**Constitution**

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Chapter 1 – Preliminaries

**1. Constitutional Revision History**

Originally constituted at the MUDS AGM, Monday 13 September, 1993
Constitutional revision passed at the MUDS AGM, Monday, October 10th, 2011
1st Amendments passed at the MUDS AGM, October 10th, 2011
2nd Amendments passed at the MUDS EGM, March 26th, 2012
3rd Amendments passed at the MUDS EGM, 30 July, 2012
4th Amendments passed at the MUDS AGM, 15th October, 2012
5th Amendments passed at the MUDS EGM, 8th April, 2013
6th Amendments passed at the MUDS AGM, 14th October, 2013

7th Amendments passed at the MUDS AGM, 27th October, 2014

8th Amendments passed at the MUDS AGM, 26th October, 2015

2nd Constitutional revision passed at/adopted on 14th December, 2015

9th Amendments passed at the MUDS AGM, 24th October 2016

10th Amendements passed at the MUDS AGM, 30th October 2017

11th Amendment passed at the MUDS AGM, 15th October 2018

**2. Name of Society**

2.1 The name of the society is the “Macquarie University Debating Society” and in this document shall be referred to as “the Society”.

2.2 The trading name(s) of the Society shall be:

*(a) “MUDS”; or*
*(b) “Macquarie Debating Society”; or*
*(c) “Macquarie Debating”*

**3. Purpose, Aims and Objectives**

3.1 The purpose, aims and objectives of the Society shall be:

*(a) To promote debating at Macquarie University; and*
*(b) To develop skills required in debating and adjudicating within the Macquarie University community and to provide opportunity for members to debate; and
(c) To ensure widespread and high quality participation in Intervarsity competitions; and*
*(d) To affiliate, coordinate, and co-operate with:*

*i. the Australasian Intervarsity Debating Association (AIDA);*
*ii. the informal ‘Australian Caucus’ for the purposes of the World Universities Debating Council;*

*and*
*(e) To co-ordinate social activities amongst the Society membership; and*
*(f) To promote the exchange of ideas and skills between members, and act as a resource base for members; and*
*(g) To raise community and campus awareness of the value and potential of debating; and*
*(h) To co-ordinate fundraising activities, sponsorship and other financial activities to further the aims of this Constitution; and*
*(i) To financially assist members selected to represent the Society at Intervarsity competitions; and*
*(j) To conduct its business and create procedures, keeping in mind a commitment to respecting each individual, and equally valuing the interests of all members of the Society.*

*k) To be an ally in actively protecting and furthering the equal rights of all, regardless of gender, sexuality, race, age or ability.*

**4. Powers**

4.1 The Society has the power to do anything necessary or incidental to the carrying out of its purposes.

**5. Association**

5.1 The society shall conduct its activities for the benefit of the students at Macquarie University, Sydney.

5.2 The society asserts its right to represent itself as the sole debating society at Macquarie University.

**6. Definitions**

6.1 Unless a contrary intention is clear, the words and expressions in this Constitution are to be given the widest possible meaning.

6.2 The following words and expressions shall mean:

*(a) the ‘Society’ means the Macquarie University Debating Society as constituted by Section 2 of this Constitution****;***

*(b) the ‘Executive’ means the President, Vice-President, Treasurer and Secretary;*

*(c) ‘Committee members’ means the five committee members as constituted by Section 24.2.1 (b) of this Constitution;*

*(d) the ‘Executive Committee’ means the Executive, the President Emeritus, and the committee members.*

*(e) the ‘Clubs and Societies managing organization’ means the organ of Macquarie University charged with regulating and organising the affairs of clubs and societies on campus. This may include:*

*i. Macquarie University, as a statutory corporation;*
*ii. U@MQ Limited;*
*iii. Any other organisation that the University has charged with regulating and organising the affairs of clubs and societies on campus.*

*(f) ‘simple majority’ means greater than 50% of the present quorum;*
*(g) ’2/3 majority’ means greater than 66% of the present quorum;*
*(h) ‘unanimous secret ballot’ means a vote conducted by secret ballot, whereby every Executive Committee member present must vote in the affirmative for a motion to pass;*
*(i) ‘General Meeting’ means either an ad hoc General Meeting or, the Annual General Meeting. Its procedure shall be governed by Chapter 3 of this Constitution.*

*i. The ‘Annual General Meeting’ refers specifically to the mandatory General Meeting that must be held at least once per year between October 1 and October 31;*

*(j) ‘Macquarie University’ or ‘the University’ means the statutory corporation as defined by the Macquarie University Act 1989 (NSW) and its affiliated educational institutions;*
*(k) A ‘duly raised motion at a General Meeting’ means a motion that is submitted to the President of the Society at least 8 days before the date of the General Meeting;*
*(l) A ‘a student or staff member of Macquarie University’ means either:*

*i. a student enrolled in at least one subject at Macquarie University, in either Semester 1 and/or Semester 2 of a calendar year;*
*ii. or an individual that is employed by Macquarie University in an academic capacity.*

*(m) ‘written’ or ‘writing’ includes an email sent to, or from a member’s nominated email address;*
*(n) ‘personal conflict of interest’ at Executive Committee meetings means a situation in which a member must for pecuniary, conscience, or religious or other reasons abstain from voting;*
*(o) ‘President Emeritus’ means the President from the preceding years Executive;*
*(p) ‘policy’ in the context of Section 37 of this Constitution means a motion passed by the Executive Committee that creates rules, guidelines, or procedures that act to bind all members equally, and has the potential to create an obligation on members. Examples of policy include, but are not limited to:*

*i. Team selection procedures;*
*ii. Ethics guidelines at internal and external debating related events; and*
*iii. Debt recovery policy.*

*(q) ‘solicited’ means being asked by a member to postal vote in a specific manner or for a specific purpose;*
*(r) for the purposes of Appendix 2 of this Constitution, ‘intervarsity tournament’ means a debating related event in which teams from the Society represent Macquarie University against other universities. Intervarsity tournaments include: the Australian Intervarsity Debating Championships (‘Easters’), Australasian Debating Championship, Australasian Women’s Debating Championship, and World Universities Debating Championship.*

**7. Interpretation**

7.1 The provisions of this Constitution shall be construed as subject to the articles of affiliation with the Clubs and Societies managing organisation.

7.2 Where this Constitution contains terms that are inconsistent with the articles of affiliation, the terms of the articles of affiliation shall prevail to the extent of the inconsistency.

7.3 Where the meaning of terms is unclear:

*(a) at first instance the Executive Committee shall resolve any unclear terms by unanimous secret ballot;*
*(b) in the event that the Executive Committee fails to resolve the meaning of a term, a General Meeting may determine the issue by vote of simple majority;*
*(c) alternatively, the General Meeting may elect to resolve the meaning of a term by allowing the Director of the Clubs and Societies managing organisation as a 3rd party to interpret the Constitution.*

7.4 When interpreting sections that refer to lengths of time, the change day shall be determined to occur at 4am. *For example, under Appendix 1, Section 3.1 of this Constitution, if the General Meeting were to be held on a Monday, nominations would be due 8 days before (the previous Sunday), which for the purposes of this Constitution end at 4am on the Monday morning.*

Chapter 2 – Membership

**8. Membership Conditions**

8.1 Ordinary Membership of the Society shall be open to any individual who:

*(a) is interested in promoting the Society’s purposes*

*(b) subscribes to the aims and objectives of the Society*

*(c) agrees to be bound to the provisions, policies, and ethical guidelines established either by this Constitution or by the Executive Committee*

*(d) is enrolled as a student at the University*

*(e) is otherwise approved by U@MQ as a Club member and who is approved by the Executive committee.*

*i. Approval from the Executive committee must not be unreasonably withheld or delayed.*

*ii. The Executive committee may withhold or withdraw approval of any person whose Society membership would in the reasonable view of the Executive committee be harmful to the Society or if it reasonably believes that the application for membership is not made in good faith. The Executive committee may only do so after notifying the person concerned in writing and considering the matter in the light of any written representations which that person makes within 14 days after receiving notice.*

8.2 The Secretary must keep a register of names and email addresses of the Society members which must be made available to any Society member who requests it for purposes related to the Society.

8.3 Membership of the Society is not transferable.

8.4 Membership is terminated if the Society member dies, resigns, is expelled from the Society (pursuant to Section 8.7 or Section 12.1 (c) of this Constitution), or if any of the conditions outlined in Section 12 of this Constitution are met.

8.5 Financial members shall be Ordinary Members that have paid the membership fee pursuant to Section 10 of this Constitution. A financial member whose financial membership fee is six weeks in arrears ceases to be a financial member but may be readmitted on payment of the amount owing.

8.6 A Society member may resign by written notice to the Secretary. If after a resignation, there would be less than 20 Society members, the Society will cease to exist.

8.7 The Executive committee may terminate the membership of any Society member whose continued membership would in the reasonable view of the Executive committee be harmful to the Society (e.g. *a member breaches the ethics guidelines of a debating event - either internally or externally - that brings the reputation of the society into disrepute)* only if:

*(a) The Society member concerned is notified in writing of the Executive Committee meeting and its intent to revoke their membership; and*

*(b) Where applicable, details of any relevant allegations are presented to the Executive Committee by the complainant, or an Equity Officer on their behalf, or an external Equity Officer; and*

*(c) The respondent is given a reasonable opportunity to respond; and*

*(d) The matter is considered in the light of any written representations which the concerned Society member puts forward within 14 days after receiving notice; and*

*(e) By vote of unanimous secret ballot at the conclusion of the process.*

**9. Exclusion and Expulsion Appeals**

9.1 Any decision by the Executive committee to exclude or expel a person from the Society may be appealed by the affected person to U@MQ. The appeal process is set out in Schedule 3 of this constitution.

**10. Membership Duration and Fee**

10.1 Financial members shall be Ordinary Members that have paid the annual financial membership fee. This fee shall be determined by the Executive Committee, but shall be no less than $1.

10.2 A person’s membership of the Society shall run from the day they sign up to be added to the membership register until they elect to be removed from the membership register, or until the person ceases to be eligible (pursuant to Section 8.4 of this Constitution), whichever occurs first.

10.3 A person’s financial membership of the Society shall run from the payment of the membership fee until the Semester 1 Census Date of the following year.

10.4 Honorary members must become financial members if they wish to seek election at a General Meeting, pursuant to Section 25 of this Constitution.

**11. Honorary Life Membership**

11.1 Honorary life membership of the society may be conferred by the affirmative secret ballot of at least 2/3 of the voting members at a General Meeting, on a person who has made a substantial contribution to the society.

11.2 A list of honorary life members of the society shall be contained in Schedule One of this Constitution.

11.3 Honorary life members may vote at Society General Meetings.

**12. Revocation of Membership**

12.1 A person shall no longer be a member of the society if:

*(a) their membership expires pursuant to Section 10.2 of this Constitution; or*
*(b) they cease to become a student or staff member of Macquarie University; or*
*(c) their membership is revoked by a duly raised motion at a general meeting by a vote of 2/3 majority, only after that person has received at least 8 days’ notice of the duly raised motion; or*
*(d) their membership is revoked by the Executive Committee in accordance with the procedure outlined in Section 8.7 of this Constitution.*

12.2 A person whose membership has been revoked pursuant to Section 8.7 or Section 12.1 (c) of this Constitution shall be banned from future membership, until such time as a duly raised motion at a General Meeting resolves otherwise.

**13. Membership Records**

13.1 The Secretary shall ensure that the Clubs and Societies managing organisation has an up-to-date copy of the Society membership, pursuant to any articles of affiliation.

13.2 Except as prescribed in Section 8.2, Section 13.1 and Section 28.1 (d) of this Constitution, the Secretary shall ensure that all membership records are kept strictly confidential, and that out-of-date membership records are destroyed.

Chapter 3 – General Meetings

**14. Purpose and Powers of General Meetings**

14.1 General Meetings shall be the paramount decision making institution of the Society.

14.2 Subject to the provisions, aims and objectives this Constitution; the General Meeting shall have plenary power to pass motions and policies.

**15. Attendance.**

15.1 All Society members are entitled to attend General Meetings of the Society in person.

**16. Notice of General Meetings**

16.1 Except for the Annual General Meeting (refer to Section 22 of this Constitution), General Meetings are called by providing 14 days’ written notice to the Society’s membership specifying:

(a) the business to be transacted; and

(b) *the date, time, and location of the General Meeting; and*

*(c) publishing the date, time, and location of the General Meeting on the Society’s website.*

16.2 The Executive committee, or alternatively at least 20 financial members of the Society or at least 20% of the Society’s financial membership (whichever is less) who give written notice to the President, may call a General Meeting or Extraordinary General Meeting (“EGM”) by giving at least 14 days’ written notice to the Society members stating the purpose of the meeting.

**17. Quorum**

17.1 There is quorum at a General Meeting if there are at least 10 financial members or 1/3 of the Society’s financial membership (whichever is less) present. They must consist of:

1. Greater than 50% of the Executive Committee members; and
2. 2 members of the Executive; and

17.2 In the event that Quorum is not met because of Section 17.1(a)-(b) of this Constitution, the General Meeting may elect to continue with the meeting if a motion to that effect is approved by 2/3 majority of financial members present.

17.3 A General Meeting of the Society’s members that does not have a quorum present within 30 minutes after the time for the Meeting set out in the notice of the Meeting is adjourned to the date, time and place the Executive committee members specify. If the Executive committee members do not specify 1 or more of those things, the meeting is adjourned to:

*(a) if the date is not specified—the same day in the next week; and*

*(b) if the time is not specified—the same time; and*

*(c) if the place is not specified—the same place.*

17.4 When a General meeting is adjourned, new notice of the resumed meeting must be given if the meeting is adjourned for 1 month or more.

*(a) A resolution passed at a General meeting resumed after an adjournment is passed on the day it was passed.*

*(b) Only unfinished business is to be transacted at a General meeting resumed after an adjournment.*

17.5 If no quorum is present at the resumed General meeting within 30 minutes after the time for the General meeting, the General meeting is dissolved.

**18. Standing Orders**

18.1 The Chair of the General Meeting shall be:

(a) the President; or

(b) in President’s absence, the Vice-President; or

(c) in the President and Vice-President’s absence, the General Meeting shall elect either the Secretary or Treasurer Chair; or

(d) if the conditions outlined in Section 17.2 of this Constitution are met, the ***financial members physically present at the*** General Meeting must elect a member to be Chair of the General Meeting.

18.2 The Chair must adjourn a General Meeting of the Society’s members if the Executive committee members present with a majority of votes at the General Meeting agree or direct that the Chair must do so.

18.3 During the election phase of the General Meeting, the Chair must transfer to the Returning Officer pursuant to Appendix 1, Section 4.3 (c) of this Constitution.

18.4 Except where otherwise outlined in this Constitution, and until the Executive Committee or General Meeting passes policy to the contrary, the President shall, subject to this Constitution, have absolute discretion with the standing orders for General Meetings.

**19. Voting (Refer to** Appendix 1 of this Constitution **for additional details and requirements on voting in elections at General Meetings).**

19.1 Except where otherwise provided in this Constitution, every issue at a General Meeting is determined by a simple majority of the votes cast by the financial members of the Society present.

19.2 It should be noted that the required majority is not a majority of the financial members present at the meeting, but of the votes cast (i.e. abstentions do not count towards the number of votes cast).

19.3 Except where otherwise provided in this Constitution, a resolution put to the vote at a General Meeting of the Society’s financial members must be decided on a show of hands unless a poll is demanded.

*(a) On a show of hands, a declaration by the Chair is conclusive evidence of the result, if that the declaration reflects the show of hands.*

*(b) Neither the Chair nor the minutes need to state the number or proportion of the votes recorded in favour or against.*

19.4 A poll demanded on a matter other than the election of a Chair or the question of an adjournment must be taken when and in the manner the Chair directs.

19.5 A poll on the election of a Chair or on the question of an adjournment must be taken immediately.

19.6 Every financial member and Honorary Life Member of at least 8 days’ standing present in person is entitled to one vote on every issue.

19.7 Non-contentious motions, such as passing reports of outgoing Executive members, can be passed by acclamation rather than a vote.

**20. Postal Voting**

20.1 Any Financial Member who will not be physically present at a General Meeting may submit a postal vote only for the purposes of voting on constitutional amendments pursuant to Chapter 8 of this Constitution.

20.2 No Financial Member is permitted to assign their discretionary vote in the General Meeting to any other member.

20.3 Postal votes will count for the purposes of quorum pursuant to Chapter 3, Section 7.3 of this Constitution throughout the entire meeting.

20.4 Postal votes will not count for the purposes of elections pursuant to Appendix 6 of this Constitution.

20.5 A postal vote will not be valid unless it;

*(a) is submitted to the President and the Returning Officer more than 72 hours before the General Meeting; and*
*(b) states the time, and date of the General Meeting; and*
*(c) clearly expresses the individuals’ voting preferences on the constitutional amendments on which they wish to vote; and*
*(d) contains the postal voters name and contact phone number; and*
*(e) receives verification pursuant to Sections 20.6 – 20.7 of this Constitution.*

20.6 The Returning Officer must verify that the postal vote has not been solicited, by;

*(a) contacting the postal voter by email or phone and asking: “Has anybody asked you to submit this postal vote?”; and*
*(b) if the answer is in the affirmative the postal vote will not receive verification;*

20.7 If the Returning Officer does not after 3 attempts succeeded in contacting the postal voter, the postal vote will not receive verification.

**21. Motions and Policies**

21.1 The General Meeting may from time to time create policy, binding on all Society members, and/or the Executive Committee.

21.2 Policy created by the General Meeting will be valid if:

*(a) at least 8 days’ notice of the policy is given to President before the General Meeting; and*
*(b) it is passed by simple majority at a duly convened and constituted General Meeting pursuant to Section 16.1 or Section 22.1 - 22.1. of this Constitution.*

21.3 Policy and Motions shall be effective from the date of its approval until its repeal.

21.4 The Secretary must:

*(a) publish the new, amended or repealed policy on the Society’s website within 14 days of its approval; and*
*(b) notify the Society in writing about the new, amended or repealed policy within 14 days of its approval.*

**22. The Annual General Meeting**

22.1 An Annual General Meeting (“AGM”) must be held in October of each year, or as soon thereafter as is practicable. The Annual General Meeting must also be held:

*(a) during the academic term as defined by Macquarie University; and*
*(b) on an academic day; and*
*(c) at the North Ryde Campus of Macquarie University.*

22.2 The Secretary must serve at least 30 days’ notice of the Annual General Meeting on the Society’s membership by:

*(a) providing written notice, notifying members of the date, time, and location of the General Meeting; and*
*(b) publishing the date, time, and location of the General Meeting on the Society’s website.*

22.3 At an Annual General Meeting, the members:

*(a) receive the accounts of the Society for the previous financial year*

*(b) receive reports of the Executive committee on the Society’s activities since the previous AGM*

*(c) elect Executive committee members to replace those retiring from office*

*(d) elect from among the Executive committee the Chair of the Society for the following year*

*(e) discuss and deal with any other matter put before them*

22.4 Required standing agenda items at Annual General Meetings will be:

*(a) recording the financial members present, postal votes submitted, and ascertaining quotas for 2/3 majority votes; and*
*(b) approving the previous General Meeting’s minutes; and*
*(c) the executive reports and members questions; including:*

*i. President’s Report;*
*ii. Treasurer’s Report;*
*iii. Secretary’s Report; and*

*(d) any Constitutional amendments; and*
*(e) election of office bearers; and*
*(f) any other business.*

**23. Minutes**

23.1 The Secretary shall publish minutes of the General Meeting after each meeting on the Society’s website within 14 days.

Chapter 4 – Executive Committee

**24. The Executive Committee**

24.1 The Society must be managed and administered by a committee elected in accordance with this Constitution. The members of the committee, will be the Executive committee of the Society and in this Constitution are referred to as the “Executive committee”.

24.2.1 The Executive Committee shall consist of:

*(a) the President, Vice-President, Treasurer and Secretary, constituting the Executive; and*
*(b) five committee members; and*
*(c) the President Emeritus.*

24.2.2 The Executive committee, when complete, must consist of at least five and not more than nine individuals, all of whom must be financial members of the Society and one of whom is elected as Chair of the Society.

24.3 The signatories to this Constitution will be the first Executive committee.

24.4 Each of the Executive committee shall serve from the day after the General Meeting at which they are elected until the next Annual General Meeting, but will be eligible for re-election (subject to them meeting the requirements outlined in Section 25.1 of this Constitution).

24.5 Every Executive committee member must sign a declaration of willingness to act as an Executive committee member before they are eligible to vote at any meeting of the Executive committee.

24.6 An Executive committee member automatically ceases to be an Executive committee member if they:

*(a) are incapable, whether mentally or physically, of managing their own affairs*

*(b) are absent from three consecutive meetings of the Executive committee without submitting apologies to the Executive committee; or*

*(c) ceases to be a financial member of the Society; or*

*(d) resign in writing to the President, or if the President resigns to the Vice-President (but only if at least two management committee members will remain in office); or*

*(e) has since appointment been disqualified from being involved in management of a student organisation pursuant to the Student Organisation Rules of the University; or*

*(f) is removed by a resolution passed by all the other Executive committee members after inviting the views of the Executive committee member concerned and considering the matter in light of any such representation; or*

*(g) they die; or
(h) they become no longer eligible to be a member of the Executive Committee pursuant to Section 25 of this Constitution.*

24.7.1 In the event that a position becomes vacant pursuant to Section 24.6 of this Constitution, that position may be filled by any General Meeting pursuant to Appendix 1, Section 1.2 of this Constitution.

24.7.2 In the event that the position of President, Secretary, or Treasurer becomes vacant pursuant to Section 24.6 of this Constitution, a General Meeting must be convened within 15 days, at which point the vacancy shall be filled pursuant to Appendix 1, Section 1.2 of this Constitution.

24.8 Occasionally a mistake occurs in appointment procedures. If a mistake of this kind is discovered it does not retrospectively invalidate previous decisions but should be put right before further decisions are taken. A technical defect in the appointment of an Executive committee member of which the Executive committee are unaware at the time does not invalidate decisions taken at meetings.

**25. Eligibility for Executive Committee Membership**

25.1 If an Ordinary Member or Honorary Member is of eight days standing and has become a Financial Member pursuant to Section 8.5 of this Constitution they are eligible for membership to the Executive Committee.

**26. The President (‘Lord Protector of the Privy Seal’)**

26.1 The President shall provide the vision for the society and lead by example. Their duties shall include but are not limited to:

*(a) presiding as chair of the Executive Committee meetings and General Meetings;*
*(b) preparing agendas for Executive Committee meetings and General Meetings;*
*(c) co-ordinating the activities of the committee;*
*(d) liaising and acting as the Society’s spokesperson and representative with University stakeholders, including the Clubs and Societies managing organisation, the University executive, and any other contact of importance;*
*(e) submitting reports to committee meetings, as appropriate;*
*(f) submitting an annual report to the AGM;*
*(g) being a signatory to the Society’s bank account and/or authorised representative to the Clubs and Societies managing organisation;*
*(h) allocating portfolios to the five committee members, with the advice and consent of the Treasurer and Secretary. In this subsection, the President shall have a casting vote; and*
*(i) performing any other duties prescribed by this Constitution.*

**27. The Treasurer (‘Chancellor of the Exchequer’)**

27.1 The Treasurer shall attend to the financial matters of the Society. Their duties shall include but are not limited to:

*(a) assisting the President in the day-to-day running of the society;*
*(b) attending Executive Committee meetings and General Meetings;*
*(c) keeping the club’s financial books in order, in accordance with the requirements of the articles of affiliation with the Clubs and Societies managing organisation;*
*(d) preparing a budget for the society, by February the year following their election, with the advice and consent of the Executive Committee;*
*(e) collecting and banking all income in the Society’s bank account;*
*(f) preparing the society’s financial books for audit showing a complete breakdown of receipts, expenditure and balance, to members at any time;*
*(g) submitting a financial report and an updated copy of the society’s financial books to the AGM;*
*(h) being a signatory to the Society’s bank account and/or authorised representative to the Clubs and Societies managing organisation;*
*(i) liaising with Schools and other debtors for the recovery of Society liabilities; and*
*(j) performing any other duties prescribed by this Constitution.*

**28. The Secretary (‘Master of the Rolls’)**

28.1 The Secretary shall attend to all correspondence of the Society and ensure that there is timely communication between the society and members. Their duties shall include, but are not limited to:

*(a) assisting the President in the day-to-day running of the society;*
*(b) attending Executive Committee meetings and General Meetings;*
*(c) recording minutes, and serve notice as prescribed, for General Meetings and Executive Committee meetings;*
*(d) ensuring that an up-to-date membership register is maintained;*
*(e) regularly checking the Society’s physical communications;*
*(f) coordinating the inwards and outwards correspondence for the Society in conjunction with other Executive Committee members, where appropriate;*
*(g) publishing minutes of Executive Committee meetings on the Society’s website, pursuant to Section 29; and*
*(h) performing any other duties prescribed by this Constitution (e.g. as prescribed in Section 41 of this Constitution).*

**29. The Committee Members**

29.1 The committee members and President Emeritus shall undertake the tasks and the positions as determined by the President, pursuant to Section 26.1(h) of this Constitution.

**30. Other standing positions**

30.1 Unless otherwise determined by the Executive Committee, the President shall be the Society’s representative to the AIDA council and the informal ‘Australia Caucus’ at the World Universities Debating Championship.

30.2 The representative in Section 30.1 of this Constitution may delegate their responsibility to another member of the Society in the event that they are unable to attend.

30.3 A Vice-President shall be appointed from the committee members by the President, with the advice and consent of the Treasurer and Secretary. The Vice-President shall:

*(a) assist the President in the day-to-day running of the Society and Executive Committee;*
*(b) serve as the Convenor of the Executive Committee and Chair of General Meetings of the society in the event of the President’s absence.*

30.4.1 A male and female equity officer shall be appointed from the committee members by the President pursuant to Section 26.1 (h) of this Constitution. The equity officers’ duties shall include, but are not limited to:

*(a) being available to members of the Society in the event that they have an issue, complaint, grievance or any other matter that warrants the attention of the equity officers;*
*(b) preparing and appropriately informing members of the ethical requirements of a debating event (whether internal or external); and*
*(c) with the consultation of the President, Treasurer, and Secretary, investigating alleged ethical misconduct by members and, where appropriate, advise the Executive Committee on action to be taken. The powers vested in Equity Officers in that capacity are confined to investigating the incident and advising parties involved unless the Executive Committee grants them broader powers for the purposes of that equity complaint.*

30.4.2 If a member of the Executive Committee or either of the equity officers is personally involved in the dispute, there is a personal conflict of interest and they must not be included in any investigation in Section 30.4.1 of this Constitution in any official capacity.

**31. Co-option to the Executive Committee**

31.1 The Executive Committee may co-opt financial members to the Executive Committee to serve as honorary members at any time to fulfil a specific purpose.

31.2 Honorary committee members shall not have voting rights at Executive Committee meetings.

Chapter 5 – Executive Committee Meetings

**32. Executive Committee Meetings**

32.1 The Executive Committee shall faithfully govern and conduct the business of the Society in accordance with the aims and objectives of this Constitution.

32.2 The Executive committee must hold at least four meetings each semester.

32.3 Any two Executive committee members may call a meeting of the Executive committee by giving at least 14 days’ written notice to all other Executive committee members stating the purpose of the meeting, subject to the additional conditions outlined in Section 33 of this Constitution.

32.4 Subject to the conditions outlined in Section 33.1 of this Constitution, the Secretary must call an Executive Committee meeting if:

*(a) they receive a written request from the President; or*
*(b) they receive a written request from three or more Executive Committee members.*

**33. Notice for Executive Committee Meetings**

33.1 The Secretary must serve at least 4 days’ written notice of a committee meeting on all Executive Committee members.

33.2 The notice requirements outlined above (Section 33.1) may be waived in the event of an emergency, if:

*(a) there is a pressing matter; and*
*(b) if quorum is present pursuant to Section 34 of this Constitution; and*
*(c) either the President or three other Executive Committee members agree the meeting should be held.*

**34. Quorum**

34.1 Quorum for Executive committee meetings shall be at least greater than 50% of the Executive committee members and the quorum must be present at all times during the meeting.

**35. Standing Orders**

35.1 The Chair of the Executive Committee Meetings shall be:

(a) the President; or

(b) in President’s absence, the Vice-President; or

(c) in the President and Vice-President’s absence, the Executive Committee shall elect either the Secretary or Treasurer as Chair.

(d) in the absence of the Executive, the Executive Committee shall elect a member of the Executive Committee as Chair.

35.2 Except where otherwise specified in this Constitution, every issue will be determined by a simple majority of the votes cast at an Executive committee meeting, but a resolution which is in writing and signed by all executive committee members is as valid as a resolution passed at a meeting, and for this purpose the resolution may be contained in more than one document and will be treated as passed on the date of the last signature.

35.3 Until the Executive Committee passes policy to the contrary, the Chair shall, subject to this Constitution, have absolute discretion with the standing orders for Executive Committee meetings.

35.4 Required standing agenda items shall be:

(a) apologies; and

(b) the executive reports, as appropriate; and

(c) the committee member reports, as appropriate; and

(d) delegating action items to the Executive Committee members, as appropriate; and

(e) any other business.

35.5 The required majority is not a majority of all Executive members, but of the votes cast (i.e. abstentions do not count towards the number of votes cast).

35.6 Every Committee Member, with the exception of honorary members, has one vote on each issue.

35.7 In the event that there is a tied vote on any motion in an Executive Committee Meeting, the President shall have the casting vote.

35.8 An Executive committee meeting may be called or held using any technology (e.g. video conference) consented to by a majority of the Executive committee members.

*(a) A members’ meeting may be held using any technology consented by a majority of the Executive committee members.*

*(b) Any consent contemplated by this clause must not be unreasonably withheld, delayed or withdrawn.*

*(c) A consent may be a standing one.*

*(d) A consent may only be withdrawn within a reasonable period before the meeting.*

**36. Powers of the Executive Committee**

36.1 The Executive committee have the following powers in the administration of the Society:

*(a) to delegate any of their functions to sub-committees consisting of two or more Society members appointed by them (but at least one member of every sub-committee must be an Executive committee member and all proceedings of sub-committees must be reported promptly to the Executive committee)*

*(b) to make means consistent with this Constitution to govern proceedings at General Meetings.*

*(c) to make rules consistent with this Constitution about the meetings and procedures of the Executive committee and sub-committees.*

*(d) to make means consistent with this Constitution about the running of the Club.*

*(e) to resolve or establish procedures to assist the resolution of, disputes within the Club.*

36.2 Subject to the provisions, aims and objectives this Constitution, the Executive Committee shall have plenary power to pass motions and policies.

36.3 The Executive Committee may pass specific motions (but not policy) in the absence of a physical meeting if:

*(a) if it is to reimburse a member of the society for reasonable expenses; OR*
*(b) the proposal regards something that is so pressing that it would be unreasonable to have a physical meeting.*

36.4 If a motion is passed in the absence of a physical meeting under Section 36.3 (b) of this Constitution, the following requirements must be met:

*(a) there must be reasonable time given to discuss the motion before a vote can be taken; and*
*(b) the vote, and the reasons for and against the vote, must be confirmed at the next physical meeting, and incorporated into the minutes; and*
*(c) for the purposes of transparency, notice must be promptly given to members via social media, so their views can be included.*

**37. Policy**

37.1 The Executive Committee may from time to time create policy, binding on all Society members.

37.2 Mandatory Equity Policy – the Executive Committee must pass an Equity Policy which will govern the conduct of all members throughout the year.

1. This Policy must be passed prior to the commendement of Session One of the new academic year
2. This Policy must contain terrms regarding:
	1. A Code of Conduct
	2. The appointment, duties and powers of Equity Officers at all MUDS events
	3. Any additional terms at the discretion of the Executive Committee

37.3 Policy created by the Executive Committee will be valid if it:

*(a) at least 2 days written notice is given to Executive Committee members; and*
*(b) is passed at duly convened and constituted Executive Committee meeting pursuant to Section 33 and Section 34 of this Constitution.*

37.4 Policy shall be effective from the date when:

*(a) the policy; and*
*(b) the minutes of the meeting at which it was passed;*
*are published pursuant to Section 37.5 and Section 39 of this Constitution respectively until a new conflicting policy is passed.*

37.5 The Secretary must publish the new, amended or repealed policy

*(a)  on the Society’s website within 14 days of its approval; and*
*(b) and in the next direct written communication with the Society’s members.*

**38. Postal Voting**

38.1 There shall be no postal voting at Executive Committee meetings.

**39. Minutes**

39.1 The minutes must be:
*(a) circulated among the Executive Committee for approval via email within 7 days; and*
*(b) voted on within 10 days; and*
*(c) published on the Society’s website within 14 days.*

39.2 Members of the Society are not bound by any decisions taken at that meeting until the minutes are duly approved and published.
39.3 A meeting is not invalidated by a failure to duly publish minutes.

Chapter 6 – Property and Funds

**40. Property and Funds**

40.1 The property and funds of the Society must be used only for promoting the Society’s purposes and do not belong to the members of the Society or the Executive committee. They must be held and controlled by U@MQ.

40.2 No Executive committee member may receive any payment of money or other material benefit (whether direct or indirect) from the Society except:

*(a) reimbursement of reasonable out-of-pocket expenses actually incurred in the administration of the Society and which are approved by U@MQ*

*(b) in exceptional cases, other payments or material benefits (but only with prior written approval of U@MQ).*

40.3 Whenever an Executive committee member has a personal interest in a matter to be discussed at a Committee Member meeting, the Executive committee member must:

*(a) declare an interest before discussion begins on the matter*

*(b) withdraw from that part of the meeting unless expressly invited to remain in order to provide information*

*(c) not be counted in the quorum for that part of the meeting*

*(d) withdraw during the vote and have no vote on the matter.*

40.4 Funds which are not required for immediate use or which will be required for use at a future date must be held by U@MQ until needed.

Chapter 7 – Records

**41. Records**

41.1 The Executive committee must keep records of its dealings appropriate for the Club including:

*(a) all proceedings at general meetings*

*(b) all proceedings at Committee Member meetings*

*(c) all reports of sub-committees*

41.2 The Society’s records must be made available for inspection by any member of the Society when reasonably requested.

Chapter 8 – Amendments

**42. Amending this Constitution (including Appendices)**

42.1 Any provision of this Constitution (including Appendices) may be amended, altered, repealed or otherwise changed provided that:

*(a) the members must be given at least 14 days’ notice of the General meeting at which the proposed amendments are to be moved; and*

*i. the proposed amendment must be sent by the proposer in writing to the President at least 8 days before a General Meeting; and*

*ii. Upon receipt of the proposed Constitutional amendment, the President must give written notice to the Society of the proposed changes, at least 7 days before the General Meeting.*

*(b) the proposed amendment is seconded during the General Meeting; and*
*(c) members at the General Meeting are given a reasonable opportunity to discuss the proposed amendment; and*
*(d) The amendment is not made to the Society’s purposes, or this clause, without prior written approval of U@MQ*

*(e) any resolution to amend this Constitution is passed by a two-thirds majority of the votes cast at a General meeting*

42.2 A copy of any resolution amending this Constitution must be sent to U@MQ within 28 days of it being passed detailing all of the changes.

Chapter 9 – Disaffiliation and Dissolution

**43. Affiliation**

43.1 The Society shall affiliate with the Clubs and Societies managing organisation on an annual basis.

43.2 The Society shall apply for funding from the Clubs and Societies managing organisation, as appropriate.

43.3 In the event that the Clubs and Societies managing organisation changes identity, the Executive must:

*(a) rescind any pre-existing articles of affiliation, only after receiving the consent of the Executive Committee; and*
*(b) affiliate the Society with the new Clubs and Societies managing organisation.*

**44. Dissolution**

44.1.1 The Society may dissolve itself at any time, only after:

*(a) passing a motion to repeal this Constitution pursuant to Chapter 8 of this Constitution; and*
*(b) determining where it shall distribute its remaining property pursuant to Section 44.*

44.1.2 The Society will automatically dissolve if a General Meeting fails to convene for more than 18 months.

44.2 If at any time the members at a General meeting decide to dissolve the Society, the Executive committee will remain in office and be responsible for the orderly winding up of the Society's affairs.

44.3 After making provision for all outstanding liabilities of the Society, the Executive committee must transfer the remaining property and funds to the University.

44.4 A final report and statement of account relating to the Society must be sent to U@MQ

Chapter 10 – Compliance

**45. Compliance**

45.1 The Club and its members (including members who are not enrolled as students of the University) must comply with the present and future by-laws, rules, policies, procedures and directions of the University.

Chapter 11 – Notice of Meetings of Members

**46. Notice to Members Individually**

46.1 Written notice of a meeting of the Society’s members must be given individually to each member.

46.2 The notice of meeting to a member may be given:

*(a) personally; or*

*(b) by sending it by post to the address for the member in the register of members or the alternative address (if any) nominated by the members; or*

*(c) by sending it to the email address (if any) nominated by the member*

46.3 A notice of meeting sent by post is taken to be given 3 business days after it is posted. A notice of meeting sent by email, is taken to be given at 9.00am (Sydney time) on the business day after it is sent.

Chapter 12 – Signatories to this Constitution

**47. Signatories to This Constitution**

(For each member of the Executive committee)

Name: Anneliese Cooper

Signature…………………………………………..

(For each member of the Executive committee)

Name: Samantha Marshall

Signature…………………………………………..

(For each member of the Executive committee)

Name: Mounisha Mondeddu

Signature…………………………………………..

Witnessed (For all signatures above)

Name…………………………………………………

Email Address……………………………………………..

Signature……………………………………………

Appendix 1 – Elections

**1. Occurrence**

1.1 Elections ordinarily occur at the Annual General Meeting.

1.2 In the event that a vacancy opens up pursuant to Section 24.7.1 or Section 24.7.2 of this Constitution, that vacancy may be filled at any General Meeting.

**2. Nomination**

2.1 Nominations for the positions of President, Secretary, and Treasurer must be received in writing by the President at least 8 days before the date of the General Meeting.

2.2 A nomination will be valid if:

*(a) the nominee is an eligible member pursuant to Section 25 of this Constitution; and*
*(b) it is proposed and seconded by eligible financial members pursuant to Section 19.6 of this Constitution.*

2.3 A financial member may nominate for more than one position, but the nominations for subsequent positions become invalid once that financial member has accepted a position on the Executive Committee.

2.4 Nominations for Committee member positions must:

*(a) be opened during the General Meeting; and*
*(b) comply with Appendix 1, Section 2.2 (a) of this Constitution.*

**3. Notification of Nominations**

3.1 Seven days before the General Meeting, the President must give written notice to all members of the Society of the valid nominations they have received.

3.2 The President must then forward all of the valid nominations to the Returning Officer.

**4. Returning Officer**

4.1 The Executive Committee must appoint a Returning Officer when they elect a date for a General Meeting.

4.2 The Executive Committee must appoint a Returning Officer who:

*(a) is not a member of the Society; and*
*(b) has no conflict of interest with any candidate.*

4.3 The Returning Officer’s duties shall be:

*(a) to conduct the election of Society office bearers with honesty and in accordance with this Constitution; and*
*(b) to adjudicate any proxies that may be in dispute in accordance with this Constitution. The Returning Officer’s decision shall be final; and*
*(c) chair the General Meeting during the election phase of the meeting only; and*

*(d) to exercise an unlimited number of proxies during the election of members, for members who have assigned their proxy to the Chair, only if:*

*i. those proxies specifically state the position to be elected and the nominee to that position; and*
*ii. only for the purposes of electing members; and*

*(e) in the event of a tied election vote, cast the deciding vote.*

**5. Election of Executive Members**

5.1 After the Chair has transferred to the Returning Officer, the Returning Officer must:

*(a) proceed with the election of office bearers in the order of: President, Secretary, Treasurer, Committee members; and*
*(b) at the conclusion of the election phase, transfer the Chair back to the previous Chair, pursuant to Chapter 3, Section 18.1 of this Constitution****.***

5.2 A member of the Executive shall be elected by simple majority.

5.3 For the election of the Executive members, if more than 2 candidates nominate for a position and no candidate obtains a simple majority of the vote:

*(a) the candidate with the lowest amount of votes shall be eliminated; and*
*(b) the remaining candidates shall proceed to a subsequent round of voting; and*
*(c) Appendix 6, Subsections 5.3 (a) – (b of this Constitution shall repeat until a candidate achieves a simple majority of the vote.*

5.4 In the event that only one candidate nominates for a position, the Returning Officer must call for a vote of confirmation.

5.5 If the vote of confirmation fails to obtain a simple majority, the Returning Officer must:

*(a) waive Appendix 1, Section 2.1 of this Constitution; and*
*(b) open the floor to nominations, pursuant to Appendix 1, Section 2.2 of this Constitution; and*
*(c) proceed with the election pursuant to Appendix 1, Section 5.2 and 5.4 of this Constitution*

**6. Election of Committee Members**

6.1 Committee members shall be elected in the following manner:

*(a) nominations shall open for Committee Member positions pursuant to Appendix 1, Section 2.4 of this Constitution; then*
*(b) each financial member may exercise up to 5 votes, but must not vote for the same person multiple times; then*
*(c) the top 5 nominees with the highest votes will be elected.*

6.2 In the event that there are only 5 candidates for Committee Member positions, the Returning Officer must call a vote of confirmation for each candidate.

6.3 If the vote of confirmation fails to obtain a simple majority, the Returning Officer must:

*(a) open the floor to nominations, pursuant to Appendix 1, Section 2.4 of this Constitution; and*
*(b) proceed with the election pursuant to Appendix 1, Sections 6.1 and 6.2 of this Constitution.*

**7. Secret Ballot**

7.1 The Returning officer must ensure that all votes in Appendix 1 of this Constitution proceed on the basis of a secret ballot.

Appendix 2 – Intervarsity Tournaments

**1. Purpose**

1.1 The Society shall send teams and adjudicators representing Macquarie University to Intervarsity Tournaments both nationally and internationally.

**2. Eligibility for selection**

2.1 An individual shall be eligible for selection if:

*(a) they are members of the Society for greater than 14 days, with the exception of the Australian Intervarsity Debating Championships (‘Easters’); and*
*(b) they have not exceeded the maximum amount of times they can debate at a specific tournament (‘being capped out’); and*
*(c) they agree to be bound by the ethical code(s) of conduct imposed by the Intervarsity tournament, the Executive Committee, and this Constitution; and*
*(d) they comply with the procedures created under this Chapter.*

**3. Selection Procedure (General)**

3.1 For the selection of debaters and adjudicators to attend Intervarsity Tournaments, the Executive Committee must:

*(a) appoint an ad-hoc Registration Officer from a member of the Executive Committee. The Registration Officer shall discharge their duties as provided in Appendix 2, Section 3.2 of this Constitution; and*
*(b) give written notice to members of the trial date, the date registration closes, the selection procedure and the subsidy amount (if any) at least 21 days before the trial date;*

*(c) give written notice to members of the trial date, the date registration closes, the selection*

*procedure and the subsidy amount (if any).*

1. *The date of the trial.*
2. *The last day to register to trial.*

*(d) The period for which members can register to trial must exceed 7 days.*

3.2 The Registration Officer will be responsible for:

*(a) appointing selector(s) as soon as possible;*
*(b) establishing a system for members to register their interest to trial;*
*(c) giving written notice of the location, time and specific trial procedure of the trials at least three days before the trial date to those that have registered their interest;*
*(d) providing the same notice as in Section Appendix 2, Section 3.2 (c) of this Constitution to any individual that registers within three days of trials, but before registration closes; and*
*(e) executing any procedures or directives passed by the Executive Committee pursuant to Appendix 2, Section 4 and 5 of this Constitution.*

3.3 The Executive Committee may at any time:

*(a) overrule or alter any discretionary decision taken by the Registration Officer; and*
*(b) appoint another individual to discharge specific duties in order to ensure they are sufficiently met; and*
*(c) revoke the authority of the Registration Officer and appoint a new one if the need arises.*

**4. Selection Procedure (Debaters)**

4.1 Selections for debaters must occur for Intervarsity Tournaments.

4.2 The Executive Committee may establish:

*(a) the method of trials for debaters; and*
*(b) the method by which teams are to be constituted; and*
*(c) the dates that registration opens and closes.*

4.3 For the purposes of Appendix 2, Section 4.2 (a) of this Constitution, all debaters must register before registration closes.

4.4 In the absence of any motions from the Executive Committee, the Registration Officer has discretion to determine the methods used in Appendix 2, Section 4.1 of this Constitution.

4.5 All major intervarsity tournament policies must contain affirmative action (AA) criteria in order to be validly approved by the executive.

**5. Selection Procedure (Adjudicators)**

5.1 Selections for adjudicators must always be organised. The only circumstance under which such trials will not take place is if there are as many or less adjudicators registered to trial as there are spots allocated.

5.2 The Executive Committee may establish:

*(a) the method of trials for adjudicators; and*
*(b) the dates that registration opens and closes (if any).*

5.3 In the absence of any motions from the Executive Committee, the Registration Officer has discretion to determine the method used in Appendix 2, Section 5.2 of this Constitution.

5.4 The Society shall comply with the adjudicator number requirements Intervarsity tournaments it participates in.

**6. Exceptions**

6.1 The Executive Committee may, by unanimous secret ballot, waive one or more of the obligations listed in Appendix 2, Section 2 and 3 of this Constitution.

6.2 If the Society is offered extra team(s) or adjudicator place(s), and the Executive Committee approves these team(s) or place(s), Appendix 2, Sections 2 and 3 of this Constitution do not apply to those team(s) or place(s).

Schedules

Schedule 1 – Honorary Life Membership

**56. Honorary Life Membership**

56.1 The Society acknowledges the following Honorary Life members for their outstanding contribution to the Society:

Fenja Berglund 1995

Ben Way 1997

Kirsty Nowlan 1997

Steve Kaless 1998

Hooma Mishra 1998

Marc Lane 2000

Michael Saadat 2001

Lisa Lepore 2002

Shane Ewen 2002

Eamon Mooney 2003

Daniel Philips 2004

David Cramsie 2004

Felicity Wilson 2005

Melissa Saadat 2005

Tamer Morris 2005

Camilla Di Diase-Dyson 2005

Matthew Fellew 2006

Thomas Hosking 2008

Kostia Lubarsky 2008

Amy Van De Ruit 2012

Daniel Dummer 2012

Lachlan Umbers 2013

Dominic Eberl 2013

Stephanie Fehon 2014

Mark Slaven 2014

Ryan Thalari 2017

Jacob Rock 2018

Samantha Marshall 2019

Anneliese Cooper 2019

Robert Barrie 2021

Schedule 2 – Standard forms

**57. Standard Nomination Form**

I, \_\_\_\_\_ (name)\_\_\_\_\_ hereby nominate \_\_\_\_\_ (name)\_\_\_\_\_ for the position of \_\_\_\_\_ (position)\_\_\_\_\_ in the \_\_\_ (year)\_\_\_\_\_\_ Macquarie University Debating Society Executive.

Proposed: \_\_\_\_\_ (name)\_\_\_\_\_ \_\_\_\_\_ (signature)\_\_\_\_\_ \_\_\_\_\_ (date)\_\_\_\_\_
Seconded: \_\_\_\_\_ (name)\_\_\_\_\_ \_\_\_\_\_ (signature)\_\_\_\_\_ \_\_\_\_\_ (date)\_\_\_\_\_

Schedule 3 – Appeals

**58. Appealing exclusion or expulsion from the Society**

1. A decision of the management committee or the Club members to exclude or expel a person from the Club may be appealed by the person affected to U@MQ.

2. The person affected must be promptly notified of the decision and the reason for it.

3. The person affected must notify in writing U@MQ within 14 days of the date on which the person affected is notified of the decision. The notice to U@MQ must set out the basis for the appeal.

4. A decision to expel a member has no effect until:

*(a) if no appeal is made, the expiration of that 14 day period; or*

*(b) if an appeal is made, a final decision on the appeal is made.*

5. The person affected must be given the opportunity:

*(a) to provide any relevant written material to U@MQ; and*

*(b) to address U@MQ; and*

*(c) present a written submission to U@MQ.*

6. An appeal may be made on one or more of the following grounds:

*(a) the decision against a decision to exclude or expel a person was not the correct or preferable decision in the circumstances;*

*(b) the person affected was not given a reasonable opportunity before the decision was made to present his or her case as to what the decision should be;*

*(c) that the persons making the decision were biased against the person affected;*

*(d) the decision was dishonest or for an improper purpose;*

*(e) there was no evidence to justify the making of the decision.*

7. U@MQ may after hearing the appeal make any decision it thinks appropriate in the circumstances including any decision:

*(a) confirming the appealed decision; or*

*(b) varying that decision; or*

*(c) setting aside that decision; or*

*(d) setting aside that decision and making a fresh decision to replace it; or*

*(e) setting aside that decision and referring the matter to the management committee of the Club for reconsideration of the decision.*

8. The Club and the person affected are bound by the decision of U@MQ.