



# Constitution of the La Trobe University Choral Society

*(adopted at the Society's Annual General Meeting Wed 10 April 2024)*

## 1. Name

- 1.1. This Club, Association, or Society (hereafter "Club" or "Society") shall be known as the **La Trobe University Choral Society ("LaTUCS")** of La Trobe University ("LTU" or "University")

## 2. Club Purpose

- 2.1. The purpose of the Club is to promote performance of choral music by tertiary students.
- 2.2. The Club will achieve this by:
  - 2.2.1. Rehearsing and performing choral music.
  - 2.2.2. Participating in Intervarsity Choral Festivals.
  - 2.2.3. Organising other activities of interest to the Club's members.
  - 2.2.4. Supporting & promoting other clubs & societies at La Trobe University and other tertiary institutions which have similar purposes.
  - 2.2.5. Taking all steps necessary to provide a safe environment where Members can interact, and to ensure the physical and mental health and well-being of Members.
  - 2.2.6. To foster and encourage, within the University context, participation in pursuit of these above objectives and associated activities.
- 2.3. The Club may only use its income, assets, and profit to support the nominated purpose. The Club must not distribute any profit, income or assets directly or indirectly to its Members.

## 3. Affiliation to the University

- 3.1. The Club is affiliated to and funded by the University. This Constitution must be approved at an Annual General Meeting, signed, and provided to the University at the point of affiliation.
- 3.2. It is a condition of affiliation that the Club and its Members must comply with all directions given by the University, the Clubs and Societies Regulations and University Policies and Procedures.
- 3.3. The Club must, as far as practicable, adhere to university processes and policies including risk management, marketing, and finance guidelines, as outlined by LTU.
- 3.4. The Club shall not discriminate or deny membership or access based on sex, gender, relationship status, pregnancy, parental status, age, race, impairment, religious belief or activity, political belief or activity.
- 3.5. The Club must uphold LTU's strong commitment to diversity, in all its forms, to offer fair representation of each unique campus cohort.



#### **4. Membership of Club**

- 4.1. Membership of the Club is open to all current LTU students (see definition in clause 15).
- 4.2. Club membership covers the period from the first of January of a given year to the end of December of the same year
- 4.3. The Club Membership fees for the above period will be as follows:
  - 4.3.1. Student Membership fees: \$10 per semester.
  - 4.3.2. Concession Membership fees \$15 per semester.
  - 4.3.3. Associate Membership fees \$40 per semester.
  - 4.3.4. Membership fees will be utilised to support the aims of the club.
- 4.4. Concession & Associate Memberships of the Club is open to any members of the community who:
  - 4.4.1. Support the purpose of the Club; and
  - 4.4.2. Agree to abide by the Clubs and Societies Regulations and associated LTU policies and procedures.
- 4.5. The club must maintain an official membership register. The register must contain name, contact information, student ID (if applicable) and membership date.
- 4.6. All Members must register as Club Members and be listed on the official Registration and Membership document.
- 4.7. Members may resign by writing to the Secretary of the Club.
- 4.8. It shall be a condition of affiliation to the University that a Club shall have at least 10 Members who are current students unless permission is granted by the University Clubs Engagement Officers.
- 4.9. The Secretary and the University Club support staff must make copies of this Constitution and any relevant governing documents freely available to Members upon request.
- 4.10. The Secretary must ensure that all Members' details are securely stored, accessible only to the Club Executive, and that a Member's details will not be released without the Member's prior approval (unless as required by law and/or University policy or regulations).

#### **5. General Meetings of Members (Inaugural General Meeting, Annual and/or Special General Meetings)**

- 5.1. The Executive must call at least two (2) General Meetings of Members each year, including the Annual General Meeting (in this Constitution "AGM").
- 5.2. The AGM must be held on an academic day. Its business includes:
  - Formal acknowledgement of Country;
  - To confirm the minutes of the last AGM and any subsequent general meetings (if applicable);
  - To consider reports from Executive Members, including the Treasurer's financial report;
  - To amend Constitution or Club purpose/s;



- To elect the Committee and confirm duties and scope of each role; and
- Any other business of which notice has been given.

- 5.3. The Executive must appoint a Returning Officer at least two weeks before the AGM, who is responsible for the conduct of the Executive elections.
- 5.4. The Executive may call a Special General Meeting (in this Constitution "SGM") at any time and must do so if requested in writing by at least 25% of Members. The SGM must be held within 21 academic days of an Executive Member receiving the request.
- 5.5. The Executive must give at least seven days' notice of the date, time and place of all general meetings to each Member. The notice must state the business to be considered, including any item that a Member has in writing requested to be included. Only business of which notice has been given may be considered at the general meeting. The Executive must also advertise the meeting for at least one week before the meeting.
- 5.6. The quorum for general meetings is 15% of Members or 6 people, whichever is the greater. Quorum for Clubs with a Membership greater than 100 Members will be 10 people.
- 5.7. The President is entitled to chair the meetings. If the President is not present, or does not wish to chair the meeting, the Vice-President is entitled to chair. If neither the President nor the Vice-President is present, or if neither wishes to chair the meeting, the meeting must elect another Member to chair.
- 5.8. Each Member present has one vote. Proxies are not allowed. Motions are passed by a simple majority of those present and voting. The Chair of the meeting has their own vote but does not have a casting vote.
- 5.9. Outside of an AGM, only during a SGM may Club policy be amended or new positions elected.

## **6. Election and Term of Office of Committee**

- 6.1. Only Members who are current LTU students are eligible to be elected to and hold Executive Committee positions. Enrolment must remain current for the length of the elected term.
- 6.2. Any Member is eligible to be elected to and hold General Committee positions. However, only General Committee members who are LTU students are entitled to a committee vote.
- 6.3. Committee Members may serve an unlimited number of terms.
- 6.4. The current committee term is from an Annual General Meeting held in any given academic year until the Annual General Meeting of the following academic year.
- 6.5. All committee positions must be elected by secret ballot at the AGM.
- 6.6. Committee members elected at the AGM hold office from the end of that AGM until the end of the next AGM, subject to clauses 6.7 and 7.8.
- 6.7. Committee members cease to hold office if they:
  - 6.7.1. Resign by writing to the Secretary of the Club (or, in the case of the Secretary, to the President);
  - 6.7.2. Cease to be a current student (in the case of an Executive position);
  - 6.7.3. Are removed by a resolution of no confidence passed by a two-thirds majority of Members present and voting at a Special General Meeting; or



6.7.4. Fail to attend two consecutive committee meetings without giving apology to the Executive.

## **7. Committee Positions**

7.1. The Executive of the Club is comprised of the following positions:

7.1.1. President;

7.1.2. Vice-President;

7.1.3. Treasurer, and

7.1.4. Secretary.

7.2. The Committee may also have up to three (3) General Assistants, who may generally support the Executive, or be given specific roles (such as Librarian, Publicity, etc, as required). A motion at the General Meeting where the Committee elections are to be held will determine the number of General Assistant(s) to be elected for any given year.

7.3. First Year Representative: At least one of the committee positions must be a first-year member of the choir (although not necessarily a first-year student at La Trobe).

7.4. A general meeting may establish other Executive or general committee positions and decide on the duties of these positions.

7.5. Executive Members may only hold one Executive position at a time.

7.6. Elected Executive must declare any conflict of interest in the AGM and any new conflicts thereafter.

7.7. The Committee may appoint additional people and/or assign tasks to other Members; however, only those LTU students holding committee positions defined in this Constitution are entitled to vote at Committee meetings.

7.8. The Club must notify the University if any changes occur to Executive positions within 7 working days of official changes.

## **8. Committee vacancies**

8.1. Vacancies occurring in the Executive Committee must be filled by the Committee appointing a Member of the Club to the position; such appointment must then be ratified at a Special General Meeting as soon as practicable.

8.2. Vacancies occurring in the General Committee may be filled by the Committee appointing a Member of the Club to the position; the member appointed shall hold office for the remainder of that position's term of office.

## **9. Responsibilities of Executive**

9.1. The Executive is responsible for governing the club in accordance with Club Constitution, and LTU regulations, policy, and procedures, and therefore must be familiar with – and act within - all governing documents of the Club, including the Club Constitution, any Club Policies (for example, a Code of Conduct), and any regulations, policies, procedures and/or documentation supplied by LTU.

9.2. The Executive is responsible for the management of the Club, including its activity planning and financial management.



9.3. The Executive must ensure that the Treasurer presents a financial report to the AGM.

9.4. The Executive is also responsible for:

9.4.1. Organising Club activities;

9.4.2. Representing the Club and its Members within LTU and to the public;

9.4.3. Recommending Club procedural changes or information to General Meetings;

9.4.4. Ensuring Club Members are aware of the Club's Governing Documents;

9.4.5. Additional duties as defined and approved by the Club at an AGM or SGM

## 10. Proceedings of Executive

10.1. The Executive must meet at least 4 times during each semester.

10.2. Executive meetings may be called by any two Executive Members.

10.3. At least **seven days' notice** in writing of the date, time and place of Executive meetings must be given to each Executive Member.

10.4. The quorum for Executive meetings is the presence of a majority of Executive at the time, including at least one of the President, Vice-President and Secretary.

10.5. Clauses 5.7 and 5.8 apply to Executive meetings.

10.6. The Executive may establish sub-committees to support in Club planning and activity delivery.

## 11. Financial

11.1. The Club indemnifies Executive Members against any liability incurred in that capacity (other than to the Club), unless the liability arises out of conduct involving a lack of good faith;

11.2. The financial year of the Club is from 1 January to 31 December;

11.3. All payments from a Club account must be authorised by two Executive members and the Club support staff.

11.4. All assets held by the Club are the property of the University, including those purchased by the Club, except for items purchased by the Club with funds raised independently of LTU. Property directly purchased by external means, such as sponsorship, remain the property of the Club if it continues to exist. All Club property will then transfer to LTU if the Club ceases to exist. Any transferred property will be offered to clubs with similar objectives and remain available for the exclusive use of La Trobe students.

11.5. The Executive must ensure that the Treasurer:

11.5.1. Records all income received and payments made by the Club in accordance with clause 10.4(a); and

11.5.2. Keeps a register of all assets held by the Club in accordance with clause 10.4(b).

11.6. All assets held by a Club that has been inactive for 12 months or more must be returned to LTU.



## 12. Grievance

- 12.1. A Member may raise a grievance about the Club to the Club Executive or the University.
- 12.2. If a grievance is raised with the Club Executive in the first instance;
  - 12.2.1. It is the responsibility of the Club Executive to investigate a grievance or complaint.
  - 12.2.2. They should notify the LTU of the grievance.
- 12.3. If the grievance is raised with the LTU in the first instance, the Executive must be willing to cooperate and work with the University to resolve the grievance.
- 12.4. The member should be notified of the progress and resolution of the grievance in writing by the Club Executive.

## 13. Constitutional Amendments

- 13.1. This Constitution may only be amended:
  - 13.1.1. By resolution passed by two-thirds majority of Members present and voting at an AGM or SGM of which notice in accordance with clause 5.5 (including of the proposed amendment) has been given; and
- 13.2. With written approval of the University.

## 14. Winding Up

- 14.1. The Club may be wound up voluntarily by resolution passed by a two-thirds majority of Members present and voting at an AGM or SGM of which notice in accordance with clause 5.5 (including of the proposed resolution) has been given.
- 14.2. If the Club is wound up (whether voluntarily, by the University owing to breach of Clubs and Societies regulations or policies or by any other legal means), any remaining assets must not be distributed to any member but must instead be transferred to LTU, which will be made available for the exclusive use of students at La Trobe.

## 15. Definitions and Interpretations

- 15.1. In this Constitution:
  - (a) “current student” and “student” both have the same meaning as “student” in the Constitution Documentation;
  - (b) “concession” is intended to mean students from other tertiary institutions and/or those in possession of a valid government concession card;
  - (c) References to “LTU” or “University” may include La Trobe University, La Trobe University Student Experience division staff or La Trobe University Club support staff members.
  - (d) References to meetings include meetings held in person, virtually, by telephone and video conference; and
  - (e) References to written communications include email or other online platforms.