUIREMENTS AND SKILLS: IT-capable, good understanding of accounting and finance, ability to adapt and interpret financial information for the general membership body.
- 40. TIME COMMITMENT: 7-28 hours per week.

### **Director of Finance**

- 41. The Director of Finance works with the Treasurer and President to obtain sponsorship and support from outside entities to facilitate the Association's activities. The Treasurer may, at their sole discretion, delegate responsibilities to the D. of Finance to act as the Treasurer's proxy on committees and subcommittees.
- 42. The Director of Finance is responsible for assisting the Treasurer and President in managing the relationship of the Association with outside financial supporters such as the Student Guild, sponsors and contracting parties, such as the L Card or WOW Card.

### **Vice-President Education**

43. The VP Education, in collaboration with portfolio members, is responsible for promoting the educational interests of the Association.
44. Responsibilities include:
  - 44.1. Organising activities to promote awareness of educational issues among members and non-members, including, inter alia:
    - 44.1.1. Equity, diversity and social justice issues;
    - 44.1.2. Academic and analytical legal skills, including peer assisted learning;
    - 44.1.3. "Street law" skills, including such things as understanding leases, consumer contracts and interactions with the police force.
  - 44.2. Representing the Association's educational interests to the University of the Sunshine Coast Law School, University, business, government and the community;
  - 44.3. Actively representing the Association's interests to ALSA, in collaboration with the President;
  - 44.4. Coordinating the relationship of the Association with external legal bodies and support groups, in collaboration with the President. These groups may include, but are not limited to:
    - 44.4.1. Sunshine Coast Law Association (SCLA);
    - 44.4.2. Suncoast Community Legal Service (SCLS);
    - 44.4.3. Queensland Law Society (QLS);
    - 44.4.4. Women's Legal Service Qld (WLSQ);
    - 44.4.5. Queensland Aboriginal and Torres Strait Islander Legal Service (ATSILS); and
    - 44.4.6. LawRight (formerly known as (Queensland Public Interest Law Clearing House (QPILCH).)
    - 44.4.7. Women's Law Association of Queensland (WLAQ);
  - 44.5. All other educational aspects of the Association.
45. PORTFOLIO: Education. Responsible for:
  - 45.1. Director of Equity and Diversity;
  - 45.2. Director of Wellbeing;
  - 45.3. Director of Legal Hands; and
  - 45.4. Director of Indigenous Perspectives.
46. REQUIREMENTS AND SKILLS: Strong leadership and advocacy skills and a passion and dedication for the interests of others.
47. TIME COMMITMENT: 5-25 hours per week.

### **Director of Equity and Diversity**

48. The Director of Equity and Diversity works with the VP Education to advocate the interests of members from diverse backgrounds or those who face discrimination in the legal system (such as racial and ethnic minorities, people living with disabilities, sexual and gender diverse minorities, and women). This will include organising at least two (2) social justice forums each year to explore issues around equity, diversity and social justice. This role will also provide assistance to and advocate the interests of members who are under-represented in the legal community or face issues such as discrimination and harassment.
49. While this is not an identified position, the D. of Equity and Diversity would best be held by a member from a diverse background or one who faces discrimination as a result of their identity.

### **Director of Wellbeing**

50. The Director of Wellbeing will be responsible for supporting and advocating for the social and emotional well-being of the membership. The D. of Wellbeing would work collaboratively with the VP Education, D. of Equity and Diversity, as well as D. of Social Events to organise activities that raise awareness of and support the mental health of members of the Association.

### **Director of Legal Hands**

51. The Director of Legal Hands will be responsible for the Association's community and schools engagement; providing a hand of support for future students. The D. of Legal Hands will work with VP Education to increase awareness of the Law School and the Association amongst prospective students from schools within the University's catchment area. This may include hosting welcome events and fundraising activities that provide engagement opportunities with prospective students.

### **Indigenous Perspectives Representative**

52. The Indigenous Perspectives Representative provides the Association with an approachable and visible Indigenous point of contact within the Law School. This is a unique role that seeks to increase and embed Indigenous perspectives within the Association's events, meetings and engagements as well as within the Law School, University and wider community. This role will work to advance the interests of Indigenous law students through connections with the Buranga Centre and advocate for Indigenous legal perspectives within the Law School curriculum.
53. This is an identified position, and as such, only those members who identify as Indigenous may nominate for this role.
- 53.1. If no members who identify as Indigenous nominate for the position, then any non-identifying nominee may be accepted.

### **Vice-President Competitions**

54. The Vice-President Competitions, along with the Directors in this portfolio, is responsible for all aspects of the Association's internal and external competitions. This includes:
- 54.1. Organising Competitions:
- 54.1.1. Room booking;
  - 54.1.2. Allocating judges;
  - 54.1.3. Communicating and working with sponsors and external competitions coordinators;
  - 54.1.4. Organising transport;
  - 54.1.5. Developing/moderating tournament rules, fixtures and criteria;
  - 54.1.6. Advertising;
  - 54.1.7. Establishing sub-committees when required;
  - 54.1.8. Managing prizes, certificates, and gifts for judges;
  - 54.1.9. Organising the development of scenarios; and
  - 54.1.10. Competition workshops.
- 54.2. Working closely with the Executive and committee members;
- 54.3. Attending Committee meetings;
- 54.4. Keeping Association members up-to-date and informed with current and future competitions;
- 54.5. Setting a positive standard for fellow members by displaying a professional and respectable manner in all dealings with sponsors and external competitions coordinators; and
- 54.6. Always planning ahead:
- 54.6.1. Future competitions; and
  - 54.6.2. Inter-varsity competitions, including ALSA Conference.
55. PORTFOLIO: Competitions. Responsible for:
- 55.1. Director of Advocacy Competitions; and
  - 55.2. Director of Skills Competitions.
56. REQUIREMENTS AND SKILLS: Ability to operate to a budget, task delegation and event management.
57. TIME COMMITMENT: 5-25 hours per week.

### **Director of Internal Competitions**

58. The Director of Internal Competitions works with the Vice-President Competitions to assist and organise in all internal competitions, for example:
- 58.1. Client Interview;
  - 58.2. Mooting;
  - 58.3. Witness Examination;

- 58.4. Negotiation;
  - 58.5. Paper Presentation;
  - 58.6. Essay;
59. The Vice-President may also delegate to the D. of Internal Competitions any other role they see fit from time to time.

### **Director of Competitions (Skills)**

- 60. The Director of Competitions (Skills) works with the Vice-President Competitions to assist with the Association's interaction with external bodies in relation to competitions, including ALSA, QLSA and any other body as from time to time.
- 61. The D. of Competitions (Skills) is responsible for arranging workshops in relation to each competition the Association runs. This workshop is to be aimed at assisting novice competitors understand the context and content of the competition they are competing in.
- 62. The D. of Competitions (Skills) is also responsible for maintaining the publications of the competitions portfolio and arranging handbooks, judging guides, rules and registration forms for each internal competition in consultation with the Vice-President Competitions and Vice-President Publications.
- 63. The Vice-President may also delegate to the D. of Competitions (Skills) any other role they see fit from time to time.

### **Vice-President Events**

- 64. The Vice-President Events is responsible for liaising with the Directors under this portfolio to deliver both social and professional events within the Association. This includes:
  - 64.1. Working with the Directors under the Events Portfolio to ensure that both social and professional events are executed throughout the year;
  - 64.2. Working with sub-committees and various others to organise events such as the annual Law Ball, Law Revue and Networking Events through:
    - 64.2.1. Determining venues, decorators, photographers, DJs and so forth;
    - 64.2.2. Liaise with the Treasurer and D. of Finance in determining a budget for the event and ticket prices in accordance with said budget; and
    - 64.2.3. Working with the VP Publications and D. of Publications in regards to advertising the events and all promotional materials pertaining to the events;
  - 64.3. Organising social "catch up" events both in and out of semester. For example:
    - 64.3.1. Fortnightly coffee catch ups during semester;
    - 64.3.2. End of Semester Celebrations;
    - 64.3.3. Lunches and BBQs during semester breaks; and
    - 64.3.4. Planning theme park trips and other outings alike.
  - 64.4. Working closely with the VP Education and D. of Equity and Diversity to hold Social Justice Events; and
  - 64.5. Working with VP Competitions to present "Competition Days" and events surrounding these competitions.
- 65. PORTFOLIO: Events. Responsible for:
  - 65.1. Director of Events
- 66. REQUIREMENTS AND SKILLS: Able to operate to a budget; task delegation and event management; able to chair sub-committee meetings.
- 67. TIME COMMITMENT: average of 20 hours a week, with obvious peak times around events such as the Law Ball and Networking Events.

### **Director of Events**

- 68. The Director of Events will work with the VP Events to coordinate the Associations involvement, hosting, and review of every event that the Association may hold or take part in. The D. of Events is an ex-officio member to any sub-committee the VP Events constitutes and in the event that the VP Events is unable to attend or chair a meeting, the D. of Events will assume this role in addition to any other they undertake on the sub-committee, until such a time as the VP Events can resume their role.

### Vice-President Publications

69. The Vice-President Publications is responsible for liaising with the Directors under this portfolio to deliver both internal and professional publications on behalf the Association. This work includes:
- 69.1. Working with the relevant Directors to deliver:
    - 69.1.1. First Year Handbook;
    - 69.1.2. Yearbook;
    - 69.1.3. Careers Guides;
    - 69.1.4. Clerkship Guides;
    - 69.1.5. Wellbeing Guides;
    - 69.1.6. Newsletters; and
    - 69.1.7. Other relevant publications and marketing and design materials.
  - 69.2. Developing and implementing the internal design and style guides of the Association; and
  - 69.3. Liaising with other VPs and their Directors to promote and report on relevant portfolio events.
70. PORTFOLIO: Publications. Responsible for:  
70.1. Director of Publications
71. REQUIREMENTS AND SKILLS: Impeccable written communication skills; a flair for graphic design; and meticulous attention to detail.
72. TIME COMMITMENT: 5-20 hours per week.

### Director of Publications

73. The Director of Publications is responsible for working with the VP Publications to deliver the Association's publications and assist with the production of marketing and design materials.

## III. Elections

### Election of Committee Members

74. The election of all Committee positions will be conducted at the Annual General Meeting (AGM), with the exception of the First Year Representatives and Representatives.

### Returning Officer

75. The Committee will appoint a responsible person to act as a Returning Officer. The Returning Officer will be responsible for receiving nominations, the conduct of the elections including the conduct of any ballot and the counting of any votes immediately following that ballot.
76. The Returning Officer for the elections conducted at the AGM will, where possible, be a representative of the USC Law School, namely an academic or administrative staff member.
77. If a representative of the USC Law School is not available to be appointed as Returning Officer, the Committee may appoint two of the following as Returning Officers, so long as neither are running for a Committee position at the election:
- 77.1. The outgoing President, if not nominating for a position;
  - 77.2. A past President or Executive Member of the Association who is not nominating for a position; or
  - 77.3. A local legal practitioner.

### Chairperson

78. The Chairperson will be responsible for the conduct of the meeting, including the maintenance of order and the questioning of nominees.
79. An academic from the USC Law School will act as Chairperson at the AGM.
80. In the event that an academic is not available, the Committee will appoint a responsible person.
81. If a representative of the USC Law School is not available to be appointed as

82. Returning Officer, the Committee may appoint any of the following as Chairpersons:
  - 82.1. The outgoing President, if not nominating for a position;
  - 82.2. A past President or Executive Member of the Association who is not nominating for a position; or
  - 82.3. A local legal practitioner.

### **Nominations**

83. A person can only nominate for a Committee position if he or she:
  - 83.1. Is a registered and paid member of the Association; and
  - 83.2. Expects to be enrolled as a law student at the University of the Sunshine Coast during the term of office of the Committee position for which he or she is nominating.
84. A candidate may nominate for three positions at any election: one Executive position, one Director position, and one Representative. If the candidate is successful in being elected to one role, their other nominations will automatically be withdrawn.
85. Nominations will be made in the method determined by the Secretary.

### **Election Material for AGM**

86. After the close of nominations for Committee positions being elected at the AGM, the Secretary (on behalf of the Returning Officer) shall compile a short document containing the profiles of the nominees for contested positions.
87. This publication shall be made available to members on the Association's website for viewing at least 24 hours prior to the AGM.

### **Procedure of Election at AGM**

88. The elections for Executive and Committee positions will proceed in the following order:
  - 88.1. Executive positions; then
  - 88.2. Director positions.
89. The Chairperson has discretion to conduct the order of elections within the above categories in any way they see fit.
90. The Returning Officer can ask all attendees at the AGM to prove that they are current members of the Association. This may be done by:
  - 90.1. Asking attendees to provide proof of identification; and/or
  - 90.2. Checking the register of members of the Association.

### **Confirmation**

91. At the AGM, the Chairperson shall read each nomination in turn, specifying:
  - 91.1. The name of the nominee; and
  - 91.2. The Committee position for which the nominee has nominated.
92. When the Chairperson reads a nominee's nomination at the AGM, that nominee shall stand and identify himself or herself, and then confirm or withdraw the nomination.
93. Subject to a pre-arranged In Absentia nomination agreement with the Returning Officer, if a nominee is not present in person at the AGM, that nominee's nomination shall be deemed to have been withdrawn.
94. A person may confirm a nomination on behalf of a nominee not present in person at the AGM where, in the opinion of the Returning Officer, the nominee has a reasonable excuse for not being present in person.
95. If no nominations are received for a position, the Chairperson may accept nominations from the floor of the AGM.

### **Speeches and Questions**

96. Following confirmation of the nominations, nominees for contested Executive positions may be allowed a short time to address the members present, and to take questions from the floor.
97. The time limit for speeches and questions is to be set by the Chairperson.
98. Unless the Chairperson decides otherwise, nominees for contested non-Executive Committee positions shall not make speeches or take questions.

99. The Chairperson is empowered to veto any questions from the floor which they deem to be unfair, unjustified, or otherwise inappropriate.
100. If a nominee is unable to attend the AGM, the Secunder to their nomination will speak in their place.

### **Ballots**

101. A ballot will be held for all positions.
102. Only current members of the Association may vote in the ballot. Associate members cannot vote in the ballot.
103. The Returning Officer will distribute a ballot paper to all members present and voting at the AGM.
104. Every position will have an option to Re-Open Nominations (“RON”).
105. Members can take the option to RON as a means of a no-confidence vote in the current nominee/s.
  - 105.1. If the option to RON is successful for a position when the ballot is counted, then new nominations will be taken from the floor for that position at the conclusion of the ballot for a new round of votes.
106. Members will be given the opportunity to complete the ballot paper during the AGM.
107. The Returning Officer will then collect the ballot papers in a secure box.

### **Scrutineers**

108. At the request of a nominee, the Returning Officer may allow each nominee to nominate a scrutineer to witness the counting of the ballot of the position for which the nominee is a candidate.
109. Any request to appoint a scrutineer must be made to the Returning Officer prior to or at the commencement of the election.
110. A person may only be appointed as a scrutineer if:
  - 110.1. That person is not a nominee for any position up for election at the AGM; and
  - 110.2. That person agrees not to disclose to anybody the number of votes received by any nominee or the winning margin held by the successful nominee.

### **Results**

111. The Returning Officer will, as soon as possible after the ballot, count the ballot and determine the successful candidate for each position.
112. As soon as possible after determining the results of the ballot, the Returning Officer will give notice to members of the names of the candidates elected and their respective positions. Notice may be verbal or written.
113. In the event of an equal number of votes for any Committee position, a by-election will be held to determine the successful candidate for that position.
114. The procedure for the by-election will be determined by the Returning Officer but must be, as far as practicable, the same as that for an ordinary election.

### **Interpretation**

115. The Returning Officer may determine any question regarding the interpretation of these Regulations.
116. A determination made by the Returning Officer is final and conclusive.

## **IV. Documentation Procedures**

### **Special Resolution/Special Business**

117. Where a Special Resolution/Special Business has been raised at an Annual
118. General Meeting or Special General Meeting, the following procedure should be followed during the meeting:
119. The Special Resolution/Special Business should be presented to the quorum in writing, with the support of one Committee member and seconded by another member.
120. The Special Resolution/Special Business should contain:
  - 120.1. The proposal;
  - 120.2. Where applicable, the current Constitutional provision or entire Constitution the proposal seeks to amend; and
  - 120.3. Brief reasons why the proposal should be supported.

### **Amending By-Laws**

121. These By-Laws can be amended by the Executive following a majority vote approving the amendment.
  - 121.1. Such changes take effect seven (7) days after the approval.

## **V. Finance (Generally)**

### **Introduction**

122. The following policy sets out the parameters within which the Association's finances should be handled.

### **Purpose**

123. The purpose of this policy is to set out clearly the ways in which the Association must manage its finances.
124. Nothing in this policy will affect the Association's duties and obligations under any court, legislation or compliance issue.

### **Core Policy**

125. The Association seeks to manage its finances in a way that maximises value to its members.
126. The overarching principles of the Association's approach to financial management are:
  - 126.1. Efficiency;
  - 126.2. Transparency; and
  - 126.3. Sustainability.

### **Responsibilities**

127. The Association's Financial Executive is responsible for developing, adopting and administering this policy.
128. The Treasurer is responsible for implementing this policy and advising the Executive on the need for review. The Financial Executives are:
  - 128.1. Treasurer;
  - 128.2. President;
  - 128.3. Secretary; and
  - 128.4. An optional fourth member of the committee;
    - 128.4.1. This member must be elected by a simple majority vote by the membership at an SGM.
    - 128.4.2. This member must be nominated by a current member of the financial executive and seconded by a member of the committee.

### **Financial Year**

129. The financial year of the Association is each period of 12 months, ending on August 31 of each calendar year.

130. Surplus to the requirements enclosed above, the Treasurer (or delegate) must present a 'Statement of Financial Position' at the first meeting of the Executive each Membership Year and at the last meeting of the Executive before the AGM. This must show:
- 130.1. The balance of any accounts, term deposits or savings held by the Association;
  - 130.2. A reconciliation report, completed not more than 48 hours before the meeting; and
  - 130.3. A report showing any money owed by or to the Association.

### **Management of funds**

131. The Association must open an account with a financial institution from which all expenditure of the Association is made and into which all of Association's revenue is deposited.
132. All funds of the Association must be deposited into the financial account of the Association as soon as reasonably practicable after receipt, but not more than seven (7) business days after receipt. The following expenditure restrictions must be followed—
- 132.1. The Treasurer alone may approve amounts up to \$100;
  - 132.2. The Treasurer and one other member of the Financial Executive together may approve amounts up to \$1,000;
  - 132.3. The Executive may approve amounts up to \$10,000 by majority vote; and
  - 132.4. The Committee may approve amounts exceeding \$10,000 by absolute three- quarter majority vote.
133. The above restrictions apply to a complete transaction cost; not to any 'split bills' or part-payments but to their total value when all bills are collated.
134. All payments made by cheque or electronic funds transfer require the signature of two authorised persons, as determined by the Treasurer from time to time.
135. The Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

### **Financial Records**

136. The Association must keep financial records that—
- 136.1. Correctly record and explain its transactions, financial position and performance; and
  - 136.2. Enable financial statements to be prepared as required.
137. The Association must retain the financial records for seven (7) years after the transactions covered by the records are completed.
138. The Treasurer must keep in their custody—
- 138.1. Financial records for the current financial year; and
  - 138.2. Any other financial records as authorised by the Executive.

### **Financial Statements**

139. For each financial year, the Committee must ensure that the requirements relating to the financial statements of the Association are met. Without limiting the above rule, those requirements include:
- 139.1. The preparation of the financial statements;
  - 139.2. If required, the review or auditing of the financial statements;
  - 139.3. The certification of the financial statements by the Financial Executive;
  - 139.4. The submission of the financial statements at the AGM of the Association; and
  - 139.5. The submission of the financial statements to the Law School and the Student Guild, where necessary.

### **Refund Policy**

140. Subject to the sole discretion of the Treasurer, a refund may be granted up to five (5) business days before an event. If a request for a refund is received within five (5) days of an event and within five (5) business days of an event, a refund may be granted in an extraordinary circumstance, at the discretion of a majority of the Executive. No request for refund will be granted, after five (5) business days after an event. If a refund is requested more than thirty (30) days prior

to the event, a full refund will be granted. If a refund is requested less than thirty (30) days and up to five (5) days after the event, a refund of 50% of the ticket price will be granted. A request must be received in writing by the Treasurer.

## **VI. Membership**

### **Membership Fee**

141. The Membership Fee of the Association will be set annually by the Executive;
  - 141.1. The Executive must consult with the Committee before setting the annual fee as required by section 13 of the Association's Constitution.
142. The amount of the Membership Fee will be proposed by the Treasurer and ratified by a majority at the next meeting of the Executive after the proposal of the fee is communicated to the rest of the Executive either verbally or in writing.
143. Where the proposed fee is not ratified by a majority of the Executive, the Treasurer will make a new proposal to the Executive and the steps in the above clause should be followed.
144. The Executive in their sole discretion may appropriate, invest, allocate or spend the revenue of the membership fee as it sees fit.

## **VII. Sponsorship Policy**

### **Introduction**

145. The Executive of the Association is committed to ensuring that its financial arrangements are carried out in an ethical manner.

### **Purpose**

146. The purpose of this policy is to establish the framework and guidelines for the creation of productive partnerships between the Association and the private sector, i.e. sponsorship alliances with corporations, foundations, individuals and other non-government organisations.
147. A sponsorship is about relationship building and can be a powerful way to build and strengthen partnerships. It is recognised that such alliances can provide important financial and marketing support to potential partners of the Association, while at the same time generate additional revenues to support the Association's mission and mandate.

### **Core Policy**

148. The fundamental principles that shape the Association's relationships with sponsors are:
  - 148.1. Sponsorship of the Association or of any symposium, project, program or event held by the Association, will not entitle any sponsor to influence any decision of the organisation;
  - 148.2. The Association will not enter into any alliance or partnership with any corporation or organisation where the association with the prospective partner or acceptance of the sponsorship would jeopardise the financial, legal or moral integrity of the Association or adversely impact upon the Association's standing and reputation in the community. The Executive of the Association has absolute discretion to reject any alliance or partnership with a prospective sponsor that would operate against the goals and aims of the Association;
  - 148.3. The Association will accept sponsorships as an additional source of revenue generation provided that all sponsorship alliances are developed and maintained within the regulations embodied in this sponsorship policy; and
  - 148.4. All sponsorship alliances or partnerships must be consistent with the Association's existing policies.

### **Responsibilities**

149. The Association's Financial Executive is responsible for developing, adopting and administering this policy.
150. The Treasurer is responsible for implementing this policy and advising the Executive on the need for review.

151. The Treasurer may delegate responsibilities for this policy to the D. of Sponsorships and Finance at their sole discretion.
152. The Treasurer, in consultation with the President, will identify potential sponsors and the key contacts within those sponsor organisations.

### Processes

153. The Treasurer and D. of Finance, in collaboration with the VP Publications, will create sponsorship materials for the Association to be used to garner partnerships with potential sponsors. The form and purpose of these documents are at the discretion of the Treasurer.
154. These documents should always include:
  - 154.1. A description of the activity for which sponsorship is sought;
  - 154.2. The benefits offered to the potential sponsor;
  - 154.3. The levels of sponsorship offered; and
  - 154.4. How the sponsorship will assist the Association to deliver its activities.

## **VIII. Reimbursement Policy**

### Introduction

155. Members may on occasion be required to pay expenses consequent on their position out of their own pockets. Under certain circumstances, as outlined in this policy, these expenses may be reimbursed by the Association.

### Purpose

156. The purpose of this policy is to spell out under what circumstances reimbursement of expenses may occur on behalf of the Association and the process for doing so. This policy relates to members acting on authorisation of the Financial Executive to carry out the Association's business.

### Policy

157. The Association will reimburse its members' expenses incurred by them on behalf of the Association or in the course of the Association's business so long as such expenses are:
  - 157.1. Reasonable; and
  - 157.2. Authorised.
158. Reimbursement of reasonable but unauthorised expenses may be made on an ex gratia basis at the discretion of the Financial Executive in exceptional circumstances only.
159. Members incurring authorised expenditure must, wherever possible, receive, retain and produce receipts, invoices, vouchers, tickets, or other evidence of such expenditure.
160. Expenses should only be incurred by the member where petty cash is unavailable or inappropriate for the expense claimed.

### Responsibilities

161. The Association's Financial Executive is responsible for developing, adopting and administering this policy.
162. The Treasurer is responsible for implementing this policy and advising the Executive on the need for review.

### Processes

163. The processes for reimbursement will be developed and implemented by the Treasurer. These should include:
  - 163.1. An authorisation process for members to identify reasonable expenses; and
  - 163.2. A reimbursement process (for example, by cash only, electronic funds transfer only or a combination of both).

## **IX. Petty Cash**

### **Introduction**

164. To deal with minor expenses, administrative units within the Association need a procedure that is flexible yet consistent with the need to protect the Association's funds.

### **Purpose**

165. This policy seeks to ensure that petty cash floats are established and managed appropriately and that members are not financially disadvantaged as a result of incurring minor business-related expenses on behalf of the Association.

### **Core Policy**

166. Administrative units may seek the approval of the Financial Executive to establish petty cash floats to deal with minor expenses. Any such floats must observe the nominated procedures.

167. Any float created will remain in the care of the Treasurer or their agent as nominated.

### **Responsibilities**

168. The Association's Financial Executive is responsible for developing, adopting and administering this policy.

169. The Treasurer is responsible for implementing this policy and advising the Executive on the need for review.

### **Processes**

170. The processes for petty cash authorisation, distribution and management will be developed and implemented by the Treasurer at their sole discretion.

## **X. Conflict Resolution Policy**

171. To deal with conflict that may arise from time to time, the Association needs a procedure that is flexible yet fair and seeks to protect the Association's internal and external relationships.

### **Purpose**

172. This policy seeks to provide a framework within which the Association can manage conflict and seek a mutually agreeable resolution between the respective parties in conflict.

### **Core Policy**

173. The Association seeks to ensure internal conflict and disputes are managed efficiently and effectively, while maintaining the obligation to seek a mutually agreeable and just outcome in the interests of all parties involved.

173.1. The grievance procedure set out in these rules applies to disputes under these rules between:

173.2. Members;

173.3. Member(s) and non-member(s);

173.4. Member(s) and Committee member(s);

173.5. Non-member(s) and Committee member(s); and

173.6. Committee members.

### **Responsibilities**

174. The Association's Executive is responsible for developing, adopting and administering this policy.

175. The President is responsible for implementing this policy and advising the Executive on the need for review.

## Processes

### Internal Mediation Process

176. Where a dispute arises, the parties should attempt to resolve the dispute between themselves in the first instance.
177. Where parties are unable to resolve the dispute amongst themselves and one or both of the parties wish to pursue a mediation, a notification must be sent to the President in writing detailing:
  - 177.1. the facts in dispute; and
  - 177.2. the parties in dispute.
178. The President must convene a meeting between the affected parties or their representatives:
  - 178.1. This meeting may occur in person, via telephone or similar.
  - 178.2. Where reasonably possible, this meeting should occur within three (3) business days of the President having been notified of a dispute.
179. In the first instance, the President shall act as a mediator between the parties. If the President is unable to act as a supervisor of the meeting, whether due to availability or conflict of interest, they shall appoint another Executive member to act as their representative.
180. Parties may, within ten (10) days of an initial meeting, hold a meeting in the presence of an independent mediator in the following manner:
  - 180.1. The mediator must be a person chosen by agreement between the parties;
  - 180.2. A member of the Association may be a mediator;
  - 180.3. A member of the Law School may be a mediator;
  - 180.4. An alternative Faculty Academic Staff member may be a mediator;
  - 180.5. The mediator must preside over the mediation in their personal capacity, not professional capacity; and
  - 180.6. The mediator cannot be paid in any way for their services.
181. A mediator, in conducting the mediation, must:
  - 181.1. Give the parties to the mediation process every opportunity to be heard;
  - 181.2. Allow due consideration by all parties of any written statement submitted by any party; and
  - 181.3. Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
182. The mediator must not determine the dispute.
183. The mediation must be confidential and without prejudice.

### External Conflict Resolution

184. Parties in dispute may only seek mediation from an external mediation service where the above process has been followed, and only if:
  - 184.1. All other avenues for internal conflict resolution have been attempted in good faith; and
  - 184.2. A mutually agreeable resolution could not be reached.

## **XI. Social Media Policy**

### **Introduction**

185. Social media such as Facebook, Twitter, Google+, YouTube and blogging represent a growing form of communication for not-for-profit organisations, allowing them to engage their members and the wider public more easily than ever before. However, it is also an area in which rules and boundaries are constantly being tested.
186. This policy acts in conjunction with the Association's Media Relations Policy in order to maximise the Association's social media reach while protecting its public reputation.
187. This policy applies to any page, group, account or channel that the Association maintains, monitors or administers at any given time. Any reference to a page, group, account or channel is a reference to them all, jointly and severally.

188. It does not extend to any member's personal page, group, account or channel unless a contrary intention is indicated.

### **Purpose**

189. The Association may choose to engage in social media such as:
- 189.1. Facebook;
  - 189.2. Instagram;
  - 189.3. Twitter;
  - 189.4. Google+;
  - 189.5. WordPress/Blogger;
  - 189.6. YouTube/Vimeo;
  - 189.7. iTunes/Podcasting;
  - 189.8. Website, where social media elements may apply; and
  - 189.9. Any other platforms deemed appropriate by the Executive.
190. The Association seeks to encourage information and link-sharing amongst its membership and the wider student population and seeks to utilise the expertise of its Committee in generating appropriate social media content.
191. Social media posts should be in keeping with the image that the Association wishes to present to the public, and posts made through its social media channels should not damage the Association's reputation in any way.
192. Regular review of this policy and its procedures will be the responsibility of the Secretary in consultation with the Executive.

### **Core Policy**

193. The Association's social media use shall be consistent with the following core values:
- 193.1. Integrity: The Association will not knowingly post incorrect, defamatory or misleading information about its own work, the work of other organisations, or individuals. In addition, it will post in accordance with the Association's Copyright and Privacy policies.
  - 193.2. Professionalism: The Association's social media represents the organisation as a whole and should seek to maintain a professional and uniform tone. Committee members may, from time to time and as appropriate, post on behalf of the Association using its online profiles, but the impression should remain one of a singular organisation rather than a group of individuals.
  - 193.3. Information Sharing: The Association encourages the sharing and reposting of online information that is relevant, appropriate to its aims, and of interest to its members.
194. The Association should seek to grow its social media base and use this to engage with existing and potential members, sponsors and stakeholders. At the same time, a professional balance must be struck which avoids placing the Association's reputation at risk.

### **Responsibilities**

195. The Association's Executive is responsible for developing, adopting and administering this policy.
196. The Secretary is responsible for implementing this policy and advising the Executive on the need for review.
197. The Secretary shall convene a Social Media Subcommittee to co-ordinate the Association's online assets such as website and social media profiles.
198. The Subcommittee shall consist of:
- 198.1. Secretary;
  - 198.2. Vice-President of Publications;
  - 198.3. Director of Information Technology; and
  - 198.4. Any other members deemed necessary at the sole discretion of the Secretary.
199. The Social Media Subcommittee will oversee expansion of social media and help to develop the social media presence in line with the Association's Media Relations Policy.
200. Committee members may, from time to time and where appropriate, post on behalf of the Association using the online social media profiles. Such a responsibility may be delegated to

Committee members at the discretion of the Executive, in consultation with the Secretary as the chair of the Social Media Subcommittee.

201. The Secretary has ultimate responsibility for:
- 201.1. Ensuring that all posts are in keeping with the Association's core Social Media Policy;
  - 201.2. Ensuring appropriate and timely action is taken to correct or remove inappropriate posts (including defamatory and/or illegal content) and in minimising the risk of a repeat incident;
  - 201.3. Ensuring that appropriate and timely action is taken in repairing relations with any persons or organisations offended by an inappropriate post; and
  - 201.4. Moderating and monitoring public response to social media, such as blog comments and Facebook replies, to ensure that trolling and spamming does not occur, to remove offensive or inappropriate replies, or caution offensive posters, and to reply to any further requests for information generated by the post topic.
202. It is important to maintain the balance between encouraging discussion and information sharing, and maintaining a professional and appropriate online presence.

### Delegation

203. Social media is often a 24/7 occupation. As such, responsibilities as outlined above may be delegated by the Secretary to the Social Media Subcommittee and other members of the Executive.

### Processes

#### Posting to social media

204. Before social media posts are made, Committee members should ask themselves the following questions:
- 204.1. Is the information being posted, or reposted, likely to be of interest to the Association's members and stakeholders?
  - 204.2. Is the information in keeping with the interests of the Association and its constituted objects?
  - 204.3. Could the post be construed as an attack on another individual, organisation or project?
  - 204.4. Would the Association's sponsors be happy to read the post?
  - 204.5. If there is a link attached to the post, does the link work, and has the Committee member read the information it links to and judged it to be an appropriate source?
  - 204.6. If reposting information, is the original poster an individual or organisation that the Association would be happy to associate itself with?
  - 204.7. Are the tone and the content of the post in keeping with other posts made by Association?
  - 204.8. Does it maintain the Association's overall tone?
205. If a Committee member is at all uncertain about whether the post is suitable, it must not be posted until it has been discussed with the Secretary and, if necessary, with the Executive.

#### Damage limitation

206. In the event of a damaging or misleading post being made, the Secretary should be notified as soon as possible, and the following actions should occur:
- 206.1. The offending post should be removed;
  - 206.2. Where necessary an apology should be issued, either publicly or to the individual or organisation involved; and
  - 206.3. The origin of the offending post should be explored and steps taken to prevent a similar incident occurring in the future.
  - 206.4. If the mistake seems set to grow, or to cause significant damage to the Association's reputation, revert to the Media Relations Policy.

#### Moderating social media

207. The reputation of the Association is first and foremost, and this involves maintaining a safe and friendly environment for its members.
208. From time to time social media forums may be hijacked by trolls or spammers, or attract people who attack other posters or the Association aggressively. In order to maintain a pleasant environment for everybody, these posts need to be moderated.
209. Freedom of speech, discussion and debate is to be encouraged, but posts will be moderated if they contain one or more of the following:
- 209.1. Excessive or inappropriate use of swearing;
  - 209.2. Defamatory, slanderous or aggressive attacks on the Association, other members, other students, other student organisations, projects, Law School staff, other University staff or public figures;
  - 209.3. Undermining confidence in the Committee by questioning the integrity of Association or individual members of the Committee;
  - 209.4. Breach of copyrighted material not within reasonable use, in the public domain, or available under Creative Commons license;
  - 209.5. Breach of data protection or privacy laws;
  - 209.6. Repetitive advertisements; and
  - 209.7. Topics which fall outside the realms of interest to members and university students, and which do not appear to be within the context of a legitimate discussion or enquiry. Politically oriented posts that are framed to encourage discussion and debate are acceptable but should not be obviously partisan or designed to attack, belittle or discourage engagement by other members.
210. If a post appears only once:
- 210.1. Remove the post as soon as possible; and
  - 210.2. If possible/appropriate, contact the poster privately to explain why you have removed the post, highlighting the Association's Social Media Policy.
211. If a poster continues to post inappropriate content, or if the post can be considered spam:
- 211.1. Remove the post as soon as possible; and
  - 211.2. Ban or block the poster to prevent them from posting again.
212. Banning and blocking should be used as a last resort only, and only when it is clear that the poster intends to continue to contribute inappropriate content. However, if that is the case, action must be taken swiftly to maintain the welfare of other social media users.
213. The decision to block, ban and remove posts ultimately lies with the Executive, but may, at their discretion, be delegated to the Social Media Subcommittee.

## **XII. Media Relations Policy**

### **Introduction**

214. Local, state, national and international media organisations are important partners in advancing the interests of the Association. The intention of this policy is to establish a framework for achieving a positive working relationship with the media. The Association welcomes the opportunity to engage with the media in an effort to advance its objects.

### **Purpose**

215. The Association works with the media in order to:
- 215.1. Advance the interests of the Association;
  - 215.2. Promote the work of the Association;
  - 215.3. Inform the public of the activities of the Association; and
  - 215.4. Assist in fundraising for the Association.

### **Core Policy**

216. The Association's approach to media relations are founded on the following values:

- 216.1. Honesty: The Association will never knowingly mislead the public, media or members on an issue or news story;
- 216.2. Transparency: The Association will promote openness and accessibility in dealings with the media, whilst complying with the law and maintaining confidentiality when appropriate;
- 216.3. Clarity: All communications with the media will be written in plain English; and
- 216.4. Balance: Information provided to the media by the Association will, as far as possible, be objective, balanced, accurate, informative and timely.

### **Responsibilities**

- 217. The Association's Executive is responsible for developing, adopting and administering this policy.
- 218. The President is responsible for implementing this policy and advising the Executive on the need for review.
- 219. The President is responsible for maintaining positive relationships with the media; they are the first and primary contact for media relations.
- 220. The President may, at their sole discretion, delegate responsibility for media relations to other members of the Committee as deemed appropriate.
- 221. The President and their delegated representatives may speak on behalf of the Association.
- 222. Where information or public comment is requested or required, the President shall determine the most appropriate person to respond.
- 223. Media engagements concerning any significant matter in the name of or on behalf of the Association should only be made by the President or their delegated representatives, where:
- 224. If necessary, they have consulted with the appropriate member of the University's Media and Marketing team; and
- 225. They have the necessary knowledge and expertise to speak on the issue under discussion; or
- 226. If these criteria cannot be met, media engagements should be avoided, to reduce risks to the Association.
- 227. Any Committee member who engages with the media must observe the Association's Confidentiality and Privacy Policies.

### **Processes**

- 228. Any communications with the media should clearly indicate whether views put forward in statements are those of the Association or of an individual.
- 229. Personal opinion should be avoided in significant statements made on behalf of the Association.
- 230. At all times, consideration should be given as to how the correspondence may affect the reputation of the Association.
- 231. All media releases from the Association must be authorised by the
- 232. President and must be made available on the Association's website.

## **XIII. Copyright Policy**

### **Introduction**

- 233. The Association is responsible for managing its assets, including its intellectual assets, in a way that maximises their contribution to the goals of the Association.
- 234. Subject to these responsibilities, the Association is committed to the widest possible dissemination of its ideas and findings where these may assist others.

### **Purpose**

- 235. The purpose of this policy is to clarify the status of material subject to copyright used by the Association, and to remove any possible misunderstandings about ownership of copyright.

### **Core Policy**

236. The Association produces a range of publications for the purposes of meeting its objects and delivering its membership activities effectively.
237. The Association's copyright obligations, of material either produced or used by the Association, are governed by the *Copyright Act 1968* (Cth) ("the Act").

### **Responsibilities**

238. The Association's Executive is responsible for developing, adopting and administering this policy.
239. The VP Publications is responsible for managing this policy.
240. Responsibilities include:
- 240.1. Implementation;
  - 240.2. Review, as and when the need arises; and
  - 240.3. Oversight and observance of the Policy by the Committee and membership.
241. All materials produced by or on behalf of the Association will be classified by the VP Publications into one of the following classes:
- 241.1. Those materials that are copyright and that cannot be reproduced by any process other than for the purposes of and subject to the provisions of the Act and any licensing agreement between the user and the Association;
  - 241.2. Those materials that are copyright and that may nonetheless be circulated and/or reproduced as long as any reproduction features specified credits and disclaimers;
  - 241.3. Those materials that are copyright and that may nonetheless be reproduced without conditions; and
  - 241.4. Those materials that are not copyright.

### **Processes**

#### **Production of copyright material**

242. At law, material created by members of the Association in the course of their involvement in a formal capacity with the Association, irrespective of whether it is created using the Association's facilities or materials will belong to the Association.
- 242.1. A formal capacity is one to which the member has been elected. Documents prepared in the course of competitions, events, or other activities not created by elected members will not be subject to this policy.
  - 242.2. If any material was created using the Association's resources, then the onus is on the member to demonstrate that it was not created in the course of their involvement.
243. Works by independent contractors and volunteers shall be owned in accordance with the written contract under which the work was created. The Association shall ensure that there is a written contract for work by an independent contractor or volunteer specifying ownership. At law, unless a written contract specifies otherwise, independent contractors and volunteers will own copyright in everything that they create.
244. Any dispute between the Association and its members, contractors or volunteers, or between members, or between contractors, or between volunteers, on issues of copyright ownership shall be determined by the Association's conflict resolution procedures. Such determination will be subject to the judgement of any court or tribunal.

#### **Copyright notice**

245. Elected members, contractors and volunteers of the Association should ensure that every publication of the Association, including any books, newsletters, brochures, forms, reports and computer software contains the following statement:

*© University of the Sunshine Coast Law Students' Association, Australia, [Year of creation of material]*

- 245.1. This statement should not be included in normal business letters, invoices, or receipts.

#### **Use of copyright material**

246. Members and volunteers of the Association are required to observe all applicable copyright laws and regulations.

247. Members and volunteers of the Association may use copyright material belonging to or licensed to the Association only for the purposes of their work for the Association. Where the material is used by the Association under licence, members and volunteers must act in accordance with that licence.
248. Members and volunteers of the Association may not reproduce, publish, distribute or adapt third party copyright material in the course of their work for the Association without the authorisation of the copyright owner. Members and volunteers may not download or reproduce text, photographs or illustrations found on the internet without authorisation of the copyright owner. This includes for use in internal or external newsletters, reports or presentations. All non-generic images and illustration should be sourced from and with the consent of the creator. Generic images may be obtained from a stock image supplier (e.g. Shutterstock or iStockphoto).
249. When reproducing or otherwise using third party copyright material, it cannot be assumed that just because something is on the internet that it is free for everybody to copy and use. This includes images on Facebook or photo sharing websites such as Flickr. Acknowledgement of source of the material does not overcome the need for authorisation; actual authorisation is still required.
250. The VP Publications is required to institute procedures that will ensure:
- 250.1. That all uses of third party copyright materials are recorded; and
  - 250.2. That all compensable uses of copyright material are appropriately processed.

#### Copyright on the Association's materials

251. All materials produced by or on behalf of the Association are subject to copyright. Permission to reproduce such materials depends on the category into which they fall.
252. The copyright policies of the Association are binding on all members, contractors and volunteers.

#### Moral rights

253. Where it is reasonable to do so, members and volunteers of the Association ensure that:
- 253.1. When reproducing any written material, photograph or illustration, the creator should be acknowledged where it is appropriate to do so. It is generally appropriate to acknowledge the author of a report or article in a newsletter, but it is not appropriate to acknowledge the creator of a marketing brochure or promotional flyer, or where it is desirable for operational reasons that correspondence be sent out in the name of somebody else (such as in the name of an Executive or Committee member).
  - 253.2. When reproducing any written material, photograph or illustration, a person should not be falsely attributed as the creator unless it is reasonable to do so. For example, some correspondence may need to go out in the name of an Executive or Committee member even though it was written by somebody else. In most cases the attribution for a publication should be to the Association generally rather than any individual member.

## **XIV. Privacy Policy**

### **Introduction**

254. The Association is committed to protecting the privacy of personal information it collects, holds and administers.
- 254.1. Personal information is that which directly or indirectly identifies a person.
  - 254.2. Personal information may be information of its members, Law School staff, University staff, other student association's members, other University students, and members of the community ("stakeholders").

### **Purpose**

255. The purpose of this policy is to provide a framework for the Association in dealing with privacy considerations of its stakeholders.

## **Core Policy**

256. The Association collects and administers a range of personal information for the purposes of delivering its member activities efficiently.
257. The Association recognises the essential rights of individuals to have their information administered in ways which they would reasonably expect. This includes:
- 257.1. Protection of confidential information; and
  - 257.2. Accessibility for individuals to the personal information held by the Association.
258. The Association is bound by laws which impose specific obligations when it comes to handling personal information. The Association will:
- 258.1. Collect only information which it requires for its primary functions;
  - 258.2. Ensure stakeholders are informed of the reasons the information is being collected and how it is being administered;
  - 258.3. Use and disclose personal information only for the Association's primary functions or a directly related purpose, or for another purpose with the person's consent;
  - 258.4. Store personal information securely, protecting it from unauthorised access; and
  - 258.5. Provide stakeholders with access to their personal information, and the right to seek its correction.

## **Responsibilities**

259. The Association's Executive is responsible for developing, adopting and administering this policy.
260. The Secretary is responsible for implementing this policy and advising the Executive on the need for review.

## **Processes**

### Collection

261. The Association will:
- 261.1. Only collect information that is necessary for the performance and administration of its primary functions;
  - 261.2. Notify stakeholders about why the information is collected, and how it is administered; and
  - 261.3. Notify stakeholders that this information is accessible to them.

### Use and disclosure

262. The Association will:
- 262.1. Only use or disclose information for the primary purpose for which it was collected or a directly related purpose; and
  - 262.2. For other uses, the Association will obtain consent from the affected person.

### Data Quality

263. The Association will:
- 263.1. Take reasonable steps to ensure the information it collects is accurate, complete, up to date, and relevant to the functions it performs.

### Data Security and Retention

264. The Association will:
- 264.1. Safeguard the information collected and store against misuse, loss, unauthorised access and modification.

### Openness

265. The Association will:
- 265.1. Ensure stakeholders are aware of the Association's Privacy Policy and its purposes; and

- 265.2. Make this information freely available in relevant publications and on the Association's website.

#### Access and Correction

266. The Association will:

- 266.1. Ensure individuals have a right to seek access to information held about them and to correct it if it is inaccurate, incomplete, misleading or not up to date.

#### Anonymity

267. The Association will:

- 267.1. Give stakeholders the option of not identifying themselves when completing evaluation forms or opinion surveys.

#### Making information available to other organisations

268. The Association will:

- 268.1. Only release personal information about a person with that person's express permission. For personal information to be released, the person concerned must sign a release form; and
- 268.2. Can release information to third parties where it is requested by the person concerned.

## **XV. Confidentiality Policy**

### **Introduction**

269. Information management systems rely on any necessary restrictions on the free circulation of information being respected by those into whose hands the information is entrusted.

### **Purpose**

270. The purpose of this policy is to provide a framework for the Association in dealing with confidentiality considerations.

### **Core Policy**

271. The Association collects and administers a range of information for a variety of purposes. Some of this information is restricted for commercial, privacy and ethical reasons.
272. The Association will place the minimum necessary restrictions on the information it holds.
273. The Executive are responsible for determining the need for restrictions.

### **Responsibilities**

274. The Association's Executive is responsible for developing, adopting and administering this policy.
275. The Secretary is responsible for managing this policy. Responsibilities include:
- 275.1. Implementation;
- 275.2. Review, as and when the need arises; and
- 275.3. Oversight and observance of the Policy by the Committee.

### **Processes**

276. The following procedures will assist the Association in designating information as confidential.

#### Restriction

277. The Association will place restrictions on information it holds when the information:
- 277.1. Is commercial in confidence;

- 277.2. Concerns the privacy of its members, Law School staff, University staff, other student associations, other University students, and members of the community; and
- 277.3. Requires protection to safeguard the intellectual property of the Association, once extant.

#### Identification

- 278. Where confidential information is held by the Association, the Secretary will clearly identify to the Committee such information is confidential. This applies to:
  - 278.1. Individual documents or files; and
  - 278.2. Categories of information.

#### Protection

- 279. Members of the Committee will be required to sign a confidentiality agreement.
- 280. The Secretary will:
  - 280.1. Develop the confidentiality agreement; and
  - 280.2. Ensure each Committee member has signed the confidentiality agreement.

## **XVI. Anti-Discrimination Policy**

### **General Commitment**

- 281. The Association is committed to eliminating discrimination and promoting equality and diversity in its own policies, practices and procedures and in those areas in which it has influence. This applies to the Association's professional internal and external dealings with Committee members, general members and other parties. The Association intends to treat everyone equally and with the same attention, courtesy and respect regardless of their disability, gender, marital status, race, racial group, colour, ethnic or national origin, nationality, religion or spiritual belief, sexual orientation or gender diversity.
- 282. Any member who fails to uphold the principles of this commitment may face disciplinary action under the conflict resolution policy of these By-Laws. In the most extreme circumstances such failure may warrant expulsion pursuant to cl. 27.2 of the Constitution.

## **XVII. Awards**

### **LSA Alumni Bursary**

- 283. The LSA Alumni Bursary ("Bursary") provides opportunity for USC law graduates to support the future development of the law school student body by making a contribution to the USC LSA Alumni Bursary Fund ("Fund").
- 284. The recipient(s) of the Bursary(s) will be chosen by the USC LSA Alumni Bursary Fund Committee ("Committee").
- 285. The Committee will be made up of:
  - 285.1. The Immediate Past President (IPP), if extant, acting as Chairperson;
  - 285.2. The Treasurer;
  - 285.3. Up to two (2) USC Law School Alumni; and
  - 285.4. A member of USC Law School staff.
- 286. If there is no IPP, the Chairperson role will be fulfilled by a member of the Executive, as determined by the Executive.
- 287. The nature of the Bursary(s) will be determined by the Committee, but the value of each Bursary will not exceed \$100.00.
- 288. The Bursary will be awarded at the annual LSA Law Ball.
- 289. The Committee may award more than one Bursary, at their discretion, depending on:
  - 289.1. The number of eligible applicants; and
  - 289.2. The size of the Fund.
- 290. Current USC law students will be invited by the Chairperson to apply for the Bursary each year. The eligibility criteria will be:

- 290.1. Academic merit – a GPA of 5.5 or above;
  - 290.2. A demonstrated commitment to the LSA and Law School experience as evidenced through attendance at events, seminars, classes, participation in competitions and any other opportunity as considered relevant; and
  - 290.3. Financial need.
291. Law students may only be awarded the Bursary once.
292. The Fund will be perpetual and does not need to be exhausted each year with the allocation of the Bursary(s). The Committee may choose to limit the allocation of the Bursary(s) in the interests of increasing the size of the Fund, but they should allocate at least one (1) Bursary each year. Graduating law students will be encouraged to make a contribution of \$10.00 each prior to graduation. Alumni will be encouraged to contribute to the fund each year. In the event the size of the Fund is less than the value of a single Bursary, the LSA will augment the difference. The operation of the Bursary each year will be at the complete discretion of the Committee.

## **XVIII. ALSA Representation**

### **Council**

- 293. ALSA Council takes place in February, July and September of each year. The location moves according to the Council's determination.
- 294. Where possible, the USC LSA will send at least one councillor to each of February and September and two councillors to July.
- 295. When determining who shall attend as councillors at each of the above, a different policy will apply to February and September as to July.

### **February and September Council**

- 296. Selection of councillors to February and September councils will be done by the majority vote of the Executive.
- 297. Any member of the Executive may nominate themselves, or be nominated by another member of the Executive, to attend the council.
- 298. Where there is more than one nominee, all non-nominated members of the Executive must vote to elect one (1) councillor only to attend. The Executive may have regard to the experience of the member at ALSA Council, how many times they have or have not been previously, the value of sending that member with regards to their portfolio and what will be gained by sending them, and the timing of the council.
- 299. Where no nominations are received from within the Executive, the Executive may nominate an exceptional member of the committee to attend in their stead, with selection to take place according to the above rule.
- 300. Where no nominations are received in the above two instances, the President will be compelled to attend as the councillor.

### **July National Conference**

- 301. Selection for councillors to attend the July National Conference will take place as follows.
- 302. The USC LSA will (where able) send two councillors to July National Conference.
- 303. The President and Vice-President of Education will be nominated to attend by the Executive.
- 304. Where either of them cannot attend as a councillor, the following will apply.
  - 304.1. Any member of the Executive may nominate themselves, or be nominated by another member of the Executive, to attend the council.
  - 304.2. Where there is more than one nominee, all non-nominated members of the Executive must vote to elect one (1) councillor only to attend. The Executive may have regard to the experience of the member at ALSA Council, how many times they have or have not been previously, the value of sending that member with regards to their portfolio and what will be gained by sending them, and the timing of the council.
- 305. Where no nominations are received from within the Executive, the Executive may nominate the Immediate Past President to attend in their stead, with selection to take place according to the above rule.

### **Competitors (ALSA National Conference – July Annually)**

306. The Executive may elect to send a competitive team in all or any of the competitions held at the ALSA National Championships as they see fit in their sole discretion.
307. The Executive may rely on the following to make their decision:
  - 307.1. The availability of funding;
  - 307.2. The value of the experience for the competitors;
  - 307.3. Whether or not those competitors have previously competed at ALSA and how they performed at that conference;
  - 307.4. The interest or support for sending the team expressed by the Association Membership generally;
  - 307.5. Any other material fact that may influence their decision;
308. The competitive team will be selected for each from the respective competition held annually by the Association.
309. If a competitor did not compete in the most recent competition (of the same type they wish to compete in at ALSA) hosted by the USC LSA they are ineligible to be selected in the competitive team.
310. Selection of the competitor or competitive team for each of the competitions will take place in the following manner:
  - 310.1. The winning team of the USC LSA competition will be invited by the Executive, jointly and severally, to be part of the competitive team;
  - 310.2. Where one or more members of the winning team are unable, unwilling or unfit to compete, the Executive will invite the next highest scoring individual from the Grand Final of the USC LSA competition to be a part of the competitive team, subject to point 4.6 below.
  - 310.3. Where there are three (3) members of a moot team, and that team wins the Grand Final of the USC LSA competition, the two members of that team that speak in the Grand Final will be invited in the first instance to compete.
  - 310.4. Where one or more of them declines the invitation, the third member of the team will be invited to be a part of the competitive team.

### **Travel and Registration Costs**

311. Councillors and Competitors attending any ALSA Conference may be required to pay a nominal fee towards the registration costs of the conference.
312. Whether a nominal fee is to be paid will be at the sole discretion of the Treasurer. The Treasurer will propose the amount of the nominal fee (where applicable) and the reasoning for such prior to each conference, which is then to be approved by the Financial Executive.
313. When determining whether a nominal fee is applicable and the amount of the fee, the Treasurer is to consider the following factors:
  - 313.1. The registration costs of attending the relevant conference;
  - 313.2. Any available funding for registration costs of the conference;
  - 313.3. The financial situation of the Association at the relevant time;
  - 313.4. The essentiality of attending the conference; and
  - 313.5. Any other factor the Treasurer deems relevant.
314. Councillors and Competitors attending any ALSA Conference will be entitled to the payment of a nominal fee from the Association towards their travel costs associated with attending the conference.
315. The amount of the nominal fee made available to Councillors and Competitors for travel is to be decided by the Treasurer prior to each conference and approved by the Financial Executive.
316. When determining the amount of the nominal fee made available to Councillors and Competitors for travel, the Treasurer is to consider the following factors:
  - 316.1. The location of the conference;
  - 316.2. The ALSA representative's proposed method of travel to and from the conference;
  - 316.3. The time of year the conference is held;
  - 316.4. Any available funding made available for sending Councillors or Competitors to the conference;
  - 316.5. The Financial situation of the Association at the relevant time;
  - 316.6. The essentiality of attending the conference; and

- 316.7. Any other factor the Treasurer deems relevant.
317. The amount of the nominal fee made available to Councillors and Competitors for travel is not to be more than 50% of the travel costs associated with attending a conference.

## **XIX. Expectations and Code of Conduct**

318. This Association does not have a Code of Conduct.
319. The Association expects all of its members to abide by the USC Student Charter. Any proven breach of that Charter may result in the expulsion of the member.
320. The Association will as a matter of priority refer all suspected breaches of the Charter to the Student Ombudsman or relevant authority in the circumstances.

## **XX. Sexual Harassment Policy**

321. This Association will not tolerate any behaviour of a sexual nature which is unwelcome and which a reasonable person would anticipate in the circumstances that the person who was harassed would be offended, humiliated and/or intimidated.
322. In all instances, the Association will abide by the USC Sexual Harassment Prevention (Students) – Governing Policy and any other related documents as they may apply.

## **XXI. Application of USC Policies**

323. Where there is no express intention to the contrary contained in these By-Laws or the Constitution, the Association will abide by all USC Policies as applicable.
324. Where there is a conflict between a USC Policy and a by-law or provision of the Constitution, the Associations policy will prevail, so long as the application of that policy does not:
  - 324.1. Harm a student, staff member or any other person; physically, psychologically or emotionally;
  - 324.2. Bring the Association into disrepute;
  - 324.3. Cause any other matter that the Executive deems to be unreasonable in applying the Policy.

## **XXII. Interpretation**

### **Dictionary and Interpretation**

325. "Association" means the University of the Sunshine Coast Law Students' Association.
326. "By-Laws" means the By-Laws of the University of the Sunshine Coast Law Students' Association.
327. "Constitution" means the Constitution of the University of the Sunshine Coast Law Students' Association.
328. "School" means the Law School of the University of the Sunshine Coast. The By-Laws adopt sections 103 and 104 of the Association's Constitution.