

# The Constitution of the Later Law Students Network

## NAME

- 1 That the name of the Group shall be the Later Law Students Network Graduate Student Group.
- 2 That the short name shall be the Later Law Students Network ('**LLSN**').

## AFFILIATION

- 3 When LLSN is affiliated to the Graduate Student Association of the University of Melbourne ('**GSA**') anything contained in this Constitution that conflicts with the Constitution, or of any regulations within, of GSA, shall be null and void.
- 4 When LLSN is affiliated to GSA, the Constitution and regulations of GSA shall apply for any matters not provided for herein.
- 5 The LLSN may choose to re-affiliate or affiliate from time-to-time by special resolution.

## AIMS

- 6 The aims of the LLSN are:
  - (a) To facilitate professional networking opportunities for Later Law Students at Melbourne Law School, along with law students attending other institutions; and
  - (b) To advocate for the pedagogical and administrative practices that consider the inclusion and wellbeing of Later Law Students within Melbourne Law School.

## MEMBERSHIP

- 7 There must be a minimum of six University of Melbourne postgraduate members to constitute the Later Law Students Network.
- 8 Membership shall be open to:

(a) All postgraduate students at the University of Melbourne ('**Students**') who subscribe to the aims of the Group; and

(b) Other persons who subscribe to the aims of the Group.

9 To maintain GSA affiliation, the Group's membership must be composed of a minimum of 75% Students.

10 A person can be considered a member upon having:

(a) Completed a membership form as prepared by the Committee.

### **COMMITTEE AND MEETINGS**

11 The Committee shall consist of:

(a) An Executive consisting of:

i) the President or Chair, who shall be a Student, and who:

(A) is responsible for maintaining this Constitution; and

(B) shall liaise with GSA when affiliated;

ii) the Secretary, who shall be a Student, and who is responsible for maintaining a current membership list and minutes of any meetings held;

iii) the Treasurer, who shall be a Student, and who is responsible for maintaining the financial records of the LLSN; and

iv) the Wellbeing Director, who shall be a Student, and who is responsible for maintaining wellbeing policies and initiatives.

(b) Non-Executive Committee members include:

i) Student representatives, who shall be Students, consisting of one or more of the following:

- (A) First year JD Representative
- (B) Second year JD Representative
- (C) Final year JD Representative
- (D) Melbourne Law Masters Representative

- 12 A Chair shall be appointed for all meetings.
- 13 The Committee shall meet at least once each semester and have the following powers:
- (a) Control over the finances of the Group; and
  - (b) Control over the activities of the Group.
- 14 A Committee meeting may be called by any member of the Committee, with a minimum of five calendar days' notice.
- (a) A committee meeting may be called on less than 5 calendar days notice so long as all committee members agree in writing.
- 15 The Committee is at all times bound by the decisions of a Group general meeting. Any Committee decision may be overturned by a decision made during the LLSN Annual General Meeting ('**AGM**').

### **ELECTIONS AND VOTING**

- 16 An election shall be held at the AGM for all Committee and Executive positions.
- 17 Casual vacancies may come up from time-to-time and these positions:
- (a) May remain vacant, until they are filled during the next election; or
  - (b) May be elected by the Committee by simple majority before the next election.
- 18 Representatives will be selected by:

- (a) A simple majority vote by the Committee when a casual vacancy arises; or
  - (b) a simple majority vote during the AGM.
- 19 The Committee may conduct online elections but only if this is agreed upon by special resolution.
- 20 Any motions may be passed by simple majority vote of members present.
- (a) Members attending online may vote on any motions.

### **SPECIAL RESOLUTIONS**

- 21 Special resolutions may be used by the Committee in order to undertake the following changes:
- (a) Affiliation or disaffiliation with GSA;
  - (b) Amendments to this Constitution;
  - (c) Online or otherwise modified elections;
  - (d) Other motions that the committee has agreed to send to special resolution by simple majority vote.
- 22 The procedure for a special resolution is that the committee must agree to it by simple majority vote.
- 23 The special resolution may then be circulated to members, with at least 5 academic calendar days' notice of the vote.
- 24 Voting will take place on the special resolution according to the elections and voting procedures above.

### **ANNUAL GENERAL MEETING**

- 25 The LLSN Annual General Meeting shall be held during the University of Melbourne academic term, with five academic calendar days' notice to the membership.

26 During the AGM:

- (a) Reports shall be presented by the President, Treasurer and any other reports that are deemed necessary.
- (b) Full financial reports shall be presented and adopted. They will report on finances from the previous AGM to the present AGM.
- (c) Following Committee elections, the new Committee will take charge of the Group at the conclusion of the AGM.
- (d) Other motions on notice may be discussed and voted upon.
- (e) General business may discuss motions that are not on notice and vote on them.

### **SPECIAL GENERAL MEETINGS**

- 27 The Committee may call Special General Meetings as it sees fit or if they are petitioned by the membership. The form and procedure of Special General Meetings will be consistent with the Annual General Meeting except that Committee elections will not be held unless notice is given specifically calling for them.
- 28 If one-third of the membership should petition the Committee for a Special General Meeting, such meeting must take place within twenty academic calendar days. Five academic calendar days' notice must be given.

### **QUORUM FOR MEETINGS**

- 29 The quorum for meetings shall be:
- (a) At a Committee meeting, two Committee members of which at least one must be an Executive member.
  - (b) At the Annual General Meeting, six members, including at least four Student members.
  - (c) At a Special General Meeting, six members, including at least four Student members.

30 For the purpose of a quorum, members may attend online, by way of a method agreed by the committee

31 The Committee shall be required to give five academic calendar days' notice of a general meeting.

### **AMENDMENTS TO THE CONSTITUTION**

32 Amendments to this Constitution require a simple majority of members present voting at a general meeting, and take effect from the conclusion of the meeting.

33 Motions to amend this Constitution may be made by any member in the following manner:

(a) The motion shall be presented in writing to the Committee;

(b) The motion must be circulated to the membership prior to voting;

(c) The Committee will present the motion to the membership for voting at the next general meeting.

### **ABSENCE FROM MEETINGS**

34 Any Committee member absent from three consecutive Committee meetings without apology or due cause may, at the Committee's discretion, be deemed to have resigned their position.

### **IMPEACHMENT**

35 If it is deemed that a Committee member should be stood down, by a motion of the Committee, or a petition bearing the names of at least two-thirds of the membership, impeachment proceedings will take place against the nominated Committee member.

36 At a general meeting, or via special resolution, a motion shall be put to impeach the Committee member, with at least five academic calendar days' notice to the membership and to the member concerned in writing.

37 If the motion to impeach passes by two-thirds majority present, that Committee position will become vacant, and a new election held immediately.

38 The Committee member to be impeached will be given an opportunity to speak before a vote is taken.

## **DISPUTES**

39 Disputes may arise that involve:

(a) a member and another member;

(b) a member and the Committee;

(c) a member and the Group.

40 Any disputes must be resolved internally by the Group, and an informal resolution should be sought, save where there are serious allegations that should be referred to the appropriate authorities.

41 If an informal resolution is not reached within 14 days of the parties becoming aware of dispute, the parties must notify the committee of the dispute, agree to or request the appointment of a mediator, and attempt in good faith to settle the dispute by mediation.

42 The mediator must be

(a) a person chosen by agreement between the parties; or

(b) in the absence of agreement—

i) if the dispute is between a member and another member—a person appointed by the Committee; or

ii) when LLSN is affiliated to GSA and the dispute is between a member and the GSA—a person appointed or employed by the Dispute Settlement Centre of Victoria.

43 A mediator appointed by the Committee may be a member or former member of the GSA Executive but in any case must not be a person who

(a) has a personal interest in the dispute; or

(b) is biased in favour of or against any party to the dispute.

44 The mediator, in conducting the mediation, must:

(a) give each party every opportunity to be heard; and

(b) allow due consideration by all parties of any written statement submitted by any party; and

(c) ensure that natural justice is accorded to the parties throughout the mediation process.

45 The mediator must not determine the dispute and must keep the dispute confidential.

46 If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute at law.

#### **ADMINISTRATION**

47 A motion to wind up the LLSN must be made in writing and carried out in accordance with the special resolution procedures.

48 In the event that the Group is dissolved, any holdings that remain after such dissolution and the satisfaction of all debts and liabilities shall be transferred to any association with similar purposes which is not carried on for the profit or gain of its individual members.

49 For the purposes of this section, the Group shall refund allocations to the Group in accordance with the funding conditions.

50 The Group may appoint a Caretaker within Melbourne Law School in unforeseen extenuating circumstances if:

(a) the Group is unable to meet quorum requirements; or

(b) a motion passes by special resolution.

51 The Caretaker may reconstitute the Group at their discretion, by passing Group administration duties to a current Melbourne Law School student.



## **NON-PROFIT CLAUSE**

- 52 The profits (if any) or other income and property of the club must be applied solely towards the promotion of the aims of the club as set out in this Constitution and no portion of it may be distributed, directly or indirectly, to any member of the group whether by way of dividend, bonus or other profits. This does not prevent any payment in good faith by the group for the payment or reimbursement of out-of-pocket expenses incurred by a member of the group on behalf of the group.