

**CONSTITUTION OF THE UNIVERSITY OF THE
SOUTH PACIFIC STUDENTS'
ASSOCIATION
EMALUS CAMPUS
("USPSA EC")
2014**

Drafted and compiled by the 2014 Emalus Campus Constitutional Drafting Team.

Submitted to the 11 Federal Council Meeting of the USPSA.

**2014 CONSTITUTION OF THE UNIVERSITY OF THE SOUTH PACIFIC STUDENTS'
ASSOCIATION EMALUS CAMPUS ("USPSA EC")**

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PREAMBLE

We, the students of the University of the South Pacific Emalus Campus, in order to form an effective Student Association Body to represent and defend the collective interests and rights of students; to cultivate or nurture the general welfare of students; to organize activities that are beneficial for students; to maintain the culture and tradition of students; to pursue higher standards of education for students, and to unite and encourage the spirit of regionalism through a one united USP Emalus family, do hereby establish and endorse this Constitution for the University of the South Pacific Student Association Emalus Campus ("USPSA EC").

PART 1 PRELIMINARY

Interpretation

In this Constitution, unless the context otherwise requires:

- "affiliates"** means either the permanent or temporary affiliated bodies of the Association as the case may be, as provided in PART IV of this Constitution;
- "annual general meeting (AGM)"** means the annual general meeting of the Association;
- "Association" and "USPSA EC"** means the University of the South Pacific Students' Association Emalus Campus established by this Constitution;
- "By-Laws"** means any resolution or rules made by the USPSA Federal Council;
- "campus management"** means the campus management of Emalus Campus;
- "Centres"** means the USP Centres within Vanuatu which comprised of: USP Santo Centre, USP Tanna Centre; USP Malekula Centre; and USP Torba Centre.
- "cultural groups"** means any group of students from one cultural background as opposed to a country as a whole (e.g. Pentecost students association from Vanuatu);
- "DFL students"** means distance flexible learning students;
- "election"** means the process of electing Officers, Executive Committee members and the Senate members of the Association;
- "Executive Committee"** means the committee which shall run the Association on a day to day basis. It consists of the duly elected President, Vice Presidents, Secretary, Treasurer and six (6) Standing Committee Chairpersons;
- "Head of School"** refers to the Head of the School of Law at Emalus Campus;
- "member"** means a financial member of the Association as defined by Article 3 of this Constitution;
- "minutes"** refer to the account of the proceedings of any meeting as recorded by the Secretary or in his or her absence, anyone appointed as Acting Secretary;

“Officer”	means any of the President, Vice Presidents, Secretary and Treasurer of the Association;
“President”	means the duly elected President;
“prescribed subscription”	means the student association fee for membership of the Association as set and varied from time to time;
“quorum”	refers to the number of members required being present for any meeting of the Association pursuant to this Constitution;
“Regulations”	means any regulations made by the Senate pursuant to its powers under this Constitution;
“Returning officer”	means the person who is charged with the responsibility of conducting elections pursuant to USPSA Election By-Laws;
“secret ballot”	means the election system whereby each voter is given a ballot paper, for the purpose of secretly selecting the name of his or her candidate of choice before casting the vote;
“Secretary”	means the duly elected Secretary of the Association;
"Secretary General"	means the Secretary General of the USPSA Federal Council based in Laucala, Fiji Islands;
"Senate"	means the USPSA Emalus Student Senate which is the highest decision making body of the Association;
“special general meeting (SGM)”	means a meeting of the Association called for a specific purpose at any time under Article 51 of this Constitution;
“student”	means any full time or part time student, enrolled at the University and any of its Campuses and Centres, and includes DFL students;
“Sub-branches”	means the duly elected students' association representing students at one of the USP Centres within Vanuatu;
“tenure”	means the period of time which a position lasts or the term of office for any elected officer, chairperson or representative;
“Treasurer”	means the duly elected Treasurer of the Association;
"USP"	is the abbreviated form for the University of the South Pacific;
“USPSA”	means the University of the South Pacific Students’ Association Federal Body/Council based in Laucala, Suva, Fiji Islands;
“University”	means the University of the South Pacific (established by a Royal Charter from Her Majesty Queen Elizabeth II in 1970) the headquarters of which is situated at Laucala Bay in Suva; and
“Vice Presidents”	means the duly elected Vice President Male and Vice President Female of the Association.

PART II THE ASSOCIATION

ARTICLE 1 - ESTABLISHMENT OF A STUDENTS' ASSOCIATION

- (1) There shall be within the University of the South Pacific's Emalus Campus, a Students' Association.
- (2) The name of the Association shall be THE UNIVERSITY OF THE SOUTH PACIFIC STUDENTS' ASSOCIATION EMALUS CAMPUS, herein after referred to as the USPSA Emalus Campus.
- (3) This Association shall be a Branch of the main student body of the university that is the University of the South Pacific Students' Association, or in abbreviated form, the USPSA, which shall be its parent and highest governing body.
- (4) Therefore the USPSA Emalus Campus is obliged and committed to:
 - (a) Observe the constitution of the USPSA, by laws, By-Laws and resolutions;
 - (b) take part in the activities of the USPSA and all its work or its bodies; and
 - (c) financially contribute to the maintenance and operation of the USPSA by paying the membership dues to the USPSA.

ARTICLE 2 – VISION, PURPOSE AND OBJECTS

- (1) The Vision of USPSA Emalus Campus is to be the role model for all USPSA Branches by creating a future where the general welfare of its members is improved in all aspects of University life, whether through sports, social, cultural, recreation, religion, financial, and education.
- (2) The Purpose of the USPSA Emalus Campus is:
 - (a) to liaise and collaborate with the Emalus Campus Management, USPSA Federal Council, responsible authorities and other organizations with the foresight of accommodating issues affecting the interest and needs of all its members;
 - (b) to make certain the maximization of student life reaching its highest potential;
and
 - (c) to promote our cultures and tradition through the various cultural groups and encourage the spirit of regionalism through a one united USP family.
- (3) The Objects of the Association are:
 - (a) Promoting as it considers appropriate the general welfare of its members;
 - (b) Undertaking the organization of sporting, social, cultural, recreational, religious and educational activities;
 - (c) Organizing, promoting and implementing an activity, project or initiative;
 - (d) Raising funds generally for any purpose in furtherance of its objectives;

- (e) Promotion of such activities as it considers appropriate for the benefit of the community at large particularly charitable organizations and non-government organizations;
- (f) Making representatives to the USPSA Federal Council or other relevant bodies of the USPSA Federal Council on any matter or issue of concern to its members;
- (g) Articulating and implementing policies, positions or statements on academic, social or other issues of concern to its members;
- (h) Investing such of its moneys and funds in any investment approved by the Senate; and
- (i) Performing any other act that is deemed necessary for the full realization of any or all of the above mentioned objects.

ARTICLE 3 – MEMBERSHIP

- (1) Every student registered in Emalus Campus and the USP Centres within Vanuatu upon payment of the prescribed subscription shall qualify for membership of this Association.
- (2) Once a student graduates, withdraws or ceases to be a student at the University, his or her membership in the Association shall cease.
- (3) All members shall be entitled to use the facilities of the Association and take part in its sporting, social, cultural, recreational, religious, and educational activities.
- (4) Members shall be allowed to nominate, to stand and to vote in the Association's general elections, and to hold office having satisfied the prerequisites for each office.

ARTICLE 4 – SUBSCRIPTION

- (1) Every registered student shall pay the prescribed subscription at the beginning of each semester.
- (2) The prescribed subscription shall be paid to and collected by the Emalus Campus Finance Office in trust on behalf of the Association.
- (3) The Emalus Campus Finance Office must hold the prescribed subscription in a separate bank account to be disbursed to the Association's bank account on a regular basis, as provided in the Association's annual budget.
- (4) The prescribed subscription may be varied by the USPSA Emalus Student Senate in consultation with the University Council.

PART III SUB – BRANCHES OF THE ASSOCIATION

ARTICLE 5 – SUB-BRANCHES

- (1) The following associations are the inaugural sub-branches of the Association:
 - (a) The USPSA Emalus Campus, Malekula sub-branch;

- (b) The USPSA Emalus Campus, Santo sub-branch;
 - (c) The USPSA Emalus Campus, Tanna sub-branch; and
 - (d) The USPSA Emalus Campus, Torba sub-branch.
- (2) A student association representing all students enrolled at any other Centres (if any) of the University within Vanuatu, apart from the sub-branches outlined in section 1 of this Article, may become a sub-branch of the Association, having satisfied Article 6(1) of this Constitution.

ARTICLE 6 – REQUIREMENTS FOR BECOMING A SUB-BRANCH

- (1) Before a student association representing all students enrolled at any other Centres in Vanuatu becomes a sub-branch, it must provide the USPSA Emalus Campus with:
- (a) a copy of the student association's constitution;
 - (b) a document detailing the current officers of the association; and
 - (c) evidence that the constitution and its officers have been endorsed by the student body of that Centre, by way of meeting, election or other democratic process.
- (2) The Secretary may seek additional information to be satisfied that the association is representative, including liaising with the Centre Manager of that Centre and other relevant persons.
- (3) The Association must advise the Secretary General of the USPSA Federal Council of any proposed new sub-branch.
- (4) The USPSA Emalus Student Senate may approve an amendment to the schedule of sub – branches of the Association as shown in **Schedule 1** to this Constitution.

ARTICLE 7 – SUSPENSION OF SUB-BRANCHES

- (1) The Association may suspend any sub-branch which fails to participate in two consecutive AGM's.
- (2) The Association may also suspend any sub-branch which has acted contrary to this Constitution or any regulations of the Association, or where there is good reason to believe that the sub-branch is acting contrary to the terms of its own constitution.
- (3) A sub-branch which has been suspended must be given a fair opportunity to seek reinstatement to the Association.
- (4) When a sub-branch is suspended, the student association fees collected from students attending that Centre must be held by the University and later disbursed for the benefit of the students from that Centre upon the completion of serving the suspension period.
- (5) When a sub-branch has been suspended, the Association must use its best endeavours to ensure a functional and democratic association is formed or exists to represent students at that Centre.

- (6) The membership of a sub-branch must not be terminated unless that Centre no longer exists or all reasonable attempts have been made to form a functional and representative students' association at that Centre.
- (7) If the membership of a sub-branch has been terminated by the Association, it must be removed from the **Schedule 1** of sub-branches.

ARTICLE 8 – FINANCIAL ASSISTANCE TO SUB-BRANCH

- (1) The Association shall provide financial assistance to sub-branches upon request from the sub-branch and the granting of such funds must be at the discretion of the Executive Committee.
- (2) In exercising such discretion, the Executive Committee shall withhold the granting of such funds if in the Executive Committee's view, the fund requested is unreasonable or there is no justifiable reason to disburse such funds.
- (3) Conversely, when exercising that same discretion, the Executive Committee shall not unreasonably withhold the granting of such funds when in the interest of the sub-branch, the granting of such funds, is to further the objects of the Association.

PART IV AFFILIATIONS TO THE ASSOCIATION

ARTICLE 9 – AFFILIATIONS

- (1) The Affiliations to the Association shall be divided into two categories, namely:
 - (a) Permanent Affiliations; and
 - (b) Temporary Affiliations
- (2) Permanent affiliations shall only be for law students' associations as set out in **Schedule 2** of this Constitution.
- (3) Temporary affiliations shall be for any cultural group(s), club(s) or student fellowship groups which may wish to be an affiliate to the Association.

ARTICLE 10 – PERMANENT AFFILIATION

- (1) Subject to Article 11, every law students' associations representing laws students from one USP country or combined USP countries as set out in Schedule 2 of this Constitution shall be categorized as a permanent affiliate to the Association.
- (2) **Schedule 2** shall contain the list of permanent affiliated bodies to the Association.
- (3) Each of these permanent affiliations shall have a representative in the USPSA Emalus Student Senate. The representative shall be elected by the members of each permanent affiliated body for that purpose in accordance with their respective constitutions.

ARTICLE 11 – REQUIREMENTS FOR BECOMING A PERMANENT AFFILIATE

- (1) Before a law students' association can become a permanent affiliate, it must provide the USPSA Emalus Campus with:
 - (a) a copy of the law student association's constitution or any other accepted legal document that recognize the establishment of that association;
 - (b) a document detailing the current officers of the association; and
 - (c) evidence that the constitution and its officers have been endorsed by the member students of that association, by way of meeting, election or other democratic process.
- (2) The documents in section 1 shall be deposited directly to the Secretary of the Association.
- (3) The Secretary may seek additional information to be satisfied that the intending permanent affiliated body is representative.

ARTICLE 12 – TEMPORARY AFFILIATION

- (1) The Association shall encourage the setting up of temporary affiliates as may be approved by the Executive Committee and for this purpose shall consider applications from members wishing to set up such affiliates at any time.
- (2) A student association that represents the interest of cultural groups, clubs, or student fellowship groups upon application for affiliation to the Association, and if approved, shall be classed as a temporary affiliate. (e.g. USP Rugby Club)

ARTICLE 13 – REQUIREMENTS AND PROCEDURE FOR BECOMING A TEMPORARY AFFILIATE

- (1) Any applicant affiliate who wishes to become an affiliate must satisfy the following requirements:
 - (a) The membership of such affiliates shall not be less than ten (10);
 - (b) Applicant affiliate must provide the Association with a copy of its constitution and current officers, and evidence that the constitution and its officers have been endorsed by its members, by way of meeting, election, or other democratic process; and
 - (c) The constitution of such affiliates must be approved by two-thirds of the Executive Committee based on the recommendation of the committee in which they wish to join.
- (2) The process for application is as follows:
 - (a) An application for affiliation shall be made to the Executive Committee through the responsible Chairperson of each Standing Committee to which the applicant affiliate(s) wishes to affiliate with.
 - (b) The Executive Committee shall without undue delay decide upon an application.

- (c) Written notice of the Executive's decision shall be provided to the applicant/s within three days of the decision.
 - (d) In the event the application is dismissed written reasons shall be provided with the notice of decision.
 - (e) An applicant/s refused affiliation may appeal the decision of the Executive Committee to the Senate for advice for reconsideration of decision.
 - (f) An appeal shall be in writing and be lodged with the Secretary within 14 days of receipt of the notice of decision.
 - (g) The Secretary shall list the appeal as an agenda item at the next Senate meeting.
- (3) Any affiliate that fails to submit 1 report per semester can be de-affiliated.
 - (4) Any affiliate that has been de-affiliated should undergo the same procedures of affiliation to become re-affiliated.
 - (5) Committee Chairpersons must ensure that its affiliates submit a report per semester.

ARTICLE 14 – FINANCIAL ASSISTANCE TO AFFILIATED BODIES

- (1) Permanent affiliates may apply for general financial assistance through the Executive Committee (Secretary) and the granting of such grants must be at the discretion of the Executive Committee.
- (2) Temporary affiliates may apply for general financial assistance through the respective Committee Chairperson and the granting of such grants must be at the discretion of the Executive Committee.

PART V OFFICE BEARERS

Division A - Officers

ARTICLE 15 - OFFICERS

- (1) The Officers of this Association shall be the President, the Vice Presidents, the Secretary and the Treasurer who shall be duly elected by the members of this Association in accordance with Part IX of this Constitution.

ARTICLE 16–GENERAL DUTIES OF OFFICERS

- (1) Officers shall not behave in a way that infringes the Code of Conduct of the Association.
- (2) **Schedule 3** shall have effect as the Code of Conduct of the Association.

ARTICLE 17 - THE PRESIDENT

- (1) There shall be an executive head of the Association who shall be its President.

(2) The President shall symbolize the unity of the Association and shall have the following functions:

(a) Chair all meetings:

- (i) Executive Meetings;
- (ii) Senate Meetings;
- (iii) AGM's; and
- (iv) SGM's.

(b) Chair any Committee in the absence or unavailability of its substantive Chairperson(s); and

(c) Carry out any other duties that may be required of him or her from time to time by the Senate, Executive Committee or the USPSA.

ARTICLE 18 – THE VICE PRESIDENTS

(1) There shall be a Vice President Male and a Vice President Female, together referred to as the Vice Presidents of the Association.

(2) The Vice Presidents shall have the following functions:

(a) Assist the President in policy making;

(b) Responsible for the USPSA Emalus activities calendar;

(c) Responsible for all matters relating to the use, maintenance and management of the Association's assets and facilities; and

(d) Perform any such duties that may be assigned to them from time to time by the President, Executive Committee or the Senate.

(3) Any one of the Vice Presidents may be appointed to any of the USP Committees.

(4) Any one of the Vice Presidents may exercise the powers and functions conferred upon the President under this Constitution when the President is absent from office or is unable to discharge his or her duties by reason of illness or other contingencies.

ARTICLE 19 – THE TREASURER

(1) There shall be a Treasurer of the Association who shall be accountable for the proper and prudent management of the financial affairs and resources of the Association.

(2) The Treasurer shall be responsible for:

(a) Maintaining accurate and proper books of accounts of the Association according to acceptable accounting principles, practices and standards;

(b) Advising the Association on the financial implications of any initiative put forward by the Campus Administration;

(c) Making recommendations on the appropriate response of the Association with regard to such initiatives referred to as aforesaid;

- (d) Liaising with the USPSA Treasurer under USPSA financial laws and regulations and ensuring the accounts are properly audited;
- (e) Issuing proper receipts for all moneys received in accordance to acceptable accounting standards;
- (f) Making reimbursements from the funds of the Association against proper accounts or vouchers for such matters as are approved by the Executive Committee;
- (g) Presenting the monthly report of the Association's financial activities with a recent bank statement attached showing the Association's current balance at every 3rd Executive Meetings and after such report is adopted by the Executive Committee publishing the financial report for the information of members;
- (h) Carrying out such other duties that are necessary and incidental to the proper discharge of his or her duties;
- (i) Carrying out such other duties as may be assigned to him or her by the President or the Executive Committee;
- (j) The Treasurer shall be the compulsory person to sign the Association's cheque(s); and
- (k) The Treasurer in his capacity shall be the Chairperson of the Finance Committee.

Article 20 – THE SECRETARY

- (1) There shall be a Secretary of the Association.
- (2) The Secretary is charged with the day to day administration of the Association and shall have the following functions and responsibilities:
 - (a) Preparation, recording, maintenance of all meeting minutes of the Association, held from time to time;
 - (b) Maintenance of a systematic and accurate record of all files pertaining to the Association;
 - (c) Preparing "action sheet" for Senate members and other representatives of the Association to the USPSA;
 - (d) Preparation and following up of all correspondences of the Association;
 - (e) Ensure that reports are prepared and submitted by the representative officers, Executive Committee members to the relevant bodies;
 - (f) Liaise between the Association and the Campus Management on any matter of importance to the students;
 - (g) Carry out any other duties as may be assigned to him or her from time to time by the Association or the President;

- (h) Distribute copies of the Association's Constitution, Monthly Financial Reports, and Semi or Annual Audit reports to members upon request;
- (i) Disseminate vital contact information about "Who's Who" at USPSA Emalus Campus to all members; and
- (j) Carry out any other duties that may be required of him or her under this Constitution.

ARTICLE 21 – QUALIFICATIONS

(1) An officer shall:

- (a) be a full-time student currently enrolled at Emalus Campus;
- (b) hold no other office in any other organization or affiliated associations during his or her term of office;
- (c) have studied for at least two semesters at Emalus Campus prior to commencement of his or her term of office; and
- (d) ensure that he or she has sufficient knowledge of the interests of the students that he or she shall represent.

ARTICLE 22 –DISQUALIFICATIONS

(1) No student shall be an officer:

- (a) if he or she will be completing studies at Emalus Campus prior to the expiration of the term of office;
- (b) if he or she has a disciplinary record that was already determined and enforced by the USP Emalus Disciplinary Committee at the time of nomination which has compromised the integrity and/or credibility of the Association through an act, omission, or involvement in any unethical, illegal, or fraudulent activity;
- (c) if he or she is working on a full time job employment; and
- (d) if he or she is currently under police investigation or has a pending criminal case of is not being cleared of a criminal offence.

ARTICLE 23– TENURE OF OFFICE AND TERMINATION

(1) Once an Officer is elected into office he or she shall be entitled to remain in office until the next First Association election.

(2) An Officer shall cease to remain in office upon occurrence of any of the following events:

- (a) death;
- (b) academic suspension and/or termination;
- (c) resignation;

- (d) if he or she is found guilty by the Disciplinary Committee for violation of any provision of the Code as set out in Schedule 3;
 - (e) if he or she is no longer a registered student; or
 - (f) if he or she is currently under police investigation or has a pending criminal case or is not being cleared of a criminal offence.
- (3) Any Officer of the Association, except for the Secretary, may resign after giving two (2) weeks' notice in writing to the Secretary who shall notify the Senate of the same. Provided that such resignation shall only become effective upon acceptance by the Senate.
- (4) The Secretary of the Association may resign giving notice two (2) weeks prior to resignation in writing to the President or Vice Presidents who shall notify the Senate of the same. Provided that such resignation shall only become effective upon acceptance by the Senate.

Division B – Chairpersons

ARTICLE 24 - CHAIRPERSONS

- (1) There shall be Chairpersons elected as head of each Standing Committee in accordance with Part IX of this Constitution.
- (2) The Chairpersons of each Standing Committees are:
- (a) The Chairperson for the Finance Committee;
 - (b) The Chairperson for the Public and International Relations Committee;
 - (c) The Chairperson for the Academic Committee;
 - (d) The Chairperson for the Social Committee;
 - (e) The Chairperson for the Student Welfare Committee; and
 - (f) The Chairperson for the Religious Committee.

ARTICLE 25 –GENERAL DUTIES AND RESPONSIBILITIES OF CHAIRPERSONS

- (1) The Chairperson of each Standing Committee shall have the following general duties and responsibilities:
- (a) chair all meetings of their respective Standing Committees;
 - (b) Ensure that their respective Standing Committee carry out their functions as provided under this Constitution; and
 - (c) Ensure the smooth running of the Standing Committee at all times.
- (2) The Chairpersons, in performing their functions, shall not behave in a way that infringes the Code of Conduct of this Association.

ARTICLE 26–ELIGIBILITY

- (1) A Chairperson shall:
- (a) be a full-time student currently enrolled at Emalus Campus;

- (b) have studied for at least one semester at Emalus Campus prior to commencement of his or her term of office; and
 - (c) ensure that he or she has sufficient knowledge of the Committee that he or she represents.
- (2) No student shall be a Chairperson if he or she will be completing studies at Emalus Campus prior to the expiration of the term of office.

ARTICLE 27 – TENURE OF POST

Once a Chairperson is elected into office he or she shall be entitled to remain in office until the next General Election.

Division C – Non – Student Posts of the Association

ARTICLE 28 – Permanent Post(s)

- (1) Upon approval of the Senate and the USPSA Federal Council, the Association shall create a permanent post or posts on a permanent basis for the Association.
- (2) The successful applicant shall be a fulltime employee of the Association on a permanent basis until when he or she may choose to resign or may decide to vacate the office or for other contingencies been removed from office.

ARTICLE 29 – Temporary Post(s)

- (1) Upon the approval of the Senate and the USPSA Federal Council, the Association shall create a temporary post or posts for the Association on a temporary basis.
- (2) The successful applicant shall be a part-time employee of the Association for a fixed duration of time that will be specified in a contract of employment between the applicant and the Association.

PART VI THE USPSA EMALUS STUDENT SENATE

ARTICLE 30 – ESTABLISHMENT OF THE STUDENT SENATE

- (1) There shall be established the USPSA Emalus Student Senate which shall be the Supreme decision making body of the Association.
- (2) In exercise of any powers conferred upon it, the Senate shall be given paramount consideration to the best interest of the Association's members.

ARTICLE 31 - COMPOSITION OF THE SENATE

The Senate shall comprise:

- (a) The Members elected at the General Election which comprise of:

- (i) The President;
 - (ii) The Vice Presidents;
 - (iii) The Secretary;
 - (iv) The Treasurer; and
 - (v) The six (6) Standing Committee Chairpersons.
- (b) The elected Members Representative as set out in **Schedule 4A** of this Constitution.
- (c) The Members elected by their own student associations as set out in **Schedule 4B** of this Constitution.

ARTICLE 32 - POWERS AND FUNCTIONS OF THE SENATE

- (1) The Senate shall, without limiting its general powers, have the following powers:
- (a) Approving the Association's budget by a simple majority vote;
 - (b) Making regulations and policies of the Association;
 - (c) Receiving and approving reports from Executive Officers, Chairpersons, and Representatives;
 - (d) Recommending any changes in membership of the Emalus Campus fee to the USPSA Council upon its prerogative and highlight it with the University Council;
 - (e) To move and pass a vote of no confidence in any member of the Senate or Executive member, except for officers, if it feels that such member(s) is unworthy and incapable of holding his or her responsibilities;
 - (f) To suspend temporarily any officer for a period not exceeding one month by moving and passing a vote of no confidence in that officer, by a two-third (2/3) majority of the Senate;
 - (g) To elect a member of the Senate to act in the capacity of the suspended officer for the period that officer has been suspended;
 - (h) To dismiss any Senate member who fails to attend for the full duration of one meeting of the Senate without previous leave of absence in writing to the Secretary with evidentiary support which shall be either accepted or rejected at the discretion of Senate; and
 - (i) To delegate any of its powers to any of the Committees or Officer(s) of the Association. Any such delegation of powers shall be well defined in terms of the issue to be resolved, the person involved, the time from when the delegated authority shall be exercised and the time when that authority shall cease to exist and when a report shall be presented to Senate.
 - (j) All members of the Senate elected under the Second Elections will have to present a general report for their specific representations to the Senate at a Senate meeting.
 - (k) All members of the Senate excluding Executive Officers may organize meetings for their specific representations as and when required upon informing the Secretary and such meetings must be attended by any of the Vice Presidents.

- (1) All members of the Senate elected under the second elections must inform the relevant Chairpersons of the relevant Standing Committees or any Executive Officers on matters affecting the interests of the specific category of students whom they represent.
- (2) For the avoidance of doubt, it is understood that any powers conferred upon the Senate by this or any other section of the Constitution to deliberate, establish, appoint or approve any matter, activity, policy or thing, includes a power to disapprove, alter, vary otherwise undo the same.

ARTICLE 33 – SENATE MEETINGS

- (1) The Student Senate Meeting shall be conducted once, immediately, after every general elections and whenever necessary.
- (2) The President of the Association shall chair such a meeting, and in the case of his or her absence one of the Vice Presidents may act as chair of such a meeting.
- (3) The Secretary shall give five (5) days' notice before such a meeting.
- (4) In such a meeting there must be at least two third of the members present in order for the meeting to commence.
- (5) Senate members shall be compensated for their time and effort through a sitting allowance, the rate and amount shall be determined by the USPSA Emalus student Senate.

PART VII EXECUTIVE COMMITTEE

ARTICLE 34 – ESTABLISHMENT OF THE EXECUTIVE COMMITTEE

- (1) There shall be established an Executive Committee of the Association which shall run the Association on a day to day basis.
- (2) The Executive Committee shall be accountable to the Senate and USPSA Federal Council, for the manner in which it discharges its duties, and in exercise of any of the powers conferred upon it, the Executive Committee shall give paramount consideration to the best interests of the Association's members.

ARTICLE 35 – COMPOSITION OF THE EXECUTIVE COMMITTEE

The members of the Executive Committee shall comprise:

- (a) The President;
- (b) The Vice Presidents;
- (c) The Secretary;
- (d) The Treasurer; and
- (e) The 6 Standing Committee Chairpersons.

ARTICLE 36 – POWERS OF THE EXECUTIVE COMMITTEE

The Executive Committee shall, without limiting its general powers, have the following powers:

- (a) To formulate and prepare appropriate policies or regulation for approval by senate;
- (b) Approve Standing Committees budget bids and prepare Association Budget for Senate approval;
- (c) Present to Senate biannual general report;
- (d) Prepare the USPSA Emalus campus report for the USPSA Federal Council meeting;
- (e) Approve all activities to pursue the objectives of the Association;
- (f) Receive proposals from Standing Committees;
- (g) To affiliate or de-affiliate student organizations as it sees fit;
- (h) To formulate and/or enter into contracts that is in the best interest of the Association with individuals or organizations;
- (i) Applying such funds for moneys to investment it deems appropriate;
- (j) Establishing any other committee apart from the Standing Committees from time to time deem necessary and may by regulation define the powers and functions of all such committees;
- (k) Appointing representatives to the USPSA Council and selecting members to attend seminars, tours or meetings where it is held on behalf of the Association;
- (l) Ensuring that the Treasurer presents the appropriate financial reports of the association at any time, subject to adequate notice in advance as being determined by the Executive Committee;
- (m) Requesting and collecting written reports from representatives or undertakings on which the Association is represented;
- (n) Requesting and collecting written reports from representatives or delegates representing the association on any seminar, tour, delegation or meeting;
- (o) To approve funds for entertainment purposes for visiting dignitaries or for Council or Executive or Officers meetings as Executive sees fit;
- (p) To demand and collect written reports from student representatives on Senate, University Council, Finance and other committees or undertakings on which USPSA Emalus is represented;
- (q) To require the Secretary to present a financial report of the Association at any time, subject to adequate notice in advance, as determined by Senate; and

- (r) To require all sub-branches of the associations to provide full reports.

ARTICLE 37 – EXECUTIVE COMMITTEE MEETINGS

- (1) The Executive Committee meeting shall be conducted whenever necessary.
- (2) All meetings of the Executive Committee shall comprise of the President, the Vice Presidents, the Secretary, the Treasurer and the six (6) Standing Committee Chairpersons.
- (3) The President of the Association shall chair such a meeting, and in case of his or her absence any one of the Vice Presidents may act as chair of such a meeting.
- (4) The Secretary shall give one (1) day notice before such a meeting.
- (5) In such a meeting there must be two-thirds of all members present in order for such a meeting to commence.
- (6) All matters discussed in the Executive Committee meeting shall be recorded in minute form by the Secretary or in his or her absence, anyone appointed by the Executive Committee as acting secretary.
- (7) Any Executive Committee Member who is absent from three (3) consecutive meetings without reasonable and valid cause shall be referred to the Disciplinary Committee for action.
- (8) Further to section 7 of this Article, during such time of referral to the Disciplinary Committee, the Executive Committee Member shall temporarily vacate his/ her office and the Executive Committee shall appoint a caretaker to act on the official capacity of the said office until such time the matter is resolved.
- (9) The executive shall meet once a week or once a fortnight or more as the executive reasonably think fit.
- (10) The President shall or in the absence of the President, the Vice Presidents' as determined by the Executive shall held monthly meeting with the Senior Management Team of the campus.

PART VIII OTHER COMMITTEES

Division A – Standing Committees

ARTICLE 38 – ESTABLISHMENT OF STANDING COMMITTEES

There shall be established six (6) Standing Committees for the Association which are:

- (a) The Finance Committee;
- (b) The Public and International Relations Committee;
- (c) The Academic Committee;
- (d) The Social Committee;
- (e) The Student Welfare Committee; and
- (f) The Religious Committee.

ARTICLE 39 – MEMBERSHIP OF STANDING COMMITTEES

- (1) The membership of each Standing Committees is set out in **Schedule 4** of this Constitution.
- (2) The Chairpersons of each Standing Committee may, in his or her discretion, appoint the members to his or her Committee, any student whom he or she shall deem fit and proper to be included in the Committee.
- (3) The Chairperson shall appoint to his Committee:
 - (a) A committee secretary;
 - (b) A committee treasurer;
 - (c) 2 members or more as sees fit and proper to which approval must be obtained from the Executive.
- (4) The committee secretary, committee treasurer and the two (2) member of the Standing Committee may be expelled by the Chairperson if any one of them fails to perform his or her duties or is absent from more than 2 consecutive committee meetings without leave having been granted by the Chairperson.
- (5) If under section 4 of this Article a position is left vacant, section 2 of this Article shall be applied.

ARTICLE 40 – GENERAL FUNCTIONS AND DUTIES OF THE STANDING COMMITTEES

- (1) The Standing Committees shall have the following duties, functions, and responsibilities:
 - (a) Plan, coordinate, implement and assess any scheme, programs, activities in consultation with the Executive Committee, that will provide and enhance students mental, social, physical and spiritual welfare while at USP Emalus Campus;
 - (b) Make proposal to the appropriate bodies through the Executive Committee on any issue of importance affecting the welfare of the students;
 - (c) Receive, assess and recommend to Executive all applications for financial assistance, affiliations to the Association from the respective temporary affiliates;
 - (d) Prepare budget submission to Senate for the Committees programs, activities and spending for the year;
 - (e) Submit to the Executive through the Chairperson a monthly progress report, and spending on their programs and activities; and
 - (f) Carry out any other duties, functions or responsibilities as may be assigned by the Senate, Executive Committee or the President.
- (2) The specific functions of each Standing Committees are set out in **Schedule 4** of this Constitution.
- (3) The Executive may appoint an *ad hoc* Committee to further the objectives of the Association when it is not accommodated under the functional responsibilities of the Standing Committees and when appropriate expertise is required.

Division B – Disciplinary Committee

ARTICLE 41 – ESTABLISHMENT OF THE DISCIPLINARY COMMITTEE

- (1) There shall be established a Disciplinary Committee of the Association.
- (2) The Disciplinary Committee members shall be chosen in a called Senate meeting.

ARTICLE 42 - COMPOSITION

- (1) The Disciplinary Committee shall comprise of:
 - (a) Two students from the Law Faculty;
 - (b) One student from the Business and Economics Faculty; and
 - (c) One student from the Science Faculty.
- (2) Members of the Disciplinary Committee must be:
 - (a) Final year students or post graduate students; and
 - (b) A member of the USPSA Emalus Campus.

ARTICLE 43 – FUNCTIONS AND DUTIES OF THE DISCIPLINARY COMMITTEE

The functions and duties of the Disciplinary Committee shall comprise:

- (a) dealing with disciplinary actions against members;
- (b) dealing with disciplinary actions against members occupying posts within the Association; and
- (c) enforcing the Code of Conduct as set out in Schedule 1 of this Constitution.

ARTICLE 44 - ACTION AGAINST ASSOCIATION MEMBERS

- (1) Any member that is believed to have acted in contradictory to the provisions of this Constitution or the Regulations shall be formally reported to the Disciplinary Committee.
- (2) The Disciplinary Committee may suspend the privileges of a member or impose a fine not exceeding the amount to be specified by regulation.
- (3) Where the offence involved in any disciplinary case is of a serious nature, the Council may refer that case to the University Disciplinary Committee, which shall determine the case under its own disciplinary regulations.

ARTICLE 45 – ACTION AGAINST MEMBERS OCCUPYING POST

- (1) Every Executive or Senate member that is believed to have acted in contradictory to the provisions of this Constitution, Regulations or the Code of Conduct shall be formally reported to the Disciplinary Committee.
- (2) Any member of the Association may make a complaint about an Executive or Senate member through their respective representatives or to the Secretary of the Association and complaints that have merit shall be formally reported to the Disciplinary Committee for disciplinary action.

ARTICLE 46 - PROCEDURES OF DISCIPLINARY ACTION

- (1) The Executive or Senate member that is accused shall be given a letter from the Committee stating the allegations that have been brought against him or her.
- (2) The accused Executive or Senate member shall reply to the allegation by writing a response statement, within four (4) days after receiving the letter of allegation.
- (3) If in any case the accused Executive or Senate member does not reply within the stipulated time limit the Committee shall take the non-response as a guilty plea and shall pass the appropriate penalty.
- (4) An Executive or Senate member, who wishes to respond to the allegation after the time limit to respond has expired, may only be allowed to, if he or she has a reasonable valid reason for not being able to have responded in time.
- (5) After receiving the response statement the Committee shall then set a date for hearing the case against the accused Executive or Senate member.
- (6) The accused Executive and Senate member shall be given a chance to be heard and to defend himself/ herself.
- (7) The committee shall take into account such universal principles of resolving disputes as prescribed in the Code of Conduct, when making assessing the case and making its decision.
- (8) If an Executive or Senate member is found guilty of the charges being raised against him or her then the following penalties shall be passed:
 - (a) A minor breach of the Code of Conduct or of the Constitution would result in a fine being issued against the individual as the Committee sees fit; and
 - (b) A serious breach of the Code of Conduct or Constitution would see an expulsion from office.
- (9) The seriousness of a wrongdoing by an Executive or Senate member shall be determined by the Committee.

ARTICLE 47 – RIGHT TO APPEAL

- (1) Any decision that the Disciplinary Committee shall make may be appealed to the University of the South Pacific Emalus Campus Disciplinary Committee.

PART IX ELECTIONS

ARTICLE 48 - GENERAL ELECTIONS

- (1) All General Election processes of the Association shall be conducted in accordance with the USPSA Federal By-Laws.
- (2) General Election matters which includes, but are not limited to:

- (a) Returning Officers;
- (b) Eligibility of Candidates;
- (c) Nominations;
- (d) Conduct of elections;
- (e) Unopposed and fresh nominations;
- (f) Election results and post election rules;
- (g) By elections and disputed elections;
- (h) Election Petitions;
- (i) Electoral Appeals; and
- (j) Any other matter that may relate incidental thereto,

shall be dealt with in accordance with the USPSA Federal By-Laws.

PART X MEETINGS

ARTICLE 49 - ANNUAL GENERAL MEETING

- 1) The Annual General Meeting shall be the highest authority and policy making body for the Association.
- 2) The Annual General Meeting of the Association shall be held within two weeks after the General Election each year.
- 3) The Secretary shall issue a Notice of the Annual General Meeting including an Agenda giving seven (7) clear days before the meeting.
- 4) Any member who wishes to file a motion to be discussed at the Annual General Meeting may do so by giving Notice of the Motion to the Secretary three (3) days before the Annual General Meeting.
- 5) The quorum for the Annual General Meeting shall be two thirds of the members. At the meeting the President shall chair the meeting.
- 6) The President shall chair every Annual General Meeting.
- 7) In the event that the President and Vice Presidents are absent, the Senate may appoint an interim chairperson from among the members to chair the Annual General Meeting.

ARTICLE 50 - PROCEEDINGS OF ANNUAL GENERAL MEETINGS

- 1) At the Annual General Meeting, members shall discuss the items on the Agenda referred to in section 3 of Article 49, including any other Motion the Notice of which has been given in accordance with section 4 of Article 49, and where necessary make a decision on items or Motions in the manner prescribed by section 4 of this Article.
- 2) The following shall be mandatory in every Annual General Meeting;
 - a) The President shall personally deliver an Annual report of the activities of the Association at the Annual General Meeting;
 - b) The Treasurer shall personally deliver an audited report of the financial activities of the Association at the Annual General Meeting;

- c) The appointment of the Association's External Auditor in that Annual General Meeting's order of business; and
 - d) The swearing-in Ceremony of newly elected/appointed Officers and Chairpersons.
- 3) Provided it is part of the Agenda for a particular Annual General Meeting, members may discuss and vote on the following at the Meeting:
 - a) Formulation, amendment or revision of any by-laws, standing orders or policies of the association; and/ or
 - b) Amendment of the Constitution in accordance with Article 56 of this Constitution.
- 4) Where a decision has to be made in respect of an item of the Agenda or a specific Motion, that decision shall be made by members present at the Meeting by general consensus, provided that where consensus is not possible the relevant decision shall be put to the vote and shall be decided on a show of hands by simple majority.
- 5) Any decision made pursuant to the preceding section 4 must be reduced to writing and shall for all purposes be deemed as a Resolution made and endorsed by the Association as such.

ARTICLE 51 - SPECIAL GENERAL MEETING

- 1) The Secretary shall convene a Special General Meeting at any time if:
 - a) The President so instructs;
 - b) The Executive Committee so decides by a simple majority; or
 - c) At least 200 members of the Association submit a written request for such a Meeting.
- 2) Any Special General Meeting convened pursuant to section 1 of this Article shall be called no more than seven (7) days after the receipt of the instruction of the President, or the decision of the Executive Committee or the request for such a Meeting (whichever the case may be).
- 3) The Secretary shall give Notice of any Special General Meeting on any item other than those that are listed on the Agenda of the items to be discussed in that meeting.
- 4) No discussion shall take place at any Special General Meeting on any time other than those listed on the Agenda referred to in the preceding section.
- 5) The quorum for any Special General Meeting shall be 100 members and if within an hour from the time appointed for the Meeting a quorum is not present, the meeting shall be dissolved.
- 6) Subject to section 8 of this Article, the President or in his or her absence any one of the Vice President, may chair every Special General Meeting
- 7) In the event that the President and both Vice Presidents are all absent, or are disqualified from chairing (under sections (8) and (9) of this Article), the members present at that

Special General Meeting may appoint an Interim-Chairperson from their numbers to chair that meeting.

- 8) Where the object of the Special General Meeting is to move a vote of No Confidence in the incumbent President, that President, for reasons of impartiality, may not chair the said Meeting and must disqualify him or herself in compliance with this Constitution. This meeting can only proceed with a two-third (2/3) majority of all the student members of the Association.
- 9) Where the object of the Special General Meeting is to move a vote of No Confidence in any other incumbent Officer (other than the President) of the Association, that officer shall be deemed to be unable to participate in that Meeting. This meeting can only proceed with a two-third (2/3) majority of all the student members of the Association.
- 10) Where a decision has to be made in respect of an item of the Agenda that decision shall be made by members present at the meeting by way of a vote, and any decision so made shall become the Association's Resolution if it is passed by at least two thirds of members present and voting.

PART XI FINANCIAL PROVISIONS

ARTICLE 52 - ASSOCIATION FUNDS

- (1) After deducting the share of USPSA Federal Council from all student association fees, the residue shall remain with the Association to carry out its Administration and other activities decided for the benefit of its members.
- (2) The Association shall use the Association funds for the purpose of carrying out its Administration and other activities decided for the benefit of its members.
- (3) The Association shall make sure that when using such funds for purposes in section (2) of this Article, the Association's expenditures shall be well within the Association's budget allocation for an academic year.
- (4) All funds of the Association must be applied towards the promotion of the objects of the Association.
- (5) The duly elected Treasurer shall keep proper accounts of the finances of the Association.
- (6) The accounts shall be audited at least once a year by an auditor or auditors who shall be appointed at the Annual General Meeting.
- (7) No funds may be disbursed from the bank account created under Article 53 without a resolution of the Senate approving the expenditure.
- (8) The Association funds shall be used to pay the Executive members or Senate members.

ARTICLE 53 – BANK ACCOUNT

- (1) A bank account shall be opened in the name of the Association with a bank operating in Port Vila, Vanuatu.

- (2) Signatories to the bank account shall be three (3) persons, being:
- (a) The President;
 - (b) the Treasurer; and
 - (c) the Secretary;
- (3) Where one of those signatories is unavailable by being away from Vanuatu, or within Vanuatu but is in the other Islands apart from Efate Island, any other officer of the Association may sign on behalf of the unavailable signatory upon receiving a written consent from the unavailable signatory, authorizing the other officer to sign on his or her behalf.
- (4) The Senate may appoint two or three additional person(s), who may or may not be officers of the Association, to act as signatories if it is likely that, two or three of the signatories will not be available for any significant period.

ARTICLE 54 – ALLOWANCE

- (1) Sitting allowances shall only be paid to:
- (a) The Executive Members who attends Executive meetings;
 - (b) The Senate Member who attends Senate meetings;
 - (c) The Executive Members/Senate Members who represents USPSA Emalus Campus on the USPSA Federal meetings;
 - (d) The Standing Committee members who attends standing committee meetings; and
 - (e) Any ad-hoc committee members who attends ad-hoc committee meetings.
- (2) Upon the Executive approval, Terminal Grant shall be paid to any Committee set up by the Executive upon completion of specific tasks.
- (3) The Executive is entitle to Terminal Grant upon the completion of their Executive term in office.
- (4) All allowances must be approved by the Senate and recommended to the Federal Body for approval.
- (5) The Senate may enact regulation for the determination of allowances.

PART XII FINAL PROVISIONS

ARTICLE 55- ACCESS TO ASSOCIATION RECORDS

- (1) All records, financial, administrative or otherwise, of the Association shall be open to viewing by the student public provided that:

- (a) No student may request to view any document or record that relates to a pending action until such an action is completed;
- (b) Any student who wishes to view any record or document in pursuance of this Article may apply to the Secretary who shall, subject to paragraph (a) above, then allow access to such record or document;
- (c) No original record or document under this Article; and
- (d) Any student who is allowed access to records or document in pursuance of this Article shall bear the full cost of any printing or photocopying of such record or document that he or she may wish to carry out.

ARTICLE 56 - AMENDMENT OF THE CONSTITUTION

- (1) Article 1 including all its sections and subsections in this Constitution can never be amended at a Special General Meeting or at the Annual General Meeting of the Association.
- (2) The rest of this Constitution or any of its provision including its sections and subsections may be amended at a Special General Meeting or at the Annual General Meeting of the Association and or by deliberation, approval and passing of such amendments by the Senate.
- (3) All recommendations for amendments must be endorsed by the Executive Committee before it is tabled in the Senate meeting.
- (4) No amendments shall be effective unless it is voted by a two-thirds majority of the members present and voting at the meeting, and the amendment shall be submitted to the Federal Office to be tabled and endorsed in Federal Council Meeting.
- (5) All amendment passed at the AGM or SGM in compliance with this Article shall immediately come into effect after the endorsement by the Federal Council Meeting unless expressly stated otherwise in the amending Resolution.

ARTICLE 57 – REVIEW OF THE CONSTITUTION

- (1) This Constitution shall be reviewed after every five (5) years commencing from the year it shall come into effect.
- (2) Any amendment will come into full effect in accordance with Article 56.

ARTICLE 58 – REPEAL

Upon coming into effect, the current existing written Constitution is repealed.

ARTICLE 59 – REGULATIONS

- (1) The Student Senate may adopt Regulations which shall not conflict with this Constitution.

- (2) Such Regulations as shall be deemed necessary and proper for the conduct of business may be adopted by a majority vote of the Student Senate.
- (3) Revision, amendment, and repeal of regulations shall require a two-thirds vote of the Student Senate.
- (4) All regulations passed in the Senate must be tabled in the USPSA Federal Council Meeting.
- (3) The Regulations shall come into effect after endorsement by the USPSA Federal Council.
- (4) Notwithstanding the provisions of this Constitution, the Executive Committee may draw up Standing orders for the purpose of conducting the Meetings of the Association and of the Executive Committee.

ARTICLE 60 – FEDERAL BY-LAWS

- (1) In accordance with Article 1, section 4 (a) of this Constitution, all Federal By-Laws shall be part of the laws of the Association.
- (2) Any inconsistency with this Constitution and the Federal By-Laws must be reported to the Federal Office.
- (3) The Executive Committee can make recommendations to enact, amend, or repeal a By-Law to the Federal Office in accordance to the USPSA Constitution or relevant USPSA By-Laws.

ARTICLE 61 - TRANSITIONAL PROVISION

- (1) This 2014 Constitution of USPSA Emalus Campus shall not be enforceable against the current Executive Committee members or any of the student members of the Association until the date it comes into force as recommended by the Executive and endorsed by the USPSA Federal Council.

SCHEDULE 1
LIST OF SUB-BRANCHES
Article 6(4)

The following associations are the inaugural sub-branches of the Association:

- (a) The USPSA Emalus Campus, Malekula sub-branch;
- (b) The USPSA Emalus Campus, Santo sub-branch;
- (c) The USPSA Emalus Campus, Tanna sub-branch; and
- (d) The USPSA Emalus Campus, Torba sub-branch.

SCHEDULE 2
LIST OF PERMANENT AFFILIATES

Article 10(2)

The following student associations are the permanent affiliated bodies to the Association:

- (i) Distance Flexible Learning (DFL) Students Association
- (ii) Federated State of Micronesia (FSM), Marshall Islands and Nauru Law Students Association;
- (iii) Fiji Law Students Association;
- (iv) Kiribati Law Students Association;
- (v) Samoa Law Students Association;
- (vi) Solomon Islands Law Students Association;
- (vii) Tonga Law Students Association;
- (viii) Torani (Tokelau, Cook Islands and Niue) Law Students Association;
- (ix) Tuvalu Law Students Association; and
- (x) Vanuatu Law Students Association.

SCHEDULE 3
CODE OF CONDUCT
Article 16(2)

INTERPRETATIONS – DEFINITIONS

In these Guidelines, unless the context otherwise permits or requires, the following meanings shall be attributed to the words used:

"Association"	refers to the University of the South Pacific Students Association (Emalus Campus);
"Constitution"	refers to the University of the South Pacific Students Association (Emalus Campus);
"Executive"	means those persons prescribed in the University of the South Pacific Students Association (Emalus Campus); mainly the President, Vice President, Treasurer and the Secretary and the 6 Standing Committee Chairpersons;
"Senate"	means USPSA Emalus Student Senate; and
"Senate member(s)"	mean the University of the South Pacific Students Association (Emalus Campus); Senate members which are the Executive Committee Members, chairpersons of Standing Committee and the Senate members that are elected by the second election.

ARTICLE 1: INDEPENDENCE.

Principle

Independence of the Executive body and Senate of the University of the South Pacific Students Association (Emalus Campus) ensures effective leadership and the running of the Association.

Application

- 1.1 An Executive officer and Senate member should exercise his or her function independently free of any extraneous influences, inducements, pressures, threats or interference, direct or indirect, from any member of the Association or affiliated association for any reason.
- 1.2 In performing executive duties, an Executive officer or Senate member should be independent of colleagues in respect of any decisions which a person in his or her position is obliged to make independently.
- 1.3 An Executive or Senate member should encourage and uphold safeguards to maintain and enhance trouble free operations of the Executive team and the Association.
- 1.4 An Executive or Senate member should exhibit and promote high standards of conduct in order to sustain and reinforce confidence in the Executives and the Council, which is fundamental to the maintenance of independence of the Executives and Council.

ARTICLE 2: IMPARTIALITY

Principle

Impartiality is essential to the proper discharge of duties of the Executive office and the Senate. It applies not only to any decision itself that an Executive or Senate member makes but also to the process by which the decision is arrived at. An Executive officer and Senate member shall perform his or her duties, without fear, bias or prejudice.

Application

- 2.1 An Executive or Senate member should ensure that his or her conduct, both in and out of the USP (when under official USPSA Emalus Campus capacity), maintains and enhances the confidence of the members of the Association, the other Executives and Senate members and the Association, in his or her impartiality.
- 2.2 An Executive or Senate member should so conduct himself or herself as to minimize the occasions on which it might be necessary for the Executive or Senate member to be disciplined.
- 2.3 An Executive or Senate member should disqualify himself/herself from participating in any proceedings in which he or she is unable to decide the matter impartially or where it would appear to a reasonable informed observer that the Executive or Senate member is unable to decide the matter impartially. Such proceedings include instances where:
 - 2.3.1 The Executive or Senate member has actual bias for or against a party or any personal knowledge of disputed evidentiary facts in such a proceeding; and
 - 2.3.2 The Executive or Senate member has a personal interest in the outcome of a certain transaction or any form of proceeding that the Association takes part in. Such disqualification of an Executive or Senate member shall not be required if, because of urgent

circumstances, failure to act could lead to a serious consequences for the Association.

ARTICLE 3: INTEGRITY.

Principle

Integrity is essential to the proper discharge of Executive and Senate duties. Effective discharge of duties must not merely be done but must also be seen to be done.

Application

- 3.1 An Executive or Senate member should ensure that his or her conduct is above reproach in the view of a reasonable informed observer.
- 3.2 The behaviour and conduct of an Executive or Senate member must reaffirm the Association members' faith in the integrity of the Executive and the Senate member.

ARTICLE 4: PROPRIETY

Principle

Propriety, and the appearance of propriety, is essential to the performance of all of the activities of an Executive or Senate member.

Application

- 4.1 An Executive or Senate member should freely and willingly accept personal restrictions that might be viewed as burdensome by the ordinary member. In particular, an Executive or Senate member should conduct himself/ herself in a way that is consistent with the dignity of an Executive or Senate member.
- 4.2 An Executive or Senate member should, in his or her personal relationship with members of the Association, avoid situations which might give rise to a reasonable suspicion of favoritism or partiality.
- 4.3 An Executive or Senate member should not influence the determination of a disciplinary case against a student who is being disciplined with which the student is a close colleague or friend.
- 4.4 An Executive or Senate member is also entitled to freedom of expression and opinion but in exercising such rights and freedom; an Executive or Senate member should always maintain and preserve the dignity of the Association and the impartiality and independence of the Executives and Senate.
- 4.5 An Executive or Senate member should be reasonably informed and knowledgeable about the interests of members of the Association.
- 4.6 Confidential information acquired by an Executive or Senate member in his or her official capacity must not be used or disclosed for any purpose unrelated to his or her official duties.
- 4.7 Subject to the proper performance of one's official duties, an Executive or Senate member may:
 - 4.7.1 Participate in activities concerning the Association such as the administration and overall running of the Association;

- 4.7.2 Assist any affiliated body of the Association in maintaining active participation and cooperation;
- 4.7.3 Serve as a member of an official body, or other USPSA commission, committee or advisory body, if such membership is not inconsistent with the perceived impartiality and neutrality of an Executive or Senate; or
- 4.7.4 Engage in other activities if such activities do not detract from the dignity of the Executive office or Senate or otherwise interfere with the performance of one's official duties.
- 4.8 An Executive member or Senate member should neither ask for, nor accept, any gift, bequest, loan or favor in connection with the performance by the officer, of his or her official duties.
- 4.9 An Executive or Senate member should not permit other Executives or Senate members and members of the Association subject to his or her influence, to ask for, or accept, any gift, bequest, loan or favor for the performance of his or her official duties.
- 4.10 Subject to the Constitution to any requirements of public disclosure to members of the Association, an Executive or Senate member may receive a token gift, award, or benefit as appropriate to the occasion on which it is made provided that such gift, award or benefit is unrelated to the actual performance of official duties.

ARTICLE 5: DISCIPLINE

Principle

Discipline is vital for any Executive or Senate member in order to maintain effective official duties and appropriate standards of behaviour that is expected of an Executive and Senate member.

Application

- 5.1 An Executive or Senate member should ensure that when carrying out his or her official duties that he or she must behave in a manner that is expected of an Executive or Council member.
- 5.2 An Executive or Senate member should not do anything that is contradictory to the Constitution that would affect his or her integrity.
- 5.3 An Executive or Senate member must always maintain composure and discipline when carrying out official duties, such as conducting any Association meetings, participating in Association activities and such other activities that an Executive or Senate member is involved in.
- 5.4 An Executive or Senate member must not use his/ her position for his or her own interest or personal gain.
- 5.5 An Executive or Senate member shall refrain from any activity that shall prejudice the Association or its members such as:
 - 5.5.1 Misuse of Association funds;
 - 5.5.2 Disclosing certain confidential information that would lead to Association fallout and breakdown;
 - 5.5.3 Executives or Senate members being drunk and disorderly within the USP compound; and

- 5.5.4 Executives or Senate members getting involved in brawls within and outside of USP when under official USP capacity.
- 5.6 The Disciplinary Committee shall be responsible for carrying out disciplinary matters against any Executive or Senate or member of the Association that contradicts such provisions provided in the Constitution and this Code of Conduct.
- 5.7 The Disciplinary Committee shall make sure that such universal principles of resolving disputes:
 - 5.7.1 A member or a member occupying posts that is to be disciplined should first be informed of the charge that is he or she is being charged with;
 - 5.7.2 That member or member occupying posts should be given a chance to respond to the charges;
 - 5.7.3 That member or member occupying posts should be given a fair trial by the Discipline Committee; and
 - 5.7.4 That member or member occupying posts should be given a chance to defend himself or herself.

ARTICLE 6: EQUALITY

Principle

Ensuring equality of treatment to all members of the Association is essential to the due performance of the Executives and Senate.

Application

- 6.1 An Executive or Senate member should be aware of and understand, diversity in society and differences arising from various sources, including but not limited to sex, religion, culture and traditions, disability, age, marital status, sexual orientation, social and economic status and other like causes.
- 6.2 An Executive or Senate member should not, in the performance of his or her official duties, by words or conduct, manifest bias or prejudice towards any person or group on irrelevant grounds.
- 6.3 An Executive or Senate member should carry out his or her duties with appropriate consideration for all persons, members of the Association and students of USP as a whole, without differentiation on any irrelevant ground.
- 6.4 An Executive or Senate member should not permit other Executive officers or Senate members or members of the Association subject to the Executive officer's influence, to differentiate between persons concerned in any matter especially disciplinary matters, on any irrelevant ground.

ARTICLE 7: COMPETENCE AND DILIGENCE

Principle

Competence and diligence are crucial to the due performance of the Executive office.

Application

- 7.1 An Executive or Senate member should devote any activity that he or she participates in to mostly official duties, which include not only the performance of Executive or Senate functions and responsibilities such as the making of decisions, but also other tasks relevant to the Executive office or Senate.
 - 7.2 An Executive or Senate member should take reasonable steps to maintain and enhance his/her knowledge, executive/leadership skills and personal qualities necessary for the proper performance of Executive and Senate duties.
 - 7.3 An Executive or Senate member should perform all official duties, including the delivery of any decision, efficiently, fairly and with reasonable promptness.
 - 7.4 An Executive or Senate member should maintain order and decorum in all proceedings in any Association meeting and should be patient, dignified and courteous towards other Executives, Senate members and members of the Association and other persons in the USP community whom the Executive or Senate member deals with either in an official or non-official capacity. An Executive or Senate member shall require similar conduct from other Executives, Senate members and members of the Association who are subject to his or her influence.
 - 7.5 An Executive or Senate member should not engage in conduct incompatible with the diligent discharge of his or her official duties.
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SCHEDULE 4A
ELECTED REPRESENTATIVES SENATE MEMBERS

Article 31(b)

- (a) 4 student year representatives from the Faculty of Law;
- (b) 1 Representative from the Preliminary Program;
- (c) 1 Representative from the Foundation Program;
- (d) 1 Representative from the Undergraduate Program;
- (e) 1 Representative from the Postgraduate Program;
- (f) 1 Representative from the Residential students; and
- (g) 1 Representative from the Non Residential students.

SCHEDULE 4B
SENATE MEMBERS TO BE ELECTED BY THEIR OWN STUDENT ASSOCIATIONS
Article 31(c)

- (a) Nine representatives from each of the permanent affiliated bodies or law students association:
- (i) Distance Flexible Learning (DFL) Students Association
 - (ii) Representative from the Fiji Law Students Association;
 - (iii) Representative from the Kiribati Law Students Association;
 - (iv) Representative from the Federated States of Micronesia, Marshall Islands and Nauru Law Students Association;
 - (v) Representative from the Samoa Law Students Association;
 - (vi) Representative from the Solomon Islands Law Students Association;
 - (vii) Representative from the Tonga Law Students Association;
 - (viii) Representative from the Torani (Tokelau, Cook Islands and Niue) Law Students Association;
 - (ix) Representative from the Tuvalu Law Students Association; and
 - (x) Representative from the Vanuatu Law Students Association.

SCHEDULE 4
MEMBERS AND FUNCTIONS OF EACH STANDING COMMITTEES
Article 39(1)

(1) FINANCE COMMITTEE

(1)The members of the Finance Committee shall comprise:

- (a) The Treasurer of the Association to be the Chairperson;
- (b) One (1) secretary;
- (c) One (1) treasurer; and
- (d) Two (2) members.

(2)The Roles and Functions of the Finance Committee are as follows:

- (a) Provide a general statement on the Income and Expenditure of the Association;
- (b) Preparing of a Monthly Report of the Association's financial activities which shall be presented at every 3rd Executive Meetings;
- (c) Providing an overview on general use of funds for strategic, operational use and so on and so forth;
- (d) Provide an analysis of the use of funds by the current executive committee;
- (e) Provide a Financial Report to include a fully endorsed association budget by Senate;
- (f) Formulate or raise any finance committee issue that is affecting the Association with possible recommendations; and
- (g) Undertake any task that the Committee shall deem to be necessary and appropriate for the Finance Committee to undertake.

2) PUBLIC AND INTERNATIONAL RELATIONS COMMITTEE

(1)The members of the Public and International Relations Committee shall comprise:

- (a) The Chairperson;
- (b) The secretary;
- (c) The treasurer; and
- (d) Two (2) members

(2)The Functions of the Public and International Relations Committee are as follows:

- (a) Establishing and maintaining community awareness of the work of the Association and the University through media;
- (b) Dissemination of information throughout the Campus network and to other centers concerning the Activities of the Association;
- (c) Undertake any task that the Chairperson shall deem to be necessary and appropriate for the Public and International Committee to undertake.

- (d) Providing of a report to the Senate on all the matter that the Public and International Committee have engaged in during the Semester.

3) ACADEMIC COMMITTEE

(1)The members of the Academic Committee shall comprise:

- (a) The Chairperson;
- (b) The secretary;
- (c) The treasurer; and
- (d) Two (2) members

(2)The Functions of the Academic Committee are as follows:

- (a) To inform and update the Executive on academic issues or matters relating/affecting the academic performance of students on the following:
 - (i) DFL issues and any other issues that relates to DFL thereto;
 - (ii) Library Services and any other issues that relates thereto;
 - (iii) University Bookshop;
 - (iv) University Staff conduct;
 - (v) ICT services;
 - (vi) SASS;
 - (vii) Overall academic standards and quality committee matters and any other issue relates thereto; and
 - (viii) Other academics issues/matters as deemed necessary and appropriate by the committee.
- (3) The Committee shall at the expectation of the Executive provide a full comprehensive report on the issues with recommendation on their findings.
- (4) When necessary or appropriate, the Committee may raise to the Executive additional academic services required to advance students' academic performance.

4) SOCIAL COMMITTEE

(1)The members of the Social Committee shall comprise:

- (a) The Chairperson;
- (b) The secretary;
- (c) The treasurer; and
- (d) Six (6)members

(2)The Functions of the Social Committee are as follows:

- (a) Promote as it considers appropriate the social welfare of Association members;
- (b) Responsible for undertaking the organization of sporting, social, cultural, and recreational activities of the Association;
- (c) Provide reports on all the social activities undertaking during the year;
- (d) Promotion of such activities as it considers appropriate for the benefit of the community at large particularly charitable organizations and non-government organizations;

5) STUDENT WELFARE COMMITTEE

(1) The members of the Student Welfare Committee shall comprise:

- a) The Chairperson;
- b) The secretary;
- c) The treasurer; and
- d) Two (2) members

(2) The functions of the Student Welfare Committee are as follows:

- (a) To inform and update the Executive on students' welfare issues or matters relating/affecting the welfare of students on the following University services:
 - (i) Accommodations;
 - (ii) Dining hall;
 - (iii) Medical;
 - (iv) Recreational;
 - (v) Security; and
 - (vi) Car Park

(3) The Committee shall at the expectation of the Executive provide a full comprehensive report on the issues with recommendation on their findings.

(4) When necessary or appropriate, the Committee may raise to the Executive additional students' welfare services that may be required.

6) RELIGIOUS COMMITTEE

(1) The members of the Religious Committee shall comprise:

- (a) The Chairperson;
- (b) The religious committee secretary;
- (c) The religious committee treasurer; and
- (d) Two (2) committee members; and
- (e) One (1) member to be appointed by the Executive of the Campus Christian Fellowship.

(2) The functions of the Religious Committee are as follows:

- (a) Organize all religious activities of the Association and all the matters that relates thereto (e.g. Organizing of the USPSA Emalus Prayer service including refreshments, conducting of prayer service and etc...); and
- (b) Providing a report to the Executive Committee on all religious activities undertaken by the Religious Committee on behalf of the Association.