

## Ethnocultural Department Rules

<b>Commencement Date:</b>	September 2021	<b>Review Date:</b>	September 2023
<b>Division/Person Responsible:</b>	Ethnocultural Officer		
<b>Category:</b>	Department Rules		
<b>Relevant Regulation(s):</b>	r. 37		
<b>Approval Authority:</b>	Guild Council		

### Preliminary

#### 1 Establishment and Particulars

These rules are created under 37 the *Guild Regulations*.

#### 2 Definitions and Interpretations

- (1) In these Rules, unless the contrary intention appears –
  - (a) **CALD** means culturally and/or linguistically diverse
    - (i) This includes, but is not limited to, people who come from a minority ethnocultural background, people of mixed race, people who are white-passing, and people who are Aboriginal and/or Torres Strait Islander;
  - (b) **Guild** means Student Guild, as established by the *University of Western Australia Act 1911*;
  - (c) **Guild Member** means a member of the Guild which includes Ordinary Members, Associate Members, and Honorary Life Members;
  - (d) **Guild Year** has the meaning given in the *Guild Regulations*, which at the date of these Rules is:

the period from 1 December to 30 November of the following year;
  - (e) **Second Semester** has the meaning given in the *Guild Regulations*, which at the date of these Rules is:

the University's main teaching period in the second half of the academic year the dates for which are determined by the Academic Council and published on the University's website;
  - (f) **University Societies** has the meaning given in the *Guild Regulations*, which at the date of these Rules is:

any club, society or association within The University of Western Australia having an initial membership of 10 or more members of the Guild and having a membership of not less than five members of the Guild at all subsequent times and which is registered by the Guild in the manner prescribed in the regulations;
  - (g) **University** means the University of Western Australia, as established by the *University of Western Australia Act 1911*;
  - (h) **University Working Day** means any day other than a Saturday, Sunday, and a day specified by in the University calendar as a University holiday;
- (2) The Guild Council may, upon recommendation from the Ethnocultural Officer, amend these Rules.
- (3) The Guild Governance Committee shall have the power to interpret any part of these Rules, or any rules made hereunder, as required.

**Ethnocultural Department**

### **3 Objects of the Department**

- (1) The aim of the Ethnocultural Department is to:
  - (a) Work towards achieving social, economic, and educational equality for all culturally and/or linguistically diverse people on campus;
  - (b) Promote education about, and understanding of, issues faced by CALD students at university;
  - (c) Foster a supportive and open environment for Department Members;
  - (d) Monitor compliance with State and Federal equal opportunity legislation and contribute to best practice around racial diversity;
  - (e) Recommend to Guild Council relevant policy on issues related to CALD people, and implement appropriate Guild policy on affairs pertaining to CALD people;
  - (f) Work with other Guild Departments, Student Societies, and relevant groups to ensure CALD people from all backgrounds and identities are represented;
  - (g) Disseminate information on issues faced by CALD people, and relevant available services, to CALD students on campus using the available on-campus media; and
  - (h) Co-ordinate and organise participation of CALD students in campus and community activities, related to the above objects of the Department.

### **4 Membership of the Department**

- (1) All Guild Members who identify as being from a culturally and/or linguistically diverse background shall be allowed to be members of the Ethnocultural Department.
- (2) There shall be no fee for being a member of the Department.
- (3) Where, in the opinion of the Ethnocultural Officer, a member has significantly breached the rules, written or otherwise, of the Department, the Ethnocultural Officer may refer the person to the misconduct tribunal as per Chapter 7 of the Guild Regulations.

### **5 Ethnocultural Officer**

- (1) There shall be an Ethnocultural Department Officer (Ethnocultural Officer)
  - (a) The Department may choose to elect two (2) members who have nominated jointly and treated as a single candidate. These two members shall thereafter be referred to as Co-Officers as appropriate.
- (2) The term of the Officer shall expire on the 30th of November during the Guild Year of their term.
- (3) The Ethnocultural Officer shall have the power to:
  - (a) acquire, spend or dispose of any moneys or property in the manner that advances the objects of the Collective.
- (4) The Ethnocultural Officer shall not have the power to overrule or otherwise counteract a decision made by the Department at a General Meeting.

### **6 Removal of an Ethnocultural Officer**

- (1) Where, in the opinion of the Department at a General Meeting, the Ethnocultural Officer has failed to meet their duties and foster the objects of the Department under these rules, a recommendation shall be made to the Guild Council to remove that Officer.

- (2) Where the Guild Council elects to uphold the decision of the Department, the Ethnocultural Officer shall immediately cease to hold office upon the closure of the Guild Council meeting at which the decision is made.
- (3) The Guild Discipline Committee has the power to suspend or dismiss the Ethnocultural Officer, if they commit serious contravention under 16.2 of the Guild Regulations.

## 7 Committee

- (1) The role of the Ethnocultural Department Committee is to –
  - (a) Assist the Ethnocultural Officer; and
  - (b) Address all matters referred to it by the Guild Council.
- (2) The members of the Ethnocultural Department Committee, their process of election or appointment, and their role are listed in Table 1 below:

TABLE 1. ETHNOCULTURAL DEPARTMENT COMMITTEE			
Item	Position	Process of Election or Appointment	Role
<b>Executive</b>			
1	Ethnocultural Officer	Elected at a general meeting of the Department in Second Semester for the following Guild Year	The role of the Ethnocultural Officer is to – <ol style="list-style-type: none"> <li>(a) regularly report to Guild Council on the activities undertaken by themselves and the Ethnocultural Department; and</li> <li>(b) undertake any other roles as prescribed in the Ethnocultural Department’s Rules as approved by Guild Council.</li> </ol>
2	Events Deputy Ethnocultural Officer	Appointed by the Ethnocultural Officer	The role of the Events Deputy Ethnocultural Officer is to – <ol style="list-style-type: none"> <li>(a) assist the Ethnocultural Officer;</li> <li>(b) be a member of the Ethnocultural Department Executive; and</li> <li>(c) organise, plan, and host the events of the Ethnocultural Department.</li> </ol>
3	Administrative Deputy Ethnocultural Officer	Appointed by the Ethnocultural Officer	The role of the Admin Deputy Ethnocultural Officer is to – <ol style="list-style-type: none"> <li>(a) be a member of the Ethnocultural Department Executive;</li> <li>(b) carry out the administrative work of the Ethnocultural Department;</li> <li>(c) call all meetings of the Department Committee as required in accordance with these Rules;</li> <li>(d) maintain accurate and transparent administrative and</li> </ol>

			<p>financial records of the Ethnocultural Department; and</p> <p>(e) make recommendations to the Ethnocultural Department on matters related to the finances of the Department; and</p> <p>(f) in conjunction with the Ethnocultural Officer, Guild General Secretary, and Management Accountant, supervise all correspondence relating to the finances of the Department.</p>
<b>Non-Executive</b>			
4	Marketing Director	Appointed by the Ethnocultural Officer	<p>The role of the Marketing Director is to –</p> <p>(a) Be a member of the Ethnocultural Department Committee;</p> <p>(b) Be responsible to publicise the Ethnocultural Department;</p> <p>(c) Shall correspond with the UWA Student Guild Engagement Department;</p> <p>(d) Undertake any additional tasks as designated by the Ethnocultural Officer</p>
5	YCAT! Co-ordinator	Appointed by the Ethnocultural Officer	<p>The role of the YCAT! Co-ordinator is to –</p> <p>(a) Be a member of the Ethnocultural Department Committee;</p> <p>(b) Co-ordinate the program’s activities;</p> <p>(c) Work with the Marketing Director to publicise the Department’s activities</p> <p>(d) Undertake any additional tasks as designated by the Ethnocultural Officer</p>
6	CALD Blogs Co-ordinator	Appointed by the Ethnocultural Officer	<p>The role of the CALD Blogs Co-ordinator is to –</p> <p>(a) Be a member of the Ethnocultural Department Committee;</p> <p>(b) Co-ordinate the program’s activities;</p> <p>(c) Work with the Marketing Director to publicise the Department’s activities</p> <p>(d) Undertake any additional tasks as designated by the Ethnocultural Officer</p>

7	Campaigns Director	Appointed by the Ethnocultural Officer	The role of the Campaigns Director is to – (a) Be a member of the Ethnocultural Department Committee; (b) Oversee the running of any campaigns that are run by the Department; (c) Engage with students on campus to further the aims of campaigns run by the Department; and (d) Undertake any additional tasks as designated by the Ethnocultural Officer
8	Up to 5 Ordinary Committee Members	Appointed by the Ethnocultural Officer	The role of Ordinary Committee Members is to assist the Committee.

- (2) All Committee Members have full voting rights.
- (3) All Committee Members must be members of the Department.
- (4) The term of office for all Committee members is from 1 December, or date of appointment, whichever is later, until the end of that Guild Year.
  - (a) All appointed members must be appointed within the first three weeks of December.

## 8 Resignations and Vacancies

- (5) Ethnocultural Officer
  - (a) The Ethnocultural Officer may resign at any time by notifying the Guild General Secretary in writing of their decision, as per Regulation 24 of the Student Guild Regulations.
  - (b) A Deputy Officer may resign at any time by notifying the Ethnocultural Officer in writing of their decision, and such resignation shall take effect from the date specified in the notice. Should no date be given, the resignation shall be effective immediately.
  - (c) If two Co-Officers have been elected and one Co-Officer position becomes vacant, the remaining Co-Officer may continue their term as a single Ethnocultural Officer unless the Department Committee wishes to appoint someone to fill the vacancy.
- (6) Ethnocultural Department Committee
  - (a) Where, in the opinion of the Ethnocultural Officer, a member of the Ethnocultural Department Committee has neglected or failed in their duties, the Ethnocultural Officer may dismiss a Ethnocultural Department Committee member by providing the current members of the Department with written notice of the dismissal.
  - (b) Where a Committee member is dismissed under 8.6, the Ethnocultural Officer shall open applications to fill the position as soon as is practicable.

## Department Meetings

### 9 General Meeting Rules

All meetings of the Ethnocultural Department are conducted in accordance with the Standing Orders of the Guild and these Rules.

## **10 Committee Meetings**

- (1) Notice
  - (a) Subject to (b), at least 5 University Working Days' notice must be given for a Committee Meeting, whether ordinary or special.
  - (b) Where the Executive or the Ethnocultural Officer considers the matter to be urgent, at least 2 University Working Days' notice must be given for a Committee Meeting.
- (2) Chair
  - (a) The Ethnocultural Officer is to preside as chair of Committee Meetings.
  - (b) In the absence of the Ethnocultural Officer, or where the Ethnocultural Officer elects not to chair a meeting, the role of the chair is filled by the Administrative Deputy Ethnocultural Officer.
  - (c) The chair does not have a casting vote.
- (3) Quorum
  - (a) The quorum for a Committee Meeting is half if voting membership, one of whom must be the Ethnocultural Officer or the Administrative Deputy Ethnocultural Officer.

## **11 Ordinary General Meetings**

- (1) The Ethnocultural Department will hold one ordinary general meeting in Second Semester.
- (2) The Ethnocultural Officer will ensure that notice specifying the time and place of an ordinary general meeting of the Environment Department is displayed on the Guild noticeboards at least five University Working Days' prior to the date of the proposed ordinary general meeting.
- (3) The order of business for an ordinary general meeting of the Ethnocultural Department is –
  - (a) Confirmation of the minutes of the previous ordinary general meeting and of any special general meetings held since the last ordinary general meeting of the Ethnocultural Department;
  - (b) Ethnocultural Officer's report;
  - (c) A report on the activities of the Ethnocultural Department, by the Ethnocultural Officer, which is provided in written form to the Guild Council;
  - (d) Consideration of the current budget or upcoming budget as appropriate;
  - (e) Election of Ethnocultural Officer;
  - (f) Motions on notice; and
  - (g) General business.
- (4) Chair
  - (a) The Ethnocultural Officer is to preside as chair of ordinary general meetings.
  - (b) In the absence of the Ethnocultural Officer, or where the Ethnocultural Officer elects not to chair a meeting, the role of chair is filled by the Administrative Deputy Ethnocultural Officer.

- (c) If both the Ethnocultural Officer and the Administrative Deputy Environment Officer are absent or elect not to chair a meeting, the members present will elect a chair from among those present.
- (5) Quorum
  - (a) The quorum for a general meeting of the Ethnocultural Department is 20 members.
  - (b) If, at the expiration of 30 minutes from the time appointed for the commencement of the meeting, quorum has not been met, the meeting will lapse.
- (6) A general meeting of the Ethnocultural Department cannot be held on a day during the student vacation period as published in the University calendar from year to year.

## **12 Special General Meetings**

- (1) The Ethnocultural Officer will call a special general meeting of the Ethnocultural Department –
  - (a) At the discretion of the Guild Council;
  - (b) At the direction of the Ethnocultural Department Committee;
  - (c) On the written requisition of at least 10 members qualified to vote at a meeting of the Ethnocultural Department.
- (2) The Ethnocultural Officer must call a special general meeting within 14 days of receiving a direction or requisition under (1).
- (3) If the Ethnocultural Officer fails to do so, the persons named in the direction or requisition are entitled to call a special general meeting of the Ethnocultural Department.
- (4) A special general meeting of the Ethnocultural Department must be held –
  - (a) Within 21 days from the date that the Ethnocultural Officer received the direction or requisition; and
  - (b) At the time and place nominated by the Ethnocultural Officer.
- (5) All directions and requisitions for a special general meeting of the Ethnocultural Department must specify the business for which such meeting is called.
- (6) Only business specified in the direction or requisition is discussed at the special general meeting.
- (7) The Ethnocultural Officer will ensure that a notice, specifying the time and place of a special general meeting of the Ethnocultural Department, is displayed on the Guild noticeboards at least seven days prior to the date of the proposed special general meeting.

### **Elections**

- 13** The Ethnocultural Department Elections shall be held annually for the position of Ethnocultural Officer.
  - (1) Ethnocultural Department Elections shall be conducted in accordance with the Standing Orders.
  - (2) All members of the Ethnocultural Department at the close of the Nomination Period shall be entitled to vote for all positions in an Election held according to these Rules.
- 14** To be eligible to hold and nominate for a position listed in rule 7, a person must at the time of the close of the Nomination Period:
  - (1) Be a current member of the Guild;

- (2) Be a member of the Ethnocultural Department;
  - (3) Be an enrolled UWA student, with full rights and privileges, for the 12-month period during which they would hold office;
  - (4) Not have been previously convicted of an offence and sentenced to imprisonment or be currently under sentence;
  - (5) Not be certified as mentally unfit; and
  - (6) Not be an employee of the Guild.
- 15** Nominations shall be in the form and submitted in the manner prescribed by the Returning Officer.
- 16** The process for the nominations shall be communicated through all channels deemed appropriate by the Returning Officer such as:
- (1) The Guild website;
  - (2) The Ethnocultural Department Facebook or Instagram page;
  - (3) The Guild Facebook or Instagram page;
  - (4) Guild Weekly; and
  - (5) Emails to Guild members.
- 17** A person may nominate under any name that, in the opinion of the Returning Officer, best reflects their identity.
- 18** Nominations shall be open for a period of at least two weeks and shall close no later than one University Working Day before the election is to occur (Nomination Period).
- 19** Nominations must be received by the Returning Officer by 5.00 pm on the day that nominations close.
- 20** On an ongoing basis throughout the Nomination Period, the Returning Officer shall check the validity of nominations lodged.
- 21** The Returning Officer may, in their absolute discretion, accept a nomination which, in their opinion, substantially complies with the nomination requirements.
- 22** The Returning Officer may allow a nominee to alter or correct any Formal Defect in a nomination or supplementary information and documents lodged by the close of nominations whenever this is practicable.
- 23** If a nominee is ineligible as a result of a by statute, by-law, regulation or rule, the nomination shall be declared invalid.
- 24** The Returning Officer shall take reasonable steps to notify any nominee before the close of the Nomination Period of the rejection of that person's nomination and reasons for that rejection. Any nomination rejection must later be confirmed in writing.
- 25** A person nominated as a Candidate may withdraw their nomination by lodging a notice of withdrawal with the Returning Officer before the declaration of the results of the Election.
- 26** Unless the withdrawal is lodged personally with the Returning Officer, it shall be signed by the nominee and witnessed by a person entitled to vote in the Election under rule 14.
- 27** When the withdrawal of nomination is received, the withdrawing nominee shall have their name excluded from the voting system/ ballot or not have the votes for them counted (as applicable).
- 28** Where a nominee dies before the declaration of nominations, their name shall not be declared as a Candidate and the Election shall proceed as normal.
- 29** Where a nominee dies during the voting period, they shall have their name excluded from the voting system/ ballot or not have the votes for them counted (as applicable).



- 30 The Returning Officer shall send out a notice containing the names of the Candidates for each position and any other relevant details via email or set out on the Guild website, as soon as practicable after the close of the Nomination Period.
- 31 Where only one eligible nomination is received for a particular position at the close of the Nomination Period, that nominee will be declared as elected to that position by the Returning Officer and no vote will occur in respect of that position.
- 32 Candidates may engage in campaigning on their own behalf but must not procure or encourage anyone else to campaign on their behalf. Campaigning must at all times comply with the Guild Election Regulations and at the discretion of the Returning Officer.
- 33 Voting for positions will occur by ballot at the Ordinary General Meeting of the Ethnocultural Department in the second semester of the Guild Year.
- 34 Subject to these Rules, the Candidate with the most votes at the meeting will be elected to the relevant position according to schedule 2 of the Guild Election Regulations.
- 35 Any positions left vacant at the close of the vote shall remain vacant until such time as filled in accordance with the casual vacancy provisions in rule 9 (as applicable).
- 36 Ballot papers must be kept in accordance with the recordkeeping requirements in the Student Guild Regulations.
- 37 A person may appeal the outcome of an Election to the Governance Committee on the basis that there was an error in the procedure when a vote was conducted or there was a contravention of these Rules in respect of the Election.

#### **RETURNING OFFICER**

- 38 The Returning Officer must be the Managing Director of the Guild.
- 39 If the Managing Director of the Guild is unable or unwilling to act or has a conflict of interest, the Associate Director – Human Resources of the Guild or their nominee must act as Returning Officer.
- 40 A person shall only be eligible to serve as Returning Officer if that person:
  - (1) Is not a member of the Ethnocultural Department and has not been anytime in the last 2 years;
  - (2) Has not been a Candidate in an Election held under these Rules anytime in the last 2 years;
  - (3) Is 18 years of age or older;
  - (4) Is capable of administering all aspects of the Election efficiently; and
  - (5) Is impartial.
- 41 The Returning Officer is responsible for ensuring:
  - (1) The fair conduct and administration of the Election held under these Rules for which they are appointed;
  - (2) That Elections are conducted in accordance with these Rules and the Student Guild Election Regulations;
  - (3) That Election preparations are completed in a timely manner; and
  - (4) That the duties required in these Rules are carried out.
- 42 The Returning Officer shall have the power to:
  - (1) Issue any determination in whatever terms they see fit for the fair conduct and administration of any Election for which they are appointed;
  - (2) Act on their own motion to prevent a breach or attempted breach of these Rules;
  - (3) Spend any monies assigned by the Ethnocultural Department Committee for the purposes of the administration of an Election;

- (4) Direct any person wilfully interfering, obstructing or disrupting balloting procedures or a count of votes; and
- (5) Take any other reasonable action they deem appropriate to ensure the fair conduct and administration of an Election.

**43** Except where a Returning Officer is appointed under rule 47, the Returning Officer shall be appointed no later than one week prior to the opening of nominations.

**44** The appointment of the Returning Officer shall be effective from the date of appointment until the declaration of the Election for which that Returning Officer has been appointed.

**45** The Returning Officer may resign by lodging a written resignation with the Ethnocultural Officer and the President of the Guild.

**46** The resignation shall be effective from the time and date it is received by the Ethnocultural Officer.

**47** Should a Returning Officer resign, or otherwise be unable to act, a new Returning Officer will be appointed by the Associate Director – Human Resources of the Guild.