

# THE CONSTITUTION OF THE MELBOURNE UNIVERSITY DEBATING SOCIETY

*With changes per the Annual General Meeting of Tuesday, 7<sup>th</sup> of September 2010.*

## 1. NAME & AIM

- (1) The name of the Society is "Melbourne University Debating Society".
- (2) The aims of the Society are:
  - (a) To foster intellectual discussion and the art of debate, within the Society and the University.
  - (b) To provide a social community amongst members of the Society.
  - (c) To provide resources, training and access to competition for all members, in order to develop the skills of debating and public speaking.
  - (d) To promote access to high level debate, and participation in intervarsity tournaments.
  - (e) To facilitate debate as a means of knowledge transfer between the University and broader society.

## 2. AFFILIATION

- (1) The Society is affiliated to the UMSU Inc ('UMSU') and anything in this Constitution that conflicts with the Constitution of UMSU or with the Clubs and Societies Regulations shall be null and void. In all matters not specifically dealt with herein, the Constitution of UMSU and the Clubs & Societies Regulations shall apply.
- (2) During the course of affiliation with UMSU Inc., the Society shall comply with any requirements of the Clubs & Societies Committee of UMSU for the provision of records and documents and shall be under a duty to apply any grant monies received from the Clubs and Societies Committee in accordance with any conditions imposed by such a body.
- (3) The Society may affiliate with or disaffiliate itself from any other Debating or Public-Speaking organisation by resolution of the Committee.
- (4) In light of its aims, the Society shall be a non-partisan organisation. This means:
  - (a) That the Society will not provide resources (including funding and access to communications) to any candidate, political campaign or ideology. This applies to any election, whether based within the University of Melbourne or otherwise.
  - (b) The Society will not use public debates to promote any candidate or political campaign.

## 3. MEMBERSHIP

- (1) A person shall be entitled to membership of the Society if he or she is a student at the University.
- (2) Associate membership shall be open to any other persons who subscribe to the aims of the Society.
  - i. Associate members cannot be members of the Committee.
  - ii. Associate members have no voting rights at general meetings.
  - iii. Associate members are ineligible for sponsorship.
  - iv. Participation by associate members in intervarsity tournaments will be subject to the rules governing that tournament.
- (3) There shall be a membership fee set by the Committee from time to time, payable annually to the Treasurer, at such time and in such manner as the Committee may decide.
  - (a) The Committee may waive payment of the membership fee in cases of hardship or outstanding contribution to the Society.

- (4) A person shall not be considered a member unless he or she has:
- (a) Paid any required membership fee (subject to Part 3(3)(a)); and
  - (b) Provided to the Committee such details as required by the membership form.

#### 4. COMMITTEE – COMPOSITION

- (1) The Committee shall consist of an Executive and a General Committee all of whom must be members of the Society and students at the time of election, and shall have voting rights on the Committee.
- (c) The Executive shall consist of:
    - i. President
    - ii. Vice President
    - iii. Secretary
    - iv. Treasurer,at least two of which must be members of UMSU.
  - (d) The General Committee shall comprise:
    - i. Publications Officer
    - ii. Public Debates Officer
    - iii. Two Internal Competition Officers
    - iv. Schools Training Officer
    - v. Member Training Officer
    - vi. Social Officer
    - vii. Information Technology (IT) Officer
    - viii. Sponsorship Officer
  - (c) The immediate Past President shall have no voting rights on Committee unless also a committee member.
  - (d) At the first meeting of the newly elected Committee following the Annual General Meeting, the Committee shall select one Committee member to be the Equal Opportunity Officer, and one female Committee member to be the Women's Officer, for the period of one year.
  - (e) In addition to fulfilling their specific portfolios duties, the duties of the Committee members shall include (but not be limited to):
    - i. attending committee meetings;
    - ii. helping in the organisation of the Society's events;
    - iii. promoting the Society;
    - iv. having a high level of attendance and participation in the Society activities; and
    - v. promoting the growth of the Society, particularly through the involvement of new members.
- (2) All Committee positions must be open for election at the AGM each year.
- (3) A person who is a member of the Committee by virtue of more than one provision of sub-section(1) may nevertheless exercise only one vote.
- (4) The Committee may fill casual vacancies of the General Committee, and for any such vacancies co-opt members as it sees fit, subject to Part 4(1).
- (5) Any vacancies of the Executive of the Committee must be filled by a Special General Meeting which shall be called for that purpose.
- (6) If any Committee member fails to attend two consecutive Committee meetings without due cause or previous apology, the Committee may declare that member's position vacant.

## 5. COMMITTEE – MEETINGS AND POWERS

- (1) The Committee shall have the following powers:
  - (a) Control of the Society's finances, which shall be vested in the Treasurer;
  - (b) Control of the Society's activities.
- (1) A quorum of the Committee shall be the next integer greater than half of the number of voting committee members at the time of the meeting. This number must include at least two (2) members of the Executive, as per Part 4(1)(a).
- (2) The Committee shall meet at such times as the Secretary shall decide, and the Secretary shall convene a meeting at the request of any Committee member.
- (3) The Secretary shall ensure that all members of the Committee receive at least four days' notice of any meeting and the agenda of such meeting.
- (4) The Secretary shall ensure that the minutes of each Committee meeting, General Meeting and Annual General Meeting are taken and kept, and ratified at the following meeting. The Secretary shall make the minutes available for inspection by any member on reasonable notice.
- (5) The Secretary shall maintain a register of members, which shall be made available by him or her for inspection by any member on reasonable notice.
- (6) The Secretary shall receive and keep any correspondence directed to the Society, and table it at the next Committee meeting.
- (7) The Treasurer shall maintain on the Society's behalf, a Bank or Building Society account approved by the Committee in which the Society's funds shall be deposited until needed.
- (8) The Treasurer shall keep the accounts and any Securities of the Society. He or she shall present a current financial report at each Committee meeting. The accounts and any Securities shall be made available by the Treasurer for inspection by any member on reasonable notice.
- (9) The Society's money shall only be drawn or expended, and cheques shall only be signed on the Society's behalf, by the Treasurer, President or other members specifically so authorised by the Committee, and only for purposes authorised by the Committee.
- (10) The Committee shall have the power to make regulations governing any aspect of the Society's activities.
- (11) Funds will be derived from membership fees, Clubs and Societies funding, schools training revenue, donations and any other sources approved by the Committee.
- (12) The Committee may also pass motions with a circular resolution via email. For a resolution to pass, the Secretary must notify all committee members of the resolution and a simple majority of all committee members (ie. 7) must vote for the resolution for it to pass. If a simple majority is not reached within 7 days, the resolution automatically fails. All circular resolutions carried must be recorded in the minutes of the following committee meeting.

## 6. REMOVAL OF MEMBERS

- (1) If it is deemed that a committee member should be stood down, by a motion of the Committee, or presentation to the President or Secretary of a petition bearing the names and signatures of at least fifteen members, impeachment proceedings will take place against the nominated Committee member. At the next General Meeting or Annual General Meeting, a motion shall be put to impeach the Committee member, provided that at least twenty-one (21) days notice has been given via email to all members, including the

member concerned. If this is passed by a majority of at least two-thirds, that Committee position will become vacant and a new election held immediately. The Committee member to be impeached will be given five minutes to speak before the vote is taken.

- (2) By a motion of the Committee, or presentation to the President or Secretary of a petition bearing the names and signatures of at least fifteen members, impeachment proceedings will take place against the nominated member. At the next General Meeting or Annual General Meeting, a motion shall be put to impeach the member, provided that at least twenty-one (21) days notice has been given in writing to all members, including the member concerned. If this is passed by a majority of at least two-thirds, that person will cease to be a member, and will not be eligible for re-admission without the approval of the Committee.

## 7. VOTING

- (1) Voting at all meetings shall be democratic, with a simple majority sufficing for passage of the motion. All tied motions are considered lost. Limited proxy voting shall be permitted. Each member present at the meeting shall be entitled to carry one proxy vote provided that proxy authorisations are made in writing and handed to the chair of the meeting prior to its commencement.
- (2) Voting rights for the election of Committee members will be restricted to those who were members at least seven days prior to the relevant General Meeting.

## 8. GENERAL MEETINGS

### (1) Annual General Meeting

- (a) The Annual General Meeting ("AGM") of the Society shall be held in the first week of September or at the soonest practicable date thereafter, but no later than the end of September.
- (b) Upon decision of the date of the AGM, the Committee shall appoint a returning officer who will be ineligible to stand for election for any Committee position at that AGM
  - i. The returning officer shall be responsible for accepting nominations for positions,
  - ii. The returning officer shall conduct elections during the AGM, including the organisation of ballots and the counting of votes.
- (c) At the AGM, there shall be reports heard from:
  - i. the President; and
  - ii. the Treasurer, who shall present a financial statement covering the period from the previous AGM.
- (d) At the AGM, a new Committee shall be elected.
  - i. All Committee positions shall commence on the 1<sup>st</sup> of December following the AGM. The outgoing committee shall ensure that outstanding duties are completed before this handover unless otherwise arranged with the incoming Committee.
  - ii. Nominations for all committee positions shall open with notice of the AGM.
    1. Nominations can be communicated to the Returning Officer via email in the lead up to the AGM.
    2. At the AGM, the Returning Officer shall read out the list of received nominations and call for further nominations from the floor.
    3. All nominations (including those received prior to the commencement of the meeting) must be seconded by a member of the Society.
    4. Individuals may accept or reject their nomination by another member.
    5. If a member is not present at the AGM, a nomination can be accepted by proxy if the other requirements of 8(1)(d) are met.
- (e) Moved motions shall be discussed and voted upon, with preference going to those motions of which notice was given before the meeting

- (f) An AGM can exercise all the powers of a General Meeting.
  - (g) At the AGM, the Constitution shall be ratified.
  - (h) The Society shall submit all the AGM documents to the C&S Administrator within two weeks of the AGM.
- (3) Ordinary General Meetings of the Society shall be convened:
- (a) Where the Committee so authorises, or within 30 days after the receipt by the Secretary of a written request to do so signed by at least 15 members or one third of the membership, whichever is less.
- (4) The Secretary shall ensure that each member of the Society receives notice of any General Meeting at least 14 days before such a meeting by email. Such notice must also be emailed to the Clubs and Societies Administrator.
- (5) Only members of the Society (excluding associate members) may vote at General Meetings.
- (6) Quorum of a General Meeting shall be twenty members, all of whom must be non-committee members.
- (7) A General Meeting may be by a majority vote of members present:
- (a) rescind, overrule or vary any decision of the Committee or a previous General Meeting;
  - (b) exercise all powers of the Committee under this Constitution; and
  - (c) fill any vacancy arising by the exercise of Part 6 above.

## 9. AMENDMENT

This Constitution shall not be amended except by a three quarter majority of members present at a General Meeting and shall take effect at the end of the Meeting. The text of any proposed amendment of this Constitution must be notified in writing to all members by the Secretary at least 14 days prior to the relevant General Meeting.

Constitutional changes shall be approved by the UMSU Clubs and Societies Office Bearer(s) before they are presented to a general meeting.

## 10. INTERPRETATION

- (1) Any dispute as to the meaning of any part of this Constitution shall be decided by the Committee, subject to Part 8 (6)(a) above.
- (2) A copy of this Constitution shall be published on the Society's website.

## 11. NOT-FOR-PROFIT OPERATION AND WINDING-UP

- (1) The profits (if any) or other income and property of the club must be applied solely towards the promotion of the aims of the club as set out in this Constitution and no portion of it may be paid or transferred, directly or indirectly, to any member of the club whether by way of dividend, bonus or other profits. This does not prevent any payment in good faith by the club for the payment or reimbursement of out-of-pocket expenses incurred by a member of the club on behalf of the club.
- (2) Should the Society be wound up or dissolved, the winding up of the Society shall be held in accordance with the *Associations Incorporation Act 1981*(Vic) ('the Act').
- (3) Subject to the Act, a motion to wind up the Society must be written and notice of the motion is to be given in the agenda for the General Meeting at which the winding up motion is to be decided. A winding up motion must be carried by an absolute majority.

- (4) Subject to the Act, in the event that the Society is wound up, or ceases to be affiliated to UMSU, the control of assets which have been 50% or more funded by UMSU Clubs and Societies Committee grants and which are less than 3 years old will revert to UMSU and be held in trust by UMSU Clubs & Societies Committee until such time that a club with the same aims is affiliated or a period of 18 months lapses.
- (5) Subject to the Act, in the event that the Society has not been able to organise a quorate meeting within a 12 month period, the UMSU Clubs & Societies Committee may wind up the Society by passing a motion to do so under the rules of UMSU. Any member of the Society who wishes to oppose the winding up of the Society should make submissions to the committee. The decision of the committee is final subject only to appeal under UMSU rules.
- (6) If the club is wound up, any money remaining after the payment of all debts, liabilities and expenses must not be paid or distributed to the members but must be transferred to the C&S Committee of UMSU.

## 12. INTERVARSITY DEBATING

- (1) An *ad hoc* Trials Officer shall be appointed by the Committee to coordinate the selection of debaters and adjudicators to represent the Society at the Australasian Intersociety Debating Championships, the World Universities Debating Championships, and any other tournament at the Committee's discretion.
  - (a) The Trials Officer shall not participate at the relevant tournament.
  - (b) Where possible, the Trials Officer shall be a member of Committee.
  - (c) The Trials Officer will, in consultation with the Committee, appoint Selectors.
    - i. Selectors shall be appointed taking into consideration their experience and impartiality.
    - ii. Selectors shall not participate or apply to participate at the relevant tournament as either:
      1. a debater for any institution or,
      2. a member of the Society's contingent.
    - iii. Selectors shall rank debaters and adjudicators in accordance with sections 12(2)–(3).
    - iv. Selectors are free to make selections for the relevant tournament as they see fit, subject to:
      1. these guidelines,
      2. any additional guidance from the Committee, and
      3. guidelines imposed by the tournament itself.
  - (d) The Trials Officer will coordinate all other aspects of the trials process including:
    - i. Advising the Selectors of the method of selection, the debating style (Australasian, British Parliamentary, American Parliamentary or any other style) of the trials, and the date on which these trials are to be held.
    - ii. Informing all members of the expected costs and subsidies of any tournament as early as possible.
    - iii. Preparing a randomised draw for debaters taking into account that all trialing debaters must be seen by each Selector at least once.
    - iv. Drafting and circulating a *pro forma* debating and adjudicating *curriculum vitae*.
      1. Those applying for adjudicator places must complete this *curriculum vitae*.
    - v. Communicating the results of trials to those involved.
    - v. Coordinating and chairing the Team Selection Meeting in accordance with section 12(4)
      1. Where the Trials Officer cannot chair the Team Selection Meeting the Trials Officer shall appoint a chair who shall not participate at the relevant tournament.

- (2) Selectors shall individually rank all debaters numerically. This will be based upon the debater's performance at trials.
  - (a) Debaters shall be ranked by taking the sum of each Selector's individual rankings.
  - (b) If necessary, the Selectors shall consult amongst themselves to resolve any ties that result.
- (3) Selectors shall individually rank all adjudicators numerically according to each adjudicator's *curriculum vitae*.
  - (a) Adjudicators shall be ranked by taking the sum of the Selectors' individual rankings.
  - (b) The Selectors shall consult amongst themselves to resolve any ties that result.
- (4) A Team Selection Meeting shall be convened not more than 1 week and not less than 1 day after trials, and not less than 6 weeks before the start of the tournament.
  - (a) Limited proxy voting (one proxy vote per attendee) may occur at the Team Selection Meeting so long as it is communicated to the Chair in writing prior to the commencement of the meeting.
  - (b) At the meeting, ranked speakers and adjudicators will be asked by the Chair to confirm whether they can attend the tournament on behalf of the Society. If a ranked speaker or adjudicator cannot attend rankings will be adjusted to reflect this.
  - (c) Those ranked as both speakers and adjudicators shall be asked by the Chair if they have made a decision to debate or adjudicate, and if they have not, upon what that decision is contingent. If a decision has been made, rankings shall be adjusted to reflect this.
  - (d) Rankings shall then be adjusted such that they would form teams that comply with Section 12(5) — the Society's Affirmative Action Policy.
  - (e) The rankings which result from sections 12(4)(b)–(d) shall be known as the Adjusted Rankings.
  - (f) The Adjusted Rankings shall be used to allocate any subsidies distributed by the Committee acting in accordance with section 12(9).
  - (g) Teams shall be formed amongst consecutively ranked speakers in accordance with the Adjusted Rankings, unless a change occurs pursuant to section 12(4)(h).
  - (h) The Chair of the Team Selection Meeting shall ask each debater, in turn according to their Adjusted Ranking, if they would like to request a change or changes to his or her team.
    - i. Any change must be approved by all of those directly affected by the change.
      1. 'Directly affected' means any debater whose team composition is altered as a result of that change occurring in isolation.
    - ii. Each change must be compliant with the Society's Affirmative Action Requirement described in section 12(4)(d)(i)
    - iii. No change may occur that would lead to a member of a team formed according to section 12(4)(g) not debating, unless that person elects not to debate.
- (5) At every intervarsity tournament (excluding the Australian Women's Debating Championships), and other tournaments at the Committee's discretion, the Society shall comply with the following Affirmative Action Policy.
  - (a) The Affirmative Action Policy requires that:
    - i. A minimum of one third of debaters attending the tournament, and one third of the debaters in the top three teams, must be female, and a minimum of one third of debaters attending the tournament, and one third of the debaters in the top three teams, must be male.

- ii. Further, a minimum of one third of all adjudicators must be female, and a minimum of one third of all adjudicators must be male, and at least one female and one male must be ranked in the top three adjudication spots.
    - iii. Finally, one third of the contingent must be female, and one third must be male. If adjustments need to be made to comply with this provision they will be made to the rankings of adjudicators.
  - (b) Where one third of debaters or adjudicators does not constitute a whole number, the number shall be rounded down to the nearest integer. Where one third of the contingent does not constitute a whole number, this number shall be rounded up.
    - i. Where one third of the contingent is a number less than one, no minimum requirement applies.
  - (c) The Affirmative Action Policy is subject to the requirements of the relevant intervarsity tournament, which includes but is not limited to the *Australasian Intersvarsity Debating Association Constitution*.
  - (d) If the Committee determines that adhering to the Affirmative Action Policy would reduce the number of teams or adjudicators that the Society will send to an intervarsity tournament, and all attempts to comply with the above requirements have been exhausted, the Committee shall have the discretion to waive, only to the extent necessary, affirmative action requirements for that tournament.
  - (e) For Section 12(5) 'contingent' shall be defined as all debaters and adjudicators representing the Society.
- (6) If a contingent member pulls out of a tournament subsequent to the Team Selection Meeting they shall not have access to tournament subsidies for 12 months from the date of withdrawal.
- (a) The Committee may waive this penalty in extenuating circumstances.
- (7) If additional teams, debating places, or adjudicator places become available after the initial Team Formation Meeting, those places shall be allocated at an additional Team Formation Meeting conducted in accordance with section 12(4).
- (a) No changes may occur to teams finalised at earlier Team Formation Meetings, unless the change is unanimously approved by all whose team composition or adjudicator place is affected.
  - (b) Adjudicators who were also ranked as speakers may elect to debate in additional teams, subject to section 12(4).
  - (c) If more debating or adjudicating places become available than there were people trialing the Committee may allocate these places at its discretion.
- (8) All members of the Society must be given fourteen (14) days' notice by email of the closing date to apply to participate in the selection procedures for all Intersvarsity Debating Tournaments as either debaters or adjudicators.
- (9) Eligibility for Selection for Intersvarsity Debating Tournaments
- (a) Only members of the Society shall be eligible to participate as debaters or adjudicators at Intersvarsity Debating Tournaments.
  - (b) Subject to the selection procedures contained in 12(1) above, all members of the Society shall be eligible to apply for selection to participate in any Intersvarsity Debating Tournament, subject to the requirements of that tournament.
- (10) Funding for Intersvarsity Debating Tournaments

- (a) The Australian Intersivity Debating Championships ('Easters'), Australasian Intersivity Debating Championships, World Universities Debating Championships, and other tournaments at the Committee's discretion, may be subsidised at levels decided by the Committee.
- (b) The amount of subsidy allocated to each of the tournaments contained in 12(9)(a) shall be disclosed at the AGM each year in the Treasurer's Report. This disclosure shall be itemised so as to show the separate amounts allocated to each debater and each adjudicator at each of the aforementioned tournaments.
- (c) Payment of a subsidy is contingent on participation in the tournament in the capacity as funded (i.e. if you are a subsidized adjudicator, you must adjudicate at the tournament to receive the subsidy).
- (d) In order to be eligible for sponsorship, a member of the Society must contribute actively to the Society's activities. The Committee must announce these eligibility requirements by the second academic week of each year. This subsection does not apply to Easters sponsorship.
  - i. The Committee may pro-rate the eligibility requirements in appropriate circumstances.
  - ii. The Committee may waive this requirement in exceptional circumstances.