



# Queensland University of Technology Association of Law Students (QUOTALS)

## Constitution of QUOTALS

In force as of 28 October 2005

# THE CONSTITUTION OF QUEENSLAND UNIVERSITY OF TECHNOLOGY ASSOCIATION OF LAW STUDENTS (QUOTALS)

## 1. Name

The name of the association is the “Queensland University of Technology Association of Law Students”.

## 2. Definitions

In this constitution, except where a contrary intention appears:

“**QUOTALS**” will mean the Queensland University of Technology Association of Law Students

“**QUT**” will mean the Queensland University of Technology

“**committee**” will mean both executive and non-executive office bearers

“**executive**” will mean executive office bearers

“**notice**” will mean notice via e-mail, letter or facsimile or notice displayed outside the office of the QUOTALS

“**ALSA**” will mean the Australian Law Students Association

“**LLB**” will mean Bachelor of Laws

“**AGM**” will mean the Annual General Meeting

## 3. Objects and Purposes

3.1 The objects of QUOTALS are:

3.1.1 to represent and promote the interests and concerns of students enrolled in the QUT Faculty of Law;

3.1.2 to promote and facilitate interaction and activities of a social, vocational and sporting nature among QUT Faculty of Law students;

3.1.3 to foster relations with other related associations throughout Australia, professional services firms and with the general community.

3.2 QUOTALS will be a non-profit organisation

3.3 The assets and income of QUOTALS will be applied solely in the furtherance of its objectives and no portion will be distributed directly or indirectly to the members of QUOTALS, except as bona fide compensation for services rendered or expenses incurred on behalf of QUOTALS.

## 4. Powers

4.1 QUOTALS has, in the exercise of its affairs, all the powers of an individual.

4.2 QUOTALS will enter into any business arrangements, attract sponsorship and otherwise raise money considered to be necessary for the proper achievement of QUOTALS’s objects.

- 4.3 QUOTALS will take over the funds and other assets and liabilities of the present unincorporated association known as the Queensland University of Technology Association of Law Students.

## **5. Membership**

- 5.1 Membership of QUOTALS will be divided into four classes: Financial membership, Voting membership, Associate membership and Honorary membership.
- 5.2 The numbers of each class will be unlimited.
- 5.3 Financial membership is open to any student presently enrolled in any course at QUT, upon payment of the annual membership fee.
- 5.4 Voting membership is automatically bestowed upon all students in the QUT Faculty of Law.
- 5.5 Associate membership is available to any individual, corporation, or any other body, upon payment of the annual membership fee.
- 5.6 Honorary membership may be bestowed upon any person chosen by a two-thirds majority of voting members present at any meeting. Honorary members will not be required to pay annual membership fees.
- 5.7 Associate and Honorary members will have no voting privileges and will be ineligible to hold office.
- 5.8 Committee members are voting members.
- 5.9 There will be no right to reject a membership application.
- 5.10 Membership in QUOTALS will be terminated where any of the following apply:
- 5.10.1 a member formally withdraws in writing from QUOTALS;
  - 5.10.2 a member body disbands or ceases to exist;
  - 5.10.3 upon a resolution supported by a two-thirds majority of committee members present at a meeting convened with seven days notice. Seven days notice must be specifically given to the member involved, detailing the reasons for proposed expulsion.
- 5.11 There will be no appeal following the termination of membership.
- 5.12 Membership fees will be an amount to be determined by the committee.
- 5.13 Annual membership fees are non-refundable, except at the sole discretion of the President.
- 5.14 Payment of the membership fee will entitle a member to membership for a full year, beginning on the first day of orientation week.

## **6. Register of Members**

- 6.1 There will be a register of members.
- 6.2 Details on the register must include the name, student number, course and email address of all members.

## **7. Committee Office Bearers**

- 7.1 There will be an executive consisting of:

- 7.1.1 President
- 7.1.2 Vice-President (Education/ALSA)
- 7.1.3 Vice-President (Publications/Sponsorship)
- 7.1.4 Vice-President (Activities)
- 7.1.5 Secretary
- 7.1.6 Treasurer

- 7.2 The rest of the committee will consist of:

- 7.2.1 Two Social Directors
- 7.2.2 Two Sporting Directors
- 7.2.3 Three Publications Directors
- 7.2.4 One Information Technology Director
- 7.2.7 One Marketing/Administration Director
- 7.2.8 Two Competitions Directors
- 7.2.9 Two Education Directors
- 7.2.10 One Careers Director
- 7.2.11 One Community Services Director
- 7.2.12 One 4<sup>th</sup> year Representative
- 7.2.13 One 3<sup>rd</sup> year Representative
- 7.2.14 One 2<sup>nd</sup> year Representative
- 7.2.15 One Justice Studies Representative
- 7.2.16 One Indigenous Student Representative
- 7.2.17 One Mature Age Student Representative

- 7.3 The respective year representatives must be enrolled, for their term, in at least two subjects which are designated by the QUT Faculty of Law to be studied in that year of the LLB degree.

- 7.4 The QUOTALS Executive may appoint a sub-committee to assist it in any of its duties. Such appointment is at the discretion of the executive, but must be ratified by a resolution at a Committee meeting supported by a two-thirds majority of those present.

- 7.4.1 Sub-committee members shall not be part of the Committee, and shall have the voting rights of a voting member.

- 7.4.2 All sub-committees will be automatically dissolved as at 30 November each year.

## **8. Duties of Office Bearers**

- 8.1 The office bearers will be under a duty to uphold and promote the objects and purposes of QUOTALS.
- 8.2 The duties listed for each Committee member below are the minimum expected of each officer, and may be added to or clarified by executive by-laws passed under Article 9.4.
- 8.3 The duties of the President are:
  - 8.3.1 to oversee the activities of QUOTALS;
  - 8.3.2 to provide leadership and guidance for QUOTALS;
  - 8.3.3 to ensure the functions of QUOTALS are carried out by the appropriate person/s, including non-executive committee members;
  - 8.3.4 to ensure, with other members of the executive, that the day to day functions of QUOTALS are carried out;
  - 8.3.5 to coordinate sponsorship matters with the Vice-President (Publications/Sponsorship);
  - 8.3.6 to chair meetings of QUOTALS;
  - 8.3.7 to represent the interests of students of the QUT Faculty of Law to the Faculty;
  - 8.3.8 to ensure that all vacant committee positions are filled as soon as is practicable;
  - 8.3.9 to be an ex officio member of all QUOTALS sub-committees; and
  - 8.3.10 to perform other functions as may be required from time to time.
- 8.4 The duties of the Vice President (Education/ALSA) are:
  - 8.4.1 to report to the President;
  - 8.4.2 to take primary responsibility for QUOTALS activities relating to the education and career development of students;
  - 8.4.3 to liaise with ALSA on behalf of QUOTALS, represent QUOTALS at ALSA events and co-ordinate all other ALSA related matters; and
  - 8.4.4 to coordinate the activities of the two Education Directors, the Careers Director, the Community Services Director, the three Year Representatives, the Justice Studies Representative, the Indigenous Student Representative and the Mature Age Student Representative.
- 8.5 The duties of the Vice President (Publication/Sponsorship) are:
  - 8.5.1 to report to the President;
  - 8.5.2 to take primary responsibility for all publications;
  - 8.5.3 to coordinate the activities of the three Publications Directors, the Marketing/Administration Director and the Information Technology Director; and
  - 8.5.4 to co-ordinate, with the President, the sponsorship activities of the executive.
- 8.6 The duties of the Vice-President (Activities) are:
  - 8.6.1 to report to the President;
  - 8.6.2 to take primary responsibility for social, sporting, competitions and other activities; and

- 8.6.3 to coordinate the activities of the two Social Directors, two Sporting Directors and two Competitions Directors.
- 8.7 The duties of the Secretary are:
  - 8.7.1 to report to the President;
  - 8.7.2 to conduct the correspondence of QUOTALS;
  - 8.7.3 to maintain all QUOTALS records;
  - 8.7.4 to maintain the Register of Members;
  - 8.7.5 to keep and distribute the minutes of QUOTALS meetings; and
  - 8.7.6 to be aware of their obligations as if they held the position of Secretary of an incorporated association.
- 8.8 The duties of the Treasurer are:
  - 8.8.1 to report to the President;
  - 8.8.2 to prepare an annual budget;
  - 8.8.3 to receive all moneys and make all payments on account of QUOTALS;
  - 8.8.4 to maintain financial records;
  - 8.8.5 to prepare and present to the AGM a Report, Profit & Loss statement and Balance sheet for the previous year; and
  - 8.8.6 to prepare and submit financial records for audit as required.
- 8.9 The duties of the two Social Directors are:
  - 8.9.1 to report to the Vice-President (Activities);
  - 8.9.2 to organise and arrange all QUOTALS social functions; and
  - 8.9.3 to arrange advertising of all QUOTALS social functions.
- 8.10 The duties of the two Sports Directors are:
  - 8.10.1 to report to the Vice-President (Activities);
  - 8.10.2 to organise all QUOTALS sporting functions; and
  - 8.10.3 to arrange advertising of all QUOTALS sporting functions.
- 8.11 The duties of the three Publications Directors are:
  - 8.11.1 to report to the Vice-President (Publications/Sponsorship); and
  - 8.11.2 to take primary responsibility for one publication throughout the year, and otherwise assist on publications.
- 8.12 The duties of the Information Technology Director are:
  - 8.12.1 to report to the Vice-President (Publications/Sponsorship);
  - 8.12.2 to update and maintain the QUOTALS webpage; and
  - 8.12.3 to provide general technical assistance to the committee on information technology related matters.
- 8.13 The duties of the Marketing/Administration Director are:

- 8.13.1 to report to the Vice-President (Publications/Sponsorship);
  - 8.13.2 to take primary responsibility for all advertising activities;
  - 8.13.3 to take responsibility for the administrative support of activities; and
  - 8.13.4 to take responsibility for general marketing and day to day activities of QUOTALS.
- 8.14 The duties of the two Competition Directors are:
- 8.14.1 to report to the Vice-President (Activities); and
  - 8.14.2 to take responsibility for coordinating the mooting, witness examination, client interviewing, negotiation and any other competitions run by QUOTALS.
- 8.15 The duties of the two Education Directors are:
- 8.15.1 to report to the Vice-President (Education/ALSA);
  - 8.15.2 to sit on various Law Faculty Academic Boards; and
  - 8.15.3 to liaise with students and the Faculty of Law with respect to education issues.
- 8.16 The duties of the Careers Director are:
- 8.16.1 to report to the Vice-President (Education/ALSA); and
  - 8.16.2 to collate and disseminate information to students on careers.
- 8.17 The duties of the Community Services Director are:
- 8.17.1 to report to the Vice-President (Education/ALSA);
  - 8.17.2 to organise the participation of Faculty of Law students in community legal clinics; and
  - 8.17.3 to co-ordinate all other community service and charitable activities of QUOTALS.
- 8.18 The duties of the three Year Representatives are:
- 8.18.1 to report to the Vice-President (Education/ALSA);
  - 8.18.2 to liaise with their respective year groups;
  - 8.18.3 to aid in advertising QUOTALS functions and products to their respective year groups; and
  - 8.18.4 to raise the profile of QUOTALS amongst their respective year groups.
- 8.19 The duties of the Justice Studies Representative are:
- 8.19.1 to report to the Vice-President (Education/ALSA);
  - 8.19.2 to liaise with justice studies students;
  - 8.19.3 to aid in advertising QUOTALS functions and products to justice studies students; and
  - 8.19.4 to raise the profile of QUOTALS for justice studies students.
- 8.20 The duties of the Indigenous Student Representative are:

- 8.20.1 to report to the Vice-President (Education/ALSA);
- 8.20.2 to liaise with Indigenous students;
- 8.20.3 to aid in advertising QUOTALS functions and products to Indigenous students;  
and
- 8.20.4 to raise the profile of QUOTALS for Indigenous students.

8.21 The duties of the Mature Age Student Representative are:

- 8.21.1 to report to the Vice-President (Education/ALSA);
- 8.21.2 to liaise with mature age students;
- 8.21.3 to aid in advertising QUOTALS functions and products to mature age students;  
and
- 8.21.4 to raise the profile of QUOTALS for mature age students.

## **9. The Executive**

9.1 The executive may from time to time conduct meetings. The Secretary must give all executive members at least 24 hours notice of the time and venue of the meeting.

9.2 Quorum at a meeting of the executive is half the members of the executive, plus one.

9.3 Resolutions at executive meetings will be resolved by simple majority of those executive members present at the meeting. In the event of an even split of executive members present on a resolution, the President shall have the casting vote.

9.4 The executive, subject to this constitution, has the power to make and amend any by-laws of QUOTALS. A resolution to create or amend by-laws must be passed by a two-thirds majority of those executive members present.

9.5 There will be no proxies at executive Meetings.

9.5 The executive will have custody and use of the Common Seal and all relevant documents and records.

9.6 The executive may pass a resolution by flying minute without an executive meeting.

9.6.1 A flying minute unanimously assented to in writing by the members of the executive shall be considered to be as valid and effectual as if it had been passed at an executive meeting.

9.6.2 Any such resolutions may be assented to in person or electronically.

9.7 Any executive resolution must be reconsidered by an entire committee meeting if two-thirds of the committee assent in writing to a resolution for the reconsideration.

9.7.1 The reconsideration resolution may be assented to in person or electronically.

9.7.2 The resolution is conclusively determined by the decision of the subsequent committee meeting.

9.7.3 The committee meeting must be called by the President within one calendar month of the presentation of the reconsideration resolution.

9.7.4 The obligation in Article 11.2 still applies to this committee meeting.

## **10. Elections**

- 10.1 Elections will be conducted in a manner determined by the QUT Faculty of Law.
- 10.2 Executive positions will be elected as a ticket.
- 10.3 Non-executive positions will be elected individually.
- 10.4 Voting members will be eligible to vote and stand for office.
- 10.5 Nominations from people who are not likely to be a student of the QUT Faculty of Law at the conclusion of their term will not be accepted without the prior approval of two thirds of the current committee.
- 10.6 Each committee will stay in office until no later than November 30, after which date the newly elected committee shall take office.

## **11. Meetings of the Committee**

- 11.1 The committee will conduct the day to day affairs of QUOTALS.
- 11.2 Meetings of the committee will be held at least every two calendar months and such meetings will be called at the discretion of the Executive. The Secretary must give all committee members at least 2 days notice of the time and venue of the meeting.
- 11.3 All meetings will be run according to basic meeting procedure.
- 11.4 Quorum at a meeting of the committee is half the non-executive members and half the executive members of the committee, plus one (either executive or non-executive member).
- 11.5 Minutes will be kept of every committee meeting and these must be made available for inspection to financial members who apply to the Secretary.
- 11.6 Minutes will be verified at the next committee meeting by a resolution passed by a simple majority.
- 11.7 All decision making powers for and on behalf of QUOTALS shall be vested in the committee, except for at the AGM.
- 11.8 Resolutions at committee meetings will be resolved by simple majority.
- 11.9 All committee members will have only one vote, unless they exercise a proxy.
- 11.10 Committee members may only confer their vote for a meeting on another committee member, and only if it is in writing.
- 11.11 No one person may hold more than two proxies.

11.12 There are to be no more than four proxies in any one committee meeting or the meeting is invalid.

11.13 That proxies shall be counted for quorum.

## **12. General Meetings**

12.1 QUOTALS may hold a general meeting at a time decided upon by a resolution of a committee meeting.

12.2 All voting members are eligible to vote at a General Meeting.

12.3 The General Meeting will be run according to basic meeting procedure.

12.4 There will be no proxies at a General Meeting.

12.5 Notice of 14 days must be given to all voting members for a general meeting.

## **13. The Annual General Meeting**

13.1 The AGM of QUOTALS must be held annually during the second semester, at a time decided upon by a resolution of a committee meeting.

13.2 Except as otherwise provided, provisions governing the conduct of committee meetings apply to the AGM.

13.3 All voting members are eligible to vote at the AGM.

13.4 There will be no proxies at the AGM.

13.5 Notice of 14 days must be given to all voting members for an annual general meeting.

## **14. Vacancy in the Committee**

14.1 A vacancy in the committee arises whenever a position is not occupied.

14.2 Any member of the committee who wishes to resign must give notice in writing of that intention, to a meeting of the committee. Resignation will be effective upon receipt of the notice by the committee meeting.

14.3 The executive may appoint any person who is a voting member to fill the vacant non-executive position. This appointment must be ratified by a resolution at a Committee meeting passed by a two thirds majority of those present.

14.4 To fill a vacant executive position, the executive must call for nominations from voting members. An election must be held at a general meeting, convened for that purpose, with at least ten days notice of the details of the meeting. Election will be conducted on a first past the post basis.

## **15. Removal of Office Bearers**

15.1 Any member of the committee may be removed from their position by a two thirds majority of a committee meeting convened with at least seven days notice.

- 15.2 Seven days notice of such a meeting must be specifically given to the committee member involved, detailing the reasons for proposed removal.
- 15.3 Such a meeting must be convened by the executive if they are presented with a written request to which two-thirds of the committee have assented. The meeting must be convened within one calendar month of the presentation of such request.
- 15.4 There will be no appeal from a removal from office.

## **16. Finance**

- 16.1 The association shall pay all monies received into a bank account in the name of the association, with no less than the President, Vice-President (Education/ALSA) and Treasurer acting as co-signatories for withdrawals.
- 16.2 All bank accounts will be operated by a minimum of two signatories.
- 16.3 Procedures for reimbursement of committee members is to be determined by by-laws passed by the Executive under Article 9.4.
- 16.4 The financial year will end on October 31.

## **17. Miscellaneous**

- 17.1 If at any time the association ceases to exist, any property shall be transferred to an organisation which has similar objects and which has rules prohibiting the distribution of its assets and income to members.
- 17.2 Where it furthers the objects of QUOTALS to amalgamate with any one or more organisations having similar objects, the other organisation(s) must have rules prohibiting the distribution of its (their) assets and income to members.

## **18. Alteration of the Constitution**

- 18.1 To be valid and binding, a constitutional amendment must be approved by at least a three quarter majority of voting members present at an AGM or General Meeting, convened with at least ten days notice of the proposed amendments.
- 18.2 All amendments made to executive and non-executive positions will be applied to the following QUOTALS elections. All other amendments will have immediate effect upon being passed in accordance with Article 18.1.

## **19. Interpretation of Constitution**

- 19.1 This constitution will be interpreted at first instance by the President.
- 19.2 A decision of the President may be reviewed by the executive on application by 10 voting members. There will be no appeal from the decision of the executive.