

CURTIN UNIVERSITY OF TECHNOLOGY

STATUTE NO 4

STUDENT GUILD

1. DEFINITIONS

In this Statute –

“Guild” means the Student Guild of the Curtin University of Technology established by Section 44 of the *Curtin University of Technology Act* upon the making of the original Statute No. 4 on 14 January 1969;

“Guild regulations” means regulations made by the Guild under Section 12 of this Statute;

“Guild rules” means rules made by the Guild under Section 7 of this Statute or under any regulation;

“Student society” means any club, society or association within the University which is registered with the Guild in the manner prescribed by the Guild regulations.

2. OBJECTS

The objects of the Guild shall be –

- (a) to further the common interest of the enrolled students;
- (b) to provide for and encourage communication among enrolled students in matters of common interest;
- (c) to provide extra-curricular activities for the general well-being of enrolled students;
- (d) to represent enrolled students whenever such representation is necessary or desirable, and to provide the recognised means of communication between the students and the University authorities;
- (e) to cooperate with any body or organisation having kindred aims;
- (f) to provide, conduct or manage educational, cultural, sporting, welfare, recreational or commercial facilities or activities intended for the benefit directly or indirectly, of enrolled students;
- (g) to accommodate and provide for all types of amenities or facilities for enrolled students.

3. POWERS

For the purpose of carrying out its objectives the Guild shall have power –

- (a) pursuant to the Act, to expend and invest moneys;
- (b) to operate banking accounts;
- (c) to transact such financial business as may be necessary to carry out the objects of the Guild;
- (d) to borrow, raise or secure the payment of money for any of the objects of the Guild, and in particular, by mortgaging or charging the property of the Guild or any part thereof;
- (e) to enter into contracts on behalf of the Guild or any student society, the terms of which have been approved by the Guild Council;
- (f) to lend moneys to members of the Guild;
- (g) 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;
- (h) to exercise general supervision and control over all student societies, and to make grants thereto for approved purposes;
- (i) to register student societies with the Guild, and affiliate registered societies with subsidiary bodies of the Guild;
- (j) to assume the care, control and management of the property and financial affairs of any student society, for such period as the Guild Council thinks fit;
- (k) to engage and dismiss employees;
- (l) to incorporate or cause to be incorporated any student society under the *Associations Incorporation Act* or under the *Companies Act* or any like legislation for the benefit of the members of that society or to limit the liability of the Guild, and to hold shares in any company so incorporated;
- (m) to hold licences under any legislation for the time being in force;
- (n) to admit to Associateship persons other than members of the Guild, in the manner prescribed by the Guild regulations and rules made thereunder;
- (o) as prescribed by the Guild regulations, to impose fines upon members of the Guild, upon members and officers of student societies and on student societies for breaches of the provisions of this Statute, the Guild regulations or the Guild rules;
- (p) generally, to act in any other manner authorised by this Statute or necessary or convenient for giving effect to this Statute;
- (q) to recommend to the University Council that amendments be made to Statute 4 or Statute 9.

4. MANAGEMENT

Subject to this Statute and the Guild regulations, the Guild Council shall be responsible for and have the entire control and management of the affairs and property of the Guild and may act in all matters concerning the Guild in such manner as appears to it to be best calculated to promote the interests of the Guild and the enrolled students.

5. MEMBERSHIP

- (1) Subject to the provisions of the Act and subsection (3) of this section, all enrolled students shall be members of the Guild, unless they elect, at the time of enrolment in any year, not to be members; or if they resign as members at any time after enrolment.
- (2) The University shall not act in any way that may dissuade or discourage an enrolled student from being or becoming a member of the Guild.
- (3) The following persons or classes of persons shall not be eligible to be members:
 - (a) persons who are not enrolled students of the University;
 - (b) such persons and classes of persons as the University Council, after consultation with the Student Guild Council, declares by resolution to be ineligible for membership of the Guild.
- (4) A member shall cease to be a member when he ceases to be an enrolled student; resigns as a member; or becomes ineligible to be a member or in such other circumstances as shall be prescribed by Guild regulations.
- (5) A student who elects not to be a member of the Guild may vote in Guild elections but may not hold an elective office of the Guild.

6. GUILD COUNCIL

- (1) The Guild shall be governed by a Council to be known as the Guild Council. The number of members of the Guild Council, the manner of election of those members, and all other matters relative to membership of the Guild Council, shall be prescribed by the Guild regulations provided that any enrolled student (whether a member of the Guild or not) may vote at any election held to fill a vacancy in the office of President, member of the Guild Council or any other elective office in the administration of the Guild, but a person shall not hold any such office unless he is a member of the Guild.
- (2) The Guild Council may in the manner prescribed by the Guild regulations make, alter or repeal rules but only when the power to do so is specified in a Guild regulation and then only to the extent specified.
- (3) The Guild Council shall make provision for the control and management of any property from time to time owned, leased or otherwise occupied by the Guild.

- (4) Subject to this Statute and the regulations made hereunder, the Guild Council shall have the control and management of the affairs and concerns of the Guild and may act in all matters concerning the Guild in such a manner as appears to it best calculated to promote the interests of the Guild.

7. OFFICERS

The officers of the Guild shall comprise the President and such other officers as shall be prescribed by the Guild regulations. The manner of election of officers and their rights and duties shall be as prescribed by the Guild regulations.

8. GENERAL MEETINGS AND REFERENDUMS

- (1) Proceedings at a general meeting of the Guild and the manner in which a referendum shall be conducted shall be as prescribed by the Guild regulations.
- (2) A general meeting of the Guild may debate any issue of concern to members of the Guild.
- (3) At a general meeting of the Guild, each member present in person shall have one vote. Associates of the Guild shall not be entitled to vote.
- (4) Resolutions passed at any general meeting of the Guild shall be in the form of a recommendation to the Guild Council.
- (5) A referendum of members held by the Guild shall determine Guild policy on the issues submitted to the referendum. The result of such a referendum shall bind the Guild Council.

9. COMMUNICATION

The Guild shall be the recognised means of communication between the students or any section of the students and the University Council.

10. SEAL

- (1) The Common Seal of the Guild shall be in the following form –

*[Imprint of the Common Seal appears
on the original document.]*

- (2) The Guild Council shall provide for the safe custody of the Common Seal which shall only be used by the authority of a resolution of the Guild Council and 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 some other person appointed by the Guild Council.

11. REGULATIONS

- (1) The Guild may make, alter and repeal regulations subject to the provisions of this Statute to provide for –
 - (a) the administration, organisation, finances and functions of the Guild;
 - (b) the interpretation of regulations and rules;
 - (c) the implementation of the objects and powers of the Guild and the other provisions of this Statute; and
 - (d) any other matter required by this Statute to be prescribed by regulation.

- (2) Regulations may be made, altered or repealed in accordance with the following procedure –
 - (a) In this subsection, “absolute majority of the Guild Council” means a majority of all the members of the Guild Council for the time being holding office, regardless of the number attending the meeting of the Guild Council, and no casting vote shall be counted.
 - (b) The Guild Council may resolve to make, alter or repeal a regulation subject to the resolution being passed by an absolute majority of the Guild Council and its being confirmed in accordance with this subsection.
 - (c) The resolution as so passed shall be published –
 - (i) by being posted on the official Guild notice board; and
 - (ii) in the Guild newspaper or any other publication generally circulated among the students, produced under the authority of the Guild Council;

in both cases notice being given to the members of the Guild that they are entitled to have the resolution considered at a general meeting of the Guild if notice requesting a meeting is given to the President of the Guild signed by not less than 200 members within 14 days after the resolution is first published.
 - (d) If no notice requesting a general meeting is given, the resolution shall be deemed to be confirmed after the expiration of the period of 14 days specified in paragraph (c) above.
 - (e) If notice is given to the President of the Guild within the period of 14 days specified in paragraph (c) above, the resolution shall be considered at the next general meeting of the Guild, 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 of the Guild present at the meeting.
 - (f) Where a general meeting has been called following a requisition by Guild members to debate proposed changes to Guild Regulations as in (c) above and no quorum is present within thirty minutes of the advertised commencement time,

the meeting shall lapse and the proposed regulation changes shall be deemed to be confirmed.

- (g) If a resolution is amended at a general meeting, the amended resolution shall be considered at the next meeting of the Guild Council and the resolution shall be confirmed if it is passed by an absolute majority of the Guild Council. If the Guild Council rejects amendments passed by the general meeting the amendments will be put to a referendum of members of the Guild within 20 teaching days.
- (h) A regulation or the alteration or repeal of a regulation shall be submitted to the University Council for approval and shall take effect on the day after it is approved by the University Council, or such later date as may be specified in the resolution passed by the Guild Council, and approved by the University Council.

12. ACCOUNTS

- (1) The Guild Council shall keep such accounting and other records as will sufficiently explain the transactions and financial position of the Guild.
- (2) The Guild Council shall each calendar year produce to a general meeting of members of the Guild for adoption an audited balance sheet made up as at the last day of the Guild's financial year, and an audited statement of income and expenditure for that year. The audited Financial Statements shall be presented to the University Council in accordance with *Statute 26 – Fees and Charges*.
- (3) The Guild Council shall submit to the University Council an annual written report on how the Amenities and Services Fees received have been applied during each year.
- (4) The Guild Council shall provide to the University Council quarterly statements of Income and Expenditure of the Student Guild.

13. 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 University and the President of the Guild, shall be prima facie evidence that the subject matter of the entry was duly approved by the University Council.
- (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.

14. REPEAL AND TRANSITIONAL PROVISIONS

- (1) Statute No. 4 adopted on 15 December 1976 is hereby repealed.
- (2) All regulations made under the authority of the repealed Statute No 4 shall be deemed to be regulations duly made under this Statute and shall (except where inconsistent with this Statute) continue in force until altered or repealed in accordance with this Statute.

REVISION HISTORY

Revision Ref. No.	Approved/ Rescinded	Date	Committee/ Board	Resolution Number	Document Reference
	Established	20/11/168		I/C 191/68	
	Gazetted	14/01/1969			
	Amended	15/12/1976	Council	C 238/76	resolution incorporated amendments to be made to the document, which had no reference number
	Gazetted	25/02/1977			
	Amended	21/10/1981	Council	C 145/81	Document No 4543/81
	Gazetted	18/12/1982			
	Amended	26/11/1986	Council	C 280/86	Via Amending Statute No. 7 Document No 62/86 and Attachment 1 to Council minutes
	Gazetted	19/12/1986			
	Amended	30/11/1988	Council	C 239/88	Via Amending Statute No. 8 Document No 4571/88
	Gazetted	15/4/1989			
	Amended	27/11/2002	Council	C 131/02	Via Amending Statute No. 11 Document No 88/02
	Gazetted	24/01/2003			
	Amended	15/02/2012	Council	C 14/12	Attachment 1 to Document No 00117/12
	Gazetted	22/05/2012			