

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

Preliminary

1 Establishment and Particulars

These rules are created under regulation 37 of the Student Guild Regulations.

2 Definitions and Interpretations

- (1) In these Rules, unless the contrary intention appears –
- (a) **Guild** means the UWA Student Guild, as established by the *University of Western Australia Act 1911*;
 - (b) **Guild Year** has the meaning given in the *Student Guild Regulations*, which as at the date of these Rules is:
the period from 1 December to 30 November of the following year;
 - (c) **Second Semester** has the meaning given in the *Student Guild Regulations*, which as at the date of these Rules is:
the second Semester as specified in the University calendar;
 - (d) **University** means the University of Western Australia, as established by the *University of Western Australia Act 1911*;
 - (e) **University Working Day** has the meaning given in the University of Western Australia Statute clause, which as at the date of these Rules is:
any day other than a Saturday, Sunday and a day specified by in the University calendar as a University holiday.
 - (f) **Discrimination or Discriminatory Behaviour** has the meaning,
 - (i) Any form of discrimination on the basis of sex, sexual orientation, gender identity, intersex status, race, age, or disability.
 - (ii) Exclusionary views such as, but not limited to, trans-exclusionary radical feminism, asexual and aromantic exclusion, bisexual or pansexual exclusion, homophobia and lesbophobia, or the exclusion of non-binary people.
 - (g) **Non-Heterosexual Sexual Orientations** has the meaning members of our community who are gay, lesbian, bisexual, pansexual, asexual, aromantic, questioning, and all others not listed here.
 - (h) **Non-Cisgender Gender Identities** has the meaning both binary and non-binary trans identities, those who are questioning their gender identity, and all others not listed here.

Pride Department

3 Objects of the Pride Department

- (1) It shall be the aim of the Pride Department to:
 - (a) Foster a supportive and open environment for Department members;
 - (b) Promote education about, and understanding of, non-heterosexual sexual orientations and non-cisgender gender identities amongst the wider University community.
 - (c) Monitor compliance with State and Federal equal opportunity legislation and contribute to best practice around sexual and gender diversity;
 - (d) Work towards achieving social, economic and educational equality for students of non-heterosexual sexualities and non-cisgender gender identities;
 - (e) Recommend to the Guild Council relevant policy on issues related to students of non-heterosexual sexualities and non-cisgender gender identities, and to implement appropriate Guild policy on matters that affect those students; and, Organise activities and events for Department members, related to the above objects of the Department.

4 Membership of the Department

- (1) All students who are, or support the rights of, people with non-heterosexual sexual orientations and non-cisgender gender identities shall be allowed to be members of the Department.
- (2) There shall be no fee for being a member of the Department.
- (3) Members of the Pride Department have the right to apply for any position outlined within these Rules unless otherwise specified.
- (4) No person who is not a Guild Member may act as a member of the Pride Department or hold a position outlined in these Rules.

5 Removal of a Pride Department Member

- (1) Where, in the opinion of the Pride Officer(s), a member has significantly breached the rules, written or otherwise, of the Department, the Pride Officers may refer the person to the misconduct tribunal as per Chapter 7 of the Guild Regulations.

6 Pride Officer

- (1) There shall be two Pride Department Officers (Pride Officers).
 - (a) One Pride officer position must be preferenced to a candidate who is not a cisgender man.
- (2) The Pride Officer(s) shall be elected at a General Meeting of the Pride Department.
 - (a) Candidates for Pride Officer shall run as individuals.
- (3) The Pride Officer(s) must provide, for the information of the Guild Strategic Resources Committee, a copy of the Pride Department budget for the current Guild Year together with its financial statements.
- (4) Notwithstanding Guild Regulations and these Rules, the purposes for which the funding provided to the Pride Department is expended at the discretion of the Pride Officer(s).

7 Removal of Pride Officer(s)

- (1) The Guild Council has the power to declare vacant the position of the Pride Officer(s) under regulation 23 of the Student Guild Regulations.
- (2) The Guild Discipline Committee has the power to suspend or dismiss the Pride Officer(s) if they commit serious contravention under 16.2 of the Guild Regulations.

8 Committee

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

TABLE 1. Pride Department Committee			
Item	Position	Process of Election or Appointment	Role
Executive			
1	Up to 2 Pride Officers	Elected at a General Meeting of the Pride Department in accordance with the <i>Guild Election Regulations</i> .	The role of the Pride Officer(s) is to – <ol style="list-style-type: none"> 1. Regularly report to Guild Council on the activities undertaken by themselves and the Pride Department; and 2. Undertake any other roles as prescribed in the Pride Department Rules as approved by Guild Council.
2	Up to 5 Deputy Pride Officers	Appointed by the Pride Officer(s).	The role of the Deputy Pride Officer(s) is to – <ol style="list-style-type: none"> 1. Assist the Pride Officer(s); and 2. Be a member of Pride Department Executive.
Non-Executive			
3	Ordinary Committee Members	Appointed by the Pride Officer(s).	The role of Ordinary Committee Members is to assist the Committee.

- (3) All Committee Members have full voting rights.
- (4) The term of office of all Committee Members is 1 December, or date of appointment, whichever is later, until the end of that Guild Year.

9 Resignations and Vacancies

- (1) The Pride Officer(s) 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.
- (2) If two Officers have been elected and one Officer position becomes vacant, the remaining Officer may continue their term as a single Pride Officer unless the Department Committee wishes to appoint someone to fill the vacancy.
- (3) A Deputy may resign at any time by notifying the Pride Officer(s) 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.

- (4) Where, in the opinion of the Pride Officer(s), a Pride Department Deputy has neglected or failed in their duties, the Pride Officer(s) may dismiss a Pride Department Deputy by providing the current members of the department with written notice of the dismissal.
- (5) The Pride Officer(s) shall replace the vacant position as soon as practicable, as per the process outlined in section 8 of these rules.

Department Meetings

10 General Meeting Rules

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

11 Committee Meetings

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

12 Ordinary General Meetings

- (1) The Pride Department will hold one ordinary general meeting in Second Semester
- (2) The Pride Officer(s) will ensure that notice specifying the time and place of an ordinary general meeting of the Pride Department is made available at least five University Working Days' prior to the date of the proposed ordinary general meeting
- (3) The order of business of an ordinary general meeting of the Pride Department is –
 - (a) Confirmation of the minutes of the previous ordinary general meeting and of any special general meeting held since the last ordinary general meeting of the Pride Department;
 - (b) Pride Officer(s) report (Second Semester only);
 - (c) Consideration of the current budget or upcoming budget as appropriate;
 - (i) Motions on notice; and
 - (ii) General business
 - (d) Election of the Pride Officers
- (4) Chair
 - (a) The Pride Officer(s) shall preside as Chair of Ordinary General Meetings.
 - (b) In the absence of a Pride Officer, or where a Pride Officer elects not to chair a meeting, the role of chair is filled by one of the Deputy Pride Officers.
 - (c) If both the Pride Officers and the Deputy Pride Officers 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 Pride Department is 15 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 Pride Department cannot be held on a day during the student vacation period as published in the University calendar from year to year.

13 Special General Meetings

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

Elections

- 14** The Pride Department Elections shall be held annually for the position of Pride Officer(s)
 - (1) Pride Department Elections shall be conducted in accordance with the Standing Orders.
 - (2) All members of the Pride Department at the close of the Nomination Period shall be entitled to vote for all positions in an Election held according to these Rules.
- 15** To be eligible to hold and nominate for the position of Pride Officer(s), a person must at the time of the close of the Nomination Period:
 - (1) Be a current member of the Guild;
 - (2) Be a current member of the Pride 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.
- 16** Nominations shall be in the form and submitted in the manner prescribed by the Pride Officer(s).
- 17** The Pride Officer(s) shall communicate all nominations and withdrawals to the Returning Officer.
- 18** The process for the nominations shall be communicated through all channels deemed appropriate by the Pride Officer(s) .

- 19 A person may nominate under any name that best reflects their identity.
- 20 A person may nominate under any gender identity that best reflects their identity.
- 21 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).
- 22 Nominations must be received by the Returning Officer by 5.00 pm on the day that nominations close.
- 23 On an ongoing basis throughout the Nomination Period, the Returning Officer shall check the validity of nominations lodged.
- 24 The Pride Officer(s) may, in their absolute discretion, accept a nomination which, in their opinion, substantially complies with the nomination requirements.
- 25 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.
- 26 If a nominee is ineligible as a result of a by statute, by-law, regulation or rule, the nomination shall be declared invalid.
- 27 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.
- 28 A person nominated as a candidate may withdraw their nomination by lodging a notice of withdrawal with the Pride Officer (s) before the declaration of the results of the Election.
- 29 Unless the withdrawal is lodged personally with the Pride Officer(s), it shall be signed by the nominee and witnessed by a person entitled to vote in the Election under rule 14(2). 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).
- 30 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.
- 31 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).
- 32 The Pride Officer(s) shall send out a notice, containing the names of the Candidates for each position and any other relevant details, to the members of the department.
- 33 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.
- 34 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 Standing Orders.
- 35 Voting for positions will occur by ballot at the Ordinary General Meeting of the Pride Department in the second semester of the Guild Year.
- 36 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.
- 37 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.
- 38 Ballot papers must be kept in accordance with the recordkeeping requirements in the Student Guild Regulations.
- 39 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

- 40 The Returning Officer must be the Managing Director of the Guild.

- 41** 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.
- 42** A person shall only be eligible to serve as Returning Officer if that person:
- (1) Has not been a Candidate in an Election held under these Rules anytime in the last 2 years;
 - (2) Is 18 years of age or older;
 - (3) Is capable of administering all aspects of the Election efficiently; and
 - (4) Is impartial.
- 43** 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.
- 44** 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 Pride 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.
- 45** Except where a Returning Officer is appointed under rule 48, the Returning Officer shall be appointed no later than one week prior to the opening of nominations.
- 46** 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.
- 47** The Returning Officer may resign by lodging a written resignation with the Pride Officer(s).
- 48** The resignation shall be effective from the time and date it is received by the Pride Officer(s).
- 49** Should a Returning Officer resign, or otherwise be unable to act, a new Returning Officer will be appointed by the Pride Officer(s) Associate Director – Human Resources of the Guild.