

Council of Australian Postgraduate Associations Inc.

Regulations

**Approved at the Council of Australian Postgraduate
Associations Annual Council Meeting 7th Dec 2005.
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PART 1 PRELIMINARY

1.1 Introduction

1.1.1 This document shall be cited as the Regulations of the Council of Australian Postgraduate Associations.

1.1.2 This document shall contain all the Regulations created by the Council of Australian Postgraduate Associations.

1.1.3 These Regulations are divided into Parts as follows:

Part 1 Preliminary

Part 2 Interpretation

Part 3 Standing Orders

Part 4 Meetings of Council

Part 5 Elections of Council

Part 6 Conflict of Interest

Part 7 Special Officers

Part 8 Committees

Part 9 Regions

Part 10 Finances

Part 11 Duties and Terms of Employment of Office Bearers

Part 12 Alterations and Amendments to Regulations

Part 13 CAPA Expenditure Guidelines

PART 2 INTERPRETATION

In these Regulations, unless the contrary appears -

‘Accreditation’ means the act by which Council grants a delegation the right to vote as outlined in Part 3 subsection 17(6) of the Constitution.

‘Affiliation Fee’ means the amount per annum paid to the Council of Australian Postgraduate Associations by a constituent organisation.

‘Annual Council Meeting’ means the Annual Meeting of the Council of Australian Postgraduate Associations Inc. as stipulated by the Council of Australian Postgraduate Associations Constitution and provisions within these Regulations.

‘Annual Election’ means the Association Election conducted annually in accordance with the Constitution and these Regulations.

‘Annual General Meeting’ means the Annual General Meeting of the Council of Australian Postgraduate Associations Inc. as stipulated by the Council of Australian Postgraduate Associations Constitution and provisions within these Regulations.

‘CAPA Officer’ means a member of the Executive Committee, or any committee of Council.

‘Constituent Organisation’ means those bodies mentioned in Part 2 of the Council of Australian Postgraduate Associations Constitution and the provisions within these Regulations.

‘Constitution’ means the Constitution of Council of Australian Postgraduate Associations, as approved under the Incorporation Act.

‘Council’ means the ‘Council of Australian Postgraduate Associations Inc.’, hereafter also referred to as CAPA.

‘Credentialed’ means a delegation has satisfied the conditions outlined in Part 3 subsection 17(4) of the Council of Australian Postgraduate Associations Constitution and the provisions within these Regulations.

‘Days’ includes weekends and public holidays. If a period of days beginning on a given day, act or event is provided or allowed for a purpose by the Regulations, the period is calculated by excluding the day upon which the act or event occurs and by excluding the day upon which the purpose is to be fulfilled.

‘Delegation’ means a group of delegates appointed by a Constituent Organisation in attendance at a meeting of Council as outlined in Part 3 subsection 17(4) of the Constitution and the provisions within these Regulations.

‘Disabled’ is as defined by the relevant legislation (particularly the Disability Discrimination Act, 1992, and the Education Standards under the Act).

‘EFTSU’ means the equivalent full time postgraduate student unit.

‘Equity Officers’ means CAPA Officers representing Equity groups – International, Indigenous, Queer, Women, and Disability.

‘Executive’ means the Executive of the Council of Australian Postgraduate Associations Inc. as constituted under Council of Australian Postgraduate Associations Constitution and the provisions within these Regulations.

‘Executive Officer’ means a member of the Executive of the Council of Australian Postgraduate Associations Inc. as constituted under the Council of Australian Postgraduate Associations Constitution and the provisions within these Regulations.

‘Financial’ means having paid the entire amount of the Affiliation Fee as determined by the Council in accordance with Council of Australian Postgraduate Associations Constitution, or having paid the entire amount of the Affiliation Fee but for a remission of Fees, as granted by the Executive and ratified by the Council in accordance with the Council of Australian Postgraduate Associations Constitution.

‘Formal Vote’ means a vote made by a delegation or Constituent Organisations, which is included by the Returning Officer in the final count of votes made.

‘Functionary Officers’ means the President, Vice-President, National Secretary and Treasurer.

‘Indigenous’ means a person who is of Aboriginal and/or Torres Strait Islander descent, identifies as such and is accepted by the Indigenous community.

‘Informal Vote’ means a vote that is made by a delegation but which is not included by the Returning Officer in the final count of votes as described in Part 5 of these Regulations.

‘International Student’ means a person who holds an international student visa as approved by the relevant Australian Government Department/s.

‘Postgraduate student’ means a person who has been admitted to the University and has enrolled for a postgraduate course, and whose enrolment for that course has not lapsed or been cancelled.

‘Queer’ means a person who identifies as being outside the confines of heteronormativity, including gay, lesbian, bisexual, asexual, pansexual, polyamorous, sista-girl, trans*, intersex, sex and/or gender diverse, and/or practises BDSM. This is a non-exhaustive list of self-descriptive labels used by those who have sought active inclusion and participation in the networks of queer activism and community.

‘Regional Officers’ means the Regional Secretary, and other members of regional committees.

‘Tertiary Institution’ means a Tertiary Institution created by Commonwealth, State or Territory legislation and authorised to confer the degree of Doctor of Philosophy.

‘Unfinancial’ means a Constituent Organisation that fails to meet the conditions set out under the definition of ‘Financial’

‘Written notice’ implies correspondence by email, fax or post.

The interpretation of the Regulations for all other matters shall be the responsibility of the person in the Chair when the Council is in session,

and shall be at all other times the responsibility of the elected President.

Any such interpretations may be dissented from during a session of Council by a simple majority of Council, or at other times by resolution of the Executive, so long as this is not in contravention with Constitution requirements.

PART 3 STANDING ORDERS

3.1 Application

- 3.1.1 Subject to the Constitution and the Regulations, these standing orders apply to all CAPA Council, General and Committee meetings.
- 3.1.2 These standing orders can be suspended by a simple majority vote of members of the meeting who are eligible to vote at the meeting.
- 3.1.3 Any matter not dealt with in these standing orders will be governed by the customary procedure at meetings.

3.2 Members of meetings

- 3.2.1 In this Part, unless otherwise indicated, 'member' means member of the body whether voting or non-voting, appointed or ex officio.
- 3.2.2 In this Part unless otherwise indicated, 'member of the meeting' includes members of the body, members of CAPA, employees of CAPA and any other person the meeting wishes to make a member of the meeting.
- 3.2.3 Unless otherwise indicated all members of the meeting have the right to attend, be heard, to move and second motions and amendments at the meeting and any other rights bestowed in this Part.
- 3.2.4 Should a student (or students) be present at a meeting of Council, and wish to be accredited as per section 15(4) of the Constitution – the voting rights of lapsed bodies - the following procedure shall be undertaken:
- 3.2.5 The Executive shall outline for the Council their knowledge of the Constituent Organisation, the work of the student, and any other relevant facts with which they have been furnished;
- 3.2.6 The student will be invited by the Chair to address the Council as to the history of their representation at the university of that lapsed Constituent Organisation.
- 3.2.7 On the condition that there are multiple applications under Section 15(4), they are to be considered on a per university basis

3.3 Notice

- 3.3.1 Unless otherwise indicated, the National Secretary is responsible for giving notice of all Council and Executive meetings.
- 3.3.2 The National Secretary shall give at least (1) one month's written

notice of the date, time and place of the Annual Council Meeting to each Constituent Organisation, and request items for the agenda.

3.3.3 The National Secretary shall give at least (3) three weeks written notice of the date, and place and business of each Special Council Meeting to each Constituent Organisation.

3.3.4 For all other meetings of CAPA, unless indicated otherwise, official notice must be given to all members five (5) clear days before the date of the meeting. Notice must specify the time, date and place of the meeting

3.3.5 Official Notice must be published on the official CAPA website or, in the case of Executive meetings, forwarded to Executive officers electronically.

3.4 Agenda

3.4.1 An agenda of the meeting must be included with the official notice of the meeting.

3.4.2 The agenda must list all matters to be considered by the meeting and the order in which they are to be considered.

3.4.3 The agenda cannot be amended without the consent of a simple majority of those members present and entitled to vote at the meeting.

3.5 Minutes

3.5.1 The minutes of a meeting must detail all business dealt with at the meeting and should include all motions and amendments, whether substantive or procedural, all points of order and a general summary of the debate.

3.5.2 It is the duty of the National Secretary to ensure that minutes of proceedings are recorded as appropriate.

3.6 Quorum

3.6.1 If a quorum is not present within sixty (60) minutes of the time specified in the notice of the meeting, the meeting shall not proceed.

3.6.2 If the Chair becomes aware at any stage of the meeting that quorum is no longer present the Chair must stop the meeting and unless quorum becomes present within sixty (60) minutes the meeting will lapse.

3.6.3 All business on the agenda of the lapsed meeting shall be included on the agenda of the next meeting and will take precedence over new business.

3.6.4 Should a meeting lapse for want of quorum, the Secretary shall provide notice of 7 days for a general meeting, or 3 hours for a session at the Annual Council Meeting.

3.7 Chair

3.7.1 Unless indicated otherwise, the CAPA President will Chair all Executive and Council meetings.

3.7.2 The meeting may replace the person in the Chair by a vote of two thirds of the meeting members.

3.7.3 The Chair will be heard in silence and can only be interrupted by a point of order or a call for quorum.

3.7.4 The Chair may name any person who disrupts the meeting.

3.7.5 Any person named by the Chair three times during a meeting will no longer be heard by the meeting and must immediately leave the meeting.

3.7.6 If the Chair wishes to take part in debate, the Chair will be given over at the discretion of the Chair, and with the leave of the meeting. Should there be a conflict of interest, the meeting may elect a replacement Chair for the period of that debate.

3.7.7 The Chair must rule out of order any motion or amendment, which s/he considers to be:

3.7.7.1 inconsistent with the CAPA Constitution or the Regulations;

3.7.7.2 substantially restating a resolution previously adopted;

3.7.7.3 substantially restating a motion previously put to the vote and lost at the same meeting; or

3.7.7.4 ambiguous or incorrect in form.

3.7.8 Members of the meeting will respect the authority of the Chair and must address all remarks through the Chair.

3.8 Dissent in the Chair's ruling

3.8.1 A dissent motion may be moved as follows:

3.8.1.1 Any member disagreeing with a ruling or decision from the Chairperson may move the following motion, which requires no seconder: 'that the Chairperson's ruling or decision be dissented from'

3.8.1.2 A dissent motion must be moved immediately after the ruling is given.

3.8.1.3 The Chair must immediately vacate the chair and a temporary Chair should take the chair during the debate.

John Nowakowski 30/10/11 5:14 PM

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- 3.8.1.4 The question is put in the form 'that the Chair's ruling be upheld'.
- 3.8.2 The member dissenting from the ruling or decision may speak to the matter for not more than five (5) minutes. The Chairperson may reply for not more than five (5) minutes. The motion shall then be put and the proceedings resumed.
- 3.8.3 All questions involving an interpretation of CAPA policy or the direction of the CAPA Executive in accordance with the Constitution shall be subject to decision by Council and not by ruling of the Chair.
- 3.9 Attendance**
- 3.9.1 The National Secretary will be responsible for recording those members in attendance.
- 3.10 Order of Debate**
- 3.10.1 The order of debate is:
- 3.10.1.1 the mover;
- 3.10.1.2 the seconder;
- 3.10.1.3 alternate speakers for and against the matter; and
- 3.10.1.4 mover's right of reply.
- 3.10.2 All speakers may reserve their right to speak
- 3.11 Time Limits**
- 3.11.1 Time limits for speaking in formal debate are:
- 3.11.1.1 mover (four) 4 minutes;
- 3.11.1.2 seconder (three) 3 minutes;
- 3.11.1.3 speakers for and against (three) 3 minutes;
- 3.11.1.4 right of reply two (2) minutes.
- 3.11.2 Extensions of time may be granted by leave of the meeting.
- 3.12 Motions and Amendments**
- 3.12.1 All motions except procedural motions must be handed to the Chair, via the National Secretary, in writing before they are debated.
- 3.12.2 All motions and amendments must have a mover and a seconder unless they are specifically mentioned as an exception to this requirement in another Part of these standing orders or the CAPA Constitution.
- 3.12.3 If the mover or seconder of a motion or amendment is not present or withdraws their moving or seconding, another member may

take up the moving or seconding.

- 3.12.4 A motion or amendment may be seconded pro forma.
- 3.12.5 A motion or amendment may be withdrawn at any time by the mover of the motion subject to leave of the meeting.
- 3.12.6 A motion or amendment before the meeting may be reworded by the mover subject to leave of the meeting.

3.13 Structure of Motions

- 3.13.1 Motions must:
 - 3.13.1.1 commence with 'that';
 - 3.13.1.2 be specific;
 - 3.13.1.3 be unambiguous;
 - 3.13.1.4 not be worded in the first person;
 - 3.13.1.5 not attempt to revive a motion previously rejected;
 - 3.13.1.6 be duly moved and seconded;
 - 3.13.1.7 give a right of reply closing the debate
- 3.13.2 Motions may:
 - 3.13.2.1 be in parts;
 - 3.13.2.2 incorporate an explanation by way of preamble;
 - 3.13.2.3 be in the negative;
 - 3.13.2.4 be amended;
 - 3.13.2.5 be altered by leave;
 - 3.13.2.6 be withdrawn by leave;
 - 3.13.2.7 be rescinded

3.14 Structure of Amendments

- 3.14.1 An amendment must:
 - 3.14.1.1 commence with 'that';
 - 3.14.1.2 be specific;
 - 3.14.1.3 be unambiguous;
 - 3.14.1.4 be relevant to the motion;
 - 3.14.1.5 not contradict the motion or any amendment previously adopted;
 - 3.14.1.6 be duly moved and seconded;
- 3.14.2 An amendment may:

- 3.14.2.1 not be amended;
- 3.14.2.2 be withdrawn by leave; and
- 3.14.2.3 not give right of reply.
- 3.14.3 An amendment will automatically be included in the original motion if such amendment is acceptable to the mover and seconder of that motion.
- 3.14.4 Only one amendment may normally be accepted at a time. However, a member may speak against an amendment by drawing attention to a foreshadowed amendment to be moved if the amendment before the meeting is defeated.
- 3.14.5 Motions may be amended by adding words, by deleting words, or by deleting words and inserting others in their place, providing that the effect of any proposed upholds the spirit of the motion.
- 3.15 Debate**
- 3.15.1 The Chair shall endeavour to ensure that not more than two members in succession shall speak for or against any question.
- 3.15.2 Debate on a motion or amendment shall immediately be suspended even if a person is speaking, if any of the following motions are moved:
 - 3.15.2.1 That the Council proceed to the next business;
 - 3.15.2.2 That the speaker be no longer heard;
 - 3.15.2.3 That the Council do now adjourn;
 - 3.15.2.4 That the question be now put; or,
 - 3.15.2.5 That the question be not now put.
- 3.15.3 Any such motion may not be moved by a person who has already spoken to the motion or to an amendment.
- 3.15.4 Any procedural motions shall immediately be put without amendment or debate. If defeated then debate on the motion shall continue.
- 3.15.5 Should either list of speakers for and against a motion be exhausted, the meeting shall immediately move to a vote
- 3.16 Foreshadowed motions**
- 3.16.1 Notwithstanding any other provision of these Standing Orders, if at any time during a debate, two or more motions relate to the same matter and are inconsistent with each other, they can be considered together.
- 3.16.2 A member may foreshadow a motion or amendment provided that

s/he shall not at that time speak to the motion or amendment which s/he foreshadows.

3.16.3 The Chair will rule on the order the motions are to be moved.

3.17 Procedural motions

3.17.1 Table 1 outlines the way in which procedural motions will be dealt with.

3.17.2 Procedural motions need not be in writing and do not give right of reply to the mover.

3.17.3 A procedural motion “that the motion now be put” may be moved at any time after, and not before, two (2) speakers have spoken for and two (2) speakers have spoken against the motion.

3.18 Points of order

3.18.1 A member of the meeting can at any time draw the Chair's attention to a breach of procedure or irregularity in the proceedings.

3.18.2 A point of order takes precedence over all other business.

3.18.3 The member of the meeting must state the alleged breach or irregularity and any ruling desired.

3.18.4 The Chair will then rule on the point of order.

3.19 Personal Explanation

3.19.1 A member of the meeting who claims to have been misrepresented during the meeting is entitled to make a personal explanation.

3.19.2 The explanation must be confined to the alleged misrepresentation and must not introduce any new matter.

3.20 Adjournment of meetings

3.20.1 If a meeting is adjourned the Chair must make clear to all those present the time and place the meeting will be reconvened.

3.20.2 The Chair must attempt to notify in writing, or if that is not practicable, by telephone or fax any member not present of the time and place the meeting will be reconvened, excepting where the break is for meals or closure of a day where the meeting shall be continuing from the next morning.

3.21 In Camera meetings

3.21.1 A meeting of the Council or a Committee may resolve to proceed in camera to consider business relating to personal or staffing matters, are matters that are “commercial in confidence”, or may

otherwise be deemed to have legal or financial implications for the organisation.

- 3.21.2 Subject to clauses 3.21.3 and 3.21.4 once a meeting of the Council or a Committee has resolved to proceed in camera, any person who is not a member of the Association Council or that Committee, as the case may be, must immediately leave the meeting.
- 3.21.3 Subject to clause 3.21.4 a member of the Council or a Committee, as the case may be, is entitled to remain present during the meeting unless matters to be discussed in camera directly involve, concern or relate to that member.
- 3.21.4 Notwithstanding clauses 3.21.2 and 3.21.3, the members of the Council or a Committee, as the case may be, may resolve to grant leave to any person to remain present or be present for the meeting.
- 3.21.5 Business that is discussed in-camera remains confidential to that meeting and is not for public disclosure outside of that meeting.
- 3.21.6 In-Camera minutes are recorded, and approved in an in-camera session at the next appropriate meeting. These minutes are kept in a secure location.

3.22 Voting

- 3.22.1 Voting at all meetings of Council and Committees will be conducted in accordance with the provisions of the Constitution and these Regulations.
- 3.22.2 Unless indicated otherwise, there is no allowance for proxies at meeting of the Executive and Committees.
- 3.22.3 Proxies are permitted at all meetings of Council and will be conducted in accordance with the rules of the Constitution and provisions of these Regulations.

3.23 Censure Motions

- 3.23.1 Notwithstanding the rules of the Constitution and the provisions of these Regulations, any office bearer or committee member of CAPA may be censured by the Executive and/or Committee if the following conditions have been satisfied:
 - 3.23.1.1 the mover shall notify the CAPA National Secretary in writing no later than 10 days prior to the meeting of the proposed motion or in writing at any time during the course of a Council meeting;
 - 3.23.1.2 the Secretary shall give written notification of the proposed motion to all members of the relevant Committee and/or Executive prior

to the opening of the meeting, except if the censure occurs during the course of a Council meeting; and

3.23.1.3 The notice must include a brief statement of the matters alleged against the office bearer or member and a notice that this person may answer the allegations at the meeting.

3.23.2 The office bearer or member must be given a reasonable opportunity to answer the allegations during debate on the motion.

Table 1 - Procedural Motions with Explanation

Motion	Effect	Chair may refuse?	Needs Secunder?	Discussion Permitted?	Previous Speakers able to move?	Interrupt Speaker?			
That the motion be put	The debate ends and the meeting moves straight to voting	Yes	No	No	No	Yes			
That the speaker no longer be heard	The person speaking must cease further contribution to the debate								
That the motion not be put	The debate ends and the meeting moves to the next item, and <i>cannot</i> return to this item	No				No	No	No	
That the meeting go to the next business	The debate ends and the meeting moves to the next item but the meeting may later return to the motion	Yes							
That the meeting be adjourned	The meeting ends until the time specified in the motion	No				Yes	Yes [Limited to 2 minutes]	Yes	No
Other procedural motion									
						Yes			

PART 4 MEETINGS OF COUNCIL

4.1 Timing

- 4.1.1 The Council shall meet no earlier than 9am and no later than 7pm unless permitted by simple majority of those meeting.
- 4.1.2 The Executive shall determine the agenda and session times for meetings of the Council and shall circulate the notice of meeting to Constituent Organisations, as per the rules of the Constitution and the requirements of these Regulations.
- 4.1.3 Sessions of Council shall convene on the moment specified or immediately once quorum is reached, whichever occurs later. If a session does not convene within sixty (60) minutes of the scheduled starting time, the whole of that session shall be deemed inquorate.

4.2 Order of business

- 4.2.1 The agenda of the Council shall be as distributed by the CAPA Executive. The order of business shall be as determined by Council from time to time.
- 4.2.2 No discussion shall be allowed except on motion or amendment duly proposed and seconded, or with the indulgence of the Chair.
- 4.2.3 Any member desiring to propose a motion or amendment, or to discuss any matter under consideration, must address the Chair. No members shall address the Council unless called by the Chair.

4.3 Determination of general questions

- 4.3.1 Notwithstanding the provisions of general meeting procedure as outlined in Section 3 of these Regulations, all questions before Council shall be determined in the following manner:
 - 4.3.1.1 No member, except a mover exercising right of reply, shall speak more than once to any question before the Chair, unless by way of personal explanation or with the consent of the Council. Such consent shall not be given except by resolution of the Council.
 - 4.3.1.2 Times for speakers and movers shall be as outlined in Section 3 of these Regulations
 - 4.3.1.3 The movers of motions and amendments must exercise the right to speak at the time of moving and not subsequently, subject to the right of reply by the mover of the motion; seconders of motions and amendments may reserve the right to speak.
 - 4.3.1.4 The Council may extend the time of any speaker by procedural motion; such extension of time shall not exceed three minutes.

Council may agree to further extensions on the same basis.

- 4.3.1.5 The Chair shall call the attention to the time of all speakers one minute before such time expires. Motions for extensions may be made when the Chair so calls, but no later.
- 4.3.1.6 After the mover has spoken to the motion the Chair may move the debate into 'Committee', allowing informal debate and questions addressed through the Chair to the mover or seconder. Such time in 'Committee' shall not exceed twenty (20) minutes before the Chair shall return the Council to formal debate.
- 4.3.1.7 In any case the Chair shall put a motion or amendment to the vote after twenty (20) minutes debating time has elapsed unless Council permits such an extension.
- 4.3.1.8 After the motion has been moved and seconded, and no speaker rises to oppose or move an amendment, the Chair shall proceed to put such a motion to a vote of Council.
- 4.3.1.9 All votes of Council shall be subject to the following procedure:
 - 4.3.1.9.1 The Chair shall call upon those who support the question to indicate by raising voting placards, followed by against, and then those who wish to abstain from voting
 - 4.3.1.9.2 They shall then declare the result by quoting the figures as recorded by the Secretary for the minutes
- 4.3.1.10 When any question voted upon by Council results in equal numbers for and against, the Chair shall have casting vote.
- 4.3.1.11 All general questions will be determined by a simple majority of those voting.

4.4 Motions and amendments

- 4.4.1 All motions and amendments before Council shall be determined in accordance with the rules of the Constitution and the provisions within Section 3 and 4 of these Regulations

4.5 Repeal and amendment of resolutions

- 4.5.1 Any resolution other than changes to the CAPA Constitution and Regulations, passed by the Council may be rescinded by the same meeting by a simple majority.
- 4.5.2 Any such revision or amendment must be submitted in writing to the Chair before or at the opening of the following session of Council and all members informed of such a proposal as soon as possible.

4.6 Suspension of Standing Orders

- 4.6.1 Questions other than those allowed by these Standing Orders shall not be considered by Council without a motion for suspension being passed by an absolute majority of members of Council. No member seeking Council approval for such a suspension may canvass the subject matter of any motion dependent upon that approval.

4.7 Conduct of members

- 4.7.1 Members shall:
- 4.7.1.1 confine themselves to the matter before Council;
 - 4.7.1.2 not make offensive statements to or impute improper motives of any other member;
 - 4.7.1.3 when called to order by the Chairperson cease speaking and sit down until the question of order is decided; and
 - 4.7.1.4 refrain from consuming alcohol at or in the vicinity of the meeting when the Council is in session.

4.8 Annual Council Meeting

- 4.8.1 The Annual Council Meeting shall be held in November or December of each year on dates and at locations determined by the Executive.
- 4.8.2 Three or more Constituent Organisations may request that any order or resolution of Council dealing with policy be submitted for ratification by Constituent Organisations. If within fifteen (15) weeks of the last day of the Annual Council Meeting an absolute majority of votes cast is cast against the ratification resolution it shall thereupon cease to be effective. Such ratification shall be in accordance with Part 6 section 55 of the Constitution.
- 4.8.3 The Annual Council Meeting shall be conducted in accordance with the requirements of the CAPA Constitution and Regulations.

4.9 Quorum

- 4.9.1 Quorum for the Annual Council Meeting shall be as defined in the Constitution, Part 3, Section 17, subsection (12).

4.10 Chair

- 4.10.1 The Chair of the Annual Council Meeting will be appointed as per the requirements of the CAPA Constitution and these Regulations.
- 4.10.2 The Chair will preside at all Council Meetings at which the Chair is present.

4.10.3 At any Annual Council Meeting of where the Chair is not present, the Council will appoint another person who will act as Chair for that meeting only.

4.11 Proxies

4.11.1 Voting at all meetings of Council and Committees will be conducted in accordance with the provisions of the Constitution and these Regulations.

4.11.2 Notwithstanding 4.11.1, a Constituent Organisation may give a proxy to another Constituent Organisation attending the Council. Associate Members cannot hold a proxy.

4.11.3 Where a Constituent Organisation gives a proxy and does not attend the Council, the proxy must be in writing, signed by an officer of the Constituent Organisation, and lodged with the National Secretary at least seven (7) days prior to the Council meeting.

4.11.4 In all other cases the proxy shall be in writing, signed and dated and shall be handed to the Chairperson who shall immediately announce the proxy to the meeting. Upon the return of the Constituent Organisation which has delegated its voting rights such proxies shall lapse.

4.11.5 No delegate may hold proxies of more than three (3) delegates from Constituent Organisations.

4.11.6 Proxies shall not be valid for voting for elections unless the proxies specify how each vote is to be exercised.

4.11.7 If there is evidence to suggest that a proxy has been obtained by fraud, bribery or intimidation, or does not meet the criteria for proxy as per Section 4 of the Regulations, the Chair can rule the proxy invalid. The ruling may be dissented from, but the person whose proxy the Chair has ruled invalid will not be eligible to participate in the vote.

4.11.8 Unless expressly indicated otherwise, a proxy will be a general proxy and the powers of the person holding the proxy are the same as those of the member of the Council.

4.11.9 The member may grant a conditional proxy by expressly stating in the written document that the proxy is subject to specific listed conditions.

4.11.10 In determination of whether a quorum exists proxies shall not be counted.

4.11.11 A proxy lapses when the Constituent Organisation member is

present at the meeting for which the proxy was given or if the Constituent Organisation returns to the meeting.

4.12 Special Council Meetings

4.12.1 A Special Council Meeting held pursuant to Part 3 section 19(2) of the Constitution shall be held within eight (8) weeks of the receipt by the National Secretary of the request.

4.12.2 The National Secretary shall give at least three (3) weeks written notice of the date, and place and business of each Special Council Meeting to each Constituent Organisation.

4.12.3 A Special Council meeting will be conducted in accordance with the rules and provisions set out within the Constitution and these Regulations.

4.13 Annual General Meeting

4.13.1 There will be an Annual General Meeting, conducted in accordance with the rules and provisions set out within the Constitution and these Regulations.

4.13.2 The Audited Accounts shall be prepared and distributed in accordance with provisions for the Annual General Meeting, as per the Constitution and Regulations and will involve the following:

4.13.3 The Treasurer and the General Manager shall be responsible for the preparation of the annual accounts and their audit.

4.13.4 It shall be the responsibility of the Treasurer and General Manager to ensure that the audit process is completed within five months of the end of the financial year.

4.13.5 Upon completion of the audit of the Annual Accounts the Treasurer shall distribute copies to the Constituent Organisations as herein.

4.13.6 The Audited Accounts accepted at the Annual General Meeting shall be tabled at the following Special Council Meeting for noting.

4.13.7 The Treasurer shall present to the Annual General Meeting the Audited Accounts and Balance Sheet of the Council for the past financial year.

4.13.8 The Treasurer shall be responsible for circulating copies of the Audited Accounts of the Council (consisting of the Auditor's Report, Income Statement(s), and Balance Sheet). Normally this will be within two weeks of the receipt of the Audit. The Treasurer shall accompany such reports with his/her comments on the accounts as necessary. Within a further four weeks Constituent Organisations may direct questions to the Treasurer about the

accounts.

- 4.13.9 Within a further period of two (2) weeks, the Treasurer shall distribute copies of such questions and replies to all Constituent Organisations.

4.14 Voting

- 4.14.1 Unless indicated otherwise, voting for matters before Council will be in accordance with the following:
 - 4.14.1.1 Votes are indicated by the raising of placards of each accredited member of Council
 - 4.14.1.2 Votes are accorded by one vote per affiliated organisation
 - 4.14.1.3 Unless on matters of Constitutional amendment, where a simple majority of the voting members of the meeting vote in favour of a motion the Chair must call the vote carried.
 - 4.14.1.4 Unless on matters of Constitutional amendment, where a simple majority of the voting members of the meeting vote against a motion or abstain from a motion, the Chair must call the vote lost.
 - 4.14.1.5 Where the vote of the voting members of the meeting on a motion is tied, the Chair has casting vote.
- 4.14.2 The number of votes for, against, and abstaining are to be recorded in the minutes.

PART 5 ELECTIONS OF COUNCIL

5.1 Election of Executive Officers

- 5.1.1 The following Regulations apply whenever the Council is required to appoint a person to fill a vacancy under Part 5 of the Constitution.
- 5.1.2 At the close of nominations the Returning Officer shall post at the meeting venue all valid nominations received.
- 5.1.3 Nominations for the Women's Officer shall only be valid if the proposer, seconder and nominee are all women who are members of Constituent Organisations.
- 5.1.4 Nominations for the International Students' Officer shall only be valid if the proposer, seconder and nominee are all international students who are members of Constituent Organisations.
- 5.1.5 Nominations for the Queer Officer shall only be valid if the proposer and nominee, but not necessarily the seconder, are all persons who identify as queer and who are members of Constituent Organisations.
- 5.1.6 Nominations for the Disabilities Officer shall only be valid if the proposer and nominee, but not necessarily the seconder, are persons who identify as having a disability and who are members of Constituent Organisations.
- 5.1.7 Nominations for Regional Officers shall only be valid if the proposer, seconder and nominee are all members of Constituent Organisations from the Region. Furthermore, nominees for membership of the Women's Committee must be women, proposed and seconded by women, and nominees for membership of the International Students' Committee must be international students, proposed and seconded by international students.

5.2 Order of Elections

- 5.2.1 At the time scheduled for the holding of elections, they shall be conducted or reported in the following order, to be known as the Order of Elections:
- 5.2.1.1 President;
- 5.2.1.2 Vice-President (National Operations Committee);
- 5.2.1.3 Vice-President (Equity)
- 5.2.1.4 National Secretary;

- 5.2.1.5 Treasurer;
- 5.2.1.6 Women's Officer;
- 5.2.1.7 International Students' Officer;
- 5.2.1.8 Disabilities Officer;
- 5.2.1.9 Queer Officer;
- 5.2.1.10 Regional Secretaries; and
- 5.2.1.11 Other positions not mandated under this section of the Regulations.

5.3 Returning Officer

- 5.3.1 For the Annual Council Elections, the Council shall elect a Returning officer who shall conduct the elections in accordance with the rules of the Constitution and the provisions of these Regulations. The Returning Officer and Assistant Returning Officers shall not be either current elected officers of CAPA or candidates for any position to be voted upon.
- 5.3.2 Duties of the Returning Officer
 - 5.3.2.1 Unless indicated otherwise, the duties of the Returning Officer shall be:
 - 5.3.2.1.1 to call for nominations;
 - 5.3.2.1.2 to arrange and supervise the conduct of the Annual Election;
 - 5.3.2.1.3 to arrange for the preparation of the ballot papers;
 - 5.3.2.1.4 to arrange for the counting of ballot papers
 - 5.3.2.1.5 to be responsible for the safe custody of ballot boxes and papers
 - 5.3.2.1.6 to decide whether or not a vote is informal. If he/she so decides, that vote shall not be counted.
- 5.3.3 Conduct of the Returning Officer and Assistants
 - 5.3.3.1 At all times, the Returning officer and the assistants to the Returning Officer, shall conduct the electoral process in a fair and equitable manner, and will not engage in contact that could potentially affect the outcome of the elections in any form. Such conduct may be deemed to include:
 - 5.3.3.1.1 the promotion or overt support for any candidate/s above others;
 - 5.3.3.1.2 making personal comment on the candidate/s in a manner which may affect the vote;
 - 5.3.3.1.3 providing confidential information relating to an candidate in a manner which may affect the vote;
 - 5.3.3.1.4 conduct the election process in a manner that is not justified, fair

and/or equitable to all concerned

5.3.4 Removal of the Returning Officer and/or Assistants

- 5.3.4.1 Provided that there are reasonable grounds as outlined per Clause 5.3.3, Council may remove the Returning Officer and/or Assistants with a simple majority vote. Council will then be required to appoint a new Returning Officer and/or Assistants, as per the rules of the Constitution and the provisions of these Regulations. Should a new Returning Officer and/or Assistants be appointed, the new Returning Officer may, if he/she deems it necessary, declare the election null and void in whole or part and immediately open a new election in whole or part.

5.4 Method of Nomination

- 5.4.1 Nomination shall be tendered on the official nomination form and shall:
- 5.4.1.1 state the name of the person nominated;
 - 5.4.1.2 state the title of the position to be filled;
 - 5.4.1.3 be proposed and signed by an appropriate member of a Constituent Organisation, as per the rules of the Constitution and requirements of these Regulations;
 - 5.4.1.4 be seconded and signed by an appropriate member of a Constituent Organisation, as per the rules of the Constitution and requirements of these Regulations;
 - 5.4.1.5 be accompanied by a declaration signed by the nominee stating their eligibility for election;
 - 5.4.1.6 where the proposer, seconder and/or nominee are not in the same location at the time of the nomination, each may complete the relevant sections of their own copy of the nomination form, forwarding it to the National Secretary within 28 days of the time of the voting;
- 5.4.2 All candidates are entitled to address the meeting in support of their nomination prior to voting. This address may include electronic means, including video link and email. The failure to address Council does not invalidate a candidate's nomination.
- 5.4.3 All nominees should use Schedule One – Form 3 to facilitate transfer of information and understanding of the undertaking involved.

5.5 Conduct of Annual Council Elections

- 5.5.1 The Annual Election by Council shall be conducted in accordance with the rules of the Constitution and the provisions of these

Regulations.

- 5.5.2 Elections for Regional Secretaries may be conducted separately from elections for Functionary Officers. Those taking part in elections for Regional Secretary must be members of Constituent Organisations from the relevant region.
- 5.5.3 Elections for the Women's Officer may be conducted separately from elections for Functionary Officers. The Women's Forum at the Equity Forum shall make the decision. The members of each Constituent Organisation taking part in elections for the Women's Officer must be women.
- 5.5.4 Elections for the International Students' Officer may be conducted separately from elections for Functionary Officers. The International Forum at the Equity Forum shall make this decision. The members of each Constituent Organisation taking part in elections for the International Students' Officer must be international students.
- 5.5.5 Elections for the Queer Officer may be conducted separately from elections for the Functionary Officers. The Queer Forum at the Equity Forum shall make this decision.
- 5.5.6 Elections for the Disability Officer may be conducted separately from elections for Functionary Officers. The Disability Forum at the Equity Forum shall make this decision.
- 5.5.7 Elections for Functionary Officer positions, and other concurrent elections shall be conducted as follows:
- 5.5.8 As nominations are received they shall be posted on the noticeboard by the Returning Officer.
- 5.5.9 The Ballot papers will allow for the option of 'No Candidate'. Should 'No Candidate' win the simple majority of the vote, the duties of that position may be assigned to another Executive Officer until such time as there is a by-election for that position.
- 5.5.10 Voting at a poll shall be by a secret ballot and based on the optional preferential voting method.
- 5.5.11 The Returning Officer must sign all ballot papers before distributing them to those eligible to vote and must collect them at any time prior to the close of the meeting.
- 5.5.12 A spoilt ballot paper may be replaced provided that the spoilt paper is surrendered to the Returning Officer who shall write 'spoilt' over such paper.
- 5.5.13 The Returning Officer shall be responsible for the collection of all

ballot papers.

- 5.5.14 The Returning Officer shall ensure that ballot papers are kept in a secure place and a Register kept of ballot papers issued. This Register is to be compared with votes cast and ballot papers returned and any discrepancies investigated and reported.
- 5.5.15 The Returning Officer and one or more assistants appointed by Council shall count the votes after the close of each ballot. The Returning Officer shall finally determine whether a ballot paper is or is not acceptable.
- 5.5.16 A ballot paper shall be informal if the intention of the voter in relation to the election is not clear.
- 5.5.17 Candidates shall be permitted to nominate a scrutineer to be present at the counting of ballot papers. That scrutineer may not be a candidate listed on any part of the ballot being judged, may not touch the ballots, and must have their name recorded with the Returning Officer.
- 5.5.18 The Returning Officer shall arrange for the counting of ballot papers as soon as possible after any election.
- 5.5.19 When the counting of votes is concluded and the required number of persons has been excluded from the ballot, the Returning Officer shall declare the remaining person(s) elected.
- 5.5.20 Where there is an equality of votes at the end of counting of votes, the candidates who have equality of votes are each permitted 2 minutes to address the voting delegates and a ballot is recast with just those candidates listed.
- 5.5.21 Where an objection is made against the result of any election such objection must be stated in writing to the Returning Officer within twenty four (24) hours of the declaration of the poll. The Returning Officer shall consider such objection and may either reject an objection or order a new election in whole or part.
- 5.5.22 The Returning Officer's ruling shall be final and binding, subject only to review in a court of law with competent jurisdiction.

5.6 Casual Vacancies

- 5.6.1 The processes for Casual Vacancies shall be conducted in accordance with the rules of the Constitution and the provisions within these Regulations.
- 5.6.2 In the case of a casual vacancy, the Executive upon a simple majority vote may co-opt a member to act in the interim, if they feel it necessary to do so. The co-opted person will assume all the

powers and functions of that position.

- 5.6.3 In the case of a functionary position casual vacancy, a ballot shall be conducted as per Part 5 subsection 6.4, except in the case of the vacancy occurring less than 21 days prior to the commencement of an SCM then nominations must be received from the floor (by person or by proxy) at the commencement of the SCM with elections conducted at the end of the SCM. If the casual vacancy occurs within the two months prior to the ACM, the Executive upon a simple majority vote may co-opt another member to act in the interim, if they feel it necessary to do so. The co-opted person will assume all the powers and functions of that position.
- 5.6.4 When an election for a Casual Vacancy is required:
- 5.6.4.1 The National Secretary should act as the Returning Officer, unless the position to be filled is the National Secretary, in which case the President should act as the Returning Officer.
- 5.6.4.2 Within fourteen days of a casual vacancy, the Returning Officer shall call for nominations to fill the Executive position.
- 5.6.4.3 An election to fill a casual vacancy of a Functionary Officer shall be conducted by either electronic or postal ballot.
- 5.6.4.4 Where vacancies are to be filled by electronic or postal ballot, the Returning Officer shall call for nominations for a period of not less than 21 days.
- 5.6.4.5 The Returning Officer shall forward voting papers or notice of such to all Constituent Organisations able to vote at a Council meeting.
- 5.6.4.6 So far as applicable the procedures for conducting referenda under Part 6 section 55 of the Constitution shall apply to electronic or postal ballots.
- 5.6.5 When a casual vacancy occurs in the office of Indigenous Peoples' Liaison Officer, the National Secretary will approach NIPAAC to fill the position.
- 5.6.6 When a casual vacancy occurs in the office of an equity officer, the National Secretary will call for an expression of interest from all Constituent Organisations for an eligible person (as set out in 5.1) to fill the position, and be subject to the requirements of the Constitution and Regulations.
- 5.6.7 Where a casual vacancy occurs in the office of Regional Secretary the Vice-President (NOC) or another member of the

Executive nominated by the Vice-President (NOC) shall convene a Regional Meeting, either in person or by other such means as appropriate, including teleconferences and electronic polling, as soon as is practicable in order to elect a new Regional Secretary.

5.7 Referenda

- 5.7.1 In cases of Referenda, the rules of the Constitution and the provisions of these Regulations shall apply. These include the following requirements:
 - 5.7.1.1 The National Secretary shall forward to all Constituent Organisations, either by certified post or electronic means, a ballot paper specifying the resolution(s), or names of nominees, initialed by the National Secretary, together with the notification of the referendum.
 - 5.7.1.2 The National Secretary shall forward or electronically post supporting documentation which is available together with the ballot papers.
 - 5.7.1.3 The ballot paper shall specify the opening date for the ballot being no less than seven clear working days after the posting of the ballots.
 - 5.7.1.4 The ballot paper shall remain open for a period of not less than fourteen clear working days.
 - 5.7.1.5 The Constituent Organisation shall enclose the ballot paper in an unmarked envelope, and enclose that envelope in an addressed envelope, if posted
 - 5.7.1.6 The National Secretary or, in the absence of a National Secretary, the President, shall act as Returning Officer for all referenda.
 - 5.7.1.7 Referenda shall be passed if passed by the majority specified in the Constitution as required to pass the resolution in.

PART 6 CONFLICTS OF INTEREST

6.1 Conflict of Interest Procedure

- 6.1.1 If any officer, member or employee of the organisation or Council becomes aware of any conflict of interests between his/her own interests and the interests of CAPA and/or has a pecuniary interest in any matter directly or indirectly involving or concerning CAPA, that member must as soon as that conflict of interests or pecuniary interest becomes apparent, disclose the nature and extent of his/her interest to CAPA.
- 6.1.2 If the conflict of interests or pecuniary interest becomes apparent in advance of a meeting of the Executive, Committee and/or Council, the member is to disclose his/her interest at the commencement of that meeting.
- 6.1.3 If the conflict of interests or pecuniary interest becomes apparent during a meeting of the Executive, Committee and/or Council, the member is to disclose his/her interest immediately.
- 6.1.4 If the conflict of interests or pecuniary interest becomes apparent after a meeting of the Executive, Committee and/or Council, the member is to disclose his/her interest immediately to CAPA.
- 6.1.5 A disclosure of a conflict of interest or pecuniary interest must be recorded in the Minutes of the appropriate meeting of the Executive, Committee and/or Council, or in the case of a disclosure pursuant to Part 6 subsection 6.4 of the Regulations, in the Minutes of that next meeting.
- 6.1.6 A member of the Council who has a conflict of interests or a pecuniary interest in any matter directly or indirectly involving or concerning CAPA:
- 6.1.6.1 must not, without the prior approval of a simple majority of the Executive, Committee and/or Council, be involved in any discussion on the matter.
- 6.1.6.2 must not, without the prior approval of a simple majority of the Executive, Committee and/or Council, vote on any motion regarding the matter.
- 6.1.6.3 must leave the meeting of the Executive, Committee and/or Council for the duration of the deliberations regarding the matter if a simple majority of the meeting so resolves, having regard to the nature of the conflict of interests or pecuniary interest.

PART 7 SPECIAL OFFICERS

7.1 Public Officer

7.1.1 There will be a Public Officer of the organisation, and this should normally be the most senior member of staff, appointed at the discretion of Council and as per the rules of the statutory guidelines, the Constitution, and these Regulations.

7.2 Honorary Auditor

7.2.1 The Honorary Auditor shall audit the Association's finances according to statutory guidelines, the Constitution and these Regulations.

PART 8 COMMITTEES

8.1 Standing Committees

- 8.1.1 Council shall have the following Standing Committees:
 - 8.1.1.1 National Executive
 - 8.1.1.2 the National Operations Committee;
 - 8.1.1.3 the Equity Committee; and
 - 8.1.1.4 other Committees as created by Council from time to time.
- 8.1.2 These Committees will be conducted in accordance with the rules of the Constitution and provisions of these Regulations.
- 8.1.3 Unless specified otherwise the quorum for any committee of Council shall be one half of its current membership.

8.2 National Executive

- 8.2.1 The Executive shall meet at least six (6) times between Annual Council Meetings.
- 8.2.2 The Executive shall meet before February 28 at a time fixed by the President.
- 8.2.3 Each Executive Officer shall report in writing on their activities since the last Executive meeting and table copies of all documents, letters and press releases prepared or distributed by them. Such reports shall be submitted to the National Secretary prior to the stated meeting at a time period agreed to at the first Executive meeting, normally two weeks.
- 8.2.4 The Executive shall meet if two or more members of the Executive so request in writing to the President, and the President shall convene such a meeting within two (2) weeks of receiving such a request, which shall also specify the nature of the business to be discussed.
- 8.2.5 Where a meeting is convened under Part 8 subsection 2.4 of the Regulations, no other business than that specified shall be transacted at such a meeting.
- 8.2.6 The quorum for meetings of the Executive shall be an absolute majority of members.
- 8.2.7 All business shall be conducted in accordance with the standing orders of these Regulations specified in Part 3.
- 8.2.8 Each member of the Executive, except the Chair, shall have one vote at Executive meetings.

- 8.2.9 In the case of a tied vote on the Executive the Chairperson shall have the casting vote.
- 8.2.10 Executive members shall be notified in writing of an Executive meeting at least two (2) weeks prior to the meeting.
- 8.2.11 Subject to Part 6 section 49 of the Constitution, the Executive may act notwithstanding any vacancy on the Executive.

8.3 National Operations Committee (NOC)

- 8.3.1 The NOC may consist of the Vice-President (NOC) (casting vote only), Vice-President (Equity) (non-voting), National Secretary (non-voting), Eastern Regional Secretary, Central Regional Secretary, South Eastern Regional Secretary, Western Regional Secretary, and a delegate of NIPAAC. CAPA staff members and other Office Bearers may also attend, but may not vote.
- 8.3.2 The Vice-President (NOC) shall chair the committee.
- 8.3.3 The terms of reference of the National Operations Committee are to act as a reference group for the Vice-President (NOC) on policy matters, for the Vice-President (NOC) to communicate the decisions of the CAPA executive, which the Regional Secretaries communicate to regional affiliates. This committee can make recommendations to the Executive Committee on all regional and affiliate-specific matters, on membership and recruitment, and on CAPA's short- and long-term planning and strategy needs.
- 8.3.4 There shall be a quorum for NOC of three, not including non-voting members
- 8.3.5 Each Regional Secretary is required to liaise with the affiliate organisations within their regions to communicate policy, encourage networking, seek advice, and communicate any local problems to CAPA.

8.4 Equity Committee

- 8.4.1 The Equity Committee may consist of the Vice-President (Equity) (casting vote only), National Secretary (non-voting), Women's Officer, Queer Officer, Disability Officer, International Officer, and Indigenous Officer. CAPA staff members and other Office Bearers may also attend, but may not vote.
- 8.4.2 The Vice-President (Equity) shall chair the committee.
- 8.4.3 The terms of reference of the Equity Committee are to make recommendations to the Executive Committee on all equal representation and equity matters. The Equity Committee shall have responsibility for the establishment and operations of equity

subcommittees if it sees fit.

- 8.4.4 There shall be a quorum for Equity Committee of three, not including non-voting members
- 8.4.5 The Committee may draft motions and instruct the Vice-President (Equity) to present these motions to the Executive
- 8.4.6 The Vice-President (Equity) will be required to convene the committee no less than once every three months, and present the minutes of these meetings to the Executive. It is recommended that these meetings be scheduled in advance of the Equity Meeting.

PART 9 REGIONS

9.1 Regions

9.1.1 The Regions will be conducted in accordance with the rules of the Constitution and the provisions of these Regulations.

9.2 Regional meetings

9.2.1 Regions shall convene meetings on an *ad hoc* basis.

9.2.2 Regional meetings may be called by the Regional Secretary. Meetings should take place at times to be mutually agreed upon by affiliated Constituent Organisations in a region.

9.2.3 The CAPA Regional Meeting pro-forma may be used at all general meetings of the Region, and will consist of the following agenda points in addition to standard meeting points:

9.2.3.1 Constituents feedback

9.2.3.2 Equity feedback

9.2.3.3 Policy Development and Action

9.2.3.4 Executive Feedback

9.2.3.5 Funding

9.2.4 The Regional Secretary, if requested in writing by three affiliated Constituent Organisations within a Region, must convene a regional meeting within 21 days.

9.2.5 The NOC, if requested in writing by three affiliated Constituent Organisations within a Region, must arrange to convene a regional meeting within 21 days.

9.2.6 The time, date and location of such a meeting will be made in consultation with the Regions Constituent Organisations.

9.2.7 Regions shall abide by the Constitution and conduct their meetings and business in accordance with guidelines for the conduct of CAPA Regional Business that Executive may adopt from time to time.

9.2.8 The quorum for meetings of the Region shall be three affiliated Constituent Organisations within the region and the Regional Secretary

9.2.9 Notwithstanding the number of delegates in attendance, voting on resolutions at regional meetings shall be limited to one vote for each Constituent Organisation.

9.2.10 The minutes of regional meetings shall be prepared by the

Regional Secretary or nominee and forwarded to Constituent Organisations, Regional Officers and Vice-President (NOC) within 21 days of the meeting.

9.3 Regional Officers

9.3.1 Duties of the Regional Secretary include:

9.3.1.1 to call Regional meetings;

9.3.1.2 to be responsible for the minutes of Regional Meetings;

9.3.1.3 to act as the regional contact point;

9.3.1.4 to ensure that the Region conducts its meetings and business in accordance with guidelines for the conduct of CAPA Regional Business which Executive may adopt from time to time;

9.3.1.5 to oversee the implementation of Action Policy within the region;

9.3.1.6 to liaise with and report to the NOC on all regional issues, and

9.3.1.7 such other duties which the region and the Executive may from time to time decide.

9.3.2 Duties of the Regional Equity Officers are:

9.3.2.1 to be the Regional member of the relevant equity subcommittee; and

9.3.2.2 to assist the Regional Secretary and other Regional and National Officers as required.

9.3.3 Where the office of Regional Secretary is not filled by election at the Annual Council Meeting, a casual vacancy will be declared in accordance with the Constitution and these Regulations.

9.4 Regional funding

9.4.1 CAPA may allocate funding to regions on an annual basis. It will be at the discretion of the NOC to determine how that funding is apportioned annually.

9.4.2 The Regional Secretary is responsible for consulting with the Treasurer who, acting on the advice of the NOC, is responsible for all costs associated with regional expenditure and support.

PART 10 FINANCES

10.1 Income and Expenditure

- 10.1.1 All income of CAPA will be paid into the relevant banking accounts and will be recorded to the credit of CAPA in the organisation's account books.
- 10.1.2 All payments owed by CAPA must be made by electronic banking, CAPA credit cards, or cheques drawn on the Association banking accounts with the exception of amounts paid by petty cash disbursements.
- 10.1.3 Approval for expenditure must not be given unless the appropriate signatories are satisfied that the disbursements are in order.

10.2 Expenditure Guidelines

- 10.2.1 Expenditure must be in accordance with the budget, the rules of the Constitution and the provisions of these Regulations.
- 10.2.2 Moving allocated amounts from one budget line to another must be approved by Executive
- 10.2.3 Expenditure outside of approved budget line items must be authorised with a motion from the Executive. The motion must state from which budget line item the funding will be drawn.
- 10.2.4 The Treasurer will present, at the first meeting of the Executive, the Expenditure Guidelines (see Part 13). Each CAPA Executive officer will review these guidelines and sign their commitment to these guidelines.
- 10.2.5 The Treasurer or nominee will inform the CAPA Executive of their fiduciary responsibilities as officers of the organisation at the first CAPA Executive meeting of the year.

10.3 Financial Records and Reporting

- 10.3.1 At all times, CAPA shall ensure that it operates its financial responsibilities in a responsible manner that is transparent to its affiliate organisations.
- 10.3.2 CAPA shall maintain under contract a qualified bookkeeper and/or accountant for the purposes of maintaining the financial records of CAPA.
- 10.3.3 The financial records shall be maintained electronically through approved and up-to-date financial software and supported with hardcopy documentation
- 10.3.4 An assets register must be maintained, in which all new asset

purchases of \$500 or above must be entered and receipts filed.

10.3.5 At all Executive Meetings a staff member authorised by Executive will submit current financial information including expenditure on each budget line item via a profit and loss report, credit card statements, , and petty cash claims. Executive has the right to overturn a decision of the Treasurer to approve of, or pay for claims.

10.3.6 It is the responsibility of the Treasurer to provide financial members with quarterly profit and loss statements upon request.

10.4 Payroll

10.4.1 The administration of the payroll is the responsibility of a staff member authorised by Executive or in the absence of the staff member authorised by Executive, the Treasurer. The Treasurer must be a signatory on all payroll transactions. In the absence of the Treasurer, the President can be a signatory in place of the Treasurer.

10.5 Petty Cash

10.5.1 A staff member authorised by Executive is solely responsible for petty cash expenditure up to the sum of \$50 for a particular item. Petty cash is not to be used for any reimbursement of Executive or Staff expenses. Receipts must be provided for all transactions and submitted at Executive Meetings by the staff member authorised by Executive.

10.6 Reimbursement

10.6.1 All claims for reimbursement are first assessed and approved by a staff member authorised by Executive or the Treasurer, and then forwarded to the Treasurer for processing. Claims for reimbursement must be accompanied by receipts and full details relating to the expenses incurred.

10.6.2 When expenses are claimed by the Treasurer the President must approve the payment of such expenses.

10.7 The Financial Year

10.7.1 The financial year, for the purpose accounting, will be from 1st January to the 31st December.

10.8 Depreciation

10.8.1 The organisation must make allowance from its revenue for depreciation of its Capital Assets.

10.8.2 Replacement of Major Capital Assets of CAPA will be made at the discretion of the Executive, notwithstanding the rules of

expenditure within the Constitution and these Regulations.

- 10.8.3 The CAPA Auditors will be directed to charge depreciation at a rate which they consider to be appropriate.

10.9 Repairs and Maintenance

- 10.9.1 The Association will make allowance from its revenue for repairs and maintenance of equipment which belongs to the Association.

10.10 Reserves

- 10.10.1 Notwithstanding the rules of the Constitution and the provisions of these Regulations, reserves may be invested in Commonwealth Bonds, Inscribed Stock and Government, or Government Guaranteed Loans, or in such Company stocks and shares and other investments as the Council may direct.

- 10.10.2 The Reserves may also be used for:

10.10.2.1 the purchase of real or leasehold property;

10.10.2.2 the erection or construction of buildings;

10.10.2.3 the acquisition of furniture and fittings;

10.10.2.4 the acquisition of other property which may be classed as capital assets; and

10.10.2.5 for the maintenance, cleaning, repair and replacement of property, buildings, furniture, fittings and other property.

PART 11 DUTIES AND TERMS OF EMPLOYMENT OF OFFICE BEARERS

11.1 President

- 11.1.1 The duties of the President shall be as specified in the Constitution, these Regulations and Policy as set by Council.
- 11.1.2 The President shall be primarily responsible for the day-to-day administration of the Council but may delegate some or all of these duties to the relevant staff or other members of the Executive, subject to the Executive's approval.
- 11.1.3 The duties of the President shall include:
 - 11.1.3.1 initiating and maintaining liaison with other national organisations, peak bodies, community leaders and the relevant government ministers;
 - 11.1.3.2 initiating and maintaining contact with Constituent Organisations on a regular basis;
 - 11.1.3.3 overall direction of the CAPA office, and the work of all CAPA Staff;
 - 11.1.3.4 attending appropriate conferences and fora as an advocate of the interests of postgraduate students, and preparing speeches, reports and papers as required;
 - 11.1.3.5 acting as the chief spokesperson for CAPA and an advocate of the interests of postgraduate students in the electronic media and the press;
 - 11.1.3.6 provision of a written report to all executive meetings, and at least once during each year to the affiliate membership; and,
 - 11.1.3.7 such duties and functions as may be directed by the Executive from time to time.
 - 11.1.3.8 Facilitating performance reviews for each office bearer and staff member.

11.2 Vice-President (National Operations Chair)

- 11.2.1 The duties of the Vice-President (NOC) shall be as specified in the Constitution, these Regulations and Policy as set by Council.
- 11.2.2 The duties of the Vice-President (NOC) shall include:
 - 11.2.2.1 Carrying out those duties of the President delegated by the President subject to the approval of the Executive;
 - 11.2.2.2 Carrying out the duties and undertaking the responsibilities of the

- President if the President is temporarily absent or unable to act;
- 11.2.2.3 Fulfill the role of Chair of the National Operations Committee (NOC);
- 11.2.2.4 Initiating and maintaining contact with regional secretaries on a regular basis; and,
- 11.2.2.5 Provision of a written report to all executive meetings.
- 11.2.2.6 Encourage and facilitate, in collaboration with the President and the Regional Secretaries, the establishment of new postgraduate representative bodies

11.3 Vice-President (Equity)

- 11.3.1 The duties of the Vice-President (Equity) shall be as specified in the Constitution, these Regulations and Policy as set by Council.
- 11.3.2 The duties of the Vice-President (Equity) shall include:
 - 11.3.2.1 Carrying out those duties of the President delegated by the President subject to the approval of the Executive;
 - 11.3.2.2 Carrying out the duties and undertaking the responsibilities of the President if the President is temporarily absent or unable to act;
 - 11.3.2.3 Fulfill the role of Chair of the Equity Committee;
 - 11.3.2.4 Initiate and maintain contact with Equity Officers on a regular basis; and,
 - 11.3.2.5 Provision of a written report to all executive meetings.

11.4 National Secretary

- 11.4.1 The duties of the National Secretary shall be as specified in the Constitution, these Regulations and Policy as set by Council.
- 11.4.2 The duties of the National Secretary shall include:
 - 11.4.2.1 Maintaining incoming and outgoing correspondence with respect to the governance of CAPA;
 - 11.4.2.2 Minute taking for Executive Meetings;
 - 11.4.2.3 Informing Executive of all Executive Meetings;
 - 11.4.2.4 Editing the CAPA Policy Document to ensure consistency of language and numeration and to provide cross-referencing of related policies;
 - 11.4.2.5 Ensuring CAPA's email lists and web site are maintained;
 - 11.4.2.6 Being responsible for the administration of all general meetings of Council;

- 11.4.2.7 Being responsible for writing up the minutes from the Annual Council Meeting prior to the end of their term of office;
- 11.4.2.8 Provision of a written report to all executive meetings; and,
- 11.4.2.9 Being responsible for updating the CAPA Constitution, Regulations and Policy document by incorporating all changes approved by Council at the Annual Council Meeting held in November or December of the previous year. These documents must be updated prior to March 30th.

11.5 Treasurer and Interim Treasurer

- 11.5.1 The duties of the Treasurer and Interim Treasurer shall be as specified in the Constitution, these Regulations and Policy as set by Council.
- 11.5.2 The Treasurer shall report to the Annual Council Meeting the state of affairs of the Council and the likely position as at 31 December of that year.
- 11.5.3 The Treasurer shall present the proposed budget for the following year to the Annual Council Meeting.
- 11.5.4 In case of temporary absence, the Treasurer shall have the power to appoint another Executive member excepting the President as Interim Treasurer. The Interim Treasurer will have the same powers and authority to act as the Treasurer. This appointment is not to exceed a period of 30 days.
- 11.5.5 At every Executive meeting the Treasurer shall present a full financial report that includes expenses from each budget line and compares actuals to budgeted amounts.
- 11.5.6 The Treasurer will be responsible for tabling all Staff and Executive expenses and credit card usage at every Executive meeting.
- 11.5.7 The Treasurer or nominee must be a signatory on every expenditure (accept for petty cash and reimbursement of treasurer expenses). The Treasurer can give approval by email of payments made by office staff on items related to normal bills and travel when a credit card must be used (Treasurer will still be a signatory when the credit cards are paid).

11.6 Regional Secretaries

- 11.6.1 The duties of the Regional Secretaries shall be as specified in the Constitution, these Regulations and Policy as set by Council; and,
- 11.6.2 Shall include holding meetings with regional affiliates at least twice per year, to discuss policy, problems, encourage

collaboration and networking.

11.7 Women's Officer

11.7.1 The duties of the Women's Officer shall be as specified in the Constitution, these Regulations and Policy as set by Council.

11.7.2 The duties of the Women's Officer include:

11.7.2.1 improving communication between women and CAPA,

11.7.2.2 coordinating regional and national workshops for women in CAPA and

11.7.2.3 facilitating women's access to and participation on the committees of CAPA and in their postgraduate associations.

11.7.2.4 Attend the annual NOWSA conference

11.7.3 This position may be filled by proxy at Equity Committee meetings in recognition that women often have commitments which prevent them participating fully in such organisations.

11.7.4 Each Constituent Organisation shall nominate a woman to be a contact on women's issues.

11.7.5 The priorities of work for the Women's Officer will be decided, where necessary, by the Women Delegates at the Annual Council Meeting. The Women Delegates should be guided by discussions at a CAPA Women's Conference held in that year.

11.7.6 The Women's Officer shall be Chair of the Women's Committee, except where that committee determines otherwise.

11.7.7 Liaise with equity officers of affiliate associations

11.8 Indigenous People's Liaison Officer

11.8.1 The duties of the Indigenous Peoples' Liaison Officer (IPLO) shall be as specified in rules of the Constitution of CAPA and NIPAAC, the provisions of the Regulations of CAPA and NIPAAC and as determined by Council and NIPAAC through policy.

11.8.2 In consultation with NIPAAC, the Indigenous People's Liaison Officer will act as an advocate for the interests of Indigenous postgraduate students at a national level, within the Council, and at individual institutions.

11.8.3 The duties of the Indigenous People's Liaison Officer shall include:

11.8.3.1 Providing policy advice to the Council and committees in relation to Indigenous postgraduate students, and ensuring that appropriate protocols are adopted.

- 11.8.3.2 Liaison with indigenous postgraduate students, the National Indigenous Postgraduate Association Aboriginal Corporation, other national organisations representing Indigenous students and Indigenous peoples generally, government agencies and relevant ministers.
- 11.8.3.3 Attending appropriate conferences and fora as an advocate of the interests of Indigenous postgraduate students, and preparing speeches, reports and papers as required.
- 11.8.3.4 Monitoring of CAPA policy in relation to Indigenous postgraduate students and encouraging Constituent Organisations to provide culturally safe environments within their associations and in their institutions.
- 11.8.3.5 Liaise with equity officers of affiliate associations

11.9 International Students Officer

- 11.9.1 The duties of the International Students' Officer shall be as specified in the Constitution, these Regulations and Policy asset by Council.
- 11.9.2 These duties include:
 - 11.9.2.1 Acting as an advocate for the interests of international postgraduate students at a national level, within the Council, and at individual institutions.
 - 11.9.2.2 Providing policy advice to the Council and its committees in relation to international postgraduate students, and ensuring that appropriate protocols are adopted.
 - 11.9.2.3 Attending appropriate conferences and fora as an advocate of the interests of international postgraduate students, and preparing speeches, reports and papers as required.
 - 11.9.2.4 Monitoring of CAPA policy in relation to international postgraduate students and encouraging Constituent Organisations to provide culturally safe environments within their associations and in their institutions.
 - 11.9.2.5 The International Students' Officer shall be chair of the International Students' Committee, except where that Committee determines otherwise.
 - 11.9.2.6 Maintaining close relations with the Council of International Students Australia (CISA) and assisting the President in co-ordinating with CISA
 - 11.9.2.7 Liaise with equity officers of affiliate associations

11.10 Queer Officer

- 11.10.1 The duties of the Queer Officer shall be as specified in the Constitution, these Regulations and Policy as set by Council.
- 11.10.2 These duties include:
 - 11.10.2.1 Advocacy and representation for all queer postgraduate students
 - 11.10.2.2 Providing policy advice on queer issues to CAPA on how to be more inclusive of its non-heterosexual constituents.
 - 11.10.2.3 Seeking to reduce discrimination, vilification, and oppression experienced by postgraduate students either in their university experience or in the selection of queer topics for research.
 - 11.10.2.4 To seek the advice of the Queer Committee where policy has not been specified;
 - 11.10.2.5 To facilitate the successful implementation of CAPA Queer policy with the assistance of the Queer Committee;
 - 11.10.2.6 Convene the Queer committee, ensuring that the minutes are kept and reports passed on to the Equity Committee, Regional and Local Queer Officers and facilitate the sharing of information and publication articles;
 - 11.10.2.7 Attend the Queer Collaborations Annual Conference.
 - 11.10.2.8 To adhere to the duties and directions set for the Queer Officer in policy and resolutions of the Queer Committee.
 - 11.10.2.9 Liaise with equity officers of affiliate associations

11.11 Disability Officer

- 11.11.1 The duties of the Disability Officer shall be as specified in the Constitution, these regulations and Policy as set by Council.
- 11.11.2 The duties of the Disability Officer shall include:
 - 11.11.2.1 improving communication between Disabled students and CAPA, coordinating regional and national workshops for disabled students in CAPA and facilitating disabled access to and participation in the committees of CAPA and their postgraduate associations.
 - 11.11.2.2 This position may be filled by proxy at Equity Committee meetings in recognition that disabled students may have circumstances which prevent them from participating fully in such organisations.
 - 11.11.2.3 Each Constituent organisation shall nominate a disabled student to be a contact on disability issues.
 - 11.11.2.4 The Disability Officers' work priorities will be decided at the CAPA

disabilities workshop held at the CAPA ACM conference.

- 11.11.2.5 The Disability Officer shall be Chair of the Disability Committee, except where that committee determines otherwise.
- 11.11.2.6 The Disability Officer shall monitor CAPA policy in relation to disabled postgraduate students.
- 11.11.2.7 Attend the Pathways Biennial Conference
- 11.11.2.8 Liaise with equity officers of affiliate associations

11.12 Payment of Office Bearers

- 11.12.1 Subject to the rules of the Constitution and provisions of these Regulations, the Council may resolve to pay any Office Bearer of the organisation an allowance and subject this to any conditions as it deems appropriate.
- 11.12.2 An Office Bearer found guilty of a breach of discipline under clause 11.12.1 or who is subject to a loss of confidence may have their allowance suspended provided that the procedures as outlined in breach of discipline or loss of confidence are followed.
- 11.12.3 The Office Bearer will be entitled to ten (10) working days sick leave on full allowance provided that for leave in excess of three (3) days such leave must be supported by a certificate from a duly qualified medical practitioner;
- 11.12.4 The Office Bearer will be entitled to all statutory holidays for their state of residence, and the days between Boxing Day and New Years Day as additional public holidays;
- 11.12.5 The Office Bearer will be entitled to twenty (20) working days accrued recreation leave in respect of the term of office to be taken at a time to be determined by agreement with the Executive.

11.13 Core Goals

- 11.13.1 The Core Goals of the Council of Australian Postgraduate Associations and their Outcomes/Indicators will be as follows:

Core Goals of CAPA	Outcomes/Indicator
Promote the establishment of postgraduate representative bodies	Number of national student-run postgraduate representative bodies within Australian higher education institutions
Maintain good relationships with existing affiliates	Number of affiliates

Core Goals of CAPA	Outcomes/Indicator
Support postgraduate representative bodies in sourcing ongoing and sustainable financial support from their institutions	Number of financial affiliates
Advocate for postgraduates at a Federal level	Annual working plan for Federal advocacy goals to be ratified at the ACM and the President to report on progress to the SCM and the ACM.
Clearly communicate activities with all affiliates, including budget updates	Conduct an annual survey of affiliates which must be presented at the ACM which encourages feedback on the performance of the Executive and satisfaction of the Affiliates.

11.13.2 The Council will set at the Annual General Meeting specific, measurable targets for each of the five (5) recurring Key Performance Indicators (KPIs) which will be aligned with the Core Goals.

11.13.3 The President shall present a report on the outcomes of the KPIs from the previous year to the Council at the Annual General Meeting.

11.14 Performance Reviews

11.14.1 Each office bearer and staff member will have performance reviews a minimum of twice per year, irrespective of whether or not their position is paid. Interviews may take place via teleconference. The first performance review may not take place earlier than three (3) months after the ACM, and the second no later than two (2) months prior to the ACM.

11.14.2 Performance reviews should be conducted by a panel, which consists of the President, one staff member, and two non-office bearer nominees of Council. Where the review being conducted is for a member of the panel, that member will be excluded from the panel, and the interview will be conducted by the remaining three members.

11.14.3 Reviews will focus on the duties laid out in the position descriptions of each role, as well as on progress towards specific goals or programs.

11.14.4 It is the responsibility of the President to ensure that the

performance reviews are conducted at least twice a year and with sufficient time to report to the Council. Additional performance reviews for the entire executive may be conducted at the request of 75% of the Executive or 66% of the Council.

- 11.14.5 Unsatisfactory performance reviews will lead to consultation between the interviewing panel and the office bearer/staff member about the best strategies to remedy the situation, which could include mentoring, professional development, or mediation. A less than satisfactory review will not automatically result in a dismissal – a strategy must be put in place first, then followed up by a review interview, conducted after six weeks, to assess progress. If the review continues to be unsatisfactory, the panel will refer the matter to the President who should follow the procedure outlined in Breach of Discipline in *CAPA Regulations 11.16*.
- 11.14.6 The President will present performance reviews of office bearers and staff to the Council at the Annual General Meeting.

11.15 Discipline

- 11.15.1 This procedure is intended to deal with specific and measurable failures of the following kind:
 - 11.15.1.1 Executive officers who fail to provide a written report of their activities at the monthly executive meetings.
 - 11.15.1.2 Executive officers who fail to complete an action item assigned to them at the previous Executive meeting without reasonable cause.
 - 11.15.1.3 Executive officers who fail to attend Executive meetings without apology.
 - 11.15.1.4 Executive officers who fail to attend three consecutive meetings apology notwithstanding
- 11.15.2 The disciplinary procedure is as follows:
 - 11.15.2.1 On the first occasion the President will send a letter to the officer via email or otherwise. At this stage, it is very important that the letter should remain confidential, allowing the person to re-adjust their behaviour.
 - 11.15.2.2 On the second and subsequent occasions the President will send a letter to the Executive officer and the issue will become an item of discussion for the agenda of the next Executive meeting.
 - 11.15.2.3 In the event of an underperforming President, any member of the executive may take responsibility for the first and subsequent

letters.

11.15.3 Once two letters have been sent, possible actions the Executive may decide to take, in order of escalating penalty, are:

11.15.3.1 No action

11.15.3.2 A minuted record, noting the failure

11.15.3.3 A minuted censure motion

11.15.3.4 A reduction in the future pay of the officer (if they receive pay)

11.15.3.5 Recommend a special general meeting of the council in which to remove the officer from their position.

11.15.4 If the disciplinary action (other than 11.15.3.1) is taken by the Executive, then the President or Vice-President must:

11.15.4.1 Immediately inform all affiliates

11.15.4.2 Add the item to the agenda of the next general meeting

11.16 Breach of Discipline

11.16.1 Any Office Bearer who willfully commits the following is deemed to have breached discipline:

11.16.1.1 contravenes or fails to comply with any of the provisions of the Constitution and Regulations or direction of the Council;

11.16.1.2 does or omits to do an act that might endanger the safety or health of a person or damage or destroy any property of CAPA;

11.16.1.3 removes any CAPA property without authority;

11.16.1.4 pledges the credit of CAPA without the authority of a body or person authorised to deal with CAPA funds;

11.16.1.5 commits an act fraudulently or engages in fraudulent conduct;

11.16.1.6 commits an act unlawfully or engages in unlawful conduct; or,

11.16.1.7 otherwise engages in conduct that may be considered unprofessional, unethical and/or disrespectful to the aims and purposes of the organisation.

11.16.2 Any person alleging that an Office Bearer is guilty of a breach of discipline will lodge a charge in writing to the President outlining the details of the allegation. If the allegation concerns the President, the allegation must be forwarded to the next highest ranked officer, independent of the allegations.

11.16.3 On receiving an allegation the officer must immediately give written notice to all members of the Executive that a charge has been made, which shall be accompanied by a copy of the written

- allegation; and call for an Executive meeting to discuss the allegations.
- 11.16.4 The officer against whom the charge has been made shall be entitled to attend this meeting and defend her/his person against the allegations.
 - 11.16.5 At this meeting, the Executive may, on a 2/3rd majority vote, resolve to either:
 - 11.16.5.1 Dismiss the allegation
 - 11.16.5.2 Take action to counsel the officer on the breach of discipline, and/or
 - 11.16.5.3 Move to rescind the honoraria of the officer and/or
 - 11.16.5.4 Issue a censure, and/or
 - 11.16.5.5 Call for the resignation of the officer, and/or
 - 11.16.5.6 Give written notice to all members of the Council of a Special Council Meeting, called for the purpose of discipline or removal of an officer for breach of discipline.
 - 11.16.6 At the Special Council Meeting the Office Bearer against which the allegation has been made may address the Council and will be given the opportunity to present any written or verbal evidence in their defense.
 - 11.16.7 If the Council resolves by two-thirds (2/3) majority that the Office Bearer is guilty of the charge it may take action to remove the officer from their position as per the rules of the Constitution and the requirements of these Regulations.
 - 11.16.8 Any positions declared vacant as a result of this process will be filled as per the rules of the Constitution and the requirements of these Regulations relating to Casual Vacancies, Removals and Referenda.

PART 12 ALTERATIONS AND AMENDMENTS TO REGULATIONS

12.1 Alteration and amendment

- 12.1.1 Alterations and amendments to these Regulations may be made, via a simple majority vote of Council, with the following provisions:
 - 12.1.1.1 Alterations and amendments must be forwarded to the National Secretary 14 days prior to the Council meeting;
 - 12.1.1.2 The National Secretary shall forward the notices of alterations and amendments to the CAPA affiliates at least one (1) week prior to the Council meeting
 - 12.1.1.3 All alterations and amendment must be moved and seconded by a financial affiliate of CAPA
 - 12.1.1.4 No alteration or amendment may contradict the Constitution or any other higher provisions that the organisation is party to

PART 13 CAPA EXPENDITURE GUIDELINES

13.1 Purpose and Nature of the Guidelines

(taken from the CAPA Constitution)

4. *Objects*

The objects of the Council are:

(1) to represent the postgraduates of Australia nationally in matters of concern to postgraduates and to establish and maintain cooperation between Constituent Organisations and with other postgraduate associations in Tertiary Institutions in Australia;

(2) to coordinate activities of Constituent Organisations;

(3) to promote and assist the education and cultural activities of postgraduates; and

(4) to carry out research in such aspects of education as the Council deems necessary.

- 13.1.1 The intent of the Expenditure Guidelines is as follows:
- 13.1.1.1 To advise CAPA Executive members, Staff and others conducting the business of CAPA of the procedures and policies for expenditure as defined in the CAPA Constitution, Regulations, Policy document and Budget.
- 13.1.1.2 To provide a framework and protocols for establishing prudent fiscal practise in relation to all activities of the Council when expenditure is involved.
- 13.1.1.3 To provide a framework and protocol for expedient reimbursement of approved expenditure incurred on CAPA business.
- 13.1.2 These Guidelines relate to the expenditure of CAPA monies, as defined by the CAPA Constitution - Part 8 Finances.
- 13.1.3 The Guidelines set out herein relate to expenditure up to \$10,000. Expenditure beyond this amount requires Council approval (as per the CAPA Constitution Part 8 section 62(2b)).
- 13.1.4 The Guidelines herein apply equally to both CAPA Executive members and to others undertaking approved CAPA funded business.
- 13.1.5 CAPA funding may be actual funding, in compliance with the Expenditure Guidelines or other such arrangements as approved by the Council, Executive and/or Treasurer.
- 13.1.6 When considering the approval of expenditure it is important to

keep in mind not just the regulations covering financial decisions but also to consider the objects of the organisation as defined in the CAPA Constitution and in accordance with the approved budget.

- 13.1.7 The Treasurer is responsible for tabling all Staff and Executive expenses and credit card usage at every Executive meeting.
- 13.1.8 The Treasurer or Treasurer's designee must be a signatory on every expenditure (except for petty cash and reimbursement of treasurer expenses). The Treasurer can give approval by email of payments made by office staff on items related to normal bills and travel when a credit card must be used (Treasurer will still be a signatory when the credit cards are paid off).
- 13.1.9 When expenses are claimed by the Treasurer, the President must approve the payment of such expenses.

13.2 Travel

- 13.2.1 CAPA will provide funding for travel generally only for the President and members of staff, but may provide some or all funding for travel in extenuating circumstances
- 13.2.2 The traveller will endeavour to find the cheapest travel possible at the best possible times.
- 13.2.3 The traveller will be provided, by the office, with travel details as soon as they have been confirmed where the CAPA office has booked the travel
- 13.2.4 The traveller will inform the CAPA office of travel details as soon as they have been confirmed where the traveller has booked the travel
- 13.2.5 All travel will be booked in economy class except in emergency situations.
- 13.2.6 Individuals may stay at their own expense for longer periods as they wish. All stay outside of the official CAPA-funded period will be paid for by the traveller. If this cost is more, the Traveller must either pay personally in full at the time, or arrange for part payment, charging only the approved amount to CAPA.
- 13.2.7 Travellers wanting changes to flights already approved and booked must reimburse CAPA any monies lost as a result of the change, unless waived by the Treasurer.
- 13.2.8 CAPA supports environmentally-friendly travel and requests travellers consider this in their booking. CAPA will cover the cost of carbon offsetting for flights.

- 13.2.9 There shall be annual travel insurance purchased for the President by CAPA. All other travellers may carry the cost of insurance personally unless in extenuating circumstances.
- 13.2.10 Where the timing of a meeting would require arrival prior to 8:00am, the traveller may arrive the day prior.
- 13.2.11 NIPAAC
 - 13.2.11.1 All travel for NIPAAC must first be sent to the NIPAAC President for approval. The NIPAAC President will forward the travel forms on to the office for bookings. Any costs associated with changes to travel after bookings have been made will be incurred by the individual requesting the change unless approved by the NIPAAC president.
 - 13.2.11.2 For all other travel arrangements, NIPAAC will establish its own guidelines.
- 13.2.12 Regions
 - 13.2.12.1 CAPA prefers that meetings that would require travel be conducted by teleconference wherever possible.
 - 13.2.12.2 Should a person need to travel for a Regional Meeting, the Regional Secretary may use part of that Region's budget to fund the travel, on approval by the Treasurer
- 13.2.13 Cabcharge
 - 13.2.13.1 CAPA prefers the use of Public Transport to taxis at all times.
 - 13.2.13.2 The use of Cabcharge will be restricted to CAPA business only.
 - 13.2.13.3 The Treasurer is responsible for scrutinising all Cabcharge usage.
 - 13.2.13.4 All Cabcharge use will be on prior approval of the President and Treasurer.
- 13.2.14 Private vehicle usage
 - 13.2.14.1 Should a traveller elect to use their private vehicle for CAPA business travel CAPA is not obliged to and will not cover any fines, or other expenses incurred.
 - 13.2.14.2 Where a private vehicle is used for travel on CAPA business, the current Industrial Agreement is to be used to determine reimbursement for both CAPA Officers and Staff.
 - 13.2.14.3 Parking receipts should be retained for reimbursement by CAPA
- 13.2.15 Use of Hire Vehicles
 - 13.2.15.1 Where appropriate the traveller may book a hire vehicle. Both the total distance travelled and the distance travelled for CAPA

business should be logged and reimbursements will be made on a pro-rata basis for hire costs and fuel.

- 13.2.15.2 Fuel and parking receipts should be retained for reimbursement at the conclusion of the hire period or to be correlated with payments by CAPA credit card.

13.3 Accommodation

13.3.1 Individuals funded by CAPA to perform the business of the Council shall be entitled to have accommodation paid for by CAPA. If the individual requests that CAPA arrange such accommodation, it should be done according to the following principles:

- 13.3.1.1 The traveller should arrange the accommodation in advance;
 - 13.3.1.2 The traveller has the right to their own room where possible;
 - 13.3.1.3 The traveller has the right to safety and reputable service standard.
 - 13.3.1.4 CAPA supports ecologically-friendly travel, and the accommodation should be readily accessible by public transport, or close to the business-at-hand if possible
 - 13.3.1.5 The traveller has a right to take guests at their own expense
 - 13.3.1.6 The traveller has a responsibility to find reasonably-priced accommodation, and should seek to keep costs as low as possible. In general, CAPA expects travellers to follow the guidelines as in the Industrial Agreement. Travellers may stay in higher-priced accommodation at their own expense employing the same process as per 13.2.6
- 13.3.2 Individuals funded by CAPA and their guests, are personally responsible for the payment of:
- 13.3.2.1 Mini-bar charges;
 - 13.3.2.2 Video/movie charges or other entertainment; and
 - 13.3.2.3 Any other room associated costs not covered by the cost of the room, excluding of services directly supporting the conduct of CAPA business.
- 13.3.3 Individuals may stay at their own expense for longer periods as they wish provided it is at no expense to CAPA, as per 13.2.6

13.4 Meals

13.4.1 For the purpose of these Expenditure Guidelines, meals shall be defined as food and non-alcoholic beverages.

- 13.4.2 In general, meal expenses should be kept in line with the current CAPA staff EBA for the total dollar amount per person per day.
- 13.4.3 Meal claims while on CAPA business are on a door-to-door basis (from your place of permanent residence until your return).
- 13.4.4 CAPA funds are not to be used for the purchase of alcohol without prior approval of the Treasurer.
- 13.4.5 No allowance/reimbursement will be made for meals already provided by CAPA or available at no cost to the claimant.
- 13.4.6 Procedures and guidelines for meal claims
 - 13.4.6.1 CAPA will pay travellers up to a maximum of \$60 per diem when those meals have not been supplied by CAPA or other organisations.
 - 13.4.6.2 Meal claims do not accrue over the time of travel.
 - 13.4.6.3 Travellers are permitted more expensive meals with any excess at their own expense.
 - 13.4.6.4 Meal claims supported by receipts (where possible) are to be forwarded to the Treasurer after travel has been completed.
 - 13.4.6.5 Meal claims for dinner will be paid if travel commences prior to 7.00 PM. For breakfast travel must commence prior to 7.00 AM, and for lunch travel must commence prior to 12.00 PM.
 - 13.4.6.6 For meetings in a person's home town, no claims will be allowed unless prior approval is received from the Treasurer.
- 13.5 Telephone**
 - 13.5.1 Executive members are encouraged to seek support from the Constituent Organisations for support in making phone calls
 - 13.5.2 The Executive can claim the cost of CAPA-related phone calls (mobile/landline) as an expense for approval by the Treasurer
 - 13.5.3 Any other phone-related cost not covered in the policy must have approval of the Treasurer or President.
- 13.6 Mobile Phone**
 - 13.6.1 Due to the remote nature of the CAPA office, the President, and staff will have their phone subsidised at a rate as approved by Executive.
- 13.7 Credit Cards**
 - 13.7.1 CAPA may issue credit cards to the President, and any staff members authorised by Executive, and any other CAPA Officer nominated by the Executive.

- 13.7.2 The combined limit of all credit cards shall not exceed \$5000
- 13.7.3 All expenses incurred on CAPA credit cards must be reported with the finance report at each Executive Meeting.
- 13.7.4 A person authorised to use a CAPA credit card provide receipts of all expenses. Failure to do so will mean that person will reimburse CAPA in full. Upon receiving monthly credit card statements, the individual credit card holders are responsible for the reconciliation of their account, including proposing allocation of expense within the budget. These are then to be forwarded to the Treasurer before being provided to the bookkeeper/accountant.
- 13.7.5 Executive may remove the credit card of any CAPA Officer or Staff member in the event of reasonable suspicion of misuse.
- 13.7.6 CAPA credit cards are prohibited from being used for expenditure of a personal nature. Expenditure of a personal nature is defined as expense other than those allowed under the current CAPA Expenditure Guidelines. These Guidelines are enforced by a system of one warning only. On the second offence shall be considered misuse and the Executive shall consider removal from a cardholder.

13.8 Miscellaneous Expenses

- 13.8.1 Some miscellaneous expenses incurred in the conduct of CAPA business may be claimed. These claims will be subject to scrutiny by the Treasurer or President. No single or multiple item(s) greater than a total value of \$50 should be purchased without prior approval of the Treasurer.
- 13.8.2 All applications for donations, gifts or acknowledgements of service will be assessed on the basis of merit by the Executive and approved by the Treasurer; the President must approve of all applications made by the Treasurer.
- 13.8.3 Petty Cash
- 13.8.3.1 A delegated staff member is solely responsible for petty cash expenditure up to the sum of \$50 for a particular item.
- 13.8.3.2 Petty cash is not to be used for any reimbursement of Executive or Staff expenses.
- 13.8.3.3 Receipts must be provided for all transactions and submitted at Executive Meetings by the staff member authorised by Executive.

13.9 Procedures

- 13.9.1 Treasurer is responsible for the supervision and administration of the finances and property of Council as provided in Part 8 of the

CAPA Constitution.

- 13.9.2 Executive resolved to empower a delegated staff member, to undertake the business of CAPA in line with the Regulations and Constitution.
- 13.9.3 The Treasurer delegates the responsibility for individual equity budget line items to the appropriate Equity Officers. These funds are to be expended in accordance with the Regulations and Constitution.
- 13.9.4 That the Treasurer delegates the responsibility for NIPAAC budget line items to the IPLO and NIPAAC President. These funds are to be expended in accordance with the Regulations and Constitution.
- 13.9.5 All expense claims should be submitted monthly, except in instances where approval has been granted by the Treasurer.
- 13.9.6 All expense claims must be submitted within the financial year they are incurred.
- 13.9.7 Reimbursement of Expenses
- 13.9.7.1 There is an expense claim form that is to be used for reimbursement of expenses. All receipts and explanations must be included before reimbursement is considered. The claim will first be checked by a delegated staff member, and then authorised if approved by the Treasurer, before an electronic payment is made. All expenditure claims will be submitted by the Treasurer at each Executive meeting.
- 13.9.7.2 Treasurer expense claims must be checked and approved by the President.

13.10 Delegated Authority

- 13.10.1 Under the Constitution the Treasurer has, in the first instance, oversight all expenditure. The Treasurer may vary the Expenditure Guidelines on a case-by-case basis and in particular may do so in the case of the President, given the responsibilities of this office. Any variation of the Expenditure Guidelines, by the Treasurer, must be reported to the Executive.
- 13.10.2 The Executive has the power to overturn any decision of the Treasurer to pay any expenditure only if the expenditure:
 - 13.10.2.1 did not comply with the Expenditure Guidelines or
 - 13.10.2.2 did not have prior approval by the Treasurer/President or
 - 13.10.2.3 was not related to CAPA business or

- 13.10.2.4 causes the associated budget line to be over budget or
- 13.10.2.5 was over \$1000
- 13.10.2.6 was not consistent with the effective and responsible operation of CAPA

13.11 Agreement by Executive and Staff

- 13.11.1 Upon beginning their term of office or on signing of their contract, all executive members or staff members, respectively, should agree to the following in writing, signed, and dated, and kept in the CAPA Archives:

“I have read the Finance Regulations and I agree to abide by all terms therein. Should I fail to follow these regulations, and I am asked to reimburse CAPA in full for inappropriate expenditure or any other type of misuse of CAPA funds, I agree to refund CAPA in full. I will accept the final decision of the CAPA Executive in any dispute related to expenditure.”