

Schedule 3 to the AUU Constitution: Recall Procedure

AUTHORITY

A Schedule to YouX (historically the Adelaide University Union) enacted pursuant to clause 19 of the AUU Constitution

Schedule

1. Objectives

- 1.1. To provide guidance on and a procedure for the conduct of the recall of the Board.
- 1.2. To ensure the effective representation of all students at the University of Adelaide by the Adelaide University Union.

2. Definitions

- 2.1. The definitions in the Constitution apply to this Schedule unless specified otherwise below.
- 2.2. “Club” means clubs registered under the Clubs Administration Policy.
- 2.3. “Study Spaces” means anywhere within the University that is allocated for study purposes.
- 2.4. “University” means the University of Adelaide.

3. Interpretation

This Schedule does not limit clause 23 of the Constitution. To the extent of any inconsistency between this Schedule and the Constitution, the latter prevails.

4. Timetable

- 4.1. The EO must hold a referendum within twenty (20) academic days of receipt of a recall of the Board petition.
- 4.2. The referendum for recall of the Board must be held by Secret Ballot of all Students. The referendum for recall of the Board must be held in person in ONE (1) designated polling booth over no more and no less than three (3) academic days.

5. Review of the petition

- 5.1. On receipt of a petition under clause 23.1 of the Constitution the EO must promptly take all reasonable steps to confirm that petition:
 - 5.1.1. expressly declares no confidence in the Board; and

- 5.1.2. is signed by at least 1% of Students.
- 5.2. The steps taken by the EO may include the following:
 - 5.2.1. If the EO has a good reason to doubt that a material number of signatures on the petition are genuine, the EO may seek confirmation from one or more signatories that they signed the petition.
 - 5.2.2. If there is evidence that a material number of signatories have not voluntarily signed a petition, the EO may seek confirmation from one or more signatories that they signed the petition voluntarily.

6. Procedure

- 6.1. The Board will facilitate a petition for the recall of the Board as follows:
 - 6.1.1. This procedure will be applied if requested by a petition ("Preliminary Petition") received by the EO signed by at least 0.5% of Students.
 - 6.1.2. On receipt of a Preliminary Petition the EO must promptly take all reasonable steps to confirm the Preliminary Petition complies with clause 6.1.1.
 - 6.1.3. As soon as is practicable following receipt of a Preliminary Petition which complies with clause 6.1.1 a recall of the Board petition signing stand must be set up in the YOUX Office. The recall of the Board petition will remain open for signing for 21 days from the time the stand is set up in the YOUX Office.
 - 6.1.4. The EO must appoint one or more responsible staff members to monitor the signing process.
 - 6.1.5. Before a Student signs the petition, a responsible staff member must:
 - 6.1.5.1. verify that the signatory is a Student by obtaining their student identification card; and
 - 6.1.5.2. verify that the Student understands the nature of the petition.
 - 6.1.6. If a Student wishes to remove their signature at any point prior to the recall of the Board petition being received by the EO, the responsible staff member may assist this process by:
 - 6.1.6.1. verifying the Student's identity by obtaining their student identification card;

- 6.1.6.2. verifying the Student's intention to remove their signature from the petition; and
- 6.1.6.3. physically blacking out the row containing the signature.

6.2. A petition received by the EO which meets the requirements of clause 23.1 of the Constitution will not be invalid as a result of a failure to comply with the procedure set out in this clause 6.

7. Contents of the Petition

- 7.1. A physical signature of each Student is required next to that Student's University student identification number.
- 7.2. The date of signing is required and must be consistent and relevant to the current Board to be recalled.

8. Prescribed Conduct

- 8.1. Any person who is directly affected by the following conduct may make a report of that conduct to the EO:
 - 8.1.1. any persons who are not Students campaigning, direct or indirect, or aids in campaigning for a Preliminary Petition or a recall of the Board petition;
 - 8.1.2. any person to person campaigning directly aimed at a Student who has indicated their desire to not participate in a Preliminary Petition or a recall of the Board petition;
 - 8.1.3. any person distributing misleading, false, or defamatory statements in relation to a Preliminary Petition or a recall of the Board petition;
 - 8.1.4. any person campaigning, direct or indirectly, or aids in campaigning for a Preliminary Petition or a recall of the Board petition in the following zones:
 - 8.1.4.1. the Hub and / or 20 metres from the entrance of the Hub;
 - 8.1.4.2. all Study Spaces;
 - 8.1.4.3. inside all University buildings and 20 metres from the entrance of all University buildings;
 - 8.1.4.4. anywhere outside of the University grounds;
 - 8.1.4.5. Union House; and

8.1.4.6. any location where Club events, YOUX events and / or University events are being held

8.2. Any Prescribed Conduct reported to the EO must be in writing and contain any substantiating material where possible.

8.3. The EO may act within their powers in relation to a report of Prescribed Conduct.

8.4. The EO may consider any report of Prescribed Conduct when reviewing a Preliminary Petition under clause 6.1.2 or a recall of the Board petition under clause 5. For the avoidance of doubt, the occurrence of Prescribed Conduct will not be presumed to invalidate any Preliminary Petition or recall of the Board petition or any signature on the same.