

MACQUARIE MUSICAL SOCIETY CONSTITUTION

As amended March 2011

1. Name of Society

Name of the Society shall be the Macquarie Musical Society.

2. Objectives

- a) The objectives of the Society shall be to promote and produce works of musical theatre on campus. This includes, but is not limited to, musicals, cabarets and concerts.
- b) The property and income of the Society shall be applied solely towards the promotion of these objectives.
- c) No part of the property or income of the Society may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in promotion of these objectives.
- d) To provide an enjoyable and non-discriminatory atmosphere around the Shows and social events put on by the society.

3. Definitions

For the purpose of this Constitution, the following terms shall mean:

AGM means the Society's Annual General Meeting.

Campus Experience means the parent affiliate of MacMS.

Chairperson means the highest executive power at any meeting, who runs the meeting by the agenda and raises motions from the chair.

Changeover Date means the date the outgoing Executive renounce their roles on the Executive, and the incoming Executive begin their term, 14 days after the AGM.

Dismiss means to remove a member from the society, including the termination of their membership.

Executive means the Elected Office-Bearers of the Society.

Executive Meetings means the meetings held by the Executive under Section 10.

General Meeting means the Society's Annual General Meeting and Extraordinary General Meeting.

MacMS means Macquarie Musical Society.

Member means a registered financial member of the Society.

Remove means to stand down a member of the Executive from their position.

Shows means all performances, including, but not limited to, musical theatre, cabarets and reviews.

Signed Written Request means any reasonable request written and signed with a signature by the members and passed on to the Secretary.

Simple Majority means 50% of the present and voting members plus 1, where an abstention does not count as a vote.

Society means the Macquarie Musical Society.

University means Macquarie University.

4. Membership

- a) Membership is open to all students of the University.
- b) Membership is open to non-students of the University, provided that the Society Member base consists of at least 75% students at all times.
- c) Members must sign to show that they have registered with the Society and agree with this constitution.
- d) All Members must pay a membership fee. This membership fee will be determined by the Executive.
- e) All Members are to abide by this constitution.
- f) All Members have the right to attend and vote at any General Meeting.
- g) Membership entitlement exists until the first day of the University academic year. Membership must be renewed at the commencement of the first semester of the University calendar.
- h) A Member may resign their membership at any time by providing a signed, written notice to the Secretary or President.
- i) If a Member has significantly impeded the objectives of the Society, or significantly disobeyed this constitution, this member may be dismissed under Section 12 g).

- j) Any Member may raise a motion by notifying the Secretary at least 14 days before the next General Meeting.

5. Annual General Meetings

- a) The Executive must convene an Annual General Meeting on or before the last academic day of the second semester each year.
- b) The AGM must be held on the University campus.
- c) The ordinary business of the AGM will be:
 - (1) to confirm the minutes of the preceding AGM and any General Meeting held since that meeting;
 - (2) to receive a President's report on the Society's activities during the preceding year;
 - (3) to receive a Treasurer's report on the Society's finances over the preceding year;
 - (4) the election of a new Executive of the Society, as per Section 7; and
 - (5) to amend this constitution, as per Section 13.
- d) Notice of the AGM must be reasonably advertised at least 21 days prior to the meeting and the notice must specify when and where the meeting is to be held.
- e) Any proposed amendments to the constitution must be given to the Secretary at least 14 days prior to the meeting.
- f) The Secretary must at least 3 days prior to the meeting publish:
 - (1) the agenda to be followed at the AGM; and
 - (2) the intention to propose any motion to amend this constitution and the particulars of such proposed motion.

6. Quorum and Procedure at General Meetings

- a) The Executive must, within 21 days of receiving a signed written request from at least 3 members, convene an extraordinary General Meeting of the Society's Members. The Members making a request under this section must:
 - (1) specify in the request the purpose for which the meeting is required;
 - (2) sign the request with a signature;
 - (3) serve the request upon the Secretary; and
 - (4) be in attendance of the meeting.

- b) If the Executive fails to convene a General Meeting within 21 days as referred to under Section 6 a), the Members who made the request may convene a General Meeting.
- c) The quorum at all General Meetings shall be equivalent to 50% of the total number of Members or 20 Members, whichever is less.
- d) If within 1 hour from the time appointed for the meeting a quorum is not present, the Chair shall postpone the meeting for at least 7 days but no more than 21 days.
- e) Only Members may vote at a General Meeting.
- f) All Members have one equal vote, except in the event of an equal vote as stated in Section 6 n).
- g) There shall be no voting by proxy at any Meeting of the Society.
- h) A resolution, other than a resolution to amend this constitution, remove an Executive Member from office or the dismissal of a Member, shall be passed by a Simple Majority.
- i) A resolution to amend this constitution, remove an Executive Member from office or dismiss a Member shall be passed by 2/3 majority of the Members voting.
- j) Other than the election or removal of Executive Members, or the dismissal of a Member, votes shall be determined by a show of hands.
- k) Any voting Member can put forward a procedural motion for a secret ballot for any motion other than a constitutional amendment.
- l) The President must be the Chairperson at all General Meetings, or in their absence, the Vice-President.
- m) Where the Vice-President is unable to Chair the Meeting, the Meeting will be automatically postponed for 7 days.
- n) The President shall have the casting vote in the event of an equal division of votes, unless a conflict of interest arises and the casting vote is then given to the Vice President.
- o) Subject to this constitution, General Meetings must be conducted in accordance with such procedures as the Executive Committee provides.

7. Executive Committee

- a) The Executive Committee must be responsible for giving effect to the Objectives of the Society and for the administration of the activities and affairs of the Society, including but not limited to:
 - (1) financial distribution to Shows;
 - (2) the duration and dates of shows;
 - (3) the number of shows;
 - (4) organising the Society's publications; and
 - (5) general administration.

- b) The Executive shall consist of the following Elected Office-Bearers:
 - (1) President;
 - (2) Vice-President;
 - (3) Secretary;
 - (4) Treasurer;
 - (5) Social Co-Ordinator;
 - (6) Publicist;
 - (7) Technical Advisor; and
 - (8) Artistic Director.

- c) The Elected Office Bearers shall hold office until the completion of the last production, and then 14 days after the Annual General Meeting, at the Changeover Date.

- d) The new Executive will come into effect 14 days after the Annual General Meeting, including the handover of all societal property, assets and signatories.

- e) All official correspondence from and to the Executive must go through official MacMS Email accounts, and not solely through social networking sites, such as Facebook.

- f) Executive members should not participate in any travel, including University administered overseas programs, which significantly compromises their ability to function within the roles defined by this constitution. Furthermore, any travel in excess of 30 days must be reviewed at the discretion of the Executive.

- g) Executive members who become aware of any actual, potential or perceived conflict of interest must, in writing, inform the President of such conflict, or the Secretary if the conflict of interest is in regards to the President.

- h) Any Executive member who is deemed by a Simple Majority of the Executive members at a duly convened Executive Meeting, to have

breached Section 7 f) or g) shall be removed at the discretion of the Executive.

8. Elected Office Bearers' Responsibilities

- a) The President shall:
 - (1) direct, coordinate and supervise the work of the other Elected Office-Bearers;
 - (2) direct the administrative activities and manage the affairs and faithful conduct of the Society;
 - (3) Chair and coordinate the Society's Executive Meetings;
 - (4) be a co-signatory of the Society's Cheque account; and
 - (5) be the primary figure head of the society, acting as the primary liaison with Campus Experience and other University staff.

- b) The Vice-President shall:
 - (1) assist the President in their duties as stated under Section 8 a); and
 - (2) fill the position of President in their absence.

- c) The Secretary shall:
 - (1) be responsible for all general correspondence of the Society, including the regular collection and dissemination of mail;
 - (2) Section 8 c)(1) does not limit communication with the society to the Secretary, however official administrative communication can only be made to the Society with notice to the Secretary;
 - (3) ensure accurate recording and annotation of all MacMS meetings, including but not limited to , the minutes of all MacMS General Meetings;
 - (4) update any amendments made to the Constitution at any General Meeting within 14 days of that meeting;
 - (5) undertake any other administrative tasks required by the Executive for the effective operation of the Society; and
 - (6) be a co-signatory of the Society's Cheque account.

- d) The Treasurer shall:
 - (1) keep such accounting records as correctly recorded and explain the financial transactions and financial position of the Society;
 - (2) keep the Society's accounting records in such a manner as shall enable true and fair accounts of the Society to be ascertained at any time;
 - (3) submit to Members at each General Meeting accounts showing the fiscal record of that Executive during its term of office;
 - (4) be a co-signatory of the Society's Cheque account; and
 - (5) arrange and be responsible for the handling of petty cash.

- e) The Social Co-Ordinator shall be responsible for organising all of the Social Events of the Society.
- f) The Publicist shall be responsible for all communications pertaining to the publicity and promotion of societal events.
- g) The Technical Advisor shall:
 - (1) over see all Technical Directors for shows and, if none are available, find or take over the Technical Director role.
 - (2) fill a role of Occupational Health and Safety advisor of the society, over seeing the safe operation of all goings on in the performance space.
 - (3) provide the Executive with an insight into the Occupational Health and Safety Regulations and Standards of theatre operation and MacMS events outside the theatre.
- h) The Artistic Director shall:
 - (1) solely decide the type, description, category and style of the Shows, to be assigned in the Executive allocated time slots under Section 7 a)(2);
 - (2) approve the Production Team for each Show;
 - (3) be responsible for the creative integrity and quality of the Shows; and
 - (4) act in accordance to a Pitching Guide
- i) Notwithstanding the individual responsibilities of each Executive Member within their own portfolio as set out in the Section, each Executive Member is to contribute to the overall running of the Society by assisting in all activities of the Society.

9. Powers of the Executive

- a) Subject to this Constitution, and only for the purposes of satisfying Section 2, the Executive may:
 - (1) open and operate bank accounts;
 - (2) invest the Society's money;
 - (3) coordinate and seek Sponsorship for the Society; or
 - (4) enter into any necessary contracts in order to satisfy Section 2.
- b) The Executive shall deal with membership disputes and act as a grievance body for any disputes within the Society. The Executive may refer disputes to a General Meeting of the Society.
- c) All assets and property of the Society shall be vested in the Executive. These assets shall be dealt with in such a manner as is suggested by the Members at a General Meeting, or in the absence of suggestions, in a manner deemed by the Executive as necessary for the fulfilment of Section 2 of this Constitution.

- d) Where the Executive fails to hold an AGM within 2 weeks after the last day of the academic year, all assets and property shall be held in trust by Campus Experience until a duly convened AGM has been held.
- e) If after a period of 12 months, from the time when the AGM should have been held, an AGM has not been convened, the assets and property of the Society shall become the property of Campus Experience.
- f) Personal details of Members gathered by the Executive must be used only for the purposes outlined in Section 2 of this Constitution. The Executive must not distribute any Membership lists, e-mail addresses or other contact details.
- g) The Executive may affiliate or disaffiliate with any Club or Society that the Executive deems appropriate to satisfy Section 2 of this Constitution.

10. Quorum and Procedure at Executive Committee Meetings

- a) The President may at any time convene an Executive Meeting.
- b) The President must give at least 7 days notice of an Executive Meeting.
- c) The President must convene at least 6 Executive Meetings between the AGM of their appointment and the last academic week in Semester 1, and at least 5 Executive Meetings between that week and the following AGM.
- d) The President shall, within 7 days of receiving a written request by at least 2 Members of the Executive, convene an Executive Meeting.
- e) If the President fails to notify the Executive of a requested Executive Meeting as outlined in Section 10 d), the Members requesting the Meeting may convene an Executive Meeting.
- f) The President shall be the Chairperson of all Executive Meetings. If the President cannot attend the Executive Meeting then the Vice-President will be the Chairperson.
- g) If neither the President nor the Vice-President can attend an Executive Meeting, the Meeting will be postponed and rescheduled, subject to Section 10 d).
- h) 5 Executive Members of a duly convened Executive Meeting shall constitute a quorum.
- i) Executive Meetings shall be open to all Members of the Society.
- j) At Executive Meetings only Executive Members may have speaking or voting rights, however Members may be invited to speak.

- k) Any motion in front of the Executive must be proposed, seconded and given reasonable opportunity for discussion prior to a vote of the Executive.
- l) A resolution by the Executive Members present shall be passed in the affirmative by a Simple Majority of votes through a show of hands.
- m) The Executive may allow for resolutions to be debated through the use of e-mail, however no resolution may be validly voted upon through e-mail.
- n) There shall be no proxy voting at an Executive Meeting.
- o) Motions may be put from the Chair.
- p) Subject to this Constitution, Executive Meetings shall be conducted in accordance with such procedures as the Executive may provide.

11. Executive Committee Elections

- a) Only Members shall vote in elections for the Executive.
- b) Only Members may stand for election to the Executive.
- c) Elected Office-Bearers shall be elected as follows:
 - (1) 7 days before the commencement of the AGM the Executive shall appoint a Returning Officer, who shall;
 - (A) count the ballots;
 - (B) may supervise, or nominate a supervisor, of the ballot;
 - (C) not be an Executive Member; and
 - (D) not have a right to vote in the elections.
 - (2) Nominations will be taken during the AGM.
- d) The newly elected Executive shall not assume status until 14 days after the AGM, at the Changeover Date.
- e) The newly elected Executive shall attend Executive Meetings and communicate with the incumbent Executive until the Changeover Date.
- f) In the event that 2 nominees for a position receive an equal number of votes, the vote of the outgoing President shall decide who is elected to any office.
- g) In the event that no one stands for a position during the election, the position will remain vacant for 6 weeks after the AGM, during which time the newly appointed Executive will hold a General Meeting to appoint the position. The outgoing officer of that position should assist the Executive during this time until the position is filled.

12. Vacancies and Dismissal

- a) A vacancy shall occur in the position of an Executive Member where that Member:
 - (1) becomes deceased or is permanently incapacitated by mental or physical ill-health;
 - (2) resigns with notice in writing to the Secretary and President;
 - (3) ceases to be a Member; or
 - (4) is dismissed pursuant to Section 12 d) of this Constitution.
- b) In the event of a vacancy before the Changeover Date, the Executive shall appoint the person who was nominated for that position at the previous election and achieved the second highest number of votes.
- c) In the event of a vacancy after the Changeover Date, the Executive shall hold a General Meeting within 21 days to elect a replacement for the role.
- d) If the role of President is vacated after the changeover date, the Vice-President will assume the position of President and the position of Vice-President will be filled in accordance with Section 12 c).
- e) Where there is no person identifiable under Section 12 b) the Executive shall appoint another Executive Member to fill the position temporarily.
- f) An Executive Member may be removed only at a General Meeting, where:
 - (1) a 2/3 majority of the Executive vote for that dismissal; and
 - (2) a 2/3 majority of the Members vote for that dismissal; and
 - (3) the reason for removal is associated with that Executive Member acting contrary to this Constitution or the general interest and good faith of the Society, or where that Executive Member has been disciplined by the University for any reason.
- g) A Member may be dismissed from the Society only at a General Meeting, where:
 - (1) a 2/3 majority of the Members vote for that removal; and
 - (2) the reason for dismissal is associated with that Member acting contrary to this Constitution or the general interest and good faith of the Society; and
 - (3) a written warning letter from the Executive is forwarded to the Member at least 21 days before a General Meeting is held, during which time they have the option to reconcile their behaviour or resign their membership.

13. Constitutional Amendments and Interpretations

- a) This Constitution may be repealed at a General Meeting where:
 - (1) any amendment has the affirmative vote of:
 - (A) a 2/3 majority of the Executive; and

- (B) a 2/3 majority of the Members.
 - (2) 14 days notice, in writing, is given to the Secretary prior to the meeting outlining any proposed changes.
 - (3) All other procedures pursuant to Section 5, 6 and 7 are followed.
- b) The Executive shall interpret this Constitution based on the form and substance of the written document.
 - c) Any amendment becomes effective at the Changeover Date.
 - d) An amendment can become effective immediately, only with a 2/3 majority affirmation vote at any GM.

14. Dissolution of the Society

- a) The Society may be dissolved through a 2/3 majority at an AGM only.
- b) Upon dissolution, all assets and property of the Society shall become the property of Campus Experience.

15. Productions and Shows

- a) Production teams must be mutually agreed upon within the current production team and by the Artistic Director, under Section 8 h)(2).
- b) Where the roles outlined in the Constitution are not filled, the Artistic Director will then take on the responsibility of assisting with finding an appropriate member to fill the role.
- c) A Producer shall:
 - (1) be responsible for all administration and financial issues of their appointed Show;
 - (2) be responsible for financial transactions and petty cash regarding their appointed show, at the discretion of the Treasurer.
 - (3) negotiate with the Director and Music Director to appoint any other person needed for the Show;
 - (4) be the arbitrator of all conflict within their appointed Show;
 - (5) be accountable to the Artistic Director regarding the Show;
 - (6) be responsible for all venue hire in accordance with the standards of the hirer; and
 - (7) be responsible for all materials hired out, production rights and the returning of all loaned documents.
- d) A Director shall:
 - (1) be responsible for all creative decisions regarding their appointed Show;

- (2) be responsible for the overall vision regarding their appointed Show;
- (3) be responsible, with the Music Director, for the cast and casting of their appointed Show; and
- (4) appoint or delegate to any person responsibilities of the Director, with the permission of the Producer.

e) A Music Director shall:

- (1) be responsible for all musical aspects in their appointed Show;
- (2) be responsible for the band or orchestra in their appointed Show;
- (3) appoint or delegate to any person responsibilities of the Music Director, with the permission of the Producer; and
- (4) be accountable to the Producer regarding their responsibilities.

f) The Executive must ensure that a reasonable audit is undertaken of the Society's accounts and that all moneys received through ticket sales and any other profit from the show is returned to the Society promptly.

g) If the show spends beyond the Executive allocated amount, the excess must be paid in full by the Producer.

16. Registration and Legality

- a) The Society shall comply with all University and Campus Experience policies at all times.
- b) The Society shall comply with all laws and regulations of the Commonwealth of Australia.

Schedule A: Reimbursement

Reimbursement Guide

- All receipts will be given to the Treasurer between Bump In and Closing Night of the respective show.
- All receipts will be attached to a filled out reimbursement form (one per person per production)
- The Producer will present all forms to the Treasurer.
- The Producer will sign each form to authorise it for reimbursement. Any authorisations within excess of the shows budget will be at the Producers expense.
- The payee will receive their cheque within 14 days of Closing Night.
- Upon receiving the cheque the payee will sign their form stating that they have received their cheque and will cash it within 14 days and thereafter take responsibility for the money owed to them.
- Within 14 days of Closing Night the show will be settled financially. Any outstanding debts will not be reimbursed after this date.

- No cash advances or cheques written without sufficient evidence, such as an invoice or receipt.
- Any purchases made that exceed the allocated budget for a show will be at the expense of the purchaser.
- All receipts must also be labelled with the purchaser's name.
- Any purchase for a production can only be made with the express permission of the Producer.
- Candy Bar and Publicity expenses will be controlled by the Executive and will not have to be allocated into an individual shows budget.

Reimbursement Form

Show:

Spot:

Name:

Amount Requested:

Items Purchased:

Approved by Producer (Signature):

Accept the Terms of Reimbursement (Payee's Signature):

Office Use Only

Cheque Amount:

Cheque Number:

Date Received:

Payee's Signature:

Treasurer's Signature: