Community Engagement Tasmania (COMET) – Constitution
As at 7 September 2015

PART I: THE SOCIETY

1. Name of the Society

1.1 The name of the Society shall be 'The Tasmania University Union Community Engagement Tasmania Society' (hereinafter referred to as ‘COMET’).

2. Objects/Aims

2.1 The objects/aims of the Society shall be:

To empower disadvantaged youth to understand key concepts of the criminal law, relating to their rights and obligations in civic society;

To build a lasting framework that provides law students with a practical means of using their knowledge to make a positive difference at a grassroots level in their local community while working to reduce disadvantage and increase equality; and,

To build positive and ongoing relationships between local welfare organisations and the University of Tasmania to foster positive community relationships.

3. Society Subject to TUU Regulations and Societies Council Policy

1. 3.1 The Society is subject to the Tasmanian University Union (TUU) Regulations relating to clubs and societies, and anything in its constitution, any by-law of the Society or its office-bearers which is inconsistent with the said Regulation, or any amendment to a special rule thereunder, shall be void and of no effect insofar as it is inconsistent.

2. 3.2 The Standing Orders of the TUU relating to meeting procedure, is adopted by the Society.

3. 3.3 The Society is subject to Societies Council Policy, and anything in its Constitution, any by-law of the Society or its office-bearers which is inconsistent with the said Policy, or any amendment to a special rule thereunder, shall be void and of no effect insofar as it is inconsistent.

4. Membership of the Society

4.1 Membership of the Society shall be in the form of full membership only. Full membership is offered in two capacities: the Executive Committee members, and the General Representatives.

4.2 In accordance with section 3.1, full membership of the Society is only available to University of Tasmania students who are enrolled in the Bachelor of Laws degree (regardless of whether this is in the form of a combined or straight degree), with a unit loading of no less than 50%. Also see section 12.1 (b) and, more generally, sections 11.1 and 12.1 for the eligibility condition regarding membership of the Society in both the capacities of Executive Committee members and General Representatives.

4.3 In accordance with sections 3.1 and 3.2, associate membership of the Society is not available. Thus, staff of the University of Tasmania, past students of the University of Tasmania, and individuals studying outside of the University of Tasmania’s Law Faculty are not eligible to become members of the Society (note that this list is by no means exhaustive and for illustrative purposes only).
4.4 The Society’s membership shall be comprised of a minimum of five (5) Executive Committee members and a minimum of twelve (12) General Representatives.

4.5 No individual shall hold more than one position within the Society’s membership structure, as outlined in sections 4.1 and 4.4.

4.6 The Society’s membership subscription fee will be waived in consideration of the voluntary and service nature of COMET.

**Part II: THE EXECUTIVE COMMITTEE**

5. The Composition of the Executive

5.1 In accordance with section 4.4, the Executive Committee shall be comprised of a minimum of five (5) individuals, and these individuals will hold full membership in the Society.

5.2 The Executive Committee’s members shall be allocated the following designated roles:

- The President;
- The Vice President;
- The Secretary;
- The Treasurer (whom will also act as the First Delegate to the Societies Council);
- The General Representative Coordinator; and
- The IT and Marketing Officer (whom will also act as the Alternate Delegate to the Societies Council).

6. Duties and Powers of the Executive Committee

6.1 The entire management of the Society shall be departed to the Executive Committee.

6.2 In addition to 6.1, the Executive Committee shall be responsible for the general running of the Society, including, but not limited to, the making of rules and regulations pertaining to the conduct of the members of the Society as it shall from time to time deem necessary, subject to sections 6.3 and 13.2.3.

6.3 All decisions of the Executive Committee, which relate to a core-functioning aspect of the Society, must be ratified at an Executive Committee Meeting. See the procedure outlined in section 13.2.3 for further information and, also, a definition of what constitutes a core-functioning aspect of the Society.

6.4 All of the Executive Committee members shall abide by the duties and powers of the General Representatives (as outlined in section 9), in addition to the duties and powers of each individual Executive Committee member (as outlined in section 7 and its following subsections and paragraphs).

7. Duties and Powers of Each Executive Committee Member

7.1 The President:

7.1.1 Unless the Society has decided otherwise, the President shall have the full executive powers of the Society.

7.1.2 Specific duties include:

(a) Oversight and responsibility for the day to day operations of the Society;

(b) Pursuing and developing future expansion opportunities for the Society; and,

(c) Liaising with the University of Tasmania Law Faculty and The Tasmanian University Union, as required.
(d) Ensuring that, to the best of their ability, that the content of the Workshop Manuals is at all times accurate and current.

7.2 The Vice President:

7.2.1 The Vice President shall exercise the duties and powers of the President in the latter’s absence.

7.2.2 Specific duties include:

(a) Responsibility for advertising, publicity and social media within the University of Tasmania Law Faculty. The Vice President shall be assisted in fulfilling this duty by the General Representative Coordinator (as outlined in section 7.5.3(c));

(b) The Vice President shall assist the President and the Treasurer in any relevant community, government or University grant application; and,

(c) Mentoring and supporting the Secretary in his or her management of the annual fundraiser.

7.3 The Secretary:

7.3.1 The Secretary shall: have responsibility for the keeping of a record of all of the Society’s proceedings; conduct all of the Society’s correspondence; and, given due notice of all meetings.

7.3.2 Specific duties include:

(a) Accompanying the President to stakeholder and or potential stakeholder meetings concerning opportunities for the future development of the Society;

(b) The collection and analysis of evaluation forms (which will be developed at the discretion of the Executive Committee), and the development of a resulting Evaluation Report. To be completed within fourteen (14) days of the conclusion of each series of Workshops. The Secretary shall be assisted in fulfilling this duty by the General Representative Coordinator (as outlined in section 7.5.3(b));

(c) Assisting the President in liaising with the University of Tasmania Law Faculty and The Tasmanian University Union, as required; and,

d) Managing the annual fundraiser.

7.4 The Treasurer:

7.4.1 The Treasurer shall handle, and keep a record of, all of the Society’s finances.

7.4.2 The Treasurer will act as the First Delegate to the Societies Council, in conjunction with the General Representative Coordinator’s duty of acting as the Alternate Delegate to the Society’s Council (as outlined in section 7.5.2).

7.4.3 Specific duties include:

(a) Responsibility for driving grant and funding applications, whether they be community, government or University grants/funding. The Treasurer shall be assisted in fulfilling this duty, by the President and the Vice President (as outlined in section 7.2.2(b));

(b) The Treasurer shall present a report of the Society’s financial records when (and if) required, or at the request of the Executive Committee. This duty will be upheld in conjunction with section 13.4.4(c), which requires for the Society’s financial records to be made available at the Annual General Meeting, to be held once per year;

(c) Responsibility for ensuring that the Society’s finances are maintained in a state of good health, to the best of his/her ability in consideration of external factors; and,
(d) Responsibility for monitoring the outgoing and incoming expenses and funding of the Society and, in consideration of cash flow of the Society, the Treasurer shall provide recommendations to the Executive Committee regarding the incurrence of future expenses.

7.5 The General Representative Coordinator:

7.5.1 The General Representative Coordinator shall have responsibility for coordinating the General Representatives, and s/he shall be the primary Executive Committee member responsible for communicating with the General Representatives.

7.5.2 The General Representative Coordinator will act as the Alternate Delegate the Societies Council, in conjunction with the Treasurer’s duty of acting as the First Delegate to the Society’s Council (as outlined in section 7.4.2).

7.5.3 Specific duties include:
   (a) Recruitment of General Representatives;
   (b) Assisting the Secretary with the collection and analysis of evaluation forms, and the development of a resulting Evaluation Report (as outline in section 7.3.2(b));
   (c) Liaising with the Vice President to assist in the Vice President’s duties regarding advertising, publicity, and social media within the University of Tasmania Law Faculty (as outlined in section 7.2.2(a)); and,
   (d) Responsibility for tasks related to Information Technology (IT).

7.6 The Information Technology and Marketing Officer

7.6.1 The Information Technology and Marketing Officer shall have responsibility for a) creating and maintaining the society’s marketing and communications materials, and b) for the society’s advertising and publicity.

7.6.2 Specific duties include:
   a) Creating/maintaining the COMET website and email
   b) Creating all COMET marketing materials, including but not limited to:
      - Brochures
      - Posters
      - Business cards
      - Flyers
      - All other collateral
   c) Creating COMET’s marketing strategy in conjunction with the President and Vice President
   d) Creating all COMET communications materials, including but not limited to
      - Letters
      - Slogans
      - Social media messages

Part IV: ADVISORY GROUP

8. Purpose and Role:

8.1.1 The purpose of the Advisory Group is to:
   a) assist each Executive Committee to achieve their objectives, and
   b) to help ensure COMET remains true to its objectives (see s2)
8.1.2 The Group shall recommend activities or courses of action to the Executive but shall not bind or obligate the Executive to do anything.

8.2 Duties and Responsibilities of the Group:

8.2.1. The duties and responsibilities of the group are as follows:

a) Provide advice and support to the COMET Executive, with particular regard to COMET’s founding purpose and principles.

b) Act as a sounding board for the grievances, concerns, queries and ideas of the President and Executive team.

c) Provide advice and support in relation to the funding of COMET, including identifying grant applications, sponsorship opportunities and other possible sources of finance.

d) Support the Executive in securing guest speakers, discount training, and other benefits.

e) Assist in the expulsion of a President.

8.3 Scope of the Advisory Group’s Powers:

8.3.1. The advisory board shall have the power to advise the executive on only the following matters:

a) Expansion of COMET

b) Individual expenditures over $1000

c) Any matters that the Executive Committee refers to the Board.

8.3.2 The Board does not have the power to veto any action by the executive.

8.3.3 The Board has the power to expel a president or team member only in the circumstances listed in s16.3 of the Constitution.

8.4 Membership

8.4.1. Membership of the advisory board shall be as follows:

- The University of Tasmania Faculty Adviser
- The Founder of COMET or her nominee
- The most recent outgoing President or his/her nominee

8.5 Meetings:

8.5.1. The group only needs to meet in the circumstances that one of the matters listed in section 2 are active.

8.5.2. Meetings may occur in person or via skype.

8.6 Constitutional changes:

8.6.1. The advisory group will be advised of any proposed constitutional changes.

8.7 Dissolution of the advisory group:
8.7.1 The advisory group may be dissolved only if the Executive and the advisory group vote in favour of dissolution

Part IV: GENERAL REPRESENTATIVES

9. The Composition of the General Representative Body

9.1 In accordance with section 4.4, there shall be a minimum of twelve (12) individuals who fulfil the role of General Representative, and these individuals will hold full membership in the Society.

9.2 Each General Representative’s role is of equal status to one another; as compared with the Executive Committee, General Representatives’ roles are generic. However, the Executive Committee reserves the authority to allocate specific tasks and/or duties to General Representatives than those outlined in section 9 and its following subsections and subparagraphs.

9.3 Notwithstanding the duties and powers of each General Representative that are outlined in section 9 and its following subsections and subparagraphs, these duties and powers are not exhaustive, and the Executive Committee reserves the authority to specify additional duties and powers that will be applicable to the entire General Representative Body.

10. Duties and Powers of Each General Representative

10.1 General Representatives shall be required to engage in fundraising activities and/or events, from time to time at the discretion of the Executive Committee. Such fundraising activities and/or events may require General Representatives to undertake tasks both autonomously and in conjunction with the Society as a whole.

10.2 Whilst conducting Workshops, General Representatives must follow allocated procedures, as set out in the Workshop Manual.

10.3 General Representatives must have a high level of familiarity with the material to be covered in the Workshops that they have been designated.

10.4 In order to uphold section 9.3, all reasonable endeavours shall be made to ensure that General Representatives’ are designated Workshops the content of which they have covered in Criminal Law. However, if the General Representative is designated a Workshop the content of which they are not familiar with, all reasonable efforts will be made to ensure they have access to additional resources.

10.5 At all times, General Representatives must comply with the requirements of the Organisation(s) in which they are hosting the Workshop(s). These requirements include, but are not limited to, procedures such as Occupational Health and Safety and confidentiality.

10.6 When individuals are acting in their role as General Representative they must act professionally, ethically and respectfully at all times.

10.7 At no time will General Representatives provide legal advice. Their role is solely to provide education. General Representatives must ensure that they aware of the distinction between ‘advice’ and ‘education’, and that they respect this distinction at all times. The Executive Committee, in conjunction with the Workshop Manual, will assist in clarifying this distinction.

10.8 General Representatives have limited creative control over the manner in which they host their designated Workshops, however, they may request permission from the Executive Committee to make a more substantial deviation from the hosting guide outlined in the Workshop Manual.

10.9 General Representatives must adhere to the processes and guidelines provided for in the Workshop Manual.
PART IV: THE APPLICATION PROCESS FOR MEMBERSHIP OF THE SOCIETY

11 The Application and Selection of the Executive Committee

11.1 The Eligibility Criteria for the Executive Committee
11.1.1 It is highly desirable but not necessary that an applicant has fulfilled the role of General Representative for a minimum of one (1) year. In accordance with this, that applicant must have adhered to the eligibility requirements for General Representatives as outlined in Section 12.1.
11.1.2 It is highly desirable but not necessary that an applicant for President has previously fulfilled a role on the Executive Committee

11.2 The Application Process

11.2.1 In accordance with sections 4.4 and 5.1, a minimum of five (5) positions on the Executive Committee shall be available for application each year, and these positions are as follows:
   - The President
   - The Vice President
   - The Secretary
   - The Treasurer
   - The General Representative Coordinator
   - The IT and Marketing Officer

11.2.2 All positions are merit-based, allocated on the basis of an applicant’s written application and interview.

11.2.3 The position of President will be the first position opened, and it will be decided by the outgoing President and the Faculty Adviser by the end of week 9 of Second Semester. In the case of a divided opinion between the outgoing President and the Faculty Adviser, ultimately it is the Outgoing President’s decision.

11.2.4 In putting section 11.2.3 into effect, the successful applicant will proceed through two stages: 1) a written application; 2) an interview.

11.2.5 The remaining positions will be opened after the President has been selected.

11.2.6 The Incoming President and Faculty Adviser will determine who will fill the Executive positions, after reading written applications and conducting interviews, by the end of week 12 of second semester. If requested, the outgoing President can be consulted for assistance with this process. In the case of dispute between the faculty adviser and President, it is ultimately the President’s decision.

11.2.7 The outgoing Executive Committee will work in conjunction with the incoming committee until the end of semester and, if necessary, beyond, to undertake hand-over and finish their yearly session cycles.

12. The Selection of the General Representatives

12.1 The Eligibility Criteria and the Selection Process for General Representatives:
(a) Prior to becoming eligible to apply for a role as a General Representative (see the procedure outlined in section 12.1 (c), individuals must have attended the requisite training, as specified by the Executive Committee.

(b) Although it is not compulsory, it is advantageous if applicants have completed or are studying Criminal Law.

(c) In addition to individuals expressing their interest in becoming a General Representative by attending the training, such individuals will also be required to address specific selection criteria (which is to be determined by the Executive, and may change from year-to-year). The Executive will have complete discretion in selecting the General Representatives. They will carry out this duty with regard to ensuring that the fairness and integrity of this process is upheld.

(d) If an individual is selected after they apply via the process outlined in section 12.1(c), that individual will be required to attend an additional post-induction training session(s) in order to secure their role.

(e) Individuals will become General Representatives upon accepting the role. Their role will expire when the succeeding group of General Representatives is selected.

Part V: MEETINGS 13. The Different Forms of Society Meetings

13.1 The Society shall utilise four (4) different kinds of meetings, and these are as follows:

(a) The Executive Committee Meeting; (b) The General Meeting;
(c) The Annual General Meeting; and, (d) The Extra-Ordinary General Meeting.

All members of the Executive Committee are required to attend all meetings, unless other arrangements have been made.

13.2 The Executive Committee Meeting:

13.2.1 The Executive Committee may, at the discretion of the entire Committee or one or more members of the Committee, call an Executive Committee Meeting.

13.2.2 An Executive Meeting may be called for any reason, including, but not limited to, reasons relating to: the Executive Committee’s execution of their duties and powers (see section 7), the management of the Society (see section 6.1); and the general running of the Society (see section 6.2).

13.2.3 Where a decision of the Executive Committee relates to a core-functioning aspect of the Society, the decision must be ratified at an Executive Committee Meeting via majority voting. Each member of the Executive Committee is entitled to one (1) vote upon each matter. Core-functioning aspects of the Society include, but are not limited to, matters other than the day to day running of the Society. Defining core-functioning aspects is at the discretion of the Executive Committee.

13.2.4 Only members of the Executive Committee may attend an Executive Committee Meeting.

13.2.5 Notice of a meeting must be given to all members of the Executive Committee at least one (1) day prior to the meeting.

13.3 The General Meeting:

13.3.1 The Society shall have at least one (1) general meeting per semester, in addition to other meetings of the Society.

13.3.2 Notice of a meeting must be given to all members of the Society at least seven (7) days prior to the meeting.
13.3.3 Both members of the Executive Committee and General Representatives may attend a General Meeting.

13.4 The Annual General Meeting:
13.4.1 The Society shall have an Annual General Meeting for which the Executive Committee shall set a date, time, and venue.
13.4.2 Notice of a meeting must be given to all members of the Society at least seven (7) days prior to the meeting.
13.4.3 Both members of the Executive Committee and General Representatives may attend an Annual General Meeting.
13.4.4 The purpose of the Annual General Meeting shall be, among other things:
(a) To elect a new Executive Committee;
(b) Make amendments to the Society’s Constitution;
(c) To issue the Society's financial records for the past twelve (12) months; and,
(d) To hear reports from each of the Executive Committee’s members.

13.5 The Extra-Ordinary General Meeting:
13.5.1 An Extra-Ordinary General Meeting meeting shall be deemed necessary on the request of no less than five (5) members of the Society. This request shall be submitted to the Secretary of the Society in writing, outlining the reasons for the request.
13.5.2 The Secretary of the Society must call the meeting within fourteen (14) days of receiving the request.
13.5.3 At the meeting the only matter to be discussed shall be that/those topics to which the request refers.
13.5.4 Notice of a meeting must be given to all members of the Society at least seven (7) days prior to the meeting.
13.5.4 Both members of the Executive Committee and General Representatives may attend an Extra-Ordinary General Meeting.

14. Regulation of the Society’s Meetings
14.1 If a member of the Society is absent from any three (3) consecutive meetings, without adequate reason, the Executive may at their discretion take disciplinary action against that member, including expulsion from the Society (in accordance with the process outlined in section 16).
14.2 The quorum at all meetings shall be at least one (1) half of the members whom are required to attend.

Part VI: POWERS OF THE SOCIETY

15. Censure and No Confidence Motions
15.1 The Society, in either a General Meeting, an Annual General Meeting or an Extra-Ordinary Meeting, shall have the power to pass a resolution censuring the Executive Committee by majority vote.
15.2 The Society, in either a General Meeting, an Annual General Meeting or an Extra-Ordinary Meeting, shall have the power to pass a resolution of No Confidence in the Executive Committee by majority vote.

16. Removal from the Society
16.1 Expelling a General Member of the Executive

16.1.1 Any member can be removed from the society for misconduct of a nature inconsistent to the objects of the Society, and/or the interests and reputation of the Society and/or its members.

16.1.2 Without limiting the possible conduct that can constitute such a breach, below are a list of examples:

- Continued failure to meet clearly set expectations, after expectations have been reiterated and warnings have been issued
- Continued absenteeism from Society meetings without sufficient reason
- Continued inadequate communication

16.1.3 The power to expel a member from the society is vested firstly in the joint decision of the President and the Faculty Adviser (unless the party being expelled is the President – see s16.3).

16.1.4 Once the team is recruited the President must inform all Executive Committee members that they are subject to the provisions contained within section 16.

16.2 The Removal Process

16.2.1 No member shall be expelled without a) having had the President raise their concerns about their performance and the potential consequences raised with them in advance and b) without meeting with the Faculty adviser at least once to discuss their performance.

16.2.3 If the President and Faculty Adviser believe it is appropriate they may call for a team vote upon whether a member of the executive should or should not be removed from the society.

16.3 Expelling the President

16.3.1 The power to expel the President resides in the Advisory Group

16.3.2 A committee member seeking this outcome must first raise their concerns with the President’s behaviour with the Faculty Adviser and request that the Faculty Adviser conduct a majority vote between the advisory group committee members.

16.3.3 Unless the circumstances demand otherwise, the Faculty Adviser must meet with the President and discuss their performance, giving the President the chance to improve, before a vote is called.

16.3.4 If there is none or insufficient improvement in the President’s performance within a reasonable period of time the Faculty Adviser must call for a vote to expel the President.

16.4 Consequences of Expulsion from the Society

16.4.1 Where the society has expelled a member according to section 16 and its subsections, section 12.1(e) shall be void with regard to that member or members and such expulsion shall be permanent.

16.4.2 An expelled member shall lose the privilege of placing their involvement in COMET on their CV and will not be granted references from the President or other members, on behalf of COMET.
16.4.3 The position that the expelled member previously occupied will become open for application, as per s11.

**Part VII: FINANCIAL PROVISIONS**

17. Banking

17.1 The bank of the Society shall be the Commonwealth Savings Bank of Australia, University Branch.

17.2 All cheques must be co-signed by the Treasurer and one (1) other member of the Executive Committee.

17.3 In order for a member of the Society to be reimbursed for their incurrence of Society related expenses, that member must have prior written approval that has been signed by one (1) member of the Executive Committee other than the member seeking reimbursement.

18. Closing of Accounts

18.1 In the instance that the Society fails to re-affiliate, the last Executive Committee of the Society shall undertake to close the Society’s bank accounts and transfer any remaining balance, plus any petty cash, to the Societies Council.

18.2 The Societies Council Executive shall be entitled to request the bank(s) or credit union(s) used by the defunct Society (see Societies Council 'General Policy' section 10) to close such accounts and to transfer any accumulated funds to the Council.

**Part VIII: MISCELLANEOUS PROVISIONS**

19. Amendments

19.1 The rules and regulations provided for within this Constitution may be added to, repeated or amended by resolution at any General Meeting, Annual General Meeting or Extra-Ordinary General Meeting; however, it is preferable to delay all non-urgent amendments until the Annual General Meeting.

19.2 If the amendment entails the annulment of a pre-existing rule, the amendment must be passed by two (2) thirds of the full members present (including Executive Committee members and General Representatives), otherwise the majority shall be one (1) half.

20. Sub-Committees

20.1 The Executive Committee shall have the power to appoint such sub-committees for any purpose as it shall decide from time to time.

20.2 The President shall be ex-officio a member of all such sub-committees.

20.3 Any such sub-committees operate entirely under the direction of the Society and the Executive Committee, and shall be be required to act in accordance with this Constitution.