



Adelaide University Union Board Meeting Agenda

For the meeting on 18th of March 2019

In the Board Room at 6:00pm

Present:	Apologies:
Oscar Ong (AUU President, Chair)	None
Hugh Sutton (AUU Vice President, Student Media Chair)	
Stella Woo (Clubs Committee Chair, Executive)	
Arabella Wauchope (Executive)	
Tamsin Anspach (Executive)	
Patrick Stewart	Minutes Secretary:
Angus Heaton	Rami Saaid
Siqi (Jeffrey) Yang	Visitors:
Jing Soong Goh	Ali Amin
Patrick Kennewell	Sam Chapman
Gary Sutherland (Observer)	Felix Eldridge
Michael Physick (Observer)	Andrew William Klima

Meeting opened at 6:06pm

1. Acknowledgment of Traditional Owners and Apologies

OO

We would like to Acknowledge that the land we meet on today is the traditional lands for the Kaurna people and that we respect their spiritual relationship with their Country. We also acknowledge the Kaurna people as the traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.

2. Declaration of Conflict of Interest

OO

That all directors and officers in attendance declare that they have read and considered all papers within this agenda that require decision making and have no known conflict of interest or potential conflict of interest with respect to those matters.

3. AUU Board Integrity Policy- Added to the pack **OO**

4. Appointment of Returning Officer **OO**

Recommendation:

That the Board appoint Andrew Klima as the Returning Officer for the election of Student Media Committee Chair.

Moved: Jing Soong Goh

Seconded: Patrick Stewart

CARRIED

Chair moved to Andrew Klima 6:07pm

5. Explanation of Procedure **OO**

Returning Officer provided a brief explanation of the election procedure.

6. Election of the Student Media Committee Chair **OO**

Hugh Sutton nominated Angus Heaton.

Patrick Stewart nominated Tamsin Anspach.

Neither candidates had queries or rejections.

Andrew Klima briefly mentioned the voting method, and that ballots would be printed.

Andrew Klima left the room at 6:09pm.

Andrew Klima returned the room at 6:11pm.

Hugh Sutton and Patrick Stewart nominated as scrutineer.

Voting commenced at 6:16pm and ballots were collected.

With a vote of 6-3 with one abstain, Angus Heaton is declared elected.

Chair moved to Oscar Ong at 6:18pm.

7. Returning Officer's Report **OO**

Recommendation:

That the Board accepts the report of Returning Officer.

Moved: Hugh Sutton
Seconded: Patrick Stewart

CARRIED

Item 14 is moved forward due to the timing of SRC meeting.

14. SRC President's Report

AA

Ali Amin mentioned the Fix Lounge was refurbished for less than 100 thousand dollars, and thanked Andrew for his efforts in activating a crucial student space.

Ali Amin mentioned the \$15,300 affiliation fees budgeted will be spent on affiliates.

Ali Amin mentioned the possible name change of the SRC as per documentation.

Oscar Ong questioned why there are 2 meeting dates falling during Board Meetings.

Ali Amin responded that they were set every Monday, every fortnight.

Patrick Stewart made the point that there will always be clashes in a 22 members committee due to availability, and it was a relatively minor issue.

Oscar Ong asked how much the CAPA fees the SRC is planning to spend.

Ali Amin replied that fees were waived, but the total was down from \$6000 to \$2500 and mentioned that the budget line wasn't budgeted to any organisations

Gary Sutherland mentioned that that was incorrect, as Ali Amin did not have access to the budget overall and the board had approved a budget specifically to NUS and CAPA.

Ali Amin mentioned that he will still move the motion due to the limited information given by the AUU to the SRC.

Oscar Ong asked why most of the members of SRC is not volunteering at events and mentioned that around 5 members is only at events.

Ali Amin replied, it is hard to schedule 22 people board. He also spoke about Anna's views which were contrary to Oscar Ong's views, and that the SRC received good feedback for the Lazy Breakfast event.

8. Minutes of Previous Meeting

OO

Recommendation:

That the Board accepts the minutes of the meeting of the 15th February 2019 as a true and accurate record.

Moved: Hugh Sutton

Seconded: Siqi (Jeffrey) Yang

CARRIED

9. Matters Arising From Previous Minutes

OO

Matters	Person Responsible	Status
Raise name change issue with the Student Media Committee.	Hugh Sutton Changed to Oscar Ong	Completed

10. AUU President's Report

OO

Gary Sutherland spoke on behalf of events and marketing, that the board has had the most engagement with them, and that they should be congratulated.

Tamsin Anspach believes a non-constitutional change has been made by Oscar Ong, as the President is not able to delete multiple lines of text before a minimum of 2 meetings are held and due processes are met.

Gary Sutherland mentioned that it is all a matter of interpretation on the definition of "administrative changes".

Oscar Ong mentioned the reasoning behind the change is NUS does not affiliate with the AUU anymore and it is now affiliated with the SRC.

Patrick Stewart mentioned that the issue does not stand within the removal of the NUS from the documentation, but rather the lack of processes taken to remove lines from policies.

Patrick Stewart mentioned that for future reference Oscar Ong must go through the due processes in order to make any changes other than grammatical in the constitution, and that perhaps Oscar Ong should undo his changes and run them through the board again.

Hugh Sutton agreed that the removal of the NUS is an "administrative change", and that the president can exercise his ability to change the constitution without the need for the board's approval.

Angus Heaton asked the board if that is considered a typographical error, which he believes it could be interpret in such a way.

Hugh Sutton mentioned that the President is elected as the representative of the Board as a whole, and that if he believes this is the best course of action, it is under his right as a president to do so.

Tamsin Anspach mentioned that somebody has taken due processes to put the clause into the constitution, and the board should take the same processes to take it out.

Patrick Stewart asked what the risk of going through 2 meeting process, and that the board should limit the President's power.

Recommendation:

That the Board interprets "Administrative Changes" as purely grammatical errors, punctuation errors as stated in the constitution.

Moved: Patrick Stewart
Seconded: Tamsin Anspach

FAILED

A recount was requested by Patrick Stewart and there were no errors. The details are as follow:
In favour: 4
Against: 6

11. Clubs Committee Meeting with Infrastructure Minutes- Added to the pack OO

12. Minutes of Previous Student Media Committee Meeting 01-19 OO

13. On Dit Radio Name Change OO

Recommendation:

That the board rename On Dit Radio to Student Radio.

Oscar Ong mentioned that the name change was voted on by Student Media Committee.

Tamsin Anspach mentioned that processes are not being taken yet again to have this name change come about.

Oscar Ong responded saying that due to the urgency of the situation because of how soon the student radio body will soon be live, the name change must take place almost immediately.

Tamsin Anspach questioned the urgency, because in the past, almost a whole year process was taken before major changes were made in the student radio body.

Patrick Stewart stated that the motion being taken in the meeting is not actually changing the name, as the proper course is not being taken in order to do so.

Oscar Ong asked Gary Sutherland on his views.

Gary Sutherland said from an urgency point of view it should be changed.

Patrick Kennewell asked if they can cap the name change timeframe to the rest of the year.

Amendment:

That the board allows On Dit Radio to run under the name Student Radio for 2019.

Moved: Tamsin Anspach
Seconded: Patrick Kennewell

CARRIED

15. Rules Concerning The Conduct of Annual Elections By-Elections and Referenda

OO

Patrick Stewart asked if In-Camera items should be read before deciding on anything.

Oscar Ong responded no, as the In-Camera items have been made available to board directors before the meeting.

Recommendation:

Regarding the power granted in Clause 20 of the AUU Constitution, this Board resolves to:

Delete:

Clause 47.2.6 If the Election Tribunal finds there has been a serious breach, it may disqualify the person from standing in that election, and may as a result declare that that candidate not be elected.

Create:

Clause 5.2 In interpreting and applying these Rules, the AUU Election Tribunal shall pay appropriate regard to, but is not strictly bound by, previous decisions of the AUU Election Tribunal.

Clause 7.13 In any complaint or appeal brought before the AUU Election Tribunal:

7.13.1 The AUU Election Tribunal's primary focus shall be a consideration of the factual basis or substance of the complaint or appeal;

7.13.2 The AUU Election Tribunal may have regard to, but is not constrained by, particular invocations of particular Rules contained in the complaint or appeal;

7.13.3 In performing its functions or exercising one or more powers provided for in these rules, the AUU Election Tribunal will primarily be guided by:

7.13.3.1 the objectives in the Rules; and

7.13.3.2 the principles of equity, good conscience and the merits of the matter;

7.13.4 The onus of proof shall lie with the complainant or appellant.

Clause 25.2.13 advertisements in any affiliates' social media. Affiliates includes clubs registered with the AUU;

Clause 25.2.14 advertisements in commercial media.

Clause 43.3 Any conduct of a threatening, intimidatory, or violent nature, whether directed at other candidates, students or at any other person, and whether intended to coerce or otherwise, is strictly prohibited. For the avoidance of doubt, threats and/or intimidatory acts, need not be physical in nature.

Clause 43.4.27 Using any words or conduct or combination of the two through any medium whatsoever to threaten, intimidate or improperly coerce any other person (whether specified or not in the complaint, and whether the accused person intended such an outcome) to act or to refrain from acting in a particular way in relation to the election.

Clause 43.8 A person who directs another person to engage in Prohibited Conduct shall themselves be deemed to have directly engaged in, or at least been involved in, that Prohibited Conduct, and will be in contravention of these Rules.

Amend:

Clause 43.3 Without limiting the generality of 43.1, 43.2, and 43.3 the following are specifically prohibited:

Clause 43.4 For the purposes of 43.4.15 and 43.4.25, a Polling Place will be an area around the ballot box of no less than five meters distance from the ballot box. An area defining the polling place will be allocated at the Returning Officers discretion, and wherever practicable the Returning Officer must mark a line defining the polling place.

Clause 43.3.18 Using for campaign purposes any facilities or asset of the AUU or its Affiliates or AUU registered clubs not generally available to all students, including, but not limited to, bank funds, cash on hand, office space, computers, photocopiers, stationary, cars, telephones and mobile phones, social media, and facsimile machines;

Clause 47.1 Any person directly affected by Prohibited Conduct in relation to an election may make a report of that conduct to the Returning Officer at any time during the election period.

Clause 47.1.3 Any person who makes repeated spurious reports of Prohibited Conduct to the Returning Officer which are not substantiated may be deemed a vexatious complainant, and the Returning Officer may make such further orders as are necessary and reasonable in relation to a vexatious complainant, including but not necessarily penalising a candidate or campaigner for misconduct.

Clause 47.2 After the Declaration of Provisional Results, any person directly affected by Prohibited Conduct in relation to that election may make a report of that conduct to the Election Tribunal.

Clause 47.2.4 The Election Tribunal may, whether it finds a person has engaged in Prohibited Conduct or not, give such directions as it sees fit.

Clause 47.2.5 If the Election Tribunal finds a person has engaged in Prohibited Conduct, it may:

47.2.5.1 formally reprimand that person;

47.2.5.2 disqualify that person from standing in that or any subsequent election;

47.2.5.3 prohibit that person from having any involvement in any capacity in any subsequent election or elections;

47.2.5.4 declare that person not be elected;

47.2.5.5 declare that the results of any part of the, or of the entire, election be declared void and the election be held again without that person being involved;

47.2.5.6 where the Election Tribunal considers it equitable and fair to do so, not hold a further election, but declare that another, appropriate Candidate be elected in lieu of the person found to have engaged in Prohibited Conduct.

Clause 48.5 Before Declaring the Poll, the Election Tribunal must investigate all such appeals, and conduct such hearings as Election Tribunal deems necessary.

Clause 48.6.4 Declare that the results of any part of the, or of the entire, election be declared void.

Clause 48.7 If under either Rule 47 or Rule 48 Election Tribunal declares that an election or elections be declared void, the Election tribunal may order a new election or elections be held, and determine the timetable for any new poll or election to be held. The Election Tribunal must appoint a Returning Officer, in accordance with clause 8 of these Rules, for that election. Where there is a conflict between the timetable for the

new election determined by the election tribunal, and the timetable specified in these Rules, the former prevails, and the latter to the extent of inconsistency is invalid.

Renumber:

Clause 5.2 (old) to Clause 5.3 (new)

Clause 7.13 (old) to Clause 7.14 (new) till Clause 7.17 (old) to Clause 7.18 (new)

Clause 43.3 (old) to Clause 43.4 (new) till Clause 43.6 (old) to Clause 43.7 (new)

Clause 43.3.27 (old) to Clause 43.4.28 (new) till Clause 43.3.31 (old) till Clause 43.4.32 (new)

Clause 48.7 (old) to Clause 49 (new)

Clause 49 (old) to Clause 50 (new) till Clause 51 (old) to Clause 52 (new)

and authorises the EO to alter the Master Copy accordingly.

Moved: Hugh Sutton

Seconded: Angus Heaton

CARRIED

16. Rule Concerning Student Media

OO

Oscar Ong discussed giving Student Media Chair a vote will activate the student media committee and expanding the roles.

Tamsin Anspach questioned why there are an even number of votes, to which Stella Woo responded that the Clubs Committee runs the same. And in a situation where there are an equal number of votes for and against, the 'against' votes outweigh the 'for' votes.

Tamsin Anspach is also concerned that the decision will diminish the student media voice, and that more power should be given to student media.

Patrick Stewart questioned whether the student media should run the same as the clubs committee does.

Stella Woo asked why the student media committee should be able to make a motion that could possibly make an action that could reflect badly on the board.

Patrick Stewart mentioned that at the end of the day, the board has the final say, and can put their foot down if need be.

Tamsin Anspach argued that student media should have the majority say on what student media does.

Oscar Ong said that that's not the purpose of student media committee.

Angus Heaton argued that there isn't really a need for an extra vote, as it will not change anything except giving an individual more of a say.

Patrick Kennewell recommends that the student media, On Dit and radio, should be engaged and some votes increased from one to two.

Angus Heaton mentioned that it doesn't change how many votes are needed to pass, it just changes that there is more of a say.

Patrick Stewart gave an example of the board questioning the student media, in a typical healthy work environment, but regardless the student media should be given an individual power where they can make their own decisions to take against disputes.

Recommendation:

Regarding the power granted in Clause 20 of the AUU Constitution, this Board resolves to:

Amend:

Clause 14.2

The Student Media Committee will be composed of:

- On Dit Magazine editor/s (1 vote);
- On Dit Radio director/s (1 vote);
- The President (1 vote);
- One Board Director, elected by the Board as Chair of the Student Media Committee (1 vote);
- The General Manager (non-voting); and
- Other professional staff as required (non-voting).

and authorises the EO to alter the Master Copy accordingly.

Moved: Hugh Sutton

Seconded: Angus Heaton

Dissent: Tamsin Anspach

CARRIED

17. Any Other Business

18. In-Camera Items

OO

The board resolved to:

- a. Stands in solidarity with the Muslim community at the University of Adelaide, and in the wider community, following the terrorist attack in Christchurch;

b. Condemns Islamophobia and all forms of discrimination; and

c. Commits to building a community which embraces diversity and is inclusive for all.

19. Close:

Meeting closed at 7:01pm.

Next Meeting: 08/04/2018

Close of Submissions: 01/04/2018

Persons Responsible for Agenda Items:

Oscar Ong (OO)

Ali Amin (AA)