



Constitution

Under the NSW Associations Incorporation Act 2009

1. Definitions

- 1.1. This Constitution is the constitution of the Australasian Council for Undergraduate Research (ACUR).

2. Mission

- 2.1. The mission of the Australasian Council for Undergraduate Research (ACUR) is to promote and advance the spread of undergraduate research in Australasia. Undergraduate research is defined as research or investigation conducted by tertiary level undergraduate students attending universities and colleges.

3. Objectives

- 3.1. ACUR aims to realize its mission by:
 - a. Ensuring that an Australasian Conference of Undergraduate Research is held each year in different universities on an ongoing basis;
 - b. Promoting attendance at such events throughout Australasian higher education;
 - c. Organising other events that promote undergraduate research;
 - d. Promoting and supporting undergraduate research provision within universities and colleges and across the Australasian community;
 - e. Raising the national and international profile of undergraduate research provision and achievements; and
 - f. Liaising with other undergraduate research networks worldwide.

4. Membership

- 4.1. Institutional membership is open to Australasian universities and institutions of higher education eligible for funding under the Australian Higher Education Support Act (2003) and the New Zealand Education Act.
- 4.2. Affiliate membership is open to other organisations interested in undergraduate research and its development
- 4.3. Individual membership is open to individual persons including students.

- 4.4. Membership is congruent upon payment of any annual membership fees which may be determined by ACUR under this constitution.
 - 4.5. Student conference presenters are deemed to be members for the year succeeding their conference presentation and for such students the fee will be deemed to have been paid.
 - 4.6. Membership entitlements are not transferable.
5. Sponsorship
 - 5.1. ACUR invites sponsors to contribute to its work
 - 5.2. Benefits accrue to sponsors depending on the level of their sponsorship as determined by the Executive
 - 5.3. Levels of sponsorship are set by the Executive and are not negotiable.
6. Cessation of membership
 - 6.1. An organisation or person ceases to be a member if:
 - a. The organisation or person resigns, ceases to exist or dies;
 - b. The organisation or person is expelled from ACUR; or
 - c. The organisation or person fails to pay the annual membership fee under clause 4 within 6 months after the fee is due.
7. Membership entitlements not transferable
 - 7.1. A right, privilege or obligation which an organisation has by reason of being a member of ACUR:
 - a. Is not capable of being transferred or transmitted to another organisation or person, and
 - b. Terminates on cessation of the organisation's or person's membership.
8. Resignation of membership
 - 8.1. A member may resign from membership of ACUR by first giving to the Executive written notice of at least 1 month (or any other period that the Executive may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
 - 8.2. If a member of ACUR ceases to be a member under Subclause (8.1), and in every other case where a member ceases to hold membership, the Executive Officer must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.
9. Register of members
 - 9.1. The Executive must establish and maintain a register of members of ACUR (whether in written or electronic form) specifying the name and postal, residential or email address of the person or institution that is a member of ACUR together with the date on which the person or institution became a member.
 - 9.2. The register of members must be kept in New South Wales:
 - a. At the main premises of ACUR, or
 - b. If ACUR has no premises, at its official address.

- 9.3. The register of members must be open for inspection, free of charge, by any member or representative of any member at any reasonable hour.
- 9.4. A member or, in the case of an organisational member, their representative may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.
- 9.5. If a member or, in the case of an organisational member, their representative requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.
- 9.6. A member or, in the case of an organisational member, their representative must not use information about a person or organisation obtained from the register to contact or send material to the person or organisation other than for:
 - a. The purposes of sending a newsletter, a notice in respect of a meeting or other event relating to ACUR or other material relating to ACUR, or
 - b. Any other purpose necessary to comply with a requirement of the Act or the Regulation.
- 9.7. If the register of members is kept in electronic form:
 - a. It must be convertible into hard copy, and
 - b. The requirements in Subclauses (9.2) and (9.3) apply as if a reference to the register of members is a reference to a current hard copy of the register of members.

10. Fees and subscriptions

- 10.1. A member of ACUR must, on admission to membership, pay to ACUR a fee of \$1 or, if some other amount is determined by the Executive, that other amount.
- 10.2. In addition to any amount payable by the member under Subclause (10.1), a member of ACUR must pay to ACUR an annual membership fee of \$2 or, if some other amount is determined by the Executive, that other amount:
 - a. Except as provided by Subclause (10.1), before the first day of January in each calendar year, or
 - b. If the member becomes a member on or after the first day of the financial year of ACUR in any calendar year—on becoming a member and before the first day of the financial year of ACUR in each succeeding calendar year.
- 10.3. Conference host institutions must pay to the Council a fee of \$1 per conference attendee or if some other amount is determined by the Executive, that other amount before the first day of the year following the conference for which they have acted as hosts.

11. Members' liabilities

- 11.1. The liability of a member of ACUR to contribute towards the payment of the debts and liabilities of ACUR or the costs, charges and expenses of the winding up of ACUR is limited to the amount, if any, unpaid by the member in respect of membership of ACUR as required by clause 10.

12. Representation

- 12.1. Each institutional member shall be represented by a nominee (hereafter referred to as the “institutional nominee”) chosen by the member institution. This would normally be a person appointed by the Pro-Vice Chancellor with responsibility for student learning. Each member is also invited to nominate an alternate who may be a student.
- 12.2. Additional representatives of institutional members may serve on the Steering Committee at the expense of their institution and at the discretion of the Chair.
- 12.3. Individual members shall be represented by themselves, or may nominate, in writing to the Executive Officer, a person to represent them.

13. Executive Committee

- 13.1. There shall be an Executive Committee (hereafter called “the Executive”) comprising the *Chair*, the *Vice Chair*, the *Treasurer*, the serving *Conference Organiser*, the *New Zealand Representative*, the *Student Representative* and an *Executive Officer*.
- 13.2. The role of the Executive is to act for ACUR in all matters of policy and practice.
- 13.3. The responsibilities of the Executive are to:
 - a. Implement policy with the advice of the Steering Committee
 - b. Take and implement decisions regarding the ongoing reputation, progress and work of ACUR,
 - c. Establish, maintain and publicise criteria and guidelines for institutions wishing to host an undergraduate research conference;
 - d. Call for expressions of interest from institutions to host future conferences and make decisions in the light of the criteria for hosting;
 - e. Provide guidance to the chosen conference organising institutions and revise documentation in the light of their experiences;
 - f. Provide practical help to conference organisers as requested such as documentation, spreadsheets, pro-formas, publicity etc.
 - g. Monitor conference organisation by representation on conference organising committees;
 - h. Maintain and update mailing lists;
 - i. Assist institutions in gaining sponsorship for future conferences; and
 - j. Design and implement a dissemination strategy.
- 13.4. The Executive has the power to co-opt individuals to address specific issues.
- 13.5. The Executive may appoint Working Parties of one or more co-opted individuals to address specific issues.
- 13.1. The Executive may nominate one or more individual members and/or institutional nominees or alternates to represent ACUR on joint Working Parties with, or at meetings with, other bodies.
- 13.2. In the interests of good governance, the Executive will complete a biennial self-review and present this at the following Annual General Meeting (AGM).

14. Steering Committee

- 14.1. The Steering Committee shall provide advice to the Executive on matters of policy and practice.
- 14.2. The Steering Committee shall consist of representatives of Australasian member institutions (who will constitute at least 75% of the Steering Committee) and representatives of other universities and organisations for undergraduate research worldwide as invited by the Executive.
- 14.3. Individual members may be invited to serve on the Steering Committee as determined by the Executive.
- 14.4. Affiliate organisations may nominate suitable representatives to serve on the Steering Committee.
- 14.5. The responsibilities of the Steering Committee are to:
 - a. Provide advice to the Executive regarding the ongoing reputation and progress of ACUR;
 - b. Encourage the spread of undergraduate research in their institutions;
 - c. Assist in disseminating information about undergraduate research in general and ACUR in particular in their own institutions;
 - d. Encourage participation in ACUR conferences and in choosing best posters for *Posters in Parliament* when appropriate;
 - e. Provide information on current practice, items of news and upcoming events in undergraduate research for the ACUR Newsletter "Undergraduate Research News Australasia" (URNA).

15. Election of Officers

- 15.1. Nominations of candidates for election as office-bearers of ACUR or as ordinary committee members:
 - a. Must be made in writing (as a hardcopy or by email as a pdf), signed by 2 members of ACUR and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
 - b. Must be received by the Executive Officer of ACUR at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
 - c. A person nominated as a candidate for election as an office-bearer or as an ordinary Executive member of ACUR must be a member of ACUR or a person with the authority to act as representative of an organisation that is a member of ACUR.
 - d. If a single nomination is received for a vacancy, the person nominated is taken to be elected.
 - e. If more than one nomination is received for a vacancy, a ballot is to be held.
 - f. The ballot for the election of office-bearers and ordinary members of the Executive is to be conducted at the annual general meeting in any usual and proper manner that the Executive directs.
 - g. If no nominations are received for a vacancy, further nominations are to be received at the annual general meeting.

- h. If insufficient further nominations are received, any vacant positions remaining on the Executive are taken to be casual vacancies.
 - i. Casual vacancies may be filled by the Executive in consultation with the person so appointed.
- 15.2. Each officer is elected to serve for a two-year term.
- 15.3. If an officer resigns or is deemed by the Executive to be unable to continue to hold office during his/her term, that officer shall be replaced for the remainder of the term.
- 15.4. A decision by the Executive in relation to inability to serve on the Executive must be minuted and members notified within 10 working days.

16. Portfolio Responsibilities

- 16.1. The *Chair* is responsible for providing effective leadership for the affairs of ACUR:
 - a. For chairing all Executive and Steering Committee meetings,
 - b. For representing ACUR to external stakeholders and the wider community, and for developing and maintaining effective communication channels between the Executive, members and external stakeholders.
 - c. The Chair also schedules ACUR Executive elections, including the appointment of the Returning Officer and the call for nominations; and
 - d. ensures that the affairs of ACUR are performed in accordance with the Constitution.
- 16.2. The *Vice Chair* deputises for the Chair during the latter's absences in all matters requiring ACUR comment/decisions, after consultation with other members of the Executive.
- 16.3. The *Vice Chair* takes specific portfolio responsibility for promoting ACUR, including through liaison with the Conference Convenor regarding communication strategies.
- 16.4. The *Vice Chair*, together with the Chair, have the major responsibility for the effectiveness of the ACUR communication strategy.
- 16.5. The *Treasurer* is responsible for overseeing the finances of ACUR and reporting on its financial position, as required.
- 16.6. The *Treasurer* prepares and monitors a cash flow budget and provides a financial report at each business meeting, including:
 - a. cash receipts
 - b. payments required to be made
 - c. funds held in the bank
 - d. assets and investments
 - e. a summary of the overall financial position of the organisation.
- 16.7. The *Treasurer* organises an annual audit of the accounts on advice from the Executive and presents the accounts at the AGM.
- 16.8. The *Conference Convenor* is responsible for ensuring that the Conference meets the quality criteria for an ACUR undergraduate research conference as set out in

the ACUR guidelines and that it is consistent with the specification in the relevant agreed hosting proposal.

- 16.9. The *Conference Convenor* is responsible for the efficient and effective running of the conference and for liaising with the ACUR Chair and Executive.
- 16.10. The *Conference Convenor* is also responsible for maintaining a conference website to include a submission system and database and to house the proceedings of all of the conferences.
- 16.11. The *New Zealand (NZ) Representative* is responsible for liaising with individual and institutional members, affiliates and sponsors in New Zealand and encouraging undergraduate research engagement in New Zealand institutions.
- 16.12. The *NZ Representative* is responsible for notifying the Executive of any New Zealand issues likely to be of interest to ACUR.
- 16.13. The *NZ Representative* encourages and supports ACUR conferences, events and Posters in Parliament (Beehive) events in New Zealand when and where appropriate.
- 16.14. The Student Representative is responsible for liaising with student members and student organisations.
- 16.15. The Student Representative is responsible for notifying the Executive of any student issues likely to be of interest to ACUR.
- 16.16. The Student Representative encourages and supports ACUR conferences, events and Posters in Parliament events when and where appropriate.
- 16.17. The *Executive Officer* provides administrative support to the Executive as required.
- 16.18. The *Executive Officer* progresses and directs specific work such as coordination and dissemination of conference information, grant applications and regular communications with the chair, the Executive, members, affiliate organisations, sponsors and other institutions.
- 16.19. The *Executive Officer* also takes specific responsibility for drafting any proposed changes to the Constitution.
- 16.20. Other *co-opted Members* are responsible for assisting the Chair, Vice-Chair, Treasurer, Conference Convenor, the NZ Representative, the Student Representative and the Executive Officer, contributing to the activities of the Executive and otherwise furthering the interests of ACUR in ways agreed from time to time by the Executive.
- 16.21. One co-opted member is responsible for the maintenance and further development of the ACUR website.

17. Removal of Executive members

- 17.1. ACUR in general meeting may by resolution remove any member of the Executive from the office before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

- 17.2. If a member of the Executive to whom a proposed resolution referred to in Subclause (17.1) relates makes an appeal in writing to the Executive Office or Chair (not exceeding a reasonable length) and requests that the appeal be notified to the members of ACUR, the Executive Officer or the Chair may send a copy of the appeal to each member of ACUR or, if the appeal is not so sent, the member is entitled to require that the appeal be read out at the meeting at which the resolution is considered.

18. Executive meetings and quorum

- 18.1. The Executive shall meet at least twice in each period of 12 months at the place and time that the Executive may determine.
- 18.2. Additional meetings of the Executive may be convened by the Chair or by any member of the Executive.
- 18.3. Oral or written notice of a meeting of the Executive must be given to each member of the Executive at least 48 hours (or any other period that may be unanimously agreed on by the members of the Executive) before the time appointed for the holding of the meeting.
- 18.4. Notice of a meeting given under Subclause (18.3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the Executive members present at the meeting unanimously agree to treat as urgent business.
- 18.5. Any 3 members of the Executive constitute a quorum for the transaction of the business of a meeting of the Executive.
- 18.6. No business is to be transacted by the Executive unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- 18.7. If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- 18.8. At a meeting of the Executive:
 - a. The Chair or, in the Chair's absence, the Vice-Chair is to preside, or
 - b. If the Chair and the Vice-Chair are absent or unwilling to act, one of the remaining members of the Executive chosen by the members present at the meeting is to preside.
- 18.9. Appointment of ACUR individual members and members' representatives as Executive members to constitute quorum:
 - a. If at any time the number of Executive members is less than the number required to constitute a quorum for an Executive meeting, the existing Executive members may appoint a sufficient number of members or institutional representatives of members of ACUR as Executive members to enable the quorum to be constituted.
 - b. A member of the Executive so appointed is to hold office, subject to this constitution, until the AGM next following the date of the appointment.
 - c. This clause does not apply to the filling of a casual vacancy to which clause 15 applies.

19. Use of technology at Executive meetings

- 19.1. An Executive meeting may be held at 2 or more venues using any technology approved by the committee that gives each of the Executive members a reasonable opportunity to participate.
- 19.2. An Executive member who participates in an Executive meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

20. Finance

- 20.1. ACUR charges membership fees to support its activities. The amount of the membership fees will normally be set each year by vote at the ACUR Annual General Meeting (AGM).
- 20.2. The income and property of ACUR shall be applied solely towards the promotion of the objectives as set out in clause 3, and no portion shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to or amongst the Members, except as bona fide compensation for services rendered or expenses incurred on behalf of ACUR.
- 20.3. All monies payable to ACUR shall be paid to the credit of ACUR in an appropriate account.
- 20.4. Signatories on ACUR accounts shall consist of at least two members of the ACUR Executive, and other members or employees of ACUR as may be determined by the Executive. Operation of the account shall require any two of the signatories to sign.
- 20.5. ACUR may borrow funds, or obtain credit, only to the limit of the account balance, or to the account balance minus outstanding liabilities and commitments to the end of the current financial year, whichever is the lower amount. Credit shall only be used for purposes approved by a meeting of the ACUR Executive.
- 20.6. All expenditures shall be approved by the Executive in accord with budgets and other approvals given by ACUR from time to time.
- 20.7. An audited statement of accounts shall be prepared annually for the year ending 30 June and presented for approval at the Annual General Meeting of ACUR in the succeeding financial year.

21. Meetings

- 21.1. An Annual General Meeting (AGM) shall be held every year normally during the annual conference.
- 21.2. Notice of AGM and Business Meetings shall be provided electronically or via post by the Chair to individual members and institutional nominees and alternates at least fourteen (14) days before the date of the meeting unless otherwise specified in this Constitution.
- 21.3. The Executive shall meet (electronically or face to face) at least twice per year to review and plan the affairs and activities of ACUR. A record of such meetings shall be prepared and distributed to all members in a timely fashion.

- 21.4. The quorum for the AGM and Business Meetings of ACUR shall be Twenty-five (25) per cent of financial members. Student representatives may vote on their institution's behalf.
- 21.5. The Chair may invite any person including affiliates and sponsors to attend any ACUR meeting under such conditions and circumstances as determined by the Chair.

22. Presiding member

- 22.1. The Chair or, in the Chair's absence, the Vice-Chair, is to preside as chairperson at each general meeting of ACUR.
- 22.2. If the Chair and the Vice-Chair are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

23. Making of decisions

- 23.1. Unless otherwise required by this Constitution, votes shall be determined by a simple majority of Members voting (a) at a meeting, in person (via their institutional nominee or alternate) or by proxy, or (b) in a postal or electronic ballot to all individual members and institutional members' nominees.

24. Voting

- 24.1. Each member organisation shall have two votes. Nominees will vote on behalf of the organisation that they represent.
- 24.2. Each individual member shall have one vote.
- 24.3. Where voting takes place during an ACUR conference, organisational members are entitled to nominate a person, who may be a student, to vote on its behalf
- 24.4. Affiliate organisations have no voting rights.
- 24.5. In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- 24.6. A member is not entitled to vote at any general meeting of ACUR unless all money due and payable by the member to ACUR has been paid.
- 24.7. Proxy voting must not be undertaken at or in respect of a general meeting. (Note. Schedule 1 to the Act provides that an association's constitution is to address whether members of ACUR are entitled to vote by proxy at general meetings).

25. Postal or electronic ballots

- 25.1. ACUR may hold a postal or electronic ballot (as the Executive determines) to determine any issue or proposal (other than an appeal under clause 17).
- 25.2. A postal or electronic ballot is to be conducted in accordance with Schedule 3 to the Regulation.

26. Use of technology at general meetings

- 26.1. A general meeting may be held at 2 or more venues using any technology approved by the committee that gives each of ACUR 's members and members' institutional representatives a reasonable opportunity to participate.

27. Amending the Constitution

- 27.1. This Constitution may be amended by a majority of members with voting rights in person by their representatives or by proxy at a meeting, provided that notice of the proposed amendment has been given one month prior to the meeting.
- 27.2. An application for registration of a change in ACUR's name, objects or constitution in accordance with Section 10 of the Act is to be made by the Chair or an Executive member.

28. Custody of books and documents

- 28.1. Except as otherwise provided by this constitution, all records, books and other documents relating to ACUR must be kept in New South Wales:
 - a. At the main premises of ACUR, in the custody of the Chair or a member of ACUR (as the Executive determines), or
 - b. If ACUR has no premises, at ACUR's official address, in the custody of the Chair.

29. Inspection of books and documents

- 29.1. The following documents must be open to inspection, free of charge, by a member of ACUR at any reasonable hour:
 - a. Records, books and other financial documents of ACUR,
 - b. This constitution,
 - c. Minutes of all Executive meetings and general meetings of ACUR.
- 29.2. A member of ACUR may obtain a copy of any of the documents referred to in Subclause (29.1) on payment of a fee of not more than \$1 for each page copied.
- 29.3. Despite Subclauses (29.1) and (29.2), the Executive may refuse to permit a member of ACUR to inspect or obtain a copy of records of ACUR that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of ACUR.

30. Service of notices

- 30.1. For the purpose of this Constitution, a notice may be served on or given to a person:
 - a. By delivering it to the person personally, or
 - b. By sending it by pre-paid post to the address of the person, or
 - c. By sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- 30.2. For the purpose of this Constitution, a notice is taken, unless the contrary is proved, to have been given or served:
 - a. In the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - b. In the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - c. In the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from

which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

31. Financial year

31.1. The financial year of ACUR is:

- a. The period of time commencing on the date of incorporation of ACUR and ending on the following 30 June, and
- b. Each period of 12 months after the expiration of the previous financial year of ACUR, commencing on 1 July and ending on the following 30 June.

32. Notes

32.1. Schedule 1 to the Act provides that an association's constitution is to address ACUR's financial year.

32.2. Clause 19 of the Regulation contains a substitute clause 47 for certain associations incorporated under *The Associations Incorporation Act 1984*.