



The Bylaws of the Sydney  
University Law Society  
Incorporated

*As at 14 January 2024*

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## Version history

<i>Date</i>	<i>Substantial amendments</i>
28 October 2019	Bylaws adopted, added parts 1–4
24 August 2020	Added pts 5–9, amended parts 2–4
12 October 2020	Added parts 10–13
19 October 2020	Added part 14
02 November 2020	Amended parts 4–6; 11–12
02 March 2021	Amended cl 67, cl 71; added cl 71(a)
09 March 2021	Amended cl 53; added cl 31A, 31B, 51A, 51B
04 April 2022	Amended cls 9, 107, 125, 159
01 August 2022	Added part 15
24 October 2022	Amended cls 5, 7; added cls 4A, 4B, 4C, 6A, 8A, 9A, 9B, 9C; repealed cls 4, 6, 8, 9
4 November 2022	Added cl 156A
14 January 2024	Amended cl 10

## **Part 1: Introduction**

1. The Bylaws are the codified edition of all resolutions approved by the Executive and Members of the Sydney University Law Society Inc, collected under the Constitution of the Sydney University Law Society Inc (hereinafter “the Society”). Accordingly, they bind the Executive and the Members.
2. The Bylaws may only be amended or added to in accordance with the provisions of the Constitution.

## **Part 2: Definitions**

3. In these Bylaws, except where a contrary intention appears:

“the Society” refers to the Sydney University Law Society Inc;

“the Constitution” refers to the Constitution of the Sydney University Law Society Inc;

“the University” refers to the University of Sydney;

“autonomous portfolios” refers to those portfolios of which the respective members of the Executive must satisfy the qualifications set out in section 5C of the Constitution.

## **Part 3: Competitions Guidelines**

4. [Repealed]
- 4A. The SULLS Competition Rules are binding on all participants in internal and intervarsity competitions, including competitors, coaches, judges, and third-party selectors.
- 4B. The Competitions Directors have the power to amend the Competitions Rules for any purpose and at any time, provided:
  - a) The updated Competitions Rules are published on the SULLS Website and distributed in the SULLS Weekly as soon as is practicable.
- 4C. Only students enrolled with the Sydney Law School are eligible to take part in a SULLS competition, internal or external, or to be a part of the Competitions Committee. This extends to cohorts enrolled in degrees such as the Master of Laws or Legal Profession Admission Board's Diploma in Law.
5. At their absolute discretion, the Competitions Directors may establish a competition solely for a particular cohort or degree, or for students belonging to a particular identity group.
6. [Repealed]

- 6A. A student's eligibility to participate in a particular competition shall be determined according to the SULLS Competition Rules. Any disputes arising as to eligibility under the SULLS Competition Rules shall be finally determined by the Competitions Directors.
7. Students may participate in more than one competition per semester. However, where there is a clash with respect to dates from the Quarter Final stage onwards (inclusive), the Competitions Directors are under no obligation to accommodate a student's participation in multiple competitions, and may make alternative arrangements at their absolute discretion.
8. [Repealed]
- 8A. Current or former students of Sydney Law School, legal professionals, and any other suitably-qualified persons may be appointed as judges, coaches, and/or third-party selectors.
9. [Repealed]
- 9A. The Competitions Directors retain the absolute discretion to appoint judges, coaches, and third-party selectors, having regard to criteria such as:
- a) The candidate's experience in the relevant competition;
  - b) The candidate's experience judging, coaching, or selecting, whether in the relevant competition or otherwise; and
  - c) The candidate's personal suitability as a judge, coach or third-party selector, especially having regard to the potential power dynamics that exist between these roles with respect to competitors.

Where there are no suitable candidates, the Competitions Directors may choose not to appoint a judge, coach or third-party selector.

- 9B. The Competitions Directors shall make a feedback form available to competitors, providing them with the opportunity to raise any concerns regarding judges and/or coaches.
- a) Unless consent is obtained from competitors, feedback will be shared only among the Competitions Directors and the Equity Officer. However, the Competitions Directors may consider any feedback received when assessing a candidate's suitability as a coach, judge or third-party selector, under Clause 9A.
- 9C. If a person is rejected as a coach, judge or third-party selector under Clause 9A, they may request the reasons for this decision by emailing the Competitions Directors at [competitions@suls.org.au](mailto:competitions@suls.org.au). Any request for reasons under this clause must be made within seven (7) days from the time that the person was informed of their rejection. The

Competitions Directors must respond to any request for reasons within fourteen (14) days. The Competitions Directors should indicate generally the reasons for the rejection, but are not required to provide particulars, especially where the provision of particulars would identify a person who made a complaint under Clause 9B.

#### **Part 4: Campus Committee Elections**

##### **Nominations**

10. The Election Notices for the incoming LLBI and JDI cohorts must be issued in Semester One. All other Election Notices shall be issued at the discretion of the Campus Director. When issued, all Election Notices must outline:
  - a) That nominations for Campus Committee elections have opened; and
  - b) The time, date and place for close of nominations.
11. For the purposes of these regulations “issued” means advertised by email callout to the Society membership.
12. Nominations for Campus Committee elections must be held open for no fewer than nine full business days.
13. If, at the end of nine full business days, either no female or no male candidates have nominated, the nomination period is to be extended by no less than four full business days, at the end of which period nominations shall close regardless.
14. Only nominations emailed to the Campus Director or presented to a member of the Society Executive at the SULLS Office during office hours will be deemed to be valid nominations.

##### **Eligibility**

15. In order to vote in an election, a person must be a member of the Society as outlined in Part 4 of this Society’s Constitution.
16. Elections for cohort representatives may only be voted on by members of that cohort.
17. In order to nominate for a position on Campus Committee, a person must be a member of the cohort they are seeking to represent;
  - a) Students who are members of multiple cohorts must only nominate for one cohort.
18. Disputes as to eligibility to nominate or to vote will be determined by the Executive.

##### **Elections**

19. Elections will take the form prescribed by Executive as circumstances dictate.

## **Voting**

20. Voting shall be by secret ballot.
21. Voting times, dates and places are to be set by the Campus Director and advertised by email to all members.

## **Election Spending**

22. No money whatsoever is to be spent by candidates in promoting themselves for Campus Committee elections.

## **Sanctions for Breach of Regulations**

23. Candidates failing to comply with the provisions of this Part are to be disqualified from the Campus Committee election.

## **Miscellaneous**

24. All other matters and disputes relating to Campus Committee elections shall be resolved at the discretion of the Executive.

## **Part 5: Equity — Financial Grants Policy**

### **General Procedure**

25. The provision of financial grants will be decided by:
  - a) The Equity Officer; or
  - b) An application assessment panel, as defined in section 30;considering all the circumstances of the application.
26. All grants will be provided by way of reimbursement.
  - a) Unless the Equity Officer agrees otherwise, all applicants seeking a grant must provide a receipt as proof of purchase before payment can be made.
  - b) The receipt must contain the invoice number and ABN of the vendor.
27. Once a decision has been reached, there is no duty for SULLS to give reasons for their decision however, if a negative decision is made, a member may apply for reasoning via email to the Equity Officer, and the Equity Officer should take reasonable steps to provide reasoning for the outcome.
28. All applicants consent to the Society's storage of personal data required to manage the financial grants scheme, including but not limited to:
  - a) The applicant's name;



- b) The applicant's phone number;
- c) The applicant's email address;
- d) The applicant's student identification number;
- e) The applicants' bank account details and
- f) Any other personal information as per Part 10 of these Bylaws ('Privacy Policy').

### **Application Assessment Panel**

- 29. An application assessment panel ("the Assessment Panel") will be composed of the same SULLS executive officers that compose an application assessment panel for the purposes of the Textbook Loan Policy.
- 30. Assessment panels will be composed of the following members of the Executive:
  - a) The President
  - b) The Treasurer
  - c) The Vice President (Education)
  - d) The Vice President (Social Justice)
  - e) The Equity Officer
- 31. The Equity Officer is required to consult the Assessment Panel in relation to any assessment that involves the panel's discretion according to a section of this by-law.
  - a) The Equity Officer is not required to consult the Assessment panel in relation to an assessment that they have discretion to make.
  - b) The Equity Officer has discretion to make assessments provided for in this policy except where a section of this policy expressly provides otherwise.
- 31A. In the event of a conflict of interest, the Equity Officer should refer the application to the Assessment Panel for independent review.
  - a) The Equity Officer's vote will not be counted in determining the outcome of the application;
  - b) In the event of a tie, the President's vote will be the tie-breaker vote.
- 31B. A conflict of interest is presumed to arise in, but is not limited to, situations where the Applicant and Equity Officer:

- a) Are siblings, child and parent, cousins, aunt/uncle and niece/nephew or any other close family relationship;
  - b) Are close personal friends;
  - c) Are currently engaged in a sexual and/or emotional relationship; or
  - d) Were engaged in a sexual and/or emotional relationship within the past twelve (12) months.
32. All applications that require review by the Assessment Panel will be anonymised by the Equity Officer prior to their submission to the panel.

### **Uses of Financial Grants**

33. Financial grants may only be used for the following purposes:
- a) The purchasing of textbooks, stationery or other study resources reasonably necessary as part of the student's studies within the Sydney Law School;
  - b) Necessary costs that are incidental to participation in competitions or events hosted or endorsed by the Society;
  - c) Printing costs;
  - d) Any other purpose deemed suitable by the Equity Officer or the Executive.

### **Application Period**

34. Unless otherwise provided, applications will remain open on a rolling basis throughout the semester.
35. Applications for a financial grant in relation to a major ticketed event, including but not limited to:
- a) First Year Law Camp;
  - b) Law Ball; and
  - c) Final Year Dinner;
- will be limited to a period commencing at the time of the event's marketing within any public communication by or authorised by the Society and ending forty-eight hours after the event concludes.
36. Applicants must submit their application within the application period.

37. The Equity Officer has discretion to allow an application after the application period if satisfied that the applicant has a reasonable excuse for having not applied within the application period.

### **Eligibility Criteria**

38. To be eligible for a financial grant, the applicant must:
- a) Be a member of the Society; and
  - b) satisfy any of the following criteria:
    - i. The applicant is suffering financial hardship, where not supported by family, and not solely relating to: lack of employment; educational commitments; or unjustified misallocation of funds;
    - ii. The applicant has recently moved from another city, interstate or overseas, and is currently seeking employment;
    - iii. The applicant has experienced a recent family tragedy or other major setback of a personal nature which affects his or her immediate access to funds;
    - iv. The applicant has been acknowledged as disadvantaged by the government and is receiving Centrelink benefits;
    - v. The applicant has been found eligible by the University of Sydney for a bursary on the basis of financial need;
    - vi. The applicant identifies as an Aboriginal and/or Torres Strait Islander person as defined in the University of Sydney's *Confirmation of Aboriginal and Torres Strait Islander Identity Policy 2015*.
39. This section does not provide an exhaustive list of the criteria to justify the awarding of a financial grant.
40. Discretion to approve an application on any basis other than the criteria in this section may be exercised by an application assessment panel.

### **Maximum Amounts of the Reimbursement**

41. All grants will be less than or equal to the maximum reimbursement for grants of that purpose.
42. The maximum reimbursements are as follows (in Australian dollars):

Stationery	\$30
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Textbooks		\$50
Printing		\$20
Major ticketed events		\$100
All other ticketed events	The full ticket price, up to \$100	
Necessary costs incidental to participation in competitions and events		\$60

43. Discretion to exceed the maximum reimbursement may be exercised by the Equity Officer.
44. Discretion to provide a financial grant for any purpose other than those stated in section 34 may be exercised by the application assessment panel.

### **Apportionment of the Grant**

45. If an applicant satisfies the eligibility criteria in section 38, and successfully receives a grant, then the size of the reimbursement they may be granted will be apportioned between a minimum of 25% of the maximum reimbursement and 100% of the maximum reimbursement.
46. The value of the grant as a proportion of the maximum awardable value for the type of cost the applicant seeks reimbursement for will be decided by the Equity Officer, taking into account:
  - a) The severity of the hardship suffered by the applicant; and
  - b) The number and value of financial grants the applicant has received from the Society in that year.
47. This section does not provide an exhaustive list of the bases upon which the size of the grant may be apportioned.
48. Discretion to apportion the size of the grant on any basis other than those in this section may be exercised by an application assessment panel.

### **Ineligible Applicants**

49. At the discretion of the Equity Officer, an applicant will not be eligible to receive a financial grant if:
  - a) The applicant is suspected to have previously applied for and received a financial grant in bad faith, for example by:

- i. Receiving a grant for a ticketed event with the intention of selling that ticket; or,
  - ii. Providing false information in support of a previous application;
- or
- b) The applicant has contravened the Events Code of Conduct or the Members Code of Conduct or has grossly and unreasonably breached the terms of a textbook loan under the Textbook Loan Scheme.

### **Confidentiality**

- 50. All information provided by the applicant will be kept strictly confidential.
- 51. If an application must be reviewed by any individual/s besides the Equity Officer, the Equity Officer will anonymise the application before it is reviewed.

### **Part 6: Equity — Textbook Loans Policy**

#### **General Procedure**

- 52. The provision of textbook loans will be decided by:
  - a) The Equity Officer; or
  - b) An application assessment panel, as defined in section 57;considering all the circumstances of the application.
- 53. A maximum of four textbooks may be loaned to an applicant at a time. However, this limit can be exceeded at the discretion of the Equity Officer, having regard to the capacity of the program.
- 54. All successful applicants commit to fulfilling any obligation imparted upon them under this by-law, including but not limited to returning the textbook at a nominated time and in good condition.
- 55. All applicants consent to the Society's storage of personal data required to manage the textbook loans scheme, including but not limited to:
  - a) The applicant's name; and
  - b) The applicant's phone number; and
  - c) The applicant's email address; and
  - d) The applicant's student identification number; and
  - e) The applicants' bank account details.

- f) Any other personal information as per Part 10 of these Bylaws ('Privacy Policy').

### **Application assessment panel**

- 56. An Application assessment panel ("the Assessment Panel") will be composed of the same executive officers that compose an application assessment panel for the purposes of the Financial Grant Policy.
- 57. The Assessment Panel will be composed of the following of the Society's executive officers:
  - a) The President;
  - b) The Treasurer;
  - c) The Vice President (Education);
  - d) The Vice President (Social Justice);
  - e) The Equity Officer.
- 58. The Equity Officer is required to consult the Assessment Panel in relation to any assessment that involves the panel's discretion according to a section of this by-law.
  - a) The Equity Officer is not required to consult the Assessment panel in relation to an assessment that they have discretion to make.
  - b) The Equity Officer has discretion to make assessments provided for in this policy except where a section of this policy expressly provides otherwise.
- 58A. In the event of a conflict of interest, the Equity Officer should refer the application to the Assessment Panel for independent review.
  - a) The Equity Officer's vote will not be counted in determining the outcome of the application;
  - b) In the event of a tie, the President's vote will be the tie-breaker vote.
- 58B. A conflict of interest is presumed to arise in, but is not limited to, situations where the Applicant and Equity Officer:
  - a) Are siblings, child and parent, cousins, aunt/uncle and niece/nephew or any other close family relationship;
  - b) Are close personal friends;
  - c) Are currently engaged in a sexual and/or emotional relationship; or
  - d) Were engaged in a sexual and/or emotional relationship within the past twelve (12) months.

59. All applications that require review by the Assessment Panel will be anonymised by the Equity Officer prior to their submission to the panel.

### **Application Period**

60. The application period will commence no later than one week before the beginning of a semester and will close no earlier than two weeks after the beginning of that semester.
61. The Equity Officer may postpone the commencement of the application period if, after taking reasonable efforts to procure a list of textbooks required for that semester, they have been unable to do so.'
62. Applicants must submit their application within the application period.
63. The Equity Officer has discretion to allow an application after the application period if satisfied that the applicant has a reasonable excuse for having not applied within the application period

### **Eligibility Criteria**

64. To be eligible for a textbook loan, the applicant must:
- a) be a member of the Society; and
  - b) satisfy any of the following criteria:
    - i. The applicant is suffering financial hardship, where not supported by family, and not solely relating to: lack of employment; educational commitments; or unjustifiable misallocation of funds;
    - ii. The applicant has recently moved from another city, interstate or overseas, and is currently seeking employment;
    - iii. The applicant has experienced a recent family tragedy or other major setback of a personal nature which affects his or her immediate access to funds;
    - iv. The applicant has been acknowledged as disadvantaged by the government and is receiving Centrelink benefits;
    - v. The applicant has been found eligible for a textbook subsidy by an SRC caseworker in relation to the SRC Textbook Subsidy scheme;
    - vi. The applicant identifies as an Aboriginal and/or Torres Strait Islander person as defined in the University of Sydney's *Confirmation of Aboriginal and Torres Strait Islander Identity Policy 2015*.
65. This section does not provide an exhaustive list of the criteria to justify the awarding of a textbook loan.
66. Discretion to approve an application on any basis other than the criteria in this section may be exercised by an application assessment panel.

### **Apportionment of the Number of Textbooks to be Loaned**

67. If an applicant satisfies the eligibility criteria in section 60, the number of textbooks they may be loaned will be apportioned between a minimum of one textbook and a maximum of four textbooks. However, this limit can be exceeded at the discretion of the Equity Officer, having regard to the capacity of the program.
68. The number of textbooks to be loaned will be apportioned at the discretion of the Equity Officer, taking into account:
  - a) the severity of the hardship suffered by the applicant; and
  - b) the Society's stock of textbooks and ability to replenish those stocks;
69. This section does not provide an exhaustive list of the bases upon which the number of textbooks to be loaned may be apportioned.

### **Ineligible applicants**

70. At the discretion of the Equity Officer, an applicant will not be eligible to receive a textbook loan if:
  - a) The applicant possesses any overdue textbooks; or
  - b) The applicant has repeatedly failed to return textbooks before the end of the loan period;
  - c) The applicant has repeatedly returned textbooks in poor condition.

### **Bond**

71. Successful applicants will be required to pay a AU\$40 bond per textbook loaned to the relevant SULS Bank account. The bond for each textbook will be refunded following the return of the relevant textbook.
  - a) At the discretion of the Equity Officer, a successful applicant may apply to have their bond reduced or waived if, in the opinion of the Equity Officer, they demonstrate severe hardship.
72. The bond will be wholly or partly forfeited to the Society if:
  - a) The applicant does not return the textbook before the end of the loan period;
  - b) The applicant returns the textbook in poor condition.

### **Condition of Textbooks**

73. Any of the following will indicate that a book is not in good condition:
  - a) highlighting;



- b) markings not in pencil;
  - c) torn pages.
74. The following are not indications that a book is not in good condition:
- a) annotations in pencil;
  - b) underlining in pencil.
75. The lists contained in this section are not exhaustive.
76. The Equity Officer has discretion to decide whether a textbook is in good condition.

### **Return of Textbooks**

77. Unless otherwise agreed to by the Equity Officer, textbooks must be returned to the SULS Office by the end of the loan period.
78. The loan period commences on the date of the loan and ends on the last day of exams for that period of study.
79. It is the responsibility of the student loaning the textbook to ensure the Equity Officer has been notified of the return by way of mail or receipt.
80. If the student loaning the textbook is not able to return the textbook within the loan period, the Equity Officer may allow the student to return the textbook on a nominated collection date after the loan period.
- a) This section does not limit Executive's ability to treat the student's bond as forfeited (refer to section 72).

### **Multiple Applications**

81. Only one application can be made at any one time. If a later application is made by the same person at a later date, it will be decided wholly at the discretion of the Equity Officer, considering:
- a) All of the circumstances of the application;
  - b) The number of textbook loan applications previously made; and
  - c) Whether textbooks loaned previously were returned promptly and in good condition.

### **Confidentiality**

82. All information provided by the applicant will be kept strictly confidential.

83. If an application must be reviewed by any individual/s besides the Equity Officer, the Equity Officer will anonymise the application before it is reviewed.

## **Part 7: Events Code of Conduct**

### **Application**

84. This part applies to all participants of SULLS events, including members and non-members of the Society.
85. A SULLS event is defined as an event hosted jointly or exclusively by the Society, including events held on and outside the campuses of the University of Sydney.

### **Standards of Behaviour**

86. Participants will not engage in any of the following conduct:
- a) Discrimination against another participant on the basis of sex, gender, age, race, identity, sexual orientation, disability, religion, national or ethnic origin, political beliefs, socioeconomic status or any other aspect of their identity;
  - b) Harassment or abuse of another participant, whether physical, verbal, sexual or emotional;
  - c) Behaviour intended to offend or embarrass another participant;
  - d) Intimidation of another participant;
  - e) Intentionally or persistently misgendering another participant;
  - f) Violence or threats of violence against another participant;
  - g) Illegal behaviour, for example:
    - i. Consuming alcohol if under the age of 18;
    - ii. Providing alcoholic beverages to underage attendees;
    - iii. Administering, selling or possessing illicit substances;

The conduct listed in this section is not exhaustive.

87. The conduct listed in section 86 can be through acts of verbal, nonverbal or physical aggression, intimidation or hostility, or conduct that is any way intended to embarrass, pressure, shame, humiliate or degrade another participant through any medium.
88. All individuals to whom this part applies are expected to:
- a) Treat all other participants with respect; and
  - b) Treat all staff at the venue with respect; and

- c) Refrain from conduct that would bring SULS into disrepute.

### **Sexual Harassment, Violence and Positive Consent**

- 89. Participants will not engage in any romantic, intimate or sexual activity with another participant who:
  - a) Has not explicitly consented to engaging the activity; or
  - b) Does not have the capacity to give consent (For example, by intoxication by drugs or alcohol, any physical or mental condition that might cause confusion, mental health conditions); or
  - c) Does not have freedom to consent (e.g. is not coerced, forced, blackmailed or constrained when giving apparent consent).
- 90. Participants will be mindful of any imbalances in social status or power within an organisational or social setting that may exist between themselves and another participant with whom they engage in a romantic, intimate or sexual activity, and will be mindful of the fact that such imbalances may diminish the capacity of the other to give consent.
- 91. Sexual harassment may include, but is not limited to:
  - a) Unwelcome efforts to develop a romantic or sexual relationship;
  - b) Unwelcome commentary about an individual's body or sexual activities;
  - c) Threatening to engage in the commission of an unwelcome sexual act with another person;
  - d) Any invasion of bodily privacy;
  - e) Unwelcome physical closeness or touching;
  - f) Unwelcome jokes or teasing of a sexual nature or based upon gender, perceived gender, or sex stereotypes;
  - g) Sexual violence, which includes but is not limited to:
    - i. Sexual assault;
    - ii. Sexual activity without consent.

### **Provision of Wellbeing Personnel at Events**

- 92. SULS will make reasonable efforts to provide an adequate number of wellbeing personnel at SULS events.
- 93. Wellbeing personnel will promote the health, safety and comfort of participants by:
  - a) Serving as a point of contact in relation to complaints of behaviour in breach of this policy during the course of the event; and

- b) Assisting participants who are inebriated or injured during events; and
  - c) Being vigilant for physical hazards or behaviour that is in breach of this policy and intervening appropriately; and
  - d) Taking other reasonable steps to ensure the health, safety and comfort of participants.
94. Wellbeing personnel will:
- a) Remain sober during the course of the event; and
  - b) Remain at the premises of the event until its scheduled finishing time; and
  - c) Respect the privacy of participants.
95. The duties of wellbeing personnel may be fulfilled by:
- a) A member of the SULS executive; or
  - b) A SULS member who has volunteered and has been accepted by the Society's Executive to perform the duties of wellbeing personnel at SULS events.

## **Part 8: Society Members Code of Conduct**

### **Application**

96. This part applies to all members of the Society during the course of their membership.
97. The standards of behaviour set out in this part apply to all interactions between the Society's members, including those taking place within and beyond the context of the Society's events.

### **Standards of Behaviour**

98. The Society's members will not engage in any of the following conduct in relation to another student of the University:
- a) Discrimination on the basis of sex, gender, age, race, identity, sexual orientation, disability, religion, national or ethnic origin, political beliefs, socioeconomic status or any other aspect of their identity;
  - b) Bullying or humiliation;
  - c) Harassment;
  - d) Intimidation;
  - e) Spreading of malicious rumours;
  - f) Attempts to socially marginalise or exclude;

- g) Sabotage of an academic or interpersonal nature;
  - h) Violence;
  - i) Sexual harassment;
  - j) Serious invasions of privacy, including but not limited to:
    - i. Stalking;
    - ii. Unauthorised access of accounts.
99. Except where a contrary intention appears, all terms appearing in both the Events Code of Conduct and Society Members Code of Conduct bear the same meaning.

## **Part 9: Procedures Relating to the Disciplining of Members and Resolution of Disputes**

### **Purpose**

100. The purpose of this by-law is to supplement parts 8 and 9 of the Constitution by standardising a uniform procedure for the disciplining of members and resolution of disputes involving alleged contravention of any of these by-laws.

### **Standing of Complainants**

101. Any person is able to make a complaint to the Executive of the Society on the grounds provided in section 35 of the Constitution.
102. Complaints of private misconduct may only be made by the victim of the alleged misconduct, unless:
- a) The complaint involves allegations of unlawful behaviour; or
  - b) The complainant is authorised by the victim of the alleged misconduct to make such a complaint on their behalf.
103. “Private misconduct” refers to actions that contravene any of these by-laws and which are directed to or affect only one person.

### **Origination of Complaints**

104. Complaints may be directed to:
- a) Any member of the Executive;
  - b) Wellbeing personnel, if the conduct complained of takes place at a SULS Event and the complaint is made during the course of the event.
105. Complaints should be directed to the member of the Executive that would be responsible for the investigation of that complaint.

## **Investigation of Complaints**

106. Complaints will be investigated by:

- a) The Equity Officer; and

Any of the following members of the Executive in the respective circumstances:

- b) The President, if the complaint involves alleged misconduct by another member of the Executive, or if it is otherwise appropriate for the President to be involved with the investigation of the complaint; or
- c) Any officer of one of the autonomous portfolios, if the nature of the complaint involves the subject matter of their portfolio.

107. The officers of the autonomous portfolios are:

- a) The Women's Officer
- b) The Queer Officer;
- c) The Ethnocultural Officer;
- d) The First Nations Officer;
- e) The International Students' Officer;
- f) The Equity Officer;
- g) The Disabilities Officer.

108. The members of the Executive investigating the complaint may contact individuals who may have further information pertaining to the complaint or who may be able to verify the complaint.

- a) If a member of the Society is such an individual, they must answer any such questions truthfully and in good faith.

## **Procedure of Complaints**

109. All complaints will remain confidential and will only be disclosed to other individuals where necessary to give effect to a provision of the Constitution or these by-laws.

- a) Where it is necessary to disclose the nature or circumstances of the complaint to an individual outside of the Executive of the society, all information concerning the complaint will be anonymised.

110. Decisions regarding the investigation and outcome of complaints will be made according to the consensus of the members of the Executive investigating the complaint.

111. In accordance with section 37 of the Constitution, the members of the Executive investigating the complaint must:

- a) cause notice to be served on the member concerned, and
  - b) give the member at least 14 days from the time the notice is served within which to make submissions to the Executive in connection with the complaint, and
  - c) take into consideration any submissions made by the member in connection with the complaint.
112. For the purpose of causing notice to be served on the member concerned, any of the following means are sufficient:
- a) Emailing the personal email or student email of the member; or
  - b) Messaging the member via SMS or instant messaging; or
  - c) Posting a letter to the known primary address of the member.
113. If the member concerned does not respond to the notice within 14 days, or if any of the sufficient means of notice are not practicable, the members of the Executive investigating the complaint may require another member of the society who is a known contact of the member concerned to convey notice to them.

### **Outcome of Complaints**

114. The members of the Executive investigating the complaint will have discretion to decide the appropriate outcome of the complaint, with reference to the nature, seriousness and credibility of the complaint.
115. The members of the Executive investigating the complaint will take into account the complainants' preference when deciding what outcome is appropriate.
116. The possible outcomes of the complaint include:
- a) No outcome; or
  - b) Mediation between the complainant and subject of the complaint, which will be overseen by the officers handling the complaint; or
  - c) An apology by the member who is the subject of the complaint to the complainant; or
  - d) Sanctions against the member concerned; or
  - e) Any other outcome which is suitable in the given circumstances.

### **Sanctions**

117. Sanctions may only be imposed by resolution of the Executive.
- a) If the members of the Executive investigating the complaint decide that sanctions are an appropriate outcome, they will move such sanctions at the next meeting of the Executive from the time at which the decision is made.

118. Sanctions may include:
- a) Exclusion from future SULS events and programs;
  - b) Revocation of Society membership;
  - c) Referral to the Student Misconduct Registrar of the University of Sydney Student Affairs Unit;
  - d) Referral to the police.
119. In accordance with section 39 of the Constitution, if the Executive resolves to impose sanctions on the member concerned, the Secretary must, within 7 days after the action is taken, cause written notice to be given to the member of:
- a) The action taken; and
  - b) The reasons given by the committee for having taken that action; and
  - c) The member's right of appeal under part 9 of the Constitution.
120. For the purposes of causing written notice to be given to the disciplined member; the same provisions as those which regard the notification of complaints apply.

### **Appeals**

121. In accordance with part 9 of the Constitution, the disciplined member may appeal to the Faculty of Law against a resolution of the Executive to revoke their membership of the Society or exclude them from future SULS events.
122. The disciplined member may not appeal a decision to refer their conduct to the Police or the Student Misconduct Registrar.

### **Part 10: Privacy Policy**

123. The Society will only use members' personal information and sensitive information to improve the way the society operates including the services provided to members.
124. The Society shall operate in accordance with the *Australian Privacy Principles* ('APPs') contained in the *Privacy Act 1988* (Cth) and other relevant laws.

### **Personal information**

125. Personal information collected upon registration of members or thereafter includes but is not limited to the:
- a) student identification (SID) number;
  - b) USU membership number;
  - c) cohort group;



- d) university degrees and year of expected completion;
  - e) emails;
  - f) phone numbers;
  - g) mail addresses;
  - h) bank account details;
  - i) gender;
  - j) date of birth;
  - k) interests;
  - l) competition registrations;
  - m) social event registrations.
126. When collecting personal information, the Society will where appropriate and possible, explain to a member why they are collecting information and how the Society plans on using it.
127. Where reasonable and practical, the Society will collect personal information directly from members. However, in some circumstances:
- a) The Society may collect personal information from third parties. In such a case, the Society must take reasonable steps to ensure that the member is made aware what information is being provided by the third party.
128. A member may request that the Society adds, modifies or deletes records of personal information and this must be in writing to the Secretary and acted upon as soon as reasonably practicable.
129. The disclosure of personal information may be disclosed in a number of circumstances including:
- a) To third parties where you consent to the use or disclosure;
  - b) Where required or authorised by law.

### **Sensitive information**

130. Sensitive information may be collected as defined in the *Privacy Act* includes information about an individual's:
- a) racial or ethnic origin,
  - b) political opinions,
  - c) membership of a political association,

- d) religious or philosophical beliefs,
  - e) membership of a political association,
  - f) membership of a trade union or other professional body,
  - g) criminal record or health information.
131. When collecting sensitive information, the Society will where appropriate and possible, explain to members why they are collecting information and how the Society plans on using it.
132. A member may request that the Society adds, modifies or deletes records of their sensitive information. This must be in writing to the Secretary and acted upon as soon as reasonably practicable.
133. Sensitive information will be only used by the Society if provided for:
- a) The primary purpose for which it was obtained;
  - b) For a secondary purpose that is directly related to the primary purpose;
  - c) With the member's consent; or
  - d) Where required or authorised by law.

**Part 11: Administrative Sustainability Policy (Executive Handovers)**

134. The outgoing President is responsible for overseeing the handover process to be held at the end of each calendar year.
135. All Executive members must comply with *NSW Fair Trading* and the *Australian Charities and Non-for-Profit Commission* ('ACNC') Regulations and other relevant laws.
136. The outgoing President or Secretary must inform the incoming President or Secretary about their responsibility to file a *C8A Notice of Change of Registered Office* (and any other relevant form) with the NSW Fair Trading Registry to change public officers.
- a) Any relevant document should be filled within 28 days of office confirmation at a General Meeting (or as otherwise prescribed by NSW regulation or law).
137. The outgoing President or Secretary must inform the incoming President or Secretary about their responsibility to file changes to Charities Responsible Persons within the ACNC portal.
- a) Any relevant document should be filled within 28 days of office confirmation at a General Meeting (or as otherwise prescribed by NSW regulation or law).
138. The outgoing Executive shall review and keep a good historical account of all written handover documents that aim to better explain the responsibilities of the Executive's role. This must be shared with the incoming Executive member.

139. If possible, the first handover process shall be a joint meeting between the outgoing and incoming executive teams to promote early communication and good faith in the transition process.
140. Where practically possible, the outgoing Executive shall include the incoming respective executive in the organisation of events, programs, publications and networks during the handover period.

## **Part 12: Environmental Sustainability Policy**

141. The Society will act diligently to implement and promote environmentally sustainable practices.
142. In its day-to-day operations, the Society will aim to:
  - a) Minimise paper consumption, including limiting the print of publications and competitions materials;
  - b) Minimise the use of single-use plastics and other forms of waste;
  - c) Use biodegradable and recyclable materials, including the use of recycled paper in print publications;
  - d) Engage in recycling, reusing and reducing practices, including but not limited to:
    - i. Utilising only recycled paper for office use and printed publications;
    - ii. Recycling coffee capsules and other materials made available for use in the SULS Office.
  - e) Minimise energy use and consumption in the SULS Office;
  - f) Provide strictly vegetarian catering at all events.
143. In the procurement of supplies and gifts, the Society will aim to purchase from Indigenous-owned businesses;
144. The Society will aim to source merchandise from environmentally-conscious materials and businesses;
145. In making travel arrangements for national and international conferences and competitions, the Society will aim to select travel options with low carbon emissions;
146. The Executive will advocate for the purpose of educating students, faculty, and the wider community about adopting better environmental policies and practices.
147. The Society may, from time to time and as necessary, organise activities among its members for the purpose of educating members about legislative and policy changes concerning environmental sustainability.

## **Part 13: Treasury Bylaws**

### **General**

148. The Society shall operate as a cashless society.
149. The Society cannot offer cash prizes for competitions unless the cash prize is sponsored.
150. In devising any financial investment strategy, the Society will not invest in any institution with unduly detrimental environmental impact including, but not limited to the following:
  - a) Non-renewable energy such as fossil fuels and nuclear power;
  - b) Weapons such as controversial weapons (e.g. cluster munitions, nuclear weapons), military weapons and firearms; and
  - c) Vice products such as adult entertainment, alcohol, gambling and tobacco.

### **Expenditure requests**

151. All expenditure requests must be submitted within 31 days of incurring the expenditure. Requests submitted beyond this date will only be processed if a valid and reasonable reason for the late request is presented to the Treasurer.
152. A reimbursement request requires the following to be submitted:
  - a) A tax receipt that includes:
    - i. The name and ABN of the merchant;
    - ii. The amount of GST paid; and
    - iii. The total amount paid; and
  - b) If the expenditure was in foreign currency, screenshots of bank transactions for the exact amount paid and any foreign transaction fees charged.
153. A direct payment request requires the following to be submitted:
  - a) A tax invoice:
    - i. Billed to 'Sydney University Law Society Incorporated';
    - ii. That includes the name and ABN of the payee;
    - iii. That includes the amount of GST to be paid; and
    - iv. That includes the total amount to be paid.
  - b) If the request is submitted by a non-executive member, approval from the relevant executive member that the request falls within their budget.

154. Unless approved by the Treasurer, the following are not sufficient for expenditure requests:
- a) Screenshots of bank transactions;
  - b) EFTPOS confirmation receipts;
  - c) Other documents that do not include the ABN of the merchant.
155. Personal transport costs, including to and from events or programs, will not be reimbursed without prior approval by the Treasurer.
156. All expenditure requests over \$500 must be approved by an executive vote before the expense is incurred. Voting can occur either through the voting spreadsheet or in-person at an exec meeting.

### **Society Debit Card Account Maximum**

- 156A. Pursuant to clause 61B of the Constitution, the prescribed maximum amount is \$500.

Note: this clause is designed to be amended as the financial needs of the Society change. However, the security of the Society's accounts should be an essential consideration in choosing whether to amend the prescribed maximum.

### **Part 14: Advocacy Bylaws**

157. All decisions concerning the Society's advocacy must be made in the best interest of the Society and in compliance with the obligations set out by the ACNC.
158. In determining what is in the Society's best interests, consideration should be made to:
- a) Whether the action concerns a matter that relates to the rights and interests of the Society's members or particular groups of the Society's members;
  - b) Whether the action would foreseeably cause a negative response from the Society's community;
  - c) Whether a failure to take action would foreseeably cause a negative response from the Society's community;
  - d) Whether the action concerns a matter that may be perceived as controversial or polarising;
  - e) If and whether a third party invitation to a Society's event would constitute as controversial or polarising;
  - f) Whether the action concerns a matter which may be perceived as partisan or endorsing a particular party;
  - g) Whether the action would be unlawful;
  - h) Whether there has been precedent for similar action either by the Society, law societies, law faculties, the legal industry or other relevant actors;

- i) Whether the action is consistent with the Society's objects as set out in Part 3 of the Society's Constitution, and Society's goals as determined by the Executive at the time;
  - j) Any other relevant considerations.
159. In determining what is in the Society's best interests, consideration should not be made to any personal views or opinions held by members of the Executive, rather consideration should be made collectively by the Executive as to what a reasonable and objective member of the Society will want and expect from SULS as an organisation.

## **Part 15: Accessibility Policy**

### **SULS Events Accessibility Guidelines**

160. The disability accessibility guidelines in this part must be consulted and followed as much as possible when planning and holding SULS events.
161. For events that are likely to be loud, if at all possible a quiet space should be set aside. The space should not have bright lights and be quiet. The location of the area should be clearly signposted in a spoken introduction and/or physical signposting.
162. If a quiet space is entirely not possible, disposable earplugs should be provided for free in a clear place.
163. For events that are likely to demand long periods of standing, ensure chairs are available for rest.
164. When PowerPoints, agendas, conference papers or similar are used for an event, if at all possible these materials should be circulated in advance.
165. At events with audience participation, the introduction should make clear protocol on how to participate (eg. How will people notify the chair if they want to speak).
166. Venues chosen for events must fulfil the following accessibility requirements:
- a) Accessible bathrooms;
  - b) Avoidance of steep stairs;
  - c) Clear signage;
  - d) Wheelchair accessibility (eg. ramps);
  - e) Rooms with hearing loops if using rooms in law school; and
  - f) Availability of a quiet space.
167. Wellbeing personnel at events are to be briefed on the presence of each of the items listed in section 166 by the Socials Directors and the Disabilities Officer and are to be made aware of any accessibility limitations and accessibility features of the event or venue.
168. The location of disability accommodations such as quiet areas and accessible bathrooms should be made clear at events through the use of written materials and/or physical signposting and/or during the event's introduction.

169. In the introduction and/or materials and/or signage of an event, at least one person (such as the wellbeing personnel present or the Disabilities Officer) should be delegated and clearly noted as a contact point for attendees to discuss any accessibility needs or concerns.

### **SULS Disability Cultural Competency Guidelines**

170. The Disabilities Officer each year must deliver disability awareness training to the Executive as part of their induction and to the Committees at the committee training day.
171. Use of image descriptions on marketing/digital content/social media posts must be used if at all possible.
172. All video content uploaded by SULS must include closed captioning if at all possible.
173. Language requirements applying to any marketing materials and physical or online content produced by SULS when referring to disabled people:
- a) Identity-first language must be used in relation to disability (both in the general sense eg. “disabled people” instead of “people with disabilities” and specific disabilities where applicable eg. “autistic students” instead of “students who have autism”); and
  - b) When referring to disabled people in SULS materials and marketing, euphemisms for disability (eg. “handicapped”, “handicapable”, “special needs”) must be avoided.

The End.

**By an absolute majority of the Executive on 14 January 2024.**

**Signatories**

Signed: 14 January 2024



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Danielle Tweedale  
President, Sydney University Law Society Incorporated



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John Mentzines  
Secretary, Sydney University Law Society Incorporated