

Monash Student Association (Clayton) Incorporated

Clubs & Societies Council

NOTICE OF PROPOSED AMENDMENTS TO CONSTITUTION

Notice is given that at the Annual General Meeting to be held on Monday 8th September, 2025 it is intended that the following amendments be proposed:

THAT the Clubs & Societies Council Constitution be amended as follows:

ENTIRE CONSTITUTION (as set out in tracked changes)

Reformat with new layout and numbering system
Update and fix cross references to rule numbers
Insubstantial wording and grammar corrections
Fix capitalization, as appropriate
Update suffixes, as appropriate
References to Club ‘Registration’ amended to Club ‘Reaffiliation’ and ‘Deregistration’ to Disaffiliation’
Alter all votes needed to pass a resolution from two thirds (2/3) to three quarters (3/4) at a general meeting
Replace ‘shall’ with ‘must’, ‘may’, or ‘will be’ as appropriate
Swap list order of C&S Office Bearers so that Secretary is before Treasurer
Replace the terms ‘videoconference’ and ‘teleconference’ with ‘use of technology’
Replace the terms ‘call’ and ‘called’ with ‘convene’ and ‘convened’

PART 1. CONSTITUTION

1.1 Interpretation

Remove definitions for ‘ballot paper’, ‘continuing candidate’, ‘handover’, ‘prescribed’, ‘public notice’, and ‘oral notice’.
Update/amend definitions for ‘academic day’, ‘attendant’, ‘C&S Manager’ renamed to ‘MSA Executive Officer’, ‘C&S staff member’, signed notice, and written notice.
Add MSA Registration Number, and insert— (3) The headings form part of this constitution. (4) The Executive is responsible for the interpretation of this constitution and its schedules. (5) In this constitution a period of notice of a meeting expressed in days— (a) does not include the day on which notice is given; but (b) includes the day on which the meeting is held.

1.2 Jurisdiction

Move entire section to be Schedule 1 in new Appendix section
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1.4 Amendments

Add that amendments to the constitution and its Schedules must be noted in the new Appendix section

Move entire 1.4.7 section (Document History) to be Schedule 2 in the new Appendix section

PART 2. THE COUNCIL

2.1 Existence and 2.2 Aims and Objectives

Merge and simplify section:

remove 'Existence', replace 'Aims & Objectives' with 'Purposes', and include that the purpose of C&S is to 'advance the education of students'.

2.4 Office Bearers

Set out general duties for all C&S Office Bearers, adding 'assist MSA and C&S Orientation activities'; 'support the governance of clubs as appropriate' and 'fulfil the specific duties of their office'.

Clarify Vice President role to support new clubs is for the period 'during their first 12 months of affiliation'.

Add to Secretary duties 'ensure that clubs are informed of relevant issues discussed, and resolutions made, by the Executive, in a timely manner'.

Add to Treasurer duties 'submit reports to executive meetings, as appropriate' and 'submit bi-annual reports to the AGM and OGM'.

Add to Executive-Elect duties 'become familiar with the C&S constitution and its schedules'.

Insert an exception in a C&S Office Bearer's term of office that 'a person elected as President, Vice President, Secretary or Treasurer at an AGM holds office—

- (a) if position is vacant at the time of the AGM, commencing immediately following end of the AGM; or
- (b) if the position becomes vacant after the AGM, commencing when the position becomes vacant.

Move rules regarding ceasing to hold office to a new 'Vacancies' section, including Filling Vacancies.

Add 'cease to be enrolled in at least one unit of study at a Victorian campus of the University' as another reason a C&S Office Bearer shall cease to hold office.

Alter eligibility to be appointed to fill a vacant position from 'on the day' to 'at the time' of appointment.

Alter the appointment period concluding from 'beginning' to the 'end' of the general meeting and same for the appointment of a General Representative to the position of President, Vice President, Secretary or Treasurer.

PART 3. THE EXECUTIVE

Delete clause 3.1 Existence
Move 3.2 Governing Body clause under heading ‘Functions and powers’
Change heading ‘Members’ to ‘Voting members’

3.5 Functions and Powers

Replace ‘recognise’ groups with ‘affiliate’ groups
Expand function to ‘oversee’ the activities of Clubs to ‘oversee and regulate’
Add new section ‘Delegation’ — (1) The Executive may, by an absolute majority— (a) establish committees or subcommittees with such membership and terms of reference as it thinks appropriate; and (b) delegate its responsibilities and powers as it thinks appropriate. (2) A body to which or person to whom a responsibility or power is delegated must not delegate that responsibility or power further. (3) The Executive must not delegate its powers— (a) to affiliate groups of students as clubs; or (b) to direct a club to a misconduct hearing; or (c) to impose any misconduct penalty on a club; or (d) to add, amend or remove schedules under subclause 3(2); or (e) to interpret this constitution and the regulations under subclause 1(4).
Add heading ‘Supremacy of council’ with existing clauses about when a resolution of the Executive is inconsistent with a resolution of C&S under this section.

3.6 Meetings

Increase minimum number of executive meetings from ‘4’ to ‘6’
For urgent meeting notice replace ‘oral notice’ with ‘by the fastest means practicable’
Add ‘The Executive may adopt Standing Orders for the conduct of executive meetings’
Adjust/amend quorum requirement from the number ‘5’ to ‘a majority of executive members’ with further definition that— (9) Executive members who are unable to be present at the meeting because— (a) of a conflict of interest; or (b) they are on an approved leave of absence— are not counted in determining quorum.
Adjust quorum as not being achieved from ‘20’ minutes after the scheduled start to ‘15’ minutes
Add ‘Executive meetings may only proceed in camera by a resolution passed by an absolute majority and in accordance with subclause 29(5) of the MSA Constitution’
Remove all provisions to appoint a person, or persons as a proxy for executive meetings with ‘Voting by proxy at executive meetings is not permitted’
Insert new Heading and section for ‘Conflict of Interest’ — (1) Executive members who have a material personal interest in a matter that is being considered (including holding a position of responsibility in a club) at an executive meeting must— (a) disclose the nature and extent of their interest to the body as soon as they become aware of the interest; and

<p>(b) not be present while the matter is being considered at the meeting; and</p> <p>(c) not vote on the matter.</p> <p>(2) This clause does not apply to material personal interests that—</p> <p>(a) exist only because the executive member is a student; or</p> <p>(b) exist only because the executive member is a member of a club; or</p> <p>(c) exist only because the member belongs to a class of persons for whose benefit C&S is established; or</p> <p>(d) the executive member has in common with all or a substantial proportion of the members of C&S.</p>
<p>Add ‘A request for leave of absence is provisionally granted upon request, subject to any resolutions of the Executive’.</p>
<p>Alter rule to read that for a circular resolution to be considered valid, every executive member, with the exception of the President and executive members who declare a conflict of interest or are on an approved leave of absence, votes in favour or abstains from the resolution.</p>
<p>Add additional rule that a resolution cannot be voted on by way of circular resolution when it proposes—</p> <p>‘(a) to recognise a club, society, association or a group of students as a club’</p>

PART 4. GENERAL MEETINGS

<p>Alter the time for a C&S member to request to have an item added to the agenda for a general meeting from ‘3.00pm’ to ‘23:59’</p>
<p>Replace the word ‘resolve’ to ‘adopt’ Standing Orders for the conduct of general meetings</p>
<p>Add additional rule that the business of an AGM must include—</p> <p>‘(c) any other substantive business of which notice has been given with the final agenda; and</p> <p>(d) a forum for general discussion’.</p>
<p>Add the business of an OGM must include—</p> <p>‘(a) reception of reports from the President and Treasurer; and</p> <p>(b) if necessary, by-elections of C&S Office-Bearers; and</p> <p>(c) if necessary, consideration of any Misconduct Appeal Hearings; and</p> <p>(d) any other substantive business of which notice has been given with the final agenda; and</p> <p>(e) a forum for general discussion’.</p>
<p>Alter rule that an EGM must be convened if at least 5 ‘C&S Members’ instead of ‘Presidents’ request one, and add additional instance ‘or an election appeal panel directs the Executive to convene one’.</p>
<p>Add the business of an EGM must include—</p> <p>‘(a) if necessary, by-elections of C&S Office-Bearers; and</p> <p>(b) if necessary, consideration of any Misconduct Appeal Hearings; and</p> <p>(c) any other substantive business of which notice has been given with the final agenda’.</p>
<p>Add that a general meeting may be held ‘on the Clayton campus of the University or by means of technology’</p>
<p>Add that attendance at general meetings must be limited to—</p> <p>‘(a) C&S Office-Bearers; and</p> <p>(b) C&S and MSA staff members; and</p> <p>(c) either the club president, president’s proxy or an office-bearer of each club; and</p> <p>(d) candidates who submitted a prior nomination for an election, for the duration of the elections or by-elections; and</p>

(e) any other person permitted by the chair’.
Add that the Executive may resolve that a general meeting be held ‘partially’ or entirely by ‘means of technology’.
Add additional provision for who ‘may’ preside as chair at a general meeting— ‘otherwise, a person elected by and from the attendants present’.
Add ‘C&S Office-Bearers do not have a deliberative vote unless a C&S Office-Bearer is voting in their capacity as a club president or club president’s proxy’ <i>To be voted separately</i>
Adjust quorum as not being achieved from ‘20’ minutes after the scheduled start to ‘30’ minutes
Add additional instance that a club president proxy is deemed to be a C&S member for the duration of a general meeting if that club president ‘is presiding as chair’.
Insert new heading for ‘Warnings’ and include all existing relevant clauses about warnings at a general meeting in this section.

PART 5. ELECTIONS

Add additional instance ‘remains vacant after an election’ to set out when an EGM must be convened by the Executive and the time frame to hold a by-election for a President, Vice President, Secretary or Treasurer vacancy.
Alter rules about who shall be Returning Officer— ‘(1) C&S Office-Bearer elections must be conducted by a Returning Officer who must— (a) be the Secretary; or (b) if the Executive resolves otherwise by an absolute majority or the Secretary self-disqualifies, be a C&S Office-Bearer or club office-bearer appointed at least 14 days prior to the date of the general meeting at which the election is to be held— at the time of appointment. (2) If the Returning Officer— (a) is not present at the general meeting; or (b) is unable to fulfill their duties— the general meeting may appoint a new Returning Officer if at least three-quarters of attendants vote in favour of the decision’.
Add additional rule ‘in order of nomination’ when presiding over an election and ‘provide candidates, in order of nomination an opportunity to give a brief speech and answer questions from the floor’.
Add the discretionary power of the Returning Officer to determine the speaking time ‘and the maximum number of questions that each candidate may be asked by C&S Members, which must be at least 2 minutes and 2 questions respectively’
Replace ‘written notice’ and ‘oral notice’ with ‘inform’ and ‘as soon as practicable’ for candidates.
Replace ‘public notice’ with ‘written notice’ to ‘all clubs’ instead of ‘C&S members’ to notify election results ‘as soon as practicable’.
Lengthen the time period for the MSA Executive Officer to retain election materials from ‘6’ months to ‘12’ months.
Shorten the time period for the Returning Officer to submit an election report to the Executive and ‘MSA Executive Officer’ from ‘1 month’ to ‘14 days’.

5.4 Nominations

Add that a person is eligible to be nominated as a candidate for election if they are eligible to be elected ‘at the time of the election’.

Lengthen the time period for a candidate to submit a policy document to the Returning Officer from ‘3.00pm’ to ‘23:59’ four academic days prior to the scheduled start of the general meeting.

5.5 Ballots

Clarify that a ballot for a C&S Office Bearer election must be a secret ballot using optional preferential proportional ‘representation’ instead of optional preferential proportional voting.

Remove the requirement to determine the candidate order by lot (witnessed by 1 Executive Member and 1 Staff Member) with insertion of new rules—
‘(2) The Returning Officer must determine whether an election will be held by physical or digital ballot and ensure that the voting method or platform is included in the final agenda.
(3) The order in which candidates—
(a) are listed on digital ballot papers must, where practicable, be in a rotating random order;
or
(b) otherwise, must be in the order of nomination’.

Lengthen time for a candidate to voluntarily withdraw their nomination from ‘prior to the issuing of ballot papers’ to ‘the declaration of the result’.

Amend rules to handle a withdrawn nomination—
‘If a candidate withdraws their nomination, the Returning Officer—
(a) must proceed with the ballot as if that student had never nominated; and
(b) may modify ballot-papers as necessary or appropriate’.

5.6 Unopposed Candidates

Add ‘from the floor’ to ensure all further nominations are received.

5.7 Counting of Votes

Add ‘Votes must be counted using the Meek method with a Droop quota’

Delete rule 5.75 and subrules.

5.8 Appeals

Add that the appeal panel must consist of an MSA ‘staff member with supervisory responsibilities’ and ‘nominated by the MSA Executive Officer’.

Replace ‘call for a new election’ with ‘direct the Executive to convene an EGM’.

Reword ‘The appeal panel’s decision shall be final’ with ‘The decision of the appeal panel is final and binding on all parties’.

PART 6. CLUBS

Add that the constitution of each club must contain ‘the club’s purposes, of which the predominant one must be to advance the education of the students of Monash University’.
Add ‘The Clubs & Societies Executive is responsible for the interpretation of this constitution and its schedules’.
Alter club membership end date to ‘19 March’ from ‘March 20’.
Alter rejection of membership from being a decision to vote on at a general meeting to a ‘committee meeting’.
Remove 6.2.2 (viii)-(x) rules about Honorary Life Members as a requirement in a club constitution, and add revised rule— (3) Where a constitution of a club provides for life memberships its must also provide— (a) that life members of the club who are eligible for ordinary membership have all the rights of ordinary members; (b) that life members of the club who are ineligible for ordinary membership have all the rights of associate members.
Add requirement in club constitutions— (k) that for former members, the club must— (i) retain only the name of the person and the date they ceased to be a member; and (ii) remove all other information about the person;
Keep requirement to specify the month of the club’s Annual General Meeting, but remove ‘that the annual election for all committee members shall be held at the Annual General Meeting, unless otherwise approved by the Executive’ to be replaced with ‘(aa) that the annual election for at least the club office-bearers must be held at the annual general meeting, unless otherwise approved by the Executive’.
Replace ‘minimum number’ of Ordinary General Meeting to be held each year with ‘the semester of the club’s ordinary general meeting’.
Alter that general meetings must be held ‘on the Clayton campus of the University or by means of technology’
Delete ‘a general meeting can be adjourned a maximum of two times before the C&S Executive must review the club’s affiliation status, as per C&S Affiliation Regulations’.
Replace ‘is deemed to have resigned’ for failing to attend 3 consecutive committee meetings without leave of absence with ‘they automatically cease to hold office’.
Add ‘that in determining quorum, committee members who are unable to be present at the meeting because of a conflict of interest or absent and on an approved leave of absence are not counted’.
Replace ‘that all assets are the property of the Clubs & Societies Council and shall be seized upon deregistration’ with ‘upon disaffiliation, all club assets become the property of the Clubs & Societies Council’.
Alter provisions regarding the appointment of proxies to add that ‘each ordinary member may hold no more than <0, 1, 2> proxies for other ordinary members’.
Alter provisions regarding the appointment of proxies to add that ‘club members are not permitted to vote by proxy at a general meeting while participating by means of technology’.
Delete 6.2.3 and replace with ‘committee meetings and general meetings may be held partially or entirely virtually by the use of technology that allows each person participating to be able to communicate clearly and simultaneously with every other such person; and that people are considered to have attended committee meetings and club general meetings if they are able to clearly and simultaneously communicate with members present via the use of technology’.

Add 'Constitutions of unincorporated clubs must provide that all club assets are the property of the Clubs & Societies Council'.
Delete 'A Club designated by the Executive as a Halls of Residence club may restrict ordinary membership to students who are residents of the hall'.
Add rule that a club must be 'affiliated at the Non-Financial level' in instances where eligibility requirements are extended for ordinary membership, committee members and students on exchange (no more than 2 months), and approved by the C&S Executive.
Replace 'ordinary' position with 'voting' position to describe the 5 minimum on a club committee.
Add 'Where an exception is granted under subclause (9), it must be listed in an appendix to the club's constitution' in the instance that less than 5 are voting positions on the committee.
Add 'Where the constitution of a club is inconsistent with any requirements of subclause (2) and the club has not been granted an exemption under subclause (9), the provisions are taken to be inserted into the club's constitution and apply despite any provision in the constitution to the contrary'.

PART 7. MISCONDUCT

Add Note: 'Schedules and regulations form part of the constitutions of clubs, C&S and the MSA'.
Remove 'it commits an act of misconduct prescribed in a schedule to this constitution' as an instance where a club is guilty of misconduct and replace with— (2) Schedules to this constitution may— (a) prescribe additional acts of misconduct; or (b) prescribe penalties for acts of misconduct.
Add that where a prescribed penalty notice ceases to have any force or effect, the Executive may resolve to either 'take no further action' or 'direct the club to attend a misconduct hearing'.
Add that 'an absolute majority' of the Executive is required to direct a club 'to attend' a misconduct hearing.
Add that a misconduct hearing must be held 'on the Clayton Campus or, in exceptional circumstances, by means of technology'.
Add 'If, at the scheduled start of a misconduct hearing, a quorum is not achieved, the hearing may— (a) wait for no longer than 15 minutes to reach quorum; or (b) proceed as a committee of the whole, which must report its resolutions to the next quorate executive meeting for ratification before they take effect; or (c) 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'.
Alter rule for imposing demotion penalty by the Executive at a misconduct hearing that the specified period of time is 'not exceeding 24 academic weeks, or in exceptional circumstances, 48 academic weeks' and removing 'indefinitely'.
Alter rule for imposing demotion penalty by the Council at an appeal hearing that the specified period of time is 'not exceeding 24 academic weeks, or in exceptional circumstances, 48 academic weeks' and removing 'indefinitely'

7.4 Deregistration

Alter rule to include the ‘Australian Charities and Not-for-profits Commission and Registrar of incorporated associations’ when the Executive must take steps to cancel the club’s registration with external bodies.

Alter rule to include the ‘Australian Charities and Not-for-profits Commission and Registrar of incorporated associations’ as options where a club may request by signed notice not to cancel that club’s registration(s) with external bodies.

Alter rule to include the ‘Australian Charities and Not-for-profits Commission and Registrar of incorporated associations’ so that when a club wishes to remain registered with external bodies, they must amend and update the club’s name to exclude the terms “Monash”, “University”, “Uni” and “MSA”.