

# Constitution of Otago Melanesian Islands Students' Association (OMISA)

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## 1. NAME OF CLUB

1.1 The name of the club shall be the Otago Melanesian Islands Students' Association.

## 2. DEFINITION AND INTERPRETATION

2.1 'OUSA' refers to the Otago University Students' Association Inc.

2.2 'The Club' refers to the Otago Melanesian Islands Students' Association.

2.3 'OMISA' refers to the Otago Melanesian Students' Association.

2.4 'OPSA' refers to the Otago Polytechnic Students' Association.

2.5 'UOPIISA' refers to the University of Otago Pacific Islands Students' Association.

2.6 "The rules of OMISA" refers to the OMISA Constitution and Policy or resolutions as set by the SGM, referenda, or the OMISA Executive."

2.7 Ordinary Resolution refers to a motion requiring a majority positive vote to pass.

2.8 Special Resolution refers to a motion requiring a two-thirds majority positive vote to pass.

2.9 OMISA Committee shall, subject only to the OMISA Executive, be the sole authority for the interpretation of these rules. The decisions of OMISA Committee shall be binding, subject only to the right of appeal to the OMISA Executive.

2.10 These rules are to be read in conjunction with the OUSA Affiliation policy.

2.11 This constitution is subject to the rules of OMISA and shall be void and of no effect to the extent of their conflict with the rules of OMISA.

## 3. OBJECTIVES OF OMISA

3.1 The objectives of OMISA shall not, in any significant way, contradict the objectives of OUSA.

3.2 The objectives of OMISA shall be:

3.2.1 Uplift and support Melanesian tertiary students in the Otago Region.

3.2.2 Advocate for Melanesian **tertiary** students within Otago and the wider Pacific community.

3.2.3 Organize events to embrace and recognize our many unique Melanesian cultures.

3.2.4 Create a safe space to connect with all Melanesian students, and students who have links to Melanesia.

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3.2.5 Connect with other Melanesian Islands Students' Associations around New Zealand.

## 4. POWERS OF OUSA WITH RESPECT TO OMISA

- 4.1 Affiliation to OUSA shall not limit or affect the rights and powers of OMISA or any of its committees in respect of any matter.
- 4.2 The OUSA Executive may, at any time, by ordinary resolution:
- 4.2.1 Inspect OMISA's financial records, asset register, and membership list;
  - 4.2.2 Appoint a committee to conduct an examination of the affairs of OMISA and to report thereafter to the OUSA Executive;
  - 4.2.3 Convene a Special General Meeting of OMISA for any purpose;
  - 4.2.4 Appoint a temporary Club Committee to replace the regular Club Committee for such time, and with such powers, as the OUSA Executive may determine;
  - 4.2.5 Disaffiliate OMISA.

## 5. POWERS OF OMISA

- 5.1 OMISA is not formed for the pecuniary gain of its members.
- 5.1.1 OMISA may make payment as reasonable remuneration to any servant or officer of OMISA or the payment of reasonable expense to any authorised representative or delegate of OMISA.
  - 5.1.2 Reasonable remuneration shall not exceed market rates for the provision of equivalent goods or services.

## 6. AFFILIATION

- 6.1 OMISA shall be affiliated to OUSA.
- 6.2 OMISA and its members present and future shall be bound by the rules of OUSA, and every such Club and all such members shall be so bound in all respects. Where the OUSA constitution is not expressly mentioned in the constitution of OMISA, the provisions of the OUSA constitution shall be read into the document.
- 6.3 OMISA's affiliation to OUSA shall automatically lapse if OMISA fails or ceases to comply with the OUSA Affiliation Policy or Section 18 of the OUSA Constitution and Rules.
- 6.4 The Club shall not become affiliated to or in any way connected with any other organisation without the consent of the OUSA Executive.

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6.4.1 Any affiliation to any other entered into without the OUSA Executive's consent shall be null and void.

6.5 OMISA shall be affiliated to UOPISA

## 7. LIABILITIES INCURRED BY OMISA

7.1 OMISA shall not enter into any loan agreement of a value greater than NZ\$1000 without approval by ordinary resolution of the OMISA Executive.

7.2 OUSA shall not be responsible for any liabilities or debts incurred by OMISA.

## 8. MEMBERSHIP

8.1 OMISA shall, in normal circumstances, have no less than 75% of total membership comprised of OUSA/OPSA members.

8.2 OMISA shall in normal circumstances have no less than ten members.

8.3 Membership of OMISA shall be open to all members of OUSA/OPSA.

8.4 Membership can be restricted to a subsection of OUSA/OPSA members provided that the restrictions do not contravene the laws of New Zealand.

8.5 Persons shall become members of the Club when an application for membership is given in writing to the Club Committee and accompanied with the annual subscription fee (if applicable).

8.6 The Club shall only levy upon its members such fees or subscriptions as have been ratified by the AGM of the Club.

8.7 Any member of OMISA who does not complete any required subscription process within one calendar month of joining shall not be permitted to exercise the privileges of membership until the subscription process has been completed.

8.8 Membership shall be deemed to continue until a formal resignation is received by the Club Committee or by the end of the calendar year.

8.9 A club member may not be suspended or expelled unless the committee resolves to do so by special resolution.

8.9.1 The suspended member will be relieved of any powers and responsibilities and is not permitted to attend club activities, or access club resources or material.

8.9.2 A special general meeting must be called within three months to expel the member or the suspension lapses.

8.10 The following procedure must be used to expel a club member:

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- 8.10.1 Written notice of any meeting regarding the expulsion and of the basic allegations and charges against the member must be received in person 30 days prior to the meeting taking place.
  - 8.10.2 That a special general meeting is called which the member to be expelled may attend in person, or submit in written form, grounds for his or her defence.
  - 8.10.3 The motion to expel a club member must be passed by special resolution.
  - 8.10.4 That the member is informed in writing of the decision of the meeting and the length of his or her expulsion.
- 8.11 Where a member of OMISA is expelled, that member shall have the right of appeal to the OMISA Executive.

## 9. ANNUAL GENERAL MEETING (AGM)

- 9.1 The Annual General Meeting (AGM) of OMISA shall be held during the month of September at such time and place as OMISA Committee shall decide.
- 9.2 The AGM shall be held for the following purposes:
- 9.2.1 To receive, from OMISA Committee, a report of the proceedings of the previous year and a statement of OMISA accounts;
  - 9.2.2 To elect the officers of OMISA Committee for the following year;
  - 9.2.3 To conduct any general business.
- 9.3 The President or in their absence any member appointed by the meeting, shall be chair of the meeting.
- 9.4 Every motion shall be moved by one Club member and seconded by another.
- 9.5 Every member present shall be entitled to one vote,
- 9.5.1 In the case of an equality of votes the Chair shall have a second or casting vote.
- 9.6 The quorum shall be 20 per cent of OMISA's total members or 6 members, whichever is greater.
- 9.7 At least 14 days notice of the AGM shall be given to all members, by posting a notice on the OUSA notice board and/or on the OMISA Instagram and facebook page.
- 9.7.1 The notice shall include an agenda of business to be conducted at the AGM.

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## 10. SPECIAL GENERAL MEETINGS AND NO CONFIDENCE VOTES

- 10.1 OMISA Committee on their own behalf or on the signed request of a quorum of members may at any time call a Special General Meeting.
- 10.1.1 If OMISA Committee does not call a meeting within 14 days of receiving such a request, the requestors may themselves call a Special General Meeting.
- 10.1.2 Notice of a Special General Meeting shall be given in the manner described above for an AGM.
- 10.2 The conduct, voting procedures and quorum of a Special General Meeting shall be the same as those prescribed for the AGM.
- 10.3 At any Special General Meeting a motion of no confidence in OMISA Committee, or any member thereof, may be passed by special resolution provided that 14 days notice of such intention has been given.
- 10.3.1 On the passing of such motion, the Committee member shall be deemed to have resigned and the meeting shall then have the power to, and may proceed to, elect a new Committee member to the vacant position (s).
- 10.3.2 Such new member shall hold office until the next AGM.

## 11. CLUB OFFICERS AND THEIR ELECTION

- 11.1 The management and control of OMISA shall be deputed to the officers of OMISA who represent the Committee of OMISA.
- 11.2 The Committee of OMISA shall consist of a maximum of (5) people, being the President, Vice President, Secretary, Treasurer and Cultural Representative, all of whom shall be elected at the Annual General Meeting.
- 11.3 Every candidate for office shall be nominated **before or** at the meeting by one member of OMISA and seconded by another.
- 11.3.1 Nominees do not need to be present for election provided they have been notified of a nomination 24 hours before the general meeting, and have given consent to an individual who **will** be present to accept or decline nomination on their behalf.
- 11.3.2 This individual will be given the chance to read an address by nominee.
- 11.4 Every member present at the meeting shall be entitled to one vote.
- 11.5 In the event of two or more candidates receiving an equal number of votes, the chair of the meeting shall have a second or casting vote.
- 11.6 OMISA Officers shall hold office for one year following their appointment or until an officer resigns.

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- 11.6.1 Such resignation shall be effective immediately upon receipt in writing by the committee.
  - 11.6.2 If a vacancy on OMISA Committee occurs during the year, providing that a quorum remains, OMISA Committee may appoint any member to fill such a vacancy at a SGM, unless it has occurred due to a no confidence vote.
  - 11.6.3 If a vacancy occurs due to a no confidence vote then section 10 of this constitution applies.
- 11.7 At least 50% of the Club committee elected during the AGM or SGM must be of Melanesian descent.

## 12. OMISA COMMITTEE

- 12.1 OMISA Committee shall have full power at its meetings to deal with all matters relating to the objectives of OMISA.
  - 12.1.1 Any matters relating to the interpretation of these rules;
  - 12.1.2 Except where power is vested in OMISA at a general meeting.
- 12.2 All decisions shall be valid and binding on the members, only so far as they do not conflict with these rules, the rules of OUSA, or decisions of the OMISA Executive.
- 12.3 OMISA Committee shall meet at such times as it deems fit.
- 12.4 All OMISA officers are required to attend all scheduled OMISA meetings unless they have given a days notice of reasonable absence.
  - 12.4.1 If an OMISA officer fails to notify the OMISA Committee of their absence for more than three meetings in the year, the OMISA Committee have the power to vote a no confidence in the officer and section 10 of this constitution applies.
- 12.5 The President, or in their absence, any member appointed by OMISA Committee, shall, in the case of an equality of votes, have a second or casting vote at all Club Committee meetings.
- 12.6 The quorum for Club Committee meetings shall be at least three Club Committee members.
- 12.7 One member of OMISA Committee shall be elected to represent OMISA on the OUSA Affiliated Clubs Council.
- 12.8 OMISA Committee must be University or Polytechnic students for the year they are on the executive committee.
- 12.9 Any Club Committee must be in their second year or above for the year they are on OMISAs executive team.

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12.10 Any nominated persons for OMISA Committee must have been an OMISA active member for at least one year. Exception is made for OMISA Committees during the inauguration of OMISA.

## 13. FINANCE, PROPERTY AND RECORDS OF OMISA

13.1 The funds of OMISA shall be in the control of OMISA Committee, which will depute the Treasurer to manage them.

13.2 The Treasurer shall also:

13.2.1 Keep a true record and account of all the receipts and payments of OMISA including bank statements;

13.2.2 Prepare the statement of accounts and balance sheet for the financial year;

13.2.3 Keep OMISA's asset register up to date.

13.3 The Secretary shall:

13.3.1 Keep a true record and account of the proceedings and meetings of OMISA and OMISA Committee;

13.3.2 Keep a correct and up to date membership list;

13.3.3 Conduct and archive all correspondence relating to OMISA.

## 14. DISAFFILIATION OF OMISA FROM OUSA

14.1 A club may disaffiliate from OUSA at any time by notifying the CDO in writing.

14.1.1 Such notification will provide reasons for why OMISA is disaffiliating from OUSA.

14.1.2 Notification will be provided by supplying OMISA's AGM Minutes to that effect.

## 15. DISSOLUTION OF OMISA

15.1 If OMISA's committee members are unable to be contacted using all possible means for a period of six months OMISA will be deemed to be dissolved.

15.2 Upon dissolution of OMISA:

15.2.1 All funds remaining after debts have been cleared will be held by ~~OUSA~~ UOPIA until another OMISA Club forms, who will then inherit it.

15.2.2 All assets will be held by ~~OUSA~~ UOPIA until another OMISA Club forms, who will then inherit it.

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## 16. AMENDMENT OF THIS CONSTITUTION

- 16.1 Proposed amendments to the constitution of OMISA must be approved at OMISA's General Meeting, then ratified by the OUSA Executive.
- 16.1.1 Any proposed amendments to the constitution must be highlighted;
  - 16.1.2 Proposed amendments must be attached with OMISA's General Meeting minutes for OUSA Executive ratification.
  - 16.1.3 Proposed amendments and Club General Meeting minutes must be sent to OMISAs Development Officer, who shall pass onto the OUSA Recreation Officer.
- 16.2 These rules can only be added to, repealed or amended by special resolution at an Annual or Special General Meeting of OMISA, provided that no resolution shall be deemed to have passed unless:
- 16.2.1 14 days notice of the proposed amendment has been given;
  - 16.2.2 Once ratified at a General meeting of OMISA, the new constitution must be submitted to the OUSA executive and approved by ordinary resolution.