

Australian National University Student Media  
Incorporated

DRAFT constitution

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## **Part One: Preliminary**

### **1. Name**

The name of the Association is: Australian National University Student Media Incorporated.

### **2. Definitions**

Except where the contrary intention appears, in this Constitution:

1. "Academic day" means any working day that falls in the semester one (1) and two (2) teaching period of the University.
2. "Academic term" means half (1/2) of an academic semester of the University, either before or after the teaching break; there are four (4) academic terms in a year.
3. "Academic semester" means two (2) academic terms, including the teaching break between those terms.
4. "Academic week" means a calendar week that includes at least one (1) weekday that falls during a teaching period of the University.
5. "Academic year" means the period between the first day of the first teaching period of the University and the last day of the last teaching period of the University in a calendar year.
6. "ACT" means the Australian Capital Territory.
7. "The Act" means the Associations Incorporation Act (ACT) 1991.
8. "AGM" means the Annual General Meeting of the Association.
9. "Association" means Australian National University Student Media Incorporated.
10. "Board" means the Board of Editors, as described in sub-section 5.1.
11. "College" means an academic ANU College established by the University Council.
12. "Council" means the Council of the Australian National University.
13. "Editor" means a member of the Board of Editors described in section 6.
14. "Examination period" means the formal period at the end of each semester during which the University conducts examinations.
15. "Executive" means the three (3) Executive Officers of the Association, these being the Editor-in-Chief, the Deputy Editor-in-Chief and the Managing Editor, as described in sub-section 6.2.
16. "GDP" means Grievances and Disputes Panel, as described in section 26.
17. "OVC" means the Office of the Vice-Chancellor.
18. "Platform" means one of the Association's media platforms, including but not limited to: print, online, television and radio.

19. "Postgraduate student" means a student enrolled in a unit or program of study for a Masters degree or any postgraduate award of the University.
20. "Publication" means any and all content published on any of the Association's media platforms.
21. "Undergraduate student" means a student enrolled in a unit or program of study for a Bachelors degree or any other undergraduate award of the University.
22. "University" means The Australian National University, an institution of higher education established under the Australian National University Act (Cth) 1991, or as amended or re-enacted from time to time.
23. "Vice-Chancellor" means the Vice-Chancellor and President of the Australian National University.
24. "Working day" means a 24-hour period of any day that does not fall on a weekend or a University-recognised public holiday.

### **3. Objects**

The objects of the Association are:

1. to produce interesting, entertaining, informative, recognised and regular content and publications across print, radio, video, and online media platforms for the students of the University;
2. to contribute to a sense of University identity and reflect the scholarly and cultural diversity of the University community;
3. to promote open public dialogue and debate in the University community;
4. to promote awareness of the variety of curricular and extra-curricular activities undertaken by students of the University;
5. to discover and develop the creative talents of students at the University in journalism and the media arts;
6. to promote best practice in professional journalism; and
7. to innovate and explore new media forms.

## **Part Two: Membership**

### **4. Membership**

1. There are two (2) classes of membership: ordinary membership and honorary life membership.
2. Any person who:
  - a. is a student of the University; and
  - b. has not notified the Deputy Editor-in-Chief in writing that they do not wish to be a memberis an ordinary member of the Association.
3. Honorary life membership may be conferred upon any person by a two-thirds (2/3) vote at any General Meeting of the Association.

4. Honorary life members shall not vote at any meeting or election of the Association, shall not count towards quorum, and shall not be eligible for election to the Board, but shall otherwise have rights equal to ordinary members.
5. An ordinary member ceases to be a member of the Association at such time as they cease to fulfil the conditions in sub-section 4.2.
6. An honorary life member ceases to be a member if their membership is revoked by a General Meeting of the Association.
7. There is no fee payable for membership of the Association as an ordinary or honorary life member.

### **Part Three: Board of Editors**

#### **5. Powers of the Board**

1. The Board of Editors is the committee of the Association for the purposes of the Act.
2. The Board, subject to the Act, this Constitution, the regulations, and to any resolution passed by the Association in a General Meeting:
  - a. controls and manages the affairs of the Association;
  - b. may exercise all functions that may be exercised by the Association other than those functions that are required by this Constitution to be exercised at a General Meeting of the Association; and
  - c. has power to perform all acts and do all things that appear to the Board to be necessary or desirable for the proper management of the affairs of the Association.

#### **6. Composition and membership of the Board**

1. The Board of Editors is made up of two (2) types of members:
  - a. Executive Officers of the Association; and
  - b. General Editors.
2. The Executive Officers of the Association are:
  - a. the Editor-in-Chief;
  - b. the Deputy Editor-in-Chief; and
  - c. the Managing Editor.
3. The General Editors are:
  - a. the Content Editor;
  - b. the News Editor;
  - c. the Television Editor;
  - d. the Radio Editor; and
  - e. the Art Editor.
4. No person can simultaneously hold more than one (1) position on the Board.
5. Board members must be ordinary members of the Association.

#### **7. Election of Editors**

1. There are two (2) ways in which Editors may be elected to their positions on the Board.
  - a. The Editor-in-Chief must be elected by the Board in a Board meeting; and
  - b. The Deputy Editor-in-Chief, Managing Editor and General Editors must be directly elected by ordinary members of the Association.

2. The term of a Board member begins on the day after the last day of the examination period that follows the election period in which they were elected.
3. The term of a Board member ends on the last day of the examination period two (2) semesters hence.
4. Board members who have served twelve (12) calendar months must step-down. Board members must step-down, and if they wish may nominate themselves for re-election, either in the election that immediately follows or after a period of time has passed.

### **Editor-in-Chief Election**

5. At least two (2) days prior to the opening of the nomination period for a biannual election, the Board must have a meeting and elect an incoming Editor-in-Chief to commence their duties when the terms of the new Board members begin. All current members of the Board must be present and must vote.
6. The elected Editor-in-Chief must have served on the Board as Deputy Editor-in-Chief or a General Editor for six (6) months immediately prior to their term as Editor-in-Chief.
7. The term of office for Editor-in-Chief is six (6) calendar months. Overall, the period of time spent as a member of the Board will be 12 months when considering both their previous editorial position and their time as Editor-in-Chief.
8. The Managing Editor must remain in their position for the duration of their 12-month term, and cannot run for the position of Editor-in-Chief.
9. This ballot is to be conducted by optional preferential vote.

### **Deputy, Managing and General Editor Elections**

10. The Board of Editors is a rotational committee. Direct elections must be held biannually. Four (4) new Editors shall be elected by the ordinary members of the Association every six (6) calendar months to fill the positions of the four (4) Editors who step down.
11. In each biannual election, the positions available are:
  - a. those of the three (3) Editors who are stepping down; and
  - b. that of the Editor who has been elected as incoming Editor-in-Chief and will vacate their current position when the new Board members begin their terms.
12. The Deputy Editor-in-Chief, Managing Editor and General Editors must be elected under the election procedure outlined in section 8.

## **8. Election Procedure**

1. The Board must arrange direct elections biannually.
2. The Board must arrange an election to fill open positions on the Board at least two (2) calendar months prior to the end of the outgoing Editor's terms.
3. The Returning Officer for elections for the Board must be a staff member of the University appointed by the Vice-Chancellor.
4. In the three (3) week period between nominations closing and the opening of the poll:
  - a. the name, biography and position the nominee will run for must be published on at least one (1) of the Association's media platform;
  - b. at least two (2) official notices with details about the upcoming election must be delivered to all ordinary members of the Association by email; and

- c. prominent and informative notices must be posted at the primary thoroughfares of each College and in the Union Court.
- 5. The four (4) nominees with the most votes in their respective polls following the distribution of preferences shall be declared elected to the Board.
- 6. A General Meeting of the Association may make or amend Regulations for the management of elections which are consistent with section 8.

## **9. Removal and Resignation of Board Members**

- 1. Where valid grounds exist for removal, a Board member may be removed by:
  - a. a motion of no-confidence supported by two-thirds (2/3) of those present and voting at a General Meeting of the Association; and
  - b. a motion of no-confidence supported by all other Board members.
  - c. In the event that a vote of no-confidence arises, the Grievance and Disputes Panel will accept reports from each of the board members for review. The panel has two weeks to determine if the vote of no-confidence is valid.
    - i. If the vote of no-confidence is found to be valid, the Board may implement 9.1a and 9.1b
    - ii. If the vote of no-confidence is found to be invalid, then the Board must engage in a period of dispute resolution to be held by the Grievance and Disputes panel.
- 2. For the motion to be valid, three (3) working days' notice of a motion of no-confidence must be given to the Board member who is the subject of the motion.
- 3. Valid grounds for removal of a Board member are:
  - a. failure to attend three (3) or more Board meetings without apologies and an accompanying reasonable excuse; and
  - b. a breach or breaches of this Constitution or any regulations or policies made under this Constitution.
- 4. A Board member may resign from the Board in writing to the Editor-in-Chief.
- 5. The Editor-in-Chief may resign from the Board in writing to the Deputy Editor-in-Chief.

## **10. Casual Vacancies**

- 1. Within two (2) days of being notified that there is a casual vacancy on the Board, the Board must advertise the casual vacancy and invite written applications from ordinary members to fill the vacant position.
- 2. Written applications to fill the casual vacancy should take the same form of nominations in sub-section 8.6.
- 3. The application period must be open for at least one (1) calendar week.
- 4. The Board will consider applications to fill the vacancy, conducting interviews if necessary, and must appoint the most meritorious applicant to the Board.
- 5. A decision to appoint an applicant must be made within two (2) weeks of the close of the application period and be supported by at least five (5) Board members or the majority of the current membership of the Board, whichever is greater.
- 6. The Board may decide that the applications received are unsatisfactory and re-advertise for applications.

## **11. Duties of the Board**

1. The Board, subject to the Act, the regulations, this Constitution, and to any resolution passed by the Association in a General Meeting, must:
  - a. implement the objects of the Association;
  - b. ensure that Board members act in accordance with this Constitution and their respective duties; and
  - c. appoint, encourage and manage employees, sub-editors, volunteers and contributors of the Association and its media platforms.

## **12. Duties of each Editor**

### **Editor-in-Chief**

1. The Editor-in-Chief is the President of the Association and Chairperson of the Board. Subject to the Act, the regulations, this Constitution and to any resolution passed by the Association in a General Meeting, the Editor-in-Chief must:
  - a. chair Board meetings;
  - b. chair meetings of the Association;
  - c. be the spokesperson of the Association on matters of concern to members of the Association;
  - d. be primarily responsible for the management and supervision of the Association's employees, in conjunction with the other Executive Officers of the Association;
  - e. actively promote the Constitution and objects of the Association;
  - f. ensure that all media platforms and publications of the Association comply with the Constitution and objects of the Association; and
  - g. report on the activities of the Association at General Meetings of the Association.

### **Deputy Editor-in-Chief**

2. The Deputy Editor-in-Chief is the Secretary of the Association and Deputy Chairperson of the Board. Subject to the Act, the regulations, this Constitution and to any resolution passed by the Association in a General Meeting, the Deputy Editor-in-Chief must:
  - a. create and maintain records of all decisions, regulations, policies and minutes of the Association;
  - b. organise Board meetings;
  - c. organise General Meetings of the Association;
  - d. liaise with stakeholders in preparation for General Meetings;
  - e. ensure that all members of the Association have adequate notice of General Meetings of the Association;
  - f. at the time of the election, report to the Returning Officer on whether each nominee has made three (3) valid contributions, as outlined in sub-section 8.7;
  - g. manage the electoral affairs of the Association on behalf of the Board, except those managed by the Returning Officer; and
  - h. perform the role of Acting Editor-in-Chief when the Editor-in-Chief is on leave or otherwise unable to perform their duties.

### **Managing Editor**

3. The Managing Editor is the Treasurer of the Association. Subject to the Act, the regulations, this Constitution and to any resolution passed by the Association in a General Meeting, the Managing Editor must:
  - a. create and maintain the books and financial records of the Association;
  - b. manage the Association's business relationships;
  - c. prepare and manage the budget of the Association;
  - d. report on the state of the budget at each Board meeting;
  - e. prepare and present a financial update to the Board at the conclusion of each academic term; and
  - f. prepare the annual financial statements of the Association.

### **General Editors**

4. Subject to the Act, the regulations, this Constitution and to any resolution passed by the Association in a General Meeting, General Editors must:
  - a. provide assistance to the Executive Officers of the Association in the performance of their duties; and
  - b. perform any duties assigned to them by the Board.
5. In addition:
  - a. The Content Editor and the News Editor must appoint and manage sub-editors to assist with the management of the print and online media platform Woroni, and must oversee the involvement of volunteers and contributors.
  - b. The Television Editor must appoint and manage sub-editors to assist with the management of the media platform Woroni TV, and must oversee the involvement of volunteers and contributors.
  - c. The Radio Editor must appoint and manage sub-editors to assist with the management of the media platform Woroni Radio, and must oversee the involvement of volunteers and contributors.
  - d. The Art Editor must appoint and manage sub-editors to assist with the art and design aspects of the Association and the Association's media platforms, and must oversee the involvement of volunteers and contributors.

## **Part Four: Meetings**

### **13. Meetings**

#### **1. General Meetings**

- a. A General Meeting of the Association shall be called by the Deputy Editor-in-Chief:
  - i. at the direction of the Board; or
  - ii. upon the receipt of a written request signed by at least twenty (20) ordinary members.
- b. The Board must hold at least one (1) General Meeting per academic term. There is no limit to the number of General Meetings that may be held each year.
- c. A General Meeting must only be held on an academic day.
- d. Except where the nature of the business proposed to be dealt with at a General Meeting requires a special resolution of the Association, an advertisement of the

date, time and location of a General Meeting, and a provisional agenda, must be given to members at least seven (7) days before the meeting.

- e. Advertisement shall be effected by:
  - i. the publication of a notice on at least one (1) of the Association's media platforms; and
  - ii. prominent and informative notices posted at the primary thoroughfares at each College and in Union Court.
- f. Matters for inclusion on the agenda of a General Meeting, other than those matters requiring a special resolution, may be submitted by any member to the Deputy Editor-in-Chief at least two (2) academic days prior to the meeting.
- g. There must also be an item on the agenda to allow any other business to be raised by those present at the meeting.
- h. The Chairperson at a General Meeting is the Editor-in-Chief.
- i. The quorum for a General Meeting is twenty (20) ordinary members.
- j. Decisions at a General Meeting must be by a majority vote of ordinary members present. In the event of a tie, the Chairperson shall have a casting vote as well as a deliberative vote. At the request of any five (5) ordinary members present at a General Meeting, a secret ballot shall be held. Voting by proxy shall not be permitted at any General Meeting of the Association.
- k. Each Board member must deliver a report at every General Meeting with details of their recent activities. Written versions of these reports must be made available to ordinary members at least two (2) academic days before the General Meeting. This is not required at the Association's Annual General Meeting.
- l. A General Meeting must be run in accordance with the Association's Standing Orders.
- m. A General Meeting of the Association may make or amend Standing Orders for the operation of General Meetings which are consistent with sub-sections 13.1 and 13.2.

### **1. Annual General Meeting**

- n. The Annual General Meeting (AGM) of the Association must be convened by the Board within five (5) months of the end of the financial year, and must be held on an academic day.
- o. The AGM must be conducted in accordance with the standing orders, with the additional provision that a notice of the AGM must also be sent to every ordinary member of the Association with a University email address.
- p. The Editor-in-Chief's Annual Report, the Managing Editor's Annual Report, a draft budget, the duly audited Annual Financial Statements and any other reports deemed necessary by the Board shall be presented and passed at the AGM, and shall be made available on the Association's online platform for inspection by ordinary members at least fourteen (14) calendar days before the AGM.

### **2. Board Meetings**

- q. The Board must meet at least once each fortnight during the academic year.
- r. Board meetings may be convened at any time by the Editor-in-Chief. The Editor-in-Chief is the Chairperson at Board meetings.

- s. The Deputy Editor-in-Chief must provide reasonable notice of Board meetings to all Board members by email.
- t. The quorum at a Board meeting is five (5) Board members and must include at least two (2) members of the Executive.
- u. Decisions at a Board meeting shall be by a majority vote of members present. In the event of a tie, the Chairperson shall have a casting vote as well as a deliberative vote. At the request of any Board member present at the Board meeting, a secret ballot shall be held. Voting by proxy shall not be permitted at any Board meeting.
- v. When necessary, the Board may approve motions through email or other such technologically mediated communicative forms, as long as the process to technologically approve such a motion has been previously authorised by the Board at a Board meeting, and reasonable notice of the motion and time to make a decision is given. Any Board member may ask to postpone electronic discussion of a motion and ask for approval at a Board meeting.

## **Part Five: Miscellaneous**

### **14. Publications**

1. The Association may establish and manage media platforms in the name of the Association. These media platforms may be in print, digital, audio or video format.
2. The Association must manage a print and online platform with the masthead Woroni.
  - a. Woroni must be published at least once every two (2) academic weeks of the academic year. Special editions of Woroni must be published for University Orientation Week and Bush Week.
3. The Association must manage a video platform with the name Woroni TV.
4. The Association must manage a radio platform with the name Woroni Radio.
5. A publication of the Association may not be published without the approval of the Board. The Board may only authorise a publication where:
  - b. the publication complies in its entirety with the Principles, as issued from time to time by The Australian Press Council, outlined in Schedule 1 of this Constitution and is not otherwise contrary to this Constitution or any regulations or policies;
  - c. the publication does not contain any material which may impose civil or criminal liability on the Association or Board members.
6. Notwithstanding sub-section 14.5, the Board may only authorise the publication of Woroni where at least six (6) Board members vote in favour of authorising the publication.
7. The Board of Editors must set up a process for approving the publication of any other media content as appropriate.

### **15. Co-Option of Association Members**

1. The Board may co-opt other ordinary members of the Association to assist with the management of the Association or one of its media platforms by performing the roles of sub-editor or contributor, or any other role that the Board may create from time to time.
2. Where the Board has a position to fill, the Board must publicly advertise the position and call for applications. The Board must make appointment decisions on merit.
3. Once appointed, a sub-editor or contributor holds their role until removed by the Board.

4. Co-opted members enjoy indemnity from the Association for duties performed for the Association under section 24.

#### **16. Employees**

1. The Board may appoint employees of the Association in accordance with relevant laws of the Australian Capital Territory and the Commonwealth, and any applicable industrial relations award or enterprise agreement. Employees of the Association must enjoy the same conditions and entitlements as employees of the University.

#### **17. Public Officer**

1. The Board shall appoint a Board member to be the Public Officer of the Association.
2. The Public Officer will, within fourteen (14) working days of their appointment, notify the relevant authority in writing of the appointment and supply their full name and address. The Public Officer will also supply any and all documents required by the relevant authority and shall perform any other duties as required by the relevant legislation.
3. The position of Public Officer becomes vacant if the person is no longer a Board member, or if they resign from the position of Public Officer in writing to the Executive.

#### **18. Finance**

2. The Association and the Board will exercise all due-care and diligence in the management of the financial affairs of the Association.
3. The assets and income of the Association shall be applied solely in furtherance of the objects outlined in section 3 and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the Association.
4. No person may incur liabilities on behalf of the Association without approval from the Editor-in-Chief or the Managing Editor. Should a situation arise where actions taken in good faith have caused expenditure to exceed a budget estimate, then this fact must be reported to the next meeting of the Board.
5. The financial year of the Association shall commence on the first day of December in each year, and end on the last day of November in the following year.
6. The Association may maintain such bank accounts in its name as the Board deems necessary.
7. Withdrawal of monies from any bank account of the Association must be authorised by two (2) members of the Executive.
8. The Association must not enter into any bank liabilities, guarantees or indemnities incurring contingent liabilities, other than in the normal course of business.

#### **Members Benefits and Liabilities**

9. No member of the Association shall benefit from any funds held by the Association except by way of bona fide compensation for services rendered or expenses incurred on behalf of the Association.
10. No member of the Association will be personally liable to contribute towards the payments of the debts and liabilities of the Association or the costs, charges and any expenses of the dissolution or winding up of the Association.

### **Honoraria for Board members**

11. A General Meeting of the Association may authorise the payment of honoraria to Board members.

### **Budget**

12. The Managing Editor will prepare a budget and present it to the Board at the first Board meeting of the calendar year for approval.
13. The Managing Editor will report on the current budgetary and financial position of the Association at each Board meeting.

### **Audit**

14. An auditor, who is not a member of the Association and who is a professionally qualified accountant, will be appointed by the Board and will audit the financial affairs of the Association every financial year and certify the correctness of the Annual Financial Statements.
15. The Managing Editor will prepare all relevant financial statements and records for audit and presentation at the AGM in compliance with all relevant legislation. The Managing Editor must ensure that the audit is completed at least fourteen (14) working days before the AGM. In accordance with the relevant legislation, the Managing Editor must lodge the annual return of the Association within six (6) months of the end of each financial year.

### **Association Books**

16. Subject to the relevant legislation the Deputy Editor-in-Chief must keep in their custody or under their control all records, books and other documents relating to the Association. The records, books and other documents of the Association shall be open to inspection by members in the office of the Association at any reasonable hour.

## **19. Freedom of Information**

### **Specified Documents**

1. Upon receipt of a request in writing, the Board must within fourteen (14) days grant any member of the Association access to:
  - a. the Constitution;
  - b. any regulations or policies of the Association;
  - c. the minutes of any General Meeting or Board meeting;
  - d. audited financial statements and Managing Editor's reports; and
  - e. the current draft or approved budget.

### **General Freedom of Information**

2. Upon receipt of a request in writing, the Board must within fourteen (14) days grant any member of the Association access to documents or electronic records produced by the Association, its officers, employees or the Board, other than those referred to in sub-section 19.1, except where the Deputy-in-Chief has restricted such access to protect the confidentiality of these document or records.

3. Access to any document or record not produced by the Association, its officers, employees or the Board but which has been submitted to or is held by the Association explicitly or implicitly in confidence, must only be granted with the permission of the other parties of the document or record. All disputes concerning access shall be resolved by the Board.

## **20. Common Seal**

1. The Association will keep and maintain a Common Seal of the Association. The Common Seal must:
  - a. be kept in the custody of the Editor-in-Chief;
  - b. not be attached to any instrument except by the authority of the Board; and
  - c. be attested by the signatures of two (2) Board members, one (1) of whom must be the Editor-in-Chief or the Managing Editor, when attached to an instrument.

## **21. Interpretation**

1. The Deputy Editor-in-Chief of the Association is empowered to interpret this Constitution.
2. An alternative interpretation of this Constitution may only be made by:
  - a. two-thirds (2/3) of those present and voting at a Board meeting; or
  - b. two-thirds (2/3) of those present and voting at a General Meeting of the Association.

## **22. Regulations and Policy**

1. The Association may, by a resolution passed by two-thirds (2/3) of ordinary members at a General Meeting, make or amend Regulations to govern the operation of particular aspects of the Association's affairs. These regulations must be advertised and made available to all members. These regulations must include, but are not necessarily limited to, standing orders that govern the conduct of any meeting of the Association or its members, as well as methods by which meetings and elections are to be advertised, and electoral regulations to govern the conduct of any election held by the Association.
2. Subject to this Constitution and any regulations, the Board may make such policies as it sees fit to assist the convenient conduct of the Association's business.
3. All regulations and policies must be advertised and made available to all members.

## **23. Alteration of the Constitution**

1. This Constitution may be amended by special resolution at any General Meeting of the Association in accordance with sub-section 13.1, except that at least twenty-one (21) days' notice of the special resolution shall be given to members and a decision to amend the Constitution must have the support of three-quarters (3/4) of ordinary members present and voting.
2. Full notice of proposed amendments to the Constitution must be given to members at the same time and in the same way as notice of the General Meeting at which the amendments are to be proposed.
3. The Deputy Editor-in-Chief must ensure that, once passed at a General Meeting, amendments to the Constitution are submitted to the Council for ratification and thence to the relevant local authority.
4. No amendment to the Constitution will have any effect until ratified by the Council and, if necessary, by the relevant local authority.

## **24. Indemnity**

1. All members and employees of the Association are indemnified by the Association to the extent permitted by law, against losses or expenses incurred by them in or about the discharge of their respective duties except against any liability that by law would otherwise attach to them in respect of any negligence, default, breach of duty or breach of trust of which they may be guilty in relation to the Association.

## **25. Dissolution or Winding-Up**

1. A motion may be put to dissolve or wind-up the Association.
2. A motion to dissolve or wind-up the Association may be considered at any General Meeting of the Association where twenty-one (21) days' notice of such a General Meeting has been given to members, accompanied by a notice of intention to propose a motion to dissolve or wind up the Association.
3. A motion to dissolve or wind up the Association must be passed by a special resolution, at least three-quarters (3/4) of those present and voting at a General Meeting held in accordance with section 13.1.
4. In the event of the Association being dissolved, the amount that remains after such dissolution and the satisfaction of all debts and liabilities shall be transferred to another organisation with similar purposes which is not carried on for the profit or gain of its individual members, and which benefits the students of the University generally.

## **26. Grievances and Disputes**

1. The Association has a GDP to hear and resolve grievances and disputes between:
  - a. members of the Association in relation to the Association;
  - b. members of the Association and Board members; and
  - c. members of the Board
2. The GDP may also hear complaints about publications of the Association from non-members.
3. The GDP may hear and resolve grievances and disputes relating to:
  - a. an alleged breach or breaches of this Constitution or any policies or regulations made under this Constitution by an ordinary member of the Association and/or the Board;
  - b. an alleged breach of the Press Council Principles in Schedule 1 of this Constitution by an ordinary member of the Association and/or the Board;
  - c. an alleged breach of the Code of Conduct in Schedule 2 of this Constitution by an ordinary member of the Association and/or the Board.
4. In determining whether to uphold or dismiss a complaint the GDP must apply accepted principles of natural justice, including the provision of a fair and timely hearing and published reasons for a decision.

### **Membership of the Panel**

5. The Grievances and Disputes Panel has three (3) members. These are:
  - a. one (1) ordinary member of the Association appointed by the Board who must not be a Board member or a co-opted member;

- b. one (1) ordinary member of the Association elected at any General Meeting of the Association who must not be a Board member or a co-opted member; and
  - c. one (1) staff member of the University appointed by the Vice-Chancellor.
- 6. The panel member who is also a staff member of the University is the chair of the GDP.
- 7. The GDP may communicate and make all decisions electronically.
- 8. Decisions must be unanimous and made within reasonable time.
- 9. The ordinary members of the GDP must be appointed annually.
- 10. A General Meeting may remove either of the ordinary members who serve on the GDP.

### **Remedies**

- 11. If a complaint is upheld, the GDP may:
  - a. revoke or suspend the membership of the Association of the person/s found to be in breach;
  - b. impose a fine (which may not exceed \$100AUD) on the person/s found to be in breach, the non-payment of which will result in the revocation of membership;
  - c. where the complaint relates to a breach of the Press Council Principles in Schedule 1, require the publication concerned to promptly and prominently publish the decision and/or issue a retraction.

### **Right of Appeal of a Disciplined Member**

- 12. A disciplined member may appeal a decision of the GDP at a General Meeting.
- 13. The disciplined member must notify the Deputy Editor-in-Chief in writing of their intention to appeal within seven (7) academic days of being informed of the decision of the GDP.
- 14. On receiving an appeal notice the Deputy Editor-in-Chief must notify the Board within one (1) academic day. The Board must subsequently direct the Deputy Editor in Chief to call a General Meeting of the Association within twenty-one (21) academic days of the time the notice of the appeal was received.
- 15. At this General Meeting of the Association:
  - a. the only business which may be considered is the appeal against the GDP's decision;
  - b. the GDP and the member must be given the opportunity to make representations in relation to the appeal orally, in writing or both; and,
  - c. the members present must vote by secret ballot on the question of whether the appeal should be approved or rejected.

## **Part Six: Schedules**

### **27. Schedules**

#### **1. Schedule 1 – Press Council Principles**

##### **a. Preamble:**

In a democratic society, all people have the right to freedom of expression and to be informed. These rights cannot be secured unless the press is free to publish facts and opinions without fear or favour.

Freedom of the press, however, carries responsibilities to the public. Liberty does not mean license, and due regard must be given to other important freedoms, rights and values which are in the public interest.

Accordingly, the Press Council has laid down the following General Principles to which all publisher members are committed by the Council's Constitution.

The General Principles Publications are free to publish as they wish by reporting facts and expressing opinions, provided they take reasonable steps to comply with the following Principles and the Council's other Standards of Practice.

**b. Accuracy and Clarity**

- i. Ensure that factual material in news reports and elsewhere is accurate and not misleading, and is distinguishable from other material such as opinion
- ii. Provide a correction or other adequate remedial action if published material is significantly inaccurate or misleading.

**c. Fairness and balance**

- iii. Ensure that factual material is presented with reasonable fairness and balance, and that writers' expressions of opinion are not based on significantly inaccurate factual material or omission of key facts.
- iv. Ensure that where material refers adversely to a person, a fair opportunity is given for subsequent publication of a reply if that is reasonably necessary to address a possible breach of General Principle.

**d. Privacy and avoidance of harm**

- v. Avoid intruding on a person's reasonable expectations of privacy, unless doing so is sufficiently in the public interest.
- vi. Avoid causing or contributing materially to substantial offence, distress or prejudice, or a substantial risk to health safety, unless doing so is sufficiently in the public interest.

**e. Integrity and Transparency**

- vii. Avoid publishing material which has been gathered by deceptive or unfair means, unless doing so is sufficiently in the public interest.
- viii. Ensure that conflicts of interests are avoided or adequately disclosed, and that they do not influence published material.

**2. Schedule 2 – Code of Conduct**

Board members, sub-editors and staff are expected to carry out their duties honestly, responsibly and impartially to the best of their ability. This Code of Conduct applies to Board members, sub-editors and staff during those times in which they perform work for the Association. It does not apply to conduct engaged in outside of official work.

**a. Exercising care and diligence**

All Board members, sub-editors and staff members should:

- i. carry out their duties in a professional, responsible and conscientious manner;
- ii. carry out official directions and policies in a faithful, impartial and transparent manner;
- iii. ensure decisions can be seen to be reasonable, fair and appropriate to the circumstances based on consideration of all the relevant facts;

- iv. report genuinely suspected or known fraud or corrupt conduct to appropriate authorities;
- v. take reasonable steps to ensure adequate protection of all confidential information;
- vi. take reasonable steps to ensure compliance with intellectual property laws;
- vii. maintain as appropriate the confidentiality of Association dealings when interacting with outside organisations and others within the Association;
- viii. maintain adequate security over Association property, facilities and resources and information; and
- ix. ensure that Association resources are managed effectively and efficiently.

**b. Respect and fair treatment of people**

This obligation covers the conduct of Board members, sub-editors and staff members in their dealings with others including students, staff of the University and members of the community.

All Board members, sub-editors and staff members should:

- i. treat others with respect;
- ii. treat others with courtesy, fairness and equity;
- iii. engage in conduct that is respectful of differences and non-discriminatory on the basis of sex, race, sexuality, disability, cultural background, religion, marital status, age, union affiliation, political conviction or family responsibilities;
- iv. avoid behaviour that may be reasonably perceived as harassing, intimidating, overbearing, bullying or physically or emotionally threatening; and
- v. be responsive, courteous and prompt in Association dealings.