

7. Club Constitutions

What is a Club Constitution?

Your Club Constitution is the policy that governs your Club, as agreed by the members of the Club. Executives should use it as a reference to know how to run the Club and what must be done throughout the year. Requirements specified in a Club's Constitution must be adhered to.

In order to remain affiliated with Arc, your Club Constitution can only be changed at a General Meeting of your Club. It is important that you ensure that these changes are in line with Arc's requirements for Club Constitutions. Any breaches may result in the suspension of your Club's affiliation with Arc until the issue has been resolved, or your Club may be disaffiliated altogether.

How do I write a constitution?

The Arc Model Clubs Constitution for Regular or Constituent Clubs provide a guide of what is acceptable for your Constitution. This does not mean that your Club cannot make changes, just that any changes must not violate the minimum parameters set out.

For example, the model constitution specifies a 'first-past-the-post' voting system for elections where all members have one (1) vote. If you were to introduce a preferential voting system it would be approved by Arc, however if you were to restrict some members' ability to vote, your Club's Arc affiliation may be suspended.

It is therefore always recommended that Clubs consult Arc Clubs Staff before making constitutional changes. This provides the opportunity for your proposed changes to be checked over and ensure they are compliant with Arc policy.

You Club Executive should always keep an up-to-date, editable copy of your Constitution. Further, whenever changes are made, or when you reaffiliate, you must supply a digital copy of your Constitution to Arc to be stored on our database. If ever you lose your Constitution, or have any questions about potential changes, contact clubs@arc.unsw.edu.au.

Minimum Constitution Requirements

Arc will only affiliate Clubs that operate under a constitution that meets the requirements of Arc. The Club's constitution must have been accepted at the Inaugural General Meeting of the members of the Club. Clubs may make amendments or accept a new constitution at an Annual or Extraordinary General Meeting of the members of the Club.

We strongly recommend that you use the

Arc Model Constitutions

The model constitutions already include most of the elements your constitution needs. It will help you ensure that you check all the right boxes when drafting your Club's own constitution.

Constitutions should include:

Club's full name, aims and objectives

Membership (see Clubs Handbook Section 8 for more information)

- Define membership types and specify eligibility
 - For Regular Clubs, all UNSW students are eligible for Club membership
 - For Constituent Clubs, all students within the agreed Program, School, Faculty are eligible for full Club membership
 - All Clubs may allow for associate membership for those who are ineligible for full membership. The Club may restrict associate membership to specific groups (e.g., UNSW staff or alumni), as long as these are not discriminatory.
- Specify any membership fees that apply to the different membership categories
- Specify the duration of membership (generally 12 months maximum, after which members can renew their membership for the new year).

Register of Members

- The Club must keep a record of Club members' name, student number and email
- The membership list may not be shared with any third party other than Arc without the written permission of individual members.

Membership Fees

- For Regular Clubs, both full and associate members may be charged a membership fee
- For Constituent Clubs, full members must not be charged a membership fee
- For Constituent Clubs, associate members may be charged a membership fee.

Accepting/Removing members and Executives

- The constitution must specify a fair process for the removal of members and Executives
- Any removal of members and Executives may only occur at a general meeting of the Club by a democratic vote of the members, except under exceptional circumstances
- A decision to not accept the membership of an eligible candidate may only be made at a general meeting of the Club by a vote of the members

Executives and committee

- The make-up of the Executive, including the number of people holding the position at any time (e.g., Two (2) Co-Presidents, an Arc Delegate)
- The roles and responsibility of the Executive as a whole, and each Executive individually
- At minimum, the Executive must include (but may be differently titled):
 - A President
 - A Treasurer
 - A Secretary
 - An Arc Delegate
 - A Grievance Officer
 - Please note: The minimum responsibilities of a Grievance Officer may be included under an existing Executive Role, *i.e.* as long as the responsibilities exist somewhere in the Executive, there need not be an Executive Role explicitly for a Grievance Officer.
- The responsibilities of these roles may also be combined as long as the President does not hold the responsibilities of the Treasurer, and there are always a least three (3) Executive positions and at least three (3) separate persons on the Executive.
- Clubs may add additional Executives to their constitution but must include the position title in the list of Executive roles (in 3.1 of the model constitution) and a position description (in 3.9 of the model constitution).

The following is an example for how to include a Vice-President position (the numbering may differ depending on your constitution. These are based on the current model constitution):

Insert 3.1.2 *A Vice President;*

Insert 3.9.2 *Vice President*

- a) *In the absence of the president, to chair all Club, Committee, General and Annual General Meetings (held during their term) of the Club;*
- b) *To assist the President in coordinating the activities and administration of the Club;*
- c) *To have a thorough knowledge of the Club's constitution;*
- d) *To ensure that changes made to the constitution at an EGM or AGM are in line with Arc requirements;*
- e) *To ensure that motions made at any Meeting of the Club are reflective of the constitution;*
- f) *To ensure that Arc is informed of any changes to the Executive;*
- g) *To liaise with fellow office bearers; and*
- h) *To assist the President in their duties wherever practical.*

- The number of people that hold the position must be specified,

e.g., 3.1.1 *Two (2) Co-Presidents*

- The following clauses are also required:

3.3 *Unless specified in 3.1, job sharing of any Executive position is not permitted.*

3.3.1 All Executives holding a shared position are jointly responsible for all the duties of the position that are specified in section 3.8.

3.3.2 Each Executive position is only entitled to one vote in Executive decisions, even if the position is held by more than one person. This vote cannot be divided to allow partial votes to be cast by those holding a joint position

- The constitution must stipulate a fair and democratic election process for the Executive that meets the Arc's requirements (see Clubs Handbook Section 10). This includes specifying the voting system, e.g., first-past-the-post or preferential voting.
 - All full members have voting rights, new members must have joined the Club before the AGM/EGM
 - Associate members do not have voting rights
 - Any member who is eligible to vote in the election is also eligible to stand for election to an Executive position
- The Club may also have a subcommittee, which may be appointed by the Executive or elected by the members at a General Meeting
 - If you would like your subcommittee or other appointed positions to be formally acknowledged, these must be stipulated in your constitution
 - The constitution must note that The Executive is always bound by the decisions of a Club Inaugural, Annual or Extraordinary General Meeting (IGM, AGM, EGM)

General Meetings

- The constitution must specify an appropriate process for calling general meetings
- The constitution must specify the requirements and processes for giving notice of general meetings:
 - at minimum, notice must be provided in writing to *all members and to Arc* at least 7 days or 5 academic days in advance, (e.g., by email)
- The constitution must specify voting rights for general meetings (as above)
- The constitution must specify the democratic requirements for a motion to be passed at a General meeting (e.g., simple majority). This must be no less than half of voting members.
- The constitution must stipulate the minimum attendance requirements, which must read: “fifteen members or half of the Club membership, whichever is the lesser”.
- The constitution must specify a process by which members can petition the Executive in writing to hold an Extraordinary General Meeting, including at minimum:
 - the number of members of the Club that must be a party to the petition (at minimum fifteen (15) members or half of the Club Membership, whichever is lesser);
 - a required timeframe for the meeting to be held once the petition has been submitted (this must be no sooner than 7 days and no later than 21 days).

Constitutional Amendments

- The constitution must specify that constitutional amendments may only be approved by a vote of the members at a General Meeting of the Club.

Proxy Voting

- The constitution may specify if and when proxies (allowing students to vote through a representative when they are absent) are allowed at meetings
- Clubs must allow proxy votes at General Meetings held on a non-academic day. It is up to you whether meetings held on academic days can have proxies or not. For example, Clubs whose constitution states that their AGMs and EGMs MUST be held on academic days may choose to use a clause that states proxies are not allowed in meetings.
- The constitution may include additional requirements for proxy voting, as long as they do not contradict the following requirements:
 - Where proxies are allowed in the constitution, a Club must allow voting Club members to vote by proxy. A Proxy form can be found on the Arc website. The form must include full name, student number, date and signature of the student and full name and student number of the proxy. Members may choose to state their intended vote on the form or leave it to their proxy.
 - Proxy attendees can be counted towards calculation of quorum. Proxy votes are included when calculating majority or the number of votes needed for a motion to pass.

Management of Funds

- The constitution must specify how the Club's funds are to be managed. This includes:
 - That the Executive must approve all accounts and expenditure for payment
 - Which Executive is responsible for the management of Club funds, including:
 - keeping and maintaining Club financial records
 - ensuring that funds are not misused
 - ensuring that the Executive is kept informed of the Club's financial position
 - carrying out financial transactions as directed by the Executive
 - that this Executive must be one of the signatories on all Club bank account

- That all payments must be conducted by dual signatory
- That only Executive members can be signatories on Club bank accounts
- That the Club must maintain full and up-to-date records including a general ledger
- That the Club may not lend money under any circumstances
- That the Club must remain debt-free at all times
- That all Club expenses must be evidenced through documentation

Inspection of Books

- The constitution must specify that all Club records are open to inspection by Arc at any time

Dissolution

- The constitution must stipulate a process for dissolving the Club, including at minimum:
 - That an EGM is called, for which the notice must also specify that the meeting is being called to vote on dissolving the Club
 - That the meeting should focus exclusively on the potential dissolution of the Club
 - That any opposition must be given the opportunity to respond, with at least ten minutes allocated for this purpose
 - The votes required to pass the motion to dissolve the Club
- The constitution must also specify
 - a time period of financial and administrative inactivity after which the Club is automatically dissolved. This must be no more than eighteen (18) months.
 - On dissolution of the Club, the Club is not to distribute assets to members
 - All assets are to be distributed to an organisation with similar goals or objectives that also prohibits the distribution of assets to members. This organisation may be nominated at the dissolution meeting of the Club. If no other legitimate Club or organisation is nominated, Arc will begin procedures to recover any property, monies or records belonging to the Club which it perceives would be useful to other Arc-affiliated Clubs

Anti-discrimination

- The constitution must specify that the Club will comply with Anti-Discrimination legislation in all its activities and procedures, including the granting of Club membership (See Section 22.1 - Equity, Diversity, Inclusion, Cultural Sensitivity)

FAQs

Is there a sample Constitution we can look at to help us to write our own?

Yes! Arc Model Constitution for [Regular Clubs](#) and [Constituent Clubs](#) are available on the [Arc Forms and Files website](#). You can still make changes – just ask us to for help check them against Arc’s requirements.

What do we do if we want to edit or change parts of the Club's constitution?

Additions or changes to the constitutions can only take place at EGMs or AGMs (or at the IGM held to form your Club). The proposed changes must be discussed and approved by a vote of the members at the meeting, and then submitted to the Arc Clubs team via the Arc online platform for approval. We recommend that you seek advice from Arc Clubs staff well in advance to ensure that your proposed changes still meet Arc’s requirements for Club constitutions.

When it comes to some more complex aspects about Club management, a proper consultation can be extremely helpful and can save you a lot of time and effort. Our Clubs team have a range of executive experience and can provide valuable guidance on a variety of areas.

You can use consultations to ask about complicated issues, find out what options you have and improve your understanding of your situation. You can [book here](#), or email us at clubs@arc.unsw.edu.au to organise a time to speak with the team.

Consultation bookings run for 15 minutes and are held in the Clubs Space. Book via the Files and Forms page.

Related Documents

Clubs Handbook (www.arc.unsw.edu.au/clubs/clubshandbook)

- Section 8 - Club Membership
- Section 9 - Holding a General Meeting of Your Club
- Section 12 - Incorporation
- Section 18 - Club Financial Management
- Section 22.1 - Equity, Diversity, Inclusion, Cultural Sensitivity

Forms & Files (www.arc.unsw.edu.au/clubs/club-admin/club-forms)

- Constituent Clubs Model Constitution
- Regular Clubs Model Constitution
- Arc Clubs Example Proxy Form

Need Help?			
Call Us	Email Us	Visit us	Office Hours
02 9065 0930 <i>(during office hours)</i>	clubs@arc.unsw.edu.au	Level 2, Basser College <i>(just off the Basser steps past the Quadrangle)</i>	During Term: 10am - 4pm Outside Term: By appointment only
Files and Forms: www.arc.unsw.edu.au/clubforms		Clubs Handbook: www.arc.unsw.edu.au/clubs/clubshandbook	