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Bond University Student Association Inc.

Constitution

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Bond University Student Association Inc.

Constitution

1. Definitions and interpretation

1.1 Definitions

In this Constitution:

- 1) **Act** means the Associations Incorporation Act 1981 (QLD) and includes any amendment or re-enactment of it or any legislation passed in substitution for it;
- 2) **Association** means Bond University Student Association Incorporated (ABN 58810177092) .
- 3) **Business day** means a day that is not a Saturday, a Sunday or a public holiday or bank holiday in the place where the Association has its registered office.
- 4) **Candidate** refers to an individual who fulfils the criteria for candidacy in an election of the Management Committee and self-nominates for a designated position, as per Rule 10.
- 5) **Casual vacancy** refers to a previously filled position within the Management Committee that becomes vacant during the term in office by lack of candidature, resignation or otherwise.
- 6) **Election By-Laws** – document detailing election processes for candidates to sign their adherence.
- 7) **Executive Member** refers to the President, Treasurer, Secretary, Vice President (Education), Vice President (Representation), Vice President (Recreation) and Vice President (Sport).
- 8) **Management Committee** refers to the Executives, Directors and other members referred to in Rule 9.
- 9) **Management Committee Elect** refers to the Executives, Directors and other members referred to in Rule 9, who have been elected in accordance with Rule 10 but have not yet commenced their twelve-month term.
- 10) **Member of the Association** means any individual referred to in Rule 4.
- 11) **Special Resolution** means a resolution that has been passed at a special general meeting by a least 75% of the members of the Association present and entitled to vote on the resolution.
- 12) **Students** means all individuals deemed to be currently enrolled by Bond University; and
- 13) **University** means Bond University.

1.2 Interpretation

- 1) Reference to:
 - (a) One gender includes the others.
 - (b) The singular includes the plural, and the plural includes the singular; and
 - (c) A person includes a body corporate.
- 2) Except so far as the contrary intention appears in this constitution:
 - (a) An expression has in this constitution the same meaning as in the Act; and
 - (b) If an expression is given different meanings for the purposes of different provisions of the Act, the expression has, in a provision of this constitution that deals with a matter dealt with by a particular provision of the Act, the same meaning as in that provision of the Act.
- 3) “Including” and similar expressions are not words of limitation.
- 4) Headings and any table of contents or index are for convenience only and do not form part of this constitution or affect its interpretation.
- 5) A word or expression that is not defined in these rules but is defined in the Associations Incorporation Act 1981 has, if the context permits, the meaning given by the Act.

2. Objects

2.1 The objects of the Association are to:

- 1) Represent and negotiate on all student matters as the peak student representative body at Bond University.
- 2) Facilitate improvements relevant to the interests and welfare of all students through communication and cooperation with all University entities.
- 3) Provide a forum for the discussion and examination of matters of interest to students and to offer recommendations to the relevant University entity and outside authorities.
- 4) Encourage students to participate in social, cultural, educational and recreational activities.
- 5) Provide and promote the use of sporting facilities, amateur sport and participation in all intervarsity and fixture competitions.
- 6) Fund and support all clubs, societies and faculty student organisations affiliated with the Association in a fair and equitable manner.

- 7) Uphold non-discrimination on the basis of race, gender, sexual orientation, religion, political beliefs, physical disability, age or financial status.
- 8) Remain apolitical; and
- 9) Generally, do all things which will further the aims and objectives set out in this Constitution.

3. Powers

3.1 The Association has the powers of an individual.

3.2 The Association may,

- 1) Enter into contracts.
- 2) Acquire, hold, deal with and dispose of property.
- 3) Make charges for services and facilities it supplies.
- 4) Fund all affiliated clubs, societies and faculty student organisations; and
- 5) Do transactional dealings in keeping with the general scope and purpose of the association as deemed appropriate of a business organisation or student association.

4. Membership

4.1 The Association's members comprise, automatically, all persons currently enrolled at Bond University.

4.2 The number of members is limited to the scope of students enrolled within the University at any one semester at any given time.

4.3 Membership is automatically awarded to students upon enrolment being at either the beginning of semester or at some point in time during the semester.

4.4 For clarification, when a person meets the requirements for graduation, their membership continues until the date of conferral, as dictacted by the University Council.

5. Membership fee

5.1 There is no membership fee other than being an enrolled student at Bond University Limited.

6. When membership ends

6.1 A person's membership ends when he or she no longer satisfies the requirements of Rule 4.

7. Register of members

- 7.1 The register of members at any given time will encompass the scope of students currently enrolled by the University, of whose details are held under the University's Student Identification System.

8. Secretary

- 8.1 The Secretary has responsibilities under the Act and Regulations and must ensure that forms and documents are submitted to Office of Fair Trading.
- 8.2 The Secretary is the main registered contact point for the Association.
- 8.3 The Secretary must be an individual residing in Queensland, or in another State but not more than 65km from the Queensland border.
- 8.4 The members of the Management Committee must ensure a Secretary is appointed or elected for the Association.
- 8.5 The Secretary will be elected by the members of the Association in the same manner and at the same time that the members of the Management Committee members are elected under Rule 10.
- 8.6 In the event of a casual vacancy, the election for the position of Secretary must be carried out as in accordance with Rule 12.
- 8.7 If a casual vacancy happens in the office of Secretary, the members of the Management Committee must ensure a Secretary is appointed or elected for the Association within 1 month after the vacancy happens as set out in Rule 12.
- 8.8 The Secretary must be an individual, who is:
- 1) elected by the members of the Association as Secretary; or
 - 2) In the event of a casual vacancy, any of the following persons appointed by the Management Committee.
 - (a) a member of the Association's Management Committee.
 - (b) a member of the Association.
 - (c) another person.
- 8.9 A Secretary may resign from the Management Committee by giving written notice of resignation to all of the members of the Management Committee.
- 8.10 The resignation takes effect on:
- 1) the day and at the time the notice is received by the last Management Committee member; or
 - 2) if a later date is stated in the notice – the later day.

- 8.11 Any individual who the Management Committee reasonably believes has conducted himself or herself in a way considered to be injurious or prejudicial to the character or interests of the Association or to any of its members will be ineligible to be nominated to serve as Secretary.

9. Membership of the Management Committee

- 9.1 The Management Committee of the Association consists of:
- 1) President
 - 2) Treasurer
 - 3) Secretary
 - 4) Vice President (Education)
 - 5) Vice President (Representation)
 - 6) Vice President (Recreation)
 - 7) Vice President (Sport)
 - 8) Any other directors or members, who are elected under Rule 10, appointed at a general meeting, or appointed as a casual vacancy under Rule 12.
- 9.2 There must be at least 9 but no more than 21 members on the Management Committee at any one time. No fewer than 2 directors must accommodate sporting interests of the Association.
- 9.3 All members of the Management Committee, other than the Secretary, must be a member of the Association as set out in Rule 4.
- 9.4 Members of the Management Committee will hold office for a period of 12 months unless they resign or are removed from office under Rule 11.
- 9.5 The Management Committee may appoint a subcommittee consisting of members of the Association considered appropriate by the committee to help with the conduct of the Association's operations.

10. Electing the Management Committee

- 10.1 Elections for all positions on the Management Committee must be held during the first five weeks from the start of Bond University's annual September academic semester, at a date that the Management Committee determines to be appropriate within this time period.
- 10.2 Members of the Management Committee Elect will hold office for a period of 12 months, in accordance with Rule 10, commencing three weeks after the date of their election or at an earlier time as the Management Committee decides.

- 10.3 Only members who reasonably expect to remain students for the term of office are eligible to be nominated to be members of the Management Committee.
- 10.4 A member of the Association may become a candidate for a position on the Management Committee via the following process:
- 1) Self-nomination
 - 2) a candidate can only be nominated for a single position on the Management Committee at any one election.
 - 3) the candidate must adhere to the election by-laws and sign their agreeance
 - 4) the nomination must be:
 - (a) in writing.
 - (b) state the position for which the candidate is being nominated.
 - (c) signed by the candidate and the members who nominated him or her; and
 - (d) given to the Secretary at least 14 days before the date upon which the election ballot process begins.
- 10.5 A list of candidates' names in alphabetical order, must be made available to the Associations members at least 7 days before the date upon which the election ballot process begins.
- 10.6 Candidates will be elected as follows
- 1) each member of the Association will have 1 vote only.
 - 2) voting will be by secret ballot.
 - 3) all positions on the Management Committee will be determined on a "first past the post" basis.
 - 4) Where a position is uncontested, if the candidate does not surpass the number of no confidence votes, the position will remain vacant and can be filled pursuant to Rule 12.
- 10.7 The election will be conducted by a duly appointed neutral officer who must not be a member of the Association or of the student body of the University and will be selected by the Management committee prior to the commencement of the election ballot process.
- 10.8 The Management Committee may appoint an election subcommittee to facilitate the campaigning process and related events and any requirements needed to organise the AGM.
- 10.9 The Management Committee will remain neutral and without bias in the nomination and voting process of the election.

- 1) The only exception to this rule will be if an incumbent Management Committee member has nominated as a candidate.
- 2) In the event of 10.9(1) above, those Management Committee members will be excluded from any internal discussions/communications/decisions regarding elections.

11. Resignation or removal from office of Management Committee member

11.1 A Management Committee member may resign from the Management Committee by giving written notice of resignation to the Secretary.

11.2 The resignation takes effect on:

- 1) the day and at the time the notice is received by the Secretary; or
- 2) if a later date is stated in the notice – the later day.

11.3 A member may be removed from office at a special general meeting of the Association if a majority of the members present at the meeting vote in favour of removing the member.

11.4 Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.

11.5 A member of the Management Committee will automatically cease to be a member of the Management Committee if he or she ceases to be a member of the Association.

11.6 A member has no right of appeal against the member's removal from office under this Rule 11.

12. Casual Vacancies on Management Committee

12.1 If a casual vacancy occurs on the Management Committee, the Executive Members of the Management Committee may, at their discretion, by majority, appoint another member of the Association to fill the vacancy until the next Management Committee election.

12.2 The continuing members of the Management Committee may act despite a casual vacancy on the Management Committee.

12.3 However, if the number of Management Committee members is less than the number fixed under Rule 14.7 as a quorum of the Management Committee, the continuing members may act only to:

- 1) increase the number of Management Committee members to the number required for a quorum; or
- 2) call a general meeting of the Association.

13. Functions of the Management Committee

- 13.1 Subject to these rules or a resolution of the Association members carried at a general meeting, the Management Committee has:
- 1) the general control and management of the administration of the affairs, property and funds of the Association; and
 - 2) authority to interpret the meaning of these rules and any matter relating to the Association on which the rules are silent.
- 13.2 The Management Committee may exercise the powers of the Association:
- 1) As detailed in Rule 3.

14. Meetings of the Management Committee

- 14.1 Subject to Rules 14.2 to 14.16, the Management Committee may meet and conduct its proceedings as it considers appropriate.
- 14.2 The Management Committee must meet at least once every two months to exercise its functions.
- 14.3 The Management Committee must decide how a meeting is to be called.
- 14.4 Notice of a meeting is to be given in the way decided by the Management Committee.
- 14.5 If the Secretary receives a written request signed by at least 3 members of the Management Committee, the Secretary must call a special meeting within two to four weeks of the Management Committee for any purpose other than the removal of a Management Committee member.
- 14.6 A request for a special meeting must state:
- 1) why the special meeting is called; and
 - 2) the business to be conducted at the meeting.
- 14.7 At a Management Committee meeting, more than 50% of the members elected or appointed to the Management Committee as at the close of the last general meeting of the members form a quorum.
- 14.8 A question arising at a Management Committee meeting is to be decided by a majority vote of the Management Committee members present at the meeting and, if the votes are equal, the question is decided in the negative.
- 14.9 A Management Committee member must not vote on a question about an issue, contract, or proposed action regarding the Association's activities if the member has an interest in the issue, contract or proposed action, and if the member does vote the member's vote must not be counted.
- 14.10 The Secretary must give each Management Committee member at least 14

days' notice of a special meeting of the Management Committee.

14.11 A notice of a special meeting must state:

- 1) the day, time and place of the meeting; and
- 2) the business to be conducted at the meeting.

14.12 The President or a nominated member of the Management Committee is to preside as chairperson at the meeting.

14.13 If a quorum is not present within 30 minutes after the time fixed for a Management Committee meeting called on the request of Management Committee members, the meeting lapses.

14.14 If a quorum is not present within 30 minutes after the time fixed for a Management Committee meeting called other than on the request of Management Committee members, the meeting is to be adjourned to:

- 1) the same day, time and place in the next week; or
- 2) a day, time and place decided by the Management Committee.

14.15 If, at an adjourned meeting mentioned in Rule 14.14, a quorum is not present within 30 minutes after the time fixed for the meeting, the meeting lapses.

15. Delegation of Management Committee powers

15.1 The Management Committee may delegate the whole or part of its powers to a subcommittee consisting of the Association members considered appropriate by the Management Committee.

15.2 A subcommittee may only exercise delegated powers in the way the Management Committee decides.

15.3 A subcommittee may elect a chairperson of its meetings.

15.4 If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose one of their number to be chairperson of the meeting.

15.5 A subcommittee may meet and adjourn as it considers appropriate.

15.6 A question arising at a subcommittee meeting is to be decided by a majority vote of its members present at the meeting and, if the votes are equal, the question is decided in the negative.

16. Acts not affected by defects or disqualification

16.1 An act performed by the Management Committee, a subcommittee or a person acting as a member of the Management Committee is taken to have been validly performed.

16.2 Rule 16.1 applies even if the act was performed when:

- 1) there was a defect in the appointment of a member of the Management Committee, subcommittee or person acting as a member of the Management Committee; or
- 2) a Management Committee member, subcommittee member or person acting as a member of the Management Committee was disqualified from being a member.

17. Resolutions of Management Committee without meeting

- 17.1 A written resolution signed by each member of the Management Committee for the time being entitled to receive notice of a Management Committee meeting is as valid and effectual as if it had been passed at a Management Committee meeting that was properly called and held.
- 17.2 A resolution mentioned in Rule 17.1 may consist of several documents in like form, each signed by one or more members of the Management Committee.

18. Annual general meetings

- 18.1 Each annual general meeting must be held:
 - 1) at least once each year; and
 - 2) within the first 5 weeks of the start of the September academic semester.

19. Business to be conducted at the annual general meeting

- 19.1 The following business must be conducted at each annual general meeting:
 - 1) Presenting the Treasurer's Annual Report
 - 2) Receiving the statement of income and expenditure, assets, liabilities and mortgages, charges and securities affecting the property of the Association for the last financial year.
 - 3) Receiving the auditor's report on the financial affairs of the Association for the last financial year.
 - 4) Presenting the audited statement to the meeting for adoption.
 - 5) Presenting the President's Annual Report
 - 6) Minuting election results for members of the Management Committee and formally appointing the management committee elect.
 - 7) Appointing an auditor.

20. Special general meeting

- 20.1 The Secretary may only call a special general meeting by giving each member

notice of that meeting within 14 days after:

- 1) being directed to call the meeting by a majority of the Management Committee; or
- 2) being given a written request signed by at least the number of members of the Association equal to double the number of members of the Association presently on the Management Committee plus 1; or
- 3) being given a written notice of an intention to appeal against the decision of the Management Committee:

20.2 A request mentioned in Rule 20.1(2) must state:

- 1) why the special general meeting is being called; and
- 2) the business to be conducted at the meeting.

21. Notice of annual and special general meetings

21.1 The Secretary may call a general meeting of the Association.

21.2 The Secretary must give at least 14 days' notice of the meeting to each Association member.

21.3 The Management Committee may decide the way in which the notice must be given.

21.4 However, notice of the following meetings must be given by electronic mail or in writing:

- 1) a meeting called to hear and decide a proposed special resolution of the Association.

21.5 A notice of a general meeting must state the business to be conducted at the meeting.

22. Quorum for, and adjournment of, general meeting

22.1 Subject to Rule 22.5, at a general meeting the number of members equal to double the number of members of the Association presently on the Management Committee plus 1 form a quorum.

22.2 No business may be conducted at a general meeting unless a quorum of members is present when the meeting proceeds to business.

22.3 If a quorum is not present within 30 minutes after the time fixed for a general meeting called on the request of members of the Management Committee or the Association, the meeting lapses.

22.4 If a quorum is not present within 30 minutes after the time fixed for a general meeting called other than on the request of members of the Management

Committee or the Association, the meeting is to be adjourned to:

- 1) the same day, time and place in the next week; or
 - 2) a day, time and place decided by the Management Committee.
- 22.5 If, at an adjourned meeting, a quorum under Rule 22.1 is not present within 30 minutes after the time fixed for the meeting, the members present form a quorum.
- 22.6 The chairperson may, with the consent of any meeting at which a quorum is present, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.
- 22.7 If a meeting is adjourned under Rule 22.6, only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
- 22.8 The Secretary is not required to give members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.
- 22.9 If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.
- 22.10 In this rule, **member** includes a person attending as a proxy.

23. Procedure at a general meeting

- 23.1 Subject to these rules, at each general meeting:
- 1) The President or, if there is no President or if the President is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, another Executive Member is to preside as chairperson.
 - 2) If an Executive Member is absent or unwilling to act as chairperson, the members present must elect 1 of their number to be chairperson of the meeting.
 - 3) The chairperson must conduct the meeting in a proper and orderly way.
 - 4) Each question, matter or resolution must be decided by a majority of votes of the members present.
 - 5) Each member present and entitled to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a deliberative vote.
 - 6) A member is not entitled to vote at a general meeting if the member is not a member under Rule 4..
 - 7) Voting may be by a show of hands or a division of members, unless at least 20% of the members present demand a secret ballot.

- 8) If a secret ballot is held, the chairperson must appoint 2 members to conduct the secret ballot in the way the chairperson decides.
- 9) The result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held.
- 10) A member may vote in person or by proxy or by attorney and:
 - (a) on show of hands, each person present who is a member or a representative of a member has 1 vote: and
 - (b) in a secret ballot, each member present in person or by proxy or by attorney or other properly authorised representative has 1 vote.
- 11) An instrument appointing a proxy must be in writing, and:
 - (a) if the appointor is an individual – signed by the appointor or the appointor’s attorney properly authorised in writing; or
 - (b) if the appointor is a corporation – either under seal or signed by a properly authorised officer or attorney of the corporation.
- 12) A proxy may be a member of the Association or another person.
- 13) The instrument appointing a proxy is taken to confer authority to demand or join in demanding a secret ballot.
- 14) If someone wants to give a member an opportunity to vote for or against a resolution, the instrument appointing a proxy must be in the following or like form:

Bond University Student Association Inc.

I, _____ of _____, being a member of the Association, appoint _____ of _____, as my proxy to vote for me on my behalf at the (annual/special) general meeting of the Association, to be held on ____20_, and at any adjournment of the meeting.

Signed _____ Dated: _____

*This form is to be used *in favour of/*against the resolution.*

** Strike out whichever is not wanted. (Unless otherwise instructed, the proxy may vote as the proxy considers appropriate);*

- 15) Each instrument appointing a proxy must be given to the Secretary at least 24 hours before the start of the meeting or adjourned meeting at which the person named in the instrument proposes to vote.
- 16) The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each Management Committee meeting and general meeting are entered in a minute book; and
- 17) The Secretary must ensure that the minute book for each general

meeting is open for inspection at all reasonable times by any financial member who previously applies in writing to the Secretary for the inspection.

23.2 To ensure the accuracy of the minutes recorded under Rule 23.1(16):

- 1) The minutes of each Management Committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next Management Committee meeting, verifying their accuracy.
- 2) The minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and
- 3) The minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the Association that is a general meeting or annual general meeting, verifying their accuracy.

24. By-laws

24.1 The Management Committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the Association.

24.2 A by-law may be set aside by a vote of members at a general meeting of the Association.

24.3 All by-laws will be made available to any member upon request following submission in writing to the Secretary.

25. Alteration of rules

25.1 Subject to the **Associations Incorporation Act 1981**, these rules may be amended, repealed or added to by a special resolution carried at a special general meeting.

25.2 However, an amendment, repeal or addition is valid only if it is registered with the Office of Fair Trading in accordance with the Act

26. Common seal

26.1 The Management Committee must ensure the Association has a common seal.

26.2 The common seal must be:

- 1) kept securely by the Management Committee; and
- 2) used only under the authority of the Management Committee.

26.3 Each instrument to which the seal is attached must be signed by a member of the Management Committee and countersigned by:

- 1) the Secretary.
- 2) another member of the Management Committee; or
- 3) someone appointed by the Management Committee.

27. Funds and accounts

- 27.1 The funds of the Association must be kept in an account in the name of the Association in a financial institution decided by the Management Committee.
- 27.2 Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Association.
- 27.3 All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- 27.4 If the Association pays any sum by cheque, the cheque must be signed by any 2 of the following:
- 1) the President.
 - 2) the Secretary.
 - 3) the Treasurer.
 - 4) another member authorised by the Management Committee for the purpose.
- 27.5 Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed “not negotiable”.
- 27.6 A petty cash account must be kept on the imprest system, and the Management Committee must decide the amount of petty cash to be kept in the account.
- 27.7 All expenditure must be approved or ratified at a Management Committee meeting.
- 27.8 The Treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared:
- 1) the income and expenditure for the financial year just ended.
 - 2) the Association’s assets and liabilities at the close of the year; and
 - 3) the mortgages, charges and securities affecting the property of the Association at the close of the year.
- 27.9 The auditor must examine the statement prepared under Rule 28.8 and present a report about it to the Secretary before the next annual general meeting following the financial year for which the audit was made.

27.10 The income and property of the Association must be used solely in promoting the Association's objects and exercising the Association's powers.

28. Documents

28.1 The Management Committee must ensure the safe custody of books, documents, instruments of title and securities of the Association.

29. Financial year

29.1 The financial year of the Association closes on 30 June in each year.

30. Distribution of surplus assets to another entity

30.1 This Rule 30 applies if the Association:

- 1) is wound up under Part 10 of the Act; and
- 2) it has surplus assets.

30.2 The surplus assets must not be distributed among the Association members.

30.3 The surplus assets must be given to another entity:

- 1) having objects similar to the Association's objects; and
- 2) the rules of which prohibit the distribution of the entity's income and assets to its members.

30.4 In this Rule 30, surplus assets has the meaning given by section 92(3) of the Act.

31. Affiliated Bodies

31.1 Affiliated bodies are those which lodge a Constitution to, and which are accepted by, the Management Committee. This may include cultural or sporting clubs and societies, or faculty student organisations.

31.2 All affiliated bodies are required to maintain a list of their active members, which distinguishes between those who are financial and non-financial members of the Association.

31.3 The office-bearers of affiliated bodies must be financial members of the Association.

31.4 Affiliated bodies are eligible to receive funding from the Association; the amount of which is subject to the discretion of the Management Committee.

31.5 Affiliated bodies may be disaffiliated by the Management Committee providing reasonable notice is given on any one of the following grounds:

- 1) Inactivity for 3 consecutive semesters.

- 2) Bringing the affiliated body, the Association or Bond University into disrepute; or
- 3) Failing to respond to reasonable requests of the Committee.

31.6 Affiliated bodies may appeal against disaffiliation by showing cause in writing to the Managing Committee within 14 days of notice being given.

32. Indemnity

32.1 The Association indemnifies each member of the Management Committee against any liability incurred by that member in his or her capacity as a member of the Management Committee of the Association:

- 1) to any other person (other than the Association), including liability arising from negligence, breach of statutory duty or for any other reason, unless the liability arises out of conduct involving a lack of good faith; and
- 2) for costs and expenses:
 - (a) in defending proceedings, whether civil or criminal, in which judgment is given in favour of the member or in which the member is acquitted; and
 - (b) in connection with an application in relation to those proceedings in which the Court grants relief to the member.