
The Constitution
Of the
Music Society of the University of Technology, Sydney

(MuscUTS)

Chapter 1 – Preliminary

1. Name:

- (1) The name of the Society established under this Constitution shall be the Music Society of the University of Technology, Sydney.
- (2) The Society may be referred to as MuscUTS.
- (3) The Society logo shall be the logo set out in the first Schedule to this Constitution (Schedule A).

2. Objects:

The objects of MuscUTS include:

- (1) To promote the understanding and appreciation of music at UTS, and
- (2) To encourage and foster the performance of and participation in music at UTS.

3. Interpretation:

In this Constitution, unless the contrary intention appears,

“**Society**” means MuscUTS;

“**Union**” means the UTS Union Ltd;

“**University**” means the University of Technology, Sydney;

“**Student**” means a registered student of UTS; and

“**Group**” means a registered grouping of MuscUTS members as prescribed under Chapter 3 of this Constitution.

“**Trustee**” means a person holding the office of President, Vice-President, Secretary or Treasurer.

“**Appointed Committee Member**” means a person appointed by the Committee to an office created under s 18 of this Constitution.

“**Union Member**” means holder of a current valid Advantage Card.

Chapter 2 – Membership

4. Qualifications:

A person is qualified to be a member of MuscUTS if he or she meets the requirements for admission into the Society as defined by the Society

5. Fee:

- (1) The MuscUTS Committee shall specify a membership fee to be paid each year.

(2) The membership fee for MuscUTS members who are not Union members shall be at least twice the membership fee for MuscUTS members who are also Union members.

6. Commencement:

A person shall become a member of MuscUTS upon receipt of his or her membership fee by the MuscUTS Treasurer.

7. Duration:

Unless terminated in accordance with this Constitution, a membership shall continue until the end of the year in which it was created.

8. Termination:

A person shall cease to be a member by:

- (1) notice in writing of resignation to the Secretary,
- (2) ceasing to be a financial member, or
- (3) being expelled by the MuscUTS Committee in accordance with this Constitution.

Chapter 3 – Registered Music Groups

9. Formation:

(1) The Secretary may register a music Group if

- a) he or she has received a written request to register a Group, and
- b) he or she has put this request to the Committee, and
- c) the Committee has voted in favour of the new Group being registered.

(2) Any such request shall include:

- a) the proposed name of the Group,
- b) the purpose and function of the Group,
- c) a preliminary budget,
- d) a signed list of MuscUTS members wishing to become members of this Group, and
- e) The Committee may specify that such other information as it sees fit be included in the statement.

10. Membership:

Only MuscUTS members are eligible to be members of a Group.

11. Co-ordinator:

- (1) Each Group shall have a Group Co-ordinator wherever feasible.
- (2) The Group Co-ordinator shall
 - a)) present to the MuscUTS Committee a list of the members of the Group, as and when the membership changes, and
 - b) each semester, present to the MuscUTS Committee the proposed budget for his or her Group for that semester, and
 - c) perform any duties specified in the Group Constitution.

12. Advertising:

- (1) As each Group is only a part of MuscUTS, it shall display, where practical, either the MuscUTS name or MuscUTS logo on all promotional material.
- (2) Promotional material includes leaflets, handbills, posters, press releases, websites, programmes and announcements.

13. Constitutions:

- (1) A Group shall have a Group Constitution.
- (2) The Group Constitution shall include provisions for
 - a) the election, dismissal and replacement of the Group Co-ordinator, and
 - b) the duties of the Group Co-ordinator, and
 - c) the Group Annual General Meeting, and
 - d) the method by which the Group Constitution is to be amended, and
 - e) any other matter which, in the opinion of the Group, should be included.
- (3) The Group Constitution shall be lodged with the Secretary within seven (7) days of adoption or amendment.

14. Conflict:

- (1) Where a Group Constitution is inconsistent with this Constitution, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.
- (2) A Group Constitution may be amended by a vote of the MuscUTS members in a General Meeting of the whole Society.

15. Discipline:

The Committee may veto any action or actions proposed by a Group if, in the opinion of the Committee, the action or actions would be detrimental to the objects, purpose or spirit of MuscUTS.

16. Dissolution:

A Group will be dissolved if

- (1) Its memberships falls below two members, or
- (2) Two-thirds of the MuscUTS members resolve in a General Meeting to dissolve the Group, or
- (3) The Group is dissolved in accordance with its Group Constitution.

Chapter 4 – Committee

17. Committee:

- (1) MuscUTS shall have a Committee to manage the affairs of the Society.
- (2) The Committee shall consist of
 - a) a President;
 - b) a Vice-President;
 - c) a Secretary;
 - d) a Treasurer;
 - e) the Group Co-ordinator from each registered musical Group;and
 - f) such members as have been appointed to positions under section 18 of this Constitution.
- (3) A Person shall not hold the position of President, Vice-President, Secretary, or Treasurer concurrently with any other position on the Committee.

18. Appointment of Members:

- (1) The Committee may resolve to
 - a) create, dissolve, to otherwise specify extra positions on the Committee, and
 - b) appoint such people, being members of MuscUTS, to the positions so created as the Committee sees fit.
- (2) Appointed Committee Members shall not have the right to vote at Committee meetings, unless a resolution is passed authorising them to do so.

19. Election:

The President, Vice-President, Secretary, Treasurer and Librarian shall all be elected at the Annual General Meeting for a term of one year.

20. Term

(1) A term of office shall be for a calendar year.

(2) A Member shall be eligible for re-election.

21. Termination:

(1) If a member of the Committee:

a) ceases to be a Member of the Society, or

b) resigns his or her position by notice in writing given to the Secretary, or in the case of the Secretary resigning, the President, then he or she will cease to hold his or her office twenty-eight (28) days after the notice of his or her resignation is received.

(2) In the event of the position of President, Vice-President, Secretary, Treasurer or Librarian becoming vacant, the Committee may appoint a member of the Society to fill the vacancy. The appointee will hold office for the remainder of the term of the person replaced.

(3) In the event of the position of Group Co-ordinator becoming vacant, the Group concerned will appoint a new Co-ordinator in accordance with their Constitution.

22. President:

The President shall

(1) on behalf of the Committee submit a report on the conduct of the affairs of the Society at the Annual General Meeting, and

(2) shall be Chair at all meetings at which he or she is present.

23. Vice-President:

The Vice-President shall assist the President and act as President in his or her absence.

24. Secretary:

The Secretary shall

(1) keep a record of all business transacted at all MuscUTS meetings, except for Group Meetings, and

(2) keep a register of members and their addresses as advised from time to time, and

(3) keep a register of music Groups registered under Chapter 3 of this Constitution, and

(4) conduct correspondence on behalf of the Society.

25. Treasurer:

The Treasurer shall

- (1) collect and receive all monies due to the Society, and make all payments authorised under this Constitution, and
- (2) keep correct accounts and books showing the financial affairs of the Society, including full details of:
 - a) all receipts and expenditure connected with the activities of the Society, and
 - b) all of the Society's assets and property.

26. Meetings:

- (1) The Committee shall meet as often as it deems necessary, and at least once in every semester.
- (2) No item of business shall be transacted unless a quorum of Committee members is present at the meeting.
- (3) The quorum required for a Committee meeting shall be four (4) members of the Committee.

27. Incapacity

- (1) In the event of a Committee member being unable to carry out his or her duties under this Constitution, the Committee may resolve to allow another member of the Committee to carry out these duties.
- (2) This section does not apply to any duties which a Committee member carries out by virtue of he or she being a Trustee as defined in Section 29 of this Constitution.

Chapter 5 – Finance

28. Financial Year:

The financial year shall commence on the first day of January.

29. Trustees:

- (1) The President, Vice-President, Secretary and Treasurer of the Society for the time being shall be ex officio Trustees of the Society and the property of the Society shall be deemed to be vested in them in trust for the members of the Society.
- (2) They shall deal with the property of the Society as directed from time to time by the Committee.
- (3) Any action, suit or other proceeding may be taken or brought on behalf of the Society in the name of the

Trustees.

- (4) The Trustees, or any two of them, are hereby empowered to sign, seal, and otherwise execute and complete all debentures, securities, leases and other documents required to be executed, to effectuate any dealings with Society property or any transaction in connection with the Society's affairs which have been authorised by the Committee.

30. Financial Affairs:

- (1) The Committee shall provide regulations concerning the conduct of the financial affairs of the Society.
- (2)) No transaction involving the assets of MuscUTS, or the assets of the Union, shall be entered into without the written approval of at least two (2) Trustees.

Chapter 6 – Meetings

31. Annual General Meeting:

- (1) The Society shall convene an Annual General Meeting of its members in the month of October each year.
- (2) The Annual General Meeting shall be specified as such in the notice convening it.

32. Special General Meeting:

- (1) All General Meetings other than the Annual General Meeting shall be called Special General Meetings.
- (2) Special General Meetings may be convened either by the Committee on its own motion or by the Secretary on receipt of an application in writing signed by any five MuscUTS members.
- (3) Any such application shall state the objects of the meeting.
- (4) The Secretary shall convene the meeting within twenty-one (21) days of receipt of the application.

33. Notices of General Meetings:

The Secretary shall, at least seven (7) days before the date of a General Meeting:

- (1) Display a notice on the Union Notice Board at Broadway, which states the time, place and business to be transacted at the meeting; and
- (2) In the case of Special General Meetings, give notice to all MuscUTS members who are entitled to vote under this Constitution.

34. Quorum:

- (1) No item of business shall be transacted at a General Meeting unless a quorum of members entitled as provided herein to vote is present during the time when the meeting is considering that item.
- (2) A quorum shall be 15 members (being members entitled to vote at a General Meeting) or one third (1/3) of the membership, whichever is smaller.

35. Voting:

- (1) A MuscUTS member is entitled to vote in a General Meeting unless:
 - a) he or she owes money to the Society, or
 - b) he or she is not a member of any of the Society's registered music Groups.
- (2) Each member entitled to vote under subsections (1) shall have only one vote, irrespective of the number of registered music Groups he or she is a member of

Chapter 7 – Disciplining a Member

36. Expulsion:

- (1) The Committee may expel a member of the Society if in their opinion the member has either:
 - a) persistently refused to comply with the rules or regulations of the Society; or
 - b)) acted in a manner prejudicial to the interests of the Society.
- (2) A resolution to expel a member must be passed by three-fourths (3/4) of those voting and shall not be considered unless the member concerned has been given written notice detailing the nature of the charge, at least fourteen (14) days prior to the date of the Committee meeting at which the resolution is to be considered.
- (3) A member facing expulsion proceedings shall be entitled to attend the Committee meeting at which the resolution is to be considered and
 - a) make an oral statement, or
 - b) submit a written statement to be tabled at the meeting.

37. Appeal:

- (1) If the Committee resolves to expel a member, that member shall have a right of appeal to the next General Meeting.

- (2) Such an appeal shall be made in writing to the Secretary and must be lodged within fourteen (14) days of receiving written notification of the Committee's decision.
- (3) The lodging of an appeal will suspend the Committee decision until the matter is considered by the General Meeting.
- (4) If at the next General Meeting the members pass a special resolution in favour of the resolution made by the Committee, the resolution is confirmed and effective from the date of confirmation.

Chapter 8 – Amendment

38. Requirements: This Constitution may be amended by a resolution passed by two-thirds (2/3) of the members present (being members entitled to vote at a General Meeting) at the Annual General Meeting, or at a Special General Meeting convened for the purpose of amending this Constitution.
39. Notice:
- (1) Notice of motion concerning any such amendment shall be lodged with the Secretary at least twenty-one (21) days prior to the date of the General Meeting.
 - (2) The Secretary shall, at least seven (7) days before the date of the meeting:
 - a) Display a notice on the Union Notice Board at Broadway, stating the time and place of the meeting, and including a copy of the notice of motion; and
 - b) Give notice to all MuscUTS members who are entitled to vote under this Constitution.
40. Notice to the Union:
- Details of any amendment that has been duly approved by the members shall be given to the Secretary of the Union within seven (7) days of such amendment being adopted.

Chapter 9 – Dissolution

41. Requirements:
- The Society may be dissolved by a resolution passed by three-fourths (3/4) of

the members present (being members entitled to vote at a General Meeting) at a Special General Meeting convened for that purpose.

42. Notice:

- (1) Notice of motion concerning dissolution shall be lodged with the Secretary at least twenty-one (21) days prior to the date of the General Meeting.
- (2)) The Secretary shall, at least seven (7) days before the date of the meeting:
 - a) Display a notice on the Union Notice Board at Broadway, stating the time and place of the meeting, and including a copy of the notice of motion; and
 - b) Give notice to all MuscUTS members who are entitled to vote under this Constitution.

43. Effect of Dissolution:

Upon dissolution, all funds and properties of the Society shall thenceforth be vested in the Union, which shall proceed to wind up the affairs of the Society.

Schedule A: Duties of Employed Music Staff

MuscUTS Group Musical Director

1. The Musical Director of a Group has responsibility for directing rehearsals plus any performances programmed for the Group in each year
2. The Musical Director shall be responsible for ensuring that the music performed by his/her group is of the highest possible standard in line with the abilities of the members of the Group.
3. The Musical Director may set rehearsal attendance requirements for their group in consultation with the executive committee.
4. The Musical Director shall determine any group member's eligibility to perform in a given performance or part thereof, in consultation with the executive committee
5.
 - a. The Musical Director may, with the approval of the MuscUTS Treasurer and Group Coordinators, call extra rehearsals or cancel any rehearsals not required for a particular performance.
 - b. No remuneration will be received by the Musical Director for a scheduled rehearsal which is cancelled due to it not being required for a particular performance.
6. The Musical Director shall be an active participant in the selection of music to be performed by their Group. Further,
 - a. The Musical Director may reject a proposed work from a concert programme on the grounds of its difficulty, time required to prepare in rehearsal, musical resources available or the Director's own ability to prepare and direct a proposed work.
 - b. A work cannot be added to the programme of a Group without the agreement of the Director. No remuneration will be received by the Musical Director for a rehearsal they do not attend.
 - c. The MuscUTS Executive may reject a work or works in a proposed programme on financial grounds, while the Group Coordinators may reject a work or works in a proposed programme based on the appropriateness of the work or works to the Group at the present time, or in relation to an agreed theme for the performance in question.

7. The Musical Director may remove a work from the programme if it becomes apparent that the work will not be ready to be performed to an acceptable standard, in consultation with the Group Coordinator.
8. The Musical Director may be asked by the Committee to be involved in the selection of a replacement Musical Director.
9. The Musical Director must be notified of and invited to attend all MuscUTS Committee meetings.

Schedule B:

