

Constitution of the Waikato University Law Students' Association Incorporated



This Constitution became the complete Constitution of the Waikato University Law Students' Association (WULSA hereafter) on the 12th day of August 2019 when the amendments proposed by Ben Wilkins were passed in accordance with requirements of the previous Constitution dated the 20th day of August 2018.

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1 Interpretation

In this Constitution:

- (1) "AGM" means annual general meeting;
- (2) "ALSA" means the Australian Law Students' Association;
- (3) "law course" means any course of study at the University of Waikato referred to with the code "LAWS" or "LEGAL" that fulfils the requirements for the LLB, LLB(Hons), Dip(Law) or a postgraduate qualification under Te Piringa – Faculty of Law;
- (4) "member" means a member of WULSA as defined by Part Two;
- (5) "NZLSA" means the New Zealand Law Students' Association;
- (6) "SGM" means special general meeting;
- (7) "student identification number" means the number given to a student enrolled at the University of Waikato in order for the University of Waikato to identify them;
- (8) "term" means the term of the Committee as defined by clause 16;
- (9) "WULSA" means the Waikato University Law Students' Association Incorporated.

Part One – Objectives, Purposes and Aims

2 Name

- (1) There shall continue to be a society known as the Waikato University Law Students' Association Incorporated, and known by the abbreviation 'WULSA'. The society is also known as Te Roopu Taura Ture O Waikato Incorporated.
- (2) The society is incorporated under the Incorporated Societies Act.
 - (a) WULSA's Organisation Number is 851025.
 - (b) The Association's registered office is located at:
*Te Piringa – Faculty of Law
Gate 7, University of Waikato
Hillcrest Road
Hamilton 3240*

3 Purposes and Aims

- (1) The primary purpose of WULSA is to promote educational and intellectual activities that contribute to the development of all University of Waikato Law Students.
- (2) WULSA is to act as an independent advocate for every law students' rights; to enhance every students' wellbeing; and to recognise the value of the diverse communities and cultures that are part of WULSA and Te Piringa – Faculty of Law.
- (3) The aims of WULSA shall be:
 - (a) to protect and foster the educational and vocational interests of members of WULSA;
 - (b) to advocate for members on matters of concern;
 - (c) to liaise with law students throughout New Zealand and internationally;
 - (d) to organise, promote and encourage educational, social and cultural activities within Te Piringa – Faculty of Law;
 - (e) to organise and conduct competitions;
 - (f) to promote understanding of the Treaty of Waitangi/Te Tiriti o Waitangi and the concept of law in context, with the aim of aiding development of a unique New Zealand jurisprudence;
 - (g) to comment publicly on relevant and substantive social, economic, political and cultural issues;
 - (h) to liaise with NZLSA, ALSA, the Waikato Students' Union and the Law Society;

- (i) to publish and distribute literature relevant to law students; and to generally do such things as are necessary for the provision of better educational facilities for members;
- (j) to practice good financial management at all times which is consistent with the requirements set out in the Incorporated Societies Act 1908.

4 Non-Profit Status

- (1) The Association is a non-profit organisation.
- (2) The Association may not operate to make a profit for distribution to its members.
- (3) Any income, benefit or advantage must be used to advance the charitable purpose of the Association.
- (4) No member of the Association, or anyone associated with a member, is allowed to take part in or influence any decision made by the Association in respect of payments to, or on behalf of, the member or association person of any income, benefit or advantage.
- (5) Any payments made to a member of the organisation, or a person associated with a member, must be for goods or services rendered that advance the charitable purpose and must be reasonable and relative to payments that would be made between unrelated parties.

Part Two - Membership

5 General Membership

- (1) General membership is open to Financial Members and Associate Members.
 - (a) Financial Members shall consist of those students enrolled in a law course who have completed the registration requirements and paid the annual membership fee prescribed by the Committee.
 - (b) Associate Members shall consist of those students not enrolled in a law course who have completed the registration requirements and paid the annual membership fee prescribed by the Committee.
 - (i) Associate Members do not possess voting rights at either the AGM or a SGM.
- (2) The Committee will determine the amount of the annual membership fee.
- (3) Membership fees are not refundable.

6 Life Membership

- (1) Despite any other clause in this Constitution, a life member may not vote at the AGM or at a SGM.
- (2) The Committee may grant life membership to one person per term when:
 - (a) all members of the Committee agree that the person should be granted life membership; and
 - (b) the granting of life membership is voted on and approved at the AGM or an SGM; and
 - (c) the number of members who vote for the motion to grant the person life membership is more than three times the number of members who vote against it or abstain from voting.
- (3) A person granted life membership under this clause becomes a life member immediately upon the motion being carried at the AGM or a SGM.
- (4) When a person becomes a life member of WULSA under subclause (2), this Constitution is automatically amended to insert that person's name in Schedule Three.

7 Obligations of Members

- (1) All Members (and Committee Members) shall promote the purposes of the Association and shall do nothing to bring the Association into disrepute.

8 Ceasing Membership

- (1) Membership of the Association will terminate automatically on 1 January each year.
- (2) A member will cease to be a member:
 - (a) once the Administrative Vice-President receives written notification from the member that they wish their membership to cease; or
 - (b) when the member dies.
- (3) The WULSA Standards Committee may suspend or expel any member of the Association for conduct that brings the Association into disrepute. Suspension or expulsion must be on reasonable grounds.

9 Register of Members

- (1) WULSA shall keep an accurate and up-to-date record of all current Members.
- (2) The Register shall contain at least the name, email address and date of joining of each Member.
- (3) Any entry on the Register shall, in respect of a Member, be available for inspection by that Member, upon reasonable request and in compliance with the Privacy Act.

10 Member Access to Information

- (1) Members may, at any time, make a written request to the President for either or both of the following:
 - (a) the financial statements of WULSA that were presented at the most recent Annual General Meeting of WULSA; or
 - (b) the minutes of the most recent Annual General Meeting of WULSA.
- (2) The President must, within a reasonable period of time after receiving the request and without charge, provide the requested information detailed in subclause (1) to the Member.

Part Three – The Committee

11 The Committee

- (1) The Committee shall exercise the governance functions of WULSA.
- (2) The Committee shall consist of the following positions:
 - (a) Executive Officers (the Executive);
 - (b) General Committee Members; and
 - (c) Ex Officio Members.
- (3) The Executive Officers of WULSA shall consist of the following elected officeholders:
 - (a) a President;
 - (b) an Administrative Vice-President; and
 - (c) a Treasurer.
- (4) The General Committee shall consist of the following elected positions:
 - (a) two Competitions Officers;
 - (b) two Social Officers;
 - (c) two Careers and Education Officers; and
 - (d) a Public Relations Officer.
- (5) The Committee shall have the power to appoint up to three WULSA Members as General Officers of the Committee.
 - (a) It is the role of the General Officers to ensure other portfolio initiatives are successful.
 - (b) Preference shall be given to members predominantly enrolled in law courses at 100 or 200 level.
- (6) Members of the Committee retain their voting rights as members of WULSA.
- (7) No individual may hold more than one position on the Committee.

12 Ex Officio Membership

- (1) WULSA's Committee shall consist of the following positions *ex officio*:
 - (a) The Patron (being the current President of the Waikato District Law Society, or their nominee);
 - (b) The Deputy-Patron (being the current Dean of the University of Waikato Te Piringa – Faculty of Law, or their nominee);
 - (c) The Past President (being the President of WULSA prior to the current President);
 - (d) The President(s) of Te Whakahiapo;
 - (e) The President(s) of the Waikato Pacific Law Students' Association; and
 - (f) Two Tauranga Law Students who have been elected by Tauranga Law Students
- (2) Ex officio committee members shall have no voting rights or powers but may attend meetings of the Committee and hold speaking rights.

13 Eligibility

- (1) An individual is barred from being on, or running for, the Committee if they will not be enrolled in a law course at any point during the term.
- (2) An individual is barred from being on, or running for, the Committee if they are:
 - (a) an individual who is an undischarged bankrupt;
 - (b) an individual who is under the age of 16 years;
 - (c) an individual who has been convicted of a crime involving dishonesty (section 2(1) of the Crimes Act 1961) or tax evasion or other offence under section 143B of the Tax Administration Act 1994 and sentenced within the last seven years;
 - (d) an individual who is prohibited from being a director or promotor of, or being concerned or taking part in the management of an incorporated or unincorporated body under the Companies Act 1993, the Financial Markets Conduct Act 2013, or the Takeovers Act 1993;
 - (e) an individual who has been disqualified from being an officer of a charitable entity by the Charities Registration Board under section 31(4) of the Charities Act 2005;
 - (f) an individual who is subject to a property order under the Protection of Personal and Property Rights Act 1988, or whose property is managed by a trustee corporation under section 32 of that Act (this relates to people who are not fully able to manage their affairs).
- (3) An individual is barred from being on, or running for, the Committee if they are not a fit and proper person, having been subject to:
 - (a) any disciplinary proceedings by a tertiary educational institute; or
 - (b) any disciplinary proceedings by the WULSA Standards Committee.
- (4) All individuals seeking election to the Committee must sign a declaration affirming their eligibility to stand for election as a Member of the Committee. A false declaration shall disqualify that individual from election.
- (5) On Inauguration Day all Members elected to the Committee must sign a declaration affirming their eligibility to be a Member of the Committee. A false declaration shall lead to that Member's position being treated as having been vacated, and clause 32 shall then apply.
- (6) This clause does not apply to ex-officio members.

14 Role of the Executive

- (1) The Executive shall exercise the administrative functions of WULSA.
- (2) The Executive shall be responsible for:
 - (a) setting the goals and targets of the Committee;

- (b) setting the agenda for Committee Meetings;
- (c) approving the Annual Calendar of the Association;
- (d) setting the Annual Budget of the Association;
- (e) ensuring WULSA retains its status as an incorporated society by sending all proper documentation to the Incorporated Societies Registrar;
- (f) ensuring WULSA retains its status as a charitable entity by sending all proper documentation to Charities Services;
- (g) ensuring compliance with Incorporated Societies Act and the Charities Act requiring annual financial statements to be submitted to the Incorporated Societies Registrar and Charities Services; and
- (h) managing incoming correspondence.

15 Role of All Members of the Committee

- (1) All members of the Committee shall:
 - (a) uphold the purposes and aims of WULSA outlined in clause 3;
 - (b) be positive representatives of WULSA;
 - (c) assist in making events and activities organised by WULSA successful;
 - (d) build and maintain good relationships with members, sponsors, Te Piringa – Faculty of Law and all other partners that WULSA associates with;
 - (e) make responsible financial decisions; and
 - (f) abide by this Constitution.
- (2) The roles of members of the Committee outlined in this Constitution are not exhaustive.
- (3) All members of the Committee should do their best to ensure Te Piringa – Faculty of Law is an inclusive place for all law students which may include building a relationship with any law-based student organisations.
- (4) All Members of the previous Committee are responsible for conducting a comprehensive handover to their successor before relinquishing their position. This should include both communicating orally the knowledge they have gained in their position and adding to any existing written guide.
- (5) A member of the Committee may assist any other member of the Committee to perform their role when necessary.
- (6) Where a dispute within the Committee arises, the process outlined in Schedule Two of this Constitution shall be adhered to.

16 Term of the Committee

- (1) Each term of the Committee commences on Inauguration Day.
 - (a) Inauguration Day is the final meeting of the outgoing Committee, which is attended by the newly-elected Committee members.
 - (b) Inauguration Day shall be the Monday of the Study Week prescribed in the University of Waikato Calendar that falls in October of each year.
 - (c) Newly-elected Committee Members shall not have the authority to exercise voting rights or any other Committee power until after Inauguration Day.
- (2) The President may only serve one term as President on the Committee.

17 Members of Committee Ceasing to Hold Office and Replacing Them

- (1) A member ceases to be a member of the Committee:
 - (a) if they cease to meet the eligibility requirements set out in clause 13;
 - (b) once the President receives written notification from the member that they no longer wish to be a member of the Committee or if the President resigns, written notification is received by the Administrative Vice-President;

- (c) if the member misses three consecutive Committee meetings without apology and a motion is passed at a Committee meeting by at least seven members of the Committee that the member has abandoned office;
 - (d) if the member fails to perform the duties required of all Committee Members under clauses 3, 7 and 15 and/or required of their individual portfolios and, at a meeting of the Committee, a motion is moved by the President, or either the Administrative Vice-President or Treasurer, and passed by six other members of the committee vote that the member be deemed to have been removed from office; or
 - (e) if they die or become incapacitated.
- (2) Once a Committee Member has ceased to hold office, the workload will be appropriately split amongst the remaining Committee Members.
 - (3) If a Member of the Committee ceases to be a Member, the Committee must within 28 days take steps to find a suitable replacement for that Member or the Member's workload either by a SGM, internal appointment or redistribution of workload as the Committee sees fit.
 - (4) Where a SGM is held to replace a President, despite any clause in this Constitution, the Administrative Vice-President:
 - (a) chairs the SGM and performs the functions of the President at the SGM; and
 - (b) if at the time of the AGM the President ceased to be the President, chairs the AGM and performs the functions of the President at the AGM.

18 Meetings of the Committee

- (1) The frequency of the meetings are at the discretion of the Executive, however the Committee must meet at least eight (8) times during its term.
- (2) A decision of the Committee is valid once it is endorsed at a meeting of the Committee:
 - (a) in the case of a meeting of the Committee where all fourteen (14) members of the Committee are present – by seven (7) members of the Committee; or
 - (b) in the case of a meeting of the Committee where fewer than fourteen (14) members of the Committee are present – by six (6) members of the Committee.
- (3) Only members of the Committee may cast a vote at meetings of the Committee.
- (4) Meeting of the Committee are chaired by the President; or, if they are absent, by the Administrative Vice-President.
- (5) Minutes of meetings of the Committee must be taken by the Administrative Vice-President, or, if they are not present or are chairing the meeting, by a member of the Committee chosen by the Administrative Vice-President to take minutes of the meeting in their absence.

19 Postal Voting

- (1) The Committee has the power to decide matters of policy and general business by way of postal voting, provided that the power is exercised as specified below:
 - (a) A motion may be proposed by any Committee Member and forwarded to the President, who must give notice to all Committee Members within one week of receiving the proposal.
 - (b) Voting on such a motion is by way of each Committee Members returning to the President the vote of that Committee Member.
 - (c) Failure by a Committee Member to vote on such a motion, or to give notice to the President of such a vote within one week of the President giving that Committee Member notice of the motion, is deemed an abstention to the motion.

20 Sub-Committees

- (1) The Committee shall have the power to create and disband sub-committees as it sees fit.

- (2) The purpose of a sub-committee is to assist the Committee with activities undertaken by the Committee.
 - (a) The Committee shall determine the purpose for a particular sub-committee at the time of creation.
- (3) The Committee shall have the power to appoint general members to sub-committees.
- (4) All sub-committees will be chaired by a member of the Committee.

21 WULSA Standards Committee

- (1) There shall exist a WULSA Standards Committee that convenes for the purpose of determining whether a member has, through their conduct, brought the Association into disrepute.
- (2) The WULSA Standards Committee shall comprise of:
 - (a) the President of WULSA; or the Administrative Vice-President where the conduct of the President is in issue;
 - (b) a representative from Te Piringa – Faculty of Law; and
 - (c) a representative from the Waikato Students' Union.
- (3) The WULSA Standards Committee will hear the matter in accordance with the principles of natural justice, and shall have the power to cease a member's membership under clause 8(3).
- (4) The Association shall record a list of all decisions made by the WULSA Standards Committee.

22 NZLSA Conference Committee

- (1) During a term when WULSA will host the NZLSA Conference, the Committee shall appoint any member to be the Conference Convenor.
- (2) The NZLSA Conference Convenor cannot use, or make decisions about the use of, funds held by WULSA that are not held for the specific purpose of being used to host the NZLSA Conference.
- (3) For the avoidance of doubt, a person appointed as Conference Convenor or as a member of the NZLSA Conference Committee can only be appointed as a non-voting member of the Committee.

Part Four - Finances

23 Finances

- (1) The financial year of the Association begins on the 1st day of April of every year and ends on the 31st day of March of the following year.
- (2) WULSA may hold bank accounts which operate for the Committee and may only be debited with the authority of two members of the Executive including the Treasurer.
- (3) The Committee has the power to invest, save, spend, borrow or lend funds and the power to purchase, rent, borrow or lend assets on behalf of WULSA.
- (4) The WULSA EFTPOS card may only be used by the President or Treasurer with the knowledge of the other.

24 Pecuniary gain

- (1) Members may not make a pecuniary gain from WULSA.
- (2) Pecuniary gain does not include reimbursements for expenses incurred or reasonable payment for goods or services rendered.
- (3) For the avoidance of doubt, pecuniary gain does not include receiving free or discounted admission to events or activities organised by WULSA.

- (4) Any member involved in the decision-making of the Committee, who has a conflict of interest in regard to a matter which falls to be considered by the Committee, shall as soon as possible disclose the nature of the interest to the Committee.
- (5) No member of the Association shall be personally liable for any debt, fee, monetary penalty or other financial obligation that may arise as a consequence of conducting the affairs of the Association in accordance with this Constitution.

25 Financial Statements

- (1) The Treasurer shall prepare the annual financial statements of the Association.
- (2) No review or audit of the annual financial statements is required unless a review or audit is requested by 10 members at the AGM or a SGM.

26 Disposition of Property

- (1) The funds and property of the Association must be applied solely for the objects of the Association, and towards expenses incurred in its running.
- (2) The Association shall not provide grants or gratuities to any other organisation.

Part Five – The AGM and SGMs

27 Requirements for the AGM and SGMs

- (1) At least 14 days' notice must be given by the Administrative Vice-President before the AGM or a SGM can be held.
- (2) The quorum of the AGM and a SGM is 7 members.
- (3) Each law student present is entitled to one vote.
 - (a) A law student is defined as someone who is currently enrolled in a law course.

28 The AGM

- (1) An AGM must be held once in each Committee Term and occur at least 14 days prior to the NZLSA Conference.
- (2) At the AGM there must be nominations called for the election of Members of the Committee held according to Part Six of this Constitution.
- (3) At the AGM:
 - (a) the Chair shall propose a motion that the minutes of the last AGM and any SGM be adopted; and
 - (b) the Chair shall present a report of the operations of WULSA spanning the current term of the Committee; and
 - (c) the Treasurer shall report on the financial position of WULSA and outline the details of any liabilities or debts of WULSA, unless they are prevented by law from disclosing these details.

29 SGMs

- (1) Subject to subclause (2), SGMs may be held at the discretion of the Executive if approved by majority Committee vote.
- (2) The Committee must call a SGM within 28 days of the day when it receives a written request to call a SGM signed by 40 General Members who are each identified by their first and last name and their student identification number.
- (3) Motions that a member of the Committee be dismissed will pass if the number of members who vote for the motion at a SGM is more than three times the number of members who vote against it and/or abstain from voting.
- (4) At a SGM the President shall:

- (a) propose a motion that the minutes of the most recent SGM be adopted, unless the AGM was held after the most recent SGM; and
- (b) call for any motions to amend the Constitution before beginning any elections.

Part Six - Elections

30 Elections

- (1) Nominations for election may only be called at the AGM or at a SGM.
- (2) All elections will be held only by secret ballot which will be conducted for three days beginning on the day that is immediately after the AGM or SGM.
- (3) Times at which nominations and voting will be open must be made available no less than seven days prior to nominations opening.

31 Election Rules

- (1) There must exist a bylaw codifying the rules of the elections for the WULSA Committee.

32 Unsuccessful elections

- (1) If the AGM or SGM fails to elect a member of the Committee, or an office has become vacated, then a SGM shall be held at least 28 days after the most recent AGM or SGM unless:
 - (a) the AGM is to be held less than 28 days after the most recent SGM; or
 - (b) the next term begins less than 28 days after the AGM or the most recent SGM and a person has been elected for the next term to the position not elected at the most recent meeting.
- (2) At the SGM, nominations for vacant positions shall be called from the floor and each candidate shall be given sixty (60) seconds to speak in support of their nomination.
 - (a) For the avoidance of doubt, nominations may be received in writing to the President provided that these are received before the commencement of the SGM.
- (3) Voting shall be by secret ballot during the course of the SGM.
- (4) The election results shall be announced, where possible, by the conclusion of the SGM.

Part Seven – Relationship with the NZLSA

33 Explanation of the Relationship

- (1) WULSA is a member of the NZLSA.
- (2) The President sits on the NZLSA Council and represents all University of Waikato law students on the Council.
- (3) Decisions of the NZLSA Council, except in relation to the NZLSA Competition Rules, are not binding on WULSA unless endorsed by majority vote of the Committee of the Association.

34 Ceasing or Altering the Relationship

- (1) A decision that WULSA cease or alter the relationship with the NZLSA can only be made at the AGM if the number of members who vote for a motion to cease or alter the relationship is more than four times the number of members who vote against it or abstain from voting.
- (2) A decision to cease or alter the relationship with the NZLSA comes into effect following 13 calendar months' notice being given to the Deputy-President of the NZLSA, in accordance with the NZLSA Constitution.

Part Eight – The Constitution

35 Amending the Constitution

- (1) This Constitution may only be amended or replaced at the AGM or a SGM if the number of members who vote for a motion to amend or replace the Constitution is more than double the number of members who vote against it or abstain from voting.
 - (a) Despite subclause (1), no addition, alteration, or recession of clauses 34, 35(1)(a), 35(2), 35(2)(a), 38, 39 or 40 shall be valid unless the number of members who vote for a motion to add, alter, or rescind any of those clauses is more than four times the number of members who vote against it or abstain from voting.
- (2) Despite anything else in this Constitution, no addition, alteration, or recession of the Constitution shall be valid if it affects the charitable purpose or non-profit status of the Association unless the Association first deregisters as a charitable entity.
 - (a) A decision to voluntarily deregister as a charitable entity can only be made at the AGM if the number of members who vote for a motion to deregister is more than four times the number of members who vote against it or abstain from voting.
- (3) Clerical errors including, but not limited to:
 - (a) numbering;
 - (b) formatting; or
 - (c) spelling

may be amended at any General Meeting, with a quorum of seven, by a majority vote, provided that there are no changes to the meaning or purpose of this Constitution.

- (4) It is the duty of the Executive to notify the Companies Office of any amendments made to this Constitution.

36 Constitutional Interpretation

- (1) There is a rebuttable presumption that the Constitution uploaded to the Companies Office website is the current and valid version of the Constitution.
- (2) The Committee of the Association has the power to interpret this Constitution.
- (3) These rules will be interpreted in such a way as to confer validity rather than invalidity on actions.
- (4) In any matter not provided for by this Constitution or the Incorporated Societies Act, the Committee has a discretion to adopt appropriate procedures, bearing in mind the purposes of WULSA.
- (5) The decision of the Committee on:
 - (a) the interpretation of this Constitution; or
 - (b) any matter not contained in this Constitution pertaining to:
 - (i) WULSA; or
 - (ii) WULSA's property and interests;

is conclusively binding on the WULSA until revoked or amended by the Committee in a General Meeting.

- (6) Where the Committee reaches an impasse, any disputes about the interpretation of this Constitution shall be resolved by the Dean of Te Piringa – Faculty of Law. Where the Dean is unavailable, the Chairperson of Te Piringa – Faculty of Law will resolve any disputes.
- (7) The Administrative Vice-President shall keep a record of all decisions made under this clause and must table them at the next General Meeting.

37 Bylaws

- (1) The Committee may from time-to-time make, alter or rescind bylaws for the general management of the society, so long as these are not repugnant to the Constitution or to the provisions of law.
- (2) Bylaws are made, altered or rescinded in the same manner as this Constitution under clause 34.
- (3) There must exist a bylaw codifying the rules of competitions facilitated by WULSA.
- (4) There must exist a bylaw codifying the rules of the elections for the WULSA Committee.

Part Nine – Dissolution of WULSA

38 Power to Dissolve the Association

- (1) WULSA may only be dissolved:
 - (a) at the AGM; and
 - (b) if at least 14 days before the AGM notice is given that a motion to dissolve WULSA will be submitted at the AGM; and
 - (c) if the number of members who vote for a motion to dissolve WULSA at the AGM is more than four times the number of members who vote against it or abstain from voting.

39 Moment of Dissolution

- (1) WULSA is not dissolved until the President has discharged their duties under clause 40; and
- (2) Once the fulfilment of those duties is confirmed at a subsequent meeting held not earlier than 30 days after the date on which the motion to dissolve was first passed.

40 Dissolution and Finances

- (1) Where clause 38 has been invoked, any funds held by WULSA will be dissipated in the following order:
 - (a) All debts of WULSA must be paid before subclause (1)(b)-(1)(e) apply.
 - (b) If WULSA holds any funds granted to it for sponsorship, then these funds must be returned to the respective sponsor.
 - (c) If WULSA holds any funds granted to it by NZLSA, then these funds must be returned to NZLSA.
 - (d) If WULSA holds any funds given to it by any other organisations or person on the condition that they be used for a purpose for which they will not or cannot be used, then these funds must be returned to the organisation or person who gave the funds.
 - (e) Any residual funds shall be transferred to another charitable organisation within New Zealand which has the same or similar objectives to WULSA, provided that the organisation is a legally-registered charity.
- (2) The President is responsible for ensuring that the requirements of subclause (1) are fulfilled and continues to be the President until they are fulfilled, despite any other clause in this Constitution.

Part Ten – General Provisions

41 Execution of Documents

- (1) The Executive of WULSA are to have custody of the Common Seal of WULSA.
- (2) The image in Appendix One is the Common Seal of WULSA.
 - (a) The Committee may elect to replace the Common Seal at a General Meeting.

- (3) The Common Seal shall be used to execute documents and enter into legal obligations on behalf of WULSA by:
 - (a) affixing the Common Seal, pursuant to a resolution of the Committee, onto the document; and
 - (b) having the President signed next to the Common Seal; and
 - (c) having the President's signature countersigned by either the Administrative Vice-President or the Treasurer.

42 Intellectual Property

- (1) All material created for the purposes of WULSA shall be the intellectual property of WULSA.
- (2) The Common Seal and Logo of WULSA is the sole intellectual property of WULSA and shall only be used with WULSA's prior consultation.
- (3) All intellectual property of WULSA shall be transferred from the outgoing committee to the incoming committee on Inauguration Day.

43 Transitional provisions

- (1) All actions of the 2018 Committee and all past committees shall be validated unconditionally by acceptance of this Constitution.
- (2) This Constitution shall have no retrospective effect.

Schedule One – Role Descriptions

PRESIDENT

1 General

- (1) The President acts as the official representative of the Association at local, regional, national and international level;
 - (a) establish and oversee links and liaisons with the University of Waikato School of Law, NZLSA, ALSA and other law student associations;
 - (b) assist the Committee as required in the administration and promotion of Association activities;
 - (c) undertake tasks which will further the objects of the Association;
 - (d) manage any conflicts of interest that members of the Committee may have;
 - (e) delegate tasks to Committee members as deemed appropriate;
 - (f) oversee all major decisions made by other Committee members;
 - (g) provide a report to the Annual General Meeting, stating how the Association's objects have been furthered during the term of office; and to attend NZLSA Council meetings;
 - (h) action incoming correspondence with key partners and sponsors; and
 - (i) acting as the Privacy Officer for the Association.
- (2) The President is barred from competing in any competitions involving WULSA, NZLSA, or ALSA.

2 Meetings

- (1) The President is the Chairperson of the Association and shall chair meetings of the Committee.
- (2) The President shall have a working knowledge of meeting procedure.

- (3) The President will work with the Vice-President to set the agenda for all meetings.

3 Finance

- (1) The President and Treasurer shall be joint signatories to all cheques and bank accounts.
- (2) The President shall attend all finance meetings between the President, Administrative Vice-President and the Treasurer.

4 Constitution

- (1) The President will support the Administrative Vice-President when drafting changes to the Constitution as directed by Committee proposals.
- (2) The President shall support the Administrative Vice-President when updating the Schedules of the Constitution.

5 Sponsorship

- (1) It is the President's responsibility to facilitate and seek sponsorship of WULSA activities.
- (2) The President shall maintain good relationships with a variety of sponsors and potential sponsors.

6 Waikato team for ALSA and NZLSA

- (1) The President shall oversee the organisation of the Waikato team who compete at the ALSA and NZLSA conferences. This includes transport arrangements.

7 New Zealand Law Students' Association

- (1) The President is to be informed of all matters pertaining to NZLSA.
- (2) The President is to attend or attempt to attend NZLSA Council meetings and the NZLSA Annual conference, as well as any other Council meetings that may be held.
- (3) The President shall be responsible for reporting WULSA annual activities to the NZLSA Council.

8 Council of Legal Education Contact

- (1) The NZLSA Representatives on the Council of Legal Education will report to the President on matters relevant to law students.
- (2) The President is to report those matters to the Committee and law students when appropriate.
- (3) The President shall canvas student opinion and make submissions when necessary.

9 Faculty of Law Student Representative

- (1) The President is the student representative on both the Board of the Faculty of Law and the Academic Board of the University of Waikato.
- (2) The President may sit on other University of Waikato Committees from time to time.

ADMINISTRATIVE VICE-PRESIDENT

1 Meetings

- (1) The Administrative Vice-President shall notify the Committee of any meetings.
- (2) The Administrative Vice-President shall liaise with the President to set the agenda for meetings.
- (3) The Administrative Vice-President must have a working knowledge of meeting procedure and apply it during meetings and while recording minutes.

2 Minutes

- (1) The Administrative Vice-President will record and maintain minutes from all WULSA meetings for future Committees.
- (2) The Administrative Vice-President shall endeavour to provide electronic copies of the minutes for members of the Committee.
- (4) The Administrative Vice-President shall assemble hard copy versions to be left at the Registered Office.

3 Finance

- (1) The Administrative Vice-President shall attend finance meetings with the President and the Treasurer.

4 Administer the Constitution

- (1) The Administrative Vice-President shall ensure that all meetings, notices, and other acts required under the Constitution are given or done.
- (2) The Administrative Vice-President shall ensure that up to date copies of the Constitution are available.
- (3) The Administrative Vice-President shall draft changes to the Constitution arising from Committee proposals in conjunction with the President.
- (4) The Administrative Vice-President will advise on potential changes to the Constitution or the Schedules of the Constitution.
- (5) The Administrative Vice-President shall update the Schedules of the Constitution where required.

5 Secretary of the Association

- (1) The Administrative Vice-President shall act as the Secretary of WULSA and be responsible for any other administrative matters that may arise.

6 Sports

- (1) The role of the Administrative Vice-President is to plan, organise, and promote any sporting events of WULSA as may be determined from time to time by the Committee including:
 - (a) the Log of Wood exchange with any university who expresses an interest in participating; and
 - (b) any other sporting events, at the discretion of the Committee.
- (3) Report when called upon by the President, or where appropriate to do so at any meeting of the Committee, on any business relating to the sports portfolio, such as:
 - (a) having the responsibility for sporting events specifically involving the students of Te Piringa – Faculty of Law; and
 - (b) liaising, at the discretion of the President, with the Waikato Students' Union, their affiliated clubs, and any other person on behalf of WULSA in relation to the planning, organisation and promotion of its sporting events.

7 Incorporated Societies Act Obligations

- (1) The Administrative Vice-President shall be the Contact Officer for the Registrar of Incorporated Societies.
- (2) The Administrative Vice-President shall ensure compliance with the Incorporated Societies Act. This includes filing the financial statements and constitutional changes with the Companies Office.

8 Charities Act Compliance

- (1) The Administrative Vice-President shall work with the Treasurer to register WULSA, and maintain its registration, on the Charities Register.
- (2) The Administrative Vice-President shall ensure compliance with the Charities Act.

9 Membership

- (1) The Administrative Vice-President shall be responsible for promoting the recruitment of members at the beginning of each year. This includes organising membership cards and packs.
- (2) The Administrative Vice-President shall be responsible for maintaining the Register of Members.

10 Executive Responsibility

- (1) In the event of the President's absence, the Administrative Vice-President is to take over all responsibilities of the President.

TREASURER

1 General

- (1) The Treasurer is responsible for all aspects of WULSA's financial management.
- (2) The Treasurer shall inform the Committee of WULSA's financial position.
- (3) The Treasurer shall oversee and keep accurate and up-to-date records of all receipts, deposits, payments and invoices.

2 Special Skills

- (1) Whilst prior accounting knowledge and the ability to prepare financial statements and documents is not essential, it is recommended.

3 Internal Tasks

- (1) The Treasurer is tasked with setting budgets, in consultation with the President, Administrative Vice-President and other relevant Committee members, and handling money for all events.

4 External Tasks

- (1) The Treasurer shall file GST, Charities, and Incorporated Societies returns.
- (2) The Treasurer shall settle all of WULSA's debts and deposit income in a timely manner.
- (3) The Treasurer shall prepare financial statements for the presentation to the AGM and the Companies Office/Charities Office (whichever is applicable).
- (4) The Treasurer and the President shall be joint signatories to all cheques and bank accounts.

COMPETITIONS OFFICERS

1 General

- (1) The Competitions Officers have the primary responsibility for running competitions, including:
 - (a) First Year Mooting;
 - (b) Junior Client Interviewing;
 - (c) Junior Mooting;
 - (d) Junior Negotiation;
 - (e) Senior Client Interviewing;

- (f) Senior Mooting;
 - (g) Senior Negotiation; and
 - (h) Witness Examination.
- (2) The Competitions Officers are barred from competing in any competitions involving WULSA, NZLSA, or ALSA.

2 Organising Competitions

- (1) The Competitions Officers shall book venues in consultation with the Faculty of Law and other external parties.
- (2) The Competitions Officers shall source judges.
- (3) The Competitions Officers shall facilitate the registration of competitors and the arrangement of the competition draw.
- (4) The Competitions Officers shall organise catering and venue for post-final functions.
- (5) The Competitions Officer shall keep all receipts of costs incurred for each competition and submit these to the Treasurer.

3 NZLSA

- (1) The Competitions Officers shall submit competition reports to the NZLSA Competitions Deputy-President.
- (2) The Competitions Officers shall ensure that all competitions are compliant with the rules established by WULSA or the NZLSA.

SOCIAL OFFICERS

1 General

- (1) The Social Officers shall:
 - (a) organise all social functions for members of the Association;
 - (b) aim to build a sense of community amongst members; and
 - (c) ensure the financial viability of the social portfolio.
- (2) The Social Officers should organise both alcoholic and non-alcoholic events during their term.
- (3) Prior to any event or any expenses being incurred for such event, the Social Officers must obtain consent of the President.

CAREERS AND EDUCATION OFFICERS

1 General

- (1) The role of the Careers and Education Officers shall be:
 - (a) to organise events that educate members about the different opportunities for employment in legal careers upon graduation; and
 - (b) to organise events that assist members in applying for legal careers.
- (2) The Careers and Education Officers will be the main contact for the University of Waikato Careers Services.
- (3) The Careers and Education Officers are responsible for all education and welfare initiatives organised by WULSA.
- (4) The Careers and Education Officers will organise any events related to education and welfare as approved by the Committee.
- (5) The Careers and Education Officers will ensure that law students are aware of education and welfare initiatives.

- (6) It is highly recommended, although not imperative, that the Careers and Education Officers have already secured employment so as to not jeopardise their duties to the Association's members.

2 Mentoring

- (1) The Careers and Education Officers shall endeavour to establish a mentoring network between senior and junior students.
- (2) Careers and Education Officers will organise regular events to facilitate the mentoring network.

3 Wellness Initiatives

- (3) The Careers and Education Officers shall endeavour to run wellness initiatives throughout their term.
- (4) This includes, but is not limited to, a wellness week initiative in each semester.

4 Study Workshops

- (5) The Careers and Education Officers shall endeavour to run study workshops throughout their term.
- (6) This includes, but is not limited to, exam preparation sessions and special tutorials.

PUBLIC RELATIONS OFFICER

1 General

- (1) The Public Relations Officer is responsible for:
 - (a) producing and publishing any newsletter, magazine, annual or other publication of WULSA;
 - (b) maintaining WULSA website and social media forums, ensuring that the information displayed on it is current;
 - (c) promoting events and activities organised by WULSA, including:
 - (i) ensuring that posters are designed and printed if reasonably requested by other members of the Committee; and
 - (ii) ensuring that e-mails are sent to members if reasonably requested by other members of the Committee.
 - (d) Managing communication between the Committee and members which may include, but is not limited to, any WULSA notice board, Facebook, website or other social media, email or posters.

Schedule Two – Dispute Resolution

1 Committee Dispute Resolution

- (1) The Committee is committed to reaching a prompt and fair resolution in respect of any disputes that may arise from time to time.
- (2) This Schedule applies to all disputes:
 - (a) between Committee Members;
 - (b) by a Committee Member regarding a policy, process or procedure; and
 - (c) by a Committee Member regarding a resolution of the Committee.
- (3) It is the responsibility of the Chairperson to ensure that all members of the Committee are aware of the existence of these dispute resolution provisions.
- (4) All disputes are to be treated as confidential and any steps taken to resolve such disputes must be carried out impartially and respectfully.
- (5) If a dispute described in (2) arises, the following procedure applies:

- (a) In respect of a dispute described in (2)(a) only, those involved in the dispute must try to resolve it themselves within 10 working days of the dispute arising.
 - (i) If those involved in the dispute do not, or cannot, resolve the dispute within the timeframe prescribed above, they must within 10 working days inform the Committee of the dispute in writing.
- (b) The dispute will be tabled to the Committee at the next Committee meeting.
- (c) When raised at the Committee meeting, all parties involved in the dispute will be given the right to speak.
- (d) The Chairperson will call for a motion from the Committee to either:
 - (i) appoint an independent assessor, who will make recommendations for the Committee to base its decision on; or
 - (ii) call a Special General Meeting to decide on the dispute; or
 - (iii) dismiss the complaint giving rise to the dispute, and all Committee Members present at the Committee meeting will vote on the motion.
- (6) A Committee decision regarding a dispute may be reviewed at the next Committee meeting in situations where:
 - (a) new information has emerged that was not available when the original decision was made; or
 - (b) the Committee has become aware of an error in previous information that was used to make the decision.

5 General Complaints and Disputes Procedure

- (1) General Complaints and Disputes against WULSA, Committee Members and Members shall be heard by the WULSA Standards Committee in accordance with clause 21 of this Constitution.

Schedule Three – Life Members

Appendix One – Common Seal



Appendix Two – Motions Passed

The motion passed at the 2019 AGM on the 12th day of August 2019 was:

“That the amendments presented by Ben Wilkins to the Waikato University Law Students’ Association Constitution dated the 12th day of August 2019 be accepted and that they be included in the minutes of this AGM and that they be uploaded to the Companies Office website, and that this motion appears in Appendix Two of the Constitution.

The motion passed at the 2018 AGM on the 30th day of July 2018 was:

“That the amendments presented by Stephen Drysdale to the Waikato University Law Students’ Association Constitution dated the 27th day of September 2017 be accepted and that they be attached to the minutes of this AGM and that they be uploaded to the Companies Office website, and that this motion appears in Appendix Two of the Constitution.

The motions passed at the 2017 SGM on the 27th day of September 2017 was:

“That the Waikato University Law Students’ Association Constitution dated the 4th day of November 2015 and all previous constitutions of the Waikato University Law Students’ Association be repealed and that the Constitution presented by Stephen Drysdale, and drafted by Charlotte Lunt, in which this motion appears in Appendix Two and that will be attached to the minutes of this SGM and that will be uploaded to the Companies Office website, be the Constitution of the Waikato University Law Students’ Association.”