THE UNIVERSITY OF THE SOUTH PACIFIC

STUDENTS' ASSOCIATION

TONGA CAMPUS

USPSA-Tonga

CONSTITUTION

INTERPRETATION

Annual General Meeting (AGM)	means the Annual General Meeting of USPSA Tonga Campus.
Association	means the University of the South Pacific Students Association Tonga Campus as established by this constitution.
By-Laws	means any resolutions, by-laws or standing orders made by the USPSA Council.
Election	means the process of electing Officers and Executive Committee Members of the Association.
Executive Committee	means the Governing body of the association that which looks after the daily running of the Association on day to day basis. It consists of the duly elected President, Vice-President, Secretary, Treasurer and the five [5] Executive Committee members.
Federal Office/Secretariat	means the Secretariat of the USPSA Council, which is the administrative centre of the USPSA and all its branches, situated at USP Laucala Campus in Suva, Fiji.
Federal Council	means the USPSA Council which is the highest governing body of the Students' Association.
Member	means a financial member of the Association as defined by Article 3(1) of this Constitution.
Officer	means any of the President, Vice President, Secretary and Treasurer of the Association.
President	means the duly elected President of the Association.
Prescribed subscription	means the subscription fees for membership of the Association as set and varied from time to time by the USPSA Council.
Quorum	refers to the number of member required being present for any meeting of the Association to officially convened pursuant to this Constitution.

Regulations	means any regulation made by the USPSA Federal Council pursuant to its power under the USPSA Constitution.
Returning Officer	means the person appointed by the USPSA under Article 18 of this Constitution, who is charged with the responsibility of conducting elections.
Secret Ballot	means the election system whereby each voter is given a ballot paper, for the purpose of secretly writing on it the name of his or her candidate of choice before casting his/her vote.
Secretary	means the elected Secretary of the Association.
Secretary General	means the Secretary General of USPSA appointed by the USPSA Council.
Special General Meeting	means at Meeting of the Association called for a specific purpose at any time under the provisions of this Constitution .
Student	means any full time or part time student, enrolled at the University and any of its Campus.
Tenure	means the period of time which a position lasts or the term of office for any elected Officer, Chairperson or any elected Representative.
Treasurer	means the duly elected Treasurer of the Association.
University	means The University of 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, Fiji.
USPSA	means the University of the South Pacific Students' Association (USPSA) as created by the USP Council via an ordinance to represent all students enrolled at the University.
Vice President	means the duly elected Vice President of the Association.

ARTICLE 1- ESTABLISHMENT OF A STUDENT ASSOCIATION

(1) There shall be within **The University of The South Pacific's Tonga Campus**, a Student Association.

(2) The name of the Association SHALL BE "**THE UNIVERSITY OF THE SOUTH PACIFIC STUDENTS' ASSOCIATION- TONGA Campus"**, herein after referred to as **USPSA-Tonga.**

(3) This Association shall be a Brach of the main Students' 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. Thus the USPSA-Tonga is obliged to : -

a) Observe the Constitution of the USPSA, By Laws, Standing Orders and resolutions.

b) Take part in the activities of USPSA and all its work or its bodies.

c) Financially contribute to the maintenance and operation of the USPSA by paying membership dues to the USPSA.

ARTICLE 2 – OBJECTIVES

(1) The Association shall have the following objectives:-

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 objective;

e) Promote such activities as it considers appropriate for the benefit of the community at large particularly charitable organization and Non-Government Organization;

f) Making representatives to the USPSA Federal Council or other relevant bodies of the USPSA Federal Council on any matter or issue affecting its members ;

g) Articulating and implementing policies, positions or statements on academic, social and other issues of concern to its members;

h) Investing such of its money and funds in any investment approved by the USPSA Federal Council;

i) Fostering communication between students of the University through print and electronic media;

j) 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 of the USP Tonga Campus and the area of its jurisdiction upon payment of the prescribed subscription shall qualify for membership of the Association, and payment of such subscription shall be evidence of the membership.

ARTCLE 4 – SUBSCRIPTION

(1) Every student shall pay the prescribed subscription fee at the commencement date of the first registering with USP Tonga Campus. This fee will be an Annual subscription of the fee for every student who registers with The University of the South Pacific. *(refer to the Campus Fee Schedule applicable)*

(2) The prescribed subscription shall be paid to and collected by the University in trust on behalf of the Association at the commencement of each semester or first registration.

(3) The prescribed subscription may be varied by USPSA Federal Council in Consultation with the University Council.

ARTICLE 5 – OFFICERS

(1) There shall be a President, Vice President, Secretary and Treasurer who shall comprise the Officers of the Association and who shall be elected by its members in accordance with this Constitution.

(2) The Officers shall to the exclusion of any person be authorized signatories of the Association's bank accounts:

(a) Any Payment made must bear the Signatures of the Treasurer and the Campus Director of USP Tonga.

(b) In the absence of the Treasurer due to suspension, resignation, the President shall sign jointly with the said signatories until the suspended Treasurer returns to office or a new Treasurer takes office whichever the case may be.

ARTICLE 6 – EXECUTIVE COMMITTEE

(1) There shall be a Governing Body of the Association known as the Executive committee which shall run the Association on day-to-day basis.

(2) The Executive Committee shall be accountable to the 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

(3) The members of the Committee shall be the President, Vice President, the Secretary and the Treasurer and five [5] Executive members elected in an Annual General Elections.

ARTICLE 7 – EXECUTIVE COMMITTEE MEETINGS

(1) The Executive Committee shall meet in the week immediately preceding each Semester enrolments and thereafter it is expected to meet regularly at least once every two weeks during each Semester.

(2) All meeting of the Executive Committee may be convened by the President, the Secretary, 1 Executive Committee member or any 2 Executive members plus one (1) Officer.

(3) All matters discussed in the Executive Committee meeting shall be recorded in Minute form by the Secretary or in his/her absence, anyone appointed by the Executive Committee as assistant Secretary.

(4) All minutes of the Executive Committee meetings shall be sent to the Federal Office for record keeping and for purposes of approving allowances of Officers and Executive Committee members of USPSA-Tonga.

ARTICLE 8 – POWER OF THE EXECUTIVE COMMITTEE

(1) The Executive Committee shall, without limiting its general power, have the following powers;

(a) Formulating recommendations concerning the Association activities;

(b) Establishing such committees, it considers appropriate to facilitate the objects of the Association;

(c) Approving the Association Budget;

(d) Applying for funds from USPSA for purposes of the Associations projects;

(e) Establishing any committee as may from time to time deem necessary and may by regulation define the powers and functions of all such committees;

(f) Recommending any changes in membership of the Tonga Campus fee to the USPSA Federal Council;

(g) Appointing representatives to the USPSA Federal Council and selecting members to attend seminars, tour or meetings whosesoever's held on behalf of the Association;

(h) 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 Executive Committee;

(i) Requesting and collecting written reports from representatives or undertaking on which the Association is represented;

(j) Requesting and collecting written reports from representatives or delegates representing the Association on any seminar, tour, delegation or meeting;

(k) Acting as a disciplinary body or to appoint a committee, this shall act as disciplinary body to deal with disciplinary cases involving its members;

(l) Approving funds for entertainments purpose for visiting dignitaries or as the Executive Committee sees fit.

ARTICLE 9 – THE LEADERSHIP CODE

(1) Officers and Executive Committee members shall;

(a) Be committed to the interests of the Association at all times;

(b) Not hold any position in other organization affiliated to the Association

(c) Take decisions solely in terms of the interests of the Association;

(d) Administer the Association's resources in an efficient and effective manner;

(e) Not place themselves under any obligation, financial or otherwise, that might influence or prejudice the proper performance of their duties;

(f) Be attentive, fair and impartial in the performance of their duties

(g) Be accountable for their actions or omissions to the Association through appropriate mechanisms; and

(h) Not mislead the Association

ARTICLE 10 – GENERAL DUTIES OF OFFICERS

(1) Officers Shall not behave in any way that

(a) Demeans their respective offices or the Association'

(b) Diminishes their official integrity;

(c) Leads to doubt as whether they are complying with their duties; and

(d) Diminishes respect for and confidence in the integrity and reputation of the Association.

ARTICLE 11 – CONFLICTS OF INTERESTS AND DISQUALIFICATIN OF OFFICERS

(1) Officers and Executive Committee shall;

(a) Not use their respective tenures or office for the advancement of their own interest;

(b) Disqualify themselves from decision making if they become aware that there is a likelihood that conflict could arise between their private interests and their duties towards the Association.

(c) Not use Association property, services or information, acquired or available in the course of their tenure in office, for activities unrelated to those duties ; and

(d) Not hold any interest in any contract or financial arrangement to which the Association is party.

ARTICLE 12 – TENURE OF OFFICE AND TERMINATION

(1) An Officer or an Executive Committee Member shall remain in Office until the Elections but shall cease to hold office, and the office shall be declared vacant, upon the occurrence of any of the following events;

(a) Death;

(b) Suspension or removal by the USPSA Federal Council under the provision of this Constitution;

(c) Resignation;

(d) In the event that he/she is no longer a student; or

(e) That a vote of No Confidence motion is passed against the said Officer or an Executive Committee Member in a special general meeting held for the purpose with 2/3 majority present;

(f) The USPSA Federal Council to have found the Alleged guilty of a breach of the Leadership Code of this Constitution and is accordingly removed by the Federal Council resolution for such breach.

(2) Any Officer or Executive Committee Member of the Association may resign at any time by giving notice in writing to the Secretary who shall notify the Executive Committee of the same. Provided that such resignation shall only become effective upon acceptance by the executive Committee Members.

(3) The Secretary of the Association may resign at any time by giving notice in writing to the President or Vice President who shall notify the Executive Committee of the same. Provided that such resignation shall only become effective upon acceptance by the Executive Committee Members.

ARTICLE 13- 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 function;

(a) Chair meetings of the Council including General Meeting and the Annual General Meeting;

(b) Chair any committee in the absence or unavailability of its substantive chair;

(c) Carry out any other duties that be required of him/her from time to time by the Executive Committee or the USPSA Federal Office;

(d) Attend the USP Tonga Campus Advisory Board meetings;

(e) To report to the Tonga USP Director of any relevant information required;

(f) Liaise between the Association and the Campus Management on any matter of importance to the students.

ARTICLE 14 – THE VICE PRESIDENT

(1) There shall be a Vice President of the Association

(2) The Vice President shall have the following functions;

  (a) Assisting the President in Policy making;

  (b) Responsible for the student Almanac or Calendar;

  (c) Responsible for all matters related to the use, maintenance and management of the Association's Assets and facilities and keeping proper records of such usage;

  (d) Such other duties that may be assigned to him from time to time by the President or the Executive Committee.

(3) In the absence of the President from Office or in the event that s/he is unable by reason of illness or other contingency unable to discharge his duties, the Vice President shall be entitled to act in such position provided that should the Vice President exercise such power that are ordinarily conferred upon the President under this Constitution for a period longer the 14 days, approval of the Executive Committee must obtained.

ARTICLE 15- 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 under the immediate supervision of the USPSA Federal and one of the USP Tonga Campus Staff, and to satisfaction of the Executive Committee, shall be responsible for:

  (a) Maintaining accurate and proper books of account of the Association according to international accepted accounting principles, practices and standard.

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

  (c) Making recommendations on the appropriate respond of the Association with regards to such initiative referred to as aforesaid.

  (d) Liaising with the USPSA Federal under USPSA Financial By-Law and regulations and ensuring the accounts are proper audited.

  (e) Issuing proper receipts for all moneys received to the satisfaction of the USPSA Federal.

  (f) Making reimbursement from the funds of the Association against proper account or voucher for such matter as are approved by the Executive Committee.

  (g) Presenting a monthly report of the Association's financial activities with a recent bank statement attached showing the Association's current balance at every 3rd Executive Committee 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/her duties.

(i) Carrying out such other duties as may be assigned to him/her by the President or the Executive Committee

(j) The treasurer shall be the compulsory person to sign any payment

ARTICLE 16 – 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 function 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 the Executive Committee members and other representative of the Association to the USPSA Federal Council.

(d) Preparation and following up all correspondence of the Association.

(e) Ensure that reports are prepared and submitted by the respective officers. Executive committee members to the relevant bodies;

(f) Carry out any duties as may be assigned to him/her from time to time by the Executive or the President

(g) Distribute copies of the Association's Constitution, monthly Financial Reports, and Semi or Annual Audit reports to the members upon request.

(h) Disseminate vital contact information about "who's who" at USPSA-Tonga to all Members.

(3) The Secretary shall be elected in the annual general election of the association by the members

ARTICLE 17 – THE GENERAL ELECTIONS

(1) There shall be an election of the Association, known as the General Elections which shall be held Annually each year

(2) The General Election is to elect the Officers of the Association and the 5 Executive Committee Members; this shall be held within the first three (3) weeks after Mid Semester break in semester two of every year.

(3) All members of the Association described in Article 4 and 4 this constitution have the right to vote.

ARTICLE 18 - RETURNING OFFICER

(1) The USPSA Federal Secretariat based in Laucala, Suva Fiji may from time to time appoint, in consultation with the Executive Committee, a Returning Officer.

(2) The Returning Officer shall have exercise the power and duties conferred on him or her by this constitution and the USPSA Elections by-laws.

ARTICLE 19 – TERM OF OFFICE

(1) The term of office of those elected at the General Election shall be as set out in respect of each office or post in this Constitution.

ARTICLE 20 – ELIGIBILITY OF CANDIDATES

(1) Every current member of the student body is eligible to be a candidate for the General Elections.

ARTICLE 21 – NOMINATIONS

(1) Any person who is a member of the Association may with his or her consent be nominated as a candidate for either the First Election by other members in accordance with the rules in this Constitution

(2) Every nominated shall be made in writing to the Returning Officer on or before the date of be fixed by him or her and shall be posted on the Association Notice Board not less than seven (7) days before the date of the election

(3) No member many nominate more the one candidate

(4) No member shall consent to more than one nomination as a candidate at any one election

(5) Every nomination paper must bear signature of the nominee to show his or her consent to being his/her nomination.

(6) The Returning Officer shall reject the nomination of any candidate if;

   (a) The nomination paper is not lodge with him or her at the date time fixed by the returning Officer;

   (b) The nomination is not signed by the prerequisite persons (nominator and seconders) required for each type of election as set in USPSA Elections by-laws;

   (c) The nomination paper does not bear signature of the nominee as required by section 5 of this Article.

ARTICLE 22 – SPECIAL RULES FOR EACH ELECTION

(1) Special rules shall be made as deemed necessary by the Returning Officer after approval from the Secretary General.

(2) All such special rules shall be consistent with the USPSA Elections-by-laws.

ARTICLE 23 – UNOPPOSED AND FRESH NOMINATIONS

(1) If any one candidate is nominated for any position either at the General Elections, the returning Officer shall declare that be duly elected to that position.
(2) The General Election shall be conducted by way of secret ballots provide for the purpose of such elections
(3) During voting, each voter, have received a ballot paper, shall secretly exercise his/her vote by making his/her ballot paper by placing a tick beside the name of his/her candidate of choice.
(4) Postal and proxy voting is permitted and shall be allowed at the sole discretion of the Returning Officer whose decision shall be binding and final.

ARTICLE 24 – ELECTION RULES AND POST-ELECTION RULES

(1) The Returning Officer shall be primarily responsible for the counting of the votes and shall, with two (2) days of the close of any election; or at the same day post the Office results of the said election on the Association's Notice Boards.
(2) The returning officer shall secure all ballot boxes after the official count to prevent any tampering while petitions or appeals (if any) are pending.
(3) There shall be a general administrative handing over of the Office of the Association from the Outgoing Officers to the newly elected Officers on the Monday following the Election.

ARTICLE 25 – ANNUAL GENERAL MEETING (AGM)

(1) The Annual General Meeting shall be the highest authority and policy making body for the Association only secondary to the USPSA Federal Council.
(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 Motion tot eh secretary three (3) days before the Annual General Meeting.
(5) The quorum for the Annual General Meeting shall be one third of registered members confirming attendance. Attendance numbers should be received by the Secretary two (2) days before the Annual General Meeting.
(6) The President shall chair every Annual General Meeting.

(7) In the event that the President and Vice President are absent, the Annual General Meeting may appoint an interim chairperson from among the members to chair the Annual General Meeting.

ARTICLE 26 - Proceeding 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 25, including any other Motion the Notice of which has been given in accordance with section (4) of Article 25, 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 Associations 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 29 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 that relevant decision shall be put to 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 reduces to writing and shall for all purposes be deemed as a Resolution made and endorsed by the Association as such.

ARTICLE 27 - SPECIAL GENERAL MEETING (SGM)

(1) The Secretary shall convene a Special General Meeting at any time if;
   (a) The President so instructs;
   (b) The Executive Committee so decided with a 50 plus 1 percent vote;
   (c) At least 2/3 of the members of the Association submit a written request for a such meeting;

(d) At the directive of the Secretary General.

(2) Any Special General Meeting convened pursuant to section (1) of this Article shall be called no more than seven (7) days of the receipt of the instruction of the President, 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 that are listed on the Agenda referred to it in the preceding section.

(5) The quorum of any Special General Meeting shall be one third of registered members confirming attendance 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/her absence the Vice President; shall chair every Special General meeting.

(7) In the event that the President and Vice President are both absent, or are both disqualified from chairing (Under Section (8) and (9) of this Article), the members present at the Special General Meeting any appointed an Interim-chairperson from their numbers to chair that meeting.

(8) Where the Object of the Special General Meeting is move a vote of No-Confidents in any other 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.

(9) Where the object of the Special General Meeting is to move a vote of No-Confident in any other incumbent Officer (other than the President) of the Association, That Officer shall be deemed to be disqualified from Chairing that Meeting.

(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 the members present and voting.

Article 28 - ACESS TO ASSOCIATION RECORDS

(1) All records, financial, administrative or otherwise, of the Association shall be open to viewing by the students public provide that;

(a) no student may request to view any document or records that is related 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) any student who allowed access to records or documents 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 29 – AMENDMENT OF THE CONSTITUTION

(1) Article 1 including all its sections and subsections and Article 29 (1) 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 (SGM) or at the Annual General Meeting (AGM) of the Association.

(3) Every Proposed amendment along with the signature of the person submitting such proposal and his/her Seconder must be posted on the Association's notice boards no less than one (1) week before the date of the Meeting in which that amendment proposal is to be considered.

(4) No amendments shall be effective unless it is voted by a two-thirds majority of the members present and voting at the Meeting.

(5) Notwithstanding the provision of this Constitution, The Executive Committee may draw up standing Orders for the purpose of conducting the meeting of the Association and of the Executive Committee.

(6) All amendment passed at the AGM in compliance with this Article shall come into effect immediately unless expressly stated otherwise in the amendment Resolution.

(7) All amendments that have been passed must be communicated to the Secretary General immediately after the conclusion of the AGM or SGM.

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