



## Part 1. Interpretation

### 1.1. Interpretation

- 1.1.1. In these regulations, 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) “Affiliation” means recognition by C&S;
  - (ii) “Applicant Group” means a group of 4 students, who must all be Student MSA+ Members, wishing to start a new Club;
  - (iii) “Application” means an application to start a new Club, following the process outlined in §2.1.1;
  - (iv) “Club Payment Platform” means the C&S website page for online club membership sales ([clubs.msa.monash.edu](https://clubs.msa.monash.edu));
  - (v) “Coordinator” means the C&S staff member whose portfolio includes new club applications;
  - (vi) “Eligible Day” means a day on which an IGM may be held, as prescribed in §2.2.10;
  - (vii) “IGM” means Inaugural General Meeting;
  - (viii) “Lead applicant” means a person designated by and from an Applicant Group to represent it to C&S;
  - (ix) “New Club Application” means an application for recognition of a new Club, submitted as prescribed in §2.1.1(xiv);
  - (x) “Student” means a person enrolled in a course of study administered at the Clayton campus of the University;
  - (xi) “Student MSA+ Member” means a person who is both a Student and an MSA+ Member;
  - (xii) “MSA+ Member” means a current member of the Monash Student Association MSA+ Rewards; and
  - (xiii) “Week 0” means the week before week 1 of a University semester.
- 1.1.2. These regulations must be read in conjunction with the C&S constitution.

## Part 2. New Clubs

### 2.1. Application Procedure

- 2.1.1. The following procedure must ordinarily be followed to start a new Club:
- (i) The Applicant Group obtains a *Starting a Club - Part 1* information booklet from the Coordinator, in accordance with §2.2.2.
  - (ii) The Applicant Group completes and submits the *Starting a Club – Initial Application* form, contained in Booklet One, attaching a separate document that sets out the Applicant Group responses to the selection criteria.
  - (iii) The Coordinator considers the submitted application and may direct the applicant group to revise it.
  - (iv) Subject to §2.2, the Executive, in their absolute discretion, will consider the submitted applications and resolve which application(s) will be successful for progression to Part 2. Where an application falls under §2.2.8 the Executive may only resolve that the application progress to Part 2 by absolute majority.
  - (v) If the application is approved, the *Starting a Club – Part 2* (which focuses on the constitution and expressions of interest) is made available to the applicant group.
  - (vi) The Applicant Group drafts a constitution and submits it to the Coordinator within 2 weeks after approval of the application.
  - (vii) The Coordinator will review the draft constitution and provide the Lead applicant with detailed feedback on any required changes.
  - (viii) The Applicant Group submits the finalised constitution to the Coordinator within 1 week after the initial feedback is provided.
  - (ix) The Executive considers the constitution and resolves to approve or reject the constitution, or directs the Applicant Group via the Coordinator to revise it.
  - (x) Parallel to drafting the constitution, the Applicant Group seeks signed expressions of interest in the proposed Club on a form supplied by the Coordinator, and submits the forms, completed and signed by at least 40 Students, at least 10 of whom must be MSA+ Members.
  - (xi) Upon approval of the constitution and expressions of interest, the Executive directs the Applicant Group to hold an IGM for the proposed Club.
  - (xii) The Applicant Group serves at least 14 calendar days' Written Notice of the IGM on all Students who signed the expression of interest forms.
  - (xiii) The IGM is held in accordance with §2.2.10 - §2.2.13.
  - (xiv) The Applicant Group submits the completed *Application for Recognition* form, together with proper minutes and attendance forms from the IGM, and a copy of the Club's constitution.

- 2.1.2.** The voting members of the Executive are bound by confidentiality and must –
- (i) only discuss a New Club Application with other members of the Executive and C&S staff members; and
  - (ii) not discuss the contents of any New Club Application or potential Application with any member of the Applicant Group or any person reasonably likely to be a member of any Applicant Group in the next 12 months.
- 2.1.3.** Any voting member of the Executive who has a material personal interest in the outcome of an Application must –
- (i) disclose the nature and extent of their interest to the Executive as soon as they become aware of the interest;
  - (ii) not discuss that Application with any member of the Executive; and
  - (iii) not vote on the affiliation of that Application.
- 2.1.4.** The Executive may only accept a New Club Application if the Applicant Group has complied with §2.1.1, unless, in exceptional circumstances, it resolves otherwise.
- 2.1.5.** Within 2 months of Affiliation of a new Club,
- (i) the Club Office Bearers must register their details with C&S;
  - (ii) the Club must lodge a New Club Affiliation matching the requirements for annual re-affiliation as set out in §3.1, except that the Club shall be exempt from §3.1.1(iv);
  - (iii) the Club Office Bearers must open a bank account held at a bank and branch approved by C&S, if the club is affiliated at the Full level;
  - (iv) the Club President must, in conjunction with the Coordinator, lodge an application for an Australian Business Number for the Club;
  - (v) the Club Office Bearers must complete a New Club Workshop;
  - (vi) the Club President must complete the online training module 'Committees 101' or C&S approved equivalent;
  - (vii) the Club Vice President must complete the online training module 'Committees 101, or C&S approved equivalent';
  - (viii) the Club Treasurer must register and attend a Treasurers' Workshop; and
  - (ix) the Club Secretary must complete the online training module 'Committees 101, or C&S approved equivalent.
- 2.1.6.** Unless, in exceptional circumstances, the Executive resolves otherwise, non-compliance with §2.1.5 is an act of misconduct that carries a penalty of deregistration.

## **2.2. Requirements and Restrictions**

- 2.2.1.** The Executive must resolve the number of new clubs to be affiliated each semester

- 2.2.2.** *Starting a Club – Part 1* will only be available from the beginning of Week 0 until the end of week 1 each semester.
- 2.2.3.** The *Starting a Club – Initial Application* form will only be accepted during week 2 each semester. This form must be submitted in person by every member of the Applicant Group at one appointment, unless alternative arrangements have been agreed upon by the Applicant Group and the Coordinator.
- 2.2.4.** Only Applicant Groups may apply to start new Clubs. If, at any time during an Application, the Executive deems that someone other than a Student MSA+ Member is the protagonist of the Application, it may, in its absolute discretion, terminate that Application.
- 2.2.5.** If at any time during an Application, the Lead applicant fails to contact the Coordinator for a period longer than 28 days, the Application will be terminated.
- 2.2.6.** Where the Executive deems that the proposed Club
- (i) has purposes that are predominantly similar to the purposes of an existing Club, without limiting §2.2.7 and §2.2.8; or
  - (ii) has purposes that conflict with the aims and objectives of C&S; or
  - (iii) has purposes that breach the C&S Constitution in any way; or
  - (iv) has activities that would predominantly overlap with the activities of a current MSA department and where the Applicant Group cannot demonstrate that they are servicing a student demographic distinct from a service or department of MSA; or
  - (v) has purposes that are deemed not in the interests of Monash Clayton students; or
  - (vi) has purposes that are deemed not in the interests of Monash University; or
  - (vii) has activities that cannot be covered by Monash University public liability insurance; or
  - (viii) has activities that will not function primarily as an on-campus community; or
  - (ix) is affiliated with an external organisation that will have substantial influence over the activities and/or governance of the Club; or
  - (x) has a name which does not reflect its stated purposes; or
  - (xi) are set-up for commercial gain; or
  - (xii) has purposes that are purely social in nature
- it cannot accept any Application to start that proposed Club.
- 2.2.7.** An application to start a new club which may be reasonably perceived to have purposes similar to an existing club requires the Executive to fully determine the extent of the similarity by;

- (i) providing a copy of the proposed new club's name, purposes, and events/activities, as submitted in the application, to the existing club(s); and
  - (ii) requesting a statement from the existing club(s) which addresses their viewpoint on the extent of any similarities.
- 2.2.8.** An application to start a new club that has purposes similar to an existing club must demonstrate that
- (i) the proposed new club will service a student demographic distinct from the existing club; and
  - (ii) at least 75% of student names collected on the signed expression of interest forms are the names of students who are not currently members of the existing club.
- 2.2.9.** If an applicant group or one of its members engages in any conduct described in §7.1.1(ii) or §7.1.1(iii) of the Constitution, the Executive may, in its absolute discretion, terminate that Applicant Group's Application.
- 2.2.10.** The IGM of a proposed Club may only be held on an academic day between the beginning of week 1 and the end of week 11 each semester.
- 2.2.11.** The IGM of a proposed Club must be held within 20 Eligible Days of a resolution of the Executive to direct an applicant to hold that IGM.
- 2.2.12.** The IGM of a proposed Club must be attended by a C&S Office Bearer or C&S Staff Member, and by at least 20 Students, of whom at least 5 must be MSA+ Members.
- 2.2.13.** The IGM of a proposed Club must
- (i) authorise a Student to apply for recognition by C&S;
  - (ii) approve the purposes of the proposed Club, as previously approved by the Executive;
  - (iii) approve the constitution of the proposed Club, as previously approved by the Executive;
  - (iv) elect eligible Students, in accordance with §2.2.14, to all positions specified in the constitution of the proposed Club;
  - (v) nominate any bank account(s) held in the proposed Club's name to be kept in accordance with the C&S Finance Regulations;
  - (vi) nominate signatories to any bank account(s) held in the proposed Club's name, in accordance with the C&S Finance Regulations;
  - (vii) direct the signatories for any bank account(s) held in the proposed Club's name to execute and deliver to the C&S President an irrevocable authority addressed to the Club's bankers authorising the C&S President, or MSA Manager responsible for Clubs & Societies, and/or MSA Finance Manager to withdraw the whole of any balances standing to the credit of the Club in the approved bank accounts of the Club at any time, and close the account(s); and

- (viii) nominate 1 Office Bearer of the proposed Club, and the Coordinator, as the proposed Club's authorised contact persons for the Australian Taxation Office.

- 2.2.14.** If an individual was a C&S Office Bearer at any point during a semester in which a Club was affiliated, that individual may not hold any position in that Club until after the end of that Club's first annual general meeting.
- 2.2.15.** Any substantial changes to *Starting a Club – Part 1* and *Starting a Club – Part 2* must be authorised by a resolution of the Executive.

## Part 3. Affiliation

### 3.1. Documents

- 3.1.1.** Every Club must maintain its Affiliation with C&S by annually submitting to the Executive
- (i) evidence of using the Club Payment Platform to keep comprehensive membership records, which must include each member's full name, Student/University Staff Member personnel number (where applicable) and electronic mail address;
  - (ii) evidence of at least 40 of its ordinary members who are Students, of whom at least 10 are MSA+ Members;
  - (iii) a list of its Office Bearers, which must include each Office Bearer's full name, Student number, residential address, telephone number and University supplied electronic mail address;
  - (iv) evidence of at least 4 activities held in pursuit of the club's purposes, in the previous year; and
  - (v) evidence of differential membership pricing, as prescribed in the Finance Regulations,
- in a method and format specified by the Executive, except as provided for in §3.1.2 - §3.1.3.
- 3.1.2.** In exceptional circumstances, where a Club makes a written request, the Executive may, in its absolute discretion, grant an exemption from §3.1.1(iv) and/or §3.1.1(v).
- 3.1.3.** A Club designated by the Executive as an academic club or student residence club will be exempted from the requirement to submit Student/University Staff Member personnel numbers in §3.1.1(i), if
- (i) all persons enrolled in a particular course of study, affiliated with a particular school or faculty, or living in a particular student residence, are automatically granted membership of the Club; and
  - (ii) in lieu of the Student/staff numbers the Club obtains, and submits to the Executive, official documentation from the applicable school, faculty, or college, clearly stating which members are Students.

### 3.2. Assessment

- 3.2.1.** Each Club's annual re-affiliation documents will be assessed by a C&S Office Bearer.
- 3.2.2.** Where a reasonable attempt has been made by a Club to correctly submit re-affiliation documents, but in order to effectively assess that Club's documents a C&S Office Bearer requires further information or clarification, they may defer the assessment for 1 month, during which time the Club must provide the required information or clarification. The C&S Office Bearer must serve Written Notice of the deferment on the Club on the same day as the decision to defer is reached.

- 3.2.3.** Where assessment of a Club's re-affiliation documents has been deferred in accordance with §3.2.2, and the deferral period has expired, the C&S Office Bearer must assess the documents based on the information, if any, that has been provided to that date.
- 3.2.4.** Where an activity listed on a Club's re-affiliation documents, as required by §3.1.1(iv), is deemed by the Executive not to be in pursuit of that Club's purposes, it shall not be counted for the purposes of correct submission of the Club's re-affiliation documents.
- 3.2.5.** Where there are two affiliated Clubs with similar purposes and an assessment of the two clubs' membership lists shows that fewer than 60% of each club's members are distinct from those of the other, the re-affiliation documents must be deferred in accordance with §3.2.2, and subject to §3.4.2, and the C&S Executive may only approve the re-affiliation pack if satisfied that each club is servicing a student demographic distinct from the other club.

### **3.3. Timing**

- 3.3.1.** The Executive shall set the annual due date for submission of re-affiliation documents, and such a date shall fall between the beginning of week 3 and the end of week 5 of semester 1.
- 3.3.2.** The Executive must serve a Written Notice of the due date and requirements for the submission of re-affiliation documents on all Clubs, at least 1 month before the due date.
- 3.3.3.** Where the Executive requires any specific forms to be used as part of the re-affiliation documents, such forms must be made available to all Clubs at least 1 month before the due date.

### **3.4. Failure to Submit Documents**

- 3.4.1.** Failure by a Club to reasonably attempt to submit correct re-affiliation documents within 10 academic days of the due date is an act of misconduct that carries a penalty of deregistration.
- 3.4.2.** Failure by a Club to submit correct re-affiliation documents within 10 academic days of the end of a deferral period is an act of misconduct that carries a penalty of deregistration.
- 3.4.3.** Failure by a Club to update its list of club Office Bearers by the end of the month following the month of the club's Annual General Meeting is an act of misconduct and carries a penalty of demotion for 12 academic weeks.
- 3.4.4.** Failure by a Club to update its list of club Office Bearers within 28 days of a club by-election is an act of misconduct and carries a penalty of demotion for 12 academic weeks.



## **Part 4. Memberships**

### **4.1. Annual Membership Fees**

- 4.1.1. Clubs must set their annual membership fees at their first committee meeting of the year.
- 4.1.2. Clubs may allow members who join after 1 July to pay a fee that is a proportion of the full annual membership fee.
- 4.1.3. Where a Club makes a written request, the Executive may allow a club to adjust their annual membership fee after their first committee meeting of the year.

### **4.2. Differential Pricing**

- 4.2.1. Clubs must set different membership fees for MSA+ Members and non-MSA+ Members.
- 4.2.2. Clubs must impose a surcharge of \$5 on all non-MSA+ Members who seek membership, even if no membership fee is charged to MSA+ Members.
- 4.2.3. A Club may not charge Differential Pricing for any purpose other than outlined in §4.2.1.
- 4.2.4. In exceptional circumstances, where a Club makes a written request, the Executive may, in its absolute discretion, grant an exemption from §4.2.1 - 4.2.2 and/or §4.2.3.

### **4.3. Membership Platform**

- 4.3.1. Clubs must use the platform prescribed by the Executive for taking memberships.
- 4.3.2. In exceptional circumstances, where a Club makes a written request, the Executive may, in its absolute discretion, grant an exemption from §4.3.1 provided the Club ensures they have an accurate list of Club members to provide to C&S for record-keeping purposes upon request.

## **Part 5. Levels of Affiliation**

### **5.1. Levels**

- 5.1.1. Clubs may be affiliated at 1 of 4 levels.
- 5.1.2. All Clubs qualify for Non Financial Affiliation.
- 5.1.3. To qualify for Probationary, Associate or Full Affiliation, a Club must meet the requirements for Non Financial Affiliation, and
  - (i) have purposes that offer educational and/or developmental benefits to Students;

- (ii) have a clause in its constitution that sets out that no disposal of its tangible assets through resale, donation, transfer or by any other means may take place without prior approval from the Executive;
- (iii) have ordinary membership of the Club open to all Students (either exclusively, or in addition to University Staff Members) (except as permitted in §6.2.4 of the C&S Constitution);
- (iv) restrict voting committee positions to Students; and
- (v) hold only a single bank account with a financial institution that has an operational branch approved by the C&S Executive.

**5.1.4.** Clubs affiliated at either the Probationary, Associate or Full level shall be regarded as having Financial Affiliation.

**5.1.5.** A Club's qualification for an Affiliation level does not guarantee granting of that Affiliation level to the Club.

**5.1.6.** The Executive shall, in its absolute discretion, determine the level of Affiliation granted to new Clubs.

## **5.2. Entitlements**

**5.2.1.** A club affiliated at the Non Financial level is entitled to;

- (i) a C&S supplied electronic mail account;
- (ii) a C&S supplied mail box;
- (iii) access to services provided by C&S, at reduced rates; and
- (iv) access to such insurance facilities as C&S is able to provide.

**5.2.2.** A Club affiliated at the Probationary level is entitled to

- (i) a C&S supplied electronic mail account;
- (ii) a C&S supplied mail box;
- (iii) access to services provided by C&S, at ordinary rates;
- (iv) access to such insurance facilities as C&S is able to provide; and
- (v) receive non-reporting grants.

**5.2.3.** A Club affiliated at the Associate level is entitled to

- (i) a C&S supplied electronic mail account;
- (ii) a C&S supplied mail box;
- (iii) access to services provided by C&S, at reduced rates;
- (iv) access to such insurance facilities as C&S is able to provide;
- (v) receive non-reporting grants; and
- (vi) apply for and receive reporting grants capped at 50% of the fully affiliated rate, in accordance with §5.2.7.

**5.2.4.** A Club affiliated at the Full level is entitled to

- (i) a C&S supplied electronic mail account;

- (ii) a C&S supplied mail box;
- (iii) access to services provided by C&S, at reduced rates;
- (iv) access to such insurance facilities as C&S is able to provide; and
- (v) apply for and/or receive all grants.

**5.2.5.** Some entitlements provided for in §5.2.1 - §5.2.4 may have additional requirements.

**5.2.6.** Penalties imposed on Clubs in accordance with Part 7 of the C&S constitution may remove entitlements provided for in §5.2.1 - §5.2.4.

**5.2.7.** Where a club has a cap placed on grant entitlements (see §5.2.3 & §5.2.6), the overall grant cap and the amount the club can receive on any individual grant, shall be reduced by the specified percentage. This reduction shall apply to any event held within the period where the grant cap is reduced.

### **5.3. Demotion**

**5.3.1.** Where a Club is demoted as a result of a prescribed penalty notice, it will

- (i) have a change in affiliation status to Associate Affiliation, if it has Full Affiliation at the time of application of the penalty;
- (ii) have a change in affiliation status to Probationary Affiliation, if it has Associate Affiliation at the time of application of the penalty; and
- (iii) be deregistered, if it has Probationary Affiliation at the time of application of the penalty