

ORDINANCE XIII

THE OPEN UNIVERSITY STUDENTS' ASSOCIATION

WHEREAS by Statute 13 (28) of the Charter of the University the Council of the University is empowered to make Ordinances in the exercise of the powers expressly set out in Statute 13 and of all other powers vested in the Council:

AND WHEREAS Article 18 of the Charter provides that:

There shall be an organisation of the students of the University whose constitution, powers and functions shall be prescribed by Ordinance:

THEREFORE the Council of the University hereby ordain as follows:

1. There shall be an organisation of the students of the University to be known as "The Open University Students' Association."
2. The Open University Students' Association shall have the Constitution set out in the Schedule to this Ordinance always provided that no exercise of the powers given in the Constitution shall be valid if it is not consistent with the provisions of the Charter and that no proposal relating to the amendment of the Constitution or for substantial change to financial policy or for the formation of any limited company shall be effected unless it shall have received the prior approval of the Council of the University.
3. Ordinance No. VI (1972) is hereby revoked.

Approved by the Council on 18th September 1977

SCHEDULE
THE OPEN UNIVERSITY STUDENTS' ASSOCIATION
CONSTITUTION

1. NAME

The Name of the Association shall be the Open University Students' Association.

2. OBJECTIVES OF THE ASSOCIATION

The objectives of the Open University Students' Association (hereinafter referred to as the Association) shall be:

- i) to foster a corporate identity for its members and all students of the University.
- ii) to co-ordinate the organisation of social and welfare activities for its members and all students.
- iii) to promote and represent the educational interests of all students as members of the University.

3. MEMBERSHIP OF THE ASSOCIATION

a) Full Membership

All registered students of the University shall be members of the Association except for those students who have exercised the option provided by the University not to join the

b) Associate Membership

Any Branch of the Association may include Graduate Members and Family Members, and any other category of person, as the National Conference of the Association may from time to time determine, and these shall be associate Members of the Association.

Associate Members shall pay such annual subscription and shall enjoy such rights and privileges of Membership as the National Conference of the Association may from time to time determine.

Subscriptions shall be at an annual rate to be decided by a majority vote of delegates at a National Conference and shall be payable in January of each year in advance. Any Associate member who fails to pay his subscription within two calendar months of the due date for payment shall thereafter cease to be an Associate member.

c) Companion Membership

Any Branch of the Association may include Part-time and Full-time staff members and these shall, upon application be Companion Members of the Association without payment of subscription, and shall enjoy such rights and privileges as the National Conference of the Association may from time to time determine.

d) Honorary Life Membership

The Conference, on the recommendation of the Executive, may grant Honorary Life Membership to those persons whom, it is felt, have made an outstanding contribution to the Association or to those whom the Association wishes to honour.

Honorary Life Members of the Students' Association may apply to the NEC for permission to attend National Conference as 'visitors' at their own expense. Visitor status shall not confer speaking rights, and visitors shall only speak by permission of Conference.

e) Honorary Officers

The Conference shall have the power to appoint, up to a total of ten at any one time, Honorary Vice Presidents for a specified period but with the eligibility for re-appointment.

4. STRUCTURE & GOVERNMENT OF THE ASSOCIATION

Branches

- a) There shall be branches of the Association. There shall be single study centre branches and multi study centre branches at the sole discretion of the majority of Registered Student members of the Association attached to the study centre(s) concerned present and voting at a meeting called for the purpose of resolving a motion to become or remain constituted as a single study centre branch or a motion to become or remain part of a multi study centre branch.

Membership of a registered Branch shall comprise those members, companion members and Associate members of the Association attached to the study centre or study centres concerned and, at the discretion of the Branch, part-time staff; and the rights and privileges of companion members and associate members in Branch affairs shall be at the discretion of the Branch subject to the provisions of the membership clause. Branches shall have the power to put motions onto the National Conference Agenda.

- b) A Branch of the Association shall be registered as such by the National Executive on submission by the branch of a constitution or branch rules for the branch, acceptable to the National Executive. Each branch so registered shall submit an annual report of its activities to the National Conference of the Association. Such annual reports shall include an audited statement of the accounts of the branch. The constitution or rules of a branch of the Association may only be amended with the approval of the National Executive.
- c) Branches may levy an extra subscription on the members for services which the Annual General Meeting of the Branch has decided to provide. The exact amount of the levy and the services which it covers shall be at the discretion of the individual Branch concerned.
- d) No OUSA member shall be barred from taking part in Branch business meetings and neither shall he be denied the right to take part in Branch elections on the grounds that he has not paid the Branch levy for services. Entrance to, or participation in, other functions than Branch business meetings may be confined to those members who have paid the levy or to those who have been specifically invited to participate in the particular function or event.

- e) All records, money and property in the possession of a Branch shall be the property of the Students' Association. Where a Branch ceases to function the General Secretary, for and on behalf of the Association, shall take possession of such records, money and property. Such monies to be returned to the central funds to be allocated to the Branch Operation Main Head of the Association's budget. Such decisions of the NEC shall be subject to an appeal to the Annual General Meeting of the Association.
- f) No Branch shall be required against its wishes to cover the members at an additional study centre.
- g) Registered student members of the Association attached to a study centre forming part of a multi study centre branch shall be entitled to establish a study centre committee to consider and determine any matter or matters solely related to the study centre concerned.
- h) All post-graduate/higher degree students of the OU shall be invited to become members of the OUSA Branch of their choice.

Branch Co-ordination

- i) i) There shall be Branch Co-ordinating Committees. They shall consist of delegates from every participating Branch in the region, as laid down in standing orders appended to this Constitution.
- ii) The Branch Co-ordinating Committee shall be entitled to place motions on the Agenda of the National Conference.

Unattached Study Centres

- j) i) Where a study centre is not covered by a branch, the Branch Co-ordinating committee and/or the NEC regional representative shall be responsible for calling an election meeting for that study centre in order to elect a delegate to attend the National Conference. Notwithstanding any other clause in this Constitution, study centres covered by this clause shall be entitled to send one delegate only irrespective of the number of students attached to that study centre.
- ii) Any study centre meeting called to elect a delegate to attend National Conference shall be entitled to place motions on the Agenda of the National Conference.

Remote Students

- k) The NEC member elected for Region 11 shall have special responsibility for the remote students, who shall be nominally members of their nearest branch, and who shall be represented at the National Conference by a delegate elected by a postal ballot or remote students.

5. SOCIETIES

- a) A group of members and/or associate members and companion members formed to further one or more of the objectives of the Association may apply to the Executive of the Association for the status of an Affiliated Society of the Open University Students' Association.

An affiliated society shall be registered as such by the Executive of the Association on submission of a constitution for the Society acceptable to the Executive of the Association. The constitution of an Affiliated Society may only be amended with the approval of the Executive of the Association.

- b) Each society so registered shall submit an annual report of its activities to the Executive of the Association. Such annual report shall include an audited statement of the Accounts of the Society. An affiliated Society may charge a subscription for membership and may apply to the Executive of the Association for an annual grant towards the operation of the Society.
- c) A Society shall be entitled to make any statement or distribute any publication or communicate with any organisation it wishes, provided this is done explicitly in the name of the Society and not of the Association.

6. GOVERNING BODY

- a) National Conference

There shall be an Annual General Meeting of the Association, held in March or April of each year, and this shall be a National Conference of the Association. The National Conference is the governing body of the Association, and is the sole policy making organ within the Association.

- b) Members of Conference

The representation at this Conference shall be as follows:-

Voting Members

- (i) Branch Delegates: Each Branch of the Association shall be entitled to send delegates to the National Conference on the following basis, one delegate for each study centre covered by that Branch up to 500 members and one additional delegate for each study centre with 501 or more members. Where a Branch covers more than one study centre, an election within each study centre shall take place for the election of the Branch delegate or delegates from that study centre to attend Conference. If after the due calling of the election meeting there are no candidates then that study centre shall not be entitled to be represented at the National Conference.
- (ii) Executive: The outgoing executive members shall each have delegate status and shall retain such status throughout the Conference at which they retire.
- (iii) The Officers elected at the Conference (and not otherwise entitled to a vote) shall have a vote from the time of their election.
- (iv) Delegate representatives of societies, as laid down in standing orders.

Non-Voting Members

- (v) Observers: Subject to accommodation and facilities being available when all delegates and study centre observers have been placed branches may pay for one Observer to attend National Conference from money the Branch has raised itself over and above the grants from the OUSA budget.

Observers shall not have the right to vote and shall have the right to speak only if they are full members of the Association.

- (vi) Self Supporting Observers: Subject to accommodation and facilities being available when all delegates and study centre observers have been placed, those paying for themselves may attend the National Conference at the discretion of the Executive, but shall only speak with the permission of the Conference.

7. SUB COMMITTEES

Membership

- a) The National Conference and/or the Executive may appoint sub-Committees of the same as they may from time to time decide, and the membership terms of appointment and reference for such committees, either permanent or temporary, shall be decided by the Conference and/or the Executive in their absolute discretion; subject always to any Regulations or Standing Orders governing the appointment of such committees.
- b) The President shall be, ex officio, a member of all such sub committees.

Societies Standing Committee.

- c) There shall be a Societies Standing Committee (a sub-committee of National Conference) which shall have the following composition and duties: -
 - j) The Committee shall be made up of the Vice Presidents for Services and Finance and two members from each affiliated society.
 - ii) The Societies Standing Committee shall have at least 3 meetings a year.
 - iii) Societies Standing Committee shall have the power to put motions onto the Executive Agenda.
 - iv) Societies Standing Committee shall have the power to put motions onto the National Conference Agenda.
 - v) Societies Standing Committee shall elect one person to be Societies Standing Committee representative on National Executive, as a full voting member, from amongst its Society appointed members.
 - vi) The Committee shall elect its own Chairman.

8. EXECUTIVE

There shall be a National Executive Committee which shall administer the Association between National Conferences, in accordance with the policy laid down by the National Conference.

Membership

- a) The National Executive Committee shall consist of 21 elected members and up to 7 members ex officio. The composition shall be as follows:

President; Deputy President; Vice Presidents (6) for - Financial Affairs, Constitutional Affairs, Welfare, Education, Services and Representation;

13 Regional Members (one from each region);

The Societies Standing Committee Representative; The General Secretary, the immediate past President (who shall be a member of the Executive for the period following his term of office, until replaced by the next retiring President); any student member of the University Council and, if students, the Chairman of the Central Consultative Committee and Chairman of Post-Graduate Consultative Committee, who would not otherwise be members of the National Executive Committee.

Staffing of the Association

- b) The National Executive shall be responsible for the proper staffing of the Association.
- c) There shall be a full time General Secretary of the Association appointed by the National Executive of the Association whose salary and other expenses shall be determined by the National Executive and paid from the funds of the Association. The General Secretary shall ensure the proper conduct of the Association's Elections and shall have such other duties as may be assigned by the National Executive. The General Secretary shall be ex officio, a member of the National Executive, but shall have no vote in any of the proceedings of the Association.

Powers

- d) The National Executive may at any time make representation to the Council of the University on any matter of concern to the Association.
- e) The National Executive shall have the right to put motions onto National Conference Agendas.
- f) The National Executive is empowered to form a limited company, or companies, in order to carry out the trading activities of the Association. Such companies shall be wholly owned subsidiaries of the Association. The National Executive shall appoint the Directors and Chairman of the Board.

9. FINANCE OF THE ASSOCIATION

Vice President for Financial Affairs

- a) The Vice President for Financial Affairs shall institute, maintain and develop in conjunction with the General Secretary suitable procedures governing the financial control of the Association's assets within the policies laid down by National Conference and shall exercise a general responsibility for the accounts of the Association which shall be audited annually and presented to the National Conference to the Association, at such time as the National Conference of the Association may determine, and thereafter submitted to the Council of the University.
- b) The Vice President for Financial Affairs shall allocate at least 40% of the net subvention income of the Association to the support of local and regional operations in accordance with Standing Orders.

Definitions

- c) The net subvention income of the Association shall be taken as the gross subvention income less the cost of staff salaries and honoraria.
- d) The branch membership figure used for the purpose of computing a branch grant shall be deemed to be the total number of members attached to each study centre incorporated in the Constitution of the Branch provided always that in addition to the

Branch Officers, the Branch Committee provides for at least one representative from each incorporated study centre.

Branch Grants

- e) All branch grants shall become payable only upon written application by the Branch Treasurer to the Vice President for Financial Affairs and shall be conditional upon the presentation by the Branch of audited accounts for the previous year.

10. MEETINGS

a) Ordinary Meetings of National Conference

The Annual General Meeting of the Association shall be called by giving notice in writing, to each Branch of the Association, and the National Executive, of the date upon which the meeting is to be held, 10 (ten) weeks in advance of the said date. The issue of the agenda, call for motions and amendments, order paper and timetable of the

Conference shall be in accordance with the Standing Orders appended to this Constitution.

b) Extra-Ordinary Meetings of National Conference

An extra-ordinary meeting of the National Conference may be called by the Executive or by $\frac{1}{3}$ (one third) of the branches giving notice in writing of the proposed business to the General Secretary, who shall then inform the President and shall set a date upon which the Conference shall meet; this date being within 4 (four) weeks of the receipt of the requisite request. The issue of the agenda and timetable for an Extra-ordinary meeting of the National Conference shall be in accordance with Standing Orders appended to this Constitution.

c) Ordinary Meetings of National Executive

The National Executive shall meet at least 6 (six) times during its year of office, and the issue of agendas, call for motions and timetable shall be in accordance with the Standing Orders appended to this Constitution.

d) Extra-ordinary Meetings of National Executive

An extra-ordinary meeting of the Executive may be called by the President or any 5 (five) members of the Executive by giving notice in writing of the proposed business to the General Secretary, who shall inform all members of the Executive and shall set a date upon which the meeting shall take place; this date being within 21 (twenty-one) days of the receipt of the requisite request. The issue of the agenda and timetable shall be in accordance with Standing Orders.

11. ELECTIONS

National Executive

- a) The National Executive Committee shall be elected as follows:-

- i) Officers: By all voting members at the National Conference. Prior to conference, all branches shall be furnished with all relevant information about nominees for office, so that delegates may be mandated to vote for particular candidates, if the branch so wishes.

- ii) The regional National Executive members shall be elected by a region's delegates to National Conference. The regional member shall be ex-officio a member of the BCC for his year of office. Every effort shall be made to ensure that all students are given all relevant information about nominees for office.

Conduct

- b) The timetable of the elections and the method of voting at these elections shall be as laid down in the Standing Orders appended to this Constitution.
- c) If the declared result of an election be not challenged by the end of the Conference then the result shall be final.
- d) Elections for ad hoc working parties and sub-committees of the Conference shall be determined by the Conference at which the body in question is to be elected.

12. CONSTITUTIONAL AMENDMENTS

This constitution may be amended by resolution of the National Conference of the Association passed in accordance with the provisions set out below. A resolution of the National Conference amending the Constitution shall be valid if:

- i) 8 weeks prior notice of the motion containing the Constitutional change has been given to each Branch of the Association and to each member of the National Executive;
- ii) The motion is duly passed at the National Conference by two-thirds of those delegates registered as being present at the Conference.

13. DEFINITION AND INTERPRETATION

- a) National Conference: shall be either the Annual General Meeting of the Association or a duly convened Extra-Ordinary meeting of the Association.
- b) National Executive
 - i) Executive: shall be construed as National Executive
 - ii) Officer(s): the terms 'officer' and 'officers' shall be construed as any one or more of the following, President, Deputy President, Vice President.
 - iii) Office: shall, in the context of the National Executive, mean any one or all of the positions defined in this clause of the constitution.
- c) Members
 - i) Associate Member: shall be any member who is not a Full member and who is required to pay a subscription.
 - ii) Companion Member:- shall be any member who is not a full member as defined in the membership clause and who is not required to pay a subscription.
- d) Elections: National Elections are those held for places on the National Executive.
- e) Gender: Words importing the masculine gender only shall be construed as including the feminine gender.

14. ELIGIBILITY

National Conference

- a) Only Registered Students of the Open University who are members of the Association or have been registered students within the preceding 12 months, and are members of the Association, shall be entitled to attend National Conference as voting delegates.

National Executive

- b) Only Registered Students of the Open University who are members of the Association, or have been members of the Open University Students Association within the preceding 12 months shall be entitled to:-
 - i) Stand for election to the National Executive;
 - ii) Nominate candidates for election to the National Executive;
- c) Only Registered Students of the University, with full membership of the Association, may stand for election as President, Deputy President or Vice President.
- d) All National Executive posts shall, upon election, be held for one year, whereupon the holder shall retire, but shall be eligible for re-election, subject to clause 14e) below.
- e) No one shall hold the office of President for more than two years either consecutively or separately and no one shall hold any elected office on the National Executive consecutively or separately or combination of elected offices, for more than 4 years.
- f) No person may simultaneously hold elected membership of the National Executive and paid employment with the Students' Association save for casual employment in exceptional circumstances at the discretion of the National Executive.

15. QUORUM

- a) The Quorum for the National Executive meetings shall be 14.
- b) The Quorum for the National Conference shall be 40% + 1 of all the, voting members registered as being present at the conference.

16. DEPUTIES

Where a Regional Executive member is unable to attend a National Executive Meeting he may appoint a deputy to attend in his place.

17. REVOCATION

All Constitutions of the Open University Students' Association prior to the 1st April, 1977 are hereby revoked.

MAY 1977