



Monash University Choral Society Constitution

v1.1

13 March, 2012 EGM



Constitution of the Monash University Choral Society

Part 1. The Constitution

1.1. Interpretation

- 1.1.1.** The provisions of this constitution shall be construed subject to the constitution of the Clubs & Societies Council. Where this constitution is inconsistent with the constitution of the Clubs & Societies Council, the latter shall prevail, and the former shall, to the extent of the inconsistency, be without force or effect. Where the constitution of the Clubs & Societies Council makes provisions for a matter or thing not otherwise provided for in this constitution, those provisions shall take effect as if they were contained in this constitution.
- 1.1.2.** In this constitution, unless the contrary intention appears, all words and expressions have the same meaning as they have in the constitution of the Clubs & Societies Council, and
- (i) “academic day” means a day that falls within the regular teaching period of the university, on which classes are held.
 - (ii) “AGM” means the Annual General Meeting;
 - (iii) “Clubs & Societies Council” means the Clubs & Societies Council division of MSA;
 - (iv) “C&S Executive” means the Executive of the Clubs & Societies Council;
 - (v) “C&S Office” means a room, building or other space where the C&S Executive conducts its day-to-day business.
 - (vi) “committee” means the committee of the society, as defined in Part 4;
 - (vii) “EGM” means an Extraordinary General Meeting;
 - (viii) “First Year Representatives” shall refer to the positions “First Year Representative One” and “First Year Representative Two” inclusively.
 - (ix) “General Representative” shall refer to the positions “General Representative One”, “General Representative Two” and “General Representative Three” inclusively.
 - (x) “General Meeting” means a general meeting of the society members;
 - (xi) “MSA” means Monash Student Association (Clayton), Inc. (A.B.N. 20 147 061 074);
 - (xii) “OGM” means an Ordinary General Meeting;

- (xiii) “society” means the Monash University Choral Society;
- (xiv) “student” means a student enrolled in a course of study administered at the Clayton campus of Monash University;
- (xv) “public notice” means an electronic notice displayed on the C&S world wide web site; and
- (xvi) “written notice” means an electronic message delivered to a person’s electronic mail account.

1.1.3. The authoritative copy of this constitution shall be the copy that is stored at the C&S Office

1.2. Schedules

1.2.1. Subject to §1.2.3, schedules to this constitution shall have the same force as this constitution.

1.2.2. In schedules to this constitution, unless the contrary intention appears, words and expressions shall have the same meaning as they have in this constitution.

1.2.3. Where a schedule to this constitution is inconsistent with the constitution, the latter shall prevail, and the former shall, to the extent of the inconsistency, be without force or effect.

1.2.4. The schedules to this constitution are:
(i) the Committee Portfolio Regulations.

1.3. Amendments

1.3.1. This constitution may be amended by the affirmative votes of at least 2/3 of the voting members at a General Meeting, if
(i) 10 days’ written notice of the proposed amendment is served on all society members; and
(ii) the C&S Executive has first approved the sought amendment(s).

1.3.2. Schedules to this constitution may be added, amended or removed by
(iii) the affirmative votes of an absolute majority of the Committee; or
(iv) the affirmative votes of at least 2/3 of the voting members at a General Meeting.

1.3.3. Where a Schedule to this constitution is amended under §1.3.2, a copy of the Schedule incorporating the sections of the Schedule amended is required to be deposited in the C&S Office including a statement on the date and minute number where the Schedule was passed.

Part 2. The Society

2.1. Name

2.1.1. The name of the society shall be “Monash University Choral Society”.

2.2. Aims and Objectives

2.2.1. The aims and objectives of the society shall be to

- (i) promote choral music within the university;
- (ii) co-operate with other associations having similar objectives including choral and musical societies in other universities; and
- (iii) form, by a selection method to be defined by the committee, a choir or choirs to represent the university in the public performance of choral/vocal music, both on campus and outside the university.

2.3. Affiliation

2.3.1. The society shall be affiliated with the Australian Intersociety Choral Societies Association and shall endorse the aims of that association.

2.3.2. This affiliation will remain inferior to the affiliation with the Clubs & Societies Council.

2.3.3. The committee may, from time to time, choose to affiliate or disaffiliate with other organisations sharing similar aims and objectives as this society other than the organisations listed at §2.3.1 and §2.3.2 of this Constitution. Such affiliation shall remain inferior to the affiliations listed at §2.3.1 and §2.3.2 of this Constitution.

Part 3. Members

3.1. Duration and Cost of Membership

3.1.1. The annual membership fee for the society, if any, shall be set by the committee.

3.1.2. A person’s membership of the society shall run from the payment of the membership fee, or if there is no fee, from approval of the membership until 20 March of the following year, or until the person ceases to be eligible, whichever occurs earlier.

3.2. Ordinary Membership

3.2.1. Ordinary membership of the society shall be open to all students and University staff members who subscribe to the aims and objectives of the society.

3.3. Associate Membership

- 3.3.1.** Associate membership of the society shall be open to all persons who are ineligible for ordinary membership, and who subscribe to the aims and objectives of the society.
- 3.3.2.** Associate members of the society shall have all the rights of ordinary members, except that they shall not be eligible to vote or fill the position of an office bearer. They may however, hold non-voting appointed positions.

3.4. Honorary Life Membership

- 3.4.1.** Honorary life membership of the society may be conferred by the affirmative votes of at least 2/3 of the voting members at a General Meeting, on a person who has made a substantial contribution to the society.
- 3.4.2.** Honorary life members of the society who are eligible for ordinary membership shall have all the rights of ordinary members.
- 3.4.3.** Honorary life members of the society who are ineligible for ordinary membership shall have all the rights of associate members.

3.5. Revocation and Rejection

- 3.5.1.** A person may only have her/his society membership revoked, or membership application rejected, by the affirmative votes of at least 2/3 of the voting members at a General Meeting if at least 7 days' written notice of the intention to move a motion of revocation/rejection has been served on the person, and s/he has been given a reasonable opportunity to speak to the motion.
- 3.5.2.** A person whose society membership has been revoked, or whose membership application has been rejected, may appeal to the C&S Executive by serving on it, within 14 days of the revocation/rejection, a written notice of appeal. The C&S Executive's decision on the matter shall be binding on the society.

3.6. Membership Records

- 3.6.1.** On request, the Secretary shall make available to any society member a list of all society members, containing only each member's name and membership type, and, where applicable, the last 3 digits of the each member's University student or staff number.
- 3.6.2.** The Secretary shall ensure that the C&S Executive has an up-to-date copy of all society membership records at all times.
- 3.6.3.** Except as prescribed in §3.6.1 – §3.6.2, the Secretary shall ensure that all membership records are kept strictly confidential, and that out-of-date membership records are destroyed.

Part 4. The Committee

4.1. Administration

- 4.1.1. The administration of the society shall be managed by the committee.
- 4.1.2. The society committee shall consist of up to 9 society office bearers, the Conductor (whose position shall be non-voting), and may also include non-voting members appointed by the office bearers.
- 4.1.3. There shall be at most four signatories to the society's bank account, and they shall not include anyone except the President, Treasurer, Secretary or Vice President.

4.2. Office Bearers

- 4.2.1. The society office bearers shall be the
 - (i) President;
 - (ii) Vice President;
 - (iii) Treasurer;
 - (iv) Secretary;
 - (v) General Representative One;
 - (vi) First Year Representative One; and
 - (vii) First Year Representative Two.

The society office bearers may also include, should candidates for the positions step forward:

- (viii) General Representative Two; or
- (ix) General Representative Three.

The General Meeting, prior to the opening of nominations shall resolve the number of positions to be filled.

- 4.2.2. The duties of the President shall be to
 - (i) preside as chair over committee meetings and General Meetings;
 - (ii) attend meetings of the Clubs & Societies Council, vote in the interests of the society, and report outcomes to the committee;
 - (iii) co-ordinate the activities of the committee;
 - (iv) represent the society, and act as its spokesperson, to the Clubs & Societies Council, MSA, the University and other bodies, as appropriate;
 - (v) be a signatory to the society bank account;
 - (vi) submit reports to committee meetings, as appropriate; and
 - (vii) submit an annual report to the AGM.

4.2.3. The duties of the Vice President shall be to

- (i) attend committee meetings and General Meetings;
- (ii) preside as chair over committee meetings and General Meetings, in the absence of the President;
- (iii) assist the President in her/his duties;
- (iv) assume the duties of the President if that office falls vacant;
- (v) perform the duties of the President if the President is temporarily incapable of fulfilling his/her duties;
- (vi) be a signatory to the society bank account, should the committee desire there to be a fourth signatory in addition to the President, Treasurer and Secretary; and
- (vii) perform other duties, as the committee may resolve.

4.2.4. The duties of the Treasurer shall be to

- (i) attend committee meetings and General Meetings;
- (ii) keep the society's financial books in order, in accordance with the requirements of the Clubs & Societies Council;
- (iii) prepare a society budget, at least annually;
- (iv) collect and bank all income in the society's bank account;
- (v) prepare the society's financial books for audit, semi-annually;
- (vi) submit a financial report to the AGM;
- (vii) be a signatory to the society bank account;
- (viii) liaise with the Clubs & Societies Council on any financial requirements; and
- (ix) prepare, on behalf of the society, applications for Clubs & Societies grants.

4.2.5. The duties of the Secretary shall be to

- (i) attend committee meetings and General Meetings;
- (ii) prepare agendas and minutes, and serve notice as prescribed, for General Meetings and committee meetings;
- (iii) act as Returning Officer for society elections, as appropriate unless the committee chooses another Returning Officer in accordance with §5.5.2;
- (iv) ensure that an up-to-date membership register is maintained;
- (v) regularly check the society's mail box and electronic mail account, supplied by the Clubs & Societies Council, for incoming correspondence;
- (vi) ensure that inwards and outwards correspondence for the society is handled correctly and in a timely manner;
- (vii) be a signatory to the society bank account;
- (viii) ensure that the society website is developed and maintained in a manner as the committee may resolve; and

- (ix) submit an annual report to the AGM.

4.2.6. The duties of the General Representatives shall be to

- (i) attend committee meetings and General Meetings;
- (ii) perform such duties as the committee may resolve.

4.2.7. The duties of the First Year Representatives shall be to

- (i) attend committee meetings and General Meetings;
- (ii) represent the interests and express the viewpoints of fellow first year members of the society; and
- (iii) perform such duties as the committee may resolve.

4.3. Committee Meetings

4.3.1. There shall be at least 10 committee meetings per year.

4.3.2. The Secretary shall serve at least 5 days' written notice and/or at least 2 days' verbal notice of a committee meeting on all committee members.

4.3.3. Subject to, and in accordance with, §4.3.2 the Secretary

- (i) may convene a committee meeting whenever s/he deems it appropriate;
- (ii) must convene a committee meeting whenever s/he receives a written request from the President to do so; and
- (iii) must convene a committee meeting whenever s/he receives a written request from 2 office bearers to do so.

4.3.4. At a committee meeting

- (i) the President;
- (ii) in the absence of the President, the Vice President; and
- (iii) in the absence of both the President and the Vice President, a person elected by and from the office bearers present,

shall preside as chair.

4.3.5. At a committee meeting, each office bearer shall have a deliberative vote, except the chair, who shall have a casting vote.

4.3.6. A quorum for a committee meeting shall be a simple majority of the office bearers. Put differently, the number of office bearers present must exceed the number absent by at least one. At least one of those present must be the President, Vice President, Treasurer or Secretary.

4.3.7. If, within 20 minutes after the scheduled start of a committee meeting, a quorum is not achieved, the meeting shall

- (i) proceed as a committee of the whole, which must report its resolutions to the next quorate committee meeting for ratification before they take effect; or

- (ii) if the chair so rules, stand adjourned to a place, time and day (at most 14 days later) specified by the chair at the time of adjournment.

4.4. Eligibility for Office

4.4.1. A person shall be eligible to be a society office bearer, or be elected a society office bearer, if s/he is

- (i) an ordinary member of at least 7 days' standing; and
- (ii) a student.

4.4.2. A person may only be elected First Year Representative in the calendar year in which s/he first became a member of the society.

4.5. Election and Terms of Office

4.5.1. An election shall only be held during a General Meeting.

4.5.2. The annual election for all office bearers shall be held at the AGM, except the First Year Representatives.

4.5.3. A person elected a society office bearer at an AGM shall ordinarily hold office from the day after the AGM until the day of the following AGM.

4.5.4. The First Year Representatives shall be elected at the OGM which takes place in March. They shall hold their positions until the following AGM. During the period between the August AGM and the OGM in March of the following year at which First Year representatives are elected, the positions of First Year Representatives shall remain unfilled.

4.5.5. Any person elected a society office bearer at an OGM or EGM shall ordinarily hold office for a term commencing the day after that General Meeting, unless the position to which s/he was elected was not yet vacant on that day, in which case the term shall commence the day after the position is vacated. The ordinary term shall conclude on the day of the following AGM.

4.5.6. At any OGM and EGM, a by-election must be held for any vacant position(s), except as provided for in 4.5.4.

4.5.7. A by-election for a position shall be held at an OGM or EGM if the person most recently elected to that position

- (i) has ceased to hold office prior to the ordinary conclusion of her/his term, in accordance with §4.5.10, prior to that meeting; or
- (ii) will cease to hold office prior to the ordinary conclusion of her/his term, in accordance with §4.5.10, within 28 days of the date of that meeting.

- 4.5.8.** In the event that the office of the President, Vice President, Treasurer and/or Secretary is vacated prior to the conclusion of an ordinary term, an EGM shall be called and held within 20 academic days of vacation to enable a by-election for the vacant position(s), unless an OGM or AGM will be held within the same period.
- 4.5.9.** In the event that the office of the President, Vice President, Treasurer and/or Secretary remains vacant after an election, an EGM shall be called and held within 20 academic days of that election to enable a by-election for the vacant position(s), unless an OGM or AGM should be held within the same period.
- 4.5.10.** A society office bearer shall cease to hold office prior to the completion of her/his ordinary term if
- (i) s/he serves a written notice of resignation, specifying the date of cessation, on the committee;
 - (ii) s/he ceases to be a student;
 - (iii) s/he is absent, without apology (that is to say, written notice delivered to the secretary before the meeting), from any 3 consecutive committee meetings. The committee must resolve that the reason for the apology is acceptable; or
 - (iv) s/he is removed from office in accordance with §4.5.11.
- 4.5.11.** A society office bearer may be removed from office by the affirmative votes of at least 2/3 of the voting members at a General Meeting, if 2 days' written notice of the intention to move a motion to remove the member has been served on the Secretary and/or the committee, and the office bearer has been given a reasonable opportunity to speak to the motion.

4.6. Co-option

- 4.6.1.** In the event that a society office bearer ceases to hold office prior to the conclusion of her/his ordinary term, or a position remains vacant after an election, the committee may co-opt a person to hold the vacant position, if that person would be eligible to be elected on the day of co-option.
- 4.6.2.** A person co-opted as a society office bearer shall ordinarily hold office for a term commencing on the day of co-option and concluding on the day of the next General Meeting.

4.7. The Conductor and Other Staff

- 4.7.1.** The duties of the Conductor shall be to
- (i) be responsible for preparing the choir for performances;
 - (ii) conduct the society's concerts; and
 - (iii) decide the programming of concerts, in consultation with the committee.

- 4.7.2.** The Conductor shall be appointed by the committee, and the appointment may be reviewed by the committee. The Conductor shall receive an honorarium determined by the committee. The terms under which the Conductor is appointed shall be laid out in a written agreement, a copy of which shall be kept by the committee and another by the Conductor.
- 4.7.3.** The Conductor shall automatically receive free ordinary membership if s/he is eligible for ordinary membership; otherwise s/he shall automatically receive free associate membership.
- 4.7.4.** The Conductor may not vote, either in a committee meeting or at a General Meeting. However, s/he may give advice freely in either forum.
- 4.7.5.** In addition to the Conductor, the committee may also appoint a number of Assistant Conductors under any terms that the committee may be pleased to set. Any such appointment may be reviewed by the committee. The committee may choose either to provide or not provide an honorarium to such appointees. Where an honorarium is provided, the terms under which the Assistant Conductor is appointed shall be laid out in a written agreement, a copy of which shall be kept by the committee and another by the Assistant Conductor.
- 4.7.6.** Any appointed assistant conductors may receive free ordinary membership if s/he is eligible for ordinary membership; otherwise s/he may receive free associate membership at the committee's discretion.
- 4.7.7.** The committee shall be at liberty to appoint other people to fill in any requirements under any terms the committee may be pleased to set. Any such appointment may be reviewed by the committee. The committee may choose either to provide or not provide an honorarium to such appointees. Where an honorarium is provided, such people may or may not be employed on terms laid out in a written agreement.

Part 5. General Meetings

5.1. Annual General Meetings

- 5.1.1.** An AGM shall be held in October of each year.
- 5.1.2.** The business of an AGM shall include
- (i) reception of the annual reports of the society office bearers; and
 - (ii) election of the committee.

5.2. Ordinary General Meetings

- 5.2.1.** There shall be an OGM held in March of each year for the purpose of electing the two First Year Representatives.

5.3. Extraordinary General Meetings

5.3.1. An EGM shall be called

- (i) within 5 academic days of a signed petition of at least 10 per cent of ordinary members requesting one being served on the committee, and must be held within 10 academic days of the meeting being called;
- (ii) if the committee resolves to call one;
- (iii) if the society resolves to call one; or
- (iv) if one must be called to hold a by-election.

5.3.2. Where an EGM is not called as prescribed in §5.3.1, the C&S Executive may call one.

5.4. Preparation for General Meetings

5.4.1. The Secretary shall serve at least 10 academic days' public notice and written notice of a General Meeting on all society members.

5.4.2. A society member may request to have an item added to the agenda for a General Meeting by serving a written notice on the Secretary at least 2 days prior to the day of the meeting.

5.5. The Returning Officer

5.5.1. If there is to be an election at a forthcoming General Meeting, a Returning Officer must be appointed. The Returning Officer shall be appointed by the committee at least 21 days prior the date of the General Meeting at which the election is to be held.

5.5.2. The Secretary shall be appointed Returning Officer unless the committee resolves otherwise, or the Secretary declines, or is disqualified in accordance with §5.5.4(i).

5.5.3. The Returning Officer must be a student at the time of appointment.

5.5.4. The Returning Officer shall not

- (i) be a candidate;
- (ii) endorse a candidate; or
- (iii) vote,

in an election over which s/he presides

5.5.5. The Returning Officer shall serve a written notice of an election on all members, at least 14 days prior to the date of the General Meeting at which the election is to be held.

5.6. Conduct of General Meetings

5.6.1. A General Meeting shall only be held on an academic day.

5.6.2. At a General Meeting

- (i) the President;
- (ii) in the absence of the President, the Vice President; and
- (iii) in the absence of both the President and the Vice President, an office bearer nominated by the President by signed notice to the Secretary

shall preside as chair.

5.6.3. At a General Meeting, each ordinary member of at least 7 days' standing shall have a deliberative vote, except the chair, who shall have a casting vote. However, the chair does not have a casting vote in elections for office. If an election is tied, it is resolved in accordance with §5.7.3.

5.6.4. A quorum for a General Meeting shall be 15 ordinary members, or 10 per cent of ordinary members, whichever is greater.

5.6.5. If, within 20 minutes after the scheduled start of a General Meeting, a quorum is not achieved, the meeting shall

- (i) proceed as a committee of the whole, which must report its resolutions to the next quorate General Meeting for ratification before they take effect; or
- (ii) if the chair so rules, stand adjourned to a place, time and day (at least 7 and at most 14 days later) specified by the chair at the time of adjournment.

5.7. The Electoral Process

5.7.1. At a General Meeting, the committee positions shall be filled in the order they are listed in §4.2.1

5.7.2. The office bearers shall be elected by Instant Runoff Voting (otherwise known as preferential voting; that is, the system that was adopted to elect the Australian Federal House of Representatives in 1918, and was in use on the 23rd August 2011) at a secret ballot, except where there are only 2 candidates for a position, in which case the society may resolve to vote by a show of hands.

5.7.3. If in an election, two candidates should receive an equal number of votes resulting in a tie, then those two candidates who received the equal number of votes shall contest the position by drawing names from a hat.

5.7.4. The General Representative Two and the General Representative Three shall be elected in the following manner.

- (i) The Returning Officer shall ask the members of the society to determine by a vote whether or not they wish to elect a “General Representative Two”, and whether or not they wish to elect a “General Representative Three”.
- (ii) If the society resolves to elect a General Representative Two and/or a General Representative Three, then the Returning Officer shall then call for nominations.
- (iii) If the number of candidates is equal to the number of the positions that the society has resolved to elect, then the candidates shall be elected General Representative Two and General Representative Three, unopposed.
- (iv) If the number of candidates is less than the number of positions that the society has resolved to elect, then the society shall revise its resolution to a lower number.
- (v) If the number of candidates exceeds the number of positions that the society has resolved to elect, then separate elections shall be conducted for “General Representative One”, “General Representative Two”, and “General Representative Three”. The candidates who are not elected as “General Representative One” shall then enter an election for “General Representative Two”. The candidates who are not elected as “General Representative Two” shall then enter an election for “General Representative Three”.

5.7.5. The First Year Representative One and First Year Representative Two shall be elected in the following manner.

- (i) The Returning Officer shall call for nominations.
- (ii) If the number of candidates is equal to the number of the positions that the society has resolved to elect, then the candidates shall be elected “First Year Representative One” and “First Year Representative Two”, unopposed.
- (iii) If the number of candidates is less than the number of positions that the society has resolved to elect, then the society shall revise its resolution to a lower number.
- (iv) If the number of candidates exceeds the number of positions that the society has resolved to elect, then separate elections shall be conducted for “First Year Representative One” and “First Year Representative Two”. The candidates who are not elected as “First Year Representative One” shall enter an election for “First Year Representative Two”.

5.7.6. Should there occur a tie between candidates in an election for multiple positions in accordance with §5.7.4 (v) or §5.7.5 (iv), and the tie makes it impossible to distinguish the candidates with the highest number of votes to fill the prescribed number of positions, then those candidates who received an equal number of votes shall contest the election by having their names drawn from a hat until the exact number of positions are filled as prescribed in this constitution.

Part 6. Assets

6.1. Clubs & Societies Council

- 6.1.1.** All society assets are the property of the Clubs & Societies Council.
- 6.1.2.** Tangible assets may not be disposed of through resale, donation, and transfer or by any other means, without prior approval of the C&S Executive.
- 6.1.3.** Unless otherwise approved by the C&S Executive, all physical assets must be stored on the Clayton campus of the University.

Part 7. Patron

7.1. Patron of the Society

- 7.1.1.** The committee may, at its discretion, appoint a Patron of the society.
- 7.1.2.** A patron shall have the right to speak at General Meetings, but not to vote.

Constitution of the Monash University Choral Society

| Author | Date | Version | Changes |
|----------------------------|-----------|---------|--|
| Fiona Schoer & Paul Deakin | 19/9/2011 | 1.0 | <p>Update according to all changes to constitution as per Draft 7 with exception of:</p> <ul style="list-style-type: none"> • 1.2.4 (ii) addition of Code of Conduct clause rejected by society to be addressed in next general meeting • Throughout the document “Musical Director” is now referred to as “Conductor” as per society’s decision • 4.2.5 (viii) “ensure that the society website is developed and maintained in a manner as the committee may resolve” has not been deleted as per society’s decision • 4.4.3 as per society’s decision this clause to be updated in conjunction with 5.7.5 at next general meeting • 4.7.6 society voted to amend clause to say “any appointed Assistant Conductors may receive free ordinary membership if s/he is eligible for ordinary membership; otherwise s/he may receive free associate membership at the committee’s discretion • 5.1.1 the AGM shall be held in October • 5.7.2 the society decided to implement the Instant Runoff Voting system • 5.7.5 as per society’s decision this clause to be updated in conjunction with 4.4.3 at next general meeting • added change history |
| Fiona Schoer | 13/3/2012 | 1.1 | <ul style="list-style-type: none"> • Removed copyright notification • Standardised spelling of First Year Representative • Minor formatting changes • Minor clause numbering updates (including updates for references) due to formatting changes and clause additions/removals • Removed clause 4.4.3 (“There shall be 1 male and 1 female First Year Representative, unless the society resolves otherwise”). • Updated clause 5.7.4 (v) (to clarify election process). • Added clause 5.7.5 (align election process for First Years Representatives to be the same as General Representatives). • Removed interactive cross-references |
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