

CONSTITUTION AMENDMENT C

Proposed amendment

- Clarity to reflect that all members and individuals can attend as proxies or authorised representatives, with update of clause 7.18a to “All members and individuals attending as proxies or Authorised Representatives are to be counted towards quorum”, AND
- Removal of the restriction for Members and Proxies only being counted once towards quorum with clause 7.18b clause updated to read "All proxies held by the Chair are to be counted towards quorum.", AND
- Removal of the clause limiting 1 (one) proxy per person (clause 7.23d)

Explanation

- Currently, Arc Constitution requires 50 Members as quorum for an Annual General Meeting, and 200 Members as quorum for a Special Resolution. It also limits that no person may act as Proxy for more than one Member.
- Proxies may be submitted in advance by Members wishing to cast their vote, however they will only be counted if the Proxy is held by a non-member (e.g., an Arc Staff Member or non-member student).
- Arc consistently gathers a significant number of Proxy forms prior to each AGM or EGM (usually close to the required quorum). However, due to the lack of non-members available to attend as a Proxy, their votes are not counted and, on some occasions, quorum isn't met.
- Arc is the student organisation for UNSW and is therefore, by design, committed to ensuring that all student voices are heard. Student timetables and availabilities are increasingly complex and inflexible between work and study.
- While Arc AGMs and EGMs are held in a hybrid format (online and in-person), this does not accommodate for all students, and for many proxy form is their only avenue to contribute their voice and vote to AGMs and EGMs.
- Amending clause 7.18b allows for Proxy votes to be counted towards quorum while the removal of clause (section 7.23d) allows for both the Chair and any other person to act as proxy for more than one Member.
- The Corporations Act Section 249X dictates that Members must be given the option to appoint a Proxy. An amendment to the Proxy form is proposed to allow the option to ‘assign Chair as proxy’.
- Research was conducted into the Constitutions and Regulations of 10 Australian University Student Organisations which found that:
 - Those which either allow or are silent regarding Proxies (6/10), are also silent regarding any limitations.
 - Those which don't allow proxies (4/10) have a quorum requirement of <10 members.
- This amendment does not attempt to adjust the required quorum for meetings, but to ensure any and all Member votes are counted.