



# Second Strike

## Resource Kits for Student Representative Councils



# Constitutions

WESTERN AUSTRALIA.

No. 3811.

AN ACT to confer a Constitution on Western Australia, and to grant a Civil List to Her Majesty.

[Enacted, 26th April, 1959.]

[Royal Assent Proclaimed, 21st October, 1959.]

WHEREAS by the thirty-second session of the Imperial Parliament passed in the twenty-fifth year of the reign of Her Majesty Queen Elizabeth the Second of the United Kingdom of Great Britain and Northern Ireland, intituled "An Act for the better Government of Her Majesty's Australian Colonies," inasmuch as the said Act, notwithstanding anything therein otherwise contained, it should be lawful for the Governor and Legislative Council of Western Australia, from time to time, by any Act or Acts, to alter the provisions in force for the time being in force under the said statute or statutes concerning the election of the elective members of such Legislative Council, and the qualification of electors and elective members, as so enabled in the said Act, instead of the Legislative Council, a Council and a House of Representatives, or other separate Legislative Assembly, to consist of such members to be appointed or elected by such process and in such manner as by such Act or Acts should be determined, and to vest in such Council and House of Representatives, or other separate Legislative Assembly, the powers and functions of the Legislative Council in which the same might be substituted, and whereas it



*"A guide to help you write your SRC constitution."*

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All sample constitutions are reprinted with permission.

## Acknowledgements:

First and foremost, thanks go to the students of Student Representative Councils, Student Unions, Student Parliaments, Junior Student Councils, Student Forums and all the other names student representative groups go by. If it were not for your brilliant creativity and your willingness to share your ideas and stories, this kit would be considerably thinner. Special thanks go to those SRCs who spent the time working on Constitutions and volunteered copies for use in this kit.

Many SRCs will benefit from your generosity and your skill.

Secondly, thanks are due to all students AND Teacher Advisers involved with SRCs around Australia. Yours is possibly the hardest job in the school and we deeply appreciate that commitment.

Thirdly our thanks go to schools who are willing to try new things. These are schools that make being on an SRC a fun thing because they do not construct meaningless barriers. These are the test grounds for SRC ideas, which more timid schools then take on as their own.

Last but by no means least, our thanks go to Prudence Meggitt, who has spent hours of time editing these kits, and has taught us how to use a comma properly.

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# What is a Constitution?:

Student organisations vary greatly, so there is rarely a concrete structure and purpose. That's why there isn't a simple draft constitution that any student group can copy and simply fill in the blanks. Whilst that seems so much easier, it would mean that less thought goes into putting it together and you end up with a poorer document that won't last past the year.

Having to write a constitution from scratch will give you the opportunity to think seriously about what your SRC is.

This resource is not designed to hold your hand every step of the way. You will have to answer your own questions. The best we can do here is start you off and provide you with some assistance and some sample constitutions. The rest is up to you.

The next thing to remember is that writing a constitution is only a part of the job. Once written, a constitution can be packed up and hidden in the recesses of the school archives, lost or thrown out. It takes a lot of effort to keep it in use and in peoples' minds.

On the other hand, a constitution can bring amazing strength to your SRC. It is a powerful foundation that, if respected, will support the SRC well.

The last important consideration is that this document is supposed to last for quite a few years, so it needs to be flexible and a bit general (not to be confused with vague). Most importantly it needs to be simple.

## **What is a constitution?**

A constitution is a very formal document that sets out the rules and guidelines of an organisation. If you don't have a constitution, all the rules and procedures are left up to the best memory of a few students, or worse yet, a teacher! What happens when these people leave? A constitution is a reference document to record the rules so that the student organisation can't be pushed around.

**Important: A constitution is a legal document.** Once an organisation democratically accepts a constitution, it becomes a legal document and is therefore a serious thing. This doesn't mean you'll be in court for forgetting to follow the rules you set down. No-one pays any legal attention to the SRC constitution, but it is something you can tell the Principal, as it is a great lesson in democracy. If you don't take the constitution seriously as a legal document, then don't expect anyone else to see it as anything more than toilet paper.

## Details to Remember:



If you're scrapping an old constitution to write a new one, keep a copy of the old one. This is important history of the SRC and history goes a long way to defining us. The school is able to take the SRC more seriously if they have a history. One school recently went through an SRC filing cabinet they didn't know they had and discovered the SRC constitution from the year the school first started an SRC - 1973! It was an interesting exercise for the students who went through making comparisons between that and the most recent constitution. The rest of the SRC joined in the discussions about the implications for democracy too, so it turned into a great civics and citizenship lesson.



More important than getting this document technically correct and watertight in all aspects is the need for understanding amongst as many people as possible. Participation is great, it's the key, but go further than that and look to create genuine understanding in people regarding the constitution. If this means an overly complex point that can't be re-written has to be thrown out, so be it. However, just about every clause can be written more simply. The question to ask is, '*what is the spirit of what we are trying to say?*'



The process of writing a constitution is just as important as the constitution itself. The engagement with the ideas and the involvement in the development of the constitution, even just learning what the process should be, will be a huge benefit to the SRC. Don't sacrifice the process just to get done faster.



Amendments. Any time you change the constitution it is called an amendment. On the back page of your constitution you should add the date the constitution was amended. Some have gone further and written in the exact changes made and the reasons why, but this is unnecessary. You do need to keep a record of the dates that changes were made to the constitution and you need to keep this as part of all future editions of the constitution. Reprint the constitution and distribute it again after change are made. Remember to keep a copy of the previous one for history's sake.



### Basic Glossary:

This is some language your constitution may choose to incorporate (for more on this, see the Second Strike SRC resource Kit 'Meeting Procedure' – order form in **further resources**)

- Quorum – The minimum number of people required at a meeting before the meeting can be considered to have the power to make a proper decision.
- Proxy – A stand in at a meeting for a member who is absent. Your constitution makes the rules about who can be a proxy (can it be a non-SRC member? A teacher?) and how to go about arranging that. Usually it is arranged with a written note the proxy submits at the meeting, signed by the absent member. You might require that the chairperson get advance notice.
- Amendment – An amendment is a change made to the constitution.
- Sunset Clause – The clauses in a constitution that determine what must happen if the organisation ever ceases.
- Motion – A statement to be decided upon through a vote.
- Majority – Sometimes referred to as a 'simple majority'. This is in reference to voting, where anything over 50% of those present equals a majority.

- Absolute Majority – This is where the requirement is higher. Your constitution may determine that 51% of all SRC members equals an absolute majority, or it may say that two-thirds of those present is an absolute majority, or possibly even two-thirds of the entire SRC. This is for decisions that are considered extremely important, like altering the constitution or kicking someone out of the SRC.



### **Let's make it fun:**

Why not? Just because it's a written document of rules doesn't mean it can't be a little bit fun. For a start the SRC could throw a party to launch the constitution. This is a great celebration for the effort that went into it and would be quite the positive start to your constitution.

Some other ideas:

- Use coloured paper. Maybe just for the cover page
- Throw a bunch of pictures into the document.
- Include a photo of the SRC on the back page. The year that created the document gets immortalised in it. (Make it a fun picture, not one of the school ones.
- Every member gets to sign their name somewhere on the back page, maybe on or around their photo.
- Post it up around the school.
- Hold some of the planning meetings over pizza and a movie.
- Run a trivia quiz that involves a few questions about the constitution (run this for the whole school).
- Make every constitutional review a bit of a party.
- Get the Principal to sign it in front of the whole SRC, maybe make a short speech.