



VICTORIA UNIVERSITY OF WELLINGTON LAW
STUDENTS' SOCIETY

CONSTITUTION

This Constitution became the complete Constitution of the VUWLSS on 17 August 2022 when the amendments proposed by Manraj Singh Rahi were passed in accordance with the requirements of the previous Constitution dated 12 August 2021.

1	Interpretation	4
<i>Part One – Objectives, Purposes and Aims</i>		
2	Objectives	5
3	Purpose and aims	5
<i>Part Two – Membership</i>		
4	Membership	5
5	General membership	5
6	Life membership	6
7	Ceasing membership	6
8	Position of Patron	6
<i>Part Three – The Executive</i>		
9	The Executive	7
10	Eligibility of persons to be a member of the Executive	7
11	Roles of all members of the Executive	7
12	Role of the President	8
13	Role of the Vice-President (Administration)	8
14	Role of the Vice-President (Finances)	9
15	Role of the Education Officers	9
16	Role of the Social Officers	10
17	Role of the Careers Officer	10
18	Role of the Competitions Officers	10
19	Role of the Publications Officer	11
20	Role of the Second-Year Representative	11
21	Role of the Equity and Wellbeing Officers	11
22	Representative Group Committee	12
23	Term of the Executive	12
24	Members of Executive ceasing to hold office and replacing them	12
25	Meetings of the Executive	13
26	Associate members of the Executive	14
27	NZLSA Conference Committee	14
<i>Part Four – Finances</i>		
28	Finances	14
29	Pecuniary gain	14



Part Five – The AGM and SGMs

30	Requirements for the AGM and SGMs	15
31	The AGM and regular elections	15
32	SGMs	15

Part Six – Elections

33	Elections	16
34	Returning Officers	16
35	Nominations	16
36	Casting Votes	17
37	Election results	17
38	Voting in absentia	17
39	Unsuccessful elections	18

Part Seven – Relationship with the NZLSA

40	Explanation of the relationship	18
41	Ceasing or altering the relationship	18

Part Eight – The Constitution

42	Amending the Constitution	18
43	Disputes	18

Part Nine – Dissolution of the VUWLSS

44	Power to dissolve the VUWLSS	19
45	Moment of dissolution	19
46	Dissolution and finances	19
47	Transitional provision	19
48	Control and use of the common seal	20
49	Best Practice Guidelines	20

Part Ten – Competitions

50	NZLSA Competitions	20
51	Eligibility for VUWLSS Competitions	20
52	Junior Competitions	20
53	Competitions Etiquette	21

	Schedule One – Life Members	21
	Appendix One – Common Seal	22
	Appendix Two – Motion Passed	22
	Appendix Three – Best Practice Guidelines	23



1 Interpretation

In this Constitution:

- (a) or includes and;
- (b) "AGM" means annual general meeting;
- (c) "enrolled" means accepted into a course;
- (d) "Executive" has the meaning given to it by clause 9;
- (e) "Faculty" means the Victoria University of Wellington Faculty of Law;
- (f) "Junior legal skills competition" means a legal skills competition as defined in this Constitution for which eligibility is restricted to students enrolled in a 200 level LAWS course in the year in which they seek to compete;
- (g) "law course" means any course of study at Victoria University of Wellington referred to with the code "LAWS" by the relevant Victoria University of Wellington Calendar;
- (h) "legal career" means a career applying legal education and includes a career practising law;
- (i) "legal skills competition" means a competition that develops, tests or requires skills needed for legal education or legal careers, and includes
 - (i) client interviewing competitions,
 - (ii) negotiation competitions,
 - (iii) mooting competitions,
 - (iv) witness examination competitions,
 - (v) paper presentation competitions, and
 - (vi) Sentencing competitions;
- (j) "member" means a member of the VUWLSS as defined by Part Two;
- (k) "member of the Executive" means any member of the Executive stated in clause 9(1);
- (l) "NR" means Ngā Rangahautira;
- (m) "NZLSA" means New Zealand Law Students' Association;
- (n) "person" means a natural person;
- (o) "PLSS" means Pasifika Law Students' Society
- (p) "SGM" means special general meeting;
- (q) "student identification number" means the number given to a student enrolled at Victoria University of Wellington in order for Victoria University of Wellington to identify them;
- (r) "teaching day" means a day that, according to the relevant Victoria University of Wellington Calendar, is a day when lectures for undergraduate courses occur;
- (s) "term" means the term of the Executive as defined by clause 22(1);
- (t) "trimester" means a trimester of Victoria University of Wellington, being a period of time defined by the relevant Victoria University of Wellington Calendar, and "trimester one" and "trimester two" are the periods of time defined by the relevant Victoria University of Wellington Calendar;
- (u) "VUW" means Victoria University of Wellington;
- (v) "VUWLSS" means Victoria University of Wellington Law Students' Society;
- (w) "VUWSA" means Victoria University of Wellington Students' Association.



Part One – Objectives, Purposes and Aims

2 Objectives

- (1) There shall continue to be a society known as the Victoria University of Wellington Law Students' Society Incorporated, and known by abbreviation as the VUWLSS.
- (2) The VUWLSS may not operate to make a profit for distribution to its members.

3 Purpose and aims

- (1) The purpose of the VUWLSS is to enhance and support the legal education of its members.
- (2) To achieve this purpose, the VUWLSS aims to
 - (a) provide members with representation and advocacy on issues affecting their legal education,
 - (b) promote and provide opportunities for members to enhance their legal education,
 - (c) promote and provide opportunities for members to transition into legal careers,
 - (d) promote and provide legal skills competitions for members to compete in with other members and with other law students,
 - (e) promote and provide social activities and events for members to enjoy, and
 - (f) promote and support an inclusive environment which all law students can enjoy.

Part Two – Membership

4 Membership

- (1) The two types of membership of the VUWLSS are general membership and life membership.

5 General membership

- (1) General members shall consist of Financial Members, Non-Financial Members and Associate Members.
 - (a) Financial Members shall consist of those students enrolled in a law course who have completed the registration requirements and paid the annual membership fee prescribed by the Executive.
 - (b) Non-Financial Members shall consist of those students enrolled in a law course who have completed the registration requirements but not paid the annual membership fee prescribed by the Executive.
 - (c) Associate Members shall consist of those students not enrolled in a law course who have completed the registration requirements and paid the annual membership fee prescribed by the Executive. Associate Members do not possess voting rights at either the AGM or a SGM.



6 Life membership

- (1) Despite any other clause in this Constitution, a life member may not vote at an AGM or at a SGM.
- (2) The Executive may grant life membership to one person per term when:
 - (a) all members of the Executive agree that the person should be granted life membership, and
 - (b) the granting of life membership is voted on and approved at the AGM or an SGM.
 - (c) A person becomes a life member if the number of members who vote for a motion made at an AGM to grant the person life membership is more than three times the number of members who vote against it or abstain from voting.
- (3) A person granted life membership under this subclause becomes a life member immediately upon the motion being carried at an AGM or SGM.
- (4) When a person becomes a life member of the VUWLSS under subclause 2, this Constitution is automatically amended to insert that person's name in Schedule One.

7 Ceasing membership

- (1) A member will cease to be a member:
 - (a) once the Vice-President (Administration) receives written notification from the member that they wish their membership to cease,
 - (b) when the member dies, or,
 - (c) if the member is a member only under clause 5, and fails to meet the requirements prescribed within that clause.

8 Position of Patron

- (1) The VUWLSS shall have a Patron.
 - (a) The Patron shall be invited to speak at an annual lecture ("The Patron's Lecture"). If the Patron does not give the Patron's Lecture in a given year, he or she may assist the President in choosing an alternative speaker.
 - (b) The Patron shall be involved with the life of the society in other ways from time to time as agreed by the Patron and the President.
 - (c) The Patron should be either an alumnus or former member of the Faculty who:
 - (i) is widely recognised and respected within the New Zealand legal community,
 - (ii) has made a significant contribution to the legal profession or the legal system nationally or internationally, and
 - (iii) has played a role in promoting and developing legal education within New Zealand.
- (2) A person becomes Patron when he or she is nominated by the VUWLSS Executive and accepts that nomination in writing to the President.
 - (a) Subject to subclause 3, the Patron shall be appointed for life.
- (3) A Patron will cease to hold the position where:
 - (a) he or she resigns from the role by giving notice in writing to the President, or
 - (b) he or she is removed by vote at the AGM or an SGM.



Part Three – The Executive

9 The Executive

- (1) The Executive shall conduct the day-to-day operation of the VUWLSS.
- (2) The Executive shall consist of a President, a Vice-President (Administration), a Vice-President (Finances), two Education Officers, two Social Officers, a Careers Officer, two Competitions Officers, two Equity and Wellbeing Officers, a Publications Officer and a Second-Year Representative.
- (3) Members of the Executive retain their voting rights as members of the VUWLSS.

10 Eligibility of persons to be a member of the Executive

- (1) In order to be a member of the Executive a person must be a member under clause 5 at the time of their election and be enrolled in a laws course in trimester one and trimester two of the term in which they are a member of the Executive.
- (2) In order to be the Second Year Representative a person must also be enrolled in a 100-level LAWS course at the time of their election and be enrolled in a 200-level LAWS course during their term of office.

11 Roles of all members of the Executive

- (1) All members of the Executive shall:
 - (a) uphold the purposes and aims of the VUWLSS outlined in clause 3;
 - (b) be positive representatives of the VUWLSS;
 - (c) assist in making events and activities organised by the VUWLSS successful;
 - (d) build and maintain good relationships with members, sponsors, the Faculty and all other partners that the VUWLSS associates with;
 - (e) make responsible financial decisions; and
 - (f) abide by this Constitution.
- (2) The roles of members of the Executive outlined in this Constitution are not exhaustive.
- (3) All members of the Executive should do their best to ensure Law School is an inclusive place for all law students which may include building a relationship with any law-based student organisation, in particular Ngā Rangahautira and the Pasifika Law Students' Society, Asian Law Students' Association, Victoria University of Wellington Feminist Law Society and Rainbow Law Students' Society.
- (4) All Members of the previous Executive are responsible for conducting a comprehensive handover to their successor before relinquishing their position. This should include both communicating orally the knowledge they have gained in their position and adding to any existing written guide.
- (5) A member of the Executive may assist any other member of the Executive to perform their role when necessary.



12 Role of the President

- (1) The President shall:
- (a) be ultimately responsible for ensuring clauses 2 and 3 are upheld;
 - (b) co-ordinate the functions, duties, and powers of the Society and lead the Executive;
 - (c) represent the VUWLSS at all necessary functions and meetings or organise a representative on their behalf;
 - (d) delegate tasks to other members of the Executive when required;
 - (e) be the main point of contact on the Executive for the Patron;
 - (f) chair all meetings they attend including Executive meetings, AGMs and any SGMs;
 - (g) manage any conflicts of interest that members of the Executive may have;
 - (h) oversee all major decisions made by other portfolio holders;
 - (i) promote and ensure an inclusive VUWLSS, and, where possible, provide equal opportunities to all members; and
 - (j) build and maintain a good relationship with all partners including but not limited to VUWSA, VUW, the Faculty, NZLSA, and sponsors.
 - (k) chair meetings of the Representative Group Committee as per clause 22;
 - (l) strive to ensure that the VUWLSS Executive actively consults with the following groups and considers their feedback within Executive meetings and decision making, including but not limited to:
 - (i) Ngā Rangahautira (Māori Law Students' Association)
 - (ii) Pasifika Law Students' Society
 - (iii) Victoria University of Wellington Feminist Law Society
 - (iv) Asian Law Students' Association
 - (v) Rainbow Law Students' Society
 - (vi) Other similar law student groups that are determined appropriate by the Representative Group Committee.

13 Role of the Vice-President (Administration)

- (1) The Vice-President (Administration) shall:
- (a) assist the President in the performance of their role;
 - (b) perform the role of the President when the President is unable to do so;
 - (c) chair meetings of the Executive they attend when the President is absent;
 - (d) take minutes of meetings of the Executive they attend and take minutes of the AGM and any SGMs;
 - (e) ensure that VUWLSS retains its status as an incorporated society and as a charity by sending all proper documentation to the Incorporated Societies Registrar and Charities Commission each year;
 - (f) manage incoming posted mail;
 - (g) in conjunction with the Vice-President (Finances), maintain a database of, or access to a database of, the contact details of members;
 - (h) advise the Executive of compliance with this Constitution and be responsible for updating it when relevant; and
 - (i) provide members with notice of the AGM and any SGMs according to clause 29(1);



- (j) have obtained a first-aid certificate in the last year; or organise at least one other Executive member to be first-aid trained in the last year;
- (k) complete a thorough, written health and safety plan for each VUWLSS social event, off-site event or other event deemed "high-risk" by the President.

14 Role of the Vice-President (Finances)

- (1) The Vice-President (Finances) shall:
 - (a) chair meetings of the Executive they attend when the President and the Vice-President (Administration) are absent;
 - (b) responsibly manage and account for the funds of the VUWLSS;
 - (c) keep proper accounts of all financial transactions entered into by the Society, and present annual financial statements to the AGM;
 - (d) approve a budget of revenues and costs before any events run by the Society take place to ensure that the such events are run in a prudent manner;
 - (e) ensure any tax obligations including detailed returns are fulfilled in a timely manner; and
 - (f) subject to joint approval of the President, process and refund Executive Members for expenses incurred whilst carrying out their portfolios.

15 Role of the Education Officers

- (1) The Education Officers shall act as advocates for members on issues that affect legal education which may include:
 - (a) attending Faculty or committee meetings as representatives of students studying law at VUW;
 - (b) attending to matters that affect members' legal education, including matters involving the Council of Legal Education; and
 - (c) building and maintaining a good relationship with the NZLSA Education Vice-President.
- (2) The Education Officers shall provide members with opportunities to enhance their legal education and to transition into legal careers. They may do this by:
 - (a) facilitating learning, such as by helping to organise study groups for members;
 - (b) organising or promoting seminars on legal issues and legal education issues that members may attend;
 - (c) developing mentoring programmes to further members' holistic legal education, with a particular focus on strengthening relationships between;
 - (i) junior and senior students; and
 - (ii) senior students and the legal profession.
 - (d) assisting the Careers Officer in organising events and activities that educate members about the different opportunities for employment in legal careers and how to best take advantage of these opportunities.



16 Role of the Social Officers

- (1) The aim of the Social Officers is to build a sense of community amongst members and make members' time spent while studying law more enjoyable.
- (2) The Social Officers should organise both alcoholic and non-alcoholic events during their term.
- (3) The Social Officers are responsible for:
 - (a) organising social events and activities for members, that may include:
 - (i) an orientation programme;
 - (ii) a ball;
 - (iii) an event to celebrate the end of the academic year;
 - (iv) an event for members finishing their legal study at the Faculty;
 - (v) sports events within the Faculty and between faculties.
 - (b) ensuring the financial viability of the social portfolio.

17 Role of the Careers Officer

- (1) The Careers Officer is responsible for working alongside the Victoria University of Wellington Careers team, CareerHub, and other working parties to facilitate careers seminars that they deem appropriate to run;
- (2) The Careers Officer is to organise events and activities that educate members about the different opportunities for employment in legal careers upon graduation, including but not limited to:
 - (a) Professional Legal Studies seminars
 - (b) Mentoring sessions with those in the Wellington legal community
- (3) The Careers Officer will be the main contact for the VUW Careers Department and student queries regarding careers.

18 Role of the Competitions Officers

- (1) The Competitions Officers shall:
 - (a) organise nationally aligned competitions in conjunction with NZLSA; and
 - (b) promote opportunities for members to compete in non-NZLSA organised legal skills competitions.
- (2) The Competitions Officers shall build and maintain a good working relationship with the NZLSA Competitions Vice-President.
- (3) The Competitions Officers shall build and maintain good working relationships with all parties who are essential to the successful running of legal skills competitions including the Faculty, judges and sponsors.
- (4) The Competitions Officers shall not be permitted to enter any Legal Competitions that they assist in organising.
- (5) The Competitions Officers shall take all reasonable steps to ensure that no Members of the Executive have any advantage over any other member by virtue of their position.

19 Role of the Publications Officer

- (1) The Publications Officer is responsible for:
 - (a) producing and publishing any newsletter, magazine, annual or other publication of the VUWLSS;
 - (b) maintaining a VUWLSS website and ensuring that the information displayed on it is current;
 - (c) promoting events and activities organised by the VUWLSS, including
 - (i) ensuring that posters are designed and printed if reasonably requested by other members of the Executive, and
 - (ii) ensuring that e-mails are sent to members if reasonably requested by other members of the Executive.
 - (d) managing communication between the executive and members which may include, but is not limited to, any VUWLSS notice board, Facebook and other social media, email and posters.

20 Role of the Second-Year Representative

- (1) The Second-Year Representative shall
 - (a) advocate for the interests of members enrolled in 100-level and 200-level LAWS courses, and
 - (b) take an active role in ensuring other portfolio initiatives are successful.
- (2) In consultation with the Education Officers, the Second-Year Representative may organise a programme where members enrolled in a first-year LAWS paper are mentored by members who have progressed further in their legal education.
- (3) In consultation with the Social Officers, the Second Year Representative may organise sport based events, for example but not limited to; Sports Exchanges with other universities, Inter-faculty Games Law Team and Social inter-society or club games.

21 Role of the Wellbeing and Equity Officers

- (1) The Wellbeing and Equity Officers shall promote and advocate for the welfare of members including promoting awareness of the importance of mental wellbeing. This may, but not necessarily, include:
 - (a) Encouraging discourse around mental wellbeing through the facilitation of a Mental Health Hui; and
 - (b) Running wellness initiatives to promote student health, financial welfare or overall spirit.
- (2) The Wellbeing and Equity Officers shall work towards greater awareness and better availability of support and advocacy services, including but not limited to:
 - (a) Through the University Student Health and Counselling Service
 - (b) Through sitting on any relevant committees that are deemed relevant by the President.
- (3) The Wellbeing and Equity Officers shall work in conjunction with the President to consult with, include and advocate for the views of law student representative groups, including but not limited to:



- (a) Ngā Rangahautira (Māori Law Students' Association);
 - (b) Pasifika Law Students' Society;
 - (c) Victoria University of Wellington Feminist Law Society;
 - (d) Asian Law Students' Association;
 - (e) Rainbow Law Students' Society; and
 - (f) Other similar law student groups that are determined appropriate by the President.
- (4) The Wellbeing and Equity Officers shall strive to ensure that there are new initiatives relating to equity issues;
 - (5) The Wellbeing and Equity Officers shall work in conjunction with other VUWLSS Executive members to:
 - (a) Ensure VUWLSS events and initiatives are, to the extent possible, inclusive and accessible;
 - (b) Ensure the voices of law student representative groups are heard.

22 Representative Group Committee

- (1) There will exist a representative group committee.
- (2) The purpose of the committee will be to ensure the VUWLSS is representative of all law students.
- (3) The committee will be chaired by the VUWLSS President and may consist of any other member of the VUWLSS Executive and representatives of any law based student group at VUW. This should include Māori, Pasifika, feminist, LGBTQIA+, Asian, religious, Justice, and any other group deemed appropriate by the VUWLSS Executive.
- (4) The subcommittee should meet no less than four times during each Executive term.
- (5) The role of the subcommittee is to:
 - (a) ensure the interests of all law students are upheld;
 - (b) address equitable issues concerning disadvantaged students at law school;
 - (c) discuss issues relating to the education of law students including those raised by the Faculty;
 - (d) discuss sustainability issues relating to the Law School campus;
 - (e) discuss issues relating to representation, inclusion and collaboration for law school social and competition events; and
 - (f) discuss any other issue relevant to the education of law students at VUW.

23 Term of the Executive

- (1) Each term of the Executive commences on the day after the last day of teaching in trimester two and ceases on the last day of teaching in trimester two of the following year.
- (2) Persons elected to be members of the Executive at a SGM shall be members of the Executive for the remainder of the term in which they were elected.

24 Members of Executive ceasing to hold office and replacing them.

- (1) A member ceases to be a member of the Executive:
 - (a) if they cease to meet the criteria of membership set out in clause 10;



- (b) once the President receives written notification from the member that they no longer wish to be a member of the Executive or if the President resigns, written notification is received by the Vice-President (Administration);
 - (c) if the member misses three consecutive Executive meetings and a motion is passed at an executive meeting by at least seven members of the Executive that the member has abandoned office;
 - (d) if the member fails to perform the duties required of all Executive members under clauses 3 and 11 and/or required of their individual portfolios and, at a meeting of the Executive, a motion is moved by the President, or either of the Vice Presidents, and passed by six other members of the Executive vote that the member be deemed to have been removed from office; or
 - (e) if they die or become incapacitated.
- (2) Once an Executive Member has ceased to hold office, the workload will be appropriately split amongst the remaining Executive Members.
 - (3) If a Member of the Executive ceases to be a Member the Executive must within 28 days take steps to find a suitable replacement for that Member or that Member's workload, either by an SGM, internal appointment or redistribution of workload as the Executive sees fit
 - (4) Where a SGM is held to replace a President, despite any clause in this Constitution, the Vice-President (Administration):
 - (a) chairs the SGM and performs the functions of the President at the SGM; and
 - (b) if at the time of the AGM the President has ceased to be the President, chairs the AGM and performs the functions of the President at the AGM.

25 Meetings of the Executive

- (1) The frequency of meetings are at the discretion of the President and Vice-President (Administration) but should be no more than six weeks apart.
- (2) A decision of the Executive is valid once it is endorsed at a meeting of the Executive -
 - (a) in the case of a meeting of the Executive where all twelve members of the Executive are present - by seven members of the Executive; or
 - (b) in the case of a meeting of the Executive where fewer than twelve members of the Executive are present - by six members of the Executive.
- (3) Only members of the Executive may cast a vote at meetings of the Executive.
- (4) Meetings of the Executive are chaired by the President; or, if they are absent, by the Vice-President (Administration); or, if they are both absent, by the Vice-President (Finances).
- (5) Minutes of meetings of the Executive must be taken by the Vice-President (Administration) or, if they are not present or are chairing the meeting, by a member of the Executive chosen by the Vice-President (Administration) to take minutes of the meeting in their absence.



26 Associate members of the Executive

- (1) The Executive may appoint a member as an associate member of the Executive with the consent of that member and by a decision endorsed by eight or more members of the Executive at a meeting of the Executive.
- (2) An associate member of the Executive:
 - (a) has the roles of a member of the Executive under clause 11(1);
 - (b) may attend meetings of the Executive;
 - (c) may not cast a vote at meetings of the Executive; and
 - (d) may assist any member of the Executive to perform their role.
- (3) An associate member of the Executive ceases to be an associate member of the Executive if:
 - (a) they cease to be a member under clause 7;
 - (b) a decision that they should no longer be an associate member of the Executive is endorsed by eight or more members of the Executive at a meeting of the Executive;
 - (c) the term of the Executive that appointed them ceases; or
 - (d) the President receives written notification from the associate member of the Executive that they no longer consent to being an associate member the Executive.

27 NZLSA Conference Committee

- (1) During a term when the VUWLSS will host the NZLSA Conference, the Executive shall appoint any member to be the Conference Convenor.
- (2) The NZLSA Conference Convenor cannot use, or make decisions about the use of, funds held by the VUWLSS that are not held for the specific purpose of being used to host the NZLSA Conference.
- (3) For the avoidance of doubt, a person appointed as Conference Convenor or as a member of the NZLSA Conference Committee can only be appointed as an associate member of the Executive under clause 24.

Part Four – Finances

28 Finances

- (1) The VUWLSS may hold bank accounts that are operated by the Executive and that may only be debited with the authority of two members of the Executive including the Vice-President (Finances).
- (2) The Executive has the power to invest, save, spend, borrow or lend funds and the power to purchase, rent, borrow or lend assets on behalf of the VUWLSS.
- (3) The VUWLSS Eftpos Card may be used only by the President or Vice-President: (Finances) with the knowledge of the other.

29 Pecuniary gain

- (1) Members may not make a pecuniary gain from the VUWLSS.
- (2) Pecuniary gain does not include reimbursement for expenses incurred or reasonable payment for goods or services rendered.



- (3) For the avoidance of doubt, pecuniary gain does not include receiving free or discounted admission to events or activities organised by the VUWLSS.

Part Five – The AGM and SGMs

30 Requirements for the AGM and SGMs

- (1) 14 days' notice must be given by the Vice-President (Administration) before the AGM or a SGM can be held.
- (2) The quorum of the AGM and a SGM is 40 members.
 - (a) votes in absentia under clause 37 may not be counted for the purpose of determining whether there is quorum.
- (3) Each law student is entitled to one vote.

31 The AGM and regular elections

- (1) An AGM must be held once in each Executive Term and occur during the second Trimester.
- (2) At the AGM there must be elections for all members of the Executive held according to Part Six of this Constitution.
- (3) At the AGM the President shall:
 - (a) propose a motion that the minutes of the last AGM and any SGM be adopted;
 - (b) present a report of the operations of the VUWLSS spanning the current term of the Executive;
 - (c) report the details of any liabilities or debts of the VUWLSS, unless they are prevented by law from disclosing these details; and
 - (d) announce the name of any person that it is agreed under clause 6(2)(a) will be granted life membership.

32 SGMs

- (1) Subject to subclause 2, SGMs may be held at the discretion of the Executive during regular teaching time.
- (2) The Executive must call a SGM within 28 days of the day when it receives a written request to call a SGM signed by 40 General Members who are each identified by their first and last name and their student identification number.
- (3) Motions that a member of the Executive be dismissed will pass if the number of members who vote for the motion at a SGM is more than four times the number of members who vote against it and/or abstain from voting.
- (4) At a SGM the President shall;
 - (a) propose a motion that the minutes of the most recent SGM be adopted, unless the AGM was held after the most recent SGM; and
 - (b) call for any motions to amend the Constitution before beginning any elections.



Part Six – Elections

33 Elections

- (1) Elections may only be held at the AGM or at a SGM.
- (2) All elections will be held by secret ballot which will be conducted in the fortnight leading up to the AGM or SGM.
- (3) Times at which nominations and voting will be open must be made available no less than seven days prior to nominations opening.

34 Returning Officers

- (1) In advance of the AGM and an SGM two returning officers must be appointed in advance.
- (2) The Returning Officers are presumed to be two of the Administrators of the Law School Office, as employed by VUW. If the aforementioned Administrators refuse to be appointed as Returning Officers, or are unable to be Returning Officers for any other reason:
 - (a) The Executive shall appoint any replacement Returning Officers and announce any appointments, before the opening of nominations.
 - (b) Any objections to such appointment must be made to the Executive. The Executive must consider such complaints and will reconsider the appointment. Any decision made by the Executive as to a complaint is final.
 - (c) Any member or other law student at VUW cannot be a Returning Officer.
- (3) The Returning Officers are responsible for accounting for the secret ballot and ensuring that the elections are conducted fairly and without prejudice
- (4) The President or Vice President (Administration) must give any votes in absentia made under clause 41 to the Returning Officers.

35 Nominations

- (1) Any General Member can nominate any General Member, including themselves for election.
- (2) Reasonable time must be given for nominations to be open.
- (3) Candidates must accept their nominations within a reasonable time when requested by the President or Vice-President (Administration).
- (4) No campaigning is permitted until nominations have opened.
- (5) Where no nominations are received for a portfolio or only one person is nominated for a portfolio that contains two roles, the nomination period may be extended at the discretion of the Returning Officers in consultation with the President or Vice-President (Administration).
- (6) Where no nominations are received for an available position, nominations may be accepted and voting may take place at the AGM or SGM rather than by secret ballot.



36 Casting Votes

- (1) The Vice President (Administration) shall provide a ballot paper. Each valid voting paper will contain:
 - (a) space for the first and last name of the voter,
 - (b) space for the identification number of the voter,
 - (c) a list of all valid nominations in alphabetical order:
 - (d) a category of "no confidence";
- (2) Voting for the second-year representative is open to all students enrolled in a law course at the time of voting, regardless of membership status. Voting for all other executive positions is open to all students enrolled in a 200-level or above law course at the time of voting, regardless of membership status.
- (3) Where two positions are available for each portfolio, the nominees shall be listed separately, regardless of whether they have campaigned in conjunction with another nominee.
- (4) Standing in an election does not preclude someone from voting in that same election.
- (5) Where two positions are available for a portfolio and a no-confidence vote is cast, no second vote may be cast for that role. A no-confidence vote is deemed to be a vote of no-confidence in all candidates for that role.

37 Election results

- (1) The Returning Officers must count the votes, including votes in absentia made under clause 38.
 - (a) Where the portfolio contains only one position, the candidate with the highest number of votes will be elected.
 - (b) Where the portfolio contains two positions, the two candidates with the highest number of votes will be elected.
 - (c) Where the portfolio contains only one position and 'no-confidence' receives the highest number of votes, no candidate will be elected.
 - (d) Where the portfolio contains two positions and 'no-confidence' receives either the highest or second highest number of votes, only one candidate will be elected.
- (2) Once the results have been announced, a recount may be requested by any candidate in the election in writing to the President. The recount is subject to the following rules:
 - (a) The request must be made within 24 hours of the conclusion of the AGM or SGM at which the results were announced.
 - (b) The Returning Officers will be responsible for recounting the votes within a reasonable time.
 - (c) No additional votes may be cast to be included in the recount.
 - (d) The results of the recount are final.

38 Voting in Absentia

- (1) A vote in absentia is a written vote in support of a candidate by a law student who is unable to participate in a secret ballot.
- (2) For a vote in absentia to be valid it must:



- (a) be made in writing to the President or Vice-President (Administration) during the designated voting period, and
 - (b) contain on it the first and last name and the student identification number of the member making it.
- (3) A vote in absentia is not valid if the member who made it votes in the secret ballot.

39 Unsuccessful elections

- (1) Subject to subclause 2, if the AGM or a SGM fails to elect a member of the Executive then a SGM shall be held at least 28 days after the most recent AGM or SGM unless:
- (a) the AGM is held less than 28 days after the most recent SGM; or
 - (b) the next term begins less than 28 days after the AGM or the most recent SGM and a person has been elected for the next term to the position not elected at the most recent meeting.
- (2) A SGM does not need to be held on any day after the last teaching day of trimester two and before the first day of the following trimester one, or on any day after the last teaching day of trimester one and before the first day of the following trimester two

Part Seven – Relationship with the NZLSA

40 Explanation of the relationship

- (1) The VUWLSS is a member of the NZLSA.
- (2) The President sits on the NZLSA Council and represents all VUW Law students on the Council.

41 Ceasing or altering the relationship

- (1) A decision that the VUWLSS cease or alter the relationship with the NZLSA can only be made at the AGM or a SGM if the number of members who vote for a motion to cease or alter the relationship is more than double the number of members who vote against it or abstain from voting.

Part Eight – The Constitution

42 Amending the Constitution

This Constitution may only be amended or replaced at the AGM or a SGM if the number of members who vote for a motion to amend or replace the Constitution is more than double the number of members who vote against it or abstain from voting.

43 Disputes

Any disputes about the interpretation of this Constitution shall be resolved by the Dean of the Law Faculty. Where the Dean is unavailable, the Head of School will resolve any disputes.



Part Nine – Dissolution of the VUWLSS

44 Power to dissolve the VUWLSS

- (1) The VUWLSS may only be dissolved:
 - (a) at the AGM;
 - (b) if at least 14 days before the AGM notice is given that a motion to dissolve the VUWLSS will be submitted at the AGM; and
 - (c) if the number of members who vote for a motion to dissolve the VUWLSS at the AGM and in absentia under subclause 2 is more than three times the number of members who vote against it or abstain from voting.

45 Moment of dissolution

- (1) The VUWLSS is not dissolved until the President has performed their responsibilities under clause 46.

46 Dissolution and finances

- (1) Where clause 44 has been invoked, any funds held by the VUWLSS will dissipated in the following order:
 - (a) All debts of the VUWLSS must be paid before subclauses 1(b) – (e) apply.
 - (b) If the VUWLSS holds any funds granted to for sponsorship, then these funds must be returned to the respective sponsor.
 - (c) If the VUWLSS holds any funds granted to it by the NZLSA, then these funds must be returned to the NZLSA.
 - (d) If the VUWLSS holds any funds given to it by any other organisation or person on the condition that they be used for a purpose for which they will not or cannot be used, then these funds must be returned to the organisation or person who gave the funds.
 - (e) Any residual funds must be donated to the Victoria University of Wellington Law School Dean's Fund; or, if that entity no longer exists, must be donated to the NZLSA.
 - (f) If neither of the entities noted in 45(1)(e) exist, any residual funds shall be transferred to another charitable organisation within New Zealand which has the same or similar objectives to the VUWLSS, provided that the organisation is a legally registered charity.
- (2) The President is responsible for ensuring that the requirements of subclause (1) are fulfilled and continues to be the President until they are fulfilled, despite any other clause in this Constitution.

47 Transitional provision

- (1) This Constitution applies at the conclusion of the 2015 Executive term and will bind the 2016 Executive.
- (2) All actions of the 2015 Executive and all past executives shall be validated unconditionally by acceptance of this Constitution.



48 Control and Use of Common Seal

- (1) The Executive of the VUWLSS are to have custody of the Common Seal of the VUWLSS.
- (2) The Common Seal may be used from time to time at the discretion of the Executive to validate documents issued in the name of the VUWLSS.
- (3) The image in Appendix One is the Common Seal of the VUWLSS.

49 Best Practice Guidelines

- (1) The VUWLSS Executive shall uphold the Best Practice Guidelines contained in Appendix Three.

Part Ten – Competitions

50 NZLSA Competitions

- (1) An NZLSA competition is any competition where coming first in the VUWLSS regional competitions qualify the competitor/s to compete at the NZLSA Conference.
- (2) NZLSA Competition Rules means the rules for competitions as published by NZLSA.
- (3) Where there is the absence of any rule in the VUWLSS Constitution, or there is any conflict between the VUWLSS Constitution and the NZLSA Competition Rules, the NZLSA Competition Rules shall prevail.

51 Eligibility for VUWLSS Competitions

- (1) In addition to the requirements under the NZLSA rules, to be eligible to compete in any legal skills competition, a person must be;
 - (a) A law student at Victoria University of Wellington, and
 - (b) Enrolled in a 200 or 300 level LAWS paper during the year in which they apply to compete.

52 Junior Competitions

- (1) To be eligible for any junior legal skills competition, other than junior mooting, a person must be;
 - (a) A law student at Victoria University of Wellington; and
 - (b) Enrolled in a 200 level LAWS paper during the year in which they apply to compete.
- (2) To be eligible for the junior mooting competition, a person must be;
 - (a) A law student at Victoria University of Wellington; and
 - (b) Enrolled in a 200 level LAWS paper during the year in which they apply to compete; and
 - (c) Not have been enrolled in any 200 or 300 level LAWS papers during the year previous to the year in which they wish to compete.
- (3) A person is ineligible to compete in a junior legal skills competition if;
 - (a) They do not satisfy any one or more of the requirements under the NZLSA Competition Rules or the VUWLSS Constitution, including but not limited to Articles 51 and 52 as applicable to the specific competition in question; or

- (b) They have previously come first in the same junior legal skills competition in which they are applying to compete; or
 - (c) They have previously won the senior level legal skills competition in which they are applying to compete.
- (4) For the avoidance of doubt, in the instance of any clash between this provision and article 51 of the VUWLSS Constitution, this provision shall prevail.

53 Competitions Etiquette

- (1) To withdraw a competitor's registration from any legal skills competition, the competitor must give the Competitions Officers appropriate notice by email.
 - (a) For any mooting or sentencing legal skills competition, appropriate notice is 72 hours for day (defined as beginning at 12am) on which the competition begins.
 - (b) For all other legal skills competitions appropriate notice is 24 hours before the day (defined as beginning at 12am) before the competition begins.
- (2) If a competitor does not supply appropriate notice in accordance with this article, they must be banned from competition for one year effective from the date on which that legal skills competition begins.
 - (a) The President can waive this consequence if the President is satisfied the competitor had to withdraw their registration owing entirely to extraordinary and unforeseeable circumstances. This discretion should be used sparingly and only when adequate supporting evidence of extenuating circumstances is provided.

Schedule One – Life Members

Life members of the VUWLSS include:

- Pauline Castle
- Dr Grant Morris
- Professor John Prebble
- Jamie Eng
- Nick Chapman
- Gordon Stewart

Additionally, all persons who were Presidents of the VUWLSS at a time before 31 July 2008 were automatically conferred life membership of the VUWLSS by operation of clause 3.1.3 of the previous Constitution (dated September 2005).



Appendix One – Common Seal



Appendix Two

The motion passed at the 2008 AGM on 31 July 2008 was:

“That the Victoria University of Wellington Law Students’ Society Constitution dated July 2008 and all previous constitutions of the Victoria University of Wellington Law Students’ Society be repealed and that the Constitution presented by Geordie Johnson, in which this motion appears as Appendix Two and that will be attached to the minutes of this AGM, be the Constitution of the Victoria University of Wellington Law Students’ Society.”



Appendix Three – Best Practice Guidelines

1. Law Camp

- a. Executive Members, Leaders and Helpers and Law Camp shall not engage in physical and/or sexual relations of any kind with the junior attendees of the camp.
- b. The consequence of engaging in such behaviour is:
 - i. For leaders and helpers: immediate removal from the camp and a ban on returning to law camp in subsequent years
 - ii. For members of the executive: immediate removal from the camp and resignation from their role on the executive

2. Competitions Etiquette

- a. In withdrawing your registration from one of the four legal skills competitions students must give the Competitions Officers the appropriate notice by email.
 - i. For Mooting the appropriate notice is 72 hours before the day the competition begins
 - ii. For Witness Examination, Client Interviewing and Negotiation the appropriate notice is 24 hours before the day before the competition begins
- b. The consequence for not supplying this notice is a one year ban from competitions effective from the date the competition starts.

3. Social Etiquette

- a. Should students engage in inappropriate behaviour at a VUWLSS Social Event the consequences are as follows
 - i. Paying for the damage resulting from their actions, and/or
 - ii. A warning that their attendance at future social events may be disallowed, and/or
 - iii. A one-year ban from attending VUWLSS Social Events
- b. In each case the VUWLSS Executive will assess the situation/behaviour and impose the consequence
- c. Inappropriate behaviour can include but is not limited to:
 - i. Drunk and Disorderly Behaviour
 - ii. Property Damage and Theft
 - iii. Violence or abuse (physical or verbal)