

**EST. 1911**



**— UCBA —**

**THE BEER CLUB**

# University Craft Brewers Association.

## Constitution

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Preamble

“Thirstily he set it to his lips, and as its cool refreshment began to soothe his throat, he thanked Heaven that in a world of much evil there was still so good a thing as ale.”

— Rafael Sabatini

# 1. NAME

- 1.1. The formal name of the club shall be the University Craft Brewers' Association.
- 1.2. The club may also choose to go by UCBA or The Beer Club.
- 1.3. Henceforth, referred to as "The Club"

# 2. OBJECTIVES

- 2.1. To encourage and facilitate:
  - 2.1.1. The enjoyment of craft brews at the University of Western Australia (UWA);
  - 2.1.2. The knowledge and practice of creating one's own craft brews;
  - 2.1.3. To remain affiliated to the UWA Student Guild's Societies Council.
  - 2.1.4. To encourage and promote cooperation between The Club and other affiliated society's representative of University interests.
  - 2.1.5. To do all such things as would appear necessary and proper for the benefit or advancement of members of The Club.
  - 2.1.6 The safe consumption of alcohol in the absence of toxic drinking cultures and peer pressure.
- 2.3. The property and income of the society shall be applied solely towards the promotion of the objectives of the club and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith and in the promotion of those objectives.

# 3. MEMBERSHIP

- 3.1. The membership of the club shall consist of Financial members, as well as Ordinary and Executive Committee members, and Honorary Life members.
  - 3.1.1. Financial membership shall be defined as individuals who have purchased or renewed their annual subscription to The Club.
  - 3.1.2. Ordinary and Executive Committee members shall be Financial members who are elected annually to the committee of UCBA at the Annual General Meeting (AGM). They will hold all of the privileges of an ordinary member and, as a collective, will instruct the activities and events of the club for the duration of their term.
  - 3.1.3. Honorary Life membership will be bestowed upon any individual who has performed outstanding service for The Club. This will be conferred at an AGM of The Club by a two-thirds majority of those present and voting.
- 3.2. Financial members will be entitled to:
  - 3.2.1. Vote on matters brought forward at any AGM or SGM of The Club.
  - 3.2.2. Nominate for election to become an Executive or Committee member of The Club.

## 4. MEETING OF THE CLUB

- 4.1. The Club shall hold its Annual General Meeting prior to the end of UWA's second academic semester, each year.
- 4.2. The Committee may call a Special General Meeting of The Club at any time by inviting all Financial members and providing a minimum of two weeks notice.
- 4.3. The Secretary shall call a Special General Meeting upon receiving a written request.
  - 4.3.1 A written request must be made by whichever is less of:
    - 4.3.1.1. At least 20 individuals acting as a group; or,
    - 4.3.1.2. 50% of all Financial members of The Club
  - 4.3.2. Notice of this meeting shall be given within three University working days following receipt of this request.
  - 4.4.3. If the Secretary fails to call the meeting within that time, any of the signatories of the request may do so. Any business set out in the request shall have priority over all other Club business.

## 5. PROVISIONS GOVERNING GENERAL MEETINGS

- 5.1. The Secretary shall cause written notice of any General Meeting to be posted on the official UCBA Facebook page, at least two weeks before the date chosen for that meeting.
- 5.2. No General Meeting may be held while a UWA Tavern "Happy Hour" is in progress. This shall not apply where written notice of the meeting was given before written notice of the UWA Tavern "Happy Hour" or if the General Meeting is being held within the confines of the UWA Tavern's Liquor Licence.
  - 5.2.1. Any such meeting being conducted in contravention thereof shall disband immediately on the advice of any member of The Club.
- 5.3. The quorum of a General Meeting shall consist of 20 Financial Members or a majority of the Financial Members, whichever is smaller.
- 5.4. The AGM of the club must be supervised by at least one Returning Officer who shall:
  - 5.4.1. Not be contesting the election;
  - 5.4.2. Be elected by the outgoing executive before nominations are declared open;
  - 5.4.3. Be confirmed by the members at the AGM before conducting the election; and,
  - 5.4.4. Acts to uphold the rights and responsibilities of a democratic voting system.
  - 5.4.5 Not be a current or previous member of committee. The Returning Officer must not have any conflict of interest with the club.

## 6. PATRON

- 6.1. In the absence of nominations for any Ordinary or Executive Committee position, The Club's elected Executive Committee may select a patron who shall hold office until the succeeding Annual General Meeting.

## 7. NOMINATIONS

- 7.1. At least seven days before the Annual General Meeting, the Secretary shall call for nominations for the Executive and other Committee positions on The Club. Nominations shall close at the commencement of that meeting, or earlier, if stated in the notice.
  - 7.1.2 The Returning Officer has the power to allow or deny floor nominations at the AGM
- 7.2. Included in that same notice shall be details of the Annual General Meeting.
- 7.3. Nominees are only eligible to run for a maximum of 2 Executive Positions and OCM.
  - 7.3.1 Nominees are not eligible to run for both President and Vice President
  - 7.3.2 Nominees can contest the election via proxy
  - 7.3.4 Voting can only be conducted face to face, and cannot be submitted via proxy

## 8. EXECUTIVE COMMITTEE MEMBERS

- 8.1. The Executive Committee members of the Club, with the exception of the Immediate Past President, shall be elected by the Financial Members of the Club at the AGM and shall consist of:
  - 8.1.1. The President;
  - 8.1.2. The Vice President;
  - 8.1.3. The Secretary;
  - 8.1.4. The Treasurer;
  - 8.1.5. The Marketing Director;
  - 8.1.6. The Welfare Director; and,
  - 8.1.7. The Immediate Past President (IPP).
- 8.2. The elected Executive Committee members must complete the UWA Student Guild's "Executive Registration Form" within two weeks of the AGM, and uphold all of the rules and responsibilities of being an affiliated club to the Societies Council.
- 8.3. Only Financial Members of the Club shall be eligible for election as Executive Committee Members.
  - 8.3.2 Only current Committee Members shall be eligible for first round nominations of the executive positions of President and Vice President. If there is one or fewer candidates put forth for either position, nominations can be extended to Financial Members, at the discretion of the Returning Officer.
- 8.4. Election shall be conducted by preferential ballot for each office in the order shown above.
- 8.6. The powers and duties of Executive Committee members are defined in Section 9, 16, 17, 18, 19.
- 8.7. No Executive Committee members can hold more than two positions simultaneously.

- 8.8. Given at least seven days' notice of the Committee Meeting, an Executive Committee member may be dismissed where, in the opinion of a two-thirds majority of the members of the Committee present and voting, the Executive Committee member has:
- 8.8.1. Consistently failed to discharge the duties of that position; or
  - 8.8.2. Been absent from three consecutive Committee Meetings without providing a reasonable explanation; or
  - 8.8.3. Committed an act or done anything which might reasonably be considered:
    - 8.8.3.1. To be immoral, deceptive, scandalous or obscene; or
    - 8.8.3.2. To injure, tarnish, damage or otherwise negatively affect the reputation and goodwill associated with The Club; or
    - 8.8.3.3. To harass, sexually harass, act inappropriately or bully.
  - 8.8.4. The Executive Committee member will be granted an opportunity to speak at that Committee Meeting.
- 8.9. Only the person who held the position of President during the year immediately preceding the most recent AGM shall be eligible to run for Immediate Past President.
- 8.9.1. In the case that the President is unwilling or unable to rejoin the Executive Committee or has left the position prior to the end of their term, a member of the previous year's Executive Committee may nominate themselves for the position as an honorary representative.

## 9. THE COMMITTEE

- 9.1. The Committee of the Club shall consist of:
- 9.1.1. The Executive Committee members;
  - 9.1.2. The Ordinary Committee members; and,
    - 9.1.2.1 The number of OCMs voted on at the AGM shall be decided by the newly elected Executive, in conjunction with the Returning Officer before OCM speeches
  - 9.1.3. The First Year Representatives.
- 9.2. The First Year Representatives shall be elected by the Financial members of The Club.
- 9.3. The Executive may appoint Financial members to specialised positions within The Committee to facilitate the smooth operations of the club. Such positions include, but are not limited to:
- 9.3.1. Chief Legal Officer – an individual who has, or is in the process of obtaining, a law degree who will advise the executive as to the legality of ventures.
  - 9.3.2. Approved Manager – an individual with an Unrestricted Approved Managers License.
  - 9.3.3. Wine Officer – an individual who will assist with outreach to non-beer drinkers in the community.
- 9.4. Given at least seven days' notice of the Committee Meeting, an Ordinary Committee member may be dismissed where, in the opinion of a two-thirds majority of the members of the Committee present and voting, the Ordinary Committee member has:

- 9.4.1. Consistently failed to discharge the duties of that position; or
- 9.4.2. Been absent from three consecutive Committee Meetings without providing a reasonable explanation; or
- 9.4.3. Committed an act or done anything which might reasonably be considered:
  - 9.4.3.1. To be immoral, deceptive, scandalous or obscene; or
  - 9.4.3.2. To injure, tarnish, damage or otherwise negatively affect the reputation and goodwill associated with The Club; or
  - 9.4.3.3. To harass, sexually harass, act inappropriately or bully.
- 9.4.4. The Ordinary Committee member will be granted an opportunity to speak at that Committee Meeting.

## 10. DURATION OF OFFICE

- 10.1. The Executive and Ordinary Committee members shall remain in office until the next AGM.
- 10.2. The First Year Representatives will hold office until:
  - 10.2.1. The AGM following their election to the position; or,
  - 10.2.2. They are elected/appointed to a new position within the committee
    - 10.2.2.1. In this case, The Executive may appoint a new First Year Representative at their discretion.

## 11. VACANCIES

- 11.1. If an Executive Committee member resigns or ceases to hold office, for any reason, the vacancy shall be filled by appointment of a member of The Committee to the position, subject to review at the next General Meeting.
  - 11.1.1. An Executive Committee member may choose to transition from their position to the vacant position, on the condition that this is supported by The Committee. In this case, the newly vacated position will be filled according to the same principle.

## 12. COMMITTEE MEETINGS

- 12.1. The Committee shall meet at least once per calendar month, on a regular day and time agreed between The Executive and the Ordinary Committee Members.
- 12.2. The Secretary shall give notice of a Committee Meeting to all members of The Committee at least 5 business days prior to the meeting.
- 12.3. The Secretary shall release an agenda for the meeting at least 48 hours prior to the meeting.



12.4. The Secretary shall call a Special Meeting of The Committee upon receiving a written request from a member of The Committee, with a seconder. This Special Meeting shall be called no later than 3 business days following receipt of the request, and in accordance with Sections 12.2 and 12.3.

12.4.1. If The Secretary fails to call the Special Meeting, any Committee Member may do so in their stead.

12.4.2. Any business set out in the written request shall have priority over all other business.

## 13. QUORUM AND PROCEDURE OF COMMITTEE

13.1. The quorum of the Committee shall be 5, of whom at least two shall be Office Bearers.

13.2. All meetings of the Committee shall be conducted in accordance with the procedure prescribed in the Standing Rules and Orders of the Guild Council.

## 14. POWER AND RESPONSIBILITIES OF COMMITTEE

14.1. Subject to this Constitution, The Committee shall be responsible for:

14.1.1. Pursuing The Objectives of The Club as set out in Section 2, to the best of their ability;

14.1.2. Carrying out and facilitating the everyday business of The Club; and,

14.2. Without prejudice to the generality of the foregoing, The Committee will have power to:

14.2.1. Acquire and dispose of property; dispose of monies; open banking accounts; and enter into contracts.

14.2.2. Unless acting under a special enabling resolution of a General Meeting, The Committee shall not borrow money or incur debts or liabilities on behalf of, or in the name of, the Club to a greater amount than five dollars for each then existing Financial Member of the Club.

14.2.3. Make regulations for the orderly and proper management of the affairs of The Club, ensuring that no regulation is in contravention of this Constitution.

14.2.4. Make, alter or repeal By-Laws, and impose fines for the breach thereof. All By-Laws, and any alterations or amendment thereof, shall be subject to ratification by the Societies Council and the UWA Student Guild Council before coming into force. The maximum fine imposed may not exceed five dollars.

## 15. CHAIR

15.1. The President shall have the right to take the Chair at any meeting of The Club or of The Committee.

15.1.1. If the President is absent, or does not wish to exercise this right at any meeting, the right shall be transferred temporarily to the Vice President.

15.1.2. In the absence of both the President and the Vice President, or in the event neither of them wish to exercise this right, the meeting shall elect its own Chair.

## 16. PRESIDENT

16.1. 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:

16.1.1. Coordinate and supervise the work of the Executive Committee members.

16.1.2. Ensure that all Executive Committee members are conversant with The Constitution and their respective Duties and Responsibilities

16.1.3. Generally carry out the policy of the Club.

16.1.4. Report on the status of the club to the ordinary members at all general meetings.

## 17. VICE PRESIDENT

17.1. In addition to any provisions set out elsewhere in the Constitution or in any By-Laws or Regulations made hereunder, it shall be the duty of the Vice President to assist the President in their duties, wherever possible.

## 18. SECRETARY

18.1. In addition to any provisions set out elsewhere in the Constitution or in any By-Laws or Regulations made hereunder, it shall be the duty of the Secretary to:

18.1.1. Record all proceedings of The Club and The Committee, which they shall cause to be provided for that purpose:

18.1.2. Conduct and keep copies of all correspondence of the Club:

18.1.2.1. To supply the Secretary of the Societies Council before the end of the first academic semester the information required to be recorded in the Guild register of the University societies;

18.1.2.2. To notify the Secretary of the Societies Council within fourteen days of the alterations in the foregoing information;

18.1.2.3. To lodge with the Secretary of the Societies Council a copy of the Constitution and any By-Laws made under its authority;

18.1.2.4. To notify the Secretary of the Societies Council within fourteen days from the making therefore of any alterations to this Constitution of such By-Laws;

18.1.2.5. To notify the Secretary of the Societies Council of any apologies at least four days before meetings of the council in each calendar year; and,

18.1.2.6. In the event of the Club being deregistered, to present to the Societies Council Secretary, within thirty days, a duly audited statement of the financial position of the Club together with a copy of the resolution, which may have been passed by the Club as to the disposition of its funds.

## 19. TREASURER

- 19.1. In addition to any provisions set out elsewhere in the Constitution or in any By-Laws or Regulations made hereunder, it shall be the duty of the Treasurer to:
- 19.1.1. Keep proper books of account, dealing with the property and finances of The Club, and to furnish The Committee with such accounts and information that the Committee may require.
  - 19.1.2. Arrange and be responsible for handling of the petty cash and to render an account to each Committee member of all petty cash.
  - 19.1.3. Prepare a financial statement showing all receipts and payments during their term of office, for presentation with auditors report to the Annual General Meeting.
  - 19.1.4. Produce and deliver all necessary books, vouchers and other documents to the persons appointed by the Guild Finance Committee for the purpose of conducting an audit, in so far as such persons may so require.
  - 19.1.5. Prepare necessary forms, and receipts for Societies Council in accordance with Societies Council grant policies.

## 20. MARKETING DIRECTOR

- 20.1. In addition to any provisions set out elsewhere in the Constitution or in any By-Laws or Regulations made hereunder, it shall be the duty of the Marketing Director to:
- 20.1.1. Manage The Club's social media presence;
  - 20.1.2. Create a marketing sub-committee, including up to 4 Ordinary Committee Members and First Year Representatives;
  - 20.1.3. Coordinate the creation of The Club's social media marketing strategy and campaigns
  - 20.1.4. Any other responsibilities, as allocated by The President and The Executive Committee.

## 21. WELFARE DIRECTOR

- 21.1. In addition to any provisions set out elsewhere in the Constitution or in any By-Laws or Regulations made hereunder, it shall be the duty of The Welfare Director to:
- 21.1.1. Organise committee social events and 'retreats';
  - 21.1.2. Create a welfare sub-committee, including up to 4 Ordinary Committee Members and First Year Representatives;
  - 21.1.3. Organise and create of official UCBA merchandise;
  - 21.1.4. Responsible for organising UCBA participation in UWA Student Guild Welfare Department events and other charity events;
  - 21.1.5. Any other responsibilities, as allocated by The President and The Executive Committee.

## 22. DEPOSITS AND WITHDRAWAL OF MONIES

- 22.1. All monies due and payable to The Club shall be received by The Treasurer who shall deposit them without undue delay for the credit of The Club.

- 22.2. Any two members of The Executive may jointly sign cheques and forms of authority for the payment of funds on behalf of The Club.
- 22.3. Notwithstanding anything contained herein, no persons shall deposit or withdraw any monies into any account that the UWA Student Guild Council has closed by resolution.

## 23. PAYMENTS

- 23.1. No payments shall be made on behalf or in the name of the Club unless it has been authorised by The Executive, in accordance with Article 2.2.

## 24. LOGO

- 24.1. The Logo of the club shall be the image depicted on the front of the most recent approved constitution.
- 24.2. A change to the logo shall be considered a change to the constitution which will be required to meet all the specifications as laid out in Article 29.
  - 24.2.1. A change in the logo will take precedence over any other constitutional changes.

## 25. MAJOR OBLIGATIONS TO GUILD

- 25.1. The Club shall comply with the Regulation of the Guild, the Rules of the Societies Council, and all other provisions enrolled upon the Guild Statutes book.
- 25.2. All Executive and Ordinary Committee members shall be jointly and severally responsible for such compliance, and shall be deemed liable in the event of noncompliance therewith.

## 26. EXPULSION OF MEMBERS

- 26.1. The Committee may, by unanimous vote, request any member or associate member to resign from The Club, and in the event shall cause written notification of such request to be served upon the member concerned.
  - 26.1.1. Should such a request prove ineffectual after fourteen days of written notification, The Committee may serve written notice of intended expulsion of the member concerned.
  - 26.1.2. Should they not have resigned seven days after this second written notice, the Committee may, by unanimous vote, expel them from the Club
  - 26.1.3. Such expulsion shall be subject to review at the next General Meeting, with the member given the opportunity to attend and to be heard.
- 26.2. A person who has been expelled, or who has resigned their membership, may not reapply for membership for a period of 12 months.

## 27. AVAILABILITY OF CONSTITUTION

- 27.1. The Committee shall make this Constitution available on request to any Financial Member.

## 28. INTERPRETATION

28.1. The President shall have the power to interpret the meaning of any of the provisions contained in the Constitution, but the determining decision in case of doubt shall rest with the Club in General Meeting.

28.1.1. This power shall be subject to any provisions enrolled upon the Guild Statutes book, and to any resolution passed by the UWA Student Guild Council or the Societies Council

## 29. AMENDMENT OF THIS CONSTITUTION

29.1. Any Member of The Club may submit a notice of motion to The Secretary, proposing an alteration to this Constitution.

29.1.1. Notice of motion must be submitted at least three days prior to the next General Meeting

29.1.2. Such a motion must be signed by said Financial Member, with a seconder.

29.2. The motion shall be made available to all Members through the relevant noticeboards.

29.3. The motion may then be considered by The Club at its next General Meeting

29.3.1. Amendments that are relevant to the subject matter thereof may be moved without notice.

29.4. A two-thirds majority of the members present and voting will be required for the motion of amendment to pass.

29.5. The motion, as adopted with any amendments, shall come into force upon receiving the approval of the Societies Council.

## 30. DISSOLUTION OF THE CLUB

30.1. Upon the dissolution of the club, if any property of The Club remains after satisfaction of the debts and liabilities of The Club, that property shall be transferred to liquid assets at which point the monies remaining will be “placed on the bar” of the UWA Tavern for UCBA’s “Wake” in which all past and present members are to be invited.

Adopted by General Meeting: 12th October 2022\_\_\_\_\_ (date)