Cork Institute of Technology
Students' Union

Constitution & Schedules

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Constitution & Schedules of Cork Institute of Technology Students' Union

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Constitution & Schedules of Cork Institute of Technology Students' Union

Preamble:

Here in are the articles and schedules of the constitution of Cork Institute of Technology Students' Union. This constitution derives its authority from the student body of Cork Institute of Technology. Where Cork Institute of Technology Students' Union is affiliated to any organisation(s), such affiliations will only bind Cork Institute of Technology Students' Union in so far as the provisions of this constitution are not contravened. All previous constitutions of the of Cork Institute of Technology Students' Union and Cork Regional Technical College Students' Union are hereby revoked, however, membership, elections, appointments and policies adopted under previous constitutions are not invalidated or made inoperable as a result of this revocation. Cork Institute of Technology Students' Union is an apolitical organisation.

Freedom of Information:

Any member shall be entitled to request a copy of this constitution from any full-time officer or member of Union staff, during office hours.

All minute books of Cork Institute of Technology Students' Union meetings shall be open to inspection by any member at the Union Office, during office hours and subject to two working days notice.

Minute books of the previous year's Students' Union administration must be handed over in full to the incoming sabbatical officers.

Establishment and Name:

1.1 There shall be only one Students' Union at Cork Institute of Technology.

1.2 The name of the Students' Union shall be "Cork Institute of Technology Students' Union" (hereafter called "The Union").

Aims, Objectives & Ethos:

2.1 The Union shall represent and defend its members on matters affecting their rights and interests as students of the Institute and as citizens.

2.2 The Union shall act as a channel of communication between its members and the Institute and other bodies.

2.3 The Union shall promote the collective and individual participation of students in their own education and welfare and provide information relating to these.

2.4 The Union shall oppose discrimination on the grounds of gender, age, sexual orientation, race, ability, religion, socio-economic status or national origin, which directly affects its members.

2.5 The Union shall be accountable to the students it represents.

2.6 The Union recognises the importance of the Irish Language and will strive to promote, develop and pursue a bilingual policy as far as is practical.

2.7 The Union shall keep abreast of developments and issues in the field of education with a view to the ongoing formulation of policy.

2.8 To enter into and, as far as possible, to promote communication with other student bodies at home and abroad.

2.9 The Union shall provide and develop quality and viable social, recreational and commercial services to meet its members' needs while remaining cognisant of its aims, objectives and ethos.

Membership:

3.1 Full Membership:

All registered students of the Institute, whether full, part-time, day or block release or any combination of these shall be full and equal members of the Union on payment of the fee as specified by the Union annually.

Rights:

- To speak and vote at Union General Meetings.
- To seek election at any level.
- To avail of Union services and facilities subject to third party restrictions.

3.2 Honorary Membership:

Any person proposed by Union Council and agreed by a general meeting shall be asked to become an honorary member of the Union. Past members of the Union Executive, shall be, by right, honorary members of the Union.

Rights:

- To attend and speak at Union General Meetings.
- To avail of Union services and facilities subject to third party restrictions.

Structure:

4.1 The management of the Union's affairs shall be conducted on four levels.

4.1.1 Referendum
4.1.2 Union General Meeting
4.1.3 Union Council
4.1.4 Union Executive

Referendum:

5.1 A referendum may be called on any issue by:

5.1.1 General Meeting
5.1.2 Union Council
5.1.3 500 Union Members

5.2 Unless stated otherwise in this constitution all referenda are to be decided by simple majority.

5.3 A quorum of 10% of the Union membership is required to validate a referendum.

5.4 Referenda shall be binding on all Union bodies.

5.5 Referenda shall be held not less than two academic term weeks and not more than four academic term weeks after it has been called.

5.6 All motions must be posted on main Union Notice Board at least five working days before the referendum. For constitutional amendments, the original text and the proposed amendment must be posted on main Union Notice Board at least five working days before the referendum.

Union General Meetings:

6.1 The Union General Meeting shall be the supreme governing body of the Union.

6.2 Union General Meetings may be called by:

6.2.1 The President
6.2.2 Union Executive
6.2.3 Union Council
6.2.4 200 Union Members

6.3 The quorum for general meetings shall be the lesser of 5% of Union Membership or 300 Union members.
Meetings shall be quorate. In the event of a successful challenge, proving the meeting is inquorate; all remaining business shall be deemed lost.

6.4 U.G.M.s shall be held at least once a month during the academic year.

6.5 At least five working days notice must be given for the holding of a U.G.M.

6.6 All General Meetings shall be conducted in accordance with the standing orders in Schedule A; such standing orders may be suspended by a two-thirds majority of those present and eligible to vote.

Emergency General Meetings:

6.7 E.G.Ms may be called in the same manner as U.G.Ms save that only one working day is required for notice in the case of an E.G.M.

6.8 Such a meeting shall discuss only the business for which it was called, which must be specified in the written request.

Union Council:

7.1 There shall be a representative body that shall determine the policy of the Union and mandate the Union executive subject to the decision of Union General Meeting and Referenda. This body shall be known as Union Council and shall meet at least once a fortnight during the academic year.

7.2 Union Council shall consist of the Union Executive and the elected representative of each registered class in the Institute.

7.3 A Union Council meeting may be called by any of the following:

7.3.1 The President
7.3.2 The Executive
7.3.3 One Third of Council Members

7.4 At least three working days notice must be given for all council meetings.

7.5 Motions for discussion at council meetings must be submitted in writing to the President two working days prior to the holding of the meetings.

7.6 Council must approve all major policy initiated or altered by executive.

7.7 Any council members excepting those members who are also members of the executive may be removed from office by a quorate meeting of their class. Written notice of such a class meeting must be given to the council member concerned at least three working days prior to the holding of the meeting. A sabbatical officer of the Union shall be in the chair for such a meeting.

7.7.1 The quorum for a class meeting shall be 60% of the registered students of that class.

7.8 Council Members who miss more than 40% of the Council Meetings in any one term shall be automatically deemed to have resigned their post.

7.9 A council member who misses three consecutive meetings without notice shall be automatically deemed to have resigned their post.

7.10 Council shall elect from within its membership a Chairperson in accordance with the election schedule of this constitution. Members of the executive are ineligible for election to these positions.

7.11 Council meetings are subject to the same standing orders as general meetings and the same procedures apply in relation to suspension of standing orders.

The Executive:

8.1 There shall be an executive elected by the members of the Union by general franchise according to the election schedule of this constitution.

8.2 The executive shall be responsible for the initiation of policy of the Union subject to Union Council, General Meeting and Referendum.

8.3 The executive shall consist of the following posts:

8.3.1 President (Sabbatical)
8.3.2 Vice President Education (Sabbatical)
8.3.3 Vice President Welfare (Sabbatical)
8.3.4 Communication (Non-Sabbatical)
8.3.5 Entertainment (Non-Sabbatical)
8.3.6 Projects (Non-Sabbatical)

8.4 No member of the executive may hold any other elected position in the Union.

8.5 All executive officers shall be required to present a written officer report to all General Meetings. This report is to be made available to any member of the Union who requests it subject to two working days notice.

8.6 The executive shall meet at least once a week during term.

8.7 The quorum for all executive meetings shall be 50%+1.

8.8 All motions passed by the executive must specify the person(s) who is to be responsible for their implementation.

8.9 The positions of President ,Vice President Education and Vice President Welfare shall be full-time sabbatical positions and shall be salaried. This salary shall be equivalent to the first point on the clerical officer standard scale. This shall not be incremented if an officer is employed for more than one year in any sabbatical position.

8.10 Sabbatical officers shall take up office on June 1st and their terms of office shall be terminated the following May 31st.

8.11 At the time of election the candidates for the position for any executive positions must be full members of the Union. The offices are held for one year and any one position can only be held for two years in total by the same person.

8.12 The Sabbatical Officers shall represent the views of the Union Members as expressed by Executive, Union Council, Union General Meeting and Referenda.

8.13 The sabbatical officers shall take collective responsibility for the day-to-day functions of the Union.

8.14 Areas of competence for the sabbaticals shall be allocated by the president at the beginning of each year, following consultation with the vice-presidents.

8.15 The **President** shall have full membership and shall be the principal spokesperson and chief executive officer of the Union and co-ordinator of all activities of the Union.

He/She shall be the chief representative of the students and shall have five main areas of responsibility: finance, representation, organisation, supervision and guidance of policy.

He/She shall automatically take up office on the Governing Body of the Institute at the beginning of his/her term of office and the outgoing President shall be deemed to have resigned from the Governing Body of the Institute.

He/She shall have specific responsibility for liaison and integration with sites of the Institute not located on the Bishopstown campus.

8.16 The **Vice President Education** shall have full membership of the Union.

He/She shall from time to time act for and on behalf of the President in the President's absence at his/her request.

He/She is responsible for the implementation and development of the Unions' educational policies subject to the general direction of Union Council, General Meetings and Referendum.

He/She will undertake such research, surveys etc. as shall contribute to the development of educational policy locally and nationally.

He/She shall be responsible for the provision of careers information.

8.17 The **Vice President Welfare** shall have full membership of the Union. He/She shall from time to time act for and on behalf of the President in the President's absence at his/her request.

He/she shall be familiar with the Welfare matters that concern all members and shall represent their interest in matters relating to their welfare.

He/She shall be the chief co-ordinator of a Welfare Awareness Programme throughout his/her term of office.

8.18 The **Communications Officer** shall aid in the development of the Union's information and communication policy. He/She shall be familiar with all the communication policies. He/She shall be familiar with all the communication mediums available to him/her and use them to their full potential.

He/She is to keep the membership of the Union informed through the provision of a regular Union Publication.

He/She shall be the convener of the editorial board. This board shall ensure that Union Publications are not offensive or degrading to any section of Union membership or society as a whole.

8.19 The **Entertainments Officer** is responsible for the provision of entertainments and other forms of social and cultural activity for the members of the Union in conjunction with the sabbatical officers and Union Staff.

He/She shall endeavour to cater for all entertainment tastes.

8.20 The **Projects Officer's** role will be primarily as a support for the sabbatical officers in the areas of campaigning, Union development and projects.

8.21 A sabbatical officer may only be removed from office by a two thirds majority vote of a referendum.

8.22 In the event of the resignation or removal from office of the President the executive shall elect either the Vice President Education or the Vice President Welfare, to fill the vacancy. There shall be an immediate by-election for the vacant Vice President position in accordance with the election schedule.

8.23 In the event of the resignation or removal from office of the Vice President, Education there shall be an immediate by-election for the position of Vice President Education, in accordance with the election schedule.

8.24 In the event of the resignation or removal from office of the Vice President Welfare there shall be an immediate by-election for the position of Vice President Welfare, in accordance with the election schedule.

8.25 In the event of the resignation or removal from office of all the sabbatical officers simultaneously there shall be an immediate by-election for all positions in accordance with the election schedule.

8.26 A non-sabbatical executive officer may be removed from office by a two-thirds majority vote of Union Council or General Meeting.

8.27 In the event of the resignation or removal from office of a non-sabbatical officer a by-election will take place in accordance with the election schedule.

8.28 The resignation of an executive officer shall only take effect upon notification of same by letter to the Union Executive.

8.29 Site officers may be required at times on campuses other than Bishopstown. They shall be elected according to the schedule of elections from the member ship of that site. They will have the right to attend the executive in a speaking but non-voting role. The existence of such an officer shall not remove any responsibility of the other officers to the members on that campus.

Interpretation:

9.1 In the event of a dispute as to the interpretation of any part of this constitution, excepting Schedule B, the ruling of the President shall be sought. In the event of a challenge to the President's ruling the decision of the General Meeting shall be final.

Indemnity:

10.1 Every officer, appointee or member of staff of the Union shall be entitled to be indemnified out of the assets of the Union against all losses or liability which he/she may sustain or incur in or about the execution of his or her office or otherwise in relation there to and no officer, appointee or member of staff shall be liable for any loss, damage or misfortune, which may happen to or be incurred by the Union in the execution of the duties of his or her office or in relation thereto. Provided that nothing in this clause shall affect their liability for the consequences of any negligent or fraudulent act on their part.

External memberships and affiliations:

11.1 The Union shall affiliate annually to external organisations where it believes such membership will be beneficial to the membership of the Union and where that organisation's aims, objectives and ethos are not contradictory to the Union's own aims, objectives and ethos.

11.2 Such memberships can ordinarily be approved by a quorate general meeting, however this membership must be confirmed by referendum if one is called by:

11.2.1 The President
11.2.2 Union Executive
11.2.3 Union Council
11.2.4 500 Union Members
11.2.5 Union General Meeting

Policy:

12.1 All policies adopted by the Union shall lapse after a period of five years, unless that policy is reaffirmed.

Autonomy:

13.1 The Union is an autonomous organisation and shall not be affiliated to any organisation whose conditions of membership may affect the autonomy of the Union.

Amendments:

14.1 The sole amending body of this constitution and schedules shall be by Referendum in accordance with article five above.

Enactment:

15.1 This constitution comes into effect on 3rd February 2005

Finance:

16.1 The sabbatical officers shall be responsible for the allocation and control of all Union funds in consultation with the Union General Manager (The Union General Manager being a salaried employee of the Union). They must be willing to collectively account for their decisions to the membership.

16.2 The Union General Manager shall be responsible to the Union for the keeping of accounts and shall exercise supervision over all Union finances.

16.3 The financial year shall run from the 1st June to 31st May annually.

16.4 The Union through the President and the Union General Manager shall incur contractual obligations on behalf of the Union in pursuance of the aims and objectives of Union policy.

16.5 The accounts of the Union shall be audited by a qualified external auditor, said auditor to be appointed annually at the A.G.M.

16.6 The Union shall hold bank accounts in the name of the Union. Cheques shall ordinarily be signed by the Union General Manager and one of the following officers.

16.6.1 The President
16.6.2 The Vice President Education
16.6.3 The Vice President Welfare

16.7 The Union General Manager shall be responsible for the operation of the Union's various accounts subject to the direction of the Union executive. The Union General Manager shall present financial reports to the Executive on a regular basis.

16.8 The Union accepts no responsibility for overdrafts or debts incurred by clubs, societies or individuals connected with or associated with the Union.

16.9 The Union's Auditor in conjunction with the Union General Manager shall be responsible for the preparation of annual accounts relating to the Students' Union activities which will comprise of, as a minimum, a Balance Sheet, a Profit and Loss Account, a Statement of Source and Application of Funds and Supporting Notes to the Accounts as well as comparative figures from previous sessions accounts, to be presented at the A.G.M.

16.10 The Union General Manager in consultation with the Executive shall present to the AGM a schedule of Union procedures and controls to be adopted as policy in accordance with schedule 12.1, the purpose of which is to protect the assets of the Union and ensure accountability.

16.11 The Union in so far as practical shall make financial provisions to ensure continuity of service in future years.

SCHEDULE A

Standing Orders for Union Meetings:

1. Standing orders shall apply to all meetings of the Union.

2. Only full members of the Union may speak and vote at General Meetings. Honorary members have speaking rights. Only council members have voting rights at union council meetings, however all members have speaking rights at these meetings.

3. The Vice President Education shall be responsible for the production of minutes of all meetings.

4. All Ordinary, Extraordinary and Annual General Meetings shall be convened by the President in accordance with the constitution. The council chairperson shall convene all Union Council meetings.

5. The business of meetings shall be taken in the following order.

   (i) Minutes of previous meeting.
   (ii) Matters arising.
   (iii) Reports, statements and motions.
   (iv) Any other business.

6. The President of the Union shall take the chair at General Meetings. If he/she is absent or relinquishes the chair it shall be taken by one of the Vice Presidents. The Council Chairperson shall take the chair at Union Council meetings.
   If he/she is absent a temporary chair shall be appointed from the floor. This temporary chair cannot be a member of the executive.

7. The Chairperson shall be responsible for keeping the meeting in order. He/She shall not otherwise participate in debate. When the Chairperson speaks all other members shall be silent.

8. Members wishing to speak shall rise and address the chair. The Chairperson shall decide the right of priority in speaking. He/she shall ensure when ever practicable that speakers for, and against the question under discussion address the meeting alternately.

9. No member may speak more than once on the same motion except with the express permission of the meeting or to answer a question on a report or as indicated in standing orders 13 and 24.

10. Each full member shall have one vote. The Chairperson shall have a single vote and shall use it only in the event of a tie.

11. No votes shall be recorded on behalf of any member not present.

12. Every motion shall have a proposer and a seconder. The proposer shall move the motion, it shall thereafter be open for discussion and may be with drawn only with the consent of the meeting.

13. The proposer of any motion shall have the right to sum up on the debate immediately before the vote is taken.

14. There shall be no new information or points of information during the summing up speech.

15. Emergency motions may be moved if and only it they deal with matters which have arisen since the date for submission of motions, and if there is a two thirds majority vote for the discussion of this motion. Emergency motions may only be discussed if all properly submitted motions have been discussed.

16. In the absence of any discussion, the Chairperson, shall ask if there be any further speeches and if not shall put the motion to a vote.

17. There shall be only one motion or amendment before the meeting at any one time. The first amendment to a motion shall be proposed immediately after the motion has been proposed.

18. The proposer of the amendment shall have the right to sum up before a vote is taken on it.

19. In the event of any amendment being carried which was not accepted by the proposer of the original motion, the amended motion shall become the substantive motion, and the proposer of the amendment shall become the holder of that substantive motion.

20. When all amendments have been voted upon, the substantive motion shall be debated.

21. The following procedural motions may be put:
(i) A vote of no confidence in the Chairperson.
(ii) A challenge to the Chairperson's ruling.
(iii) That the motion be now put.
(iv) That the motion not be put.
(v) That standing orders be temporarily suspended.
(vi) That the meeting be temporarily adjourned for a specific time.
(vii) That the matter be discussed but not voted upon.
(viii) That the motion be remitted to the appropriate Union Committee/Sub-Committee.
(ix) That the motion be referred back for investigation or re-examination.

(x) That the meeting be adjourned.
(xi) That the motion be voted on in parts.

22. Procedural motions shall have a proposer and seconder.

23. Procedural motions shall be debated in the order of priority as in Standing Order 21.

24. Procedural motions (i), (ii), (iii), (iv), (v), (vi) and (x) should be moved on a point of order. Other procedural motions may be moved by members called to speak by the Chairperson.

25. If procedural motion (i) or (ii) are put the Chairperson shall hand the Chair, to another member of the Executive. The proposer shall state his or her own case, the person who has just vacated the Chair shall reply and the matter will be put straight to a vote. In the event of procedural motion (i) being carried she/he shall not resume the Chair during the meeting.

26. If procedural motion (iv) or (xi) is put, the meeting shall vote immediately on the procedural motion. If it is carried, the mover of the motion under discussion shall sum up immediately.

27. Points of information may be raised by any full member provided that he speaker occupying the floor signifies their intention to give way.

28. Points of order, which take precedence over any other business and upon which there shall be no discussion may be raised by any full member.

29. Motions shall require a simple majority except where otherwise specified in this Constitution.

30. Any suspension of standing orders shall apply for the duration of the matter under discussion only.

31. In the event of any situation arising not being covered by standing orders then the Chairperson shall rule on the procedure being adapted. Such ruling shall be subject to challenge under procedural motion (i).

SCHEDULE B - Elections

General:

1. A Returning Officer, who shall not be a member of the student body, shall be appointed by the Union Executive. The returning officer shall be responsible for the good conduct of elections for one year.

2. The election of the Executive shall take place in the second term of the academic year.

3. The dates of all elections and a copy of the election regulations shall be posted on the Union Notice Board at least three working weeks before the election.

4. All full members of the Union shall be entitled to vote and/or contest all executive positions.

5. It will be the responsibility of all the outgoing Full Time Officers if requested, to make themselves available to all candidates for information purposes.

Nominations:

6. Candidates for executive posts must be nominated by 40 full Union members including at least two Union Council Members. As well as signing the nomination form the nominators must also print their names and ID numbers on the nomination form.

7. The official nomination papers must contain, as well as the required number of nominees, the candidates name as registered with the Institute, his/her Institute I.D. number, course and the name of the candidate's agent/campaign manager (if any).

8. The election for all positions shall take place four working days after the close of nominations.

9. Nomination forms signed by the candidates shall be returned to the Returning Officer no later than 5.00 p.m. on the day of close of nominations.

10. Candidacy will be invalidated on the basis of tampering or defacement of the official nomination form.

11. The decision on valid candidacy is at the discretion of the Returning Officer, his/her decision is final.

Canvassing:

11. All candidates are expected to treat all other candidates with dignity and respect and abide by basic rules of fair play.

12. Where an election is in progress under this constitution the Returning Officer may at his/her discretion make such regulations as may be appropriate to govern the canvassing or other activities of candidates, or their agents, in seeking election.

13. All canvassing must be confined to campus grounds. All canvassing must be carried out in keeping with the laws and regulations of both the institute and the state.

Hustings:

14. All official hustings or public debates with or between candidates or interested parties in an election shall be convened by independent chairpersons.

15. Candidates shall hust in alphabetical order and shall sum up in reverse alphabetical order.

16. Candidates shall have equal time for their main speeches and not less than a third of that time for summing up.

17. Points of information shall not be allowed. Points of order may only be made by the Candidates and shall only be related to the running of hustings.

18. Questions from the floor shall be subject to inspection by the Returning Officer and/or the Chairperson.

19. Parliamentary language must be observed at all times during hustings.

Voting:

20. The system of voting shall be proportional representation with the single transferable vote, as operated under the various Electoral Acts of Ireland.

21. Votes will be cast in sealed ballot boxes.

22. Voting slips shall bear the name of each candidate alphabetically and the office being contested.

23. The Returning Officer shall publicise the location and arrangements of polling station(s) and shall make arrangements whereby provision is made for all full members of the Union to vote in advance of Polling Day.

24. Polling stations will be situated in areas giving greatest convenience to the voters and their opening hours shall be determined by the returning officer with a view to catering for the highest possible voter turnout.

25. No other polling station can be opened other than those on the Institute campuses authorised by the Returning Officer.

26. No electioneering or pamphleting may take place within the red perimeter line circumferencing the polling booth(s).

27. Voters must be able to identify themselves before being allowed to vote.

28. Any vote on which a clear preference is shown will be considered valid.

29. If a candidate wishes to use on the ballot paper a name other than the one, which appears on their institute registration, they must seek prior approval from the returning officer.

Counting:

31. The counting of votes shall take place after the closing of the polling stations at a time and in an area designated by the Returning Officer.

32. The order of the count after ascertaining total poll shall be President, Vice President Education, Vice President Welfare, Communications Officer, Entertainment Officer, Projects Officer with the official results being declared by the Returning Officer after each count.

33. Campaign managers/candidates have the right to call a recount after the result of the count has been announced. If a campaign manager/ candidate for any reason is absent from the count result announcement he/she may still request a recount within one hour of the announcement being made. The Returning Officer alone will make the decision as to when the recount will take place.

Grievances:

34. Any corrupt practice e.g. attempted double voting, will be disciplined using all the medium at the Union's disposal.

35. Any candidate/campaign manager/ordinary member of the Union who has reason to believe that there was an irregularity of any kind regarding the conduct of the elections shall have the right to lodge an objection with the Returning Officer within one Institute day of the alleged irregularity taking place.

By-Elections:

36. The above rules shall also apply for by-elections, however, by elections for non-sabbatical executive positions may be held through the medium of the General Meeting, the decision as to whether to use this medium or not shall be made by the Executive of the day.

Union Council:

37 The position of Union Council Chairperson shall be elected from the floor at their first council meeting of the year; this position shall be filled by show of hands unless a secret ballot is requested.