

NOTICE OF CONSTITUTIONAL MOTIONS FOR OGM 1

Motion 4.1: Changes to Schedule 1

Preamble:

At OGMs 3 and 4 of 2020, changes to the ANUSA Executive were adopted by ANUSA members. Also, many options for reform were considered (including potentially reducing the number of General Representatives) and as such, many different versions of Schedule 1 were prepared as options for consideration by members. The wrong version of Schedule 1 was accidentally passed when Motion 4.42 was adopted at OGM 4 2020. This version stated that there would be ten (10) General Representatives. However, the motion to reduce the number of General Representatives in fact failed (Motion 4.10 OGM 3 2020). As such, Schedule 1 should continue to provide for fourteen (14) General Representatives, as the amended version is inconsistent with section 14(1)(b), which has not been amended.

Motion:

To amend Schedule 1 by omitting item 15 and inserting instead:

15. Fourteen (14) General Representative Positions to the SRC;

Motion 4.2: Numbering in s 17(8)

Preamble:

There was a minor error in the numbering of the provision passed by Motion 4.2 of OGM 4 2020, such that the final sub-paragraph of section 17(8) was incorrectly numbered "(c)" and should be numbered '(d)'.

Motion:

To amend s 17(8) as follows:

8. The following serve on the Clubs Council Executive ex officio:
 - (a) the Clubs Officer;
 - (b) another member of the Executive of the Association appointed from time to time by that Executive;
 - (c) staff members appointed from time to time pursuant to section 17(9) and the Clubs Regulations; and
 - (d) a representative of PARSAs, appointed from time to time by PARSAs.

Motion 4.3: Errors in the provision introducing the Welfare Officer

Preamble:

There are two minor errors in the provision introducing the Welfare Officer which was passed in 2020. Namely, the provision is numbered as '17(13B)', there being no '17(13A)'. Additionally, a position of 'Advocacy Officer' is listed as opposed to 'Education Officer' in paragraph (e). As section 17(13B) is the last subsection in section 17, it can simply be numbered '17(14)'.

Motion:

To delete s 17(13B) and insert instead s 17(14) as follows:

(14) The Welfare Officer must, subject to the Constitution, the Regulations and policies of the Association:

- (a) oversee the implementation of welfare and related policy of the Association;
- (b) liaise with the President on relevant student welfare issues;
- (c) provide general advocacy on welfare issues for students;
- (d) on behalf of the Association, liaise with national and local bodies on relevant welfare campaigns;
- (e) alongside the Education Officer, prepare submissions on behalf of the Association to Government inquiries and reviews on welfare matters; and
- (f) collate information on welfare issues which affect students and the Association.

Motion 4.4: Insertion of transitional provision

Preamble

The Constitution was amended in 2020, introducing among other changes, new officers as members the ANUSA Executive: the Clubs Officer and the Welfare Officer and replacing the position of Social Officer. Further changes have been put to this OGM, some of which also require transitional provisions.

This motion provides for transitional provisions to ensure that the changes approved by members can smoothly enter into force without disrupting the normal functioning of ANUSA.

Currently, the 2020 amendments are not in force, as amendments to the ANUSA Constitution do not take effect until ratified by the ANU. It is anticipated that this will occur at the fourth meeting of the ANU Council. Under ANU policy, this is normally the only meeting during the year when ratification of amendments to student association constitutions can occur.

Most of the changes made in 2020 can enter into force when ratified by the ANU. Some of the changes made in 2020 need to commence at specific times, particularly in respect of the changes to the membership of the ANUSA Executive.

This motion provides for changes to enter into effect for the purposes of electing the ANUSA Executive for 2022 and for the timing of related changes. The 2021 ANUSA election would therefore elect the ANUSA Executive for 2022 under the new structure (including the new Clubs Officer and Welfare Officer). All changes are anticipated to be in effect at latest by end of November 2021 in preparation for the 2022 Executive to take office.

The transitional provisions avoid disruptions, for instance, casual vacancies, that would arise if the changes entered into effect without appropriate transition planning. It will also be necessary to implement changes to the Regulations to account for the changes that have been made to the Constitution.

Subparagraph 1(a) ensures that the first election after ratification by ANU will allow for the election of the new officers of the ANUSA Executive.

Subparagraph 1(b) provides for casual vacancies arising from that election, to be filled, as provided for in the Election Regulations, if no nominations are received for a position during the election itself.

Subparagraph 1(c) ensures that vacancies more generally for the new positions on the ANUSA Executive do not arise before the new expanded ANUSA Executive begins its term of office.

Subparagraph 1(d) provides for the new, expanded Executive to take office on 1 December, 2021 following its election.

Subparagraph 1(e) provides for the cessation of the power of the Clubs Council to elect the Clubs Council Chair.

Subsection (2) of section 31 lists the changes adopted at OGM 4 to which the transitional provisions will apply.

Subsection (3) of section 31 provides for the term of office of the last serving Clubs Chair to end when the first Clubs Officer takes up their office.

Subsection (4) provides for section 31 to cease to have effect and to be deleted, after it no longer has operational effect.

Section 32 applies similar transitional provisions to the additional constitutional changes to section 17 adopted at OGM 1 in 2021.

It should be noted that due to the numerous and complex options for reform considered in 2020, it was not practicable to adopt transitional provisions at that stage.

Motion 4.4.1:

Amend the ANUSA Constitution by adding the following section:

Transitional Provisions for Changes to the ANUSA Constitution Adopted at OGM 4 2020

31. Transitional Provisions for Amendments to the ANUSA Constitution adopted at Ordinary General Meeting 4 of 2020

- (1) The amendments adopted to the ANUSA Constitution at Ordinary General Meeting 4 of 2020 set out in subsection (2) do not take effect on ratification of those amendments by the ANU, but:
 - (a) For the purposes of the first annual general election called following that ratification, take effect immediately prior to the publication of the call for nominations for that election;
 - (b) For the purposes of filling casual vacancies arising during that annual general election, take effect immediately after the close of nominations for that election;
 - (c) For the purposes of filling vacancies in the position of Clubs Officer or Welfare Officer, other than vacancies arising from the call for nominations for the election referred to in subparagraph (a), take effect on 1 December following that election; and
 - (d) For the purposes of taking up office of the ANUSA Executive elected as a result of the election referred to in subparagraph (a), including casual vacancies filled as a result of that election, take effect on 1 December following that election.
 - (e) For the purposes of the cessation of the power of the Clubs Council set out in the Clubs Regulations to elect the Clubs Council Executive Chair, take effect immediately prior to the first Clubs Officer elected during or subsequent to the election referred to in paragraph (a) commencing their term of office.
- (2) Amendments which take effect in accordance with subsection (1) are the following:

- (a) Amendments to section 9(1) (Motion 4.24 OGM 4)
 - (b) Amendments to section 10(12) (Motion 4.2 OGM 4)
 - (c) Amendments to section 10(13)(f) (Motion 4.4 OGM 4)
 - (d) Amendments introducing section 10(13B) (Motion 4.4 OGM 4)
 - (e) Amendments adding the Clubs Officer and Welfare Officer in section 16(3) (Motion 4.12)
 - (f) Amendments to section 17(8) (Motion 4.2 OGM 4)
 - (g) Amendments to section 17(11) (Motion 4.2 OGM 4)
 - (h) Amendments to Schedule 1, other than item 14, which takes effect on ratification by the ANU (Motion 4.42 OGM 4)
- (3) The term of office of the last serving Clubs Council Executive Chair ends on the first Clubs Officer commencing their term of office.
- (4) This section of the Constitution (section 31) ceases to have effect following the entry into force of the amendments set out in subsection (2) as provided for in subsection (1), and it shall be deleted from the Constitution on such cessation.

Motion 4.4.2

Amend the ANUSA Constitution by adding the following section:

32. Transitional Provisions for amendments to the ANUSA Constitution adopted by Ordinary General Meeting 1 of 2021

- (1) Amendments to section 17 adopted at Ordinary General Meeting 1 of 2021 take effect at the same time as provided for in section 31(1) of the Constitution.
- (2) This section of the Constitution (section 32) ceases to have effect following the entry into force of the amendments set out in sub-section (1), and it shall be deleted from the constitution on such cessation.