

## 2009 ORDINANCES

[Approved at the 69<sup>th</sup> meeting of the Council held in Suva on 28<sup>th</sup> and 29<sup>th</sup> October 2009]

### ELECTION OF STAFF TO THE COUNCIL

*Statute 12(1)(i) provides that 2 staff members (one of whom is to be a member of the non-professorial academic staff) are to be elected in accordance with Ordinances of the University. Statute 16(3) provides that they hold office for 3 years unless they cease to be members of staff during that term. They may be re-elected for further terms of up to 3 years.*

#### *Nominations*

1. Every third year, or at any other time when there is a vacancy in one or both positions of staff members elected to the Council, the Secretary to Council (the Secretary) must conduct an election of the staff members on the Council.
2. The Secretary must give notice to all members of staff calling for the nomination of full-time staff member(s) to be elected to the University Council.
3. Notice may be given by way of email, University newsletter, internet or other form of distribution to bring it to the attention of staff, but need not be given personally to each member of staff.
4. The nominations are to be for two positions:
  - a. A member of the non-professorial academic staff; and
  - b. A member of non-professorial academic or comparable staff.
5. Nominees under clause 4(a) and (b) may not be a member of the University Council in another capacity, a Deputy Vice-Chancellor, Pro Vice-Chancellor, Dean of any faculty, or any equivalent positions.
6. Nominees for the member of staff elected under clause 4(b) may be:
  - a. a member of the comparable staff of the University who has a contract of 12 months or more remaining; or
  - b. a full-time member of the academic staff (including both professorial and non-professorial academic staff) provided that person is not ineligible under clause 5.
7. A member of the non-professorial academic staff may stand for both positions, but if that person is elected to both positions, the second highest polling candidate under clause 4(b) must be declared elected instead.

8. The notice calling for nominations must specify-
  - a. The conditions of eligibility for nomination;
  - b. That each nomination be accompanied by the consent of the person nominated and a brief profile of that person;
  - c. The date by which nominations must be filed, which must be at least 10 working days from the date of the notice being published;
  - d. The date on which the election period is to be opened, which must be between 15 and 20 working days from the date that nominations close.

### *Elections*

9. When nominations have closed, the Secretary must prepare a voting paper containing the names of the eligible candidates for both positions. The Secretary must also provide an accompanying profile of each candidate.
10. The Secretary must appoint a Returning Officer (and such assistant returning officers as required) to distribute voting papers and to receive and count completed voting papers.
11. The Secretary may also arrange for an optional electronic system of voting to be established, provided that appropriate measures have been taken for security and confidentiality of the voting procedure.
12. The voting paper and profile must be made available to all staff members. If an electronic voting method is used, these documents may be forwarded to staff members by way of email or intranet.
13. The voting process must provide for the return of completed voting papers by way of manual delivery, but may also provide for electronic voting.
14. Staff members voting must select the names of the one or two candidates for whom they wish to vote.
15. Each staff member must either:
  - a. sign a voting register to receive his or her voting paper, complete the voting paper and hand it to the relevant returning officer; or
  - b. if electronic voting is available, may vote electronically by using a unique identifier as specified by the voting process.
16. Voting papers must be returned to the Returning Officer on or before the date when the election closes. No votes received by the Returning Officer after the closing date may be considered.
17. The Returning Officer must check every vote received against a register of staff members and determine if the vote is valid.

18. The Returning Officer must total the valid votes and (subject to clause 7) declare the highest polling candidate in each position to be elected.
19. Notice of the election must be given individually to the successful candidates and made public through the University intranet, newsletter or other means.
20. Any question regarding the election must be raised initially with the Secretary, and if not resolved, may be referred to the Vice-Chancellor.

*Transitional*

21. The first election of staff is to be held as soon as possible after the October 2009 meeting of the University Council.
22. At the October 2009 meeting, the two non-professorial members of staff who were elected to the Council under Statute 11(1)(c)(ii) of the former Statutes of the University (dated 4 February 1970) shall be interim members.

## **ELECTIONS OF STUDENTS TO THE COUNCIL**

*Statute 12(1)(j) provides that Council membership shall comprise:*

*Two registered students of the University to represent the student body, one to represent the students based at the Laucala campus, and one to represent students at other University campuses in the region, both students to be elected or appointed in accordance with the relevant Ordinance.*

*Statute 16(4) provides:*

*Students of the University appointed under Statute 12(1)(j) shall hold office for a term of 1 year.*

1. At its last meeting of the year, the Council of the University of the South Pacific Students' Association (the USPSA Council) must appoint two members to the University Council for the forthcoming year.
2. One member must be drawn from students attending the Laucala campus (irrespective of that person's country of origin) and the other from students attending one of the other campuses (the regional member).
3. The regional member must endeavour to represent the interests of all students outside the Laucala campus by regular liaison with any students' association on those other campuses. Wherever practical, the University must assist with such liaison by way of video or teleconferencing.

4. The USPSA Council must also appoint an alternate member from the Laucala campus and another from one of the regional campuses to attend the University Council if the member appointed is unable to attend.
5. If a student member ceases to be a student, resigns from the University Council, or is removed in accordance with the constitution of the USP Students' Association, the USPSA Council must appoint another member.
6. Where any dispute arises as to the application of this Ordinance, the Secretary to the University Council must determine the process to be adopted and the decision of the Secretary is final.

## **STUDENT MEMBERS OF SENATE**

*Statute 27(1)(b)(v) provides that 4 student members are to be appointed or elected in accordance with Ordinances of the University. Student members of Senate are to hold office for one year.*

1. At its last meeting of the year, the Council of the University of the South Pacific Students' Association (the USPSA Council) must appoint four members to the University Senate for the forthcoming year.
2. The 4 student representatives on the Senate comprise:
  - a. The Chairperson or a nominee of the University of the South Pacific Students' Association;
  - b. A student appointed by the Council of the USP Students' Association (USPSA Council) from each of the Faculty of Arts and Law, the Faculty of Business and Economics, and the Faculty of Science, Technology and Environment.
3. Before making any appointment under clause 2(b), the USPSA Council must consult with the students from that faculty regarding suitable candidates for the position. The USPSA Council must also take into account the desirability of appointing some student members from campuses other than the Laucala campus.
4. Faculty members must endeavour to represent the interests of all students of that faculty by regular liaison with students from that faculty on other campuses, or with the branch of the USP Students' Association on those campuses. Wherever practical, the University must assist with such liaison by way of video or teleconferencing.
5. The USPSA Council must also appoint alternate members for each position, who may attend meeting of Senate if the student appointed is unable to attend.
6. Students are eligible for appointment as members or alternate members to the Senate if they are currently enrolled in the University and are enrolled for at least one 300-level course, or have passed such a course.

7. The student representatives are appointed for a term of 1 year, unless they earlier cease to be students of the University, resign or are removed in accordance with the constitution of the USP Students' Association and, in the case of the Chairperson of the USP Students' Association, if that person ceases to hold that position.
  
7. Where any dispute arises as to the application of this Ordinance, the Secretary to the University Council must determine the process to be adopted and the decision of the Secretary is final.