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1. PRELIMINARIES

1.1. Name

1.1.1. The Association shall be known as the 'University of Wollongong Undergraduate Students' Association' (WUSA).

1.2. Definitions in this Constitution:

1.2.1. 'Council' shall refer to the governing body of the Association.

1.2.2. 'Representative' shall refer to any elected member of the Council.

1.2.3. 'Executive' shall refer to the Council executive.

1.2.4. 'Members' shall refer to the members of the Association.

1.2.5. 'Students' shall refer to Undergraduate Students enrolled at the University of Wollongong

1.2.6. 'University' shall refer to the University of Wollongong.

1.2.7. 'University Council' shall refer to the governing Council of the University of Wollongong.

1.2.8. 'Association Meeting' shall refer to all WUSA meetings.

1.2.9. 'Council Meeting' shall refer to meetings of the Council at which voting is limited to Representatives.

1.2.10. 'Open Meeting' shall refer to any meeting not held in camera.

1.2.11. 'Simple Majority' shall refer to a half plus one when there is an even number of voters or more than half when there are an odd number of voters.

1.2.12. 'General Election' shall refer to an election of Representatives where all positions other than the Queer Representative and Indigenous Representative are available for nominations.

1.2.13. 'Financial year' shall refer to a calendar year.

1.2.14. 'Association Collectives' shall refer to the collectives addressing events, education, media, welfare, women's, environment, queer, Indigenous, international, disabilities and global solidarity issues as facilitated by their respective representatives on Council.

1.3. Interpretation

1.3.1. Any dispute regarding the interpretation of the constitution shall be settled by a simple majority vote of the WUSA council.

2. OBJECTIVES

2.1. The purpose of the Association is to play an active role in defending and promoting the interest and welfare of its members and all Students by:

(a) Providing advocacy for all Students (limited to the resources provided by the University for this purpose).

(b) Campaigning to defend and extend the rights of its Members within the University and the community.

(c) Facilitating and nurturing existing and potential Association Collectives.

(d) Providing access for all Students of the University, regardless of their Membership status, to Association Collectives, whilst recognizing the right of collectives addressing women's, queer and Indigenous issues to restrict access to women, queer and Indigenous Students respectively.

(e) Seeking to increase the Association's membership and build the environment and social justice movements through education and campaigning.³ Wollongong Undergraduate Student Association Constitution 2013

3. MEMBERSHIP

3.1. Admission to Membership

3.1.1. A person shall be eligible to be admitted as a member of the Association the person is an enrolled undergraduate student of the University of Wollongong.

3.1.2. All persons seeking membership of the Association may be required to pay a standard membership fee as determined by the Council.

3.1.3. The Council may determine other membership fee policies as required.

3.2. Cessation of Membership

3.2.1. A person ceases to be a Member of the Association if the person ceases to be an enrolled undergraduate student of the University.

3.2.2. A person ceases to be a Member of the Association if the person ceases to pay a required membership fee.

3.2.3. Membership to the Association shall last from between January and December of any given year. If not renewed, Membership to the Association shall cease by 31st March of any given year.

3.3. Members' Entitlements

3.3.1. WUSA Members shall have the right to:

(a) Participate in, vote, move and second motions at any General Meeting of the Association.

(b) Attend any Open Meeting of the Council.

(c) Access Association facilities and services subject to this Constitution and Regulations.

3.4. Disputes between Members

3.4.1. In the event of a dispute arising between Members, in their capacity as Members, or between Representatives, each party will name representatives, who are not involved in the dispute, to settle the dispute by negotiation.

3.4.2. If no resolution occurs within fourteen (14) days (or such other period as the representatives of each party may agree upon) the dispute shall be referred to a person mutually agreed upon for mediation.

3.4.3. In the event that no person can be agreed upon to mediate the dispute, it will be referred to the Academic Registrar.

3.5. Register of Members

3.5.1. The Executive shall establish and maintain a register of Members specifying the name, address, email address and student identification number of each Member.

3.5.2. The register of Members shall be kept at the principal place of administration of the Association and shall only be used to verify the membership status of people claiming membership entitlements and official correspondence between the Association and its membership.

3.5.3. The Executive shall comply with privacy legislation and the privacy policies of the University. The Executive shall ensure that the register is not used for any purpose other than that provided for by this Constitution and Regulations.

4. THE COUNCIL

4.1. Powers

4.1.1. The Council may act on the Association's behalf by:

- (a) Creating working groups and collectives to assist in carrying out its objectives.
- (b) Employing staff on behalf of the Association to assist in carrying out its objectives.
- (c) Entering into contracts for the duration of the financial year.
- (d) Doing all such things it considers necessary for the proper management of the affairs of the Association in accordance with the Association's objectives.

4.1.2. Further powers and responsibilities of the Council shall be defined in detail in the Council's Standing Orders, Regulations and Policies.

4.2. General responsibilities of Representatives

4.2.1. Each Representative shall be responsible for:

- (a) Following the direction of the WUSA Council.
- (b) Reporting to the Council on issues faced by the Association specific to their position.
- (c) Liaising with the University and other bodies concerning issues specific to their position.

- (d) Assisting with the creation and review of Regulations and policies.
- (e) During session, assisting with the running of the Association offices and services as determined by Council.
- (f) Ensuring that their personal contact details are accurate.

4.2.2. Each Representative shall be held accountable to the WUSA Council.

4.3. Composition and specific responsibilities

4.3.1. The Council shall consist of the following Representatives:

4.3.1.1. President who shall be responsible for:

- (a) At Association Meetings, chairing or ensuring that a replacement chair is elected by the meeting.
- (b) Being a signatory to the release of the Association's funds.
- (c) Presenting a report for all council meetings.
- (d) Keeping Association employees informed of Association activities.
- (e) Delegating responsibility to Association employees.
- (f) Acting as spokesperson for the Association, subject to the will of the WUSA Council.

4.3.1.2. General Secretary who shall be responsible for:

- (a) Acting as a minute secretary at all Association Meetings subject to the Standing Orders.
- (b) Archiving accurate minutes for all Association Meetings.
- (c) Distributing meeting notices, copies of the agenda and minutes to all Representatives.
- (d) Distributing copies of the minutes and meeting notices on the Association's website.
- (e) Distributing meeting notices on official notice boards.
- (f) Distributing meeting notices of General Meetings to all Members.
- (g) Tending to the Association's correspondence, as directed by the Council.
- (h) Maintaining an accurate record of attendance of representatives for all Association meetings.
- (i) Assisting the President in their role.
- (j) Acting as President should the President be unable to.

4.3.1.3. Treasurer who shall be responsible for:

- (a) Overseeing and scrutinising financial reporting undertaken by the Association, the University or external bodies, on behalf of the Association.

(b) Ensuring that all funds can be accounted for and overseeing all financial matters relating to the Association.

(c) Ensuring that all financial records are available for inspection by members.

(d) Preparing an annual budget in consultation with Representatives and staff and presenting this budget at the first Council Meeting.

(e) Providing financial reports to the WUSA Council as requested.

(f) Being a signatory to the release of the Association's funds.

(g) Being responsible for the Association's financial correspondence.

(h) Acting as President should the President and General Secretary be unable to do so.

4.3.1.4. Education Officer/Assistant Secretary who shall be responsible for:

(a) Coordinating campaigns that aim to influence University and Government policies affecting Students in their capacity as Students.

(b) Liaising with relevant education groups in running campaigns.

(c) Acting as President should the President, General Secretary and Treasurer be unable to do so.

(d) Assisting the General Secretary in their role.

4.3.1.5. Tertangala Coordinator who shall be responsible for:

(a) Coordinating the production of the student magazine, The Tertangala.

(b) Coordinating an online presence for the Tertangala.

(c) Working with the Executive Committee, particularly the President and Treasurer, to ensure prudent financial management of the Tertangala.

4.3.1.6. Welfare Coordinator who shall be responsible for:

(a) Coordinating campaigns that aim to improve the welfare of Students.

(b) Coordinating campaigns that aim to promote awareness of student poverty.

(c) Assisting the Disabilities Representative in their role.

4.3.1.7. Women's Representative who shall be responsible for:

(a) Coordinating campaigns that seek to eradicate sexism.

(b) Maintaining and enhancing the Women's Space on campus.

4.3.1.8. Environment Representative who shall be responsible for:

(a) Coordinating campaigns that aim to raise student awareness of and involvement in local, national and global environmental movements and initiatives.

4.3.1.9. Queer Representative

(a) Coordinating campaigns that seek to eradicate Queerphobia.

(b) Maintaining and enhancing the Queer Space on campus.

4.3.1.10. Indigenous Representative who shall be responsible for:

(a) Coordinating campaigns that seek to improve conditions for Aboriginal and Torres Strait Islander Students.

4.3.1.11. International Students Representative who shall be responsible for:

(a) Coordinating campaigns that seek to improve conditions for international Students.

(b) Liaising with organisations on campus which are relevant to International Students.

4.3.1.12. Ethno-Cultural Representative who shall be responsible for:

(a) Coordinating campaigns on campus and in the broader community that aim to counter any social exclusion or discrimination made on the basis of ethnicity, culture, language, and religion.

(b) Promoting awareness of cultural diversity on campus.

4.3.1.13 Disabilities Representative who shall be responsible for:

(a) Coordinating campaigns on campus that seek to improve the conditions of students with a disability.

(b) Liaising with organisations on campus which are relevant to students with a disability.

(c) All matters brought to the association relating to the rights and Welfare of Students with Disabilities.

(d) Working with the Welfare Officer on such campaigns.

4.3.1.14 Five (5) General Representatives who shall be responsible for:

(a) Assisting the other office bearers in their duties.

(b) Bringing issues of concern to the Council.

(c) Initiating projects and campaigns on behalf of the Association.

(d) Being responsible for assisting a designated office bearer with the running of their collective and any campaigns that may be relevant to the position.

4.3.2 Representatives Elected by Collectives

4.3.2.1 The Queer Representative and Indigenous Representative will be elected by their respective collectives unless otherwise provided for in the Association's Regulations Governing Elections.

4.3.2.2 The Queer and Indigenous collectives must nominate Representatives before the end of October of each year.

4.4. Removal of a Representative

4.4.1. The Association in a General Meeting may remove any Representative before the end of their tenure by a 2/3 Majority of votes at a Special General Meeting.

4.4.2. The decision to move to a vote to remove a representative at a Special General Meeting must first gain a 2/3 Majority of council at a council meeting.

4.4.3. The Representative shall be given two (2) weeks written notice of a motion calling for their removal by the Executive.

4.4.4. The Representative has the right to make representation at the meeting.

4.4.5. The eligible voting members shall vote on the motion by a secret ballot.

4.4.5.1. The Returning Officer shall be a staff member of the Association or if they are unable or unwilling, a Returning Officer shall be appointed by a motion at the meeting.

4.4.5.2. The Representative may appoint one (1) scrutineer to oversee the processes of the secret ballot.

4.4.5.3. The meeting may appoint one (1) scrutineer to oversee the processes of the secret ballot.

4.4.6. If the motion is carried, a casual vacancy shall be declared and the Executive shall serve a written notice of their removal and a copy of the minutes of the meeting.

4.4.6.1. The casual vacancy shall only be declared after the interpreters of this Constitution have deemed the processes of the removal as being constitutional.

4.5. Casual Vacancies

4.5.1. A Representative position shall be vacated if the Representative in that position:

(a) Dies.

(b) Submits a written resignation from their position to the General Secretary.

(c) Ceases to be enrolled as an Undergraduate Student at the University of Wollongong.

(d) Fails to attend three (3) consecutive Council Meetings without apology.

(e) Fails to attend four (4) consecutive Council Meetings. This shall include meetings that fail to meet quorum, wherein names of those not in attendance following the expiring of time allowed for a meeting will be recorded.

(f) Is removed from the Council in accordance with Section 4.4 of this Constitution.

4.5.2. A casual vacancy will arise if a new position is created on Council through Constitutional alteration.

4.6. General Elections

4.6.1. General Elections shall ordinarily be completed before the end of October of each year as determined by the Council and the secretary of the University Council.

4.6.2. Tenures for all positions commence on the first day of December each year.

4.6.3. Elections shall be conducted in accordance with the Regulations Governing Elections.

4.6.4. The Secretary of the University Council will appoint a Returning Officer in consultation with the Council who will be responsible for receiving nominations, conducting the General Election in accordance with the Regulations Governing Elections and declaring results.

4.6.5. Where there are no nominations for a position, that position will be declared as a casual vacancy.

4.6.6. Nominations for some positions shall be restricted.

4.6.6.1. An Association employee shall not stand for any position in any election.

4.6.6.2. A Student may only serve in one (1) term as President.

4.6.6.3. A Student may only serve two (2) terms in the same office bearer position.

4.6.6.4. Only female identifying Students may nominate for Women's Representative.

4.6.6.5. Only Indigenous Students may nominate for Indigenous Representative.

4.6.6.6. Only Students identifying as queer may nominate for Queer Representative.

4.6.6.7. Only Students identifying as having a disability may nominate for Disabilities Representative.

4.6.6.8. Only Students who are international Students may nominate for International Students Representative.

4.6.6.9. Only Students who identify as having a culturally or linguistically diverse background may nominate for Ethno-Cultural Representative.

4.6.7. Position Sharing

4.6.7.1 - No two (2) students may occupy the same position, with the exception of the five (5) General Representatives.

4.6.7.2 - If a collective elects co-representatives, only one representative will be entitled to sit on the WUSA Council at any meeting as the Representative of their collective, however both may attend and speak at the discretion of the chair of the meeting.

4.7. Working groups of the Council

4.7.1. The Council may create working groups to assist in carrying out the objectives of the Association and the responsibilities of the Council.

4.7.2. A working group may only make recommendations to the Council who shall table the minutes of the working party meeting(s) and shall consider all recommendations of those minutes.

4.7.3. The Council may reject wholly or in part any recommendation of its working groups.

4.8. The Executive

4.8.1. The Executive shall consist of the following Representatives:

(a) President

(b) General Secretary

(c) Treasurer

(d) Education Officer/Assistant Secretary

(e) Three (3) other Representatives elected by Council in accordance with the Standing Orders.

4.8.2. The membership of Executive shall reflect gender diversity where possible.

4.8.3 The Executive Committee shall be chaired by the President, with the General Secretary appointed as a minute taker.

4.8.4. The Executive shall have the power to implement Association resolutions and conduct Association affairs between Council Meetings.

4.8.5. The Executive shall be responsible for ensuring that the actions of the Association are in accordance with this Constitution, and with the Regulations and policies of the Association.

4.8.6. At any meeting of the Executive:

(a) Quorum at any meeting of the Executive shall be a Simple Majority of the members of the Executive, or three (3), whichever is greater.

(b) All members of the Executive present shall have a vote.

(c) No business shall be transacted unless a quorum is present.

(d) The General Secretary shall at all times monitor quorum and advise the chairperson immediately if the meeting becomes inquorate.

(e) Voting shall be by a show of hands except in the case of a secret ballot.

(f) All votes must be given personally; there is no voting by proxy.

(g) Where more than one person holds the same office they shall share one vote.

(h) If, within thirty (30) minutes of the time appointed for the meeting, quorum has not been reached, the meeting shall be abandoned. It shall stand adjourned for up to seven (7) days and will be reconvened at such time and place as the Executive may determine.

(i) Motions will be decided on by a Simple Majority of votes cast by the eligible voters present. Tied votes will be lost; there is no casting vote.

4.8.7. The minutes of all meetings of the Executive shall be tabled at Council Meetings.

4.8.8. The Council may overturn any decision made by the Executive.

5. EMPLOYEES

5.1. Appointment of Association employees

5.1.1. The Association may create employment positions to assist in carrying out its objectives.

5.1.1.1. The Association may enter into Enterprise Bargaining Agreements with Association employees.

5.1.2. The Council shall create job descriptions to specify the responsibilities of each position and the terms and duration of employment; this excludes the amalgamated Administrative position.

5.1.2.1. The Council shall establish a working group responsible for selecting persons to fill vacant positions.

5.2. General responsibilities of Association employees

5.2.1. Association employees shall be responsible for their specific duties as outlined in their position description under the direction of the Council.

6. MEETINGS

6.1. Constitutional Amendment

6.1.1. Any amendments to the Association's Constitution may only occur at a Special General Meeting.

6.1.2. Amendments will be decided by simple majority of votes cast by eligible voters. Tied votes shall be decided by a casting vote of the Council President who shall otherwise not be entitled to a vote.

6.2. Meeting procedures for all Association Meetings

6.2.1. The management of the Association is vested in Association meetings, subject to this Constitution and Regulations.

6.2.2. Meetings will be conducted in accordance with the Standing Orders.

6.2.3. Meetings shall only be conducted on University grounds.

6.2.4. Notice of a Special General Meeting of the Wollongong Undergraduate Student

Association shall be supplied via:

- (a) Notices on notice boards around the University;
- (b) Notices on the Association's website;
- (c) Electronic notices distributed to all eligible voters;
- (d) Any other manner deemed appropriate by Council.

6.2.5. No business shall be transacted unless a quorum is present.

6.2.6. The General Secretary shall at all times monitor quorum and advise the chairperson immediately if the meeting becomes inquorate.

6.2.7. Voting shall be by a show of hands except in the case of a secret ballot.

6.2.8. All votes must be given personally; there is no voting by proxy.

6.2.9. Where more than one person holds the same office they shall share one vote.

6.2.10. If, within thirty (30) minutes of the time appointed for the meeting, quorum has not been reached, the meeting shall be abandoned. It shall stand adjourned for up to seven (7) days and will be reconvened at such time and place as the Executive may determine.

6.2.11. Motions will be decided on by a Simple Majority of votes cast by the eligible voters present. Tied votes will be lost; there is no casting vote.

6.2.12. Written apologies for non-attendance may be received by any attending Representative prior to the meeting.

6.2.13. Motions to be discussed at any meeting shall be submitted to the General Secretary at least forty-eight (48) hours before the WUSA Council meets.

6.2.13.1. Compliance of motions with the requirements of the Standing Orders shall be at the discretion of a Simple Majority at any Association meeting.

6.2.14. The General Secretary shall ensure that an agenda, including a list of the proposed motions and attachments is electronically distributed to all representatives at least twenty four (24) hours before the commencement of the meeting.

6.2.15. Emergency motions may be heard at a meeting in the manner stipulated in the Standing Orders.

6.2.16. The General Secretary shall ensure that the minutes of each meeting are posted on the Association's website, within seven (7) days of the ratification of those minutes.

6.3. Specific Meeting procedures for Special General Meetings.

6.3.1. The Council shall, on the requisition in writing of not less than five (5) percent of

Members, hold a Special General Meeting.

6.3.2. A requisition by Members shall:

(a) State the motion(s) relevant to the affairs of the Association which are to be decided at the meeting;

(b) Be signed and dated by the Members making the requisition;

(c) Include student numbers to verify membership status;

(d) Be lodged with the General Secretary.

6.3.3. The requisition may consist of several documents in a similar form, each signed by one or more Members. Each of these documents shall state the motion(s) proposed and shall be accompanied by the names, student numbers and signatures of the mover and seconder of the motion.

6.4. Meeting procedures for Council Meetings

6.4.1. The Council shall conduct Council Meetings in a manner consistent with the Standing Orders.

6.4.2. At least seven (7) days' notice must be given.

6.4.3. Quorum at a Council Meeting shall be a simple majority of eligible voters.

6.4.4. Only Representatives shall be eligible voters.

6.4.5. The Council shall be required to hold at least four (4) meetings in any given council term.

7. STANDING ORDERS, REGULATIONS AND POLICY

7.1. Order of Reference

7.1.1. The governance of the Association shall be determined with respective reference to the:

(a) Constitution;

(b) Standing Orders;

(c) Regulations;

(d) Policies.

7.2. Record Keeping

7.2.1. The Constitution, Standing Orders, Regulations and Policies shall be held at all times at the Association offices and on the Association's website.

7.3. Alterations

7.3.1. By motion at any Association Meeting, Standing Orders, Regulations and Policies may be created or amended, subject to approval by a General Meeting.

7.3.2. They shall operate from the time of the close of the meeting in which they were approved.

7.3.3. The Secretary of the University Council shall be notified of all alterations.

7.3.4. Changes to the Constitution are subject to the approval of the University Council.

8. FINANCE

8.1. Funds – Source

8.1.1. The Association's funds shall be derived from membership fees, donations, and any other sources, which the Council determines.

8.1.2. All funds received by the association will be credited as soon as is practical and without deduction to the Association accounts.

8.1.3. The Association shall, as soon as is practical after receiving any money, issue an appropriate receipt.

8.2. Funds – Management

8.2.1. The Association funds shall only be released in accordance with the provisions of the Regulations governing assets and financial transactions.

8.2.2. The Council shall keep records of accounts dealing with Association finances and property and provide regular reports to Council meetings.

8.2.3. The Council shall publish regular financial reports on the Association's website detailing income, expenditure and budgetary performance.

8.2.4. Representatives shall not enter into any commitment or expenditure without the Council's prior approval.

8.3. Honoraria.

8.3.1. An honorary reward for voluntary services of up to \$15, 000 may be paid to the President in fortnightly instalments, at the discretion of the Council.

8.4. Winding up and Distribution of Assets

8.4.1. It is intended that in the event that the Association is dissolved in a referendum, net assets or liabilities will be distributed to the Wollongong University Postgraduate Association.

9. MISCELLANEOUS

9.1. Non-Profit Association

9.1.1. The Association is a non-profit organisation. The income and property of the

Association will be used only for promotion of the objects of the Association and will not be paid or transferred to members by way of dividend, bonus or profit.

9.2. Reporting

9.2.1. The Council shall also produce an annual report to describe the major accomplishments during their tenure.

9.2.2. The Council shall notify the Secretary of the University Council of any legal action or likely legal action taken against or by the Association.

9.3. Freedom of Information

9.3.1. Upon receipt of a request in writing, the General Secretary shall supply within fourteen (14) days, to any member of the Association or to the Secretary of the University Council copies of:

- (a) The current Constitution.
- (b) The Standing Orders, Regulations, and Policies of the Association.
- (c) The ratified minutes of any Association Meeting.
- (d) Audited financial statements and Treasurer's reports.
- (e) The current operating budget.

9.3.2. Written requests for access to any other documents or record shall be considered by the Council, and a decision made within fourteen (14) days of the request having been received by the General Secretary.

9.4. Code of Conduct

9.4.1. Any suspect or actual misuse of resources, corrupt, or criminal behaviour that

Representatives or Association employees become aware of in relation to the

Representatives or Association employees, shall be reported to the Council and the University Council for formal investigation and if necessary the NSW Police.

9.4.2. Where action is reported, the Secretary of the University Council shall, in the first instance, refer to Representatives and Association employees for comment.

9.5. Occupational Health and Safety

9.5.1. Representatives and Association employees shall abide by both the University's and the Association's Occupational Health and Safety Regulations. Failure to comply with these Regulations may result in disciplinary action.

9.5.2. Representatives and Association employees shall undertake occupational health and safety training upon commencing their tenure.

9.5.3. Representatives and Association employees shall abide by both then University's and the Association's Regulations governing Occupational Health and Safety.

9.5.4. Representatives and Association employees shall undertake appropriate risk analyses and report any incidents to the Council and the University through existing Occupational Health and Safety mechanisms.

9.6. Privacy

9.6.1. Representatives and Association employees shall abide by both the Privacy and Personal Information Protection Act (1998) and the Privacy Act (1988).

9.6.2. Representatives and Association employees shall abide by both the University's and the Association's Regulations Governing Privacy.'

9.7 Breaches of Constitution

9.7. Any member found to have breached the rules of this constitution and/or any Regulations may be subject to disciplinary action by the WUSA Council, up to and including expulsion from the Council, subject to Section 4.4.