



Administration Regulations

Monash Student Association (Clayton) Inc.

Reg. No. A0036131Z

ABN 20 147 061 074

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Part 1 Preliminary

1 Authority

- (1) These regulations are made under subclause 58(1) of the constitution.
- (2) In addition—
 - (a) Part 2 is made under subclause 64(5) of the Constitution; and
 - (b) Part 3 is made for the purpose of giving effect to paragraphs 34(9)(b)-(c) of the Constitution; and
 - (c) Part 4 is made under paragraph 19(4)(a) of the Constitution.

2 Applicability

- (1) Unless the contrary intention appears—
 - (a) Part 2 applies to the interpretation of the Constitution and the regulations of the MSA; and
 - (b) Part 3 applies to the Editors of *Lot's Wife* and the Executive; and
 - (c) Part 4 applies to the MSC and Executive.
- (2) These regulations do not apply to—
 - (a) the constitutions or regulations of the Divisions of the MSA; or
 - (b) MSA bodies established under the constitutions of the Divisions.

Part 2 Interpretation

3 Definitions

- (1) Unless the contrary intention appears, words and phrases defined in the constitution have the same meaning in these regulations.
- (2) In addition, unless the contrary appears—
 - (a) **Constitution or constitution** means the constitution of the MSA; and
 - (b) **MSA website** means the official website of the MSA; and
 - (c) **the regulations** means all of the regulations of the MSA;
 - (d) **these regulations** means the regulations in which the term appears.
- (3) Unless the contrary intention appears, words and phrases defined in the constitution and this regulation have the same meaning in the regulations.
- (4) Unless the contrary intention appears, in this constitution and the regulations—
 - (a) words in the singular include the plural; and
 - (b) words in the plural include the singular.

4 Supremacy

- (1) Where the regulations are inconsistent with the constitution—
 - (a) the latter will prevail; and
 - (b) the former will, to the extent of the inconsistency, be without force or effect.
- (2) Despite any provision in the regulations to the contrary, where the regulations are inconsistent with these regulations—
 - (a) the latter will prevail; and
 - (b) the former will, to the extent of the inconsistency, be without force or effect.

5 Who is a student?

- (1) For the purpose of paragraph 64(1)(v) of the Constitution, a person does not cease to be a student only because they—
 - (a) take a period of intermission; or
 - (b) are on exchange; or
 - (c) are undertaking one or more units of study at another institution.

6 Notice

- (1) A period of notice of a meeting or an occurrence expressed in days—
 - (a) does not include the day on which notice is given; but
 - (b) includes the day of the meeting or the occurrence.

7 Time

- (1) Where the time limited by the constitution or regulations for the doing of any act or thing expires or falls on a day that is a holiday the time so limited extends to, and the act or thing may be done on, the day next following that is not a holiday.
- (2) For the purposes this regulation—

- (a) **holiday** means a Saturday, Sunday, MSA holiday or University holiday.
- (3) This regulation does not apply to—
 - (a) a period of notice; or
 - (b) any period of time expressed in hours.
- (4) This regulation does not apply to the Standing Orders of any MSA body.

8 **Strict compliance with prescribed forms not necessary**

- (1) Where form is prescribed by the Constitution or the regulations for any purpose, any form in or to the like effect of the prescribed form will, unless the contrary intention appears, be sufficient.

9 **Applicability of certain Acts**

- (1) Unless the contrary intention appears—
 - (a) the constitution is to be interpreted in accordance with the Victorian *Interpretation of Legislation Act 1984* as if the constitution were an Act of the State of Victoria; and
 - (b) the regulations are to be interpreted in accordance with the Victorian *Interpretation of Legislation Act 1984* as if the regulations are subordinate legislation of the State of Victoria.
- (2) The Victorian *Electronic Transactions (Victoria) Act 2000* applies to both the constitution and the regulations as if they were laws of the State of Victoria.

10 **Saving provisions**

- (1) Accidental omission to notify a member of the MSA or the non-receipt of a notice by any member of the MSA does not thereby invalidate—
 - (a) a general meeting of members of the MSA; or
 - (b) a resolution of a general meeting of members of the MSA.
- (2) Any member present at a meeting of an MSA body, whether personally or by proxy, is taken to have received notice of the meeting and the business for which it is convened.

Part 3 *Lot's Wife*

11 Delegation of Powers of the MSC to the Executive

- (1) The MSC delegates its powers under paragraph 34(9)(b) of the Constitution to the Executive.

Note: Under paragraph 34(9)(b) of the Constitution the Editors of *Lot's Wife* may be directed by the MSC to include material in *Lot's Wife*.

- (2) The Editor's of *Lot's Wife* must each member of the Executive 14 days notice of when each edition or other publication is scheduled to be sent to print.
- (3) Directions to include material in an edition or publication of *Lot's Wife* must be made at least 7 days before an edition or other publication is scheduled to be sent to print.
- (4) If a direction to include material in an edition of *Lot's Wife* is not made at least 7 days before an edition is scheduled to be sent to print, it will instead apply to the subsequent edition.

12 Review of publications by the Executive

- (1) The Editors of *Lot's Wife* must give each member of the Executive—
 - (a) a final digital proof of each edition or other publication of *Lot's Wife* at least 96 hours before it is sent to print or otherwise published;
 - (b) notice of the time at which the edition scheduled to be sent to print.
- (2) The final digital proof must not be altered without approval by resolution of the Executive unless the change is made to make corrections to—
 - (a) spelling; or
 - (b) grammar; or
 - (c) formatting; or
 - (d) attributions; or
 - (e) references.
- (3) The final digital proof must not be sent to print earlier than the time notified under paragraph 1(b).
- (4) The Executive may by resolution waive the requirement set out in subregulation (3).
- (5) The Executive must only give a direction to the Editors to remove material for being potentially defamatory if –
 - (a) the Executive seeks legal advice on the matter; and
 - (b) the legal advice—
 - (i) states that the material is potentially defamatory; or
 - (ii) is not received at least 24 hours before the time notified under subregulation 1(b); and
 - (c) the Executive resolves that it considers the material to be potentially defamatory; and
 - (d) a summary of the legal advice is shared with the Editors of *Lot's Wife* as soon as reasonably practicable.
- (6) For the purposes of paragraph 34(9)(c) of the Constitution, the President and Secretary must be provided with unrestricted access to—

- (a) the *Lot's Wife* website; and
 - (b) *Lot's Wife* social media accounts; and
 - (c) any other *Lot's Wife* publication or distribution platforms and accounts.
- (7) The President and Secretary must only use access under subregulation (4) in order to remove material the Executive believes to be potentially defamatory.

13 Directions of Returning Officer will prevail

- (1) This Part does not apply to any edition or publication of *Lot's Wife* created in accordance with Part 5 of the *Election and Referendum Regulations* and approved by the Returning Officer.
- (2) Where a direction of the Executive is inconsistent with a direction of the Returning Officer made under Part 5 of the *Election and Referendum Regulations*—
 - (a) the latter will prevail; and
 - (b) the former will, to the extent of the inconsistency, be without force or effect.

Part 4 Honorary Life Membership

14 Conferral

- (1) The MSC may confer an Honorary Life Membership on any current or former member of the MSA in recognition of outstanding and sustained contributions to the MSA, ordinarily over a period of not less than three years.
- (2) An Honorary Life Membership may only be conferred by a resolution of the MSC passed with at least two-thirds of MSC members currently holding office voting in favour.
- (3) A motion to confer an Honorary Life Membership must—
 - (a) be distributed to all members of MSC at least seven days before the meeting; and
 - (b) not contain more than one nominee; and
 - (c) clearly identify the nominee; and
 - (d) outline the nominee's contributions to the MSA; and
 - (e) the wording of the proposed motion must not be modified once it has been distributed to members of MSC.

15 Recognition

- (1) The Executive must ensure the Honorary Life Members are recognised on an Honorary Life Membership Board.

16 Revocation

- (1) Honorary Life Memberships may only be revoked—
 - (a) where an Honorary Life Member engages in conduct that is—
 - (i) inconsistent with the purposes of the MSA; or
 - (ii) prejudicial to the interests of the MSA; and
 - (b) by a by a resolution of the MSC passed with at least two-thirds of MSC members currently holding office voting in favour.

17 Rights

- (1) The Honorary Life Members—
 - (a) do not have any rights other than under this regulation; and
 - (b) are not members of the MSA.



Part 5 General

18 Alteration of regulations

- (1) These regulations may only be altered by a resolution of MSC passed by an absolute majority, provided that—
 - (a) the motion includes the wording of the proposed alterations; and
 - (b) notice of the motion was given to all members of the MSC at least 7 days before the meeting; and
 - (c) the wording of the proposed alterations is not altered once they have been distributed.



Schedule 1 Document history

Date approved	Approved by	Summary
5 May 2025	Monash Student Council 4/26	Regulations adopted.