



# ECU Student Guild

## Standing Orders

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## 1 INTERPRETATION

- 1.1 If the Act, Statutes, Rules, Policies (including these Standing Orders) and Guild Body resolutions do not make provision for, or are silent on, a certain procedural or administrative matter regarding the conduct of Guild Body meetings, then the matter will be determined by the Chairperson of that meeting.
- 1.2 In determining a procedural or administrative matter pursuant to Standing Order 13.1, the chairperson will act in a manner that is not inconsistent with the Act, Statutes, Rules or Guild Body resolutions.

## 2 GENERAL

- 2.1 These Standing Orders are created pursuant to the powers conferred upon the Guild and its Bodies under the Edith Cowan University Act 1984 (“The Act”), University Statute No. 11 – Student Guild (“Statute 11”), and University Statute No. 29 – Student Services and Amenities Fee (“Statute 29”) and the Constitution.
- 2.2 Unless otherwise specified by a Statute, Rule or resolution pursuant to Standing Order 13.1, these Standing Orders apply to the conduct of meetings of all Guild Bodies.

## 3 DEFINITIONS

- 3.1 Unless the contrary intention appears, any terms that are not defined in these Standing Orders but are defined in the Constitution will have the meaning given to them in the Constitution.

**“Accredited Observer”** means a non-voting person on the Guild Body that is entitled to engage in debate and discussion.

**“AGM”** means Annual General Meeting.

**“Amendment”** means a motion that seeks to make the original motion more acceptable by altering it or amending it in some way.

**“Executive Officer”** means the Guild’s General Secretary

**“Guild Body”** means the Secretariat, Senate, Departments and established committees.

**“In Camera”** means the legal term that refers to when a meeting, or parts of it, are not observed by non-participants and only resolutions are reflected in the minutes.

**“Motion”** means a proposal that is put to a meeting in a formal manner for the purpose of obtaining a decision on the question under discussion.

**“Mover”** means the person who proposes/puts the motion to the meeting.

**“Notice of Motion”** means motions, as defined in the Guild Body’s Constitution/ Rules, that must be submitted in writing to the Executive Officer (General Secretary) prior to the meeting being held.

**“Observer Guest”** – means a non-voting person invited to witness the meeting, who is not entitled to engage in debate and discussion unless permitted to do so by these Standing Orders.

**“Original Motion”** means the initial proposal/question before the meeting, that has not been subject to any successful amendments.

**“Member”** means a voting person on the Guild Body that is entitled to engage in debate.

**“Point of Order”** means to point out any infringement/error in process/procedure in respect to the organisations governance e.g. Constitution, Rules, Standing Orders and Policies.

**“Procedural Motion”** means a motion relating to how the meeting is conducted and is utilised to allow for the smooth transaction of the business of the meeting.

**“Resolution”** means the outcome of an original or substantive motion that has been passed by the meeting.

**“Right of Reply”** means the right of the mover of the motion to reply to opposition to their proposal, before the motion is put to the vote.

**“Seconded”** means a person who declares their support for debate of the motion put.

**“Secret Ballot”** means a vote that is taken by confidential written votes.

**“SGM”** means Special General Meeting.

**“Point of Clarification”** means a direct question to the mover of a motion.

**“Substantive Motion”** means an amended original motion.

3.2 The singular includes the plural and vice-versa.

3.3 Words importing a gender include any other gender.

3.4 A reference to:

- a) person includes a corporation and government or statutory body or authority;
- b) a person includes the legal personal representatives, successors, and permitted assigns of that person; and
- c) a statute, ordinance, code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them by any legislative authority.

3.5 The word “including” and similar expressions are not words of limitation.

3.6 The word “under” includes by and by virtue of; as well as, pursuant to and in accordance with.

## 4 MEETINGS

4.1 No later than the 31 January in each year, each Guild Body must schedule the dates, times and places of ordinary meetings for its term of office.

4.2 Members will be given five (5) business days’ written notice of the business of a meeting, in the form of an Agenda.

4.3 Shorter notice is permitted only where there is urgent business that must be transacted in a shorter period of time.

- 4.4 Fourteen (14) days' notice must be communicated to all members in respect to the Guild's AGM.
- 4.5 An SGM of the Guild itself must be convened in accordance with the Constitution.

## 5 ORDER OF BUSINESS

- 5.1 The order of business will follow the agenda prepared by the Executive Officer.
- 5.2 The first action at meetings of Guild Bodies will be the Acknowledgement of Country.
- 5.3 With the exception of AGMs and SGMs, members will only be entitled to introduce new business after completion of business set out on the agenda.
- 5.4 The first item of business on the agenda must be the confirmation of the previous meetings minutes as a true and correct record.
- 5.5 For the purposes of urgent business only, a Member of a Guild Body may move for the suspension of Standing Orders, for a stated period of time, to allow for discussion to take place and such motion will be decided by Special Majority.
- 5.6 Clause 5.5 does not apply to Guild Body AGM's or SGM's.

## 6 QUORUM

- 6.1 Excluding meetings of the Secretariat and Senate, the quorum for Guild Bodies will be one third of the body's members.
- 6.2 In the event of a meeting not reaching quorum within 30 minutes of the scheduled start time, the meeting will be adjourned to a time not later than 14 days after the date of such adjournment.
- 6.3 If, at any time during a meeting, the Chairperson becomes aware that a quorum is no longer present, then proceedings will be suspended. If the quorum is not re-established within 30 minutes of the suspension, then the meeting will be adjourned to a time not later than 14 days after the date of such adjournment.
- 6.4 Rescheduled meeting times will be determined by the relevant Guild Body and advised to members by email by the Executive Officer within 48 hours of the date and time of the adjournment.
- 6.5 Subject to Clauses 26, 37 and 45 of the Constitution, and Clause 4.1 and Clause 18 herein, a Senator absent without leave, that results in a meeting being declared inquorate will, subject to Clause 15 (1) of the Constitution, be automatically referred to the Discipline Committee in breach of the Senator's duties, obligations and liabilities, as defined in Clause 51 of the Constitution.

## 7 AGENDA

- 7.1 Members wishing to have business listed in a meeting's agenda must provide such, in writing, to the Executive Officer not less than seven (7) business days prior to the date of the meeting.

- 7.2 Meeting agendas, listing the business of the meeting, will be prepared and distributed by the Executive Officer by email to all members, not less than five (5) business days prior to the date of the meeting.
- 7.3 The Executive Officer, at their discretion, may issue additional information about an item(s) already listed on the agenda.
- 7.4 Subject to Clause 16 and Clause 17, Accredited Observers and Observer Guests will receive a copy the meeting's agenda.
- 7.5 Notwithstanding Clause 7.4, such agendas will, at the discretion of the Executive Officer, exclude items of business deemed to be confidential.

## 8 MINUTES

- 8.1 The Executive Officer will keep all records of each meeting, of the relevant body, inclusive of the agenda, associated papers, correspondence and the minutes of each meeting.
- 8.2 Draft minutes of each meeting must be distributed by email within 5 business days of the meeting concluding and these will be confirmed as written, or amended, at the next meeting of the relevant body.
- 8.3 Meeting minutes will include the date, time and location of the next meeting and, where applicable, a list of action items defining completion by whom, and by what date.

## 9 DISCLOSURE OF INTERESTS

- 9.1 In accordance with Section 8 of the Guild's Code of Conduct, each member of a meeting who has a personal or financial interest (whether direct or indirect) in a matter that is to be considered at a meeting must declare it to the Chairperson of the Guild Body during the meeting so their level of involvement can be determined.
- 9.2 In the event of an interest being of a confidential nature, the member must inform the Chairperson and the Executive Officer that the Member holds a confidential interest (the nature of which they are not obligated to disclose), so it can be recorded as being declared; the member must leave the meeting for the entire deliberation period for the Motion or Discussion Item, including the vote.
- 9.3 In the event of a member being excluded from a meeting due to a declared interest, the member concerned will still contribute towards the quorum but not the total amount of votes.

## 10 CHAIRPERSON

- 10.1 The chairing of Guild AGMs and SGMs shall be in accordance with the Constitution.
- 10.2 The Chairperson's ruling on all points of order and procedure will be final unless a motion is moved, seconded and carried, "That the chairperson's ruling be disagreed with". The mover may speak for two minutes in support of the motion and the Chairperson can respond by explaining why the ruling was given.
- 10.3 The Chairperson will put all motions to the vote.

- 10.4 The Chairperson will have a deliberative and a casting vote, but is not bound to exercise their casting vote.
- 10.5 If a casting vote is not exercised, the motion will be declared “not carried” but will not prohibit the motion from being debated again at the next meeting.

## 11 NOTICE OF MOTION

- 11.1 Motions relating to the amendment of a Guild Body’s Constitution/Rules, that requires membership approval, can only be discussed under notice at an AGM, or SGM(s) convened for that specific purpose.
- 11.2 Motions relating to the amendment of policy, rescission of resolutions or disbursement of funds over budget, of a Guild Body, will only be considered under Notice of Motion.
- 11.3 Furthermore, amendments to motions on notice must be received in writing, by the Executive Officer, not less than 48 hours before the date of the meeting at which the notices of motion are to be heard.
- 11.4 Such amendments cannot directly negate or change the motions intent, nor can they exceed the scope of the notice, or involve the body in a greater obligation than the notice specifies.
- 11.5 Subject to Clauses 28.6 and 28.7 of the Constitution, if a motion to amend is to be adopted, it requires the same vote that applies to the original or substantive motion.
- 11.6 Notices of motion cannot be presented to a meeting in the absence of the mover and seconder unless written authorisation is received by the Executive Officer of the Guild Body 48 hours prior to the meeting time, nominating another member(s) to move and/or second the motion.
- 11.7 Motions cannot be accepted from the floor at an AGM or SGM; for all other meetings they can be raised from the floor at the discretion of the Chairperson.
- 11.8 Chairpersons may determine that any matter of urgent business, requiring approval between meetings, can be decided by circular resolution, all such motions and their outcome must be recorded in the minutes of the next scheduled meeting of the Guild Body, in the same manner as a motion would be at a scheduled meeting.

## 12 PROCEDURAL MOTIONS

Procedural motions are a special class of motions that can be moved in the course of debate; examples, and the relevant rules and provisions that apply to each, are listed as follows. With the exception of procedural motion seven (12.7), a simple majority is required.

### 12.1 That the question now be put

- a) Can be moved at any time during debate but not by a member who has already spoken to the original or substantive motion; the motion can interrupt a speaker and is the only motion that does not require a seconder.
- b) The Chairperson, at their sole discretion, may reject the procedural motion on the grounds the motion has not been sufficiently debated or, the speaker has not been fairly heard.

- c) If accepted, no further debate is permitted and the question will immediately be put. However, the mover of the original or substantive motion, has a right of reply before the vote is taken.

**12.2 That the meeting proceeds to the next item of business**

- a) Can be moved and seconded at any time during debate, but not by any member who has already spoken to the original or substantive motion; the motion cannot interrupt a speaker.
- b) There is no debate allowed on this motion.
- c) If carried, it suspends any further debate on the motion that was being considered, but means it can be raised again at the next meeting.
- d) If, however, this motion is raised and carried in respect to an amendment under consideration, then the amendment will lapse and the next item of business will be the original or substantive motion the amendment related to.

**12.3 That the debate be adjourned**

- a) Can be moved and seconded at any time during debate, but not by any member who has already spoken to the original or substantive motion or related amendment, and it can interrupt a speaker.
- b) If carried, the debate is adjourned and the only debate allowed is to determine the period of time that debate is to be adjourned.

**12.4 That the meeting be adjourned**

- a) Can be moved and seconded at any time including interrupting a speaker.
- b) If carried, the meeting is adjourned and the only debate allowed is to the matter of the period of time, date and place of the next meeting.

**12.5 That the speaker no longer be heard**

- a) Can be moved and seconded at any time during debate, but not by any member(s) who has already spoken to the original or substantive motion, and is moved to interrupt a speaker.
- b) This motion can be debated and, if carried, prevents the speaker from speaking again during further debate about the particular motion being considered.

**12.6 That the Chairperson’s ruling be disagreed with**

- a) Can only be moved immediately after the Chairperson has made a ruling, and only in respect to rulings not covered by mandatory rules cited in the Guild Body’s Constitution/Rules and/or Standing orders.
- b) This motion can be debated and the Chairperson has a right of reply in the explanation of the ruling.
- c) If carried the, Chairperson’s ruling will be reversed.

**12.7 That the Chairperson lacks the confidence of the meeting**

- a) Can be moved by any member at any time.
- b) Once moved and seconded, the Chairperson will call for a substitute Chairperson to conduct debate on this procedural motion and, if carried, that substitute will seek approval from the meeting to continue in the Chairperson’s place for that meeting.



- c) In the case of a Guild AGM or SGM the Chairperson will call on the members of the Senate present to elect a Senate member by simple majority to act as substitute Chairperson and that person will act as Chairperson for the balance of that meeting.
- d) Debate can take place with the challenged Chairperson having the right to speak.
- e) The motion must be carried by a Special majority.

#### 12.8 That the meeting resolve into committee

- a) Can be moved and seconded at any time but cannot interrupt a speaker.
- b) If carried, it allows for rules of debate to be suspended and for free discussion to occur and is useful for discussing complex matters.
- c) Debate does not occur on this type of procedural motion.
- d) Cannot be moved at a Guild AGM or SGM

#### 12.9 That the meeting resolve to move in camera

- a) Can be moved and seconded at any time but cannot interrupt a speaker.
- b) Used where the Guild Body needs to discuss a matter in confidence and, if carried, allows minute taking to cease for the purposes of debate/discussion on that item only.
- c) A counter motion to move out of camera is required when the confidential discussion has concluded.
- d) Cannot be moved at a Guild AGM or SGM.

### 13 POINT OF ORDER

13.1 Any member can raise a point of order, at any time, as to the validity of a Guild Body's Constitution/Rules and/or these Standing Orders.

13.2 The Chairperson, at their sole discretion, will rule on the point of order.

### 14 RULES OF DEBATE AND CONDUCT

14.1 In respect to AGM's and SGM's held by a Guild Body, the Chairperson will exercise meeting procedure in strict accordance with these Standing orders.

14.2 , With the exception of AGMs and SGMs, the Chairperson –will have discretionary power to conduct debate as they see fit or, as a given meeting resolves to by motion.

14.3 All business before a meeting will be in the form of motions.

14.4 All motions require a mover and a seconder, with the exception of the closure i.e. 'that the question now be put' and, unless previously nominating in writing another member to move and speak on their behalf, must be present at the meeting at which the motion is debated.

14.5 If no seconder is found for a motion, or amendment, the motion lapses and will not be considered again at that meeting.

14.6 All motions must be in writing and forwarded to the Guild Body's Executive Officer in accordance with these Standing Orders.

14.7 For meetings other than an AGM or SGM, and at the sole discretion of the Chairperson, motions can be accepted from the floor.

- 14.8 No motion or amendment that has been moved and seconded can be withdrawn without consent of the meeting passed by Special Majority.
- 14.9 Subject to Clause 11, if an amendment is moved to an original motion, no further amendment can be taken or discussed until the first amendment is resolved.
- 14.10 Notwithstanding 14.9, an amendment to an amendment can be accepted from the floor, at the sole discretion of the Chairperson, but only one such amendment can be considered at any one time.
- 14.11 Amendments must be relevant to the question and framed so, as to form a sensible and consistent proposal; an amendment cannot be a direct negation of the original motion.
- 14.12 Debate on an amendment is restricted to the pros and cons of the amendment only and not whether the main motion has merit.
- 14.13 Where a motion is capable of amendment in different ways, the Chairperson can ask for all proposed amendments to be handed up in writing to ensure they are heard in the right order. An amendment relating to the first part of a motion cannot be accepted if the second, or subsequent parts, of a motion have already been amended.
- 14.14 No person can move or second more than one amendment to an original or substantive motion.
- 14.15 An amendment cannot be moved or seconded by any person who has already spoken to an original or substantive motion, or a previous amendment, but they can speak to subsequent amendments.
- 14.16 The mover of an original or substantive motion has a right of reply before each motion is put.
- 14.17 The mover of an amendment does not have a right of reply.
- 14.18 If the first amendment fails, the original motion becomes open to debate, and amendment, again.
- 14.19 If the first amendment is carried, the original motion becomes the substantive motion and is again open to debate and amendment.
- 14.20 When an original or substantive motion is put to the vote, and carried, it becomes the resolution.
- 14.21 No person can move an amendment to a motion after it has been put to the vote.
- 14.22 If a resolution is passed inadvertently in contravention of the Statute, Rules, Constitution or other governance instrument, it will be declared null and void at that meeting, or subsequent meeting.
- 14.23 All remarks and questions from the floor must be addressed to the Chairperson.
- 14.24 No interruption of a speaker is allowed except by a member moving a relevant procedural motion or, a Point of Order. The Chairperson must accept and rule on these immediately.
- 14.25 Members wishing to speak will indicate such to the Chairperson by voice or raising their hand; the Chairperson will call on the first observed and so on in the order in which they have been noticed.

- 14.26 Where practicable the Chairperson will endeavor to choose speakers alternately in support and opposition of a motion.
- 14.27 All speakers must keep to the question before the meeting; digressions will be called to order by the Chairperson.
- 14.28 Speakers will be limited to a maximum of three (3) minutes during debate, with the right of reply given a further 3 minutes.
- 14.29 No person may speak twice to the same question, except in direct explanation, unless that person is the mover of the original motion, or substantive motion, exercising their right of reply.
- 14.30 The Chairperson can exercise the right to close debate on any question, by extending the right of reply to the mover of the motion, before putting the question to the vote.
- 14.31 In giving the Right of Reply, the mover can address arguments raised but cannot introduce any new information or other matter.
- 14.32 The right of reply as offered by the Chairperson, whether exercised by the mover or not, will conclude debate on the question before the meeting.
- 14.33 The Chairperson will call to order any Member(s) or accredited or guest observer(s), if they believe their behavior is offensive, disorderly or disruptive; the person(s) will refrain from the behavior and remain silent unless permitted by the chair to explain their conduct.
- 14.34 The Chairperson can direct a Member or accredited or guest observer(s), behaving in any such manner, to leave the meeting.
- 14.35 If, in the opinion of the Chairperson, through reasons of serious disruptive conduct the business of the meeting cannot effectively continue, the Chairperson may declare an adjournment of the meeting for a period of time of not less than fifteen (15) minutes.
- 14.36 A meeting that reconvenes following an adjournment, as prescribed in Clause 14.33, may be closed by the Chairperson if they feel the remaining business of the meeting still cannot be effectively conducted.

## 15 VOTING

- 15.1 Voting shall be by the voice or show of hands.
- 15.2 In accordance with Clause 18.1 and Clause 37 and 45.2 of the Constitution, Guild Bodies will allow members to vote by proxy, by submission of the relevant completed form to the Executive Officer no later than 48 hours prior to the commencement of a meeting.
- 15.3 At a Guild AGM or SGM, a secret ballot may be used at the request of any ten (10) voting members submitted in writing to the Executive Officer prior to, or during, a meeting.
- 15.4 For all other Guild Body meetings, a secret ballot may be used at the request of any four (4) voting members.
- 15.5 Subject to Clause 15.4 all votes at Secretariat and Senate will be recorded in name with the exception of abstentions unless the member requests their name be recorded.

- 15.6 Notwithstanding Clause 15.6, abstentions will not be reckoned in the total count of members able to vote, when determining the outcome of a vote.

## 16 ACCREDITED OBSERVERS

- 16.1 Subject to sub-clause 16.2, at the first meeting for its given term, the Guild Body will determine which person(s) are Accredited Observers for its meetings.
- 16.2 Further to Clause 16.1 the Executive Officer may invite students on Council, the WAAPA Advisory Board and South West Council to meetings.
- 16.3 The Guild's CEO and Immediate Past President will be invited to all Senate meetings during each Senate term.
- 16.4 The CEO will be invited to the scheduled monthly meeting of the Secretariat.
- 16.5 Accredited Observers of a Guild Body are invited to every meeting of that Guild Body by the Executive Officer.
- 16.6 Accredited Observers are entitled to speak to any of the agenda items as though they were a member, but cannot vote.
- 16.7 Subject to Clause 16.3 and 16.4, a meeting may resolve, by special majority, to exclude any or all Accredited Observers for any item(s) of business.

## 17 OBSERVER GUESTS

- 17.1 Persons wishing to attend any meeting as an Observer Guest must request such in writing to the Executive Officer not less than 48 hours before the date of the meeting.
- 17.2 Persons not meeting that deadline can still attend a meeting pending approval by the meeting, as called upon by the Chairperson, before the first item of business commences.
- 17.3 Observer Guests are not entitled to speak to any of the agenda items unless invited to do so by the meeting or the Chairperson.
- 17.4 The meeting may resolve to exclude any or all Observer Guests for any item of business.

## 18 LEAVE OF ABSENCE

- 18.1 Subject to Clause 4.1, it is mandatory for all elected Officers to attend all scheduled meetings of the relevant Guild Body. Subject to Clause 58 of the Constitution, Senators in all cases must seek a leave of absence in writing, no less than 4 hours prior to a meeting, to the Executive Officer, such notice must:
- a) succinctly describe the reason for the absence;
  - b) nominate another Senator to act as their proxy for that meeting; and
  - c) if required, define how their proxy will vote on a motion(s).

Subject to Clause 35.5 of the Constitution, it is the Senator's responsibility to confirm the availability of the Senator they want to nominate as their proxy for a given meeting.

Failure to submit the above will result in the instance being recorded as being absent without leave.

- 18.2 Excluding practicums or work placement, work and/or study commitments will not be accepted as legitimate reasons for seeking a leave of absence.
- 18.3 The Executive Officer will, in good faith, consider the request for leave of absence based on the assessment measures defined in the Senator Attendance Register and, following determination, respond in writing to the Senator granting or denying the leave of absence.
- 18.4 If a Senator is absent from a scheduled meeting without first obtaining a leave of absence, they can retrospectively seek leave in writing to the Executive Officer within 48 hours of the meeting. Such a request must:
- a) succinctly describe the reason for the absence;
  - b) provide any available documentation to support this reason (e.g. medical certificate);
  - c) describe the reason for failing to apply for a leave of absence as per 18.1
- 18.5 The Executive Officer will, in good faith, consider the request detailed in 18.4 based on the assessment measures defined in the Senator Attendance Register and its merits, and, following determination, respond in writing to the Senator granting or denying the retrospective request.
- 18.6 If leave has been denied, an absence will be recorded for that Senator and if the Senator has accumulated 3 absences, they shall automatically vacate their office in accordance with Clause 58.2 of the Constitution.
- 18.7 If there is disagreement between the Executive Officer and the Senator requesting leave as to whether there is a valid reason for granting a leave of absence, and this dispute is unable to be resolved through mediation either party may choose to refer the matter to the Discipline Committee.
- The referral must be made within 10 business days of the meeting from which the Senator was absent occurring.
- The referral to the Discipline Committee will not limit the scope for any ensuing investigation and the Discipline Committee may, at its discretion, investigate any Senator directly involved in the dispute over any aspect of their conduct.
- 18.8 If a referral to the Discipline Committee has been made in regards to the validity of an absence, and this absence would lead to that office being automatically vacated pursuant to Clause 58.2 of the Constitution, it will not take effect until the validity of the absence is determined by the Discipline Committee.
- 18.9 If the Executive Officer is the Senator requesting a leave of absence, then they must send their request to the President, following the same process laid out above.

## 19 SUSPENSION OF STANDING ORDERS

- 19.1 With the exception of a Guild Body's AGM or an SGM, a Member may, at any time, move that the operation of one or more of the provisions of these Standing Orders be suspended. A resolution to suspend Standing Orders requires a Special Majority of the Members present.

## 20 CONTACT INFORMATION

For queries relating to this document please contact:

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## 21 APPROVAL HISTORY

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