

1. Changing of “four” to “more than half, rounded up”, where practically identical

Motion: That the following amendments be made.

Clause number	Current text	Proposed text
68(a)	seven voting Representatives, of whom at least four must be Women. If at least four candidates for each Committee are not Women, those places not filled by Women may be filled by other candidates;	seven voting Representatives, of whom at least half, rounded up , must be Women. If at least this number of candidates for each Committee are not Women, those places not filled by Women may be filled by other candidates;
68(d)(i)	seven voting Representatives, of whom at least four must be Women. If at least four candidates for each Committee are not Women, those places not filled by Women may be filled by other candidates;	seven voting Representatives, of whom at least half, rounded up , must be Women. If at least this number of candidates for each Committee are not Women, those places not filled by Women may be filled by other candidates;
68(d)(ii)	two voting Representatives elected by and from the voting members of the Victorian College of the Arts Department Committee, of whom at least one must be a Woman. If at least one candidate for each position is not a Woman, those places not filled by Women may be filled by other candidates;	two voting Representatives elected by and from the voting members of the Victorian College of the Arts Department Committee, of whom at least half, rounded up , must be a Woman. If at least this number of all candidates for each position is not a Woman, those places not filled by Women may be filled by other candidates;
68(e)(i)	seven voting representatives, of whom at least three must be women of colour. If at least three candidates for the Committee are not women of colour, those places not filled by women of colour may be filled by other women.	seven voting representatives, of whom at least half, rounded down , must be women of colour. If at least this number of candidates for the Committee are not women of colour, those places not filled by women of colour may be filled by other women.
69(d)	Seven General Representatives, of whom at least four must be Women. If at least four candidates for each Committee are not Women, those places not filled by Women may be filled by other candidates;	Seven General Representatives, of whom at least half, rounded up must be Women. If at least this number of candidates for each Committee are not Women, those places not filled by Women may be filled by other candidates;

70(b)	Seven (7) general representatives, of whom at least four must be Women. If at least four candidates for each Committee are not Women, those places not filled by Women may be filled by other candidates;	Seven (7) general representatives, of whom at least half, rounded up must be Women. If at least this number of candidates for each Committee are not Women, those places not filled by Women may be filled by other candidates;
132.2(a)	eight general Representatives of the Students' Council;	more than half of all general Representatives of the Students' Council;
132.2(b)	four voting Representatives of each Committee,	more than half of voting Representatives of each Committee,
132.2©	three voting representatives of the Women's Committee must be members of UMSU who are Women of Colour. If there are insufficient Women of Colour candidates to satisfy this requirement, any shortfall may be made up by women members who are not Women of Colour.	Half of all voting representatives of the Women's Committee, rounded down , must be members of UMSU who are Women of Colour. If there are insufficient Women of Colour candidates to satisfy this requirement, any shortfall may be made up by women members who are not Women of Colour.

Several persons have expressed confusion as to the implications of the current wording of affirmative action clauses, which may in some interpretations not allow Committees and other bodies to meet if their current composition does not comply with the hard-wired provisions of the Constitution (i.e. having less than four or three members of a class). These amendments erase that doubt, without making any substantive changes to the operation of affirmative action. Further changes to affirmative action are not recommended in doing so, and are recommended to be considered separately.

2. Changing the name of the VCASA

Motion: That the following amendments be made.

Clause number	Current text	Proposed text
2.1 – Committee	Victorian College of the Arts Department Committee	Southbank Department Committee
2.1. – Officers	Victorian College of the Arts Department	Southbank Department
2.1. – VCADC	Victorian College of the Arts Department Committee means the committee of that name established in accordance with rule 67.	Southbank Department Committee means the committee of that name established in accordance with rule 67.

49.1(b)(v)	the Campus Co-ordinator of the Victorian College of the Arts Department	the Campus Co-ordinator of the Southbank Department
52(p)	Campus Co-ordinator, Victorian College of the Arts Department; and	Campus Co-ordinator, Southbank Department; and
55.1 *	Campus Co-ordinator Victorian College of the Arts Department	Campus Co-ordinator Southbank Department
57.2 *	Campus Co-ordinator Victorian College of the Arts Department	Campus Co-ordinator Southbank Department
57.3 *	Campus Co-ordinator Victorian College of the Arts Department	Campus Co-ordinator Southbank Department
67(m)	Victorian College of the Arts Department Committee	Southbank Department Committee
68	Victorian College of the Arts Department Committee	Southbank Department Committee
68(d)(ii) **	Victorian College of the Arts Department Committee	Southbank Department Committee
69	VICTORIAN COLLEGE OF THE ARTS DEPARTMENT The Victorian College of the Arts Department Committee consists of the following voting members:	SOUTHBANK DEPARTMENT The Southbank Department Committee consists of the following voting members:
71.9	The voting Representatives of the Victorian College of the Arts Department Committee are elected from Members who are enrolled in a higher education course at the Southbank Campus, and subject to the additional restrictions set out in Rule 71.	The voting Representatives of the Southbank Department Committee are elected from Members who are enrolled in a higher education course at the Southbank Campus, and subject to the additional restrictions set out in Rule 71.
72.9	The voting Representatives of the Victorian College of the Arts Department Committee are elected from Members who are enrolled in a higher education course at the Southbank Campus, and subject to the additional restrictions set out in Rule 72.	The voting Representatives of the Southbank Department Committee are elected from Members who are enrolled in a higher education course at the Southbank Campus, and subject to the additional restrictions set out in Rule 72.
75	RESPONSIBILITIES OF VICTORIAN COLLEGE OF THE ARTS COMMITTEE	RESPONSIBILITIES OF SOUTHBANK COMMITTEE The Southbank Committee is responsible for:

	The Victorian College of the Arts Committee is responsible for:	
75(a)	setting the direction of Victorian College of the Arts Department;	setting the direction of Southbank Department;
75(c)	making regulations relating to the operations of the Victorian College of the Arts Department;	making regulations relating to the operations of the Southbank Department;
75(d)	developing and administering the Victorian College of the Arts Department budget and finances;	developing and administering the Southbank Department budget and finances;
75(f)	direction of the Campus Co-ordinator, Campaigns Co-ordinator and Activities and Events Co-ordinator, Victorian College of the Arts Committee; and	direction of the Campus Co-ordinator, Campaigns Co-ordinator and Activities and Events Co-ordinator, Southbank Committee; and
78.1(l)	Victorian College of the Arts Student Department;	Southbank Student Department;
92	VICTORIAN COLLEGE OF THE ARTS DEPARTMENT The aims and objectives of the Victorian College of the Arts Department are:	SOUTHBANK DEPARTMENT The aims and objectives of the Southbank Department are:
128.1(d)	each Representative elected to the Victorian College of the Arts Student Association Council as listed in rule 69; and	each Representative elected to the Southbank Student Association Council as listed in rule 69; and
128.2(b)	if eligible, for each Representative elected to the Students' Council from a Restricted Constituency as listed in rule 49.1(a)(i), and the Victorian College of the Arts Committee as listed in rule 69.	if eligible, for each Representative elected to the Students' Council from a Restricted Constituency as listed in rule 49.1(a)(i), and the Southbank Committee as listed in rule 69.
130.7	The Co-ordinators and Committee representatives of the Victorian College of the Arts Department must be Members who are Students at the Southbank Campus.	The Co-ordinators and Committee representatives of the Southbank Department must be Members who are Students at the Southbank Campus.
132.5	A person cannot hold an Officer position in UMSU and a Coordinator position in the Burnley Student Department or the Victorian College of the Arts Department.	A person cannot hold an Officer position in UMSU and a Coordinator position in the Burnley Student Department or the Southbank Department.

174.4	The Students' Council, in making Regulations concerning the Victorian College of the Arts Department, must take into account any recommendations from the Victorian College of the Arts Committee	The Students' Council, in making Regulations concerning the Southbank Department, must take into account any recommendations from the Southbank Committee
178.10	The Students' Council, in making Policy regarding the Victorian College of the Arts Department, or Students enrolled in the Faculty of the VCA and Music, must take into account any recommendations from the Victorian College of the Arts Department Committee	The Students' Council, in making Policy regarding the Southbank Department, or Students enrolled in the Faculty of the VCA and Music, must take into account any recommendations from the Southbank Department Committee

The membership of the Victorian College of the Arts Department (elsewhere called the Victorian College of the Arts Student Association—however, the Constitution does not use this phrasing) will change in 2019 with the inclusion of the MCM and associated students to the Southbank campus and, therefore, the Department. It is wise therefore to ensure that the Department is appropriately named for the students that it represents. Additionally, this will ensure that there is an alignment of nomenclature with Burnley and its associated structures.

Clauses marked with one asterisk (*) may be impacted by Recommendation 4.

Clauses marked with two asterisks (**) may be impacted by Recommendation 1.

3. Varying the arrangements for Southbank Campus Coordinator

Clause number	Current text	Proposed text
55.1	Any Officer position may be held by two persons jointly except the positions of President, General Secretary, Campus Co-ordinator Victorian College of the Arts Department, Campus Co-ordinator, Burnley Students Department, and Media Officer.	Any Officer position may be held by two persons jointly except the positions of President, General Secretary, Campus Co-ordinator Victorian College of the Arts Department , Campus Co-ordinator, Burnley Students Department, and Media Officer.
57.2	All Officers, with the exception of Campus Co-ordinator, Victorian College of the Arts Department, and Campus Co-ordinator, Burnley Student Department, holding an office individually shall be remunerated an honorarium in	All Officers, with the exception of Campus Co-ordinator, Victorian College of the Arts Department, and Campus Co-ordinator, Burnley Student Department, holding an office individually shall be remunerated an honorarium in

	the same amount irrespective of the office held.	the same amount irrespective of the office held.
57.3	The Campus Co-ordinator, Victorian College of the Arts Department and the Campus Coordinator, Burnley Students Department shall be remunerated with an honorarium being 50% of the honorarium received by Officers holding an Office individually.	The Campus Co-ordinator, Victorian College of the Arts Department and the Campus Coordinator, Burnley Students Department shall be remunerated with an honorarium being 50% of the honorarium received by Officers holding an Office individually.
69(a)	Delete the sub-clause and renumber accordingly	

The actions of the Southbank Coordinator has been hindered for years due to time constraints imposed by the nature of the VCA program and inability to serve jointly with a second person to share workloads. From 2019, MCM students (who have a radically different time imposition) will also be full students at the Southbank campus, potentially creating an inequality in who is able to serve as Coordinator. It is recommended that the joint office prohibition be lifted on the Southbank Department, and that honoraria rules be amended accordingly to align with Officers generally. It is also recommended that as part of this, the voting representation of the Southbank Committee be aligned with Departmental Committees. It is not recommended that changes be made to the arrangements for the Burnley Coordinator.

4. Alignment with post-MUSUL practicalities

Clause number	Current text	Proposed text
3 *** Purposes	To provide amenities and services, principally for Students and other members of the University community, and incidentally to the public, but in all cases not inconsistent with agreements made with MU Student Union Limited or the University, as the case may be, from time to time;	To provide amenities and services, principally for Students and other members of the University community, and incidentally to the public, but in all cases not inconsistent with agreements made with MU Student Union Limited or the University, as the case may be, from time to time;
4 *** Powers	In order to achieve these purposes, but for no other purpose and subject always to the terms of any agreements with MU Student Union Limited or the University, as the case may be, the Association has all the powers of a natural person.	In order to achieve these purposes, but for no other purpose and subject always to the terms of any agreements with MU Student Union Limited or the University, as the case may be, the Association has all the powers of a natural person.
65(b)	to liaise regularly with MU Student Union Limited	to liaise regularly with MU Student Union Limited

	regarding the financial situation of UMSU, and to the extent financial information is available and able to be passed on, ensure accurate and timely financial information is provided to Officers, Students' Council Representatives and Committee Representatives;	regarding the financial situation of UMSU, and to the extent financial information is available and able to be passed on, ensure accurate and timely financial information is provided to Officers, Students' Council Representatives and Committee Representatives;
84(c)	to make recommendations to Students' Council, MU Student Union Ltd and the University on environmental practice;	to make recommendations to Students' Council, MU Student Union Ltd and the University on environmental practice;
130.2(c)	Delete and renumber accordingly	
130.2(e)	any tenant of MU Student Union Limited; or	any tenant of MU Student Union Limited the University; or
157.1(d)	any other such money distributed from MU Student Union Ltd or the University for the express use of the International Students Department.	any other such money distributed from MU Student Union Ltd or the University for the express use of the International Students Department.
160.1(d)	a Staff Member of UMSU or a MU Student Union Limited staff member.	a Staff Member of UMSU or a MU Student Union Limited staff member.
171.2	Before the end of November in each year the Students' Council-elect must appoint Student representatives to University committees, other University bodies and the Melbourne University Student Amenities and Services Committee of MU Student Union Ltd, to the extent such appointments are required.	Before the end of November in each year the Students' Council-elect must appoint Student representatives to University committees, and other University bodies and the Melbourne University Student Amenities and Services Committee of MU Student Union Ltd, to the extent such appointments are required.
179.2 ****	UMSU, its Officers, and its Committees may not make any decision or support any development that poses a threat to the continuing status and mode of operation of the MUFC, unless approved by MUFC. This includes any decision threatening the MUFC's supportive lease	UMSU, its Officers, and its Committees may not make any decision or support any development that poses a threat to the continuing status and mode of operation of the MUFC, unless approved by MUFC. This includes any decision threatening the MUFC's supportive lease

	agreement with MU Student Union Ltd.	agreements with MU Student Union Ltd.
179.3 ****	The Students' Council must advocate, on behalf of the MUFC, to MU Student Union Ltd or any other body in the event that any threat is posed to the status and mode of operation of the MUFC, including the status of the lease.	The Students' Council must advocate, on behalf of the MUFC, to MU Student Union Ltd or any other body in the event that any threat is posed to the status and mode of operation of the MUFC, including the status of the lease.

MU Student Union Ltd. (MUSUL) was wound up by the University and its services has subsequently been transferred either to UMSU or the University. As such, it is no longer appropriate for references to MUSUL to be included in the Constitution.

Clauses marked with three asterisks (***) require the approval of the Registrar of CAV before being fully enacted; this approval is sought after the passage of the Special Resolutions at a Special General Meeting.

Clauses marked with four asterisks (****) do not require the consent of the Melbourne University Food Co-operative before being amended, but it is recommended that consent be sought.

5. Alignment with legislation

Clause number	Current text	Proposed text
186 *****	UMSU is authorised to trade in accordance with section 51(4) of the Act, but only within the scope of the purposes set out in rule 3.	Delete and renumber accordingly
189	The General Secretary is responsible to ensure that the statements required by section 30 of the Act are prepared and audited annually.	The General Secretary is responsible to ensure that the statements required by part 7 of the Act are prepared and audited annually.
200	In accordance with section 15 of the Act, a Member or Officer of the Association is not liable, merely because that person was a Member or Officer, to contribute towards: (a) the payment of the debts and liabilities of the incorporated Association; or (b) the costs, charges and expenses of the winding up of the incorporated Association.	In accordance with section 52 of the Act, a Member or Officer of the Association is not liable, merely because that person was a Member or Officer, to contribute towards: (a) the payment of the debts and liabilities of the incorporated Association; or (b) the costs, charges and expenses of the winding up of the incorporated Association.
202.1	If mediation does not result in the settlement of the dispute, the Grievance Tribunal shall	If mediation does not result in the settlement of the dispute, the Grievance Tribunal shall

	<p>make a binding determination on that dispute, which cannot be appealed within UMSU. This does not preclude a Member bringing the matter before the Court in accordance with section 14A of the Act.</p>	<p>make a binding determination on that dispute, which cannot be appealed within UMSU. This does not preclude a Member bringing the matter before the Court in accordance with section 67 of the Act.</p>
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Several elements of the Associations Incorporation Reform Act 2012 (Vic) have been amended and changed since the Constitution’s references to the Act (or prior Acts) were last considered, and enumerated references are now incorrect. It is recommended that either these references be updated or generalised.

Section 186 refers to a restriction of the Act that no longer exists; as this renders the clause inert, it is therefore recommended that the section be repealed and that the Constitution be renumbered accordingly.

Clauses marked with five asterisks (*****) require the consent of the Minister administering the Act (currently Marlene Kairouz MP) before it may be amended, in line with Rule 192.