



**MINUTES OF THE GENERAL MEETING OF THE SYDNEY
UNIVERSITY LAW SOCIETY INCORPORATED
ABN 49 844 560 526
11 AUGUST 2021 6:30PM ON ZOOM**

Chair: Wendy Hu

Minute taker: Alison Chen

Meeting opened: 6:34pm

Present:

Wendy Hu	President
Sinem Kirk	Vice President (Education)
Sophia Semmler	Vice President (Social Justice)
Tiana Dumonovsky	Treasurer
Alison Chen	Secretary
Gretel Wilson	Sponsorship Director
Felix Wood	Competitions Director
Onor Nottle	Socials Director
Georgia Watson	Socials Director
Sofia Mendes	Campus Director
Justin Lai	Publications Director
Sissi Xi Chen	International Student Officer
Eden McSheffrey	Equity Officer
Nora Takriti	Women's Officer
Bru Hammer	Queer Officer
Mahmoud Al Rifai	Ethnocultural Officer
Arasa Hardie	Design Director
Dorothy Kwong	SULS Member
Jasper Le	SULS Member
Casper Lu	SULS Member

Late:

Cameron Jordan	Vice President (Careers)
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Absent:

Nathan Allen First Nations Officer

Apologies:

Caroline Xu Competitions Director
Calvin Kwong Sports Director
Sarah Purvis Marketing Director

MINUTES

1 Opening and Acknowledgement of Country

The Chair welcomed attendees to the meeting and delivered an acknowledgement of country.

Motion: To hold the General Meeting online

Moved: Wendy Hu

Seconded: Gretel Wilson

The motion was carried unanimously with zero abstentions.

2 Apologies and leaves of absence

Apologies were received from Caroline Xu, Calvin Kwong and Sarah Purvis.

3 Minutes of the previous meeting

The minutes of the previous meeting (Annual General Meeting, 22 March 2021) were made available [online](#) on the Society's website after the previous meeting.

Motion: That the minutes of the Annual General Meeting held on 22 March 2021 be accepted.

Moved: Wendy Hu

Seconded: Mahmoud Al Rifai

The motion was carried unanimously with zero abstentions.

4 Business arising from the minutes

No further business arose from the minutes of the 2021 AGM. No correspondence was received from the previous meeting.

5 Motions on notice

The motions on notice were circulated to all members via email on Sunday 25 July. The motions as proposed and as passed are included in Appendix A.



a. Convening of Annual General Meeting and General Meetings

Motion: To open discussion on the proposed amendment to cl 47(d) of the Constitution

Moved: Alison Chen

Seconded: Wendy Hu

Alison explained that the Constitution currently requires meetings to be held in-person on campus at the University of Sydney. However, due to the COVID-19 pandemic, this is not feasible and may not be for some time. The provision would allow meetings to proceed online, which would increase accessibility and flexibility for participants.

Casper moved an amendment to replace “video” with “audio-visual” conferencing software and to move the Oxford comma before the word “and”. Casper stated that this amendment would align with the wording in other similar documents and that on a strict interpretation of the current motion as proposed, an online meeting with a video stream but not audio stream could be permitted.

Motion: To amend the proposed cl 47(d) by replacing ‘video’ with ‘audio-visual’ and moving the Oxford comma to after the word ‘and’.

Moved: Wendy Hu

Seconded: Casper Lu

The motion was carried unanimously with zero abstentions.

Motion: To amend cl 47(d) of the Constitution with the agreed amendments.

Moved: Wendy Hu

Seconded: Alison Chen

The motion was carried unanimously with zero abstentions.

Motion: To open discussion on the proposed amendment to cl 50 of the Constitution

Moved: Alison Chen

Seconded: Wendy Hu

Alison explained that the rationale for making the change in cl 50 is the same as the rationale for cl 47(d). She noted that similar amendments to cl 50 regarding audio-visual links would need to be made, in light of the issues raised by Casper.

Motion: To amend the proposed cl 50 by replacing ‘video’ with ‘audio-visual’.

Moved: Casper Lu

Seconded: Wendy Hu

The motion was carried unanimously with zero abstentions.

Motion: To amend cl 50 of the Constitution with the agreed amendments.

Moved: Wendy Hu

Seconded: Gretel Wilson

The motion was carried unanimously with zero abstentions.



b. Expanding SULLS membership eligibility to LPAB students

Motion: To open discussion on the proposed amendment to cl 4A of the Constitution.

Moved: Felix Wood

Seconded: Wendy Hu

Felix explains that although Diploma of Law students studying the program with the Legal Profession Admissions Board (LPAB) are not officially University of Sydney students, they study on the University of Sydney campus, are taught by many University of Sydney staff and have access to the Law Library. They have also previously participated in SULLS Competitions. This clause proposes to expand SULLS membership to LPAB students to allow them to join the society.

Casper noted that SULLS will need to check whether LPAB students will meet the USU's eligibility criteria to be a member of SULLS. Wendy noted this as an action item for the Executive.

Motion: To amend cl 4A of the Constitution.

Moved: Wendy Hu

Seconded: Felix Wood

The motion was carried unanimously with zero abstentions.

c. Election Appeals

Motion: To open discussion on the proposed amendment to cl 10(d) in Appendix 1 of the Constitution.

Moved: Alison Chen

Seconded: Wendy Hu

Alison noted that concerns were raised in the 2020 Electoral Officer's report, as presented at the 2020 SGM, regarding the interpretation of clause 10(d), in particular, when the Electoral Officer's decision could be appealed. In particular, it is difficult to ascertain the effects of a sanction from the Electoral Officer on the outcome of the election. Therefore, the amendment would allow for appeals to the Electoral Officer's decisions without needing to refer to the outcome of the election.

Casper agreed that appeals against any democratic penalty should be allowed. He asked whether the intent of the clause was to retain the ability to appeal against the outcome of the election. Alison replies in the affirmative.

Motion: To amend cl 10(d) in Appendix 1 of the Constitution.

Moved: Wendy Hu

Seconded: Mahmoud Al Rifai

The motion was carried unanimously with zero abstentions.

Motion: To open discussion on the proposed repeal of cl 11(a) in Appendix 1 of the Constitution.

Moved: Alison Chen

Seconded: Wendy Hu



Alison notes that cl 11(a) and cl 11(b), when interpreted together, could be confusing as subclause (a) only provides standing to primary contacts and approved agents of tickets, whereas subclause (b) provides standing to both primary contacts and approved agents of tickets as well as candidates who stand as individuals for election. Although SULLS Elections currently operate with ticket systems, it would be prudent to repeal cl 11(a) and retain cl 11(b) for clarity.

Casper raised an issue in the explanatory memorandum for this amendment which noted that cl 11(a) and 11(b) are contradictory. He suggests that it is not contradictory, but rather they cover two different scenarios. Alison agrees with this comment.

Motion: To repeal cl 11(a) in Appendix 1 of the Constitution.

Moved: Wendy Hu

Seconded: Sophia Semmler

The motion was carried unanimously with zero abstentions.

Motion: To open discussion on the proposed amendment of cl 12(g) in Appendix 1 of the Constitution.

Moved: Alison Chen

Seconded: Wendy Hu

Alison notes that the 2020 Electoral Officer raised concerns about the unclear guidelines regarding the authorisation of election material, particularly as online campaigning grows in importance. Alison notes that the amendment to cl 12 is in two parts to separate the electoral authorisation requirements from the prohibited practices rules for the sake of clarity.

Casper agrees that the carve-out regarding private online communications is salient, however is concerned that there may be confusion as to what constitutes a 'private message' and a 'private email' as it is not defined in the proposed amendment. He suggests that the motion be amended to clarify what constitutes a private message and/or private email.

Casper proposes an amendment to cl 12(g)(v) to include a definition of private messages and emails, as follows: 'excluding private messages and private email, which are deemed to be those sent from one individual to another individual in their personal capacities. For the purposes of this provision, a message or email directed to multiple individuals shall be deemed as if they were multiple identical messages or identical emails sent separately to each of those individuals.' Casper notes that this definition could be placed within the existing brackets in cl 12(g)(v) or elsewhere in the section.

Wendy suggests that Casper's definition be placed within the brackets to ensure the meaning and intent of the clause is clear, especially as online communication evolves.

Sophia notes that the amendment as proposed by Casper does not make grammatical sense and suggests that 'if they were' be changed to 'if it were' in the amendment.



Casper accepts this change and moves to amend cl 12(g)(v) to include the following after 'online communications': 'excluding private messages and private email, which are deemed to be those sent from one individual to another individual in their personal capacities. For the purposes of this provision, a message or email directed to multiple individuals shall be deemed as if it were multiple identical messages or identical emails sent separately to each of those individuals.' Wendy notes that the intention of the new clause is not to require individuals on tickets to do authorisations on social media comments. Casper agrees with this sentiment.

Motion: To amend the proposed cl 12(g)(v) in Appendix 1 of the Constitution as detailed above.

Moved: Casper Lu

Seconded: Wendy Hu

The motion was carried unanimously with zero abstentions.

Motion: To amend cl 12(g) in Appendix 1 of the Constitution with the agreed amendments.

Moved: Wendy Hu

Seconded: Casper Lu

The motion was carried unanimously with zero abstentions.

Motion: To open discussion on the proposed addition of cl 12(ga) in Appendix 1 of the Constitution.

Moved: Alison Chen

Seconded: Wendy Hu

Alison noted that the rationale for this amendment has already been discussed earlier. She noted previous discussion regarding online communications but was unsure whether the definition, as proposed earlier, would need to be included in this clause.

Casper suggested that definition should be included in cl 12(ga) for the sake of completeness, however he requested that the SULLS Executive table a more concise amendment for discussion and consideration at the Special General Meeting at the end of the year.

Casper also raised an issue regarding the use of the word 'liability' in clause 12(ga) as the connotations of the word are too strong and not legally accurate as no legal liability arises from the breach of the regulations. He suggested changing the word 'liability' to 'consequences' or 'responsibility'.

Wendy agreed that the word 'liability' should be replaced with the word 'responsibility', but that the carve out should be left for now as it would make the clause quite long.

Motion: To amend the proposed cl 12(ga) in Appendix 1 of the Constitution by replacing the word 'Liability' with 'Responsibility'.

Moved: Casper Lu

Seconded: Wendy Hu

The motion was carried unanimously with zero abstentions.



Motion: To amend cl 12(ga) in Appendix 1 of the Constitution with the agreed amendments.

Moved: Wendy Hu

Seconded: Casper Lu

The motion was carried unanimously with zero abstentions.

Motion: To request the SULLS Executive to table a more concise amendment to clause 12 of the Electoral Regulations (Appendix 1 of the Constitution) regarding private online communications at the 2021 Special General Meeting.

Moved: Casper Lu

Seconded: Wendy Hu

The motion was carried unanimously with zero abstentions.

6 General Business

Wendy noted that there were two issues discussed at the 2020 SGM that required closure. The first issue was regarding the electoral officer appointment process, specifically whether the 2020 Electoral Review Committee's proposals should be accepted. Wendy stated that the view of the SULLS Executive the issue is not as significant as foreshadowed by the Electoral Review Committee and therefore would not be proposing any amendments to the current procedure.

The second issue was regarding the procedure to be followed in the event that there are no presidential expressions of interest submitted. Wendy noted that this was not officially tabled from the SGM but was addressing it for completeness. She noted that the view of the SULLS Executive that we do not make any amendments in this space as this would be a rare situation in which this would occur. In this situation, the Electoral Officer would have discretion as to what would occur if there were no presidential EOIs being submitted in the first instance. Additionally, Wendy stated that the Constitution already has stopgap measures should such an issue occur.

Casper stated that SULLS does not currently have byelection clauses in the Constitution and that the Executive should propose a byelection style set of regulations at the 2021 Special General Meeting

Motion: To request the SULLS Executive to table at the 2021 Special General Meeting a set of byelection regulations in the event that no presidential expressions of interest are received.

Moved: Casper Lu

Seconded: Wendy Hu

The motion was carried unanimously with zero abstentions.

Motion: to accept the amended SULLS Constitution giving effect to the changes above.

Moved: Wendy Hu

Seconded: Alison Chen

The motion was carried unanimously with zero abstentions.

Meeting closed: 7:26pm



APPENDIX A - MOTIONS ON NOTICE

1. Convening of Annual General Meeting and General Meetings

Background/Rationale

Currently, the SULLS Constitution mandates that Annual General Meetings must be held “at a place on a campus of the University of Sydney”. However, due to the COVID pandemic, this is not feasible due to public health and safety concerns and regulations by both the University and the NSW Government. SULLS notes that [NSW Fair Trading](#) have stated that associations may conduct committee meetings and general meetings using technology even if this is not stipulated in the Constitution. However, it is prudent to permit general meetings to occur online, whether as a fully online event or as a hybrid in-person/online event, in the event that such regulatory or legislative measures do not exist and SULLS is unable to hold a general meeting in person. Additionally, this would increase accessibility as it allows remote students to participate in general meetings, particularly if they are unable to attend campus.

Proposed changes

- Amend cl 47(d) by deleting “at a place on a campus of the University of Sydney” and adding “The meeting shall be held online using suitable video conferencing software, and where possible, at a place on a campus of the University of Sydney.” at the end of the clause.
- Amend cl 50 by adding “The meeting shall be held online using suitable video conferencing software, and where possible, at a place on a campus of the University of Sydney.” at the end of the clause.

Summary of the proposed changes

Old Clause	New Clause
<p>Clause 47(d) The Annual General Meeting shall be held between 9am and 9pm at a place on a campus of the University of Sydney during semester (teaching period, Weeks 1 -13).</p>	<p>Clause 47(d) The Annual General Meeting shall be held between 9am and 9pm at a place on a campus of the University of Sydney during semester (teaching period, Weeks 1 -13). The meeting shall be held online using suitable video audio-visual conferencing software, and, where possible, at a place on a campus of the University of Sydney.</p> <p><i>*Motion amended at General Meeting</i></p>
<p>Clause 50 The Society shall hold General Meetings as required during semester (teaching period, Weeks 1-13).</p>	<p>Clause 50 The Society shall hold General Meetings as required during semester (teaching period, Weeks 1-13). The meeting shall be held online using suitable video audio-visual conferencing software, and where possible, at a place on a campus of the University of Sydney.</p>



*Motion amended at General Meeting

2. Expanding SULS membership eligibility to LPAB students

Background/Rationale

Currently, the Law Extension Committee (LEC), a body established by the University of Sydney Senate, administers the Diploma of Law course in collaboration with the NSW Legal Profession Admissions Board. The LEC facilitates the teaching of the course using University of Sydney campus facilities and academics, as well as external legal practitioners. These students also have access to the University's Law Library.

As it stands, LPAB students (who are not officially enrolled as students of the University of Sydney) are unable to participate in SULS competitions, despite undertaking a similar curriculum to other law students under Sydney Law School. Competitions are an invaluable and important facet of the law student experience, and for this reason SULS would like to make participation opportunities available to LPAB students. Allowing Diploma of Law students to become SULS members via this constitutional change will enable them to not only gain the benefits of participating in competitions, but also to enjoy the community aspects of SULS in other forms, such as Socials events and Committee membership.

Proposed changes

- Amend cl 4A(b) by replacing the full stop with a comma and adding "OR"
- Add new cl 4A(c) "The person is a student studying the Diploma of Law jointly run by the Law Extension Committee and the NSW Legal Profession Admissions Board."

Summary of the proposed change

Old Clause	New Clause
<p>Clause 4A [...] b) The person is a student in the Faculty of Law (whether undergraduate, postgraduate, Juris Doctor or Honours student) proceeding to a degree or diploma.</p>	<p>Clause 4A [...] b) The person is a student in the Faculty of Law (whether undergraduate, postgraduate, Juris Doctor or Honours student) proceeding to a degree or diploma, OR c) The person is a student studying the Diploma of Law jointly run by the Law Extension Committee and the NSW Legal Profession Admissions Board.</p>



Proposed amendments to the SULS Electoral Regulations

3. Election Appeals

Background/Rationale

Concerns were raised in the 2020 Electoral Officer’s report, tabled at the SGM held on 20 November 2020, regarding the interpretation of clause 10(d). The clause appeared to support an interpretation that an appeal of an Electoral Officer’s decision under clause 10(d) was only permitted if it was also an appeal against the outcome of the election. However, it is difficult to ascertain the exact effect of a penalty on the outcome of an election and appellants may wish to appeal these penalties prior to the conclusion of the election.

Additionally, Clause 11(a) and Clause 11(b) are contradictory, and clause 11(b) also covers the parties listed in clause 11(a) (primary contacts acting with the written consent of every candidate on their ticket and permitted agents). Clause 11(b) appears to be drafted to cover both situations where there is a ticket election and situations where there is election of individual candidates (should SULS choose to adopt this election model later down the track). Therefore, clause 11(a) should be repealed to avoid confusion regarding standing.

Proposed changes

- Delete “against the outcome of the election” in cl 10(e) of the Electoral Regulations
- Delete cl 11(a) in the Electoral Regulations

Summary of the proposed change

Old Clause	New Clause
10. Sanctions for breach of the regulations d) The Electoral Officer has discretion to impose a lesser penalty that they deem reasonable in the circumstances but the decision to impose a lesser penalty may be the subject of an appeal against the outcome of the election.	10. Sanctions for breach of the regulations d) The Electoral Officer has discretion to impose a lesser penalty that they deem reasonable in the circumstances but the decision to impose a lesser penalty may be the subject of an appeal against the outcome of the election.
11. Appeals a) The only people with standing to make an appeal are primary contacts acting with the written consent of every candidate on their ticket. Agents may make appeals on behalf of these people if an authority to do so is provided in writing, signed by the primary contact.	11. Appeals a) repealed



4. Election Authorisation Requirements

Background/Rationale

Concerns were raised in the Electoral Officer’s report regarding authorisation requirements, particularly as more campaigning occurs online. Clause 12(g) is poorly drafted and appears to combine two separate matters, one regarding authorisation requirements for election material and another regarding liability for such material. The amendments attempt to clarify where authorisations should and should not be required, and where liability should fall for published content.

Proposed change

- Amend clause 12(g) as detailed below
- Add new clause 12(ga) after (g) and move subclauses (i) - (iii) from the original clause 12(g) to clause 12(ga).
- Amend subclause (ii) by adding “(including private messages and private emails)” after “online communications”

Summary of the proposed change

Old Clause	New Clause
<p>12. Prohibited Practices [...] g) No person shall publish or distribute any publication (including posters, stickers, flyers, letters, online communications, videos, sound recordings and t-shirts) commenting on the election or containing any electoral matter without it being duly authorised with the name and student identification number (SID) of the authoriser.</p> <p>i. The authoriser shall be subject to any sanctions for breaches of the regulations and any criminal or civil liability that arises from the publication.</p> <p>ii. In cases where letters (online or otherwise), emails, and other online communications which clearly identify the individual sender (this may be by real name or known username or alias) are distributed, the sender shall be the one subject to any sanctions for breaches of the regulations and any criminal or civil liability that arises from the publication.</p>	<p>12. Prohibited Practices [...] g) No person shall publish or distribute any publication commenting on the election or containing any electoral matter without it being duly authorised with the name and student identification number (SID) of the authoriser. This includes, but is not limited to:</p> <p>i. posters; ii. stickers; iii. flyers; iv. letters; v. online communications (excluding private messages and private emails from individuals, which are deemed to be those sent from one individual to another individual in their personal capacities. For the purposes of this provision, a message or email directed to multiple individuals shall be deemed as if it were multiple identical messages or identical emails sent separately to each of those individuals.); vi. videos; vii. sound recordings; and viii. t-shirts.</p>



iii. Where the Electoral Officer deems appropriate, they may also impose sanctions on a candidate or ticket for breaches of the regulations arising from a publication, notwithstanding that the particular candidate or ticket members are not the official authoriser of the publication giving rise to the breach.

***Motion amended at General Meeting**

ga) ~~Liability~~ Responsibility for publication shall be attributed as follows:

i. The authoriser shall be subject to any sanctions for breaches of the regulations and any criminal or civil liability that arises from the publication.

ii. In cases where letters (online or otherwise), emails, and other online communications **(including private messages and private emails from individuals)** which clearly identify the individual sender (this may be by real name or known username or alias) are distributed, the sender shall be the one subject to any sanctions for breaches of the regulations and any criminal or civil liability that arises from the publication.

iii. Where the Electoral Officer deems appropriate, they may also impose sanctions on a candidate or ticket for breaches of the regulations arising from a publication, notwithstanding that the particular candidate or ticket members are not the official authoriser of the publication giving rise to the breach.

***Motion amended at General Meeting**