

CONSTITUTION OF UC SNOWSPORTS

Adopted on the date of establishment of the club



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1. Definitions and interpretation

1.1 Definitions

In this constitution, the following words have the following meaning:

Annual General Meeting or **AGM** means a meeting of the Club held annually, attended by the Committee and Individual Members.

Alumni means a person who has been conferred an award by the University under a Statute.

CMS means the Club management system used by UCX to record information and manage clubs which may be updated or changed from time to time.

Chairperson means the person elected to be the chairperson of a Club at a General Meeting in accordance with clause 10.2.

Club means a club or society whose aim is to enhance Student engagement in a social environment and provide sports, social or cultural participation opportunities for its Members, and includes a UC Academic Club, UC Sports Club or UC Social or Cultural Club.

Committee means the managing body of the Club consisting of the Executive and other General Committee members.

Constitution means this constitution document.

Elected Chairperson means the elected President of the Club or a person elected by the Executive to be the Club's chairperson under clause 8.4.

Executive means the executive group of a Club elected in accordance with clause 8 which is constituted of the President, Vice President, Secretary and the Treasurer.

General Committee Members refers to the persons elected to hold a position in the Club Committee, outside of an Executive role.

General Meeting means a meeting of members and includes the AGM and SGM.

Inaugural General Meeting or **IGM** means the first official meeting of a new Club.

Members means a Student, Alumni or Staff or member of the public who is a member of a Club.

Outgoing Executive means the Executive team which was elected in the previous year or term of election (12 months).

Returning Officer means a current Member of the Club, a Member of UC Staff, the UCX Manager of Clubs or their representative who is responsible for counting the vote at a General Meeting.

Simple Majority means a majority reached by more than 50% of all eligible votes.

Special General Meeting or **SGM** means a meeting of the Club open to all members held at any time to resolve a specific order of business.

Staff means a person who is employed by the University or UCX.

Statutes means legislation made under the *University of Canberra Act 1989* including associated Rules.

Student means a person enrolled in a course of study at the University.

Student Conduct Rules means the University of Canberra (Student Conduct) Rules 2018 as amended from time to time.

UC Academic Club means a club or society of the University created to enhance Student engagement in various academic based activities and to enrich learning by offering academic assistance, internal and external networking, events and professional development opportunities to its members. UC Academic Clubs must align with at least one current course or program offered at the University.



UC Sports Club means a club focused on enhancing Student engagement and participation in sport or physical activity either socially and/or competing in events or competitions including those endorsed by an external registration body or Unisport Australia.

UC Social or Cultural Club means a club or society of the University focused on enhancing Student engagement by uniting members of common interests, activities and/or culture.

University means the University of Canberra (ABN 81 633 873 422).

UCX means UCX Ltd, a wholly owned subsidiary of the University.

UCX Club Rules refers to the UCX Club Rules of Affiliation (2021).

UCX Manager of Clubs refers to the UCX Campus Life Coordinators or their delegate, including a referral to a Director of UCX.

1.2 Interpretation

In this Constitution:

- (a) the words 'including', 'for example', or similar expressions mean that there may be more inclusions or examples than those mentioned after that expression, and
- (b) reference to an Act includes every amendment, re-enactment, or replacement of that Act and any subordinate legislation made under that Act (such as regulations).

Club details

2.1 Club name

The name of the Club is UC Snowsports (referred to as the Club for the remainder of this document).

2.2 Type of Club

The Club is a Social Club

2.3 Object

The Club's object is to: Facilitate and promote Skiing and Snowboarding through events, trips and social gatherings, whilst creating an environment to foster and promote friendship.



3. Registration and membership

3.1 Club registration

- (a) The Club must register with UCX twice annually on the census date for each semester.
- (b) UCX may, at its discretion, grant extensions of up to 2 weeks after the relevant census date.
- (c) The Club must have a minimum of 10 current Student Members.
- (d) Where the UC Club is a UC Academic Club or UC Social or Cultural Clubs, at least 80% of Members must be UC Students.

3.2 Register of Members

- (a) The Club must establish and maintain a register of Members. The register of Members must be kept updated by the Secretary in the CMS and must contain, for each current Member:
 - (i) name;
 - (ii) email address;
 - (iii) record of whether the Member is a Student or Alumni;
 - (iv) date of joining; and
 - (v) whether the Member is a life or honorary Member.
- (b) Information that is accessed from the register of Members will only be used in a manner relevant to the interests or rights of Members.

3.3 Types of Members

- (a) Membership of the Club is open to all Students, Alumni, Staff and the public.
- (b) Members will be recognised as a Student, Staff Member or member of the public based on their profile in the CMS.

3.4 Term

- (a) Membership to a Club is for one semester or the calendar year.
- (b) All memberships expire at the end of each calendar year.

3.5 Life or honorary Members

- (a) The Club can appoint life or honorary Members at the Annual General Meeting for Members who have provided special services to the Club over a period of more than 1 year.
- (b) Life Members or honorary Members are not counted for the purpose of funding and association with UCX.
- (c) Life or honorary memberships expire in accordance with clause 3.7.

3.6 Membership fees

- (a) Each member must pay per-Semester fee of \$N/A or a per-year fee of \$20
- (b) The membership fee can be changed at any SGM or AGM. I
- (c) Life or Honorary Members can, but are not required to, pay membership fees.
- (d) The Executive must audit membership by census date each semester.



3.7 Ceasing of membership

A person immediately stops being a Member if they:

- (a) die;
- (b) resign, by writing to the Secretary or UCX Manager of Clubs;
- (c) no longer meet eligibility requirements required by this clause 3 by each census date of each semester; or
- (d) are removed as a result of disciplinary action under this constitution.

4. Disputes and discipline

4.1 Dispute resolution

- (a) The dispute resolution procedure in this clause applies to all disputes under this Constitution between Members of the Club, including the Executive.
- (b) Those involved in the dispute must try to resolve the dispute between themselves within 14 days of learning of the dispute.
- (c) If those involved in the dispute do not resolve it under clause 4.1(b), the Executive must, within 14 days:
 - (i) inform the UCX Manager of Clubs about the dispute;
 - (ii) the UCX Manager of Clubs or their delegate shall consider the resolution of the Club and provide a decision within 30 days; and
 - (iii) a decision of the UCX Manager of Clubs or their delegate is final.

5. Disciplinary matters

5.1 Executive to make resolution

- (a) The Executive or UCX Manager of Clubs may resolve to warn, suspend or expel a Member from the Club if the majority of the Executive consider that a Member has:
 - (i) breached this Constitution,
 - (ii) has breached the UCX Club Rules,
 - (iii) breached any Club, UCX or University policy; or
 - (iv) behaved in a manner that, has caused, or is likely to cause harm to the Club or other Members of the Club.
- (b) The Executive must hold a meeting to take any action relating to any disciplinary matter.

5.2 Notification of meeting

At least 14 days prior to the meeting at which a resolution under clause 5.1 will be considered, the Executive must notify the Member in writing:

- (i) that the Club is considering a resolution to warn, suspend or expel the Member;
- (ii) that this resolution will be considered at a meeting and the date of that meeting;
- (iii) what the Member is said to have done or not done;



- (iv) the nature of the resolution that has been proposed; and
- (v) that the Member may provide an explanation to the Executive, and details of how to do so.

5.3 Resolutions

- (a) Before the Club passes any resolution under clause 5.1, the Member must be invited to:
 - (i) submit to the Executive a written explanation at least 5 business days prior to the meeting, and
 - (ii) speak at the meeting.
- (b) After considering any additional information provided under clause 5.2(a)(v), the Executive may:
 - (i) take no further action;
 - (ii) warn the Member in writing;
 - (iii) expel the Member; or
 - (iv) refer the matter to the UCX Manager of Clubs for further advice and/or a decision.
- (c) The Executive cannot fine a Member.
- (d) A Club Member may vote on a resolution under this clause in writing by proxy.

5.4 Notification of resolution

- (a) The Secretary must give written notice to the Member of a resolution made by the Executive as soon as possible.
- (b) There will be no liability for any loss or injury suffered by the Member as a result of any resolution made in good faith under this clause.

5.5 Referral of matters

- (a) If a matter is referred to the UCX Manager of Clubs under clause 5.3(b)(iv), the UCX Manager of Clubs or their delegate shall consider the resolution of the Club and provide a decision within 30 days.
- (b) A decision of the UCX Manager of Clubs or their delegate is final.

5.6 Appeals

- (a) Members can appeal a decision made by the Executive in writing to the UCX Manager of Clubs within 14 days of receiving the written decision from the Executive.
- (b) Details on the appeals process can be found in the Club's appeals process document.

5.7 Discipline of Executive and Committee

- (a) Executive and Committee Members may be disciplined in accordance this clause 5 to remove the individual from their elected position.
- (b) Any vacancy created by a decision taken under this clause will be filled according to the Club election procedures for a casual vacancy.



6. General Meetings

6.1 Annual General Meeting

- (a) The Annual General Meeting must be held once in every calendar year.
- (b) The Executive will be appointed at the AGM.
- (c) A handover of the Executive roles where possible should be held before the next census date.
- (d) Outcomes of the AGM are to be recorded in minutes and signed by the Executive to confirm their accuracy.
- (e) These minutes are to be provided to the UCX Manager of Clubs within 14 days of the AGM.

6.2 Notice of General Meetings

- (a) The Executive may call a SGM, AGM or General Meeting by providing 14 days' prior notice to Members and UCX by email.
- (b) Notices must include:
 - (i) the agenda;
 - (ii) the place, date and time for the meeting (and if the meeting is to be held in two or more places, the technology that will be used to facilitate this);
 - (iii) the general nature of the meeting's business;
 - (iv) if applicable, that a special resolution is to be proposed and the words of the proposed resolution.

6.3 Quorums

- (a) For a General Meeting to be held, at least 6 voting Members, in addition to the President, Vice-President, Treasurer and Secretary must be present (in person, or online)
- (b) When determining whether a quorum is present, a person may only be counted once (even if that person is a representative of a proxy).
- (c) No business may be conducted at a SGM or AGM if a quorum is not present.

6.4 Using technology to hold meetings

- (a) The Club may hold a meeting at two or more venues using any technology that gives the Members as a whole a reasonable opportunity to participate, including to hear and be heard.
- (b) Anyone using this technology is taken to be present in person at the meeting.

6.5 Role of the chairperson

- (a) The Chairperson is entitled to chair General Meetings.
- (b) The Chairperson is responsible for the conduct of the General Meeting, and for this purpose must give Members a reasonable opportunity to make comments and ask questions.
- (c) The Chairperson does not have a casting vote unless it is a deciding vote in the event of a tie and the Chairperson is eligible to vote.

6.6 Conduct

Subject to these Rules, the conduct of AGMs and meetings of the Executive of the Club shall occur in the manner in which the Executive determines.



7. Voting

7.1 Voting at General Meetings

Members of the Club will be eligible to vote if they:

- (a) are a Student Member; and
- (b) meet all other membership requirements prior to the beginning of the General Meeting.

7.2 Challenge to Member's right to vote

- (a) A Member or the Chairperson may only challenge a Member's right to vote at a SGM or AGM.
- (b) A Member is only not allowed to vote if they do not meet voting eligibility at the time of the meeting or have a conflict of interest in the outcome of the vote.
- (c) If a challenge is made under clause (a)7.2(a), the Chairperson must decide whether or not the person may vote, in which case the decision is final.

7.3 Conducting voting

- (a) Voting must be conducted and decided by one of the following:
 - (i) a show of hands, or
 - (ii) a vote in writing, or
 - (iii) another method chosen by the Chairperson that is fair and reasonable in the circumstances.
- (b) The method of voting must be determined and agreed to by voting Members at the General Meeting prior to votes being placed.
- (c) Before a vote is taken, the Chairperson or Returning Officer must state whether any proxy votes have been received and, if so, how the proxy votes will be cast.

7.4 Counting of votes

- (a) Each voting Member has one vote per resolution.
- (b) Votes can be counted by a Member of the Executive or a Returning Officer.
- (c) The Member counting the votes:
 - (i) may not cast a vote unless it is required to be the deciding vote in the event of a tie; and
 - (ii) if required to cast a vote to break a tie, must be eligible to vote.
- (d) On a show of hands, the Chairperson's decision is conclusive evidence of the result of the vote.
- (a) The Chairperson and the meeting minutes do not need to state the number or proportion of the votes recorded in favour or against, but a record of votes must be kept by the Chairperson or Returning Officer for a period of six months.
- (b) Votes are passed by a Simple Majority

7.5 Appointment of proxy

(a) A Member may appoint a proxy to attend and vote at a SGM or AGM on their behalf by submitting a request in writing to the Secretary or Returning Officer prior to the meeting.



- (b) A voting by proxy form must be completed and submitted to the Chairperson or Returning Officer prior to the beginning of the SGM or AGM.
- (c) A proxy must be a current voting Member of the Club.
- (d) A proxy appointed to attend and vote for a Member has the same rights as the Member to:
 - (i) speak at the meeting; and
 - (ii) vote in a vote in writing (but only to the extent allowed by the appointment).
- (e) A proxy appointment is only valid for a single SGM or AGM.
- (f) If a quorum is not met and the SGM or AGM is held again at a later date the proxy form must be resubmitted.
- (g) A Member may only hold one proxy at a time.

7.6 Voting by proxy

A proxy vote can only be counted if the Member has specified the outcome desired by the Member to the proxy.

8. Executive

8.1 Number of Executive Members

- (a) The Club must have 4 Members of the Executive as follows:
 - (i) President;
 - (ii) Vice President;
 - (iii) Treasurer; and
 - (iv) Secretary.
- (b) Clubs can elect more Members to their Committee if they wish to. General Committee Members must have a specific role.

8.2 Election and appointment of Executive and Committee Members

- (a) The initial Executive and Committee Members are the people who have agreed to act as the Executive at the formation of the Club at the IGM.
- (b) Executive Members will hold their position for a maximum of 12 months and shall be approved and elected at the AGM.
- (c) Apart from the initial Executive and Committee Members appointed under clause 8.2(a), the Members may elect General Committee Members by a resolution passed in any SGM or AGM.
- (d) A Member is eligible for election as an Executive or General Committee Member of the Club if they:
 - (i) are nominated by another Member who is entitled to vote; and
 - (ii) meet all additional Executive membership requirements as specified in Club or UCX policies; and
 - (iii) have had their application approved by a majority of the Outgoing Executive.



- (e) In accordance with section 8.2(d)(iii), for members to be eligible for election as an Executive or General Committee Member, they must submit an application to the Outgoing Executive prior to election at an AGM or SGM. This is to ensure that:
 - (i) All elected Executives are deemed to be of good character by the Outgoing Executive; and
 - (ii) All elected Executives are deemed to possess the skills necessary to carry out their elected role.
- (f) In addition, it should be noted that members are only permitted to apply for one (1) executive role every 6 months. This is to ensure that:
 - (i) Members apply for a role which fits their skill set; and
 - (ii) Members do not apply to multiple roles for the sole purpose of becoming an Executive; and
 - (iii) Elected Executives can best serve the aims and goals of the Club.
- (g) Clause 8.2 (f) will stand unless a majority of the Outgoing Executive decides to waive this clause for any specific member or members, dependent on a vote conducted at any Executive Meeting where a Quorum is present. In the event of a split vote, the President will have the deciding vote as to whether this section should be waived. This vote and the results of the vote must be recorded in the meetings minutes.



8.3 Casual vacancy

- (a) The Executive may appoint a person as an Executive Member to fill a casual vacancy if that person is a Member or General Committee Member of the Club.
- (b) Members assigned to fill casual vacancies will be endorsed by the Club by way of vote at the next SGM, which will be held to endorse a casual vacancy within 30 days of the casual vacancy being filled.
- (c) All Executive and Committee positions are open for election at the next AGM.

8.4 Chairperson

- (a) The elected President is the Chairperson of the Club unless they are unavailable, in which case the Vice President will chair.
- (b) The President may ask another executive member or the UCX Manager of Clubs or their representative to be the chairperson for a specific meeting.

Powers of the Executive

9.1 Powers of Executive Members

- (a) The Executive are responsible for managing and directing the activities of the Club to achieve the Club's object set out in clause 2.3.
- (b) The Executive must decide on the responsible financial management of the Club including:
 - (i) the appointment of at least 3 bank signatories to the Club account;
 - (ii) how money will be managed, such as how electronic transfers must be authorised and signed or otherwise approved.
- (c) A single Executive Member cannot remove a Executive Member from their position. Executive Members may only be removed from their position by a Members' resolution at a general meeting or by the UCX Manager of Clubs in accordance with clause 5.
- (d) The Executive may only use Club funds to benefit all Members of the Club equally and not for a salary or bonus.

9.2 Duties of Executive Members

The Executive must comply with their duties as Executive Members under this Constitution, which are:

- (a) to exercise their powers and discharge their duties with the degree of care and diligence that a reasonable individual would exercise if they were an Executive Member of the Club;
- (b) to act in good faith in the best interests of the Club;
- (c) not to misuse their position as an Executive Member;
- (d) not to misuse information they gain in their role as an Executive Member;
- (e) to disclose any perceived or actual material conflicts of interest;
- (f) to ensure that the financial affairs of the Club are managed responsibly;
- (g) to comply with the UCX Club Rules of Affiliation, all Club. UCX and University policies and Statutes; and
- (h) to enforce all Club policies once approved by UCX Manager of Clubs



10. Executive meetings

10.1 Frequency and notice

- (a) The Executive must meet a minimum of 3 times annually but may decide where and when the meetings occur.
- (b) An Executive Member may call an Executive meeting by giving reasonable notice to all of the other Executive Members.
- (c) The Executive may hold their meetings by using any technology (such as video or teleconferencing) that is agreed to by all of the Executive.
- (d) An Executive may only withdraw their consent within a reasonable period before themeeting.

10.2 Chairperson for Executive meetings

- (a) The President is entitled to chair Executive meetings.
- (b) Those present at an Executive meeting may choose an alternative Executive Member to be the Chairperson for that meeting if the President is:
 - (i) not present within 30 minutes after the starting time set for the meeting, or
 - (ii) present but does not want to act as Chairperson of the meeting.

10.3 Quorum

- (a) The quorum for an Executive meeting is 3 Executive Members as defined in 8.1 (a)
- (b) A quorum must be present for the whole Executive meeting.

11. Executive roles

11.1 Appointment and role of President

- (a) The Club must appoint a President.
- (b) The President is responsible for the financial and general management of the Club in addition to any other duties voted in by the Club, and will:
 - (i) be the spokesperson for and on behalf of the Club;
 - (ii) preside at all meetings of the Club when present;
 - (iii) liaise with the UCX Manager of Clubs;
 - (iv) prepare a Club report for the previous calendar year to be presented to UCX Manager of Clubs in semester 2;
 - (v) be a signatory on the Clubs bank account;
 - (vi) ensure that all purchases made on behalf of the Club are relevant and appropriate to the running of the Club;
 - (vii) be directly responsible to the UCX Manager of Clubs for the actions of the Club.
 - (viii) adhere to all Club, UCX and University policies and Statutes.

11.2 Appointment and role of Vice President

(a) The Club must appoint a Vice President.



- (b) The Vice President, in addition to any other duties voted in by the Club, will:
 - (i) act in the capacity of, and carry out the duties for the President if the President is unable to so act;
 - (ii) assist the President with the overall running of the Club;
 - (iii) be a signatory on the Club's bank account; and
 - (iv) adhere to all Club, UCX and University policies and Statutes.

11.3 Appointment and role of Secretary

- (a) The Club must appoint a Secretary.
- (b) The Secretary, in addition to any other duties voted in by the Club, will:
 - (i) maintain the Club's non-financial records;
 - (ii) update and maintain membership lists and relevant details in accordance with the UCX Club Rules of Affiliation;
 - (iii) produce and distribute agendas for all meetings;
 - (iv) take and distribute all minutes of meetings;
 - (v) ensure that the Club is aware of all duties and responsibilities of the Club when involved in any agreement or form of sponsorship;
 - (vi) be responsible for regularly checking Club mailbox; and
 - (vii) adhere to all Club, UCX and University policies and Statutes.

11.4 Appointment and role of Treasurer

- (a) The Club must appoint a Treasurer.
- (b) The Treasurer in addition to any other duties voted in by the Club, will:
 - (i) be responsible for managing the flow of the day to day finances of the Club;
 - (ii) be a signatory on the Clubs bank account;
 - (iii) ensure receipts are issued for all monies received by the Club;
 - (iv) deposit all monies received on behalf of the Club;
 - (v) maintain copies of all receipts issued and received on behalf of the Club;
 - (vi) maintain Club finances in accordance with the UCX Club Rules of Affiliation;
 - (vii) present at each General Meeting an accurate report detailing Club finances;
 - (viii) prepare a complete financial report present at the annual general meeting; and
 - (ix) adhere to all Club, UCX and University policies and Statutes.

12. Records

12.1 Financial and related records

(a) The Club must make and keep written financial records that correctly record and explain its transactions and financial position and performance in accordance with UCX Policies.



- (b) The Club must keep written records that correctly record its operations.
- (c) The Executive must take reasonable steps to ensure that the Club's records are kept safe.
- (d) UCX may audit the financial records at any time.

13. Release of funds

13.1 Signatories

The Club may release funds from their account only if there is the signature of at least 2 appointed bank signatories.

14. Club Policies

14.1 Creation and approval

- (a) The Club may adopt Club policies at a SGM or AGM.
- (b) Club policies must be approved by UCX Manager of Clubs.
- (c) Policies must not overrule or contradict this Constitution, UCX Club Rules of Affiliation, or any other UCX or University policies or Statutes.

15. Closure of Club

15.1 Circumstances of closure

The Club can be closed if:

- (a) the closure is approved by a majority vote of the voting Members attending a SGM or AGM; or
- (b) it does not meet the affiliation requirements for a period of 6 consecutive weeks during the semester set out in the UCX Club Rules of Affiliation;
- (c) it breaches UCX Club Rules of Affiliation, or any other UCX or University policies or Statutes.

15.2 Minutes

If a Club is closed by the Members, the Executive must submit the minutes to UCX within 14 days of the meeting to close the Club.

15.3 Control

UCX will assume the financial control of funds for the closed Club and apply those as it sees fit.

