



STUDENT GUILD
GRIFFITH UNIVERSITY • GOLD COAST

Griffith University
Gold Coast Student Guild

Constitution

Council 4/2025 (August)

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Contents

1. Introductory provisions	3
1.1. Definitions	3
1.2. Name	3
1.3. Body corporate and charity	3
1.4. University Act and ACNC Act	3
2. Objects and powers	4
2.2. Powers	4
3. Rights of students	4
3.1. Student rights	4
4. The Board	4
4.1. Functions and powers of Board	4
4.2. Duties of Board Members	4
4.3. Board composition	5
4.4. Election and appointment of Board Members	5
4.5. Terms of office for Board Members	5
4.6. Appointment of Board Chair	5
4.7. Material personal interests	6
4.8. Vacation of office of a Board Member	6
4.9. Removal of Board Member by the Board	6
4.10. Vacancies on Board	7
5. Delegation and Committees	7
5.1. Delegation	7
5.2. Committees	7
6. Meetings	8
6.1. Board meetings	8
6.2. Minutes of Board meetings	8
6.3. Quorum for, and adjournment of, Board meeting	8
6.4. Resolutions of Board without meeting	8
6.5. CEO attendance at Board meetings	8
6.6. General meetings not required	8
7. CEO	9
7.1. Appointment of CEO	9
7.2. Duties of CEO	9
8. Finance	9
8.1. Financial year	9
8.2. Financial records and audit	9
8.3. Not-for-profit	9
9. Documents and legal	10
9.1. Documents	10
9.2. Common seal	10
9.3. Amendments to Constitution	10
9.4. Regulations	10
9.5. Indemnity	10
9.6. Insurance	10
10. Winding up	11
10.1. Excess property on winding up	11

1. Introductory provisions

1.1. Definitions

1.1.1. In this Constitution:

- a. ACNC means the Australian Charities and Not-for-profits Commission;
- b. ACNC Act means the Australian Charities and Not-for-profits Commission Act 2012 (Cth);
- c. Board means the Board Members for the time being constituted as provided for in this Constitution;
- d. Board Member means all elected and appointed Board Members;
- e. casual vacancy, on the Board, means a vacancy that happens when a Board Member resigns or otherwise stops holding office in accordance with clause 4.8.1, or a vacancy that occurs if no candidate is elected or appointed to any vacant Board position;
- f. CEO means the Chief Executive Officer of the Student Guild, who also acts as Secretary;
- g. employee means a person engaged by the Student Guild under a contract of employment, or any person contracted to provide services to the Student Guild on a fee-for-service basis. This includes both permanent and casual staff, as well as people who perform ongoing or project-based work under a written agreement, but excludes individuals who provide services under an ATO Statement by a Supplier form;
- h. External Board Member means a Board Member who is not a student and not an employee or alumnus of the University. External Board Members are appointed in accordance with clause 4.4.6;
- i. general election means the annual election of Student Board Members, as provided for in the Regulations;
- j. officer means a Board Member, CEO, other officer or employee of the Student Guild;
- k. President means the student representative elected by and from the Guild Representative Committee to serve as President and chair of the Guild Representative Committee;
- l. quorum means the minimum number of Board Members who must be present at a Board meeting in order to constitute a valid meeting;
- m. Regulations means the Regulations of the Student Guild, made or altered by the Board from time to time;
- n. signed means agreed in writing;
- o. student means a person who has accepted an offer of admission to Griffith University and is enrolled in a program or course of study administered through the Gold Coast campus. This includes students enrolled online and individuals undertaking undergraduate, postgraduate, research or non-award studies, regardless of study load or mode. A person who has graduated, is on an approved leave of absence or is participating in an approved exchange program with another institution as part of a Griffith University program or course of study may still be considered a student for the purposes of serving as a Student Board Member under clause 4.5.5. For clarity, a person enrolled in a degree at another institution and studying temporarily at Griffith University under an exchange arrangement is not considered a student for the purposes of this Constitution;
- p. Student Board Member means a Board Member who is a student, elected in accordance with clause 4.5.1;
- q. Student Guild means Griffith University Gold Coast Student Guild;
- r. surplus assets means the assets and property after payment of the debts and liabilities remaining on a winding-up of the Student Guild and the costs, charges and expenses of the winding-up;
- s. University means Griffith University Gold Coast, established under the Griffith University Act 1998;
- t. University Act means the Griffith University Act 1998;
- u. University Board Member means a Board Member who is an employee or alumnus of the University and appointed as a Board Member by the University in accordance with clause 4.4.5;
- v. written / in writing means, unless the contrary intention appears, all forms of visible words, including printed, hard copy or electronic formats.

1.1.2. Words importing the singular include the plural where context requires or permits.

1.2. Name

1.2.1. The name of the Student Guild is Griffith University Gold Coast Student Guild.

1.3. Body corporate and charity

1.3.1. The Student Guild is established as a body corporate in accordance with Section 39 of the University Act.

1.3.2. The Student Guild is a registered charity in accordance with the ACNC Act.

1.4. University Act and ACNC Act

1.4.1. In this Constitution, unless the context requires otherwise, a word or expression has, in a provision of this Constitution that deals with a matter dealt with by a particular provision of the University Act or the ACNC Act, the same meaning as in that provision of the respective Act.

2. Objects and powers

2.1. Objects

2.1.1. The objects of the Student Guild in delivering its charitable purpose of advancing education are:

- a. supporting the student experience, education and welfare of students;
- b. promoting interest in the activities, progress and development of the University;
- c. acting as a means of communication between students and the University and promoting harmonious relations between students and the University;
- d. providing support for affiliated clubs and societies and the organisation of recreational, extracurricular, cultural, educational, sporting, social, spiritual and related activities;
- e. encouraging students to participate in recreational, extracurricular, cultural, educational, sporting, social and spiritual activities and subsidising such activities as deemed appropriate by the Board;
- f. representing and supporting students in all matters affecting their recreational, extracurricular, cultural, educational, sporting, social and spiritual interests, whilst maintaining the a-political and a-religious position of the Student Guild;
- g. providing a forum for the dissemination, discussion and debate of information about matters of student interest and advocating for student rights, interests and aspirations;
- h. providing retail, food and beverage services on campus;
- i. encouraging and practising environmental responsibility and always promoting an awareness of the need for environmentally sustainable practices and behaviour; and
- j. doing all such things as are incidental or conducive to the attainment of any or all the above objects.

2.2. Powers

2.2.1. Solely for furthering the objects under clause 2.1 and in accordance with Sections 41 and 42 of the University Act, the Student Guild has all the powers of an individual including, without limitation, the power to acquire, hold, dispose of and deal with property.

3. Rights of students

3.1. Student rights

3.1.1. Subject to this Constitution and any Regulations, students may:

- a. stand and vote in elections;
- b. subject to approval of the Board, attend meetings of the Board as an observer, but not vote unless a Board Member;
- c. subject to approval of the Board, attend and speak at Committee meetings, but not vote unless a member of the respective Committee.

4. The Board

4.1. Functions and powers of Board

4.1.1. The business of the Student Guild is to be managed by or under the direction of the Board.

4.1.2. The Board operates independently of the University.

4.1.3. The Board must take all reasonable steps to ensure that the Student Guild complies with its obligations under the University Act, ACNC Act and this Constitution.

4.1.4. The Board may exercise all the powers of the Student Guild in accordance with this Constitution, any Regulations, the University Act and ACNC Act.

4.2. Duties of Board Members

4.2.1. Board Members must comply with their legal duties:

- a. to exercise their powers and discharge their duties with reasonable degree of care and diligence;
- b. to act in good faith in the best interests of the Student Guild and to further the charitable purpose of the Student Guild;
- c. not to misuse their position or any information acquired in the role of Board Member;
- d. to disclose any perceived or actual material personal interest in the manner set out in clause 4.7;
- e. to ensure that the financial affairs of the Student Guild are managed responsibly; and
- f. not to allow the Student Guild to operate while it is insolvent.

4.3. Board composition

- 4.3.1. The Board comprises no more than nine Board Members, including:
 - a. four Student Board Members; and
 - b. the President of the Guild Representative Committee, who is also a student; and
 - c. one University Board Member; and
 - d. three External Board Members.
- 4.3.2. No person who is a current employee of the Student Guild shall be eligible to hold office as a Board Member.
- 4.3.3. Except for the President, no student may serve on the Board and in any other elected Student Guild role at the same time.
- 4.3.4. A person may be a Board Member only if the person:
 - a. is at least 18 years of age; and
 - b. is not disqualified from managing the affairs of a body corporate.

4.4. Election and appointment of Board Members

- 4.4.1. The Board must make and keep updated Regulations for the conduct of free and democratic elections of Student Board Members and for the appointment of University Board Members and External Board Members.
- 4.4.2. Student Board Members must be directly elected by students in accordance with the Regulations.
- 4.4.3. No student may run for election to the Board and to any other elected Student Guild role in the same year.
- 4.4.4. The Guild Representative Committee President must be elected by the Guild Representative Committee in accordance with the Regulations. The President serves as an ex-officio Board Member.
- 4.4.5. University Board Members are recommended by the University and appointed by the Board in accordance with the Regulations.
- 4.4.6. External Board Members are appointed by the Board in accordance with the Regulations.

4.5. Terms of office for Board Members

- 4.5.1. Subject to clause 4.5.2, Student Board Members shall take office from the date specified in the Regulations.
- 4.5.2. In the year this Constitution is adopted the existing Board shall remain in office from the declaration of the poll for the new Board until 31 December of that year. The new Board shall take office on 1 January of the following year. To achieve the rotation required by clause 4.5.4, some Student Board Members elected at that poll will serve a one-year term and others a two-year term.
- 4.5.3. The term of office for Student Board Members is two years.
- 4.5.4. Subject to the Regulations, two Student Board Members are elected in each year to ensure rotational terms.
- 4.5.5. A Student Board Member must be an enrolled student for the entire first year of their term, unless taking an approved leave of absence from the University. A Student Board Member may continue to serve as a Student Board Member for the second year of their term, even if, during that year, they:
 - a. graduate from the University; or
 - b. take an approved leave of absence from the University; or
 - c. participate in an approved exchange program with another institution as part of a Griffith University program or course of study.
- 4.5.6. The Guild Representative Committee President shall take office from the date specified in the Regulations.
- 4.5.7. The ex-officio term of office on the Board for the Guild Representative Committee President is one year.
- 4.5.8. University Board Members and External Board Members shall take office from the date of their appointment, or from any other date determined by the Board.
- 4.5.9. The term of office for University Board Members is two years.
- 4.5.10. The term of office for External Board Members is two years.
- 4.5.11. No Board Member may hold office for a cumulative total of more than six years.

4.6. Appointment of Board Chair

- 4.6.1. The Board Chair shall be appointed in accordance with the Regulations.
- 4.6.2. An External Board Member must serve as Board Chair.
- 4.6.3. The President shall serve as the Deputy Chair of the Board and may chair Board meetings in the absence of the Board Chair.

4.7. Material personal interests

4.7.1. A Board Member must disclose any material personal interest in a matter that relates to the affairs of the Student Guild:

- a. at the first Board meeting after their appointment; and
- b. at the first Board meeting after the Board Member becomes aware of a new material personal interest arising during their term.

4.7.2. The disclosure must include details of the nature and extent of the Board Member's material personal interest and details of how that interest relates to the affairs of the Student Guild.

4.7.3. A Board Member who has a material personal interest in a matter that is considered at a Board meeting:

- a. must not be present while the matter is being considered at the meeting; and
- b. must not vote on the matter, and, if the Board Member does vote, the Board Member's vote must not be counted.

4.7.4. Clause 4.7.3 does not apply if the Board has passed a resolution that identifies the Board Member, the nature and extent of the Board Member's interest in the matter and its relation to the affairs of the Student Guild, and states that those other Board Members voting for the resolution are satisfied that the interest should not disqualify the Board Member from voting or being present.

4.7.5. The Board shall maintain a register of declared interests.

4.8. Vacation of office of a Board Member

4.8.1. A casual vacancy on the Board shall be deemed to occur if a Board Member:

- a. a. resigns from the Board by giving written notice of resignation to the CEO. Such resignation takes effect at:
 - i. the time the notice is received by the CEO; or
 - ii. if a later time is stated in the notice, the later time.
- b. dies; or
- c. in the case of a Student Board Member, ceases to be a student, subject to clause 4.5.5; or
- d. is removed from office at a Board meeting in accordance with clause 4.9; or
- e. fails to comply with Board Member duties set out at clause 4.2.1; or
- f. becomes disqualified from managing the affairs of a body corporate; or
- g. is convicted of an indictable offence or is made bankrupt; or
- h. is absent from two consecutive Board meetings without approval of the Board; or
- i. becomes a mentally ill or incapable person within terms of the Mental Health Act 2000, or one whose person or estate is liable to be dealt with or controlled in any way under the laws relating to mental health; or
- j. becomes an employee of the Student Guild; or
- k. does not agree to undergo a criminal history check or is disqualified as a result of such a check.

4.8.2. A Board Member has no right of appeal against their removal from office under this clause.

4.9. Removal of Board Member by the Board

4.9.1. A Board Member who is guilty of a breach of discipline may be either suspended or dismissed from office by a resolution of the Board, provided that:

- a. at least 14 days notice is given in writing of the intention of the Board to move a motion to suspend or dismiss the Board Member; and
- b. the Board Member has been given a full and fair opportunity to show cause why they should not be suspended or dismissed.

4.9.2. A Board Member is guilty of a breach of discipline if they:

- a. contravene or fail to comply with any of the provisions of this Constitution, the Regulations or any lawful direction of the Board;
- b. wilfully perform an act that might endanger the safety or health of a person, or damage or destroy any property of the Student Guild; or
- c. wilfully perform an act that might disrupt any Student Guild activity or be detrimental to the Student Guild; or
- d. repeatedly demonstrate unsatisfactory performance in the execution of their duties as a Board Member; or
- e. make a frivolous or vexatious complaint against a Board Member under this clause.

4.10. Vacancies on Board

- 4.10.1. If a casual vacancy occurs:
- a. in a Student Board Member position, the continuing members of the Board shall fill the casual vacancy as soon as practicable by co-option and appointment of an eligible student; or
 - b. in the position of Guild Representative Committee President, the Guild Representative Committee shall fill the casual vacancy as soon as practicable by election; or
 - c. in a University Board Member position, the continuing members of the Board shall fill the vacancy as soon as practicable by appointment, provided that the newly appointed University Board Member shall be approved by the University; or
 - d. in an External Board Member position, the continuing members of the Board shall fill the vacancy as soon as practicable by appointment.
- 4.10.2. A Board Member appointed or elected to a casual vacancy under clause 4.10.1 shall remain in office for the remainder of the term for the position to which they are appointed or elected.
- 4.10.3. The continuing Board Members may act despite one or more casual vacancies on the Board. However, if at any time Student Board Members do not constitute a majority of the Board, the continuing Board Members may act only to:
- a. increase the number of Student Board Members to achieve a majority of the Board; or
 - b. make decisions necessary to ensure the Student Guild meets its legal obligations or avoids significant operational or financial harm; or
 - c. address urgent matters affecting the continuity or governance of the Student Guild.

5. Delegation and Committees

5.1. Delegation

- 5.1.1. The Board may delegate any of its powers and authorities, duties and functions to any person or to any Committee except a function that is a duty imposed on the Board by the University Act, the ACNC Act or by any other law.
- 5.1.2. Despite any delegation under this clause, the Board may continue to exercise all its functions, including any function that has been delegated, and always remains accountable for the exercise of those functions.
- 5.1.3. The Student Guild must keep appropriate records of any delegations.

5.2. Committees

- 5.2.1. The Board must make and keep updated Regulations and Terms of Reference relating to Student Guild Committees.
- 5.2.2. The Student Guild includes the following Committees:
- a. Guild Representative Committee, whose purpose shall be to advocate and represent the interests of students within the Student Guild, the University and to stakeholders; and
 - b. any other Committee considered appropriate by the Board to help with the conduct of the Student Guild's operations.
- 5.2.3. The Board has authority to create and dissolve any Committee other than the Guild Representative Committee.
- 5.2.4. Committees shall have such membership, powers and duties as the Board or the Regulations shall confer on them, or which the Board shall delegate to them.
- 5.2.5. A Committee may meet and adjourn as it considers appropriate, or as directed by the Board or the Regulations.
- 5.2.6. Each Committee must provide regular written reports to the Board and must also report at such times and in such form as the Board may require.
- 5.2.7. Minutes of all Committee meetings must be prepared promptly and made available to the Board for review.
- 5.2.8. Where practicable, each Committee must meet in sufficient time to ensure its reports can be considered by the Board at the next scheduled Board meeting.
- 5.2.9. A Committee must in the exercise of those powers delegated to it, conform to any Regulation or restriction that the Board may impose upon it from time to time.

6. Meetings

6.1. Board meetings

- 6.1.1. The Board may meet for the transaction of business, adjourn and otherwise regulate its meetings as it deems fit, provided that the Board must meet:
- at least once every two months, unless this requirement is impractical due to an extended non-study or holiday period, in which case the Board must meet as soon as reasonably practicable thereafter; and
 - no more than once every three weeks, except where an emergency arises, in which case the Board Chair has discretion to determine whether an emergency meeting is warranted.
- 6.1.2. The Board Chair may call a Board meeting by giving reasonable notice to all other Board Members.
- 6.1.3. Notice of a meeting is to be given in the way decided by the Board.
- 6.1.4. The Board may hold meetings or permit a Board Member to take part in its meetings by using any technology that reasonably allows all Board Members participate in the meeting and vote in real time.
- 6.1.5. A Board Member who participates in the meeting as mentioned in clause 6.1.4 is taken to be present at the meeting.
- 6.1.6. Each Board Member present is entitled to one vote only.
- 6.1.7. A question arising at a Board meeting is to be decided by a majority vote of the Board Members voting on the resolution and, if the votes are equal, the question is resolved so as to maintain the status quo.
- 6.1.8. At each Board meeting:
- the Board Chair is to preside as Chairperson; and
 - if a Board Chair or Deputy Chair has not been appointed, is not present within 15 minutes of the scheduled start time of the meeting or is unwilling to act, the Board Members present may elect one of their number to chair the meeting;
 - the Chairperson must conduct the meeting in a proper and orderly way.

6.2. Minutes of Board meetings

- 6.2.1. The CEO must ensure a record of all Board Members present and full and accurate minutes of each Board meeting are recorded.
- 6.2.2. To ensure the accuracy of the minutes, the minutes of each Board meeting must be confirmed by the Board Members present at a subsequent Board meeting and signed by the Chairperson of the meeting, or the Chairperson of the subsequent Board meeting, verifying their accuracy.
- 6.2.3. Minutes of Board meetings are available for inspection by the CEO, the Board and any other person approved by the Board.

6.3. Quorum for, and adjournment of, Board meeting

- 6.3.1. The quorum for a Board meeting is more than half of the total number of Board Members, provided that at least one University Board Member or External Board Member must be present.
- 6.3.2. If there is no quorum within 30 minutes after the time fixed for a Board meeting:
- the meeting is to be adjourned for at least one day; and
 - the Board Members who are present are to decide the day, time and place of the adjourned meeting.

6.4. Resolutions of Board without meeting

- 6.4.1. A written resolution agreed in writing by at least 75% of Board Members is as valid and effectual as if passed at a properly convened Board meeting, provided that:
- every Board Member has been given an opportunity to read and vote on the resolution; and
 - the number of Student Board Members who agree to the resolution is not less than the number of non-Student Board Members who agree to it.
- 6.4.2. Such a resolution may be validly transmitted and agreed in writing electronically.
- 6.4.3. A resolution mentioned in clause 6.4.1 may consist of several documents in like form, each agreed in writing by one or more Board Members.

6.5. CEO attendance at Board meetings

- 6.5.1. The CEO is entitled to attend and speak at Board meetings but is not a Board Member and is not entitled to vote.
- 6.5.2. The Board may request the CEO to be absent from all or part of a Board meeting where necessary.

6.6. General meetings not required

- 6.6.1. The Student Guild is not required to hold general meetings or annual general meetings.

7. CEO

7.1. Appointment of CEO

7.1.1. The CEO is appointed by the Board and must be an individual:

- a. ordinarily residing in Australia; and
- b. at least 18 years of age; and
- c. not disqualified from managing a corporation.

7.1.2. If a vacancy occurs in the office of CEO, the Board must ensure a CEO is appointed as soon as practicable after the vacancy occurs.

7.1.3. The Board may appoint an Acting CEO during any extended absence or vacancy in the office of CEO. While appointed the Acting CEO holds the same delegations and responsibilities as the CEO.

7.2. Duties of CEO

7.2.1. The CEO is responsible for delivering the Student Guild's strategy and managing its financial and operational affairs.

7.2.2. The CEO is the Secretary.

7.2.3. The CEO holds office on the terms and conditions and with the powers, duties and authorities, delegated to them by the Board. The exercise of those powers and authorities and the performance of those duties by the CEO are subject at all times to the control of the Board.

7.2.4. The CEO shall diligently perform the lawfully required duties as directed by the Board.

7.2.5. The CEO shall have the authority necessary to enable them to carry out their duties provided that they shall not in any way usurp or otherwise seek to restrict or interfere with the proper exercise of the powers of the Board or Board Members.

8. Finance

8.1. Financial year

8.1.1. The Student Guild's financial year will commence on 1 January and end on 31 December, unless the Board passes a resolution to change the Student Guild's financial year.

8.2. Financial records and audit

8.2.1. The Board must cause written financial records to be kept with respect to the Student Guild's financial affairs, which must correctly record and explain all financial transactions of the Student Guild.

8.2.2. Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the Student Guild.

8.2.3. The funds of the Student Guild must be kept in accounts in the name of the Student Guild in financial institutions decided by the Board.

8.2.4. The Board may invest excess funds in any secure form of investment it shall determine.

8.2.5. The Board must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.

8.2.6. As soon as practical after the end date of each financial year, the Board must cause the financial statement prepared under section 8.2.5 to be audited by a registered public accountant appointed by the Board. Such audited financial statements for each year are to be published for the information of students and the University.

8.2.7. No payments are to be made to any officer of the Student Guild by way of commission or allowance calculated by reference to the quantity of liquor sold or supplied or calculated by the receipts for such liquor.

8.3. Not-for-profit

8.3.1. The income and property of the Student Guild must be applied solely towards the promotion of the objects of the Student Guild as set out in this Constitution and no portion thereof is to be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any individual.

8.3.2. Notwithstanding clause 8.3.1, nothing in this Constitution shall prevent the payment in good faith of:

- a. remuneration of any person in return for services actually rendered to the Student Guild; or
- b. payment of a Board Member in carrying out the Student Guild's charitable purpose; or
- c. repayment for out-of-pocket expenses incurred on behalf of the Student Guild; or
- d. payment for sale or hire of goods or payment of rent for premises let to the Student Guild; or
- e. interest to any person in respect of money advanced by that person to the Student Guild or otherwise owing by the Student Guild to the person, provided that the rate of interest is not more than the current rate being charged for overdrawn accounts on money lent by:
 - i. the financial institution of the Student Guild; or
 - ii. if there is more than one financial institution of the Student Guild, the financial institution nominated by the Board.

9. Documents and legal

9.1. Documents

9.1.1. The Board must ensure the safe custody of books, documents, instruments of title and securities of the Student Guild.

9.2. Common seal

9.2.1. The Board must ensure that the Student Guild has a common seal, in accordance with Section 39(2)(a) of the University Act.

9.2.2. The common seal must be:

- a. kept securely by the Board; and
- b. used only under the authority of the Board.

9.2.3. Each instrument to which the seal is attached shall be signed by a Board Member and countersigned by:

- a. the CEO; or
- b. another Board Member; or
- c. someone authorised by the Board.

9.3. Amendments to Constitution

9.3.1. This Constitution may be amended by:

- a. providing notice of any proposed amendment to this Constitution to students at least 14 days before the Board meeting at which such amendments are to be considered by the Board;
- b. the passing of a resolution of the Board at a Board meeting;
- c. receipt of written approval of the amended Constitution from the University.

9.3.2. The Board may decide the way in which the notice of any proposed amendment to this Constitution must be given to students.

9.3.3. The University may amend or replace this Constitution as it sees fit provided that the University must make all reasonable effort to consult with the Board prior to undertaking any such amendment or replacement.

9.4. Regulations

9.4.1. The Board may make, amend or repeal Regulations, consistent with this Constitution, to regulate in greater detail the Student Guild's activities and the conduct of its affairs.

9.4.2. A proposal to make, amend or repeal a Regulation shall be submitted in writing to each member of the Board at least 21 days before the meeting at which the proposal is to be discussed.

9.4.3. The Board must provide notice of any proposal to make, amend or repeal a Regulation to students at least 14 days before the Board meeting at which the proposal is to be discussed.

9.4.4. Regulations made by the Board shall be as valid and effective as though they were part of this Constitution.

9.4.5. This Constitution prevails if any Regulation is inconsistent with this Constitution.

9.5. Indemnity

9.5.1. This clause applies to every person who is or has been an officer of the Student Guild.

9.5.2. To the extent allowed by law, the Student Guild will indemnify each person mentioned in clause 9.5.1 out of the property of the Student Guild against any liability that the person incurs in that capacity.

9.5.3. Clause 9.5.2 does not apply to any liability arising from conduct that involves:

- a. fraud or dishonesty;
- b. wilful misconduct or gross negligence;
- c. a breach of the officer's duty to act in good faith in the best interests of the Student Guild; or
- d. any other conduct for which indemnification is not permitted by law.

9.6. Insurance

9.6.1. The Board shall ensure that the Student Guild has insurance to cover every officer and servant against all liabilities incurred by them in or about the proper execution of the affairs of the Student Guild.

10. Winding up

10.1. Excess property on winding up

- 10.1.1. If upon winding up or cancellation of the Student Guild there remains, after satisfaction of all its debts and liabilities, any surplus assets whatsoever, the surplus assets must not be paid to or distributed to any individual.
- 10.1.2. Any surplus assets must be given up or transferred to one or more other charities:
 - a. that have charitable purposes similar to or inclusive of the objects of the Student Guild; and
 - b. which prohibit the distribution of their income, property and surplus assets among individuals to an extent at least as great as is imposed on the Student Guild under or by virtue of this Constitution.
- 10.1.3. The charity or charities will be determined by the Student Guild member at or before the time of deregistration or in default thereof by such Court as may have or acquire jurisdiction in the matter.