

# Munster Technological University Students' Union Constitution

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## Article 1 Name of the Organisation

- 1.1** The name of the organisation shall be the ‘Munster Technological University Students’ Union’, hereinafter referred to as ‘the Union’, or in Irish, Aontas na Mac Léinn, Olscoil Teicneolaíochta na Mumhan.

## Article 2 Establishment

- 2.1** The Union, which shall be an unincorporated association, is the sole representative organisation of students at Munster Technological University hereinafter referred to as ‘the University’. The Union will act as the voice for its members to advance and defend their rights, primarily in relation to their education and welfare as students, but also as citizens. This Constitution and Schedules come into effect on (date pending referendum).
- 2.2** All powers, functions, rights, privileges, rights of nomination, contracts, assets, liabilities and other matters whatsoever exercisable in or in respect of Cork Institute of Technology Students’ Union, Munster Technological University Cork Students’ Union and the Institute of Technology Tralee Students’ Union and Munster Technological University Kerry Students’ Union immediately before the date of the coming into force of this Constitution, whether by virtue of the constitutions then in force or otherwise, by the authority in which the executive powers of the Cork Institute of Technology Students’ Union, Munster Technological University Cork Students’ Union, Institute of Technology Tralee Students’ Union and Munster Technological University Kerry Student's Union was then vested are hereby declared to belong to the Union.

## Article 3 Objectives of the Union

- 3.1** The objectives of the Union shall include but not be limited to the following:
- (i) To act as the recognised voice of student members and to be the means of communication between the members of the Union and the University.

- (ii)** To advocate with the University on all matters that the student body have decided on through its internal democratic processes.
- (iii)** To represent members in wider society including; locally, regionally, nationally and internationally.
- (iv)** To support all members in the advancement of their education.
- (v)** To promote the welfare and well-being of its members.
- (vi)** To provide and manage a range of services and activities for the benefit of its members.
- (vii)** To encourage the participation of members in clubs, societies, sports, social, recreational activities and volunteering as an integral part of the student experience in the University.
- (viii)** To recognise the importance of the Irish Language and Culture and will strive to promote them as far as is practicable amongst its members and throughout the University.
- (ix)** To promote, support and demand equal and fair access to education for those who come from disadvantaged backgrounds, minorities and marginalised groups.
- (x)** To work in partnership at all levels with the University in the best interests of the members. The Union members and Officers collectively and individually shall work to achieve the above objectives independent of political parties, religious organisations, lobbying groups and in accordance with the law.

## Article 4 Principles for Service Delivery

- 4.1** The Executive shall organise surveys and use other research into the opinion, practices and procedures of the University and the Union on a regular basis. Such research may be used for the purposes of improving the quality and

delivery of services and supports to the membership by the Union and the University.

## Article 5 Membership

- 5.1** All registered students at the Munster Technological University shall be members of the Union
- 5.2** Current Union Sabbatical Officers will be full and equal members of the Union.
- 5.3** The Union will ensure equal access for all its members to its democratic processes and policy forming structures.
- 5.4 Rights**
- (i) To vote in Students' Union elections and referenda (subject to eligibility in line with the provisions of this constitution and Schedule C).
- (ii) To seek election at any level (subject to eligibility in line with the provisions of this constitution and Schedule C).

## Article 6 Powers of the Union

- 6.1** All powers of the Union derive from the members whose right it is to decide all questions of policy and elect their representatives and Officers in accordance with this Constitution.
- 6.2** The Union is empowered to own and acquire assets and to create liabilities, subject to the terms of this Constitution.
- 6.3** The Union shall hold the funds, assets and liabilities of the Union and manage all commercial services or other financial or trading activities on behalf of the members.
- 6.4** All revenues of the Union, from whatever source arising, shall be the property of the Union and shall be managed in accordance with the law.

## Article 7 Structure and Management of the Union

**7.1** The structure of the Union shall be based on the democratic principle that every member shall have the fullest possible opportunity to participate in Union affairs. The management of the Union's affairs shall be conducted on four levels:

(i) Referendum

(ii) Executive Student Council

(iii) Class Rep Council

(iv) Union Executive

### **7.2 Referendum**

**7.2.1** A referendum may be called on issues relating to education, student experience or Union matters by:

(i) Executive Student Council

(ii) Class Rep Council

(iii) A petition signed by 500 Union Members

**7.2.2** All referenda are to be decided by simple majority.

**7.2.3** A quorum of 10% of the Union membership is required to validate a referendum.

**7.2.4** Referenda shall be binding on all Union bodies.

**7.2.5** Referenda shall be held not less than two academic term weeks and not more than four academic term weeks after it has been called.

**7.2.6** All motions must be communicated to the Union Members at least five working days before the referendum. For constitutional amendments, the original text and the proposed amendment must be communicated to the student body at least five working days before the referendum.

### **7.3 Executive Student Council**

**7.3.1** The decision and policy making body of the Union will be known as the Class Rep Council, hereinafter referred to as Council, and can only be superseded by a Referendum or an Executive Student Council Meeting.

**7.3.2** The Executive Student Council shall be the supreme governing body of the Union subject to the decision of a Referendum.

**7.3.3** Executive Student Councils may be called by:

**(i)** The President

**(ii)** Union Executive

**(iii)** Executive Student Council

**(iv)** A Petition signed by 10% of its elected memberships.

**7.3.4** The Executive Student Council Membership shall be comprised of five student members of the MTU Cork campuses; two from Bishopstown, one from the CSM campus, one from the NMCI campus, and one from the CCAD. The Kerry campus student members shall be comprised of five student members from the Kerry North campus. They shall be elected from their respective Class Rep Councils. This student member composition shall additionally be joined by members of the Student Union Executive.

**7.3.5** Executive Student Councils shall be chaired by the President and will be held at least twice per semester during the academic year.

**7.3.6** At least five working days' notice must be given for the holding of an Executive Student Council.

**7.3.7** All Executive Student Council shall be conducted in accordance with the standing orders in Schedule D; such standing orders may be suspended by a two-thirds majority of those present and eligible to vote.

**7.3.8** Emergency Executive Student Councils may be called in the same manner as Executive Student Councils, save that only one working day is required for notice in the case of an Emergency Executive Student Council.

**7.3.9** Emergency Executive Student Councils shall discuss only the business for which they were called, which must be specified in the written request.

#### **7.4 Class Rep Council**

**7.4.1** This will be the structure within the union for class reps to meet and discuss constituency-based issues

**7.4.2** The membership of the Council shall be made up of:

**(i)** Class Representatives

**(ii)** Sabbatical Officers of the Union

**(iii)** Part-Time Officers

**7.4.3** The Council will elect a chair from among its number at the last meeting in each academic year to hold office following 1st June for a period of one year.

Any person elected to this position must be a member of the Union during their term in office and may not hold any other position in the Union except as Class Representative or as set out in this Constitution. Should the person elected not be a member of the Union in the year to which they were elected they shall not be eligible to hold position of Chair and a by election to replace them shall be held at the first meeting of the Council in the academic year.

**7.4.4** The Council shall be chaired by the elected chair and will be held at least twice per semester during the academic year.

**7.4.5** The Council shall be governed by the Standing Orders as set out in Schedule D.

**7.4.6** Formal notice of Council meetings together with all documents to be considered at the meeting will be sent to all Class Representatives and Officers no later than five days prior to a meeting.

**7.4.7** The quorum for Council meetings will be 10 of its constituency based elected Membership.

**7.4.8** In the event there is not a quorum present the Chair will call the meeting inquorate and adjourn the meeting.

## **7.5 Council Subcommittees and Working Groups**

**(i)** The Council may establish other such committees as it may deem necessary or appropriate to advance the interests of the Union in the formation of policy, to advance its representational role and to provide support and services to its members. The membership and terms of reference of any such Committees will be agreed by Council.

## **7.6 Union Executive**

**7.6.1** Sabbatical Officers of the Union will be members of the Executive and Council.

**7.6.2** Executive meetings will be chaired by the President and will meet at least twice in every calendar month. The quorum of the Executive will be 50% plus one of the members.

**7.6.3** It shall organise its business in line with the Standing Orders for the Executive as set out in Schedule D.

**7.6.4** Decisions at the Executive will be by simple majority of those present.

**7.6.5** Executive Meetings shall be a virtual meeting unless otherwise agreed by the Executive.

**7.6.6** Campus Coordinating Meetings:

**(i)** Each Deputy President shall convene meetings, to be known as Campus Coordinating Meetings, of Sabbatical and Part-Time Officers in their constituency, at least three times per semester.

**(ii)** Matters concerning the relevant constituencies shall be discussed and decisions will be made at Campus Coordinating Meeting with due regard to the authority of the Executive.

## **7.7 Class Representatives**

(i) Every class in the University in which there are members of the Union shall elect one Class Representative for every twenty members or greater part thereof. Class Representatives shall act as the official representative of that class and shall attend meetings of the Union, including Council, as set out in this Constitution and Schedules, and within the University as appropriate to the Class, Course, Department, School or Faculty to which they belong. Class Representatives will be responsible for raising issues on behalf of, and giving regular feedback to, their classmates.

## **7.8 Policy**

(i) All policies except operational policies of the Union shall lapse after a period of three years, unless that policy is re-affirmed.

## **Article 8 Officers of the Union**

**8.1** Officers of the Union shall carry out functions as set out in this Constitution and Schedules. These powers and functions relate to the entire membership and/or to particular constituencies from which the Officers are elected.

1. **8.2** **There** shall be Sabbatical and Part-Time Officers of the Union.

**8.3** Officers of the Union shall be provided with the Terms and Conditions of Officership which they will be held to during their time in office.

### **8.4 Sabbatical Officers include:**

(i) President

(ii) Deputy President (Cork campuses)

(iii) Deputy President (Kerry campuses)

(iv) Vice President for Education (Cork campuses)

(v) Vice President for Education (Kerry campuses)

(vi) Vice President for Welfare and Equality (Cork campuses)

(vii) Vice President for Welfare and Equality (Kerry campuses)

(viii) Campus Integration Officer (Cork campuses)

**8.5 Part-Time Officers include:**

(i) Sports Officer (Kerry campuses)

(ii) Societies Officer (Kerry campuses)

(iii) Equality, Diversity & Inclusion Officer (Kerry campuses)

(iv) Equality, Diversity & Inclusion Officer (Cork campuses)

(v) Life-Long Learning Officer (Kerry campuses)

(vi) Life-Long Learning Officer (Cork campuses)

(vii) Student Life Officer (Kerry campuses)

(viii) Student Life Officer (Bishopstown campus)

(ix) Oifigeach na Gaeilge / Irish Language Officer (Kerry campuses)

(x) Oifigeach na Gaeilge / Irish Language Office (Cork campuses)

(xi) Cork School of Music Officer (Cork School of Music campus)

(xii) National Maritime College of Ireland Officer (National Maritime College of Ireland campus)

(xiii) Crawford College of Art and Design Officer (Crawford College of Art & Design campus)

**1. 8.6 The President**

**8.6.1** There shall be a President of the Union who shall exercise and perform the powers and functions conferred on the President by this Constitution and any additional functions, duties or responsibilities conferred by the Council.

**8.6.2** All members of the Union shall be eligible to vote in the election, of the President in accordance with Article 5 of this Constitution and Schedule C. All

members, in accordance with Article 5.1, shall be eligible to seek election for the position to President.

- 8.6.3** The President shall be the chief spokesperson for the Union representing all members and shall have five main areas of responsibility: representation, finance, organisation, guidance of Union Officers and delegation of activities to Officers of the Union subject to this constitution and Class Rep Council.
- 8.6.4** The President shall convene Executive meeting and be responsible for keeping proper documentation and records including agenda and minutes.
- 8.6.5** They shall have specific responsibility for liaison and integration of all campuses.
- 8.6.6** The President shall have the right of attendance and address at all meetings established within the terms of this Constitution.
- 8.6.7** The removal from office of the President must be passed by Referendum in line with Article 7. All members of the Union shall be eligible to vote in accordance with Article 5 of this Constitution and Schedule C.

## **8.7 Deputy Presidents**

- 8.7.1** There shall be two Deputy Presidents:
  - (i)** Deputy President (Cork campuses)
  - (ii)** Deputy President (Kerry campuses)
- 8.7.2** The Deputy Presidents shall exercise and perform the powers and functions conferred on the Deputy Presidents by this Constitution and Schedules and any additional functions, duties or responsibilities conferred by the Council.
- 8.7.3** The Deputy President (Cork campuses) will be elected by Union members registered on a Cork campus in accordance with Article 5 of the Constitution and Schedule C. Union members registered on a Cork campus and in accordance with Article 5.1 of this Constitution and Schedule C, shall be eligible to seek election for the position.

- 8.7.4** The Deputy President (Kerry campuses) will be elected by Union members registered on a Kerry campus in accordance with Article 5 of the Constitution and Schedule C. Union members registered on a Kerry campus and in accordance with Article 5.1 of this Constitution and Schedule C, shall be eligible to seek election for the position.
- 8.7.5** The Deputy Presidents shall co-ordinate the Union activities on their respective campuses and shall jointly be responsible for protecting and promoting the democratic structure of the Union.
- 8.7.6** The Deputy Presidents will be members of committees and boards that are relevant to their constituencies and additional committees as stated in this Constitution or as directed by the Executive Council.
- 8.7.7** The Deputy Presidents shall jointly be responsible for the recruitment, training and development of Class Representatives.
- 8.7.8** They shall be jointly responsible for the co-ordination of Executive Student Council and Class Rep Council Meetings and for keeping proper documentation and records including agenda and minutes.
- 8.7.9** Each Deputy President shall convene Campus Co-Coordinating Meetings, for their respective constituencies and be responsible for keeping proper documentation and records including agenda and minutes.

## **8.8 Vice Presidents for Education**

- 8.8.1** There shall be two Vice Presidents for Education:
- (i) Vice Presidents for Education (Cork campuses)
  - (ii) Vice Presidents for Education (Kerry campuses)
- 8.8.2** The Vice Presidents for Education shall exercise and perform the powers and functions conferred on the Vice Presidents for Education by this Constitution and Schedules and any additional functions, duties or responsibilities conferred by the Council.

- 8.8.3** The Vice President for Education (Cork campuses) will be elected by Union members registered on a Cork campus in accordance with Article 5 of the Constitution and Schedule C. Union members registered on a Cork campus and in accordance with Article 5.1 of this Constitution and Schedule C, shall be eligible to seek election for the position.
- 8.8.4** The Vice President for Education (Kerry campuses) will be elected by Union members registered on a Kerry campus in accordance with Article 5 of the Constitution and Schedule C. Union members registered on a Kerry campus and in accordance with Article 5.1 of this Constitution and Schedule C, shall be eligible to seek election for the position.
- 8.8.5** They will be members of committees and boards that are relevant to their constituencies and additional committees as stated in this Constitution or as directed by the Executive or Council.
- 8.8.6** They will seek a high standard and quality of education for Union members including the proper and fair delivery of modules, assessments and exams.
- 8.8.7** They will undertake such research as shall contribute to the development of educational policy locally and nationally.
- 8.8.8** They shall be responsible for the provision of information on academic matters and grants on their respective constituencies.
- 8.8.9** They shall be responsible for meeting with and representing individual members of their respective constituencies in so far as practicable.
- 8.9 Vice Presidents for Welfare and Equality**
- 8.9.1** There shall be two Vice President for Welfare and Equality:
- (i) Vice President for Welfare and Equality (Cork campuses)
  - (ii) Vice President for Welfare and Equality (Kerry campuses)
- 8.9.2** The Vice President for Welfare and Equality shall exercise and perform the powers and functions conferred on the Vice President for Welfare and

Equality by this Constitution and Schedules and any additional functions, duties, responsibilities conferred by the Council.

- 8.9.3** The Vice President for Welfare and Equality (Cork campuses) will be elected by Union members registered on a Cork campus in accordance with Article 5 of the Constitution and Schedule C. Union members registered on a Cork campus and in accordance with Article 5.1 of this Constitution and Schedule C, shall be eligible to seek election for the position.
- 8.9.4** The Vice President for Welfare and Equality (Kerry campuses) will be elected by Union members registered on a Kerry campus in accordance with Article 5 of the Constitution and Schedule C. Union members registered on a Kerry campus and in accordance with Article 5.1 of this Constitution and Schedule C, shall be eligible to seek election for the position.
- 8.9.5** They will be members of committees and boards that are relevant to their constituencies and additional committees as stated in this Constitution or as directed by the Executive or Council.
- 8.9.6** They shall be familiar with well-being matters that concern members and shall represent their interests in matters relating to their well-being.
- 8.9.7** They shall assist with well-being related casework in their respective constituencies, by providing a referral service to relevant University or external services.
- 8.9.8** They shall be responsible for raising awareness of internal and external facilities and resources that may be of use, benefit or interest to students.
- 8.9.9** They shall be the chief coordinators of well-being and equality related campaigns and events in their respective constituencies, throughout their term in office. Where practicable, they will deliver on current campaigns and joint events.
- 8.10 Campus Integration Officer**

- 8.10.1** The Campus Integration Officer shall exercise and perform the powers and functions conferred on the Campus Integration Officer by this Constitution and Schedules and any additional functions, duties or responsibilities conferred by the Council.
- 8.10.2** The Campus Integration Officer will be elected by Union members registered at the National Maritime College of Ireland (NMCI), Cork School of Music (CSM) and Crawford College of Art and Design (CCAD) in accordance with Article 5 of the Constitution and Schedule C. Union members registered on a Cork campus and in accordance with Article 5.1 of this Constitution and Schedule C, shall be eligible to seek election for the position.
- 8.10.3** Support students in their constituency with well-being and education related casework by providing a referral service to relevant University service, external services or Sabbatical Officer.
- 8.10.4** Will be responsible for raising awareness of internal and external facilities and resources that may be of use, benefit or interest to students in their constituency.
- 8.10.5** Support the delivery of well-being, equality and education campaigns in their constituency in conjunction with the other Sabbatical Officers.
- 8.10.6** Support the Deputy President (Cork campuses) in the recruitment, training and management of Class Representatives in their constituency.
- 8.10.7** They shall be members of committees and boards that are relevant to their constituencies and additional committees as stated in this constitution or as directed by the Executive or Council.
- 8.10.8** They shall be jointly responsible for the co-ordination of Council subcommittees in their constituency and for keeping proper documentation and records including agenda and minutes.

### **8.11 Terms of Office**

- 8.11.1** All Officers will be elected to a term of one year from July 1st to June 30th

**8.11.2** No individual shall serve for:

(i) more than four terms in any combination of Sabbatical positions with a limit of three terms in any combination of campus constituency-based positions and two years in any one Sabbatical position.

(ii) in any Part-Time Officer position having previously served as a Sabbatical Officer.

**8.11.3** Any terms served as Officers of the two former Institute/University Unions prior to the coming into being of this Constitution shall be included for the calculation of the above.

## **8.12 Resignations and Removals**

**8.12.1** In the temporary absence or incapacity of the President, the Deputy Presidents shall function as a joint presidency and agree amongst themselves who will be responsible for issues that require attention until the return of the President.

**8.12.2** In the event of the temporary absence or incapacity of any Sabbatical Officer, the Executive shall delegate the responsibilities of that Officer, as appropriate, among the other Sabbatical Officers.

**8.12.3** In the event of the permanent incapacity, resignation, removal from office of any Sabbatical Officer prior to December 31<sup>st</sup> of any year a by-election to fill the position shall be held. In the transitional period, articles 8.9.3 and 8.9.4 will apply per circumstance.

**8.12.4** Should a position become vacant after December 31<sup>st</sup>, article 8.9.4 will apply except where the Executive decides that a by-election should be held.

**8.12.5** No person shall hold more than one Union Officer position at the same time.

**8.12.6** The removal from office of a Sabbatical Officer and Part-Time Officer, other than the President, must be passed by Referendum in the relevant constituency or constituencies in line with Article 7 and Schedule C.

## Article 9 Electoral Committee

- 9.1** The Union will establish an Electoral Committee, to conduct the operations of Executive elections, referendums or other ballots where necessary, and to advise on the Schedules and procedural details relating to elections.
- 9.2** Its membership shall consist of three independent members none of whom are, or have been, an Officer or an employee of the Union for a period of at least five academic years prior to their appointment. The members will be appointed by the Council to serve for a three-year term at the end of which Council may reconfirm their appointment.
- 9.3** Collectively, the members, where practicable, should include expertise or a robust knowledge in the following areas: law, Students' Union or Political Systems, elections, human resources.
- 9.4** Unless stated otherwise in this Constitution, matters can be referred to the board by Council, the Returning Officer or the Executive.
- 9.5** Members will undertake due diligence when formulating an opinion including research and interviews.
- 9.6** Findings and recommendations of the board in relation to proposed amendments to the Constitution or Schedules will be presented at Council.
- 9.7** The Returning Officer will make final decisions in relation to the operations of elections having taken due consideration of the advice of the board.

## Article 10 Autonomy

- 10.1** The Union is an autonomous organisation and shall not be affiliated to any organisation whose conditions of membership may affect the autonomy of the Union.
- 10.2** The Union affirms its support to the ideal of co-operation among organisations whose aims and objectives are broadly similar to those of the Unions, in matters

relating to higher education, training and the advancement of knowledge and other policies/actions as decided by the Executive Student Council from time to time.

- 10.3** The power of the Union in connection with its external relations shall normally be exercised by the Executive, which shall inform the Executive Student Council on relevant matters arising from any such co-operation.
- 10.4** No policy of an external organisation, even where the Union is a member, shall be part of the policy of the Union, save as may be determined by the Executive Student Council in accordance with this Constitution.
- 10.5** Union Affiliation to Aontas na Mac Léinn in Éirinn and associated levies shall ordinarily be decided by referendum in line with Article 7.2. However, and as a transitional measure, the first affiliation referendum will run in tandem with the first Executive elections the Union.

## Article 11 Finance

- 11.1** The Sabbatical Officers shall be responsible for the allocation and control of all Union funds in accordance with an approved annual budget and Union financial procedures in consultation with the Union General Manager (The Union General Manager being a salaried employee). They must be willing to collectively account for their decisions to the membership and to the Executive Student Council through regular financial reporting.
- 11.2** The Union General Manager shall be responsible for maintaining accurate financial records and accounts of the Union and for the administration of the Union's financial affairs. The President shall exercise oversight of Union finances on behalf of the Union and the Executive Student Council and shall ensure that appropriate financial controls are maintained.
- 11.3** The financial year shall run from the 1st of July to the 30th of June annually and annual financial statements shall be prepared for each financial year.

- 11.4** The Union may incur contractual obligations only in pursuance of the aims and objectives of Union policy. Such obligations shall be entered into by the President in consultation with the Union General Manager and in accordance with Union financial procedures. Contracts exceeding limits determined by the Executive Student Council shall require prior approval of that body.
- 11.5** The accounts of the Union shall be audited by a qualified external auditor who shall be appointed at the Executive Student Council.
- 11.6** The Union shall bank accounts in the name of the Union. Payments shall be ordinarily authorised by the President and one of the following officers and in accordance with the Union's financial procedures. All payments shall require the authorisation of at least two approved signatories, and no individual shall both initiate and authorise the same financial transaction.
- (i) Deputy President (Cork campus)
  - (ii) Deputy President (Kerry campus)
- 11.7** The Union accepts no responsibility for overdrafts or debts incurred by clubs, societies or individuals connected with or associated with the Union unless such commitments have been formally authorised in accordance with Union financial procedures.
- 11.8** The Union General Manager shall prepare the annual accounts relating to the Students Union activities, including supporting notes to the accounts and comparative figures from the previous financial year. These accounts shall be independently audited and presented to the Executive Student Council and made available to the membership.
- 11.9** An annual budget shall be prepared by the Union General Manager in consultation with the Sabbatical Officers and shall be approved by the Executive Student Council prior to the commencement of the financial year.
- 11.10** The Union shall maintain written financial procedures governing expenditure approval, procurement, reimbursement of expenses and asset management.

**11.11** The Union shall maintain written financial procedures governing expenditure approval, procurement, reimbursement of expenses and asset management

## Article 12 Indemnity

**12.1** Every Officer, appointee or member of staff of the Union shall be entitled to be indemnified out of the assets of the Union against all losses or liability which they may sustain or incur in or about the execution of their office or otherwise in relation thereto. No Officer, appointee or member of staff shall be liable for any loss, damage or misfortune, which may happen to or be incurred by the Union in the execution of the duties of their office or in relation thereto. Provided that nothing in this clause shall affect their liability for the consequences of any negligent or fraudulent act on their part.

## Article 13 Amendments to the Constitution (Excluding the Schedules)

**13.1** This Constitution may be amended, whether by way of variation, addition, or deletion in a manner provided for by this article.

**13.2** Article 13 may be activated by way of a petition moved by any one of the following:

**(i)** Not less than two percent of the membership of the Union.

**(ii)** 25% of the membership of the Executive Student Council.

**(iii)** The Executive following a majority vote.

**13.3** Such a petition must be presented to the Council where it must receive the support of fifty members to proceed.

**13.4** Following an approval of the petition by the Council the Chairperson shall forward the petition to the Electoral and Constitutional Advisory Board to consider implications of the proposed amendment. The Electoral and Constitutional Advisory Board shall report to the Chairperson within a period set by the Council.

- 13.5** The Council, having considered the report of the Electoral and Constitutional Advisory Board, shall decide as to whether it should be progressed by bringing forward a ‘Motion to Amend the Constitution’.
- 13.6** The Chairperson shall cause the motion to be submitted to a vote of the Council, where it must receive the support of 50% plus one of those in attendance at a quorate meeting of the Council if it is to be put to a referendum.
- 13.7** A referendum shall take place no later than one calendar month from the decision of the Council to put a matter to a referendum in accordance with the provisions set out in Article 7.2 to 7.2.6 inclusive and Schedule C of this Constitution.

## Article 14 Schedules of the Constitution

- 14.1** Schedules shall be understood to be supporting detail to the articles of this Constitution and shall be as binding on the operations of the Union except where:
- (i) A schedule is in contradiction with an article; the Article will always take precedence over the Schedule.
  - (ii) Nothing contained in any Schedule is in breach of the laws of Ireland or is prejudicial to good governance of the Union, under the terms of this Constitution.
- 14.2 Amendments to the Schedules**
- 14.2.1** Schedules may be added to, amended or deleted from the Constitution by way of a petition moved by any one of the following:
- (i) Not less than two percent of the membership of the Union.
  - (ii) 25% of the membership of the Class Rep Council.
  - (iii) The Executive following a majority vote.

- 14.2.2** Such petition must be brought before the Council, where it must receive the support of fifty percent plus one of those in attendance at a quorate meeting of the Council to proceed.
- 14.2.3** The Electoral and Constitutional Advisory Board shall be requested to report to the Council on the constitutionality of any proposed new or amended schedules.
- 14.2.4** The Chairperson shall cause the report of the Electoral and Constitutional Advisory Board to be submitted to a vote of the Council, where if it receive the support of 50% plus one of those in attendance at a quorate meeting of the Council, the schedule(s) concerned shall stand amended.
- 14.2.5** The adopted motion will then be brought to the attention of the members by being posted on the Union website and Union social media platforms within seven days of its being adopted by the Council. Where 5% of the membership object in writing to the motion within 28 days, it will then be put to the membership by referendum in the same manner as a provided for in Articles 13 and 7, otherwise the amendment, as adopted by the Council, shall stand.

## Article 15 Interpretation

- 15.1** Council or Union Officers shall have the right to seek an interpretation or review by the Electoral and Constitutional Advisory Board on any matter relating to the interpretation of the Constitution and its Schedules. Such applicants, however, must show good cause and standing to either initiate or be party to any interpretation or review. Having considered the view of the Electoral and Constitutional Advisory Board, Council will have make the final decision regarding interpretation.

## Schedule A: Terms of Employment and Code of Conduct for Executive Officers

**A1** Executive Officers are answerable to the Union Executive, Class Rep Council and ultimately all Union members.

### **A2 Terms of Office and Salary**

Sabbatical Officers commence their paid full-time role at the Union on 1st July except those who may commence their role following a by-election, and their terms shall run until 30<sup>th</sup> of June. Sabbatical Officers are paid in line with the Republic of Ireland's Civil Service Rate.

## Schedule B: Part-Time Officers

### **B1 Roles and Remit**

**B1.2** Part-Time Officers will work in conjunction with the President and Sabbatical Officers in their constituency where they will assist in developing Union and University policies and services for members.

### **B2 The Sports Officer (Kerry Campuses)**

- The Sports Officer (Kerry campuses) will support the promotion of club and recreational sports at MTU Kerry campuses with a view to enhancing student engagement with sports and general well-being.
- They shall support the promotion of MTU Kerry sporting events to increase supporter turnout.
- They shall liaise with the sports personnel to provide student feedback on events and activities.
- The Sports Officer shall communicate the relevant Union policy to the clubs operating in the college.
- The Sports Officer shall promote health and recreational sport related activities and campaigns in conjunction with the Vice President for Welfare and Equality.
- They shall be elected by the Kerry campus sports captains.

### **B3 The Societies Officer (Kerry Campuses)**

- The Societies Officer (Kerry campuses) will promote participation in Societies.
- They will assist in the promotion of MTU Kerry-based social and arts events to increase turnout and students' participation in activities.
- They shall liaise with the Societies Office personnel to provide student feedback on events and activities.
- They shall be elected by the Kerry campus Society Chairpersons.

### **B4 The Equality, Diversity and Inclusion Officers (Kerry & Cork Campuses)**

- The Equality, Diversity and Inclusion Officers shall have responsibility for running campaigns in relation to issues of discrimination on the grounds of age, disability, family status, gender identity, marital status, membership of the Traveller Community, nationality, race, religion, sexual orientation, and/or socio economic circumstance in conjunction with the Vice President for Welfare and Equality.
- The Equality, Diversity and Inclusion Officers shall have responsibility for running events and campaigns relating to citizenship in areas such as the environment and civic, social and political participation, with particular emphasis on voter registration, working with community and voluntary groups etc, in conjunction with their Vice President for Welfare and Equality.

### **B5 The Life-Long Learning Officers (Kerry & Cork Campuses)**

- The Life-Long Learning Officers is elected to represent and promote the views and interests of mature students, post-graduate students and student parents.
- The Life-Long Learning Officer shall work with both the Equality, Inclusion and Diversity Officers, the Vice President for Welfare and Equality and the Vice Presidents for Education to represent the interests and concerns of the mature students on the Kerry & Cork campuses.

- The Lifelong learning Officers shall help with the organisation and implementation of any campaigns affecting mature students.

**B5 Student Life Officers (Kerry & Cork Campuses)**

- The Student Life Officers shall assist in the co-ordination of on campus entertainment activities subject to the approval of the Sabbatical Officers and Union Staff.
- The Student Life Officer shall observe the University's alcohol policy when promoting events/functions.

**B6 Oifigeach na Gaeilge / Irish Language Officers (Kerry & Cork Campuses)**

- An Oifigeach na Gaeilge / Irish Language Officers will act as the primary representative for Irish speakers and Irish language issues in the Union.
- Will also encourage and promote the Irish language in the region through events and campaigns.
- Will also assist the other officers of The Union with meeting the needs and wants of Irish Speakers in the University.

**B7 Cork School of Music Officer**

- The Cork School of Music Officer shall communicate and liaise with students at the CSM campus and report on findings to the Union Executive, and where appropriate to the Council, through the Campus Integration Officer.
- The CSM Officer is elected to enhance the student experience on the CSM campus.
- The CSM Officer will assist in the implementation and promotion of Union activities and Campaigns for students on the CSM campus.

## **B8 National Maritime College of Ireland Officer**

- The National Maritime College of Ireland) Officer shall communicate and liaise with students on the NMCI campus and report on findings to the Union Executive, and where appropriate to Council, through the Campus Integration Officer.
- The NMCI Officer is elected to enhance the student experience on the NMCI campus.
- The NMCI Officer will assist in the implementation and promotion of Union activities and Campaigns for students on the NMCI campus.

## **B9 Crawford College of Art and Design Officer**

- The Crawford College of Art and Design (CCAD) Officer shall communicate and liaise with students at the Crawford College of Art and Design (CCAD) campus and report on findings to the Union Executive, and where appropriate to Council, through the Campus Integration Officer.
- The CCAD Officer is elected to enhance the student experience on the CCAD campus.
- The CCAD Officer will assist in the implementation and promotion of Union activities and Campaigns for students on the CCAD campus.

## **Schedule C: Union Executive Elections and Referenda**

### **C1 General**

- C1a** A Returning Officer, who shall not be a member of the student body, shall be appointed by the Union Executive. The Returning Officer shall be responsible for the good conduct of Executive (General) Elections and Referenda.

A Deputy Returning Officer, who shall not be a member of the student body, shall be appointed by the Union Executive to support the Returning Officer in the execution of their role.

**C1b** The election of the Union Executive will take place in the second term of the academic year. The dates of all elections and a copy of the election regulations must be distributed to all members at least three working weeks before the election.

**C1c** It will be the responsibility of all the outgoing Executive Officers if requested, to make themselves available to all candidates for information purposes.

## **C2 Nominations**

**C2a** Candidates for President must be nominated by 150 Union members for cross campus roles, 70 Union members for fulltime constituency-based roles and 70 Union members for parttime constituency-based roles. As well as signing the nomination form, the nominators must also print their names and University ID numbers on the nomination form.

**C2b** The official nomination form for President must contain 75 nominations from Cork campuses and 75 nominations from Kerry campuses, as well as the required number of nominees, the candidate's name as recognised with the University, their university identity number, and course.

**C2c** The official nomination form will require the candidates name as recognised with the University, their university identity number, and course.

**C2d** The voting for all positions will open no earlier than seven days after close of nominations.

**C2e** Nomination forms signed by the candidates shall be returned to the Returning Officer, or a stated designated person(s), no later than 5.00pm on the day of close of nominations.

**C2f** Candidacy will be invalidated based on tampering or defacement of the official nomination form.

**C2g** For Executive positions, a candidate must not be restricted from employment in Ireland.

**C2h** The decision on valid candidacy is at the discretion of the Returning Officer, and their decision is final.

### **C3 Canvassing**

**C3a** All candidates are expected to treat all other candidates with dignity and respect and abide by basic rules of fair play.

**C3b** Where an election is in progress under this constitution the Returning Officer may at their discretion make such regulations as may be appropriate to govern the canvassing or other activities of candidates, or their agents, in seeking election by the close of the candidates meeting.

**C3c** All physical electioneering material except pamphlets must be confined to areas sanctioned by the Electoral Committee. All canvassing must be carried out in keeping with the laws and regulations of both the Institute and the state.

**C3d** Canvassing will only commence after close of the candidates meeting.

### **C4 Hustings**

**C4a** All official hustings or public debates with or between candidates or interested parties in an election must be convened by the Returning Officer or someone nominated by the electoral committee. These will have physical locations, where possible.

**C4b** Candidates shall engage in hustings in alphabetical order and shall sum up in reverse alphabetical order.

**C4c** Candidates shall have equal time for their main speeches and not less than a third of that time for summing up.

**C4d** Questions from the floor will be subject to inspection by the Returning Officer and/or the Chairperson of the Electoral Committee.

### **C5 Voting**

**C5a** The system of voting shall be proportional representation with a single transferable vote (PR-STV).

- C5b** Votes will be cast in sealed ballot boxes and/or using a secure online system.
- C5c** The Returning Officer shall publicise the arrangements for polling station(s) and/or online voting and shall make arrangements whereby provision is made for all eligible members of the Union to vote in advance of Polling Day.
- C5d** Polling stations and/or online voting facilities will offer the greatest convenience to the voters, and their operational hours shall be determined by the electoral committee with a view to catering for the highest possible voter turnout.
- C5e** No other polling stations/online voting facilities can be operated other than those authorised by the electoral committee.
- C5f** No electioneering or pamphleting may take place within the area circumferencing the polling station(s) as designated by the Returning Officer.
- C5g** Voters must be able to identify themselves before being allowed to vote.
- C5h** Any vote on which a clear preference is shown will be considered valid.
- C5i** If a candidate wishes to use on the ballot paper a name other than the one, recognised by the University, they must seek prior approval from the Returning Officer.
- C6    **Counting****
- C6a** The counting of votes shall take place after the closing of the polling stations at a time and in an area designated by the Returning Officer.
- C6b** Candidates have the right to call a recount after the result of the count has been announced. If a candidate for any reason is absent from the count result announcement, they may still request a recount within one hour of the announcement being made. The Returning Officer alone will make the decision as to when the recount will take place.
- C7    **Grievances****
- C7a** Any candidate or member of the Union who has reason to believe that there was an irregularity of any kind regarding the conduct of the elections shall have the

right to lodge an objection with the Returning Officer within one working day of the alleged irregularity taking place.

### **C8 By-Elections**

**C8a** The above rules shall also apply for by-elections for Sabbatical or Part-Time Officer positions.

## **Schedule D: Standing Orders for Union Meetings**

**D1** Standing orders shall apply to all meetings of the Union.

**D2** Only full members of the Union may speak and vote at Executive Student Council. Only Class Rep Council Members may speak and have voting rights at Class Rep Council meetings. Non-Council Members may be invited to speak at a Class Rep Council meeting by the Union Chairperson or the President.

**D3** The President is responsible of appointing someone at all meeting to take minutes unless if otherwise specified.

**D4** All Executive Student Councils shall be convened by the President in accordance with the constitution. The Deputy Presidents will convene all Class Rep Council.

**D5** The President of the Union shall take the chair at Executive Student Council. If the President is absent or relinquishes the chair, it shall be taken by one of the Deputy Presidents.

**D6** The Constituency-Based Campus Officers shall take the chair at local Union Council meetings. If the Constituency-Based Campus Officer in constituency is absent, a temporary chair shall be appointed from the floor.

**D7** The Constituency-Based Campus Officer shall be responsible for keeping the meeting in order.

**D8** Members wishing to speak shall address the Constituency-Based Campus Officer. The Constituency-Based Campus Officer shall decide the right of priority

in speaking. They shall ensure whenever practicable that speakers for, and against the question under discussion address the meeting alternately.

- D9** No member may speak more than once on the same motion except with the express permission of the meeting or to answer a question on a report or as indicated in standing orders 13, 15 and 16.
- D10** Each full member shall have one vote.
- D11** No votes shall be recorded on behalf of any member not present.
- D12** Every motion shall have a proposer and a seconder. The proposer shall move the motion; it shall thereafter be open for discussion and may be withdrawn only with the consent of the meeting.
- D13** The proposer of any motion shall have the right to sum up on the debate immediately before the vote is taken.
- D14** There shall be no points of information during the summing up speech.
- D15** Emergency motions may be moved if and only if they deal with matters which have arisen since the date for submission of motions, and if there are two thirds majority vote for the discussion of this motion. Emergency motions may only be discussed if all properly submitted motions have been discussed.
- D16** In the absence of any discussion, the Chairperson shall ask if there is to be any further speeches and if not shall put the motion to a vote.
- D17** There shall be only one motion or amendment before the meeting at any one time.
- D18** The proposer of the amendment shall have the right to sum up before a vote is taken on it.
- D19** In the event of any amendment being carried, the amended motion shall become the substantive motion.
- D20** When all amendments have been voted upon, the substantive motion shall be debated.

## **D21 Procedural Motions**

**D21a** A motion that the question now be put.

**D21b** A motion that the question not be put.

**D21c** That the proposer accepts an amendment to the motion. The original proposer can accept or decline the change to their motion, if Steering Committee deems the change not to alter the spirit of the original motion.

**D21d** A challenge to the Constituency-Based Campus Officer ruling.

**D21e** A motion of no confidence in the Chairperson.

## **D22 Regulations for Procedural Motions for Executive Student Council**

**D22a** Procedural motions shall have a proposer and seconder.

**D22b** Procedural motions shall be debated in the order of priority as in Standing Order

**D22c** Procedural motions should be moved on a point of order.

**D22d** If procedural motion (i) or (ii) are put the Constituency-Based Campus Officer shall hand the Constituency-Based Campus Officer, to a member of the Executive.

**D22e** The proposer shall state his or her own case, the person who has just vacated the Constituency-Based Campus Officer shall reply, and the matter will be put straight to a vote. In the event of procedural motion (i) being carried they shall not resume the Constituency-Based Campus Officer during the meeting.

**D22f** Points of information may be raised by any full member provided that the speaker occupying the floor signifies their intention to give way.

**D22g** Points of order, which take precedence over any other business and upon which there shall be no discussion may be raised by any full member.

**D22h** Motions shall require a simple majority except where otherwise specified in this Constitution.

**D22i** Any suspension of standing orders shall apply for the duration of the matter under discussion only.

**D22j** In the event of any situation arising not being covered by standing orders then the Constituency-Based Campus Officer shall rule on the procedure being adapted. Such ruling shall be subject to challenge under procedural motion (i).