

## **Statute No. 17 – Guild of Students**

*This Statute should be read in conjunction with the Guild Regulations and Guild Election Regulations*

### **1. Interpretation**

(1) In this Statute, unless the context otherwise requires:

'Guild'	means the Guild of Students established in accordance with section 20 of the Act;
'Guild Regulation'	means a regulation made by the Guild under the authority of and in accordance with section 6;
'Guild Rule'	means a rule made by the Guild under the authority of section 7;
'Member'	means a member of the Guild;
'Financial Member'	means a member of the Guild who has paid the Student Amenities Fee and appears on the Guild's membership database.
'Guild Council'	means the Guild Council of the Guild referred to in section 7;
'Absolute Majority'	means a majority of all the members of the Guild Council for the time being holding office;
'Student Society'	means any club, society or association within or connected with the University which is affiliated with the Guild;
'Associate of the Guild'	means a person other than a member admitted to associateship under the authority of section 3(m).
'General Meeting'	means any general meeting of members held under the authority of section 8 at which all members may vote.
'Referendum'	means any ballot on any subject held by the Guild under the authority of and in accordance with section 8.

(2) References to sections are references to the sections of this Statute.

## 2. Objects

- (1) The objects of the Guild shall be, either alone or in association with any other organisation within the University:
  - a) to represent its members, to further the common interests of its members, and to co-ordinate joint activities of its members, and other members of the University; and
  - b) such other objects as the Guild may by Guild Regulation from time to time adopt.
- (2) The Guild shall be the recognised means of communication between the student body and the Senate.

## 3. Powers

Subject to the Act, and the Statutes and By-laws of the University, the Guild shall have the power:

- a) to purchase, take on lease or in exchange, hire or otherwise acquire any real or personal property and to sell, let, mortgage, or otherwise dispose of it;
- b) to borrow, raise or secure payment of any money for any of the objects of the Guild from time to time and in particular by mortgaging or charging the property of the Guild or any part thereof;
- c) to engage and dismiss employees;
- d) to expend and invest moneys;
- e) to operate bank accounts;
- f) to transact such financial business as may be necessary for the purpose of carrying out the objects of the Guild;
- g) to affiliate with any university association or any other association of students;
- h) to co-ordinate the activities of Student Societies;
- i) to provide for representation of the Guild and its members in cultural, sporting and social activities;
- j) to make provision for the control and management of any buildings from time to time occupied by the Guild and for regulating the conduct of any person using such buildings or parts thereof;
- k) to hold licences under any legislation, including the Liquor Act 1970, for the time being in force;
- l) to impose fines or penalties, including suspension or withdrawal of privileges, upon members and on Student Societies for breach of the provisions of this Statute or of a Guild Regulation or a Guild Rule, but the limits of the fines or other penalties which may be imposed and all necessary procedures shall be prescribed by Guild Regulation;

- m) to admit to associateship persons other than members in the manner prescribed by Guild Regulation;
- n) generally, to act in all other matters authorised by this Statute or which are necessary or convenient for giving effect to this Statute.

#### 4. **Membership**

- 1) Subject to the provisions of the Act and the following provisions of this section, all students shall be eligible to be members of the Guild. Guild Regulations may make provision for associate membership for non-students.
- 2) Any student may elect to become a Financial member of the Guild upon payment of the Amenities and Services Fee. Any student who is a member of the Guild can subsequently resign.
- 3) The University must not act in a way that may dissuade or discourage a student, or person seeking enrolment as a student, from being or becoming a member of the Guild.
- 4) A person shall cease to be a member of the Guild when he or she ceases to be a student or resigns as a member.
- 5) Except as provided in this Statute the terms and conditions of membership of the Guild shall be prescribed by Guild Regulation.
- 6) Students who are not members of the Guild are not eligible to vote in Guild elections or to hold an elective office of the Guild.

#### 5. **Seal**

- (1) The official seal of the Guild shall be in the following form



- (2) The Guild Council shall provide for the safe custody of the official seal of the Guild which shall never be used except with the authority of a resolution of the Guild Council and then in the presence of the President of the Guild who shall sign every instrument to which the seal is affixed, and every such instrument shall be countersigned by the Guild General Secretary or by some other person appointed by the Guild Council for the purpose.

## 6. Guild Regulations

- 1) The Guild may, in the manner described in subsection (2) of this section, but subject in every case to the provisions of subsection (3) of this section, make, alter and repeal regulations:
  - a) to provide for the internal administration, organisation, finances and records of the Guild;
  - b) to enable clubs, societies or associations within or connected with the University to become affiliated with the Guild as Student Societies, and to prescribe the conditions and any fees for such affiliation, and for the administration and finances of Student Societies;
  - c) to provide for the payment of subscriptions and fees, and refunds;
  - d) to provide for the allocation and distribution of Guild funds for the activities of the Guild and for Student Societies;
  - e) to provide for the election of the President and other members of the Guild Council and matters relating to the office of President and membership of the Guild Council;
  - f) to prescribe the rights, privileges and obligations of Associates of the Guild;
  - g) to provide for General Meetings of Members and procedures, including attendance, quorum and voting, and for Referenda and procedures therefore;
  - h) to provide for meetings of the Guild Council and its committees and procedures therefore;
  - i) to establish subsidiary councils of the Guild and procedures therefore;
  - j) to provide for the interpretation of regulations and rules of the Guild and for appeal against any interpretation;
  - k) to provide for any matters incidental to any of the abovementioned matters and any of the matters required by this Statute to be prescribed or to be dealt with by Guild Regulation.
- 2) The power to make, alter and repeal any regulation or regulations under this Statute shall be exercised in the following manner:
  - a) a resolution to make, alter or repeal any regulation or regulations shall in the first instance be passed by an Absolute Majority of the Guild Council or by a General Meeting;
  - b) in the case of a resolution passed in the first instance by an Absolute Majority of the Guild Council,
    - i. the resolution shall be published on the official Guild notice boards and in the Guild newspaper or any other publication generally circulated among the students produced under authority of the Guild with notice being given to members that they are entitled to have the resolution considered at a General Meeting if notice requesting a General Meeting is given to the President of the Guild signed by members whose numbers are not less than fifty

percent of the number of members required to reach quorum for a General Meeting within ten teaching days after the resolution is first published;

- ii. except as provided in sub-paragraph (iv) of this paragraph, if no notice requesting a General Meeting is given, the resolution is deemed to be confirmed after the expiration of ten teaching days as specified in sub-paragraph (i) above;
  - iii. if notice is so given to the President of the Guild within the period of ten teaching days specified in sub-paragraph (i) above, the resolution shall be considered at the next General Meeting or the Guild Council may convene a special General Meeting for the purpose. The resolution shall be confirmed if it is passed by a majority of the members present at the General Meeting. If no quorum is present at a General Meeting called to debate a proposed regulation or alteration or repeal of a regulation, the General Meeting shall lapse and the proposed regulation or alteration or repeal of the regulation shall be deemed to be confirmed;
  - iv. any proposed regulation or regulations or resolution for the alteration or repeal of a regulation or regulations providing for the payment of subscriptions, fees and refunds or for the allocation and distribution of Guild funds shall only be confirmed if it is passed by a majority of members present at a General Meeting.
- c) any resolution of a General Meeting to make, alter or repeal a regulation or regulations shall be considered at the next meeting of the Guild Council and shall be confirmed if it is passed by an Absolute Majority. If the Guild Council fails to pass any such resolution by an Absolute Majority then it shall be referred to a further General Meeting or at the discretion of the Guild Council to a Referendum, to be held not later than 21 teaching days after such meeting of the Guild Council, and if the resolution is approved at such General Meeting or Referendum then it shall be deemed confirmed.

3)

- a) Any resolution made in relation to any regulation or regulations in accordance with sub-section (2) of this section shall be forwarded to the Secretary of the University and a receipt therefore shall be signed by the Secretary of the University, or on his or her behalf.
- b) the Secretary of the University shall submit the regulation or regulations to the Senate for its consideration at its next regular meeting or at a special meeting convened for the purpose.
- c) The Senate may allow or disallow any regulation so submitted to it in whole or part, part, but if any regulation is not disallowed within a period of three months after the first meeting of Senate to which it is submitted for its consideration, it shall be deemed to have been allowed at the expiration of that period.

- d) A regulation shall take effect as from the date specified in the regulation or the date on which it is allowed by the Senate, whichever is the later.
- e) A regulation shall be published in the manner prescribed by Guild Regulation.

## 7. **Guild Council**

- (1) The Guild shall be administered by a Guild Council comprising:
  - a) the President of the Guild;
  - b) the Education Vice-President of the Guild
  - c) the Guild General Secretary
  - d) between nine (9) and fifteen (15) elected student representatives as specified by the Guild Regulation.
- (2) The President of the Guild and all other Members of the Guild Council shall be elected annually and, subject to this section, in the manner prescribed by Guild Regulation. The Guild may, by Guild Regulation, provide for the filling of any casual vacancy on the Guild Council provided that if any ballot is conducted to fill such a vacancy it shall be held in accordance with the provisions of sub-section (3) of this section.
- (3) Any member may vote at any election for the office of the President of the Guild or the office of Education Vice-President or the office of the Guild General Secretary or the office of a General Member of the Guild Council. Elections shall be conducted in accordance with Guild Election Regulations.
- (4) The Guild may by Guild Regulation provide for the nomination of not more than six persons as representative members who shall be elected officers or representatives of subsidiary councils of the Guild or of Student Societies.
- (5) The Guild Council shall cause accurate minutes to be made of all General Meetings and forums of the Guild and meetings of the Guild Council, and the result of every election and Referendum. All duly confirmed minutes shall be deemed correct until the contrary is proved.
- (6) The procedures for meetings of the Guild Council shall be prescribed by Guild Regulation.
- (7) The powers and obligations of the President of the Guild, Education Vice-President, Guild General Secretary, General Members of the Guild Council and the Representative Members shall be prescribed by Guild Regulation.
- (8) Subject to this Statute and regulations made hereunder the Guild Council shall have the entire control and management of the affairs and concerns of the Guild and shall act in all matters concerning the Guild in such a manner as appears to it to be best calculated to promote interests of its members.

- (9) Resolutions passed at any General Meeting other than any resolutions to make, alter or repeal a regulation or regulations shall be in the form of a direction to the Guild Council. The Guild Council shall act in accordance with any direction of a General Meeting except that where, at its next meeting, the Guild Council resolves by Absolute Majority that a particular direction is not best calculated to promote the interests of the members, the direction involved shall be referred to a further General Meeting or at the discretion of the Guild Council, to a Referendum, to be held not later than 21 teaching days after such meeting of the Guild Council, and if the direction is approved at such General Meeting or Referendum then the Guild Council shall act in accordance with it.
- (10) The Guild Council may in the manner prescribed by Guild Regulations make, alter or repeal rules governing activities associated with the Guild but only when the power to do so is specified in Guild Regulations and then only to the extent specified.

## **8. General Meetings and Referenda**

- (1) A General Meeting may debate any issue of concern to the membership of the Guild.
- (2) At a General Meeting each member present in person shall have one vote on any proposal put to the vote.
- (3) A Referendum shall determine Guild policy on the issues submitted to the Referendum. The result of a Referendum shall be treated in the same manner as a resolution passed at a General Meeting, as set out in section 7(8) of this Statute. (4) Proceedings at a General Meeting and the manner in which a Referendum shall be conducted shall be described by Guild Regulation.

## **9. Property and Finance**

- (1) All property of the Guild and its subsidiary councils and all property of Student Societies (other than student societies which are incorporated bodies) shall be vested in the Guild.
- (2) Where the Guild Council determines to enter into any financial commitment for an amount which exceeds the current liquid assets of the Guild, or which it is unable to service adequately from current or future income, the Guild Council shall consult with Senate before proceeding.
- (3) No action taken by the Guild or the Guild Council in the exercise of any of its powers or authorities conferred by this Statute shall impose any legal obligation upon the University or the Senate.
- (4) The Guild Council shall make provision for the keeping of proper books of account in connection with all the financial transactions of the Guild.
- (5) The Guild Council shall make provision for the auditing of the Guild's books of accounts at least once a year. Guild Regulations shall prescribe when the auditing of the Guild's books of accounts shall take place and by whom.

- (6) A copy of the audited balance sheet and statement of income and expenditure of the Guild shall be transmitted to the Senate each year as soon as practicable after it has been adopted by the Guild, but in any event not later than four months after the conclusion of the Guild's financial year.
- (7) A copy of the audited balance sheet and statement of income and expenditure of the Guild shall be published each year in the Guild newspaper and any other suitable Guild publication and made available to members of the Guild as soon as practicable after it has been adopted by the Guild, but in any event not later than four months after the conclusion of the Guild's financial year.

## 10. Records

- (1) A copy of this Statute and any amendments and a copy of all Guild Regulations and Guild Rules made under this Statute and any amendments shall be recorded in a Guild Statute Book.
- (2) An entry in the Guild Statute Book of any Guild Regulations made under this Statute and any alteration to a Guild Regulation, signed by the administrative secretary of the Guild and the President of the Guild shall be prima facie evidence that the subject matter of the entry was duly approved by the Senate.
- (3) An entry in the Guild Statute Book of any Guild Rule made under this Statute or any alteration of a Guild Rule, signed by the President of the Guild, shall be prima facie evidence that the subject matter of the entry was duly approved by the Guild.

## 11. Repeal and Transitional Provision

- (1) This Statute shall come into operation on the day it is published in the Government Gazette and thereupon the existing No. 17 is hereby repealed.
- (2) All regulations, by-laws and rules made under authority of the existing No. 17 prior to the date of publication of this Statute in the Government Gazette shall be deemed to have been made under the authority of this Statute and (except where inconsistent with this Statute) shall continue in force until altered or repealed in accordance with this Statute.

## Revision History

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***Note: All enquiries relating to Legislation should be referred to the University Secretary's Office.***