

# **Constitution of the University of Canterbury Performing Arts Association last updated 1/7/10**

## **1. NAME**

- a) The name of the association shall be the "University of Canterbury Performing Arts Association"; hereinafter referred to as the UCPA.

## **2. OBJECTIVES**

- a) The objects of the UCPA shall be:
  - to further the interests of all members of the UCPA so far as they pertain to the performing arts at the University of Canterbury;
  - to promote, support and encourage student-based performing arts groups on campus;
  - to increase communications between student-based performing arts groups on campus; and
  - to encourage and enable networking between diverse student-based performing arts groups on campus
- b) The objectives of the UCPA shall derive, and not be at conflict with, the aims, objectives and policies of the University of Canterbury Students' Association Inc.

## **3. MEMBERSHIP**

- a) The following persons shall be eligible for membership:
  - any member club or society affiliated with the University of Canterbury Students' Association Inc. that agrees to fulfill the objectives of the UCPA as stated above; or
  - any associated body or incorporated society that agrees to fulfill the objectives of the UCPA as stated above
- b) Membership will be granted on application to the UCPA and at the discretion of the Council.
- c) Membership may be terminated by: the member club by giving notice to the UCPA Council, or
  - i) the member club by giving notice to the UCPA Council; or
  - ii) an 80% vote of the UCPA Council on its motion (excluding the representative of the club in question).
- d) Should a club have their membership terminated by the UCPA Council, they shall have 30 days to appeal their termination. The appeal shall be heard and voted on at a SGM. At that SGM members of the suspended club shall not have voting rights.

## **4. SUBSCRIPTION**

- a) There will be no annual subscription fee to be a member of the UCPA.

## **5. COUNCIL AND OFFICERS**

- a) The UCPA Council shall be formed by one representative from each member club.
- b) The representatives from each club shall be chosen as the respective club sees fit.
- c) Any member of a member club shall be eligible to be nominated as that club's representative.
- d) No one person may be the representative of more than one club.
- e) If a chosen representative is unable to attend a UCPA Council meeting, they (or their club's committee) may appoint another member of their club to attend in their place.
- f) Member clubs shall inform the UCPA Chairperson and Secretary if their nominated representative is changed.
- g) At the first meeting of the UCPA Council, the Council shall elect amongst themselves a Chairperson, a Secretary, and a Treasurer, to fulfill any administrative functions the club

requires. They shall hold office until the first UCPA Council meeting following the next UCPA Annual General Meeting, unless they:

- i) Resign, or
  - ii) Lose a vote of no confidence at a General Meeting during their term of office.
- h) In the event one of the Officer positions becomes vacant during the course of a year, the UCPA Council shall elect a new Officer to that position from amongst themselves.
- i) The Council shall, at all times, act in accordance with the aims and objectives of the UCPA.

## **6. MANAGEMENT**

- a) The UCPA has no binding authority over member clubs.
- b) The Council of the UCPA, as provided for in Clause 5, shall manage the internal affairs of the UCPA, shall exercise supervision over properties but not members, and shall purchase all materials required by the UCPA and pass accounts for payment.
- c) The Council shall have power to carry out and enforce the constitution, and from time to time, make, amend or rescind by-laws as it deems fit.
- d) At all Council meetings, quorum shall be formed when eighty percent of the Council members or their nominated representatives are present.
- e) The Chairperson or any two members of the Council shall have the power, at all times, to instruct the Secretary to call a meeting of the Council of the UCPA.
- f) Majority for decisions at a Council meeting is eighty percent of the members present.
- g) The Council may form subcommittees from time to time.
- h) The subcommittee shall have a clearly defined purpose.
- i) The membership of the subcommittee shall consist of any UCPA members that the Council nominates.
- j) The Council shall nominate one of its own members to chair the subcommittee.

## **7. FUNDS**

- a) The funds of the UCPA, from whatever source derived, shall be applied only towards the promotion of the aims and objectives of the UCPA and no portion of any funds shall be paid or transferred directly or indirectly, by way of dividend, bonus, salary, or otherwise to any member of the UCPA, with the exception of reimbursement to members of legitimate and actual expenditure on behalf of the UCPA which the Council authorises.
- b) All monies shall be received by the Treasurer, who shall deposit them in an account of the UCPA's.
- c) The UCPA is solely responsible for all debts incurred in its name. No responsibility or financial liability will be taken by the University of Canterbury Students' Association Inc. or any member clubs
- d) Before any expenditure can occur, a budget proposal must be presented to the UCPA. The Council must vote in favor of this budget before it is accepted. Should any further expenditure above and beyond the budget be required, that further expenditure must be presented to the UCPA and approved by the Council before it is accepted.
- e) The Chairperson, Secretary and Treasurer will be signatories on the UCPA accounts. Two signatures will be required for all transactions

## **8. CHAIRPERSON**

- a) At all General and Special Meetings of the UCPA, the Chairperson shall occupy the Chair. Should she or he be absent the Council shall elect either the Secretary or the Treasurer to take the Chair on temporary basis.
- b) The Chairperson, at any meeting, shall in all cases have a deliberate vote, but shall not have a casting vote should equal voting occur.

## **9. SECRETARY AND TREASURER**

- a) The Secretary shall attend all meetings and keep accurate minutes of the proceedings, read and file all communications and other papers, issue notices of meetings, conduct all correspondence, and attend generally to all clerical duties in connection with the UCPA. She or he will also keep the common seal of the UCPA. The Secretary will further see that affiliation to the University of Canterbury Students' Association Inc is completed annually. She or he shall also ensure that the UCPA is, and remains, an incorporated society.
- b) The Treasurer shall prepare budgets, keep proper books and prepare a Financial Report on Income and Expenditure for the financial year to the Annual General Meeting, also s/he shall prepare the Statement of Assets and Liabilities for the Annual General Meeting. S/he shall also keep a register of members, identifying both University of Canterbury student members and others.
- c) The Treasurer shall also keep a record of equipment or property purchased, the cost, the receipt, and where such equipment is stored. S/he shall arrange insurance as necessary.

## **10. ANNUAL GENERAL MEETING AND SPECIAL GENERAL MEETING**

- a) Notification of Annual General and Special General Meetings shall be posted not less than fourteen days prior to the meeting taking place.
- b) An Annual General Meeting of the UCPA shall be held each year, at a date determined by the Council. The regular business of the meeting shall be:
  - i) To receive the Annual Report (Chairperson),
  - ii) to receive the Financial Report, and the Statement of Assets and Liabilities for the preceding year (Treasurer), and
  - iii) to transact any other general business of the UCPA.
- c) A Special General meeting of the UCPA shall be called by the Secretary on receiving a written request by the Chairperson, three member clubs or by a majority of the Council on its motion.
- d) The mode of voting at all meetings shall be by a show of hands or a secret ballot.
- e) A Returning Officer shall be nominated at the meeting.
- f) At all General Meetings of the UCPA, all members of the member clubs shall be entitled to vote.
- g) At all General Meetings quorum shall be three times the number of member clubs.

## **11. FINANCIAL YEAR**

- a) The financial year of the UCPA shall begin on the first day of April, and terminate on the last day of March in each year.

## **12. CONSTITUTION**

- a) The Secretary and Treasurer shall keep copies of this Constitution, which shall be available to members on application.

### **13. ALTERATION OF THE CONSTITUTION**

- a) No part of this Constitution shall be altered, rescinded or added to except at a General Meeting of the UCPA and every proposed alteration must be handed to the Secretary at least seven (7) clear days before the date of such a meeting.
- b) No motion to alter or rescind or add to this constitution shall be deemed to be carried at a General Meeting unless eighty percent majority vote in favor of the changes to be received from the members present.
- c) The University of Canterbury Students' Association Inc must be notified in writing of any alterations made.
- d) No motion to alter or rescind or add to this Constitution shall be deemed to be carried if the University of Canterbury Students' Association Inc Executive deems the change to be contrary to the interests, aims or objectives of the University of Canterbury Students' Association Inc.

### **14. STANDING ORDERS**

- a) The Standing Orders of this UCPA shall be those attached as Schedule One, inasmuch as they do not contradict the main body of this Constitution.

### **15. AFFILIATION**

- a) The UCPA shall apply for affiliation to the University of Canterbury Students' Association Inc on an annual basis, and will abide by the decisions and rulings of its Executive. The conduct of the affairs of the UCPA shall be in accordance with the Constitution of the University of Canterbury Students' Association Inc.

### **16. WINDING UP**

- a) The UCPA shall be wound up if a motion to that effect is passed by an eighty percent majority at a General Meeting.
- b) In the event of the UCPA winding up, all property and assets (including any monies held in the UCPA bank account), shall be held in trust by the University of Canterbury Students' Association Inc for not less than four years, and shall be given to a University of Canterbury Students' Association Inc club with the same objectives when such a club is formed. If, after four years, no similar University of Canterbury Students' Association Inc club is formed, the University of Canterbury Students' Association Inc shall have the power to dispose of assets and properties as it sees fit. All profits from such disposal shall go towards the University of Canterbury Students' Association Inc club Funds.

## **Schedule 1 - Standing Orders**

### **1. The Chair:**

- 1.1 The chair shall be heard without interruption.
- 1.2 At any time during the meeting, any member may, at the request of the Chair, or any person for the time being in the Chair, take the Chair temporarily.
- 1.3 Should the chair be vacant, the Treasurer or Secretary may assume the chair.
- 1.4 Every member desiring to speak shall address himself/herself to the Chair.
- 1.5 When two or more members desire to speak, the Chair shall call upon the member who, in the Chair's opinion, first indicated his/her desire to speak.

### **2. Motions**

- 2.1 When a motion has been made and seconded, the question thereupon shall be proposed to the meeting by the Chair. Seconding may be either firm or pro forma seconding. A pro forma seconding may be withdrawn, a firm seconding only with the leave of the meeting. A firm seconding shall be required for a motion which cannot be discussed by the meeting. A motion from the Chair shall not require to be seconded. A motion of which due notice has been given shall not require to be seconded.
- 2.2 Any motion not seconded may not be further debated but shall forthwith be dropped, entry may be made in the minutes at the Secretary's discretion.
- 2.3 After a motion has been accepted by the Chair, it shall be deemed to be in the possession of the meeting and cannot be withdrawn without leave of the meeting.
- 2.4 A motion which by leave of the meeting has been withdrawn may be made again during the same meeting.
- 2.5 A motion or amendment may not be proposed which is the same in substance as any question which, during the same meeting, has been resolved in the affirmative or negative.
- 2.6 A matter which has been resolved by the meeting may be recommitted or rescinded by a majority vote of the meeting.
- 2.7 A motion may be amended by the mover with the consent of the seconder.
- 2.8 A motion shall be decided by voices, provided that a show of hands may be requested by any member of the meeting, and provided that a secret ballot shall be taken when demanded by a member.
- 2.9 Upon the motion being put and the voting declared even, the Chair shall have no casting vote.
- 2.10 Except as otherwise provided in this Constitution, a motion shall be determined by a simple majority of those present and voting.

### **3. Amendments**

- 3.1 When a motion has been seconded and the question has been accepted by the Chair for discussion, an amendment may be made by any member.
- 3.2 No further amendment may be made until the first amendment has been disposed of.
- 3.3 If an amendment be carried, it shall become and shall be stated from the Chair as a substantive motion.
- 3.4 No amendment shall be accepted by the Chair which is a direct negation of the motion under discussion.
- 3.5 The mover of an original motion or of an amendment shall have the right of reply before the original motion or the amendment respectively is put.

### **4. Procedural Motions**

- 4.1 The following motions shall be considered procedural motions.
  - (i) That someone be granted speaking rights.
  - (ii) That the meeting elect a new chair.
  - (iii) Motions to alter the agenda.
- 4.2 A debate of a particular matter may be interrupted owing to a formal motion being proposed.
  - (a) The previous question shall be moved in the form "That the question be not put" and shall be seconded. It may be discussed and confers no right of reply. If 'the previous question' is carried, the principal motion cannot be brought forward at the same meeting. The Chair may accept or reject 'the previous question'.
  - (b) The closure shall be moved in the form "That the question be now put". Discussion, amendment or adjournment shall not be allowed, and it may be applied to an amendment as well as to a motion. The Chair shall have discretion whether to accept it or not. The motion shall require a seconder and shall not be moved by a person who has moved or seconded the principal motion, but it may be moved while another is speaking. The Chair may accept or reject closure.
  - (c) Proceed to the next business. This motion shall not be moved while another person is speaking, and it shall not be moved or seconded by the mover or seconder of the original motion or amendment. It shall not be debated or amended, but if carried it terminates discussion on the principal motion of that meeting. Discussion on the principal motion is to be resumed if it is moved on an amendment.
  - (d) Adjournment of debate. Adjournment may be to a definite date or indefinitely, and the particular motion is adjourned but the meeting shall continue. The meeting can only be moved at the conclusion of a speech, and it cannot be moved or seconded by the mover or seconder of the principal motion, but previous speakers may speak to it. Amendments as to time, date and place of the adjourned debate are the only amendments permissible. The mover has right of reply and the right to re-open the debate on its subsequent resumption. Although at first rejected, a motion to adjourn debate may be moved again at a later stage of the discussion. The business to which the debate relates shall be placed on the agenda paper of the meeting to which it is adjourned. Adjourned business shall have priority of any other except formal business.
  - (e) That the question lie on the table. This motion shall only be moved or seconded by someone who has not moved or seconded the original motion. There shall be no right of reply and no amendment shall be allowed. It may be debated and previous speakers may speak to it. It can be carried on any question or amendments. If it is moved and carried on an amendment then the original question must also lie on the table. There shall be a subsequent motion either at the same or a later meeting to take the question from the table.

- (f) That the speaker be no longer heard.  
This motion must be moved and seconded, and may be accepted or rejected at the Chair's discretion. The motion may be moved while a person is speaking.
- (g) That the Chair's ruling be dissented from.  
After the motion has been moved and seconded, the Chair shall immediately vacate the Chair. Only the mover and the seconder of the motion, and the previous Chair, shall speak to the motion, and in that order. After they have spoken, the motion shall be put without further debate in the following form:  
"That the Chair's ruling be upheld".  
If resolved in the affirmative, the Chair will resume the Chair and maintain his/her ruling, if resolved in the negative the Chair will resume the Chair and change the challenged ruling.

4.3 Discussion of procedural motions - (a) The following motions shall be put without any debate:

- (i) That the speaker be no longer heard
  - (ii) That the question be now put
  - (iii) That the meeting proceed to the next business
  - (iv) That the Chair's ruling be upheld (noting the provisions of 4.2(g)).
- (b) The Chair shall rule on discussion of any other procedural motions, subject to the right of the meeting to dissent the chair.

4.4 At any time the meeting may resolve itself into a Committee of the Whole, provided that such resolution be supported by a majority of those members present. The meeting in committee may report to the open meeting, which shall forthwith adopt or reject such report or motion to that effect. The proceedings of the Committee of the Whole shall not be reported or recorded.

4.5 At any time the meeting may resolve itself into Strict Committee, provided that such resolution be supported by a two-thirds majority of those members present. If such a motion is carried, all non- members shall be excluded from the meeting. The meeting in committee may report to the open meeting, which shall forthwith adopt or reject such report or motion to that effect. The proceedings of the Strict Committee shall not be reported or recorded. Motions relating to the Committee of the Whole or Strict Committee shall be procedural motions.

## 5. Points of Order and Information

### 5.1 Points of Order –

Any person at any time may address the Chair on a point of order (ie. breach of constitution or standing orders) but must at once state s/he is taking a point of order and must confine his/her observations to the point of order raised. A point of order should be taken immediately the breach of order occurs. A speaker called to order should be given opportunity to explain and the Chair may give others permission to speak briefly, but new matter must not be debated. The Chair's ruling on a point of order is final, and must not be discussed unless the dissent is moved.

### 5.2 Points of Clarification -

By permission of the Chair, and when no other person is speaking, a person who has already spoken (even if strict order is being followed) may speak briefly in personal explanation of his/her remarks or actions of his/her which may have been queried, but must state concisely the point s/he wishes to explain and must keep to that point. S/He may not interrupt other speakers in order to explain, nor may s/he employ additional arguments.

### 5.3 Questions –

Questions relating to the matter under discussion may be put to the chair, or through the chair to any member, but the chair may disallow any question which s/he thinks should not be put. Speeches must not be interrupted for the purpose of asking questions

## 6. General

### 6.1 Quorums -

- (a) No meeting shall open unless a quorum is present by not later than fifteen (15) minutes after the advertised starting time.
- (b) A meeting shall adjourn immediately the lack of quorum is disclosed.
  - (c) If a meeting falls inquorate in the period between the taking of a vote and the completion of counting, the result of the vote shall be announced and shall not be invalidated.

6.2 Any motion or question of order or procedure not provided for or not fully provided for in the Standing Orders shall be determined by the Chair by a ruling.

6.3 Any of the Standing Orders may be suspended for the time being by resolution, provided that such resolution shall have the concurrence of a two-thirds majority of the members voting thereon. This resolution must be seconded, discussion is permitted with strict order of debate and it may be moved at the any time. Motions to return to the standing orders shall be carried when more than one-third of votes are cast in the affirmative. In any event, suspension of standing orders ceases at the closing of the meeting.

6.4 An announcement by the chair that a meeting is closed or adjourned may be dissented from unless it has been made due to a genuine lack of quorum or resolution of the meeting.

6.5 At the close of all meetings, the meeting shall be considered to have moved out of committee of the whole or strict committee.