**CLUB CONSTITUTION TEMPLATE**

Your Club Constitution should reflect the uniqueness of your organization and the roles and responsibilities of Clubs registered with Swinburne Student Life. This template is provided to help you construct a Constitution that sets out your club’s purpose, procedures, and functions that may be unique to your club.

This template provides a starting point for you to use in drafting your Club Constitution. Any plain text must be included in your final draft, but any italicised text can be changed, added to, or removed if it does not apply. You may also add additional points to tailor to the needs of your Club. Remember though, the key to a good Constitution is to keep the language clear and concise and don’t box yourself in by over regulating your club. Some actions and activities can be addressed without creating a written rule or procedure in your Constitution.

Your Club Constitution must be ratified at a General Meeting and sent to Swinburne Student Life for final sign off before uploading to your Club’s Portal page. We are always here to help, so reach out if you have any questions or want any support with writing or approving your Constitution.

 **CONSTITUTION of [*CLUB NAME*]**

**(An Unincorporated Club Registered with Swinburne Student Life)**
*[DATE ADOPTED]*

1. **NAME**
	1. The name of the club is *[insert club name here*]. Hereinafter referred to as the “Club”.
	2. The Club shall be registered with Swinburne Student Life.
2. **PURPOSE AND GENERAL OBLIGATIONS**
	1. The purposes for which the Club is established are:
		1. to foster community and a sense of belonging for Swinburne students;
		2. *[Insert specific secondary purposes]; and*
		3. *[Insert specific secondary purposes], and*
		4. *[Insert specific secondary purposes]; and*
		5. *[Insert specific secondary purposes].*
	2. The actions of the Club and its Committee must support the stated club purpose, and the income and assets of the Club may only be used for the club purpose.
	3. The Purpose, activities, and practices of the Club shall not be in conflict with applicable laws, Student Life or University policies and procedures presently in force or hereafter enacted.
	4. The Club, its members, and Committee shall abide by all applicable rules and regulations of the University and Swinburne Student Life.
	5. Where there is a conflict between Swinburne Student Life Policy and this Constitution, Swinburne Student Life Policy shall take precedence.
	6. The Club, its members, and Committee shall abide by any policies or directions of Swinburne Student Life as notified or amended from time-to-time.
	7. Club registration is at the sole discretion of Swinburne Student Life. The Club must at all times work collaboratively with and for the benefit of the Swinburne community and Swinburne Student Life. This includes but is not limited to:
		1. Ensuring any requisite administrative activities are undertaken within the stipulated timeframes;
		2. Responding in a timely manner to requests for information by Swinburne Student Life staff;
		3. Generally keeping Swinburne Student Life informed of any major changes to the Club or any major issues or problems the club may be experiencing.
3. **MEMBERSHIP**
	1. Membership shall be open to all currently enrolled Swinburne students, regardless of personal characteristics such as race, gender, sexuality or political stance.
	2. Membership Categories shall include:
		1. Members, which shall include only currently enrolled Swinburne students;
		2. *Associate Members, which shall include any non-students including Swinburne staff and alumni.*
	3. All memberships must be registered via the Club’s page on the Student Life Portal.
	4. Club Memberships are fixed-term, expiring at the end of the calendar year in which they are issued.
	5. The total Club membership must consist of at least 51% of current Swinburne Students at all times.
	6. Membership fees
		1. Membership fees are to be paid via the Student Life Portal at the time of joining.
		2. If a Member resigns or their membership is cancelled under this Constitution, the Club is not required to refund any membership fees already paid.
		3. The annual membership fee shall be set via resolution at the Club’s Annual General Meeting.
4. **MEETINGS**
	1. Annual or Special General Meetings
		1. There shall be one Annual General Meeting every calendar year held on a date within the club re-registration period set at the discretion of Swinburne Student Life.
		2. Special General Meetings can be held at any time of the year and are called to deal with specific motions and/or hold a by-election.
		3. Notice in the form of an agenda shall be given no less than seven (7) days prior, and is to be:
			1. Submitted to Swinburne Student Life via the Event Notification process;
			2. Given in writing via email to all club members.
		4. Quorum shall be twenty members or one half of the club membership, whichever is the lesser. This is based on the membership list at the time that notice of the meeting is given.
		5. All votes shall be decided by simple majority, with the exception of Constitutional Amendments as per Section 14.
		6. At an Annual General Meeting:
			1. Reports shall be presented by at least the President and the Treasurer;
			2. Full financial reports shall be presented and adopted;
			3. Elections for a new Committee shall be conducted; and
			4. Constitutional amendments and other motions on notice may be discussed and voted upon.
			5. *[insert any other AGM requirements]*
		7. Full minutes of the meeting, including a list of the new Committee and any constitutional amendments shall be forwarded to Swinburne Student Life within fourteen (14) days of the meeting or by the re-registration deadline, whichever comes first.
		8. Each student member in attendance is entitled to a single vote in each resolution and election in accordance with Clause 6.
		9. *Remote Voting may be conducted for the election of Committee members as per Clause 6.*
		10. *If voting results in a tie, then the President shall cast the deciding vote.*
		11. *All changes proposed to either membership, the constitution or requests for financial expenditure/reimbursements must be forwarded to the Secretary before the meeting.*
		12. If motions on constitutional changes are passed during the meeting, they must be forwarded to Swinburne Student Life for approval.
		13. Minutes must be taken at each meeting and saved to the Files section of the Club’s page on the Student Life Portal within forty-eight (48) hours of the meeting.
	2. Committee Meetings
		1. Committee meetings will be held for the purposes of planning for the Club.
		2. All financial actions must be voted upon by the Committee.
		3. *Minutes of each meeting must be saved to the Files section of the club’s page on the Student Life Portal within forty-eight (48) hours of the meeting.*
		4. *There must be at least four (4) committee meetings in each calendar year.*
		5. Quorum must be met with at least two-thirds of the Committee being present.
5. **COMMITTEE**
	1. The Committee of the club shall be elected from the student members at the Annual General Meeting and shall consist of a:
		1. President;
		2. Secretary,
		3. Treasurer,
		4. *[insert position title]*
		5. *[insert position title]*
	2. The Committee shall be responsible for the following duties:
		1. The activities of the club;
		2. The finances of the club;
		3. Fulfilling club obligations as outlined in Swinburne Student Life Policy
	3. The Committee is at all times bound by the decisions of any club General Meeting.
	4. A member may not hold more than one Committee position, and committee positions may not be shared by more than one member.
	5. Any member of the Committee shall have their position declared vacant if they:
		1. Cease to be a member of the club;
		2. Cease to be a currently enrolled Swinburne student;
		3. Resign by writing to the Secretary (or, in the case of the Secretary, to the President) with a copy to be provided to Swinburne Student Life;
		4. *Are removed in accordance with the Club Discipline & Dispute Resolution Policy; or*
		5. Swinburne Student Life suspends or terminates the Committee Member:
			1. As provided by this Constitution or Swinburne Student Life policy; or
			2. Where other Committee Member(s) or Swinburne Student Life are unable to engage with the Committee Member over an extended period of time and evidence of this is provided to Swinburne Student Life.
	6. Any vacancy on the club Committee must be filled at a General or Special General Meeting, via the procedures outlined in Section 6.
	7. In addition to the duties and responsibilities detailed in other rules of this Constitution and Swinburne Student Life Policy, duties of the following Committee positions shall include but not be limited to:
		1. President
			1. To be the main point of contact for Swinburne Student Life and to liaise with Swinburne Student Life and other departments of the University where necessary;
			2. To ensure that club re-registration is completed and all required documentation is submitted to Swinburne Student Life by the re-registration deadline;
			3. To ensure that Swinburne Student Life is informed of changes to the Committee;
			4. *To chair all club, Committee, General and Annual General Meetings (held during their term) of the club;*
			5. *To oversee and coordinate the activities and administration of the club;*
			6. *To ensure that the elected officers of the club perform duties as laid down by the clubs’ Constitution, through regular e-mail updates, regularly advertised meetings, reports and notices and/or regular newsletters;*
			7. *To ensure that all other tasks necessary for the running of the activities of the club are performed, properly either by doing them or delegating the duties;*
			8. *To have a thorough knowledge of the club’s Constitution;*
			9. *To plan the coming year’s activities;*
			10. *To act as official spokesperson for the club;*
			11. *To arrive at a membership fee with the Executive;*
			12. *To liaise with fellow office bearers;*
			13. *To acquaint each committee member with their function, responsibility, duties and maintain personal contact with them; and*
			14. *To pass on their knowledge to their successor.*
		2. Secretary
			1. To maintain the Files section of the Club’s page on the Student Life Portal;
			2. *To be responsible for receiving and replying to all correspondence on behalf of the club;*
			3. *To organise meetings, agendas (in consultation with the President), and minutes;*
			4. *To keep relevant club documents in order;*
			5. *To coordinate elections; and*
			6. *To oversee the membership list, updating when changes are required in line with Student Life policy.*
		3. Treasurer
			1. To keep and maintain all Club financial records;
			2. To submit Funds Requests and ensure compliance with relevant Swinburne Student Life Policy;
			3. To ensure that all Quote or Tax Invoices submitted to Swinburne Student Life are accurate and meet all requirements as detailed by Swinburne Finance and Swinburne Student Life policy;
			4. *To keep the club informed of its financial position (at meetings, through regular e-mail reports, or regular newsletters; and*
			5. *To always ensure that the records are up to date and in good order so that if they are otherwise unable to continue in that capacity someone else can easily take over.*
		4. *[insert position title]*
		5. *[insert position title]*
6. **ELECTIONS**
	1. *Committee positions shall be voted on by the student members present at the Annual General Meeting or Special General Meeting.*
	2. *The Secretary will call for nominations a minimum of seven days prior to the meeting at which an election will take place. Nominations must be submitted by the candidate a minimum of three days prior to the meeting.*
	3. *Candidates may nominate at the meeting if no nominations were received by the deadline.*
	4. *Candidates shall have the opportunity to present their qualifications to the membership at the election meeting.*
	5. *Only student members who held membership at the time notice of the General Meeting or Annual General Meeting was given will be eligible to vote in any elections at that meeting.*
	6. *Remote voting may be allowed for the election of Committee members. Any remote voting must be pre-approved by Swinburne Student Life and conducted via the Student Life Portal.*
	7. *[State length of term for each officer, and how many times a person may hold the same officer position.]*
	8. *[State procedures in case a run-off is necessary]*
	9. *[State any eligibility requirements for particular committee positions]*
7. **FUNDS**
	1. Club funds can only be expended in accordance with this Constitution and for a legitimate Club Purposes (as defined in Clause 2 above).
	2. No Club member shall spend Club funds for their sole personal benefit, unless otherwise approved by Swinburne Student Life (and only with the approval of the Club Committee).
	3. The Club shall abide by all Swinburne Student Life Policies in relation to club finance including the observation of required notice periods and prescribed processes.
	4. Any money from Club members shall be received through the Student Life Portal, unless prior exception has been made by Swinburne Student Life.
	5. The Treasurer shall be responsible for maintaining Club financial records, and ensuring alignment with records maintained by Swinburne Student Life.
	6. The treasurer shall oversee the drafting of an annual budget, as well as individual Club activity budgets. These shall be submitted to Swinburne Student Life via the Annual General Meeting minutes or respective Event Notification Form.
	7. The Club shall ensure transparency in all financial dealings by declaring any conflicts of interest to Swinburne Student Life upon request of funds.
	8. The Club shall communicate Swinburne Finance policy around invoice requirements and payment terms to suppliers prior to engaging in any transaction.
	9. *[State any other procedures or requirements around finances specific to your Club*
8. **ASSETS**
	1. Club assets must be purchased in the name of the Club, not a Club member, unless otherwise approved by Swinburne Student Life.
	2. Club assets will be the responsibility of the Club. Decisions to sell or otherwise dispose of Club assets need the approval of Swinburne Student Life.
	3. The Club Committee or Swinburne Student Life shall determine the storage location of Club assets at all times.
	4. Items usable more than once, which are not food or drink, and which are purchased with funds from the Club Account, are Club Assets. Any Club Asset with a purchase price equal to or greater than $30 is a Tracked Asset and must be recorded in the Club’s Asset Register.
	5. The Club shall ensure that all electronic Assets must be tested and tagged in accordance with AS/NZS 3760:2010.
	6. The Secretary shall ensure that the Club Assets Register is kept up to date and stored in the Files section of the Club’s page on the Student Life Portal.
	7. The Club shall consider a plan for storage prior to the acquisition of any Club Asset, and submit this as part of the Funds Request to be approved by Swinburne Student Life.
	8. *[State any other rules around club asset or storage management]*
9. **CLUB ACTIVITIES**
	1. Club activities will be run and organised by the Club.
	2. The Club will hold at least two activities per semester. A Club activity will include any meeting or event to which the entire membership is invited.
	3. The Club shall notify Swinburne Student Life of all Club activities, with the exception of Committee meetings, via the Student Life Portal according to the Club Events Policy.
	4. The Club will abide by all Swinburne Student Life and University policy, regulations, and directions in relation to the organization and execution of all Club activities.
	5. *[State any other rules around Club Activities specific to your Club]*
10. ***COMMITTEES/DIVISIONS***
	1. *[State what standing and/or ad-hoc committees or what divisions will exist in the club and the function and composition of each.]*
11. ***AFFILIATIONS***
	1. *[State any club affiliations with local, state, regional, or national associations/organizations.]*
	2. *[State adherence to any rules by a sport governing body.]*
12. ***COACH/INSTRUCTOR***
	1. *[State procedures to determine selection of coach/instructor and duties of each.]*
13. **RATIFICATION**
	1. This Constitution shall be ratified by a two-thirds (2/3) majority vote of the Student Members of the Club present at a General Meeting.
14. **AMENDMENTS**
	1. This Constitution may be amended or repealed by a two-thirds (2/3) majority vote of the Student Members of the Club present at a General Meeting.
	2. This Constitution and any amendments and changes hereto shall be submitted to Student Life for approval and made available on the Club’s page on the Student Life Portal.
15. **DISSOLUTION**
	1. Club registration is at the sole discretion of Swinburne Student Life.
	2. Dissolution of the club will occur:
		1. voluntarily upon Special Resolution of the student members entitled to vote at a General Meeting;
		2. if the club has been inactive for a period of more than six (6) months with no forms submitted, no approved club activities held, or no response to communication from Swinburne Student Life;
		3. if the club does not re-register with Swinburne Student Life by the re-registration deadline; or
		4. upon written notice from Swinburne Student Life where the Club is in breach of this Constitution or Swinburne Student Life Policy.
	3. Swinburne Student Life will supervise the winding up of the Club. Tracked Assets and any remaining funds must not be distributed to any Member, but shall instead be returned to Swinburne Student Life.