

Constitution of

The Monash University Philharmonic Society

Part 1. The Constitution

1.1. Interpretation

- 1.1.1.** The provisions of this constitution shall be construed subject to the constitution of the C&S Council. Where this constitution is inconsistent with the constitution of the C&S Council, the latter shall prevail, and the former shall, to the extent of the inconsistency, be without force or effect. Where the constitution of the C&S Council makes provisions for a matter or thing not otherwise provided for in this constitution, those provisions shall take effect as if they were contained in this constitution.
- 1.1.2.** In this constitution, unless the contrary intention appears, all words and expressions have the same meaning as they have in the constitution of the Clubs & Societies Council, and
- (i) “AGM” means the Annual General Meeting;
 - (ii) “C&S Council” means the Clubs & Societies Council division of MSA;
 - (iii) “C&S Executive” means the Executive of the C&S Council;
 - (iv) “committee” means the committee of the society, as defined in Part 4;
 - (v) “EGM” means an Extraordinary General Meeting;
 - (vi) “General Meeting” means a general meeting of the society members;
 - (vii) “MSA” means Monash Student Association (Clayton), Inc. (A.B.N. 20 147 061 074);
 - (viii) “OGM” means an Ordinary General Meeting;
 - (ix) “public notice” means an electronic notice displayed on the C&S world wide web site;
 - (x) “society” means the Monash University Philharmonic Society;
 - (xi) “student” means a person enrolled in a course of study administered at the Clayton Campus of the University;
 - (xii) “University Staff Member” means a person employed by the University, MSA, or another University affiliate, who has a University personnel number;

1.2. Amendments

- 1.2.1.** This constitution may be amended by the affirmative votes of at least 2/3 of the voting members at a General Meeting, if
- (i) 10 days' written notice of the proposed amendment is served on all society members; and
 - (ii) the C&S Executive has first approved the sought amendment(s).

Part 2. The Society

2.1. Name

- 2.1.1.** The name of the society shall be the "Monash University Philharmonic Society".

2.2. Aims and Objectives

- 2.2.1.** The aims and objectives of the society shall be to
- (i) To promote ensemble music within the University;
 - (ii) To co-operate with other associations having similar objectives, including musical societies in other universities; and
 - (iii) To form, by a selection method to be defined by the committee, an ensemble or ensembles to represent the University in the public performance of ensemble music, both on campus and outside the University. There shall be no definition of the magnitude of each performance or the number of performances in any year.

Part 3. Members

3.1. Duration and Cost of Membership

- 3.1.1.** The annual membership fee for the society, if any, shall be set by the committee.
- 3.1.2.** A person's membership of the society shall run from the payment of the membership fee, or if there is no fee, from approval of the membership, until 20 March of the following year, or until the person ceases to be eligible, whichever occurs earlier.

3.2. Ordinary Membership

- 3.2.1.** Ordinary membership of the society shall be open to all students and University Staff Members who subscribe to the aims and objectives of the society.

3.3. Associate Membership

- 3.3.1.** Associate membership of the society shall be open to all persons who are ineligible for ordinary membership, and who subscribe to the aims and objectives of the society.
- 3.3.2.** Associate members of the society shall have all the rights of ordinary members, except that they shall not be eligible to vote or hold voting committee positions.

3.4. Honorary Membership

- 3.4.1.** Honorary membership of the society may be conferred by the affirmative votes of at least 2/3 of the voting members at a General Meeting, on a person who has made a substantial contribution to the society.
- 3.4.2.** Honorary members of the society who are eligible for ordinary membership shall have all the rights of ordinary members.
- 3.4.3.** Honorary members of the society who are ineligible for ordinary membership shall have all the rights of associate members.

3.5. Revocation and Rejection

- 3.5.1.** A person may only have her/his society membership revoked, or membership application rejected, by the affirmative votes of at least 2/3 of the voting members at a General Meeting if at least 7 days' written notice of the intention to move a motion of revocation/rejection has been served on the person, and s/he has been given a reasonable opportunity to speak to the motion.
- 3.5.2.** A person whose society membership has been revoked, or whose membership application has been rejected, may appeal to the C&S Executive by serving on it, within 14 days of the revocation/rejection, a written notice of appeal. The C&S Executive's decision on the matter shall be binding on the society.

3.6. Membership Records

- 3.6.1.** On request, the Secretary shall make available to any society member a list of all society members, containing only each member's name and membership type, and, where applicable, the last 3 digits of the each member's University student or staff number.
- 3.6.2.** The Secretary shall ensure that the C&S Executive has an up-to-date copy of all society membership records at all times.
- 3.6.3.** Except as prescribed in §3.6.1 - §3.6.2, the Secretary shall ensure that all membership records are kept strictly confidential, and that out-of-date membership records are destroyed.

3.7. Honorary Patron

- 3.7.1.** The committee may award the title of Honorary Patron of the Monash University Philharmonic Society to a chosen person who has given substantial support to the society.
- 3.7.2.** The Honorary Patron shall have the right to attend and speak at all general meetings.

Part 4. The Committee

4.1. Committee Structure

- 4.1.1.** The society committee shall consist of Executive, Ordinary and Non-voting committee members.
- 4.1.2.** The Executive committee office bearers shall be the
- (i) President;
 - (ii) Vice President;
 - (iii) Treasurer; and
 - (iv) Secretary;
- 4.1.3.** The Ordinary committee office bearers shall be the
- (i) Concert Producer;
 - (ii) Social Secretary;
 - (iii) Publicity Officer;
 - (iv) Librarian; and
 - (v) Ensemble Representatives.
- 4.1.4.** The Non-voting committee office bearers shall include the
- (i) Immediate Past President;
 - (ii) other officers as appointed by the committee; and
 - (iii) any sub-committees appointed by the committee.
- 4.1.5.** Executive committee members shall
- (i) each be responsible for the overall wellbeing of the society; and
 - (ii) be the only signatories to the club bank account.
- 4.1.6.** Ordinary committee members shall use their vote on the committee to represent the interests of their given constituency.

4.1.7. Non-voting committee members and sub-committees

- (i) shall be assigned a specific, well defined task or function to perform by the committee;
- (ii) shall be appointed at the discretion of the committee, who shall hold either an election or an interview process;
- (v) may be Ordinary or Associate members;
- (vi) shall be actively involved in making decisions, providing information and performing tasks but shall not take part in the formal committee voting process;
- (vii) shall be assigned an Executive committee member to whom they shall report on a day-to-day basis; and
- (viii) shall, as necessary, report to the full committee.

4.1.8. An Ensemble Representative

- (i) shall be elected annually at the first General Meeting in first semester to represent each ensemble
- (ii) Before the first General Meeting in first semester, each ensemble shall choose a person, in a manner, which shall be determined by the committee, who is a member of that ensemble and who is in their first year as a member of the society to be their Ensemble Representative to be elected at the first General Meeting in first semester. If no first year member of the society is willing to be the ensembles Ensemble Representative, another member of the ensemble can be chosen.

4.2. Duties of Office Bearers

4.2.1. The duties of the **President shall be to**

- (i) preside as chair over committee meetings and General Meetings;
- (ii) attend meetings of the C&S Council, vote in the interests of the society, and report outcomes to the committee;
- (iii) co-ordinate the activities of the committee;
- (iv) represent the society, and act as its spokesperson, to the C&S Council, MSA, the University and other bodies, as appropriate;
- (v) submit reports to committee meetings, as appropriate;
- (vi) submit an annual report to the AGM; and
- (vii) lead, enthuse, animate and motivate the society and committee

4.2.2. The duties of the **Vice-President** shall be to

- (i) attend committee meetings and General Meetings;
- (ii) preside as chair over committee meetings and General Meetings, in the absence of the President;
- (iii) assist the President in her/his duties;
- (iv) perform the duties of the President if that office is vacant; and
- (v) perform other duties, as the committee may resolve.

4.2.3. The duties of the **Treasurer** shall be to

- (i) attend committee meetings and General Meetings;
- (ii) represent the financial interests of the society at committee meetings;
- (iii) advise how the committee may improve the financial situation of the society;
- (iv) keep the society's financial books in order, in accordance with the requirements of the C&S Council;
- (v) prepare a society budget, at least annually;
- (vi) ensure members are well informed about and content with the society's financial situation;
- (vii) collect and bank all income in the society's bank account;
- (viii) prepare the society's financial books for audit, semi-annually; and
- (ix) submit a financial report to the AGM;

4.2.4. The duties of the **Secretary** shall be to

- (i) attend committee meetings and General Meetings;
- (ii) advise how the committee may improve the administration of the society;
- (iii) ensure all matters of general administration are kept in an orderly manner;
- (iv) ensure ensemble representatives are informed about any announcements that must be made at rehearsals;
- (v) assist the treasurer with cash handling and recording;
- (vi) prepare agendas and minutes, and serve notice as prescribed, for General Meetings and committee meetings;
- (vii) act as Returning Officer for society elections, as appropriate;
- (viii) ensure that an up-to-date membership register is maintained;
- (ix) be archivist: to file old minutes, publicity, reports, memorabilia, programme notes and to bring them to the attention of the committee members where appropriate;
- (x) monitor rehearsal attendances in conjunction with the Ensemble Representative(s), and where necessary, take steps to ensure that rehearsals are well patronised;
- (xi) regularly check the society's mail box and electronic mail account, supplied by the C&S Council, for incoming correspondence;
- (xii) ensure that inwards and outwards correspondence for the society is handled correctly and in a timely manner; and
- (xiii) submit an annual report to the AGM.

4.2.5. The duties of the **Concert Producer** shall be to

- (i) attend committee meetings and General Meetings;
- (ii) represent the interests of concert audiences at committee meetings;
- (iii) advise how the committee may improve the quality of concerts, whether musically or organisationally;
- (iv) co-ordinate the organisation of society concerts, including front-of-house, stage management and concert programmes;
- (v) book venues for rehearsals;
- (vi) book venues for concerts;
- (vii) maintain a list of possible concert venues (including, but not limited to, cost, capacity, stage size and acoustics) in order to advise the committee when selecting venues; and
- (viii) liaise with concert venues and any other musical organisations that may be taking part in a concert.

4.2.6. The duties of the **Social Secretary** shall be to

- (i) attend committee meetings and General Meetings;
- (ii) represent members' interests in social matters at committee meetings;
- (iii) advise how the committee may improve the social atmosphere of the society;
- (iv) co-ordinate the organisation of social events, including publicity, and booking venues;
- (v) co-ordinate the organisation of camps, including booking venues, timetables and transport arrangements; and
- (vi) maintain a list of possible camp venues (including, but not limited to, cost, size and meal facilities) in order to advise the committee when selecting venues.

4.2.7. The duties of each **Ensemble Representative** shall be to

- (i) attend committee meetings and General Meetings;
- (ii) represent the interests of an ensemble at committee meetings;
- (iii) advise how the committee may improve said ensemble, whether musically, organisationally or socially;
- (iv) act as liaison between the ensemble and committee;
- (v) ensure ensemble members are aware of any relevant notices;
- (vi) monitor rehearsal attendances in conjunction with the Secretary, and where necessary, take steps to ensure that rehearsals are well patronised;
- (vii) monitor apologies and inform the relevant ensemble director(s) of absences prior to the rehearsal(s) in question;
- (viii) ensure rehearsals have music, in conjunction with the librarian;
- (ix) assist other committee members at times of heavy workload; and
- (x) perform any other duties as the committee may resolve.

4.2.8. The duties of the **Publicity Officer** shall be to

- (i) attend committee meetings and General Meetings;
- (ii) advise the concert producer and/or committee in all matters relating to publicity;
- (iii) be a general representative at committee meetings;
- (iv) liaise with and report to the Concert Producer in any matters of overlap between portfolios;
- (v) plan publicity campaigns in the lead-up to concerts and other events as necessary (including, but not limited to, posters, radio announcements, newspaper advertisements and listings in Melbourne music calendars);
- (vi) co-ordinate a team of people to distribute publicity materials;
- (vii) organise a design for concert posters and programmes in liaison with the Concert Producer;
- (viii) organise the fabrication of any necessary advertising materials (e.g., printing posters); and
- (ix) be familiar with current MSA or University postering policies.

4.2.9. The duties of the **Librarian** shall be to

- (i) attend committee meetings and General Meetings;
- (ii) advise the committee on all matters relating to repertoire;
- (iii) be a general representative at committee meetings;
- (iv) ensure each rehearsal has music, in conjunction with Ensemble Representatives;
- (v) investigate the availability and cost of sheet music (borrowing, hiring or purchasing) for suggested repertoire;
- (vi) maintain records of the location of any music which may have been rented/lent to/from other individuals or organisations;
- (vii) maintain a library and catalogue of sheet music;
- (viii) maintain a list of organisations from which the society could borrow, hire or purchase music; and
- (ix) ensure scores are kept in a proper condition, by being responsible for purchase or maintenance of ensemble music folders.

4.2.10. The duties of the **Immediate Past President** shall be to

- (i) ensure a smooth and complete committee changeover;
- (ii) act as an advisor, helping the committee to learn from past achievements and mistakes; and
- (iii) be available to the president and committee for consultation;

4.3. Election and Terms in Office

- 4.3.1.** An election shall only be held during a General Meeting.
- 4.3.2.** The Returning Officer shall be appointed by the committee at least 21 days prior the date of the General Meeting at which the election is to be held.
- 4.3.3.** The Secretary shall be appointed Returning Officer unless the committee resolves otherwise, or the Secretary self-disqualifies.
- 4.3.4.** The Returning Officer must be a student at the time of appointment.
- 4.3.5.** The Returning Officer shall not
- (i) be a candidate;
 - (ii) endorse a candidate; or
 - (iii) vote,
- in an election over which s/he presides.
- 4.3.6.** The Returning Officer shall serve a written notice of an election on all members, at least 14 days prior to the date of the General Meeting at which the election is to be held.
- 4.3.7.** The committee shall be elected by instant-runoff (preferential) voting at a secret ballot, except where there are only 2 candidates for a position, in which case the society may resolve to vote by a show of hands.
- 4.3.8.** A person shall be eligible to be a society office bearer, or be elected a society office bearer, if s/he is
- (i) an ordinary member of at least 5 days' standing; and
 - (ii) a student.
- 4.3.9.** The annual election for all committee positions shall be
- (i) the first General Meeting held in first semester for Ensemble Representatives, and
 - (ii) the AGM for Executive Committee and all other Ordinary Committee positions.
- 4.3.10.** A by-election for a position shall be held at an OGM or EGM if the person most recently elected to that position
- (i) has ceased to hold office prior to the ordinary conclusion of her/his term, in accordance with §4.3.17, prior to that meeting; or
 - (ii) will cease to hold office prior to the ordinary conclusion of her/his term, in accordance with §4.3.17, within 28 days of the date of that meeting.

- 4.3.11.** In the event that the office of the President, Vice President, Treasurer and/or Secretary is vacated prior to the conclusion of an ordinary term, an EGM shall be called and held within 20 academic days of vacation to enable a by-election for the vacant position(s), unless an OGM or AGM will be held within the same period.
- 4.3.12.** In the event that the office of the President, Vice President, Treasurer and/or Secretary remains vacant after an election, an EGM shall be called and held within 20 academic days of that election to enable a by-election for the vacant position(s), unless an OGM or AGM will be held within the same period.
- 4.3.13.** At any OGM and EGM, a by-election must be held for any vacant position(s).
- 4.3.14.** The committee positions shall be filled in the order they are listed in §4.1.2.
- 4.3.15.** A person elected;
- (i) as an Ensemble Representative at the first General Meeting in first semester shall ordinarily hold office from the day after that General Meeting until the day of the following the first General Meeting held in the first semester of the following year.
 - (ii) to an Executive Committee position or any other Ordinary Committee position at an AGM shall ordinarily hold office from the day after the AGM until the day of the following AGM.
- 4.3.16.** A person elected a society office bearer at an OGM or EGM shall ordinarily hold office for a term commencing the day after that General Meeting, unless the position to which s/he was elected was not yet vacant on that day, in which case the term shall commence the day after the position is vacated. The ordinary term shall conclude on the day of the following AGM for society office bearers except for Ensemble Representatives who's ordinary term shall conclude on the day following the first General Meeting held in first semester.
- 4.3.17.** A society office bearer shall cease to hold office prior to the completion of her/his ordinary term if
- (i) s/he serves a written notice of resignation, specifying the date of cessation, on the committee;
 - (ii) s/he ceases to be a student;
 - (iii) s/he is absent, without apology, from any 3 consecutive committee meetings; or
 - (iv) s/he is removed from office in accordance with §4.3.18.
- 4.3.18.** A society office bearer may be removed from office by the affirmative votes of at least 2/3 of the voting members at a General Meeting, if 2 days' written notice of the intention to move a motion to remove the member has been served on the Secretary and/or the committee, and the office bearer has been given a reasonable opportunity to speak to the motion.

4.4. Co-option

4.4.1. In the event that a society office bearer ceases to hold office prior to the conclusion of her/his ordinary term, or a position remains vacant after an election, the committee may co-opt a person to hold the vacant position, if that person would be eligible to be elected on the day of co-option.

4.4.2. A person co-opted as a society office bearer shall ordinarily hold office for a term commencing on the day of co-option and concluding on the day of the next General Meeting.

4.5. Associate Members and Ordinary Committee Positions

4.5.1. Associate Members of at least 5 days standing may run for and hold an Ordinary Committee position when §4.5.1 through to §4.5.6, have been met. This section must be read as a whole when interpreting and where this section is in conflict with another, this section shall prevail.

4.5.2. Methods of Election

- (i) Where students and Associate Members wish to run for the election of an Ordinary Committee Position a first vote will take place via instant-runoff (preferential) as per § 4.7.3. If the Associate Member is elected, a second vote will take place and they shall be elected to that position with an affirmative vote of 2/3 of Ordinary Members at the General Meeting where the ordinary committee position is being filled. If this vote is unsuccessful the Associate Member will be withdrawn from the ballot and their preferences redistributed to the remaining candidates.
- (ii) Where more than one Associate Member wishes to run for an Ordinary Committee Position and no students wish to run for that position, a preliminary vote will take place. This will be to decide if the society is allow an Associate Member to hold the Ordinary Committee position in question, and will need an affirmative vote of 2/3 of Ordinary Members at the General Meeting where the Ordinary Committee position is being filled to succeed. If the vote is successful a second vote will take place via instant-runoff (preferential) as per §4.7.3. to determine the elected candidate.
- (iii) Where an Associate Member is running unopposed for an Ordinary Committee Position, to be elected they shall require an affirmative vote of 2/3 of Ordinary Members at the General Meeting where the ordinary committee position is being filled.
- (iv) For §4.5.2 (ii) and §4.5.2 (iii) if the vote requiring an affirmative vote of 2/3 of Ordinary Members at the General Meeting where the Ordinary Committee position is being filled is unsuccessful the position will remain vacant until filled by Co-option (§4.4) or By-election at a following General Meeting.

- 4.5.3.** The Ensemble Representatives must be held by student and cannot be held by Associate Members.
- 4.5.4.** No more than 2 Ordinary Committee positions may be held by Associate Members. If there are nominations of Associate Members for remaining Ordinary Committee Positions and 2 Ordinary Committee Positions have been filled by Associate Members, these nominations shall become void.
- 4.5.5.** If an Associate Member were to be elected to an Ordinary Committee member position under this clause, the position would cease to be considered an Ordinary Committee position and would be classified as a Non-voting position for the period that it was held by an Associate Member.
- 4.5.6.** This clause cannot be used to fill a committee vacancy with an Associate Member via Co-Option.

4.6. Meetings

- 4.6.1.** There shall be at least 4 committee meetings per semester.
- 4.6.2.** The Secretary shall serve at least 5 days' written notice and/or at least 2 days' verbal notice of a committee meeting on all committee members.
- 4.6.3.** Subject to, and in accordance with, §4.6.2, the Secretary
 - (i) may convene a committee meeting whenever s/he deems it appropriate;
 - (ii) must convene a committee meeting whenever s/he receives a written request from the President to do so; and
 - (iii) must convene a committee meeting whenever s/he receives a written request from 2 committee members to do so.
- 4.6.4.** At a committee meeting
 - (i) the President;
 - (ii) in the absence of the President, the Vice President; and
 - (iii) in the absence of both the President and the Vice President, a person elected by and from the committee members present,shall preside as chair.
- 4.6.5.** At a committee meeting, each voting committee member shall have a deliberative vote, except the chair, who shall have a casting vote.
- 4.6.6.** A quorum for a committee meeting shall be greater than half the number of voting committee members, at least 1 of which must be the President, Vice President, Treasurer or Secretary.
- 4.6.7.** If, within 20 minutes after the scheduled start of a committee meeting, a quorum is not achieved, the meeting shall

- (i) proceed as a committee of the whole, which must report its resolutions to the next quorate committee meeting for ratification before they take effect; or
- (ii) if the chair so rules, stand adjourned to a place, time and day (at most 14 days later) specified by the chair at the time of adjournment.

Part 5. General Meetings

5.1. Notice and Agendas

- 5.1.1.** The Secretary shall serve at least 10 academic days' public notice and written notice of a General Meeting on all society members.
- 5.1.2.** A society member may request to have an item added to the agenda for a General Meeting by serving a written notice on the Secretary at least 2 days prior to the day of the meeting.

5.2. Annual General Meetings

- 5.2.1.** An AGM shall be held in September of each year.
- 5.2.2.** The business of an AGM shall include
 - (i) reception of the annual reports of the society office bearers; and
 - (ii) election of the committee.

5.3. Ordinary General Meetings

- 5.3.1.** There shall be at least 1 OGM each year, which must be held during the first semester.

5.4. Extraordinary General Meetings

- 5.4.1.** An EGM shall be called
 - (i) within 5 academic days, of a signed petition of at least 10 per cent of ordinary members requesting one, being served on the committee, and must be held within 20 academic days;
 - (ii) if the committee resolves to call one;
 - (iii) if the society resolves to call one; or
 - (iv) if one must be called to hold a by-election.
- 5.4.2.** Where an EGM is not called as prescribed in §5.4.1, the C&S Executive may call one.

5.5. Conduct of General Meetings

- 5.5.1.** A General Meeting shall only be held on an academic day.
- 5.5.2.** At a General Meeting
- (i) the President;
 - (ii) in the absence of the President, the Vice President; and
 - (iii) in the absence of both the President and the Vice President, a committee member nominated by the President by signed notice to the Secretary
- shall preside as chair.
- 5.5.3.** At a General Meeting, each ordinary member of at least 5 days' standing shall have a deliberative vote, except the chair, who shall have a casting vote.
- 5.5.4.** A quorum for a General Meeting shall be 15 ordinary members, or 10 per cent of ordinary members, whichever is greater.
- 5.5.5.** If, within 20 minutes after the scheduled start of a General Meeting, a quorum is not achieved, the meeting shall
- (i) proceed as a committee of the whole, which must report its resolutions to the next quorate General Meeting for ratification before they take effect; or
 - (ii) if the chair so rules, stand adjourned to a place, time and day (at least 7 and at most 14 days later) specified by the chair at the time of adjournment.

Part 6. Assets

6.1. C&S Council

- 6.1.1.** In the event of the society's deregistration with the C&S council, all assets shall be distributed amongst members in a manner deemed appropriate by the C&S Executive.
- 6.1.2.** Tangible assets may not be disposed of through resale, donation, transfer or by any other means, without prior approval of the C&S Executive.
- 6.1.3.** The committee shall give members two weeks written notice prior to the purchase of tangible assets on credit.