

Constitution of The Japanese Studies Society of UWA



11 October 2023

TABLE OF CONTENTS

1. Name	3
2. Aims	3
3. Objectives.....	3
4. Membership.....	3
Financial Membership	3
Honorary Life Membership	5
5. Revocation of Membership and Restriction of Rights	5
6. Meetings of the Club	7
7. The Committee.....	8
8. Election of the Executive Committee	8
9. Appointment of the Ordinary Committee	10
10. Removal of Members of the Committee	10
Executive Committee	10
Ordinary Committee	11
11. Vacancies	11
12. Executive Meetings and Committee Meetings	12
Executive Meetings	12
Committee Meetings	12
13. Powers and Duties of The Committee	13
General Powers and Duties of the Committee	13
The Chair	13
President	14
Vice President.....	14
Secretary	14
Treasurer.....	15
14. Finances.....	16
15. Dispute Resolution.....	16
16. Obligations to the Guild	16
17. Availability of this Constitution.....	16
18. Interpretation of this Constitution	17
19. Alterations to this Constitution	17
20. Dissolution Clause	17

1. Name

- 1.1 The name of the club shall be “The Japanese Studies Society of UWA”.
- 1.2 The club may also be known as:
 - 1.2.1 “Japanese Studies Society”; and
 - 1.2.2 “JSS”.
- 1.3 The club shall hereinafter be referred to as “the Club” or “JSS”.

2. Aims

- 2.1 To encourage and facilitate social, cultural and educational interest in Japanese studies, the Japanese language and Japanese culture.
- 2.2 To facilitate and promote cultural exchange between native Japanese people and students of UWA and the Japanese community at large in Perth.

3. Objectives

- 3.1 To provide a forum for UWA students and others to mix and learn about their societies, cultures and languages.
- 3.2 To improve the conditions of study for students within the Japanese Studies course and to provide them with facilities to this end.
- 3.3 To do all such things as would appear necessary and proper for the benefit and advancement of members to the Club, and to work towards our Aims.
- 3.4 To become and remain affiliated to the Societies Council and the Public Affairs Council.
- 3.5 To encourage and promote cooperation between the Club and other Affiliated Societies, the Guild and the Guild’s departments and sub-councils.

4. Membership

- 4.1 Membership of the Club shall be confined to Financial Members and Honorary Life Members

Financial Membership

- 4.2 The annual fee for Financial Membership shall be 7 Australian dollars.

- 4.2.1. Guild Members shall receive a discount of 2 Australian dollars.
- 4.3 Financial Membership shall expire 3 days before the start of the first semester of UWA in the calendar year following its purchase.
- 4.4 Financial Membership may be purchased or renewed at any time.
- 4.5 The Committee may, by Regulation, afford a class of membership rights, benefits and privileges that are not extended to other classes of membership or to non-members. Such rights, benefits and privileges must be extended to a whole class of membership and not to any member individually.
- 4.6 A Financial Member is any person who is an Ordinary Financial Member or a Non-Student Financial Member.
- 4.6.1 An Ordinary Financial Member is any person who has paid the full membership fee, is a currently enrolled student at UWA with full rights and privileges and whose Financial Membership has not expired or been revoked.
- 4.6.2 A Non-Student Financial Member is any person who has paid the full membership fee, is not a currently enrolled student at UWA with full rights and privileges and whose Financial Membership has not expired or been revoked.
- 4.7 Financial Members must comply with this Constitution and the By-Laws and Regulations.
- 4.8 Only Ordinary Financial Members shall have the following rights:
- 4.8.1 Voting at General Meetings.
- 4.8.2 Proposing and seconding motions to be considered at General Meetings.
- 4.8.3 Nominating a candidate in an election for the Executive Committee.
- 4.8.4 Running as a candidate in an election for the Executive Committee.
- 4.8.5 Becoming and remaining as a member of the Executive Committee.
- 4.9 All other classes of members, including Non-Student Financial Members do not and must never have any of the rights outlined in 4.8.
- 4.10 All Financial Members shall have the following rights:
- 4.10.1 Attending and speaking at General Meetings.
- 4.10.2 Applying to join the Ordinary Committee.
- 4.10.3 Becoming and remaining as a member of the Ordinary Committee.

Honorary Life Membership

4.11 An Honorary Life Member is any person who has been conferred Honorary Life Membership in accordance with this section and whose Honorary Life Membership has not been revoked.

4.11.1 The Club at an Annual General Meeting may by a two-thirds majority vote, confer Honorary Life Membership upon an eligible person.

4.11.2 An eligible person is someone who:

4.11.2.1 made significant contributions for the advancement of aims and objects of the club and served as the President of the club for one academic year;

4.11.2.2. made significant contributions for the advancement of aims and objects of the club and served as an Executive Committee of the club for two academic years; or

4.11.2.3 made outstanding contributions for the advancement of aims and objects of the club; and

4.11.2.4 is nominated by another Financial Member at least 3 days before the Annual General Meeting where the vote will be held.

4.12 The Club in General Meeting may by a three-quarters majority vote, revoke the Honorary Life Membership of a person.

4.13 Honorary Life Members are registered on a separate registry to Ordinary Members and are entitled to all the benefits of Ordinary Members.

4.14 Honorary Life Members have the right to vote at General Meetings but do not have the right to call a General Meeting. Further, their right to vote is restricted by the inability to nominate a proxy to vote at General Meetings.

4.15 There shall be no fee for Honorary Life Membership.

5. Revocation of Membership and Restriction of Rights

5.1 The Committee may, in consultation with the Societies Council and the Guild as appropriate, revoke the Financial Membership of any person, by a three-quarters majority vote, for any of the following reasons:

5.1.1 The member has acted in a manner contrary to the best interest of the Club.

5.1.2 The member is no longer eligible to be a member of the Club.

5.1.3 The member is subject to suspension, expulsion or other disciplinary action by the University.

5.2 If a person's membership is revoked by the Committee in accordance with section 5.1, the Committee must deliver, as soon as practicable, a written notice of revocation to that member, that outlines the reasons for the membership being revoked and the period for which the member may not re-apply for membership. The revocation of membership shall only come into effect upon delivery of a notice of revocation consistent with this section.

5.3 The Committee, in consultation with the Societies Council and Guild as appropriate, may indefinitely or temporarily restrict a person who has had their membership revoked from any of the following:

5.3.1 Accessing the Club's physical spaces or assets, including the clubroom. And library.

5.3.2 Attending events run by or in collaboration with the Club.

5.3.3 Engaging with the Club's digital spaces including social media groups.

5.3.4 Other rights, benefits and privileges afforded to persons by this Constitution or the By-Laws or Regulations.

5.4 The Committee, in consultation with the Societies Council and Guild as appropriate, may temporarily restrict any rights, benefits and privileges afforded to a member by this Constitution or the By-Laws or Regulations for any of the reasons listed in section 5.1 or any of the following reasons:

5.4.1 The member has breached any condition or requirement associated with the right, benefit or privilege being restricted.

5.4 If a person is restricted by the Committee in accordance with section 5.3 or 5.4, the Committee must deliver a written notice of restriction that outlines all restrictions, the reasons for all restrictions and the duration of all restrictions. The restriction(s) shall only come into effect upon delivery of a notice of restriction consistent with this section.

5.5 A person who has received a notice of revocation or restriction may appeal the whole or any part of the notice to the Guild Governance Committee or the Committee.

5.6 The Committee may do any of the following at any time:

5.6.1 Lift a person's revocation of membership.

5.6.2 Reduce the period for which a person may not re-apply for membership.

5.6.3 Lift a restriction made under section 5.3 or 5.4.

5.6.4 Reduce the period of a restriction made under section 5.3 or 5.4.

5.7 If the Committee reasonably suspects a Financial Member, including a member of the Committee may have engaged in Guild Misconduct or a criminal act, the Committee must report the suspected Guild Misconduct, in accordance with applicable Guild policies and the Student Guild Regulations, and must not take disciplinary action against a Financial Member on its own accord.

5.7.1 The Committee must immediately refer —

5.7.1.1 criminal matters to the police; and

5.7.1.2 Guild Misconduct matters to the Guild and the University.

6. Meetings of the Club

6.1 The meetings of the Club shall be divided into the Annual General Meeting (AGM) and the Special General Meetings (SGM).

6.2 The AGM will be held during the second half of second semester of UWA on a date to be determined by the President.

6.3 The Secretary must distribute written notice of any General Meeting together with the meeting's agenda to Financial Members via all reasonable means at least seven days before the date appointed for that meeting.

6.4 An SGM may be called by —

6.4.1 the Committee; or

6.4.2 a written, dated request with ten Ordinary Financial Members' signatures.

6.5 The Secretary must call an SGM upon receipt of a written request and such meeting shall be held no later than ten University teaching days immediately following receipt of such a request.

6.5.1 If the Secretary fails to call the meeting within that time, any of the signatories of the request may do so.

6.5.2 Any business set out in the request shall have priority over all other business on the agenda.

6.6 The quorum of a General Meeting shall be twenty-three Ordinary Financial Members.

6.7 Any person may be made to leave a General Meeting if a simple majority of Ordinary Financial Members present and voting deem, in good faith, that the person is disrupting the meeting.

6.8 All General Meetings of the Club shall be conducted in accordance with the procedure prescribed in the Standing Rules and orders of the Guild Council. However, any extent of inconsistency between the aforementioned rules and this constitution will be resolved in favour of this constitution.

7. The Committee

7.1 The Committee of the club shall consist of the Executive Committee and the Ordinary Committee.

7.1.1 The Executive Committee shall consist of —

7.1.1.1 the President;

7.1.1.2 the Vice President;

7.1.1.3 the Secretary; and

7.1.1.4 the Treasurer.

7.1.2 The Ordinary Committee shall consist of all positions created by the Executive Committee.

8. Election of the Executive Committee

8.1 The Executive Committee shall be elected at the AGM.

8.2 Before to the AGM, the Secretary must call for nominations for the Executive Committee at least seven days before the AGM and must include a call for nominations in the notice of the AGM.

8.3 All nominations must be sent to the Secretary and must include the name and contact details of the nominee.

8.4 Only Ordinary Financial Members of the Club who are members of the Guild and enrolled for the entire upcoming academic year are eligible for election as Executive Committee.

8.5 Nominations shall close at the start of the AGM.

8.6 Election shall be conducted by optional preferential ballot for each position in the order shown in 7.1.1.

8.7 A member may nominate for more than one position but once elected to a position shall no longer be eligible for any subsequent positions.

8.8 A member may not hold more than one position on the Executive Committee simultaneously.

8.9 Before an election, the Executive Committee must appoint at least one willing person to be the Returning Officer.

8.9.1 The Returning Officer must not have a perceived or actual conflict of interest that could reasonably give rise to bias for or against any candidate standing for election.

8.9.2 The Returning Officer is responsible for ensuring the fair conduct and administration of the election, counting the ballots and declaring the winner.

8.9.3 If a Returning Officer contravenes any applicable rule or regulation, they may be dismissed by a two-thirds majority vote of —

8.9.3.1 outside a General Meeting, the Committee; and

8.9.3.2 during a General Meeting, the Club in General Meeting.

8.10 If a candidate is unopposed, they will only be elected if they receive a vote of confidence from a simple majority of Ordinary Financial Members present and voting.

8.11 If an unopposed candidate fails a vote of confidence, a subsequent election shall be held at the meeting, unless a two-thirds majority vote against holding a subsequent election. Any Ordinary Financial Member present, except the person who failed a vote of confidence in the initial election may run in the subsequent election. If no subsequent election is held or if the subsequent election also fails to elect a candidate, a General Meeting must be held within 21 days for the purpose of electing a candidate to fill the vacant position.

8.12 If there is a tie between two or more candidates for the most votes, a revote between those candidates shall be taken and the result of that revote shall determine the outcome of the election. If, after the revote, there is still a tie, the Executive Committee shall decide which candidate shall be elected. If the Executive Committee are evenly split on which candidate shall be elected, the President shall make the decision. If neither the Executive Committee nor the President can make a decision, the election shall be determined by lot.

8.13 Up to three days after an election, any Ordinary Financial Member who ran for a position on the Executive Committee at that election may appeal the outcome of the election to the Guild Governance Committee on the grounds that there was an error in the procedure when a vote was conducted or there was a contravention of any applicable rule, regulation, or standing order in respect of the election. If the Governance Committee rules that the election

was not conducted in accordance with the applicable rules, regulations, or standing orders, another election must be called. The outcome of an election may only be appealed once.

8.14 The Executive Committee shall remain in office until the 31 December of the year following their election or when appropriate forms have been lodged with the Guild.

9. Appointment of the Ordinary Committee

9.1 The Executive Committee may create any position for the Ordinary Committee as the need arises.

9.2 The Executive Committee may appoint any Financial Member to a position it creates.

9.3 There must be an application process for all positions created by the Executive Committee which is open to all Financial Members.

9.4 The Secretary must distribute written notice of any applications to Financial Members via all reasonable means at least fourteen days before the applications close.

9.5 A member of the Ordinary Committee shall remain in office until the December 31 of the year they are appointed.

10. Removal of Members of the Committee

Executive Committee

10.1 The Committee may dismiss any member of the Executive Committee at a Committee Meeting by a three-quarters majority vote in any of the following cases:

10.1.1 The member has consistently failed to adequately perform the duties of their position.

10.1.2 The member has been absent from three consecutive Committee Meetings or Executive Meetings without providing a reasonable explanation.

10.1.3 The member has committed an act or omission which constitutes Guild Misconduct.

10.2 The Committee must give the member at least seven days' notice of the Committee Meeting at which they intend to consider the member's dismissal and must give the member the opportunity to be present and speak at that Executive Committee Meeting.

10.3 The Club in General Meeting may dismiss a member of the Executive Committee by a two-thirds majority vote in any of the cases listed in 8.4, if —

10.3.1 at least ten Ordinary Financial Members have, at least ten days before the General Meeting, given a written requisition to the Secretary calling for the dismissal of the member in question;

10.3.2 the member in question has been given seven days' notice of the General Meeting; and

10.3.3 the member in question has been given the opportunity to speak at the General Meeting.

10.4 The Secretary must give the member notice of the General Meeting, including the motion for their dismissal, and inform them of their opportunity to speak at least seven days before the General Meeting.

Ordinary Committee

10.5 The Executive Committee may dismiss any member of the Ordinary Committee at an Executive Committee Meeting by a simple majority vote in any of the following cases:

10.5.1 The member has consistently failed to adequately perform the duties of their position.

10.5.2 The member has been absent from three consecutive Committee Meetings without providing a reasonable explanation.

10.5.3 The member has committed an act or omission which constitutes Guild Misconduct.

10.6 The Committee must give the member at least seven days' notice of the Executive Committee Meeting at which they intend to consider the member's dismissal and must give the member the opportunity to be present and speak at that Executive Committee Meeting.

11. Vacancies

11.1 If any position on the Executive Committee become vacant, the remaining members of the Committee shall fill the vacancy by appointing a member of the Committee, subject to review at the next General Meeting. When reviewing, a simple majority vote of the General Meeting shall confirm the appointment. If such a vote fails, the position must be immediately filled by election.

11.2 If any Ordinary Committee Member resigns or ceases to hold office for any reason, or is appointed an Executive under clause 12.1, the vacancy may be filled by the Committee from Financial Members according to the application process set out in section 10.

12. Executive Meetings and Committee Meetings

Executive Meetings

12.1 The Executives shall meet at such times and places as the President determines, provided that, unless resolved by the Executives, no two meetings shall be less than seven days or more than two months apart.

12.2 The Secretary must give all members of the Executive written notice of the meeting at least two days before the meeting is to be held, together with a list of business to be discussed.

12.3 The Secretary must call a Special Executive Meeting upon receiving a written requisition from at least two Executives.

12.3.1 The Special Executive Meeting must be held no later than ten days immediately following receipt of such requisition.

12.3.2 If the Secretary fails to call the meeting within eight days, any one of the members signing the requisition may do so, provided they give the Executive two days' notice of the meeting.

12.3.3 Any business set out in the requisition shall have priority over all other business.

12.4 The quorum of an Executive Meeting shall be three.

12.4.1 Any decision made without quorum is void.

12.5 Attendance at any meeting held under the terms of this clause is compulsory.

Committee Meetings

12.6 The Committee shall meet at such times and places as the President determines, provided that, unless resolved by the Committee, no two meetings shall be less than seven days or more than two months apart.

12.7 The Secretary must give all members of the Committee written notice of the meeting at least two days before the meeting is to be held, together with a list of business to be discussed.

12.8 The Secretary must call a Special Committee Meeting upon receiving a written requisition from at least four members of the Committee.

12.8.1 The Special Committee Meeting must be held no later than ten days immediately following receipt of such requisition.

12.8.2 If the Secretary fails to call the meeting within eight days, any one of the members signing the requisition may do so, provided they give the Committee two days' notice of the meeting.

12.8.3 Any business set out in the requisition shall have priority over all other business.

12.9 The quorum of a Committee Meeting shall be two Executives and at least two-thirds of the Ordinary Committee.

12.9.1 Any decision made without quorum is void.

12.10 Attendance at any meeting held under the terms of this clause is compulsory.

13. Powers and Duties of The Committee

General Powers and Duties of the Committee

13.1 Subject to this Constitution, the Committee shall be responsible to the Club in General Meeting for giving effect to the objects of the club as set out in this Constitution and for carrying on its everyday business.

13.2 In addition to the general power of the Committee set out in 13.1, The Committee shall have the power:

13.2.1 to acquire and dispose of property; to dispose of monies; to open banking accounts; and to enter contracts. Unless acting under a special enabling resolution of a General Meeting, the Committee may not borrow or raise money; nor incur debts or liabilities on behalf of or in the name of the Club to a sum greater than five dollars for each Financial Member;

13.2.2 to make regulations which are necessary and convenient for the orderly and proper management of the affairs of the Club, but which are in no way inconsistent with or repugnant to this Constitution;

13.2.3 to make, alter or repeal by-laws, and to impose fines for the breach thereof. The maximum fine imposed shall not exceed the annual membership fee.

13.2.4 An Executive Committee member may delegate any of their duties to another Executive Committee member with the approval of said member.

The Chair

13.3 The President shall have the right to chair all General Meetings, Executive Meetings and Committee Meetings.

13.4 If the President is absent or does not wish to chair and they have not nominated a person to chair the meeting, that right shall pass to subsequent members of the Executive Committee in the hierarchy established in 7.1.1.

13.5 If no member of the Executive Committee is present and wishes to chair the meeting, the meeting shall elect its own chair.

13.6 No meeting shall be deemed void as the result of any inconsistencies with this section.

President

13.7 In addition to any provisions set out elsewhere in this Constitution or in any by-laws or regulations made hereunder, it shall be the duty of the president to;

13.7.1 coordinate and supervise the work of the Committee, subject to the authority of the Club in General Meeting;

13.7.2 generally carry out the policy and directive of the Club; and

13.7.3 attend or send a proxy to any meetings requiring attendance from the President.

Vice President

13.8 In addition to any provisions set out elsewhere in this Constitution or in any by-laws or regulations made hereunder, it shall be the duty of the Vice President to assist the President wherever possible in carrying out the policy and directives of the Committee.

13.9 In the absence of the President, the Vice President shall assume all the duties of the President.

Secretary

13.10 In addition to any provisions set out elsewhere in this Constitution or in any by-laws or regulations made hereunder, it shall be the duty of the Secretary to:

13.10.1 manage administrative tasks related to the Club's operation;

13.10.2 record all proceedings of the Club and the Committee, including attendance at Committee Meetings and Executive Meetings;

13.10.3 keep and maintain the Club's membership database;

13.10.4 conduct and keep copies of all correspondence of the Club, internally and through collaboration with other clubs and departments;

13.10.5 provide any information required by any regulations made by the Societies Council, the Public Affairs Council, or the Guild to the appropriate party, upon request, including, but not limited to:

13.10.5.1 any alterations to this Constitution or any By-Laws to the President of the Societies Council and President of the Public Affairs Council within fourteen days of the alterations being made; and

13.10.5.2 all required paperwork whenever there is a change to the Club's Executives within fourteen days of the change.

13.10.6 lodge with the President of the Societies Council and the President of the Public Affairs Council a copy of the Constitution and any by-laws made under its authority; and

13.10.7 in the event of the club being deregistered, to present the Societies Council Secretary within thirty days a duly audited statement of the financial position of the Club and of any motions, which may have been passed by Club Society as to the disposition of property.

Treasurer

13.11 In addition to any provisions set out elsewhere in this Constitution or in any by-laws or regulations made hereunder, it shall be the duty of the Treasurer to:

13.11.1 direct the Club's financial affairs;

13.11.2 keep proper books of account dealing with the property and finances of the Club, and to furnish the Committee with such accounts and information relating to the finance and property of the Club as the Committee requires;

13.11.3 arrange and be responsible for the handling of the petty cash, and to render an account to each Committee Meeting of all petty cash as the Committee requires;

13.11.4 to produce and deliver all necessary books, vouchers and other documents to the persons appointed by the Guild for the purposes of conducting an audit, in so far as such persons require;

13.11.5 apply for grants offered by the Guild and produce and deliver all necessary books, receipts and other documents to the persons appointed by the Guild for the purpose of obtaining grants, in so far as such persons require; and

13.11.6 ensure that the expenditure of funds received via a grant complies with the conditions attached to that grant and all applicable regulations.

14. Finances

14.1 All monies due and payable to the Club shall be received by the Treasurer. If the Treasurer is unable to receive the payment, any member of the Committee may do so on their behalf.

14.2 The four Executive Committee members shall be empowered to sign cheques or forms of authority for any withdrawals of money standing to credit of the Club.

14.3 In order to withdraw monies, any cheques or forms of authority must be jointly signed by two Executive Committee members.

14.4 Notwithstanding anything contained herein, no person or persons shall deposit or transfer any monies into any account which the Guild Council has by resolution closed.

14.5 No payments shall be made on behalf or in the name of the club unless it has been authorised by the Executive Committee.

14.6 That the club shall not transmit any monies to any person by way of gift.

15. Dispute Resolution

15.1. The dispute resolution procedure in the Societies Council Rules shall govern any dispute between the Club and any other party to the extent that those rules apply.

16. Obligations to the Guild

16.1 The Club shall comply with the regulations of the Guild, the rules of the Societies Council and Public Affairs Council, and all other provisions enrolled upon the Guild Statutes Book, and the Committee Members shall be jointly and severally liable for such compliance and shall be deemed liable in the event of non-compliance.

16.2 Members of the Committee must attend training as required by the Guild, Societies Council Committee or Public Affairs Council Committee, including but not limited to Guild Student Leadership Training.

16.3 The Club and persons thereunder must take no action which represses any student's implied right to academic freedom and freedom of speech.

17. Availability of this Constitution

17.1. The Committee must make this Constitution freely available upon request to any Financial Member.

18. Interpretation of this Constitution

18.1 The President, subject to any resolution by the Committee, shall have the power to interpret the meaning of any of the provisions contained in this Constitution, but the determining decision, in case of doubt, shall rest with the Club in General Meeting.

19. Alterations to this Constitution

19.1 Any two Ordinary Financial Members of the Club may, not less than three days before the day appointed for the next General Meeting, submit to the Secretary notice of a motion signed by them proposing an alteration to this Constitution. The Secretary must distribute this to Financial Members as soon as practicable.

19.2 Such motions shall be considered by the Club at its next General Meeting and amendments which are relevant to the subject matter thereof may be moved without notice.

19.3 The motion of any amendment thereto shall only be adopted if it receives a two-thirds majority.

19.4 The motion as adopted with any amendments shall come into force upon receiving ratification by the Societies Council President and the Public Affairs Council President.

20. Dissolution Clause

20.1 If the Club disbands or otherwise ceases to exist and there remains, after the Club has paid all its debts and liabilities, any property, including money, that property must not be given to the members of the Club. The property must be given to a body with objectives similar in whole or in part to the objectives of the Club, provided that the body prohibits the distribution of its income and property among its members, or it must be given to a charitable body determined by the members of the Club at or before the time when the Club ceases to exist.

20.2. The Club may request any property by held by a body, including the Societies Council or an Affiliated Society on trust with the understanding that if a club with objectives substantially similar, including the promotion of Japanese culture, is formed at the University, the property will be given to that club.

20.3. The Societies Council Committee shall decide what happens to any property that the Club does not decide to whom it will be given in accordance with either section 20.1 or 20.2.

20.4. If the Club disaffiliates from or is disaffiliated by the Societies Council, Public Affairs Council or any other body of the Guild or other organisation and continues to conduct activities, all property of the Club prior to disaffiliation shall remain the property of the Club.

This constitution was adopted by JSS at its Annual General Meeting on the 11th of October 2023, based on the previous constitution last modified in October 2021.