



**UNIVERSITY OF  
SYDNEY UNION**

**REGULATIONS  
OF  
THE UNIVERSITY OF SYDNEY UNION**

**MAY 2018**

# **THE UNIVERSITY OF SYDNEY UNION REGULATIONS AND DIRECTORS' DUTY STATEMENTS**

In pursuance of the powers conferred on it by the clause 9.2 (e) of the Constitution, the Board of Directors has enacted the following Regulations:

## **1. THE BOARD**

### *1.1. Meetings of the Board*

- 1.1.1. The Board shall meet at least ten times in each calendar year.
- 1.1.2. Meetings of the Board and Committees shall be conducted in accordance with the Standing Orders, which form Appendix 3 to this document and have the force and effect of Regulations.
- 1.1.3. The standing orders shall be provided by the CEO to all Board Directors, Committee Members and Officers of the Union upon their induction.
- 1.1.4. Formal resolutions shall only be made in the course of a duly notified meeting of the Board, excepting that a formal resolution may be made where the proposed resolution is circulated to all Directors and every Director expresses their assent to that proposed resolution.

### *1.2. The Board Agenda*

- 1.2.1. The business at meetings of the Board shall be determined by the Executive Committee. The Executive Committee shall make this determination and provide four clear days' notice of same. The agenda shall include, but need not be limited to:
  - (a) Apologies and leave of absence;
  - (b) Minutes of previous meetings, Business arising from the minutes;
  - (c) Starring of the agenda and adoption of unstarred items;
  - (d) Open question time;
  - (e) Motions of which due notice has been given;
  - (f) Confidential business;
  - (g) Reports of the President, Vice President, Honorary Secretary, Honorary Treasurer;
  - (h) Reports of the Officers of the Union;
  - (i) Other business.
- 1.2.2. The agenda must include any item of business referred to Executive Committee by another Committee of the Board.
- 1.2.3. The agenda must include any item of business referred to the Executive Committee by a Director.
- 1.2.4. Substantive resolutions of all Committees shall be included with the agenda for Board Meetings as recommendations to the Board.

### *1.3. Intra-board disputes*

- 1.3.1. In the event that there is a dispute between two or more Directors and informal means of resolution have been ineffectual, an External Arbitrator will be appointed by the Board to act as a Conciliator and Arbitrator upon the request of any Director.
- 1.3.2. The External Arbitrator will be not be a director, trustee, employee or agent of the University of Sydney Union.
- 1.3.3. Disputes relating to the following matters may be referred by any Board Director to the External Arbitrator for conciliation:
  - (a) bullying;
  - (b) harassment;
  - (c) difficulties arising from allocation of workload;
  - (d) difficulties arising from allocation of responsibilities as a Board Director; and
  - (e) any other difficulties arising in the performance of Board Director duties.

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- 1.3.4. Upon receipt of such dispute the External Arbitrator will first endeavor to conciliate the matter. Such conciliation will be undertaken on a confidential basis as between the External Arbitrator, the Directors who are party to the dispute and any material witnesses as determined by the External Arbitrator. Parties to the dispute will participate in conciliation in good faith with a view to resolving the dispute.
- 1.3.5. In the event conciliation is unsuccessful the External Arbitrator may arbitrate the dispute. Any arbitral award created by the External Arbitrator will be binding on the Board and Board Director who is party to the dispute or affected by the dispute.

### **2. DIRECTORS AND OFFICE BEARERS**

- 2.1. All Board Directors shall act in accordance with the Duty Statements for Board Directors, which form Appendix 1 to this document and constitute Regulations made pursuant to the Constitution.
- 2.2. The Duty Statements for Board Directors shall not be modified or rescinded except by Special Resolution of the Board.
- 2.3. The Board may reprimand a Director by a motion of censure, carried by Special Resolution. Such a motion must be put on notice, excepting that such a motion may be moved during the course of a meeting of the board if it arises from conduct occurring during that meeting.
- 2.4. A motion of censure must be considered in circumstances where a Director believes on reasonable grounds that another Director:
  - (a) is in breach of their fiduciary duty to the USU;
  - (b) is in breach of a duty of confidentiality to the USU;
  - (c) has failed to remedy a conflict of interest;
  - (d) has engaged in serious misconduct in the exercise of their functions under the Constitution and the Regulations made pursuant to it.
  - (e) has been censured on multiple occasions, being not less than two, on the grounds listed in 2.5.
- 2.5. A motion of censure may be considered in circumstances where a Director believes on reasonable grounds that another Director:
  - (a) is in breach of the Duty Statements for Board Directors;
  - (b) has improperly used their position;
  - (c) has defied or obstructed a duly adopted resolution of the Board;
  - (d) has repeatedly breached the Standing Orders for meeting procedure.
  - (e) has otherwise engaged in conduct or omitted to act such that the conduct or omission requires reprimand.
- 2.6. A motion of censure is not a mechanism by which to silence dissent or vindicate a purely interpersonal dispute.
- 2.7. A motion of censure carried on any of the grounds listed in 2.4. may be followed by a further motion, carried by Special Resolution, imposing any of the following consequences:
  - (a) the censured Director is removed from any office they hold, including Executive positions, Committee positions and portfolio positions;
  - (b) any remuneration, privileges or special benefits afforded to the censured Director are suspended for a defined period;
  - (c) the Board formally requests the censured Director's resignation;
  - (d) the Board considers a further motion pursuant to Article 9.2F of the Constitution, whereby the censured Director may be expelled from membership of the USU and consequently ceases to be a Director. In such a case, the censure motion carried by Special Resolution is followed by a motion, carried by Special Resolution, to consider an Article 9.2F motion at a subsequent Board meeting (which may be an extraordinary meeting). The passage of a censure motion and a subsequent motion to consider an Article 9.2F motion shall enliven Article 9.2G of the Constitution.

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- 2.8. A motion of censure carried on any of the grounds listed in 2.5 may be followed by a further motion, carried by Special Resolution, imposing any of the following consequences:
- (a) the censured Director is removed from any office they hold, including Executive positions, Committee positions and portfolio positions;
  - (b) any remuneration, privileges or special benefits afforded to the censured Director are suspended for a defined period;
  - (c) the Board formally requests the censured Director's formal apology and/or an undertaking to remedy the grounds upon which the censure was carried.
- 2.9. The powers and responsibilities of a Director pursuant to the Constitution and the Regulations made pursuant to it are unaffected by a censure motion, except as provided by 2.7 and 2.8.
- 2.10. No Board vote conducted pursuant to this Part may be conducted in camera, though relevant deliberations may be conducted in camera.
- 2.11. Where a position on the Board is vacated, the person entitled to fill that vacancy pursuant to the Constitution shall be notified in writing by the Chief Executive Officer and must reply to the Chief Executive Officer by letter posted not more than two (2) weeks after the original notification.

### **3. CONFLICTS OF INTEREST**

#### *3.1. In meetings of the Board and its Committees*

- 3.1.1. Directors and Officers of the Union must avoid material conflicts of interest or duty in the conduct of their functions under the Constitution and the Regulations made pursuant to it.
- 3.1.2. Directors or Officers of the Union may avoid material conflicts of interest or duty by removing themselves from consideration of the business to which the conflict relates.
- 3.1.3. The Board may, by special resolution, declare that a Director or Officer of the Union is encumbered by a material conflict of interest or duty and recuse them from consideration of the business to which the conflict relates.

#### *3.2. On Selection Panels*

- 3.2.1. A member of a Selection Panel will have a conflict of interest where the business of the Selection Panel relates in any way to a person with whom that member has a marital, de facto, close personal, familial or business relationship.
- 3.2.2. A member of a selection panel who has a conflict of interest must remove themselves from consideration of the relevant business of the selection panel. Failure to do so will constitute a breach of these regulations and may result in disciplinary action.
- 3.2.3. In the case of a Board Director, disciplinary action may include a formal warning, the suspension of remuneration and/or privileges or censure.
- 3.2.4. In the case of an Officer of the Union or a staff member, disciplinary action shall be governed by the relevant policies.

### **4. BOARD COMMITTEES**

- 4.1. The Board may create a Committee by ordinary resolution by adopting Terms of Reference. The Terms of Reference of any Committee presently existing shall form Appendix 2 of this document. These terms of reference shall set out:
- (a) The purpose and duration of the Committee.
  - (b) The composition of the Committee

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- (c) Any special procedures of the Committee, including matters pertaining to its decision-making procedures, recruitment/appointment procedures and any other matter considered necessary.
  - (d) The responsibilities and powers of the Committee
- 4.2. In any Committee, wom\*n-identifying people shall comprise no less than half the membership of a committee. In the case of a committee with an uneven number of members wom\*n-identifying people shall comprise not fewer than the number of members produced by dividing the number of committee members by two and subtracting one half. If this condition cannot be satisfied, the matter must be considered by the Board, which may alter the composition of the Committee in order to satisfy the requirement or choose to allow a temporary exemption to the requirement in respect of that Committee.
- 4.3. Every Committee shall have a Committee Chair appointed by Board. The Committee Chair shall be responsible for conducting the business of the Committee in pursuance of its Terms of Reference. The Committee chair shall also be responsible for ensuring minutes of the Committee's deliberations are produced and tabled at the next Ordinary Meeting of the Board following those deliberations.
- 4.4. A decision of a Committee in pursuance of its Terms of Reference takes immediate effect provided only that the decision may be rescinded by the Board, said rescission taking only prospective effect.
- 4.5. A decision of a Committee that is determined by Board to be beyond the power conferred by its Terms of Reference is invalid and of no prospective effect

### **5. STANDING COMMITTEES**

- 5.1. The Committees constituted by this section are regarded as essential to the proper governance of the USU.
- 5.2. There shall be a Committee known as Executive Committee. It shall comprise the Board Executive and the CEO. It shall meet at least one week before each Board meeting or as otherwise required for the purposes of:
- (a) Authorising expenditure of less than \$5,000.
  - (b) Authorising expenditure on emergency capital replacements of less than \$10,000.
  - (c) Considering day-to-day matters which are not necessary to bring to Board.
  - (d) Reviewing the agenda for the next Board meeting and starring all items of importance, provided that any Director may at the start of the Board meeting request the starring of an item which has not been starred by the Executive.
  - (e) The appointment of the Electoral Arbiter and the Returning Officer.
- 5.3. There shall be a committee known as Finance Committee. It shall comprise:
- (a) the President (ex-officio)
  - (b) the Honorary Treasurer.
  - (c) up to four external persons appointed by the Board, one of whom is appointed as Chair
  - (d) one non-Executive Director, Deputy Chair
  - (e) one University appointee
  - (f) the Chief Executive Officer (ex officio)

The function of the Committee shall be to review the financial, audit, legal and risk management portfolios of the organisation and advise the Board in respect of these matters. The committee shall convene at least four times per year.

- 5.4. There shall be a Remuneration Committee comprising:
- (a) the President, Deputy Chair
  - (b) the Vice President
  - (c) the Honorary Treasurer
  - (d) one non-Executive director
  - (e) up to two external Directors, one of whom will be appointed Chair
  - (f) at least one Senate Appointed Board Director
  - (g) the Immediate Past President of the Board of Directors
  - (h) the Chief Executive Officer (ex officio)
  - (i) the Human Resources Director (ex officio)

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The committee shall advise the Board on all long term and short term remuneration issues, including the target wages growth, and key processes and systems around remuneration for all staff and in particular non award staff and policies for the remuneration of senior staff. The committee shall advise the Board on all

Human Resources policies, including management systems, performance review systems, all major Industrial Relations instruments, and recruitment processes and strategies. The Committee shall advise the Board on the management structure of the USU, seeking best practice management structures for the USU.

The Committee shall review annually, or as necessary, the remuneration of the CEO and advise the Board. The Committee shall convene at least four times a year.

- 5.5. There shall be an Electoral Committee comprising:
- (a) the President (ex-officio), Chair
  - (b) the Honorary Secretary (ex-officio), Deputy Chair
  - (c) the Immediate Past President (ex-officio)
  - (d) one non-Executive Director
  - (e) the Immediate Past Returning Officer
  - (f) the Chief Executive Officer, or their appointee (ex officio)
  - (g) the Director of Student Programs (ex officio)
  - (h) the Sales, marketing and Infrastructure Director (ex officio)

The Committee shall consider matters pertaining to the conduct of the USU's Annual Elections, and specifically any recommendations made in the report of the Immediate Past Returning Officer. The Committee shall meet within the two months prior to the opening of nominations for Board, and again within

the two months following the date of the election conducted each year, and at such other times as the Committee deems fit. The Committee shall review the regulations pertaining to the USU's Elections and shall make recommendations to the Board accordingly.

### **6. CONDUCT OF MEETINGS**

- 6.1. Meetings of the Board and Committees shall be conducted in accordance with the Standing Orders, which shall form Appendix 3 of this document
- 6.2. Minutes shall be kept of meetings of the Board, its Committees and all General Meetings of the USU, and the Board Secretary shall keep a register of these minutes.
- 6.3. Quorum for Board meetings shall be seven (7) Directors. If any meeting of the USU has not gained quorum within thirty minutes of the scheduled starting time, the Chair shall declare the meeting lapsed for the reason of lack of quorum.

### **7. APPOINTMENT OF STUDENT LEADERS& COORDINATORS**

- 7.1. The Board shall appoint people to the following roles:
  - (a) Two (2) OWeek Event Coordinators
  - (b) Two (2) Verge (Arts Festival) Creative Directors.
  - (c) One (1) Director of Debates.
  - (d) Two (2) Pulp Editors.
  - (e) Two (2) WeChat Editors.
  - (f) Four (4) Campus Activities Coordinators
  - (g) Two (2) Hermes Editors
- 7.2. In each case, the Selection Panel shall comprise:
  - (a) At least one Executive Director
  - (b) At least one non-executive Director
  - (c) The relevant staff director (as determined by the CEO), or their appointee
  - (d) The Director of Human Resources Management or their appointee

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- 7.3. The Board may, at its complete discretion from time to time choose to create additional student leadership and coordination roles.
- 7.4. The Board may from time to time and upon the recommendation of the Human Resources Department appoint additional people to the interview panels.
- 7.5. Student leadership/coordination roles may be remunerated with any such remuneration to be reviewed annually by Board. Student leadership/coordination roles may be assigned a position description, which may be reviewed annually by Board. Any changes to the level of remuneration or honoraria or the content of a role description will take effect in the following year, or as determined by Board.

### **8. ELECTIONS**

#### *8.1. Dates and Notice*

- 8.1.1. The Board shall, subject to clause 10.2 (a) of the Constitution, determine the dates and times for receiving nominations and holding elections.
- 8.1.2. In the case of each annual election, the Chief Executive Officer shall, at least eight weeks before the date or dates of the election, post a notice advertising the election by:
  - (a) stating the day on which nominations open, which shall be at least six weeks before the day or days of the elections
  - (b) stating the day and time on which nominations close, which shall be at least five weeks before the day or days of the elections and not less than seven days after nominations open
  - (c) stating the day or days of the election

#### *8.2. Electoral Committee*

- 8.2.1. The Electoral Committee of the USU shall not meet in the period after nominations open and before the declaration of results.

#### *8.3. Duty Statements*

- 8.3.1. The Chief Executive Officer shall ensure that all candidates for election to Board receive a copy of the Duty Statements for Board Directors upon submission of their nomination for election by the membership.

#### *8.4. Candidates for Election to Board*

- 8.4.1. All candidates for the USU Board elections shall be required to resign from paid USU positions before the close of nominations.
- 8.4.2. All candidates for the USU Board must stand down from USU Committees pending resignation upon their election. For the avoidance of doubt, this does not include the USU Board.
- 8.4.3. Each candidate for election must submit a nomination form authorised by at least two nominators who are members of the USU, provided that no members may nominate more candidates for election than there are positions to be filled at that election. This form must also contain a statement of willingness to stand for election signed by that candidate and a recent, passport-style photograph of the candidate.
- 8.4.4. Nomination forms may contain information regarding positions held in various organisations. This information must specify the candidate's position in the organisation and the period in which the position was held. Candidates must supply a statutory declaration to affirm the validity of the information provided. USU Board Directors and staff members may not nominate or second candidates for election.

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8.4.5. Candidates must also sign and submit statutory declarations affirming that:

- (a) they will attend compulsory training sessions as proscribed by the Board from time to time;
- (b) they have read and will comply with the USU's Regulations;
- (c) they have read and will comply with the Duty Statements for Board Directors in the event that they are elected to Board.
- (d) they have read and will comply with the USU Candidate Handbook.

8.4.6. Positions on all ballots for USU Elections shall be randomised.

8.4.7. The names of all candidates for election shall be exhibited on the USU notice boards maintained in accordance with clause 15.1 (g) of the Constitution for a period of not less than fourteen days preceding the election.

*8.5. Polling/pre-polling at Annual Elections*

8.5.1. On the day or days of the election for the Board of Directors, polling shall be open at the University between, at least, the hours of 9.00am and 6.30pm or between such other hours and at such polling places as the Board may direct

8.5.2. The Electoral Committee may provide for pre-poll voting to take place up to one week before the first day of the election. Voting procedures shall follow those for voting on the day or days of the election.

8.5.3. In exceptional circumstances the Returning Officer, in conjunction with the Chief Executive Officer, may provide for pre-polling to take place more than one day, but not more than one week, earlier than the first day of the election. Voting procedures shall follow those for voting on the day or days of the election.

*8.6. Voting in Person on Polling Day at Annual Elections*

8.6.1. The officer in charge of a polling place shall ensure that only eligible people are allowed to proceed to cast a vote.

8.6.2. Votes shall be cast in a manner determined by the Committee, saving that

- (a) Only eligible members may vote
- (b) No person may vote more than once in any election
- (c) No vote shall be cast unless the voter is able to present photo identification. For members this should be in the form of a current USU Access Membership. In the case of other Membership classes the only acceptable form of photo identification shall be a current University of Sydney Student Card. An Australian Drivers Licence or passport may be accepted as identification at the discretion of the Returning Officer.

*8.7. Absentee Voting at Annual Elections*

8.7.1. A member who is eligible to vote may make an absentee vote at the place and times proscribed by the Electoral Committee. Absentee voting shall not be available more than 7 working days before the election or after 4.00pm on the day before the election. Voting procedures shall follow those for voting on the day or days of the election.

*8.8. The Count at Annual Elections*

8.8.1. On the closing of the poll, the Returning Officer shall proceed to count the votes.

8.8.2. If in an election there are equal votes cast for two or more candidates the Returning Officer shall immediately draw lots to determine, from among those candidates whose votes were equal, a sufficient number to complete the new Board.

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- 8.8.3. Once the vote has been counted the RO shall announce in such a public space as determined by the Committee the results of the election and make a Declaration of the Provisional Results. Furthermore the results shall be emailed to all candidates and posted on the USU Notice Boards and on the USU Website.
- 8.8.4. Each candidate for election may nominate a scrutineer by informing the Returning Officer in writing. There shall only be one scrutineer per candidate in the tally room at any time.
- 8.8.5. No candidate for election may be appointed scrutineer and shall not be present in the tally room at any time.

*8.9. Roles of Returning Officer/Electoral Arbiter at Annual Elections*

- 8.9.1. The Electoral Committee shall make a recommendation to the Board of a person to act as Returning Officer. Prior to the opening of nominations, the Board shall appoint a suitable person to act as Returning Officer. The Returning Officer shall be charged with the conduct of the election, and any referenda process, and may appoint such assistant officers as may be deemed necessary. The Returning Officer shall also preside over the subsequent Executive Election held in June unless the Board determines otherwise.
- 8.9.2. Neither the Returning Officer nor their assistant officer(s) may be a candidate for election, a current Board Director, a USU staff member or a person closely associated with any election candidate as determined by the Board of Directors. They shall also not nominate a candidate for election.
- 8.9.3. The Returning Officer shall be paid such remuneration as the Board may from time to time prescribe.
- 8.9.4. The Board may appoint a reserve Returning Officer who shall assume the duties of the Returning Officer in the event that the Returning Officer becomes incapacitated or is otherwise unable to fulfil their role.
- 8.9.5. The Returning Officer shall hold office from the time of appointment until such a time as any and all appeals arising out of the of the Executive Election have been determined.
- 8.9.6. The Board shall appoint an Electoral Arbiter who shall be a barrister or solicitor of the Supreme Court of New South Wales or a judge or magistrate. This Electoral Arbiter shall not be a candidate for election, a Board Director, a USU staff member, or a person closely associated with any election candidate as determined by the Board of Directors. They shall have jurisdiction over both the Board Election and Executive Election unless the Board determines otherwise.
- 8.9.7. The Electoral Arbiter shall hold office from the time of appointment until such time as any and all appeals arising out of the Executive Election have been determined.
- 8.9.8. The Board may appoint a reserve Electoral Arbiter who shall assume the duties of the Electoral Arbiter in the event that the Electoral Arbiter becomes incapacitated or is otherwise unable to fulfil their role.
- 8.9.9. Notwithstanding these Regulations, the Returning Officer (RO) and the Electoral Arbiter shall apply these Regulations having regard to whether or not they consider that a candidate sought unfairly to influence the result of the ballot, or that candidates were unfairly prejudiced, or that voters were unfairly influenced by the forbidden practice found to have occurred. The Returning Officer shall also have the power to consider violations of the USU Candidate Handbook and behaviour that, in their opinion, appears to contravene the University of Sydney Code of Conduct for Students.
- 8.9.10. In the event that these regulations are contravened and a cost is incurred, if the Returning Officer is satisfied on the balance of probabilities that a candidate is responsible, the candidate(s) shall be responsible for any costs incurred.

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8.9.11. A Returning Officer, on their own motion or on receipt of a complaint, may require any member to come before them to submit to questioning.

*8.10. Forbidden Practices at Annual Elections*

8.10.1. The following shall constitute forbidden practices in an election:

- (a) Campaigning of any sort or the soliciting of votes before the date determined by the Electoral Committee.
- (b) A campaign exclusion zone of at least three metres will be marked at polling places under the direction of the Returning Officer. No candidate or campaigner is permitted to be within this area. Campaigners and candidates are only allowed within this exclusion zone for the purpose of submitting their own vote and must cover their campaign T-Shirt whilst doing so
- (c) The recording of a vote to which a person is not entitled.
- (d) Voting more than once in an election.
- (e) The distribution of any written material which in any way comments on the election and which does not carry on it the name and USU Access Number of the member of the USU who authorises it and takes responsibility for its contents.
- (f) Intentionally making any statement which is materially false in relation to any candidate, the USU, the USU Staff or the Election.
- (g) Causing damage or defacement to any public or private property inside or outside the University for the promotion of any candidate(s) in any election of USU. For the purpose of this section, damage or defacement includes, but is not limited to: stickers, posters, chalking and paint that cannot be removed with water, that is on the inside or outside of buildings, steps, handrails, footpaths, trees, poles, bins, signs or on any part of the University and/or the USU and its surrounds not specifically set aside for such purposes.
- (h) Chalking in any USU grounds. This includes balconies, pathways, courtyards, walls and any other surfaces within the USU confines.
- (i) Contravening the University's or USU's policy on Advertising on Campus.
- (j) Using any form of campaign material which contains an adhesive that is designed to secure the material to any surface except where such usage is allowed under the University and USU Regulations and Policies.
- (k) The distribution by a candidate, or person(s) associated with a candidate's campaign, of anything except campaign leaflets and how to vote cards on the day(s) of election. This provision does not apply to the distribution of any matter by electoral officials.
- (l) Bribery, whether direct or indirect and whether before or after an election, by or on behalf of a candidate, or agent of a candidate, of another candidate, voter(s) or electoral official. For the purposes of this Regulation, bribery shall include the giving, procuring, promising, offering or endeavouring to give, procure, promise, or offer money, employment, position or material resources in exchange for preferential treatment or to induce a voter to vote or to refrain from voting or to vote in a particular way and includes any threat or intimidation with a view to inducing preferential conduct and/or to induce a voter to vote or refrain from voting or to vote in a particular way.
- (m) The use of any USU or club or society resource in the campaign of any candidate. This includes, but is not limited to, staple guns, photocopiers, paper, telephones, telephone lists, faxes, computers, emails and official USU or club or society social media platforms.
- (n) A candidate incurring, or causing to be incurred, expenditure exceeding the amount as determined annually by the Electoral Committee for any purpose in connection with the election or incurring, or causing to be incurred, expenditure on goods or ways other than those proscribed by the committee from time to time. The Returning Officer shall inform candidates by the date of the close of nominations of the amount for that year and any proscriptions on spending.
- (o) Candidates must include all donations, contributions and gifts to them (except labour) as expenditure by them.
  - i. Donations, contributions and gifts are to be valued at their market value.
  - ii. All Candidates will submit to the Returning Officer a tally of expenses and a copy of receipts 48 hours prior to the opening of the Poll. The submission shall include a statutory declaration confirming that the submission reflects a true and accurate reflection of the total spent thus far.

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- iii. All candidates shall provide evidence to the Returning Officer within 24 hours of the close of polls that the total expenditure that the candidate incurred, or caused to be incurred, did not exceed the relevant limits under this section.
  
- iv. Expenditure will be valued in accordance with receipts produced by the person except in the event that, in the Returning Officer's opinion, the receipted costs are unreasonable.
- v. A person shall not engage in any dishonest practice in relation to an election.
- (p) A person shall not, in relation to an election, print, publish or distribute, or cause, permit or authorise to be printed, published or distributed, any matter or thing containing a statement:
  - i. that is untrue; or
  - ii. that is, or is likely to be, misleading or deceptive; or
  - iii. that is discriminatory on the grounds of sex, sexuality, race and ethnicity, or disability.
  - iv. It shall be a defence to an allegation of breach of this subsection if the person proves that she or he did not know and could not reasonably be expected to have known that the matter or thing contained a statement of the kind referred to in subparagraphs (i) and (ii) above.
- (q) It is a breach of the Regulations to falsify evidence of campaign-related expenditure. Candidates who are found to have falsified evidence of campaign-related expenditure will be automatically excluded from the election.
- (r) The distribution of any written material which in any way comments on the election in a language other than English unless an accurate English translation is provided directly below it.
- (s) Any other practices forbidden by the USU Candidate Handbook, a copy of which shall be made available to all candidates prior to the signing of the statutory declaration in accordance with 8.4.4 (d).
- (t) Any other practices which, in their opinion, appears to contravene the University of Sydney Code of Conduct for Students.

8.10.2. People other than USU members, university staff and students enrolled at the University of Sydney may not campaign for and on behalf of candidates.

*8.11. Complaints to the Returning Office Up Until the Close of Polling at Annual Elections*

- 8.11.1. Full Members and Life Members may lodge a complaint if they believe a breach of the electoral Regulations has occurred; however the Returning Officer may investigate any aspect of the electoral process without having received a formal complaint.
- 8.11.2. Complaints shall be addressed to the Returning Officer.
- 8.11.3. Complaints must be lodged in writing.
- 8.11.4. The Returning Officer shall deal with all complaints in a timely manner which shall be no later than 5 working days from the receipt of the complaint.
- 8.11.5. The onus of proof lies with the complainant and all supporting material concerning the complaint must also be lodged at the time that the complaint is lodged.
- 8.11.6. Where the Returning Officer is of the opinion that, on the balance of probabilities, a breach of the Regulations, by a candidate, or by an agent of a candidate or on behalf of a candidate has occurred, they may take all or any of the following courses of action, namely:
  - i. remedy the matter
  - ii. dismiss the matter
  - iii. exclude any candidate or candidates from the ballot, or
  - iv. disqualify any candidate or candidates irrespective of whether the ballot has been held or the votes already counted.
- 8.11.7. The Returning Officer shall be responsible for communicating their decision regarding a breach of the Regulations. They may do so in a manner of their choosing except in the event that the

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Returning Officer disqualifies a candidate, in which case the decision must be communicated to all candidates.

*8.12. Complaints After The Counting of the Vote at Annual Elections*

8.12.1. Candidates may appeal against the Provisional Results by making a written submission, giving details of the grounds for the complaint, to the RO within 24 hours of the Declaration of the Provisional Results, in accordance with 17.9.1 (c).

8.12.2. The onus of proof lies with the complainant and all supporting material concerning the complaint must also be lodged at the time that the appeal is lodged. No supporting documentation will be received by the RO after the expiry of the 24 hour period.

8.12.3. The Returning Officer shall deal with all complaints in a timely manner which shall be no later than 5 working days from the receipt of the complaint.

8.12.4. Where the Returning Officer is of the opinion that, on the balance of probabilities, a breach of the Regulations, by a candidate, or by an agent of a candidate or on behalf of a candidate has occurred, they may take all or any of the following courses of action, namely:

- i. remedy the matter
- ii. dismiss the matter
- iii. exclude any candidate or candidates from the ballot, or
- iv. disqualify any candidate or candidates irrespective of whether the ballot has been held or the votes already counted.

8.12.5. The election result shall be deemed formally and finally declared upon;

- (a) the expiration of 24 hours after the Declaration of the Provisional Results where;
  - i. the Returning Officer is satisfied that no breaches of these Regulations has occurred; and
  - ii. no further complaint or appeal has been lodged; or
- (b) upon the conclusion of any investigation conducted by the Returning Officer or determination of any appeal by the Legal Arbiter

8.12.6. No complaints may be lodged later than 24 hours after the Declaration of Provisional Results.

*8.13. Appeals Made to The Electoral Arbiter at Annual Elections*

8.13.1. Any candidate may appeal to the Electoral Arbiter against any decision made by the Returning Officer against that candidate.

8.13.2. Appeals to the Electoral Arbiter shall be made in writing, directed to the CEO of the University of Sydney Union and must be lodged within 24 hours of the Returning Officer's Ruling.

8.13.3. The onus of proof lies with the complainant and all supporting material concerning the complaint must also be lodged at the time that the appeal is lodged.

8.13.4. The Electoral Arbiter shall have the same powers as the Returning Officer.

8.13.5. The Electoral Arbiter shall act by way of a hearing according to their own discretion.

8.13.6. The Electoral Arbiter shall make a determination in a timely manner, which shall be no longer than 14 calendar days from the date of the lodgement of the complaint with the Chief Executive Officer. If the Appeal is lodged before the Polling Day, the Electoral Arbiter shall, where possible, rule within 48 hours.

8.13.7. The decision of the Electoral Arbiter shall be final.

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8.14. Any change to the Regulations governing elections made after the opening of nominations in any year shall take effect only after the elections held in that year

**9. EXECUTIVE AND RELATED ELECTIONS**

9.1. The meeting mandated by Article 10.3 of the Constitution shall comprise the election of the Office Bearers of the Union, as well as the chairs and members of any USU Committees and Director(s) of Student Publications. It shall further comprise the election of directors to the following areas of special responsibility:

- (a) The Wom\*n's Portfolio;
- (b) The Queer Portfolio;
- (c) The Environment Portfolio;
- (d) The Ethnocultural Portfolio;
- (e) The International Student Portfolio.

9.1.1. The Director elected to the Wom\*n's Portfolio must be wom\*n-identifying. The Director elected to the Queer Portfolio must be queer identifying. The Director elected to the Ethnocultural Portfolio must identify as one or more of: a person of colour; a person marginalized by white supremacy; an Aboriginal or Torres Strait Islander. The Director elected to the International Student Portfolio must be an international student.

9.1.2. In the case of each portfolio area:

- (a) in the event that no non-Executive Director is elected to the position, an Executive Director who fulfils the requirements of 9.1.1 may take the portfolio.
- (b) In the event that no Executive Director is elected, a Director will be appointed to hold the area of special responsibility in consultation with community groups, including, but not limited to, relevant collectives, relevant clubs and societies and members who fulfill the relevant requirements of 9.1.1.
- (c) In the event that these provisions are exhausted, the directors who fulfill the requirements of 9.1.1 shall be collectively responsible for the relevant area of special responsibility.

9.1.3. The holder of a portfolio is responsible for:

- (a) Ensuring that the deliberations of the Board are fully informed by the considerations arising from that area.
- (b) Continuously consulting with the relevant stakeholders and proposing any actions necessary to accommodate their particular requirements. Relevant stakeholders include, but are not limited to, relevant collectives, relevant clubs and societies and members who fulfill the relevant requirements of 9.1.1.
- (c) Doing any other thing that the portfolio holder deems appropriate in the interests of the relevant stakeholders, subject to the Constitution and the Regulations made pursuant to it.

*9.2. Dates and Notice*

9.2.1. As per the USU Constitution, this meeting shall be held on a working day in June.

9.2.2. The date and time of this meeting should be determined by the Electoral Committee no less than ten (10) working days before the election is due to be held.

*9.3. Executive Positions*

9.3.1. As per section 10.3 (a) of the USU Constitution, the Executive of the Board should comprise a President, a Vice-President, an Honorary Treasurer, and an Honorary Secretary.

*9.4. Eligibility*

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9.4.1. All Eligible Directors (as per the USU Constitution) except for the Immediate Past President shall be permitted to vote in the Executive Election, and to be nominated for election to any Office Bearer or related position.

*9.5. Appointed Electoral Positions*

9.5.1. The Returning Officer for the Executive Election shall be the same person who acted as Returning Officer for the preceding Board Election unless the Board determines that this person is no longer suitable to preside over the Executive Election.

9.5.2. The Returning Officer shall have the following responsibilities:

- (a) Chairing the Special Meeting for the Executive Election.
- (b) Arbitrating on any disputes which may arise during the meeting.
- (c) Announcing the provisional result of each Office Bearer election.
- (d) Providing information about the voting procedure and rules of the Executive Election to all incoming Board Directors prior to the meeting.

9.5.3. The Returning Officer may appoint an assistant to help with the conduct of the meeting. This person shall not be a USU staff member, an incoming board director, a former Board Director or a person closely associated with any Eligible Director.

9.5.4. As per section 17.10.2, the Electoral Arbiter for the Executive Election shall be the same person who acted as Electoral Arbiter for the preceding Board Election unless the Board determines that this person is no longer suitable to preside over the Executive Election.

*9.6. Voting Procedure*

9.6.1. The Executive of the Board should be elected in the following order: President, Vice-President, Honorary Treasurer, Honorary Secretary.

9.6.2. During the election of each Office Bearer, the following procedure should be observed:

- (a) The Returning Officer shall open the nominations for the position.
- (b) Eligible Directors may nominate themselves or other Eligible Directors for the position. Each nominated Board Director may then accept or decline their nomination.
- (c) The Returning Officer shall read out the full list of accepted nominations.
- (d) Each nominated candidate shall be offered the opportunity to speak to their nomination for up to 3 minutes.
- (e) Where only one candidate is nominated for the position, that candidate shall be declared provisionally elected by the Returning Officer.

(f) Where two or more candidates are nominated, a secret ballot shall be held. In such a secret ballot:

- i. The Returning Officer should remind Eligible Directors that the Quota-Preferential Method of Proportional Representation (or Single Transferrable Vote) will be used to determine the outcome of the election.
- ii. The Returning Officer shall issue each Eligible Director with one voting paper.
- iii. The Returning Officer shall collect the voting paper of each Eligible Director in an enclosed ballot box.
- iv. Once all voting papers have been collected, the Returning Officer shall leave the room to commence counting the votes.
- v. Upon the conclusion of the count, the Returning Officer should make a Declaration of the Provisional Result of the election.

*9.7. The Count*

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9.7.1. (a) The voting system to be employed in the Executive Election is the Quota-Preferential Method of Proportional Representation (or Single Transferrable Vote) to be conducted according to the rules published by the Proportional Representation Society of Australia.

(b) Where two candidates receive an equal number of votes following the dissemination of all preferences, the winner shall be determined by the tossing of a coin by the Returning Officer. The Returning Officer shall allocate a side of the coin to each candidate and should toss it themselves. The candidate allocated the side which lands face-up on the ground shall be declared provisionally elected.

(c) Where three or more candidates receive an equal number of votes following dissemination of all preferences, the winner shall be determined by drawing the name of the candidate from a ballot box. The Electoral Officer shall write the names of all candidates on equally-sized pieces of paper, and place them in the box. The Returning Officer shall then draw one piece of paper from the box, and the candidate whose name is selected shall be declared provisionally elected.

9.7.2. (a) Each candidate may nominate a scrutineer by informing the Returning Officer following the announcement of a secret ballot and prior to the counting of votes. Only one scrutineer may be nominated per candidate.

(b) Scrutineers must not be current or incoming Board Directors, must remain physically separate from the area in which voting papers are counted and must abide by all instructions of the Returning Officer.

*9.8. Restrictions on Voting*

9.8.1. No Eligible Director shall vote more than once in any Office Bearer Election.

9.8.2. In the event of extraordinary circumstances which preclude an Eligible Director's in-person attendance at the Special Meeting, the Director may:

- (a) forfeit their right to vote at the Special Meeting; or
- (b) seek permission from the Returning Officer to appoint a proxy.

9.8.3. The Returning Officer has sole authority to grant an Eligible Director the opportunity to appoint a proxy to vote on their behalf at the Special Meeting. The decision of the Returning Officer is final and is not able to be appealed to any higher authority.

*9.9. Complaints After The Counting of the Vote*

9.9.1. For the purpose of this section, 'candidate' refers to a Board Director who was a candidate in the election that is being appealed.

9.9.2. Candidates may appeal a provisional result on the grounds that an electoral regulation was breached during the conduct of the Executive Election by making a written submission to the Returning Officer within 24 hours of the declaration of the provisional results giving details of the grounds for the complaint.

9.9.3. The onus of proof lies with the complainant and all supporting material concerning the complaint must be lodged simultaneously with the complaint.

9.9.4. The Returning Officer shall deal with all complaints within five (5) working days of receiving the complaint.

9.9.5. Where the Returning Officer is of the opinion that, on the balance of probabilities, a breach of the regulations outlined in this section has occurred during the course of the Executive Election, they may take any of the following actions:

- (a) Dismiss the matter.
- (b) Declare the provisional election of a particular Office Bearer to be invalid and request that another election for the position in question be held. The Electoral Committee shall call a Special Meeting for the election of this position, providing no less than ten (10) working days' notice.

*9.10. Appeals Made to the Electoral Arbitrator*

9.10.1. Any candidate may elevate an appeal allowed in section 9.9 to the Electoral Arbitrator.

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- 9.10.2. Appeals to the Electoral Arbiter shall be made in writing, directed to the CEO of the University of Sydney Union and must be lodged within 24 hours of the Returning Officer's ruling.
- 9.10.3. The onus of proof lies with the complainant and all supporting material concerning the complaint must be lodged simultaneously with the complaint.
- 9.10.4. The Electoral Arbiter shall have the same powers as the Returning Officer.
- 9.10.5. The Electoral Arbiter shall act by way of a hearing according to their discretion.
- 9.10.6. The Electoral Arbiter shall make a determination within ten (10) working days from the date of the lodgement of the complaint with the Chief Executive Officer.
- 9.10.7. The decision of the Electoral Arbiter shall be final.

### *9.11. Declaration of Final Results*

- 9.11.1. The Executive Election Result shall be formally and finally declared upon:
  - (a) 24 hours after the Declaration of Provisional results where:
    - i. The Returning Officer is satisfied that no breaches of the regulations outlined in this section (section 9) have occurred, and
    - ii. No further complaint or appeal has been lodged; or
  - (b) Within 24 hours of the conclusion of any investigation conducted by the Returning Officer or determination of any appeal by the Electoral Arbiter.

### *9.12. Application of this section*

- 9.12.1. Any election by and amongst the Directors to a position prescribed by the Constitution or the Regulations made pursuant to it shall be governed by sections 9.3 to 9.11 inclusive.

## **10. USE OF USU PREMISES**

- 10.1. The Board may permit the use of USU premises to a group affiliated with the USU, including, but not limited to, clubs and societies, SRC collectives and groups of students engaged in a USU program.
- 10.2. Any such permission must be set out in Appendix 4 to this document and shall have the force of Regulation made pursuant to the Constitution, but no other legal status. No such agreement shall give rise to enforceable rights/duties as against the USU, except through the operation of such provisions as USU Regulations.

## **11. ADMINISTRATION**

### *11.1. Access to records*

- 11.1.1. All records of the USU shall be open for inspection by any Board Director after reasonable notice has been given to the Chief Executive Officer with the exception of contracts and staffing information relating to staff other than the Chief Executive Officer.
- 11.1.2. The Board may, in exceptional circumstances, resolve to grant access to Board Directors to any record deemed an exception herein.

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11.1.3. If any expenditure authorised by the Board is not incurred within six months from the date of authorisation, unless part of the Budget, the authorisation shall lapse.

11.1.4. Except by permission of the Board, no credit shall be given to members of the USU, nor shall any money be lent by the USU or its employees to any member.

*11.2. Auditors*

11.2.1. Auditors shall be appointed/re-appointed by the Board at a meeting of the Board prior to the Annual General Meeting with the terms and conditions of appointment/re-appointment to be then determined.

11.2.2. The appointment/re-appointment shall be confirmed at the Annual General Meeting with the proviso that in the absence of quorum the Board's recommendation shall stand.

11.2.3. The Board shall not appoint/re-appoint a person or firm as Auditor of The USU unless that person or firm has, prior to the appointment, confirmed the terms and conditions of appointment/re-appointment to act as Auditor, by notice in writing to The USU.

11.2.4. The Auditors shall be required to submit a comprehensive written report to the Board following the completion of the Annual Accounts.

*11.3. Extraordinary Funding*

11.3.1. The USU may provide additional funding or alternate forms of funding, or loans, to groups or individuals affiliated with the USU. Any such application for additional funding must satisfy the following conditions:

- (a) The submission clearly falls outside the standing funding sources, or an extension to funding caps is deemed to be necessary
- (b) The submission has confirmed other sources of funding
- (c) The applicants have consulted with relevant USU staff
- (d) The Board approves the submission by special resolution.

11.3.2. All applications for extraordinary funding are to be directed to the Vice President no later than a week prior to a meeting of the Board.

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**APPENDIX 1**

**DUTY STATEMENTS FOR BOARD DIRECTORS**

**The Duty Statements for Board Directors form part of the Regulations of the University of Sydney Union.**

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1. DIRECTORS
2. PRESIDENT
3. VICE PRESIDENT
4. HONORARY TREASURER
5. HONORARY SECRETARY
6. COMMITTEE CHAIRS
7. DEPUTY CHAIRS
8. PORTFOLIO HOLDERS
9. DIRECTOR OF STUDENT PUBLICATIONS

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**DUTY STATEMENTS OF NON-EXECUTIVE AND EXECUTIVE DIRECTORS**

**1. DIRECTORS**

(a) Directors shall comply with their roles and responsibilities as prescribed by law and as outlined in the Institute of Company Directors Publication "Duties and Responsibilities of Company Directors" viz:

- (i) Fiduciary duty to the USU and its members
- (ii) Duty of care and diligence
- (iii) Abuse of corporate opportunity
- (iv) Improper use of information
- (v) Personal liability.

(b) Directors shall act in accordance with the Constitution, Regulations and Duty Statements.

(c) Directors shall:

- (i) show respect and courtesy for other members of the Board, members of the USU and staff
- (ii) not allow personal preferences or differences to impede their work as Directors
- (iii) not give directions to staff members to place them in a position that asks them to disregard directions from their supervisors.

(d) Directors shall attend:

- (i) Annual and mid-year budget sessions
- (ii) Board meetings
- (iii) The Annual General Meeting
- (iv) Committees of which they are members and other meetings and appointments at which their presence is required
- (v) The annual induction for Directors
- (vi) All interviews as stipulated in the Regulations
- (vii) Any Board Directors Training sessions that may arise provided four weeks' notice is given of the session.

(e) Directors shall review the Constitution and Regulations on an on-going basis, and where necessary, in consultation with Committee members.

(f) Directors shall:

- (i) accurately and without distortion represent Board policy on any issue
- (ii) communicate with and consult the President over the Board agenda
- (iii) communicate regularly with the Chief Executive Officer and relevant Department Heads in order to understand the operational implications of proposed policies
- (iv) participate annually in at least one tour of campuses and clinical sites conducted by the USU.

(g) Directors shall not breach camera.

(h) Directors shall declare all conflicts of interest.

(i) Directors shall not claim expenses in excess of their entitlement for any one year.

(j) Directors shall:

- (i) seek to inform USU members and the broader community of the detrimental effect voluntary student unionism (VSU) in all its forms would have on the USU and all other student organisations
- (ii) campaign against VSU in all its forms during State or Federal elections if it arises as an issue
- (iii) work with other student organisations to fight VSU in all its forms on a campus, state and national level.

(k) Directors, on completing their term of Office, shall return any property of the USU such as keys, files, phones or other equipment that may be in their possession.

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**2. PRESIDENT**

- (a) The President shall act in accordance with 8.2 of the Constitution.
- (b) The President, in consultation with the Chief Executive Officer, shall set the Board and Executive agenda.
- (c) The President shall attend:
  - (i) meetings of the Board, the Board Executive, and other meetings as required
  - (ii) meetings of Wentworth Annexe Limited
  - (iv) meetings of the USU Alumni and Friends Council
  - (v) meetings of the University Senate as required.
- (d) The President shall prepare a report for monthly Board meetings on matters of relevance to his/her report.
- (e) The President shall:
  - (i) be familiar with the basic rules of meeting procedure
  - (ii) with the Honorary Treasurer, meet with the audit partner as soon as is practicable after the election of the said President and Honorary Treasurer
  - (iii) have at least six consultation hours per week either in the President's Office or in public locations within the Holme, Wentworth or Manning buildings.
  - (iv) meet periodically with the Patron of the USU, and with representatives from the University, including the Vice-Chancellor and Registrar
  - (vi) meet periodically with the President or senior representative of the following organisations: Students' Representative Council, Sydney University Postgraduate Representative Association and Sydney University Sport and Fitness.
  - (vii) organise and facilitate Board Directors Training.
- (f) At the commencement of the term of the new President, the outgoing President shall induct the new President. This shall include:
  - (i) A formal meeting with the USU's Chief Executive Officer
  - (ii) Furnishing the new President with copies of annual and mid-year budgets, annual performance plans, information about the Chief Executive Officer review process and other important material
  - (iii) Furnishing the new President with all documents relevant to matters topical at the time
  - (iv) Furnishing the new President with copies of all correspondence for the past year per the Correspondence File as well as important memoranda
  - (v) Identifying policies adopted by Board that the new President should specially oversee to ensure their implementation
  - (vi) Identifying processes of which the new President should be aware, such as agenda setting, cheque signing and expense reimbursement.
- (g) The President shall table at the ordinary December and June Board meetings a list of total expenses claimed by each Director.
- (h) The President shall, where the Director of Student Publications is unable or in need of clarification, inspect USU publications.
- (i) The President shall sign cheques when called to do so.

**3. VICE PRESIDENT**

- (a) The Vice President shall act in accordance with 8.3 of the Constitution.
- (b) The Vice President shall attend:
  - (i) meetings of the Board, the Board Executive, and other meetings as required
  - (ii) Student Experience Committee meeting

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- (c) The Vice President shall prepare a report for monthly Board meetings on matters of relevance to his or her report.
- (d) The Vice President shall:
  - (i) monitor the activities of Committee Chairs and assist Committee Chairs in fulfilling their role
  - (ii) prepare a written report to the ordinary December and June Board meetings that shall, on matters of fact and not opinion, comment on the performance of Committee Chairs for the preceding six month period
  - (iii) with the assistance of the Committee Secretaries, co-ordinate the scheduling and notice of Committee meetings
  - (iv) co-ordinate the Committee induction process
  - (v) organise a comprehensive exit review of Committee members at the completion of the academic year and report to the Board on the feedback received. Further, the Vice President shall attempt to be available for involvement in the following year's review.

(e) The Vice President, in conjunction with the other members of the Board Executive and where the Director of Student Publications is unable or in need of clarification inspects USU publications.

(f) The Vice President shall sign cheques when called to do so.

**4. HONORARY TREASURER**

(a) The Honorary Treasurer shall act in accordance with 8.4 of the Constitution.

(b) The Honorary Treasurer shall:

- (i) facilitate the Board's understanding of the financial performance and position of the USU by preparing a report for monthly Board meetings.
- (ii) liaise weekly with the Director of Finance and Business Systems
- (iii) with the President, meet with the audit partner as soon as is practicable after the election of the said President and Honorary Treasurer.

(c) The Honorary Treasurer shall attend:

- (i) meetings of the Board, the Board Executive, and other meetings as required
- (ii) Specialist Committee meetings.

(d) The Honorary Treasurer, in conjunction with the other members of the Board Executive, shall inspect USU publications if called to do so, or as empowered by USU policy.

(e) The Honorary Treasurer shall sign cheques when called to do so.

**5. HONORARY SECRETARY**

(a) The Honorary Secretary shall act in accordance with 8.5 of the Constitution.

(b) The Honorary Secretary shall attend:

- (i) meetings of the Board Executive
- (ii) student forum meetings and working parties.

(c) The Honorary Secretary shall prepare a report for monthly Board meetings on matters of relevance to his/her report.

(d) The Honorary Secretary shall hold the office of 'Director of Student Publications' and take on the title, duties, responsibilities and powers of the position.

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e) The Honorary Secretary shall manage and oversee the running of the Student Forums including the convenors associated with that role.

(f) The Honorary Secretary shall oversee the USU's public issues programs including internal events as well as developing and maintaining any strategic partnerships with third-parties that may arise from time to time.

(g) The Honorary Secretary shall oversee the co-ordination of the USU Annual Dinner and Other USU public events.

(h) The Honorary Secretary shall be responsible for the taking of minutes at meetings in the absence of the Board or Committee Secretary.

(i) The Honorary Secretary shall sign cheques when called to do so.

### **6. COMMITTEE CHAIRS AND DEPUTY CHAIRS**

(a) Committee Chairs and Deputy Chairs shall:

- (i) be familiar with the basic rules of meeting procedure
- (ii) outline a meeting schedule for their Committee at the beginning of each Semester
- (iii) prepare a detailed and appropriate Committee agenda for each Committee meeting that he or she Chairs. This shall be sent out with the 'notice of Committee meeting'. In the event that extenuating circumstances prevent this, responsibility for agenda preparation and timely distribution shall be passed to other elected Director(s) to the Committee in question, and then to the Vice President
- (iv) consult the Vice President, other elected Director(s) to the Committee in question as well as its ordinary members when setting Committee agendas
- (v) maintain regular contact with all Committee members
- (vi) at each Committee meeting, inform the Committee as to whether or not resolutions of the previous Committee meeting were adopted by the Board, and provide adequate reasoning thereto
- (vii) report to Board on the Committee's current activities if requested and draw relevant matters to the Board's attention
- (viii) inspect minutes of Committee meetings prior to their distribution with the next 'notice of Committee meeting'
- (ix) where appropriate, be responsible for the running of working parties. At the conclusion of the working party's activities, the Chair shall produce a written report to the Committee concerned outlining the findings and recommendations of the working party
- (x) where appropriate, be responsible for convening Selection Panels. The Chair shall consult the appropriate staff member in arranging a time for the Selection Panel to meet and shall contact Committee members to request and confirm their participation, as necessary
- (xi) record and inform members of the financial position of the Committee
- (xii) the Deputy Chair shall deputise accordingly to the Chair.

### **7. PORTFOLIO HOLDERS**

(a) The holder of a Portfolio shall:

- (i) be familiar with meeting procedure
- (ii) organise and chair the required forums for their portfolio in conjunction with the relevant convenor
- (iii) prepare a detailed and accurate agenda in conjunction with the Vice President and relevant convenor
- (iv) be available to talk to students on issues relevant to their portfolio in between forums
- (v) be in regular contact with the relevant stakeholders, including other student organizations, collectives, USU and University staff
- (vi) report to Board on current issues within their portfolio when required and draw relevant matters to Board's attention

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- (vii) where appropriate, be responsible for the running of working parties
- (viii) where appropriate, be responsible for convening Selection Panels
- (ix) where relevant, speak at the opening of events on behalf of the USU.

**8. DIRECTOR OF STUDENT PUBLICATIONS**

- a) The Directors of Student Publications (DSP) shall be the Honorary Secretary and two non- Executive Directors. In the event that the Honorary Secretary is not wom\*n-identifying, at least one of the additional DSPs elected by the Board must be wom\*n identifying.
- b) The DSP(s) shall be responsible for the appointment of the Student Editors of the Union Recorder and Hermes.
- c) The DSP(s) shall check and sign each completed USU publication.
- d) The DSP(s) will check all USU and joint USU publications for defamatory material breaches of copyright and any other material that in the opinion of the DSP(s), in any way contravenes the Constitution, Regulations, or Policies of the USU.
- e) In the event of a dispute between any parties in the process, the matter shall be referred to the Board Executive for final arbitration.
- f) The DSP(s) shall ensure that there is no comment on USU Elections, candidates or their policies in any article of PULP between the close of nominations and the declaration of the results of the election.

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**APPENDIX 2**

**BOARD COMMITTEES**

**The Terms of Reference of the Committees currently constituted by the Board**

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Awards Committee

C&S New Club panel

Debates Committee

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**A2.1 Awards Committee**

A2.1.1 There shall be an Awards Committee comprising:

- (a) the President (ex-officio), or their appointee, Chair
- (b) the Vice-President (ex officio)
- (c) one first year director
- (d) the Chief Executive Officer, or their appointee
- (f) the Director of Student Programs, or their appointee
- (g) the Director of Sales and Marketing
- (h) the Clubs and Societies Manager, or their appointee

A2.1.2 The Committee shall determine the allocation of the USU's prizes, being the Cultural Blue and Honorary Life Membership, and others as necessary. The Committee shall ratify the recommendations made by other nominations panels, as necessary. The Committee shall consider applications for new awards and the modification of existing awards and prizes, including terms and conditions, for approval.

A2.1.3 The Committee, or its delegate, shall source funding for awards in the form of:

- (a) Personal donations
- (b) Industry donations
- (c) Bequests
- (d) USU Funding

A2.1.4 The quorum for meetings of this Committee will be four voting members, including at least the President or Vice-President of the USU.

A2.1.5 The Committee shall convene at least once a year, and may meet more often if necessary.

A2.1.6 There shall be a Clubs & Societies Awards Selection Panel which shall include:

- (a) The Vice President or their appointee
- (b) The Honorary Secretary or their appointee
- (c) The Immediate Past Honorary Secretary
- (e) The Clubs & Societies Manager or their appointee

i. Where neither the Honorary Secretary, The Immediate Past Honorary Secretary or the Vice President is a woman, the Executive should appoint a female second year director to represent the Vice President on the panel.

**A2.2 Clubs & Societies New Club panel**

A2.2.1 There shall be a Clubs & Societies New Club panel comprising:

- a) the President (ex-officio)
- b) the Vice President (ex-officio)
- c) the Honorary Secretary (Chair)
- d) One (1) Non Executive Director
- e) the Director of Student & Community Programs
- f) the Clubs & Societies Manager or their appointee
- (g) up to three student advisors appointed at the discretion of the Chair and the Director of Student & Community Programs

A2.2.2 The C&S Panel will meet at least four times per semester in order to approve new club applications based on the criteria outlined in the Clubs & Societies Handbook

A2.2.3 Clubs & Societies staff shall be empowered to assess all clubs and societies funding, registrations and constitutional amendments and determine the outcome.

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A2.2.4 The Panel and Clubs & Societies staff shall operate in accordance with the Clubs & Societies Handbook

A2.2.5 No changes to the following Parts of the C&S Handbook may be made without a resolution of the Board as a Motion on Notice: Part 1: Definitions and Principles, Part 3: Annual Club Registration, Part 4: Club Constitutions, Part 6: Funding or Part 8: Compliance. Changes to all other Parts may be made at the discretion of Clubs & Societies staff and communicated with the Chair of the Panel. All changes to the C&S Handbook must be communicated to Club & Society Executives in a timely manner.

A2.2.6 In the event of a disagreement or contention regarding an application made by Clubs & Societies staff, the matter will be referred directly to the Director, Student & Community Programs.

A2.2.7 In the event of a disagreement or contention regarding an application that has been referred to the Director, Student & Community Programs, it will be referred directly to the Board for a final decision.

A2.2.8 In the event of a disagreement or contention regarding interpretation of the Clubs & Societies Handbook, it will be referred directly to the Board.

A2.2.9 The Board has the authority to resolve contentious C&S matters in order to uphold the democratic principles of the program, including but not limited to anti branch stacking measures as required.

### **A2.3 Debates Committee**

A2.3.1 There shall be a Debates Committee comprising:

- (a) the President (ex-officio)
- (b) the Vice President (ex-officio)
- (c) Up to one other member of the Board Executive
- (d) the Director of Debates
- (e) up to eleven ordinary members appointed by the Board
- (f) up to two new members appointed by the Board

USU Staff in attendance (non-voting):

- (g) the Director of Student Programs, or their appointee.

A2.3.2 The Executive shall appoint an Executive Director as Chair of the Committee

A2.3.3 The Committee shall be responsible for the organisation of the USU's Debates programs and activities as articulated in the Debates Committee Guidelines & Procedures.

A2.3.4 The activities of the Debates Committee including selections, duty statements of Committee members, and intervarsity event funding will be governed by and is subject to the procedures outlined in the Debates Committee Guidelines & Procedures.

A2.3.5 All amendments to the Debates Committee Guidelines and Procedures will require Board endorsement by special majority prior to coming into effect.

A2.3.6 The Committee shall meet monthly although it may meet less frequently during the Long Vacation.

## **APPENDIX 3**

### **STANDING ORDERS**

In the course of each year, the Union holds a variety of meetings, ranging from the Annual General Meeting, through Board and Committee meetings, to informal working parties. These Standing Orders provide details about the procedures governing the conduct of those meetings.

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It was compiled in response to the following resolution passed at the 1995 Annual General Meeting:  
That the Annual General Meeting calls on the Union to prepare a comprehensive document outlining the procedures for, and devices available to, all meetings of the Union. This should be completed by the close of lectures for 1995.

### **PART A: GENERAL MEETINGS OF THE USU AND THE ANNUAL GENERAL MEETING**

The procedures relating to General Meetings of the USU are to be found in the Constitution. In addition, the following requirements apply:

1. The Chief Executive Officer shall give notice of a General Meeting of the Union within seven days after receipt of a requisition pursuant to the Constitution, stating the business to be transacted.
2. No General Meeting of the Union shall be held during vacation or on Saturday, Sunday or any Public or University holiday or commenced between the hours of 11.00 pm and 9.00 am the following day, or held on any premises other than the Union. For the purpose of reckoning the period of notice, any University vacation shall not be included.
3. Wherever practicable, notice of a General Meeting shall appear by an advertisement in any suitable USU publications.
4. The President shall chair General Meetings of the Union provided that the President shall not retain the chair during motions of dissent from the President's ruling.
5. The Vice-President shall chair General Meetings in the absence of the President provided that the Vice-President shall not retain the chair during motions of dissent from the Vice-President's ruling.
6. If the President and Vice-President are absent after fifteen minutes from the appointed time of commencement the meeting may elect a Chairperson from amongst its number provided that the Chairperson shall not retain the chair during motions of dissent from the Chairperson's ruling, and the President or Vice-President shall take the chair on arrival at that General Meeting.
7. At any General Meeting of the Union, a resolution put to the vote may be decided on the voices, but if any two Members ask for a show of hands, or any 30 Members ask for a ballot, the vote shall be so taken.

### **PART B: MEETINGS OF THE BOARD AND ITS COMMITTEES**

Meetings of the Board and Union Committees shall be conducted in accordance with the Constitution and the following Standing Orders, unless suspended from time to time in accordance with these Standing Orders.

1. Committee Meetings, Subcommittees, Working Parties
  - 1.1. Composition
    - 1.1.1. The Board shall elect a Director to chair each Committee in the absence of a member of the Executive empowered by the Constitution or the Regulations made pursuant to it to do so.
    - 1.1.2. The Board shall conduct any election necessary to fill any vacancy that may from time to time arise on a Committee constituted by the Constitution or the Regulations made pursuant to it.
  - 1.2. Chairing
    - 1.2.1. The chair of any Committee shall not retain the chair during motions of dissent from that Director's ruling.
    - 1.2.2. During motions of dissent from the Chair's ruling, another Director present on the Committee shall take the chair.
    - 1.2.3. During motions of dissent from the Chair's ruling, in the absence of another Director, the Committee may elect a Chairperson from amongst its Members.
    - 1.2.4. The occupant of the Chair shall be bound by the decision of the meeting.
  - 1.3. Limitations on the conduct of meetings
    - 1.3.1. No business except adjournment shall be conducted at any Union Committee meeting unless a quorum of at least either five (5) of the Committee's Members or at least half the Committee's Members, whichever is the less, including at least one Director, is present.

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- 1.3.2. No meeting of a Committee shall be held and no business conducted between the hours of midnight and 9.00 am.
  - 1.3.3. A Board or Union Committee meeting shall be validly called when Notice has been given. All Notices of meeting shall specify day, date, time and place of the meeting, as well as the business proposed to be transacted at that meeting.
  - 1.3.4. A committee shall not go beyond two hours after its scheduled commencement time, provided that the meeting may resolved to extend the time for thirty minutes and, at the expiry of that extension, a further period of thirty minutes.
- 1.4. Subcommittees and Working Parties
- 1.4.1. All Union Committees shall have the power to appoint sub-committees from their Members.
  - 1.4.2. Committees may, where necessary, form working parties on specific projects, and these groups shall report back to the full committee. Publicity for such working parties should be given via the USU's Website and USU's Social Media channels where practicable.
  - 1.4.3. The Chair of the Committee shall be responsible for the running of working parties.
  - 1.4.4. The purpose of a sub-committee or working party is to consider a specific item without involving the whole Committee, such as preparing a draft policy for consideration by the full Committee. Meetings are usually informal. Subcommittees and working parties can make recommendations to the full Committee, which may then pass a resolution to be considered by Board.
  - 1.4.5. The Working Parties terms of reference outlines the requirements for each Working Party to take place. Most sub-committees and working parties are formed on an ad hoc basis, and for this reason, are not included in the meeting schedule. However, Union members may contact the Union Secretariat to obtain the dates of sub-committees or working parties.
- 1.5. Voting
- 1.5.1. All matters shall be decided by the vote of a majority of those present and voting at the meeting.
  - 1.5.2. Voting may be decided on the voices but if at least two Members ask for a show of hands, or at least three ask for a ballot, the vote shall be so taken.
  - 1.5.3. When a vote is taken by secret ballot, the Chair shall announce the number of votes for and against the motion.
- 1.6. General
- 1.6.1. The Clubs and Societies Committee are held in camera when applications for funding and registration are being considered due to the confidential nature of those items. Visitors are therefore not allowed to attend these meetings, unless they are invited to do so in relation to an application for funding.
  - 1.6.2. Any Union member may attend Board or Committee meetings as an observer (except where items on funding are being discussed by the Clubs and Societies). However, only members of the Committee are allowed to vote. As a courtesy, members wishing to attend a meeting should try to let the Chair, Committee Secretary, or Board Secretary know in advance so that the seating and catering arrangements can be adjusted if necessary.
  - 1.6.3. If an ordinary Committee member fails to attend two consecutive meetings without an apology or valid excuse, the Vice President in consultation with the relevant Chair, may advise the Board to replace the Committee member.
2. Board Meetings
- 2.1. Substantive Motions and Amendments
    - 2.1.1. No substantive motion or amendment may be proposed at the same meeting of the Board as is in substance the same as a motion or amendment previously proposed and disposed of at the meeting.
    - 2.1.2. An amendment may be proposed to any substantive motion by addition to and/or deletion from the motion.
    - 2.1.3. An amendment shall not oppose the intention of the original motion.

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- 2.1.4. The proposer of a motion may amend or withdraw their motion with the consent of the seconder. Where such consent is not obtained, amendment shall be permissible, though the seconder may propose the original motion.
  - 2.1.5. Where the proposer of a substantive motion accepts any proposed amendment, the amendment shall become the motion, whereupon the proposer of the original motion shall be deemed the proposer of the new motion.
  - 2.1.6. Where the proposer of a substantive motion does not accept a proposed amendment, the amendment shall be debated and put, and if carried shall become the new substantive motion.
  - 2.1.7. Should a proposed amendment be put and lost, and no further amendment be proposed, the original motion shall again be open to debate.
  - 2.1.8. A subsequent proposed amendment shall not be submitted until the first received proposed amendment is disposed of, though any speaker may foreshadow further proposals for amendment. These shall be dealt with in the order in which they are received.
  - 2.1.9. A second substantive motion shall not be accepted until the motion under debate has been disposed of provided that notwithstanding anything in these Standing Orders, two or more motions dealing with the same subject matter may be considered in cognate form, except where the intention of motions are opposing, whereupon one motion shall be declared to be substantive and the others as foreshadowed. The order of debate shall then be:
    - (a) Mover of the substantive motion
    - (b) Secunder of the substantive motion
    - (c) Mover of the foreshadowed motion
    - (d) Secunder of the foreshadowed motion
    - (e) Speakers for the substantive motion and the foreshadowed motion alternately
    - (f) Right of reply for the foreshadowed motion
    - (g) Right of reply for the substantive motion
  - 2.1.10. The substantive motion shall be put and, if carried, other motions shall lapse. Where the substantive motion is lost, any foreshadowed motion shall be put without further debate.
  - 2.1.11. A motion shall lapse if, after the proposer's speech, there is no seconder.
  - 2.1.12. A report or statement of accounts may be:
    - (a) received by the meeting by formal motion, or
    - (b) debated with or without amendment by formal motion.
- 2.2. Procedural Motions
- 2.2.1. A motion shall be set aside on the affirmative resolution of the motion "That the meeting proceed to the next item of business", whereupon no further debate shall be allowed on this item during the meeting.
  - 2.2.2. Debate on a motion shall be stood over at least until the next meeting on the affirmative resolution of the motion "That the motion lie on the table."
  - 2.2.3. Debate on a motion shall be closed on the affirmative resolution of the motion "That the motion be not now put", and no further debate shall be allowed on that item during the meeting.
  - 2.2.4. Debate on a motion shall be closed on the affirmative resolution of the motion "That the motion be now put", whereupon the substantive motion shall be put without further debate or amendment but allowing the proposer their right of reply.
  - 2.2.5. On the affirmative resolution of the motion "That the motion be not now put", the meeting shall proceed to the next item of business, no further debate being allowed on the motion so disposed of. On the negative resolution of the motion, the substantive motion shall be put without further debate or amendment but allowing the proposer their right of reply.
  - 2.2.6. The Chair need not accept procedural motions if, in their opinion, there has not been sufficient debate on the question.
  - 2.2.7. A procedural motion shall take precedence over any substantive motion or proposed amendment to such motion.
  - 2.2.8. Should any question arise which requires a decision by the Chair as to whether a motion is procedural, the Chair shall use the following rules in making their decision:
    - (a) The following motions shall be considered, subject to the discretion of the Chair, as procedural motions, to be put to the meeting without debate:
      - i. That a person should or should not be heard
      - ii. That a person should not be further heard

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- iii. That strict order of debate be followed
  - iv. That the motion now be put
  - (b) The following motions shall be considered, subject to the discretion of the Chair, as procedural motions which may be debated:
    - i. That the motion be not now put
    - ii. That the meeting be adjourned
    - iii. That the motion lie on the table
    - iv. That the debate be adjourned
    - v. That the meeting proceed to the next item of business.
- 2.2.9. Where the Chair rules upon any point of procedure, their ruling shall determine the matter, save that the meeting may entertain any motion of dissent from such ruling. The motion of dissent shall be in the form "That the meeting dissents from the Chair's ruling.", and upon that resolution, the Chair's ruling shall be of no effect. When the dissent motion is proposed the Chair shall vacate the Chair. The proposer and the Chair, in whose ruling the dissent was moved, only shall speak, after which the motion shall be put. The motion shall be carried by a simple majority.
- 2.3. Speaking
- 2.3.1. A Director desiring to speak shall address the Chair.
  - 2.3.2. No speech, other than the report of an Office Bearer shall be permitted to save a distinct motion either already submitted to the meeting for deliberation or by way of an amendment of a substantive motion.
  - 2.3.3. Where two or more members desire to speak, the Chair shall call upon the member who, in the Chair's opinion, first indicated such intention.
  - 2.3.4. No Director shall speak more than once on any motion without the permission of the Chair.
  - 2.3.5. Procedural motions or motions for amendment shall be considered new questions, and persons who have spoken on the substantive matter may speak again after the procedural motion, or after an amendment has been proposed and seconded.
  - 2.3.6. In all cases the right of reply shall be allowed to the proposer of a motion other than a procedural motion, after which the motion shall be put forthwith.
  - 2.3.7. No member shall speak to any motion after it has been put.
  - 2.3.8. The seconder of a proposed motion or amendment may speak after the proposer or may reserve their right to speak until later in any debate where speakers, if any, oppose the motion. Where there is no opposition to the proposed motion, the seconder's reserved right shall not be exercised.
  - 2.3.9. Upon the procedural motion "That strict order of debate be followed" being put and affirmatively resolved, the Chair shall permit only one speech per speaker, except to allow the proposer to present a right of reply, nor shall they permit consecutive speeches either in favour of, or opposing, the motion.
  - 2.3.10. At the discretion of the Chair, no member shall speak to a motion for more than five minutes.
  - 2.3.11. Subject to these Standing Orders, any member addressing the meeting shall be heard in silence.
  - 2.3.12. Should the Chair enter any debate, they shall first vacate the Chair.
  - 2.3.13. A Director may take a point of order at any time. On the taking of such a point of order, all debate shall be suspended until such time as the Chair rules on the point of order. A point of order shall be clearly and succinctly stated, shall contain no irrelevancy, and shall not seek to debate any motion before the Chair. A point of order shall show that the speaker was:
    - (a) using unseemly language
    - (b) not speaking on the question
- (c) infringing on the provisions of the Constitution, Regulations or these Standing Orders, and insofar as they do not provide, the Common Law of Meetings.
- 2.4. Limitations on the conduct of meetings
- 2.4.1. A Board meeting shall be adjourned after four hours of its commencement, provided that the meeting may resolve to extend the time for thirty minutes and, at expiry of that extension, a further period of thirty minutes.

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- 2.4.2. A meeting is not validly constituted, and no business except adjournment can be conducted, unless a quorum of 7 Directors is reached.
- 2.5. Rescission Motions
- 2.5.1. A resolution shall be suspended from operation if three members of the Board give notice of rescission to the President and CEO, or a simple majority of the Board before the resolution is acted upon.
- 2.5.2. Due notice shall be given of any motion which effectively rescinds a resolution of the Board.
- 2.6. Suspension of Standing Orders
- 2.6.1. Any of these Standing Orders, or any part of any Standing Order, may be suspended from time to time upon the affirmative resolution of the motion, "That so much of Standing Orders be suspended as would prevent....". The latter part of the motion shall state succinctly the purpose for which such a suspension is intended. The motion shall be carried by a simple majority.
- 2.7. In Camera
- 2.7.1. The Board may request staff to leave if the meeting moves in camera, though this tends to happen only where the matter to be discussed involves the sensitivities of staff members.
- 2.7.2. In camera minutes are tabled at each meeting of the Board. When approved with any amendments, they are collected and destroyed. They are not therefore available for general circulation. They are available for reading from the Board Secretary's office by any person who was entitled to be present at the meeting, even if they did not in fact attend.
- 2.7.3. Resolutions from in camera sections of Board meetings form part of the official minutes, but the discussion remains confidential.
- 2.7.4. The procedure for in camera sessions is as follows:
- (a) The meeting resolves "that the meeting move in camera".
  - (b) The discussion and any resolutions are minuted.
  - (c) A resolution is passed "that the meeting move out of camera".
- 2.7.5. While the Board considers and resolves to approve/amend in camera minutes at each subsequent Board meeting, they are not circulated for reasons of confidentiality. Any Director or Committee member may read a copy of the in camera minutes of a meeting to which they were entitled to be present, even if they did not attend the meeting. No other person is entitled to see the minutes. However, resolutions passed during the in camera part of the meeting form part of the ordinary minutes, and may be read by any Union member upon proof of Union membership.
- 2.7.6. It cannot be stressed too highly that discussion that takes place during in camera meetings is strictly confidential and should not, under any circumstances, be revealed to people who were not entitled to be present. Failure to observe this rule can put the Board in a difficult position, especially for matters which are commercially in confidence, or when recommendations are being made on the appointment of Student Editors of Union publications, and appointment of members to Committees.
- 2.8. General
- 2.8.1. The Board is required by the Regulations to meet at least ten times in each year. Meetings are usually held on the last Friday in each month, except when some special circumstance arises.
- 2.8.2. Special Meetings may be convened to discuss issues that need urgent resolution. Four members of the Board may request a Special Meeting by delivery of a signed request to the President.
- 2.8.3. Board meetings are chaired by the President, or in his/her absence, by the Vice-President.
- 2.8.4. Board meetings are open to all members of the Union.
- 2.8.5. There is an Agenda item being Open Question Time, at which Directors and members may bring to Board's attention any matter relating to Union affairs, and ask questions of Directors and staff.
- 2.8.6. Members are free to remain throughout the meeting, but will be asked to leave if the meeting moves in camera.

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- 2.8.7. In attendance at every Board meeting are the CEO, Board Secretary and members of the senior management team. The staff members are present in an advisory capacity and have speaking rights, but they are not allowed to vote.
- 2.8.8. Retrospective apologies and apologies given through a third party are not accepted.
- 2.8.9. Apologies should be conveyed directly to the Board Secretary, the Committee Secretary, the President (in the case of Board meetings) or the Committee Chair.

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**APPENDIX 4**

**USE OF USU SPACE PERMISSIONS**

**The terms upon which USU spaces may be used by particular groups affiliated with the USU**

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The Cellar Theatre

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### **A4.1 The Cellar Theatre: The University of Sydney Union Students' Performance Space**

A4.1.1 The theatre beneath the Holme Building, facing Science Road, commonly known as THE CELLAR shall be officially titled THE CELLAR THEATRE: THE UNIVERSITY OF SYDNEY UNION STUDENTS' PERFORMANCE SPACE. There shall be a sign displaying this name, with the ADDENDUM "HOME OF SUDS – AUSTRALIA'S OLDEST CONTINUOUS THEATRE COMPANY."

A4.1.2 The Cellar Theatre: The University of Sydney Union Students' Performance Space, shall be available to SUDS throughout the year for the purposes of auditions, productions, workshops, rehearsals, meetings and guest speakers.

A4.1.3 The use of The Cellar is based on the concept of mutual responsibility. The University of Sydney Union Facilities Department shall be responsible for the maintenance and safety of The Cellar Theatre in terms of hygiene, drainage and safety requirements; whilst the user, as outlined in THE CELLAR THEATRE: THE UNIVERSITY OF SYDNEY UNION STUDENTS' PERFORMANCE SPACE USAGE AGREEMENT document, will abide by any staff directions in terms of health and safety issues.

A4.1.4 An annual safety inspection of the space will be conducted by a representative of the USU Facilities Department. This shall include the checking and testing of:

- (a) All lanterns and their power cords, including earth continuity
- (b) All power cords, including earth continuity
- (c) Light dimmers
- (d) All racks Outlets, including earth continuity
- (e) Sound equipment
- (f) General power outlets
- (g) Drainage
- (h) Wall and ceiling lamps - including illuminated exit signs
- (i) Fire equipment
- (j) Crash doors
- (k) All essential services

The University of Sydney Union will notify the SUDS Executive of the time and date of the annual inspection two weeks in advance of the inspection being carried out. Further, the University of Sydney Union will invite the SUDS President (or representative) to be present at the inspection and will provide the SUDS Executive with a written report detailing the results of the inspection no later than two weeks after the conclusion of the inspection.

A4.1.5 Any safety or maintenance problems occurring throughout the year shall be reported immediately to the Programs Manager in Student Programs Department.

A4.1.6 Subject to Board approval, the upkeep of USU-owned equipment in The Cellar shall be maintained through R&M budgets. Funding for the replacement of consumables - such as light bulbs and gels - may be applied for through the C&S Committee.

A4.1.7 The space is to be maintained as a dedicated space for student theatrical and performance activities. The following is to be understood:

- (a) Access to The Cellar shall comply with the objectives laid down in the Constitution, Regulations and policies of The University of Sydney Union (particularly, in this context, article 3.1 (b) of the USU Constitution, "to work towards creating an environment free from all forms of discrimination and harassment", and ACT5/00 of the USU's Policy Document, which prohibits "any performance or activity on USU premises that demeans or degrades USU members on the basis of their gender, sexuality, ethnicity or religion.");
- (b) Any current member of the USU may join SUDS and make a proposal for the use of the space. Such usage shall be determined by general meetings of SUDS, at which all SUDS members have equal voting rights.