



University of New Brunswick Law Students' Society Constitution

Preamble

The purpose of the University of New Brunswick Law Students' Society (LSS) is:

- To provide and foster academic, cultural, social, intellectual and professional activities for its members,
- To stimulate and promote interest in the Society, the Faculty of Law, the practice of law, and the study of law,
- To secure and maintain good relations with the Faculty of Law, the Law Society of New Brunswick, the greater Fredericton community, the Faculties of Law of other Universities and their students, and
- To represent the interests of its members.

Article I – Definitions

“Academic Year” = one Fall Semester and one Winter Semester, consecutively, commencing in September

“Society” = the Law Students Society of the University of New Brunswick

“Class” = members of a given graduating year.

“Member” = any students of the Faculty of Law.

“Executive” = the President, Vice President, Treasurer, and the First Year Executive.

“Representative” = A member elected for a given class, who is not a member of the Executive.

“Council” = the collective body of Representatives and Executive.

“General Meeting” = a meeting of the Executive and the Council which is open to Members.

“President” = the chief administrative and executive officer of the Society.

“Treasurer” = the chief financial officer of the Society.

“Vice President” = the assistant executive officer of the Society.

“Faculty Council” = A faculty body comprised of the law school faculty, one student representative from each year and the President of the Society.





“Committee” = a group which is delegated authority from the Executive to operate over a specific area.

“Clubs and Societies” = Distinct organizations under the Society led by students, which are independent of the Executive but [may] receive funding from the Society.

Article II – Executive Members

1. The President, Vice President and Treasurer will hold office for a period of twelve (12) months commencing June 1 of the respective year.

1.1 The first year Executive shall hold office for the Academic Year in which he or she was elected.

2. Each Executive Member shall at each General Meeting and at each Council Meeting submit and explain a written report detailing activities undertaken and duties performed on behalf of the Society.

3. The Executive Members shall meet at minimum once per week to conduct the business of the Society.

4. The duties of the President are:

- (1) To oversee the affairs of the Society.
- (2) To represent the Society,
- (3) To represent the Society as an *ex officio* member of Faculty Council
- (4) To meet with the Dean weekly, and
- (5) To perform other duties as by resolution instructed by a General Meeting or by a Council Meeting.

5. The duties of the Vice President are:

- (1) To assist the President in the performance of the duties set out in s. 4.
- (2) Perform duties of First Year Executive until one is elected by first year class.
- (3) To manage and co-ordinate, clubs and societies, charities and inter-murals.
- (4) To perform duties assigned by the President, and;
- (5) To perform the duties of the President in the event that the President is unwilling or unable to do so





6. The duties of the Treasurer are:

- (1) To receive all funds payable to the Society,
- (2) To disburse all funds payable by the Society,
- (3) To maintain all deposit accounts of the Society,
- (4) To prepare and present an annual budget for the Society,
- (5) To maintain adequate records of the finances of the Society,
- (6) To present and explain at Council Meetings any discretionary expenditures since last Council Meeting,
- (7) To prepare and present Financial Statements:
 - i. Dated December 1 and March 1,
 - ii. When requested by resolution by a Council Meeting, and,
 - iii. When requested by no fewer than twenty (20) members of the Society in writing,
- (8) To perform such other accounting functions as sound fiscal management requires, and
- (9) To perform the duties of the President in the event that the President and the Vice President are unwilling or unable to do so.

7. The duties of the First Year Executive are:

- (1) To assist in the performance of the duties of other executive members,
- (2) To keep a current record of all members of the Society,
- (3) To prepare all correspondence of the Society,
- (4) To post public notices of all activities of the Society,
- (5) To prepare and publicize detailed minutes of Council Meetings within one week thereof, and
- (6) To perform the duties of the President in the event that both the President, Vice President and Treasurer are unwilling or unable to do so and;





(7) To perform duties assigned by the President.

Article III – Law Students’ Council

8. There shall be a Law Students’ Council, which shall be comprised of:

- (1) The Executive Members as enumerated in sections 4-7,
- (2) Two (2) Representatives who are elected by, and are members of, the Third Year Class,
- (3) Two (2) Representatives who are elected by, and are members of, the Second Year Class, and
- (4) One (1) Representative who is elected by, and is a member of, each First Year Section.

9. Representatives shall hold office for the Academic Year for which they are elected.

Article IV – Chair of the Society

10. (1) There shall be a Chair of the Society.

- (2) The Chair of the Society for the upcoming Academic Year shall be appointed at the final Council Meeting of each Academic Year, and shall take office on September 1.
- (3) The Chair shall be selected by the Law Students' Council from the Members of the Society and who will be a student in the upcoming year.
- (4) The duties of the Chair of the Society are:
 1. Chairing General Meetings and Council Meetings,
 2. To prepare and publicize an agenda for each General Meeting or Council meeting at least four (4) days in advance,
 3. Interpreting this Constitution,
 4. Ruling in writing on any constitutional question put forward by a Member,
 5. Ruling on Conflicts of Interest, and
 6. Carrying out all elections pursuant to Article VII.





Article V – General Meetings

11. (1) There shall be at least one General Meeting of the Society each Semester during the Academic Year.

(2) The Annual Budget shall be approved by a General Meeting in September of each Academic Year.
12. (1) Each Member may propose, speak to, and vote on a motion before a General Meeting.

(2) In the event of a tie, the Chair of the Society shall cast the deciding vote, and shall not vote otherwise.
13. No General Meeting may conduct business with fewer than 50 Members in attendance.
14. In the absence of the Chair of the Society, an otherwise duly-constituted General Meeting may appoint any Member to act as Chair *pro tem* for the purpose of presiding over that General Meeting.
15. (1) Additional General Meetings may be requisitioned by:
 1. The President,
 2. Resolution passed at a Council Meeting, or
 3. Any thirty (30) Members.
(2) Requisitions pursuant to subsection (1) shall be directed in writing to the Chair of the Society, who shall on receiving a sufficient requisition schedule a General Meeting within one week and inform all Representatives and Executive Members.

Article VI – Council Meetings

16. There shall be at least one Council Meeting per month during the Academic Year.
17. (1) Each member of the Law Students' Council may propose, speak to, and vote on motions before a Council Meeting.

(2) In the event of a tie, the Chair of the Society shall cast the deciding vote.
18. All Council Meetings shall be open to all Members, and any Member may speak to or propose a motion.
19. (1) No Council Meeting may conduct business with fewer than three (3) Executive Members in attendance.





(2) No Council Meeting may conduct business with fewer than three (3) Representatives in attendance.

(3) At any Council Meeting, the number of members required to constitute a quorum shall be a minimum of six (6) members of the LSS Council, including any three members of the LSS Executive.

20. In the absence of the Chair of the Society, an otherwise duly-constituted Council Meeting may appoint any Member to act as Chair *pro tem* for the purpose of presiding over that Council Meeting.

21. (1) A Council Meeting may be requisitioned by:

1. The President,
2. Any two (2) Executive Members,
3. Any four (4) Representatives, or
4. Any fifteen (15) Members.

(2) Requisitions pursuant to subsection (1) shall be directed in writing to the Chair of the Society, who shall on receiving a sufficient requisition schedule a Council Meeting within one week and inform all Representatives and Executive Members.

22. Discretionary expenditures of monies on behalf of the Society which equals or exceeds \$300.00/month must be approved, amended, or rejected in advance by resolution passed by a Council Meeting.

Article VII: Elections

23. (1) The Chair is the Chief Returning Officer (CRO).

(2) The CRO shall accept nominations in accordance with section 25.

(3) The CRO shall post, no later than twenty-four hours after the close of nominations, notice of all nominations received.

(4) The CRO may appoint deputy returning officers to assist with the duties of the CRO.

(5) The CRO may prescribe rules within which a candidate's campaign shall be conducted.

(6) The CRO shall post no later than twenty-four hours after the close of the polls, notice of results of the election.





(7) The CRO will count the number of votes in the presence of another member, and appoint two other members to count the votes.

(8) If there is a discrepancy between the results a third count will be done.

(9) In the event there are allegations of electoral irregularities, the CRO shall recuse themselves from the process.

- a. The LSS Council shall appoint an interim CRO to supervise the election.
- b. The CRO, in consultation with each candidate in election, will determine a course of action appropriate for the circumstances, which may include running a new election.

(10) If the CRO resigns from his or her position during the Academic Year, the Council shall appoint an Interim Chair for the remainder of the Academic Year pursuant to s.10(3).

- a. The Interim Chair is subject to the same duties as the Chair pursuant to s.10.
- b. The Interim Chair is not precluded from being considered for the position of LSS Chair in the upcoming Academic Year.

24. (1) All members are eligible to vote for President, Vice President and Treasurer.

(2) Only those members of the class represented are eligible to vote for the First Year Executive and their respective section representatives.

25. (1) Nominations for all offices shall be:

1. In writing,
2. Signed by the candidate, and
3. Signed by ten (10) members of the nominee's respective class and section.

(2) Nominations close at 5 p.m. on a reasonable date as fixed by the Council.

26. (1) The candidate receiving the largest number of votes for their position shall be declared the winner.

(2) In the election of Council Representatives each Member shall have as many votes as there are Council positions available.

(3) In the event of a tie, a run-off election between the candidates who tie shall be held on the first Monday following the day on which the election was held.





(4) In the situation where an individual is the only person nominated for a position a confidence vote will be held to affirm the candidate to office, which shall require an approval of 50% plus one of the votes submitted.

(5) In the event of a failed confidence vote, nominations for a by-election, pursuant to s. 30, shall be opened on the first Monday following the day on which the election was held.

27. (1) Elections shall be held on a Wednesday and Thursday of the same week.

(2) The opening and closing times of the polls will be advertised by the CRO.

28. (1) Subject to s.29 elections for all positions shall be held no earlier than February 15 and no later than March 1 annually.

(2) Notice of a general election shall be given at least fifteen days prior to the day on which the election is held.

29. A special election shall be held by the last day of September to elect;

(1) A First Year Executive;

(2) Two (2) First Year Council Representatives in accordance with s. 8(4), and;

(3) A First Year Faculty Council Representative.

30. (1) If a vacancy occurs:

1. After December 10 and before the end of the first term, or

2. After April 10 and before the end of the second term,

then the by-election shall be deferred until the next term.

(2) If a vacancy occurs after March 15 and before April 10, the CRO may defer the by-election until the special election provided for in section 29, and the notice provisions of section 29 apply to that by-election.

(3) Unless a by-election is deferred under s. 30 (1) or (2), notice of a by- election shall be given at least 7 days prior to the day on which the election is held.

(4) Unless a by-election is deferred under s. 30 (1) or (2), nominations close at 5:00 p.m. two days prior to the day on which the vote is held.





Article VIII: Faculty Council

31. The Faculty Council members shall represent the Members of the Society at Faculty Council Meetings. Each class shall be represented by one (1) Faculty Council member.
32. Faculty Council members shall be elected for a term of one (1) year by the members of their class and shall sit at Law Students' Council meetings as non-voting Members.
33. In the event a student is unable to complete his or her term on Faculty Council, the President may, in consultation with that student, appoint a student to serve the remainder of that student's term.

Article IX: Finances

34. Two Executive Members shall sign all cheques issued by the Society.
35. The President, Treasurer, and Vice-President shall have signing authority.
36. Subject to s. 22 and 37, the Executive Members may not make any expenditure which has not been authorized under the budget or been given prior approval at a weekly meeting of the Executive.
37. (1) Three Executive Members shall approve all payments in excess of one hundred fifty dollars (\$150.00) from any contingency fund provided for in the budget.

(2) Subsection (1) applies to single payments and to several payments made for a single purpose.

(3) Approval under subsection (1) may be obtained at any meeting other than a budget meeting.

(4) Executive Committee members are authorized to approve spending under \$150, which must be reported to LSS Council
38. The fiscal year of the Society begins on September 1 and ends on August 31 annually.

Article X: Notice

39. Any notice to be given under the Constitution shall be given by posting in a conspicuous place a notice stating the required information.





Article XI: Conflicts Of Interest

40. (1) No Executive Member, Representative or Employee may act in a position where the interests of the society or its members conflict with the interests of the officer, representative or employee.

(2) An Executive Member, Representative or Employee who is in a conflict of interest shall, at any meeting at which a matter gives rise to a conflict of interest is discussed, must disclose the conflict and disqualify himself or herself from voting on any motion relating to the subject-matter of the conflict.

(3) An employee of the LSS Bookstore may not hold an LSS Executive position.

Article XII: Impeachment

41. An Executive Member or Representative may, subject to section 42, be impeached at any duly-constituted:

1. Meeting of the Law Students' Council, with a 2/3 majority vote, or
2. General Meeting of the Law Students' Society, with a simple majority vote.

42. Notice of a motion to impeach shall be given at least seven days prior to the day on which the meeting is held

Article XIII: Amendments

43. (1) The Constitution may be amended:

1. At any General Meeting or;
2. By Referendum.

(2) Notice of a motion to amend the Constitution shall be given at least seven days prior to the day on which the meeting is held.

(3) If amended at a General Meeting, a motion to amend the constitution must pass by a majority of two-thirds of the Members who attend the meeting.

(4) The Constitution must be reviewed every 3 years.





Article XIV: Transition

43. All LSS Representatives and Officers are required to provide a reasonable transition to their respective successor.

Last reviewed in April, 2014.

Last amended on April 10, 2014.

