

## **ANNUAL GENERAL MEETING REGULATIONS OF THE MONASH POSTGRADUATE ASSOCIATION INC.**

PROMULGATED BY THE MPA EXECUTIVE COMMITTEE ON 21 APRIL 2004

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## **Annual General Meeting Regulations of the Monash Postgraduate Association Inc**

### **1. PREAMBLE**

The purpose of these Regulations is to govern the conduct and procedure of Annual General Meetings of the MPA. These regulations have largely followed the recommendations pertaining to conduct of meetings as written in “Guide for Meetings and Organisations” Volumes 1 and 2 Sixth edition by N E Renton and recourse should be had to that publication in the event of ambiguity.

### **2. SESSION TIME**

- 2.1 Meeting sessions shall convene on the moment specified or immediately once quorum is reached, whichever occurs later.
- 2.2 Quorum for an Annual General Meeting facilitated by the MPA shall be twenty-five postgraduate students pursuant to clause 25 of the MPA Constitution.
- 2.3 If a session does not convene within thirty (30) minutes of the scheduled starting time, then the chair shall either:
  - 2.3.1 Declare the meeting shall continue and that no decisions made by the meeting shall stand unless subsequently ratified by quorum either at that meeting or at a later meeting of Constituents, or
  - 2.3.2 Adjourn the meeting

### **3. CHAIRPERSON**

- 3.1 The Chairperson of the Annual General Meeting shall be the MPA President pursuant to clause 23 of the MPA Constitution or, in the absence of the President then the Vice President and in the absence of the Vice President then the CAPA Liaison Officer, and in the absence of the CAPA Liaison Officer then a person elected by the meeting.
- 3.2 A dissent motion may be moved as follows:
  - 3.2.1 Any Constituent disagreeing with a ruling or decision from the Chairperson may move the following motion, which requires no seconder: 'that the Chairperson's ruling or decision be dissented from';
  - 3.2.2** A dissent motion must be moved immediately after the ruling is given;
  - 3.2.3 Upon such a motion being moved, the Chairperson shall immediately vacate the chair;
  - 3.2.4 The Constituent dissenting from the ruling or decision may speak to the matter for not more than five (5) minutes. The Chairperson may

reply for not more than five (5) minutes. The motion shall then be put and the proceedings resumed; and

#### **4. ORDER OF BUSINESS**

- 4.1 The MPAEC shall determine the order of business and session times for meetings and shall circulate the notice of meeting to Constituents.
- 4.2 The agenda of the meeting shall be as distributed by the Vice President in consultation with President.
- 4.3 The agenda shall be made available to Constituents prior to the commencement of the AGM.
- 4.4 Only motions submitted to the MPA office 14 days prior to the AGM shall be accepted.
- 4.5 No discussion shall be allowed except on motion or amendment duly proposed and seconded, or with the indulgence of the Chairperson.
- 4.6 Any Constituent who has proposed a motion or amendment, or who wishes to discuss any matter under consideration, must:
  - 4.6.1 raise their hand until called by the Chairperson; and
  - 4.6.2 rise, introduce themselves and their campus and address the Chairperson.
- 4.7 No Constituents shall address the Annual General Meeting unless called by the Chairperson.

#### **5. DETERMINATION OF GENERAL QUESTIONS**

All questions shall be determined in the following manner:

- 5.1 Constituents, except a mover exercising right of reply, shall not speak more than once to any question before the Chairperson, unless by way of personal explanation or with the consent of the meeting. Such consent shall not be given except by resolution with a simple majority of the Annual General Meeting.
- 5.2 The mover of the motion shall have four minutes to present argument in support of the motion and three minutes to reply.
- 5.3 The seconder of such a motion, and all other speakers, shall be limited to three minutes.
- 5.4 The movers of motions and amendments must exercise the right to speak at the time of moving and not subsequently, subject to the right of reply by the mover of

- the motion; seconders of motions and amendments may reserve the right to speak.
- 5.5 On motions without debate the Constituents may extend the time of any speaker; such extension of time shall not exceed three minutes. Constituents may agree to further extensions on the same basis.
- 5.6 The Chairperson shall call the attention to the time of all speakers one minute before such time expires. Motions for extensions may be made when the Chairperson so calls, but no later.
- 5.7 After the motion has been moved and seconded, and no speaker rises to oppose or move an amendment, the Chairperson shall proceed to put such a motion to a vote of Constituents.
- 5.8 All votes of Constituents shall be subject to the following procedure:
- 5.8.1 The Chairperson shall call upon those who support the question to indicate by raising of hand unless a secret ballot is requested by five or more Constituents pursuant to clause 24 of the MPA Constitution.
- 5.8.2 The Chairperson shall then declare the result by quoting the figures for and against.
- 5.8.3 When any question voted upon by Constituents results in deadlock situation, the Chairperson shall then have the casting vote pursuant to clause 24.3 of the MPA Constitution.
- 5.9 In any case the Chairperson shall put a motion or amendment to the vote after a maximum of twenty (20) minutes debating time has elapsed.
- 5.10 All general questions will be determined by a simple majority of those present and voting.
- 5.11 All motions proposing changes to the MPA constitution will be determined by a three quarters majority of those present and voting.

## **6. POINTS OF ORDER AND CLARIFICATION**

- 6.1 Any Constituent may at any time draw the Chairperson's attention to a breach of procedure or an irregularity in the proceedings.
- 6.2 The Constituent must state the breach or irregularity alleged and any ruling desired. The Chairperson must then rule on the point of order.
- 6.4 Anyone in attendance at the Annual General Meeting may at any time request clarification of an issue raised in immediate debate.
- 6.5 The Chairperson must then rule on the point of clarification, and if necessary, request another member of Annual General Meeting to respond.

## **7. FORMS OF DEBATE**

- 7.1 Motions may be moved and seconded by any Constituent. The Chairperson may move motions without a seconder.
- 7.2 After discussion of a motion, if a procedural motion is passed then the Annual General Meeting must move into formal debate, the order of debate shall be:
  - 7.2.1 mover
  - 7.2.2 seconder
  - 7.2.3 speaker against
  - 7.2.4 speaker for
  - 7.2.5 speaker against
  - 7.2.6 right of reply
- 7.3 Constituents, with the exception of the mover, shall not speak more than once in formal debate.
- 7.4 A Constituent may move for an extension of time for a speaker.
- 7.5 If the Chairperson wishes to take part in substantive debate, then he / she must vacate the Chair.
- 7.6 If the debate results in a call for a vote on the matter at hand, then the original Chairperson of the meeting must be reinstated.

## **8. MOTIONS AND AMENDMENTS**

- 8.1 A motion or amendment shall be worded in definite and precise language.
- 8.2 An amendment shall relate to the subject matter of the motion under discussion and not to some other matter or motion.
- 8.3 An amendment will automatically be included in the original motion if such amendment is acceptable to the mover and seconder of that motion.
- 8.4 Only one amendment shall be accepted at a time. However, a Constituent may speak against an amendment by drawing attention to a foreshadowed amendment to be moved if the amendment before the meeting is defeated.
- 8.5 Notwithstanding any other provision of these regulations, at any time during a debate a member may foreshadow a motion or amendment provided that s/he shall not at that time speak to the motion or amendment which s/he foreshadows.
- 8.6 All amendments must be seconded.

- 8.7 Motions may be amended by adding words, by deleting words, or by deleting words and inserting others in their place, providing that the effect of any proposed amendment is not to establish a direct negative to the question contained in the motion.
- 8.8 The Chairperson shall endeavour to ensure that not more than two Constituents in succession shall speak for or against any question.
- 8.9 If an amendment has been carried, a further amendment which is substantially the same as the original motion is out of order.
- 8.10 If an amendment has been defeated, an amendment which is substantially the same as the amendment is out of order.
- 8.11 Debate on a motion or amendment shall immediately be suspended even if a person is speaking, if any of the following motions are moved:
- 8.11.1 'That the meeting proceed to the next business';
  - 8.11.2 'That the meeting be adjourned';
  - 8.11.3 'That the question be now put';
  - 8.11.4 'That the question be not now put'; or
  - 8.11.5 'That the speaker be no longer heard'.
- 8.12 Any such motion may not be moved by a person who has already spoken to the motion or to an amendment.
- 8.13 Any of the above motions shall immediately be put without amendment or debate. In the event that a motion is carried pursuant to clause 8.11.3 of these Regulations in relation to an original motion, the mover of that motion may reply before the motion is put. In the event that a motion pursuant to clause 8.11.5 of these Regulations is defeated then debate on the motion shall continue.

## **9. RESCISSION OF RESOLUTIONS**

- 9.1 A motion for rescission of any resolution of the Annual General Meeting shall not be carried unless the Constituents present vote affirmatively to rescind the resolution with the same majority (simple or absolute) needed to carry the original motion. Any rescission motion must be written in the agenda.
- 9.2 If a rescission motion is lost, it may be moved again at a later meeting.

## **10. EXTENSION OF TIME FOR DEBATE**

- 10.1 No extension of time beyond that prescribed by section 5.2 and section 5.3 of these Regulations shall be permitted except by resolution of the Constituents. A motion to extend time must be seconded, but shall be voted upon immediately without debate.

## **11. SUSPENSION OF REGULATIONS**

Questions other than those allowed by these Regulations shall not be considered by Constituents without a motion for suspension being passed by a simple majority of Constituents. Constituent seeking Constituents' approval for such a suspension may not canvass the subject matter of any motion dependent upon that approval.

## **12. CONDUCT OF CONSTITUENTS**

### **12.1 Constituents shall:-**

12.1.2 confine themselves to the matter before Constituents; and

12.1.2 not make offensive statements to or impute improper motives of any other Constituents; and

12.1.3 when called to "order" by the Chairperson cease speaking and sit down until the question of order is decided.

### **12.2 In the event that Constituents fail to observe the directions of the Chairperson, the Chairperson has the power to:**

12.2.1 order a short adjournment;

12.2.2 invite a motion that the persons concerned be removed.

## **13. CENSURE MOTIONS**

### **13.1 No motion by the Annual General Meeting that censures an office bearer will be heard unless the following conditions have been satisfied:**

13.1.1 The mover shall notify the Vice President in writing no later than 10 days prior to the meeting of the proposed motion;

13.1.2 The Vice President shall give written notification of the proposed motion to all delegates prior to the opening of the meeting; and

13.1.3 The notice must include a brief statement of the matters alleged against the office bearer or member and a notice that this person may answer the allegations at the meeting; and

13.1.4 The office bearer or member must be given a reasonable opportunity to answer the allegations during debate on the motion.

## **14. REGULATIONS**

14.1 These Regulations can only be changed pursuant to and in accordance with clause 38 of the MPA Constitution. To suspend these Regulations

and relax the normal rules of debate, a motion must be carried by a two thirds majority.

**15. GENERAL RULES FOR CONDUCT OF BUSINESS**

- 15.1 In all cases not provided for in these Regulations, the MPA shall refer to (in order or priority):
  - 15.1.1 MPA constitution
  - 15.1.2 Existing policies and guidelines
  - 15.1.3 Rulings of the chairperson

**16. PRIVACY PRINCIPLES**

- 16.1 Personal information shall not be collected by the MPA for inclusion in a document of the MPA unless the information is collected for a lawful purpose and the collection of the information is necessary for or directly related to the conduct of the AGM.
- 16.2 Personal information includes requiring Constituents who wish to attend the AGM to produce their student ID card as issued by the University.

These Regulations came into effect on 21 April 2004. A further amendment was made on 26 May 2004.



## **GLOSSARY OF TERMS**

### Agenda

The 'agenda paper', often just called the 'agenda' is the list of the items of business before a meeting and the order in which it is proposed that the meeting should deal with them.

### Amendment

An amendment is an alteration or proposed alteration to the terms of a motion, designed to improve the motion without contradicting it. It is brought forward by a person who is not content either to affirm or to negative the motion in its original form. Like a motion, an amendment must start with "that..." and must be specific and unambiguous, for example: "that the words 'but only with the Committee's permission be'".

### Censure and Want of Confidence Motions

If it is desired formally to reprimand the office bearers of an organisation, an appropriately-worded censure motion can be moved, for example: "That the Sporting sub-committee be censured for having cancelled the Singles Tournament".

### Dissent

Members who are overruled by a Chair or by a meeting are entitled to have their protests recorded in the minutes if they make a request to that effect at the time. Similarly, if any members feel very strongly about a motion that has been carried despite their opposition, they are entitled to request that their dissent be recorded in the minutes.

### In camera

Sometimes a meeting desires to discuss a matter of a confidential nature. The need for secrecy may arise because of personalities involved, or because it is desired to have a frank discussion without inhibition, or in order to table some confidential document, or for commercial, privacy, legal or other reason, in particular, concern about defamation.

### Minutes

Minutes are a formal brief summary of proceedings at meetings.

### Motion

A motion is a proposed resolution before it has been adopted (that is passed or carried) by the meeting. A motion must start with "that..." and the verb used must be in the subjunctive mood for example: "that the minutes BE confirmed".

### Point of Order

A point of order is taken when a person officially draws the attention of the Chair of a meeting to an alleged irregularity in the proceedings. The alleged irregularity can be one involving facts or one involving opinions or a mixture.

### Procedural Motion

A procedural motion is one dealing with the conduct of the meeting itself, for example: "that the meeting do now adjourn" or "that Ms Smith be now heard".

### Quorum

The quorum is the smallest number of members who must be present in order to constitute a valid meeting under the rules. If there is no quorum present, then there is no valid meeting. Thus this call must get precedence over all other business.

### Resolution

A resolution is a formal determination by an organized meeting.

### Substantive Motion

A substantive motion is one ordering something to be done, authorising some past or proposed action, expressing the meeting's opinion in regard to some subject, or otherwise dealing with the organisation's general activities, for example: "that the Vice President send a letter of protest to the health inspector" or "that the plumber's account be passed for payment".

### Ultra Vires

This Latin expression "ultra vires" means "beyond the power". Thus an activity, which is not within the scope of the objects set out in the organisation's constitution, is ultra vires and cannot validly be carried out. A motion may be ultra vires of a meeting if, for example, inadequate notice, as required by the rules, has been given. The Chair must rule out of order any ultra vires motions proposed.