



commerce  
undergraduate  
society

## **Constitution**

*of the*

Commerce Undergraduate Society of UBC Vancouver

*“... to enhance the value of the Sauder School of Business Bachelor of Commerce degree while cultivating the personal, professional and academic success of students.”*



# Constitution

Last Revised: February 1<sup>st</sup> 2015



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### Article 1: Preamble

#### Section 1.01: Organization Name

- (A) The organization shall be known as the “Commerce Undergraduate Society of the University of British Columbia, Vancouver,” hereafter referred to as the CUS.

#### Section 1.02: Mission

- (A) The mission of the CUS shall be to enhance the value of the Bachelor of Commerce degree from the Sauder School of Business at the University of British Columbia while cultivating the personal, professional and academic success of students.

### Article 2: Membership

#### Section 2.01: Qualification

- (A) All undergraduate students who are registered at the Sauder School of Business in the Bachelor of Commerce program during the academic year and who have paid their CUS fee are members of the CUS.

- (I) Only individuals fulfilling these requirements may be members of the CUS.

#### Section 2.02: Affordance of Rights

- (A) All members of the CUS are afforded the same rights and opportunities to participate in CUS or CUS-related activities.

- (I) The above clause notwithstanding, exchange students to the Sauder School of Business shall be deemed to be members of the CUS, except in the matters of:

- (a) elections;
- (b) referenda;
- (c) financial assistance to attend external conferences;
- (d) membership in Board of Directors;
- (e) or appointment to the Executive Council.

### Article 3: Definitions and Interpretations

#### Section 3.01: List of Definitions

- (A) Unless otherwise defined within an article, the following terms shall be interpreted to mean:

- (I) “Academic Year”

- (a) From the day after Labour Day until the final day of exams in April.

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- (II) “Academic Terms”
    - (a) From the day after Labour Day until the last day of classes during the Fall semester in December and the first day of classes in January until the last day of classes during the Winter semester.
  - (III) “AMS”
    - (a) The Alma Mater Society of the University of British Columbia, Vancouver, the parent society of the CUS.
  - (IV) “Announce”
    - (a) To post on the CUS website.
  - (V) “Code of Procedure” or “Code”
    - (a) The CUS Code of Procedure.
  - (VI) “Distribute”
    - (a) To post on the CUS website and upon request to make paper copies available.
  - (VII) “Elections Committee”
    - (a) Appointed by the Elections Committee Chairperson as per the Code of Procedure; consisting of at least three (3) members as is necessitated by the AMS Code of Procedure.
  - (VIII) “Elections Committee Chairperson”
    - (a) The person charged with the fair and efficient administration of the CUS elections.
  - (IX) “Exam Periods”
    - (a) The time period from the last day of classes in the Fall semester until the first day of classes in January and the time period from the last day of classes in the Winter semester until the end of the academic year.
  - (X) “General Membership of the CUS”
    - (a) The most current count of the individuals who are active members, as provided by the Undergraduate Programs Office.
  - (XI) “Official Turnover Date”
    - (a) The first day in April.
  - (XII) “Line-by-line”
    - (a) The approval of each item that appears on its own line in the annual CUS budget. These items represent any individual budget proposal as received by the Executive Council.
  - (XIII) “Portfolio”

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- (a) The area of responsibility for the President or a Vice-President, outlined in the Code of Procedure, and the Service Council members who report to that Executive Council member.
- (XIV) “Present”
  - (a) The physical or virtual attendance at a meeting.
- (XV) “Term”
  - (a) From the incoming turnover date of the elected members of the Board of Directors until the outgoing turnover date of the majority of the Board of Directors.
- (XVI) “UBC”
  - (a) The University of British Columbia, specifically, where applicable, Vancouver campus.

## Article 4: Governance

### Section 4.01: Constitution

- (A) This Constitution shall remain the law governing the conduct and activity of the CUS.

### Section 4.02: Robert’s Rules of Order

- (A) The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall govern the CUS in all cases to which they are applicable and in which they are not inconsistent with this Constitution, the Code of Procedure, the AMS Constitution, Bylaws, and Code of Procedure, or any special rules adopted by the general membership of the CUS from time to time through referenda.
- (I) There shall be a copy of Robert’s Rules of Order, Newly Revised available in the Office of the CUS President.

### Section 4.03: Other Rules

- (A) The Board of Directors may create, by a two-thirds (2/3<sup>rd</sup>s) majority vote, further rules and procedures for the CUS provided that such rules are consistent with, and subservient to, this Constitution.

### Section 4.04: Contradiction

- (A) Nothing within this Constitution shall be interpreted in such a way as to be inconsistent with the AMS Code of Procedure, Bylaws or Constitution.

## Article 5: CUS Code of Procedure

### Section 5.01: Scope of the Code of Procedure

- (A) The CUS shall be governed by the Code of Procedure, subject only to supersedence by the CUS Constitution and AMS Constitution, Bylaws, and Code of Procedure.

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### Section 5.02: Amendments to the Code of Procedure

- (A) All proposed amendments to the Code of Procedure shall be distributed to the general membership of the CUS at least forty-eight (48) hours prior to their ratification and application, which shall occur only by two-thirds ( $2/3^{\text{rds}}$ ) majority vote of the Board of Directors.
  - (I) Components of the Code of Procedure may amend automatically and without deliberate action by the Board of Directors should appropriate clauses exist within the Code of Procedure to identify the causal action and specific amendments to result from such an impetus.

### Section 5.03: Exemptions and Suspensions of the Code of Procedure

- (A) Authority to grant exemptions to or suspensions of the Code of Procedure shall be noted within it and may otherwise occur by two-thirds ( $2/3^{\text{rds}}$ ) majority vote of the Board of Directors at any time.
  - (I) Such an exemption or suspension may apply for up to a period of time that does not extend beyond the end of the current Board of Directors' term, or one (1) month's time, whichever is greater.

## Article 6: Board of Directors

### Section 6.01: Role of the Board of Directors

- (A) The Board of Directors shall represent the general membership of the CUS and act on their behalf to the best of their ability as directed by the general membership of the CUS and the mission of the CUS.

### Section 6.02: Composition of the Board of Directors

- (A) The Board of Directors shall be composed of:
  - (I) the following voting members, elected by the general membership of the CUS:
    - (a) the President;
    - (b) the Commerce Student Senator;
    - (c) the AMS Representatives – two (2) representatives;
    - (d) the First Year Representatives – two (2) representatives;
    - (e) the Second Year Representatives – two (2) representatives;
    - (f) the Third Year Representatives – two (2) representatives;
    - (g) the Fourth Year Representatives – two (2) representatives;
  - (II) the following non-voting members, elected by the general membership of the CUS:
    - (a) the Ombudsperson;
    - (b) any number of other non-voting members, appointed by the Board of Directors.

### Section 6.03: Restrictions on Members of the Board of Directors



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- (A) All members of the Board of Directors must be members of the CUS.
  - (I) All First Year Representative candidates must hold a First Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
  - (II) All Second Year Representative candidates must hold a First Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
  - (III) All Third Year Representative candidates must hold a Second Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
  - (IV) All Fourth Year Representative candidates must hold a Third or Fourth Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
  - (V) With the exception of the President's seat on the Executive Council, members of the Board of Directors shall not hold any Executive Council or Service Council Positions.
- (B) Members of the Board of Directors shall exercise professional judgment and abstain from voting on or discussing matters in which they could reasonably be viewed as not being independent and impartial.

Under such circumstances, such members will inform the Board of any issues regarding their independence and impartiality.

### Section 6.04: Board of Director Meetings

- (A) Quorum is achieved when sixty percent (60%) of the voting members of the Board of Directors are present.
  - (I) Seats that have not been filled either due to a vacancy or, in the case of First Year Representatives, a gap in a position's term, shall not be counted towards the total number of voting members of the Board of Directors of which a portion must be present to achieve quorum.
- (B) All voting Board of Directors members have the right to one (1) vote.
- (C) No Board of Directors member shall hold more than one (1) voting position on the Board of Directors.
- (D) The Chairperson of the Board of Directors will be elected by and from the Board of Directors in accordance with the Code of Procedure and may not be the CUS President.
  - (I) Contrary to the above, the Board of Directors may, rather than elect from within, appoint a Chairperson from the general membership of the CUS by two-thirds (2/3<sup>rd</sup>s) majority vote.
- (E) The Chairperson shall have the same voting rights as any other member and, in the event that an equal number of votes are cast in favour and in opposition of a motion, the motion shall be considered lost.
  - (I) Should the Board of Directors appoint a Chairperson from the general membership of the CUS rather than elect one from the membership of the Board of Directors, the Chairperson shall not vote under any circumstances and in the event that an equal number of votes are cast in favour and in opposition of a motion, the motion shall be considered lost.
- (F) The Board of Directors shall appoint a Vice-Chairperson, in accordance with the Code of Procedure, who shall assume the responsibilities of the Chairperson in their absence or in such a situation as where the Chairperson is unable to fulfill their duties on a temporary basis.

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- (G) In the absence of both its Chairperson and Vice-Chairperson or their inability to fulfill their duties on a temporary basis, the Board of Directors shall appoint an Acting Chairperson to assume the responsibilities of the Chairperson until such a time as the Chairperson or Vice-Chairperson may resume their role.
- (H) Subject to the limitations laid out in this Constitution, Board of Directors meetings may be called by the Chairperson at any time.
- (I) The Chairperson shall convene a Board of Directors meeting if petitioned to do so by a quorum of Board of Directors members, the President, a majority vote of Executive Council, or a petition of ten (10) Service Council members.
- (J) Board of Directors meetings must be convened:
  - (I) at least once per month during the academic year, except during the exam period;
  - (II) at least once during the December exam period, and once during the April exam period;
  - (III) at least twice between May and August inclusive.
- (K) All Board of Directors meetings shall be open to all members of the CUS unless specifically deemed in camera. Only a two-thirds ( $2/3^{\text{rds}}$ ) majority vote of Board of Directors may deem a meeting to be in camera.
- (L) Board of Directors meetings must be announced at least seventy-two (72) hours prior to the meeting.
  - (I) Contrary to the above, the Chairperson may convene a Board of Directors meeting on shorter notice to the general membership of the CUS should a matter arise requiring urgent intervention by the Board of Directors; the Chairperson shall ensure that such a meeting is not convened on less than twenty-four (24) hours notice and that the meeting is announced to the general membership as soon as its time has been set, and no more than one such emergency meeting shall be held between two regularly scheduled meetings.
- (M) The appointment of proxies for Board of Directors meetings shall be outlined in the Code of Procedure and shall be allowed for all members of the Board of Directors with the following exceptions:
  - (I) the Chairperson, who shall be ineligible to appoint a proxy for any and all meetings;
  - (II) the Vice-Chairperson, who shall be ineligible to appoint a proxy for any meeting in which they are required to assume the responsibilities of the Chairperson in their absence, but who shall otherwise be entitled to appoint a proxy.

### Section 6.05: Responsibilities of the Board of Directors

- (A) Responsibilities of the Board of Directors shall be to:
  - (I) foster a long-term strategy to fairly and efficiently achieve the mission of the CUS;
  - (II) select and appoint members of the Executive Council prior to the official turnover date, by either itself or a duly delegated committee.;
  - (III) approve an annual budget as presented by the Executive Council;
  - (IV) manage Board of Director committees as outlined in the Code of Procedure;

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- (V) receive verbal reports from Executive Council members at least once per month;
- (VI) receive written reports from Executive Council members three times per year;
- (VII) evaluate and present recommendations for the continuation, discontinuation, or improvement of CUS activities to the incoming Board of Directors prior to turnover;
- (VIII) remove an appointed Executive Council member from their position by a two-thirds ( $2/3^{\text{rds}}$ ) majority vote should that person derogate the CUS name or fail to fulfill their duties;
- (IX) remove an appointed Service Council member from Service Council by a two-thirds ( $2/3^{\text{rds}}$ ) majority vote should that person derogate the CUS name or fail to fulfill their duties;
- (X) ensure each member of the Board of Directors provides accurate contact information for publication on the CUS website;
- (XI) carry out and have such other powers and responsibilities as are assigned in the Code of Procedure.

### Section 6.06: Responsibilities of a Member of the Board of Directors

- (A) Responsibilities of a member of the Board of Directors shall be to:
  - (I) represent the opinion and position of their respective constituents while adhering to the mission of the CUS;
  - (II) attend all Board of Directors meetings as scheduled;
  - (III) ensure due diligence is performed prior to making a decision;
  - (IV) maintain up-to-date contact information;
  - (V) actively participate in committees of the Board of Directors;
  - (VI) carry out and have such other powers and responsibilities as are assigned in the Code of Procedure.

### Section 6.07: Overarching and Residual Powers of the Board of Directors

- (A) Powers that are not granted by this Constitution or assigned in the Code of Procedure are granted to the Board of Directors to either execute or assign by simple majority vote.
- (B) Any past decision of the Board of Directors, Executive Council, or any Service Council member may be overturned by a two-third ( $2/3^{\text{rds}}$ ) majority vote of the Board of Directors, and the Board of Directors may similarly direct the Executive Council and Service Council members to take a specific action in an area to which this Constitution otherwise grants power by two-thirds ( $2/3^{\text{rds}}$ ) majority vote.
- (C) Any decision of the Board of Directors or Executive Council may be overturned by a referendum of the general membership of the CUS.
- (D) The Board of Directors may introduce additional self-governing operational procedures as outlined in the Code of Procedure at their discretion.

### Section 6.08: The Chairperson of the Board of Directors

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- (A) The Chairperson of the Board of Directors shall:
- (I) prepare and distribute a proposed agenda and any related materials for each Board of Directors meeting forty-eight (48) hours prior to the meeting, provided, however, that such an agenda may be modified thereafter;
  - (II) submit a continuity report to the Board of Directors pertaining to Board of Directors activities prior to turnover;
  - (III) issue written notification to individual members of the Board of Directors who miss more than one (1) Board of Directors meeting per term without notifying the appropriate person, as designated by the Chairperson;
  - (IV) ensure accurate minutes of Board of Directors meetings posted on the CUS website within seventy-two (72) hours of their approval;
  - (V) exercise due diligence at meetings and refer to the CUS Constitution, Code of Procedure, and Robert's Rules of Order where there exists a question of order or procedure;
  - (VI) ensure that this Constitution is signed and dated by all current members of the Board of Directors;
  - (VII) act strictly as a liaison between the CUS Board of Directors and all external bodies;
  - (VIII) attend all Board of Directors meetings;
  - (IX) carry out and have such other powers and responsibilities as are assigned in the Code of Procedure.

### Article 7: Executive Council

#### Section 7.01: Role of the Executive Council

- (A) The Executive Council shall carry out their duties to the best of their ability as directed by the Board of Directors and the mission of the CUS.

#### Section 7.02: Composition of the Executive Council

- (A) The Executive Council shall be composed of:
- (I) the following voting members, elected by the general membership of the CUS:
    - (a) the President;
  - (II) the following non-voting members, elected by the general membership of the CUS:
    - (a) the Ombudsperson;
  - (III) any number of other voting or non-voting members, appointed by the Board of Directors or a duly delegated committee in accordance with the Code of Procedure.

#### Section 7.03: Executive Council Meetings

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- (A) Quorum is achieved when a simple majority of the voting members of the Executive Council are present.
- (B) All voting Executive Council positions have the right to one (1) vote.
- (C) No Executive Council member shall hold more than one (1) voting position on the Executive Council.
- (D) The President shall be the Chair of the Executive Council.
- (E) The Chair may only vote to break a tie, but is considered a voting member.
- (F) The Vice-Chairperson of the Executive Council shall be determined in the Code of Procedure and who shall assume the responsibilities of the Chairperson in their absence or in such a situation as where the Chairperson is unable to fulfill their duties on a temporary basis.
- (G) In the absence of both its Chairperson and Vice-Chairperson or their inability to fulfill their duties on a temporary basis, the Executive Council shall appoint from itself an Acting Chairperson to assume the responsibilities of the Chairperson until such a time as the Chairperson or Vice-Chairperson may resume their role.
- (H) Executive Council meetings may be called by the President at any time.
- (I) The President shall convene an Executive Council meeting if petitioned to do so by a quorum of Executive Council members.
- (J) Executive Council meetings must be convened:
  - (I) at least twice per month during the academic year (with the exception of exam periods);
  - (II) at least once during the December exam period, and once during the April exam period;
  - (III) at least once per month between May and August inclusive.
- (K) All Executive Council meetings shall be open to all members of the CUS unless specifically deemed in camera. Only a two-thirds (2/3<sup>rd</sup>) majority vote of Executive Council may deem a meeting to be in camera.
- (L) The appointment of proxies for Executive Council meetings shall be outlined in the Code of Procedure and shall be allowed for all members of the Executive Council with the following exceptions:
  - (I) the Chairperson, who shall be ineligible to appoint a proxy for any and all meetings;
  - (II) the Vice-Chairperson, who shall be ineligible to appoint a proxy for any meeting in which they are required to assume the responsibilities of the Chairperson in their absence, but who shall otherwise be entitled to appoint a proxy.

### Section 7.04: Responsibilities of the Executive Council

- (A) Responsibilities of the Executive Council shall be to:
  - (I) approve non-reoccurring initiatives, subject to the approval of the Board of Directors and budgetary powers as laid out in this Constitution;
  - (II) where applicable, select, appoint and oversee the Service Council prior to the official turnover date;

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- (III) make recommendations to the Board of Directors for reoccurring initiatives to be included in the annual budget and/or to have a corresponding Service Council position created or abolished.
  - (IV) have the power to remove appointed Service Council members from the Service Council, by a two-thirds (2/3<sup>rds</sup>) majority vote, for derogation of the CUS name or a failure to fulfill their CUS duties as outlined in the Code of Procedure.
- (B) All members of the Executive Council shall:
- (I) report regularly to all Executive Council meetings;
  - (II) provide verbal reports to the Board of Directors at least once per month;
  - (III) provide written reports to the Board of Directors three times a year;
  - (IV) keep accurate written records of their meetings and activities and submit a continuity report pertaining to their activities prior to Executive turnover;
  - (V) hold no other CUS position except as established within the Code of Procedure;
  - (VI) do such other things as required for the successful operations of the CUS;
  - (VII) carry out and have such other powers and responsibilities as are assigned in the Code of Procedure.

## Article 8: President

### Section 8.01: Responsibilities and Powers of the President

- (A) Responsibilities and powers of the President shall be to:
- (I) chair all Executive Council meetings;
  - (II) reserve the right to designate another member as Chair of Executive Council;
  - (III) announce and hold office hours at least twice weekly, totalling no less than three (3) hours;
  - (IV) exercise due diligence at meetings and refer to the CUS Constitution, Code of Procedure, and Robert's Rules of Order where there exists a question of order or procedure;
  - (V) enforce compliance with this Constitution;
  - (VI) supervise and direct the duties of Executive Council and Service Council members;
  - (VII) assign duties when necessary to any and all Executive Council and Service Council members;
  - (VIII) act as Spokesperson for the CUS;
  - (IX) maintain relations and communications with key Sauder School of Business contacts including, but not limited to the Dean and Dean's Office, the Director of Undergraduate Programs and Undergraduate Programs Office, and the Alumni Office;

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- (X) coordinate with the other AMS Representatives to maintain relations, communications and representation of the general membership of the CUS to the AMS;
- (XI) ensure regular attendance of the AMS Student Council by him/herself or an appointed proxy as per AMS Bylaws and Code of Procedure;
- (XII) ensure accurate minutes of Executive Council meetings posted on the CUS website within seventy-two (72) hours of their approval;
- (XIII) carry out and have such other powers and responsibilities as are assigned in the Code of Procedure.

## Article 9: AMS Representatives

### Section 9.01: Responsibilities and Powers of the AMS Representatives

- (A) Responsibilities and powers of the AMS Representatives shall be to:
  - (I) coordinate with the President of the CUS to maintain relations, communications and representation of the general membership of the CUS to the AMS;
  - (II) ensure attendance of the AMS Student Council by him/herself or an appointed proxy;
  - (III) actively participate in AMS Committees;
  - (IV) attend AMS activities and events to represent the CUS;
  - (V) announce AMS activities and events to the general membership of the CUS;
  - (VI) announce CUS activities and events to the AMS;
  - (VII) promote strong interfaculty relations;
  - (VIII) carry out and have such other powers and responsibilities as are assigned in the Code of Procedure.

### Section 9.02: Adjustments

- (A) Should the CUS have an additional AMS Representative, this Constitution shall be amended to reflect the number of Commerce AMS Representatives currently on AMS Council.
- (B) Should the CUS lose a seat on AMS Council, this Constitution shall be amended to reflect the number of Commerce AMS Representatives currently on AMS Council.
  - (I) The Board of Directors shall appoint the Official AMS Representative(s) from the current AMS Representative(s) and the President.
  - (II) In the above case, any individual(s) not selected as Official AMS Representative(s) will retain voting power on the Board of Directors and any other responsibilities within the CUS.

## Article 10: Commerce Student Senator

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### Section 10.01: Responsibilities and Powers of the Commerce Student Senator

- (A) Responsibilities and powers of the AMS Representatives shall be to:
- (I) fulfill the duties, responsibilities, and obligations of the position of a Student Senator as dictated by all and any rules and regulations governing the UBC Vancouver Senate;
  - (II) attend all UBC Senate meetings and, subject to their determination, Student Senate Caucus meetings, representing the best interests of the general membership of the CUS;
  - (III) liaise with the university community, UBC Administration, President, Board of Governors, and Chancellor;
  - (IV) actively participate in Senate Committees;
  - (V) promote strong interfaculty relations;
  - (VI) carry out and have such other powers and responsibilities as are assigned in the Code of Procedure.

## Article 11: Ombudsperson

### Section 11.01: Responsibilities and Powers of the Ombudsperson

- (A) The responsibilities and powers of the Ombudsperson shall be to:
- (I) not be eligible to vote on any committee or council he/she is a member of, nor hold any CUS position while serving his/her term as Ombudsperson;
  - (II) investigate and make a report based on any: complaint or question that a CUS member has with the CUS and its organizations, directive from the Board of Directors or the Executive Council, or observed violations of this Constitution;
  - (III) recommend a course of action to the Board of Directors or the Executive Council or any of the Society's organizations where such action is necessitated;
  - (IV) where possible, be responsible for the resolution of any complaint or question;
  - (V) represent or ensure representation for any active CUS member in approaching the Sauder School of Business in individual matters;
  - (VI) make known to the members of the CUS that he/she is available for the hearing of complaints or questions by posting on his/her office door and website specific office hours to be held and contact information;
  - (VII) announce and hold no less than three (3) office hours per week no less than two (2) days per week during the academic year, excluding exam periods;
  - (VIII) attend all Board of Directors and Executive Council meetings;
  - (IX) receive a copy of all written reports from the Executive Council to be held for continuity;



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- (X) provide verbal reports on all Ombudsperson related activities to the Board of Directors at least once per month;
- (XI) have the right to attend any meetings of Councils, Committees, and other bodies of the CUS, including meetings held in camera;
- (XII) act in an impartial and unbiased manner in the exercise of his/her duties;
- (XIII) maintain confidentiality with respect to all matters brought to his/her attention;
- (XIV) make a report of the Ombudsperson available to all concerned parties;
- (XV) refer unresolved cases, or cases with an actual or perceived conflict of interest, to the proper adjudicator(s) within the AMS;
- (XVI) in conducting a formal investigation, at minimum, conduct research into the rules and regulations that are pertinent to the complaint, contact and attempt to interview all parties involved, and invite such parties to make a written submission if they so choose, produce a written report, summarizing the information gathered and provide recommendations if appropriate, and submit the report to all concerned parties;
- (XVII) complete all equity training as deemed necessary by the Board of Directors and/or the AMS;
- (XVIII) carry out and have such other powers and responsibilities as are assigned in the Code of Procedure;
- (XIX) appoint an Equity Representative of the Office of the Ombudsperson to attend any Board of Directors or Executive Council meetings they are unable to attend.

### Article 12: Service Council

#### Section 12.01: Membership of the Service Council

- (A) The Service Council shall consist of members as outlined in the Code of Procedure.

#### Section 12.02: Responsibilities and Powers of the Service Council

- (A) The Service Council shall carry out and have such other powers and responsibilities as are assigned in the Code of Procedure.

### Article 13: Committees of the Board of Directors

#### Section 13.01: Purpose and Nature

- (I) Committees shall be formed for a purpose identified by the Board of Directors and act as agents of the Board of Directors.
- (II) The committee sits for a period stated by the Board of Directors at the committee's formation, not to exceed the term of the Board of Directors.
- (III) Regulations concerning the existence, operation, and jurisdiction and authority of committees shall be outlined in the Code of Procedure.

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### Article 14: Annual Budget

#### Section 14.01: Budget Timeline

- (A) The Executive Council shall receive all budget proposals to be considered in the annual CUS budget no later than May 15<sup>th</sup>.
  - (I) In the case of a failure to submit a budget proposal, the Executive Council may assign an appropriate interim budget on behalf of the service, club, or committee.
- (B) The Executive Council must submit a preliminary budget to the AMS by the appropriate deadline.
  - (I) Prior to submitting the preliminary budget to the AMS, the Executive Council must vote on and pass the budget with a two-thirds (2/3<sup>rds</sup>) majority vote.
- (C) The Executive Council must submit a proposed budget to the Board of Directors members no later than June 15<sup>th</sup>.
- (D) The Executive Council must present the budget to the Board of Directors at the first meeting following the submission of the proposed budget to the Board of Directors.
- (E) The Board of Directors must pass the budget no later than July 15<sup>th</sup>.

#### Section 14.02: Procedures for Passing the Budget

- (A) The budget will be considered line-by-line by the Board of Directors.
- (B) Each line requires a two-thirds (2/3<sup>rds</sup>) majority vote to be passed by the Board of Directors.
  - (I) If the line item is passed, the line item will not be presented again.
  - (II) If the line item is failed, the Executive Council must make necessary changes and present the failed line items again at the next Board of Directors meeting, which will take place prior to July 15<sup>th</sup>.
  - (III) The Board of Directors may amend a proposed line item within the budget by simple majority vote, provided that line item has not yet been approved.
  - (IV) If an unforeseen circumstance or new information arises requiring the revision of a passed line item, the line item may be revised and approved at the next Board of Directors meeting, which will take place prior to July 15<sup>th</sup>.
- (C) All line items must be passed no later than July 15<sup>th</sup>.

#### Section 14.03: Budgetary Powers

- (A) The Executive Council can approve any unbudgeted monetary expenditure up to and including \$10,000 by two-thirds (2/3<sup>rds</sup>) majority vote.
- (B) The Board of Directors can approve any unbudgeted monetary expenditure up to and including \$50,000 by two-thirds (2/3<sup>rds</sup>) majority vote.
- (C) Any unbudgeted monetary expenditure over \$50,000 must be approved by referendum.

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(I) Budgeted monetary expenditures may exceed \$50,000 without approval of referendum.

(D) Any budgeted monetary expenditure cannot be modified nor adjusted after July 15<sup>th</sup>.

### Section 14.04: Other Budgetary Requirements

(A) The Executive Council must present financial statements to the Board of Directors upon request.

(B) Prior to approval, the Board of Directors must perform due diligence on the presented financial statements to ensure the appropriate use of all financial resources of the CUS.

(C) The budget shall be distributed to the general membership of the CUS within seven (7) days of its approval by the Board of Directors.

(D) The budget shall be updated and distributed to the general membership of the CUS every three months after its approval by the Board of Directors.

## Article 15: Elections and Turnover

### Section 15.01: Administration of the Elections

(A) Elections shall be administered by the Elections Committee.

(B) The Elections Committee Chairperson shall appoint an Elections Committee consisting of at least three (3) members in good standing of the CUS, who do not hold an Board of Directors or Executive Council position, nor are candidates for any Board of Directors or Executive Council position.

(C) The Elections Committee shall ensure that Elections are run in accordance with the Code of Procedure and the AMS Code of Procedure.

### Section 15.02: Restrictions on Timing of Elections

(A) Elections shall be held only during the academic year.

(B) No elections shall be held during exam periods.

### Section 15.03: First Year Representatives

(A) Elections for First Year Representatives on the Board of Directors shall begin at the discretion of the Elections Committee Chairperson, before the end of September.

(B) First Year Representatives may be elected only by those members of the CUS holding First Year student standing as confirmed by the Undergraduate Programs Office as at the election date.

(C) First Year Representatives shall cease to hold their positions as of the official turnover date.

### Section 15.04: Second Year, Third Year, and Fourth Year Representatives

(A) Elections for Second Year Representatives, Third Year Representatives, and Fourth Year Representatives shall occur at the discretion of the current Board of Directors prior to the commencement of Reading Break.

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- (B) The Second Year Representatives may be elected only by those members of the CUS holding First Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
- (C) The Third Year Representatives may be elected only by those members of the CUS holding Second Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
- (D) The Fourth Year Representatives may be elected only by those members of the CUS holding Third or Fourth Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
- (E) Turnover for the Second Year, Third Year, and Fourth Year Representatives shall occur on the official turnover date.

### Section 15.05: President, Commerce Student Senator, and AMS Representatives

- (A) Elections for one (1) President, one (1) Commerce Student Senator and two (2) AMS Representative shall occur at the discretion of the Elections Committee Chairperson prior to the commencement of Reading Break.
- (B) Turnover for the President and AMS Representative shall occur on the official turnover date.
- (C) Turnover for the Commerce Student Senator shall occurs as follows:
  - (I) for their seat on the University's Vancouver Senate, in accordance with the Rules and Procedures of the UBC Vancouver Senate or on such a date as is determined by the University Registrar;
  - (II) for their seat on the Board of Directors and all other capacities, on the official turnover date.

### Section 15.06: Ombudsperson

- (A) Elections for one (1) Ombudsperson shall occur at the discretion of the current Board of Directors prior to the commencement of Reading Break.
- (B) Turnover for the Ombudsperson shall occur on the official turnover date.

### Section 15.07: Executive Council and Service Council

- (A) Turnover for Executive Council and Service Council shall occur on the official turnover date.

## Article 16: Annual Appointments

### Section 16.01: Service Council Appointments

- (A) Service Council appointments are to be made by Executive Council in an in-camera meeting following the appointment of the Executive Council. Applications for appointment must be made available and advertised per the Code of Procedure.

### Section 16.02: Vacancies

- (A) In the event that an Executive Council or Service Council member resigns, is removed from their position, can no longer claim general membership in the CUS, or becomes in any other way unable to fulfill their duties, his/her vacant position must again filled per standard procedure.

**Article 17: Referenda**

**Section 17.01: Calling of a Referendum**

- (A) A referendum shall be called by the President of the CUS upon:
  - (I) a resolution of the Board of Directors;
  - (II) a petition, delivered to the President of the CUS and signed by 100 members, that includes the petitioners' names, student numbers, year(s) of academic standing, and the specific request that is to be voted on.
    - (a) Upon formal receipt of a petition in accordance with the above, the Board of Directors and petitioners, or their delegates, henceforth "the parties", must agree on the wording of the question; should the parties be unable to agree on the wording, the Elections Committee Chairperson shall act as binding arbitrator.

**Section 17.02: Referendum Structure**

- (A) The question posed in a referendum shall be drafted so that it may be answered "yes," "no," or "abstain."
- (B) Upon the finalization of the wording of the question, the Elections Committee Chairperson shall hold the referendum no sooner than seven (7) calendar days, and no later than thirty (30) calendar days.
  - (I) Referenda shall only be held during the academic year, excepting the exam period.
  - (II) Should less than fourteen (14) calendar days of the remain in the academic year before the beginning of the exam period the Elections Committee Chairperson may delay the referendum until the first thirty (30) calendar days of the next academic year.

**Section 17.03: Referendum Validity**

- (A) Unless otherwise specified in this Constitution, a referendum of the CUS shall be acted upon by the CUS where a simple majority of votes cast support the referendum and at least fifteen percent (15%) of the general membership of the CUS has voted.

**Section 17.04: Further Regulations for Referenda**

- (A) All referendums shall be conducted in accordance with the Code of Procedure.

**Article 18: Recall**

**Section 18.01: Recall of the President, Commerce Student Senator, AMS Representative, or a Year Representative of the Board of Directors**

- (A) The President, Commerce Student Senator, AMS Representative, First Year Representatives, Second Year Representatives, Third Year Representatives, or Fourth Year Representatives of the Board of Directors may be removed from office by a referendum, held in accordance with those rules identified in this Constitution.
- (B) A Year Representative of the Board of Directors may only be recalled by the members of the CUS originally eligible to elect the Representative.

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- (C) A vote to remove the President, Commerce Student Senator, AMS Representative, First Year Representatives, Second Year Representatives, Third Year Representatives, or Fourth Year Representatives of the Board of Directors shall be acted upon by the CUS where sixty percent (60%) of the votes cast support the referendum and at least fifteen percent (15%) of the eligible general membership of the CUS have cast a vote.

### Section 18.02: Recall of the Ombudsperson

- (A) The Ombudsperson may be removed by a referendum initiated by petition in accordance with those rules identified in this Constitution.
- (B) A vote to remove the Ombudsperson shall be acted upon by the CUS where sixty percent (60%) of the votes cast support the referendum and at least fifteen percent (15%) of the general membership of the CUS have cast a vote.

### Section 18.03: Procedures for Recall Referenda

- (A) A referendum to recall any elected position shall be held within 30 calendar days.
- (I) Should less than fourteen (14) calendar days of the remain in the academic year before the beginning of the exam period the Elections Committee Chairperson may delay the referendum until the first thirty (30) calendar days of the next academic year.

## Article 19: In Term Vacancies

### Section 19.01: Appointment of an Interim Position Holder

- (A) In the event that any elected position-holder elected by the general membership of the CUS is unable to fulfill their obligations, the Board of Directors shall designate, by a simple majority vote, an individual to act in that position until an election to fill the vacated position can be held.
- (I) The previous clause notwithstanding, in the event of the President's resignation, the Board of Directors may, instead of appointing a single individual, appoint a Presidential Committee consisting of members of the Board of Directors and Executive Council to assume the rights and responsibilities of the President until an election to fill the vacated position can be held.
- (a) These rights and responsibilities shall not include the President's positions as a member of the Board of Directors and Executive Council, which shall remain vacant during this period.
- (b) The Board of Directors shall appoint an individual from among the Committee's membership to act as an interim AMS Representative for the time during which the Presidential Committee is acting in place of the President.

### Section 19.02: Election of a Replacement

- (A) The election shall be held within thirty (30) calendar days.
- (I) Should less than fourteen (14) calendar days of the remain in the academic year before the beginning of the exam period the Elections Committee Chairperson may delay the election until the first thirty (30) calendar days of the next academic year.

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### Article 20: Recognized Commerce Clubs

#### Section 20.01: Purpose of a Recognized Commerce Club

- (A) Any registered AMS club in good standing may apply in a process as laid out in the Code of Procedure to be a recognized Commerce Club. recognized Commerce Clubs must as their primary focus substantially contribute to the achievement of the CUS mission statement.

#### Section 20.02: Recognized Commerce Club Relations

- (A) Relations with and responsibilities to recognized Commerce Clubs shall be maintained as established in the Code of Procedure.

### Article 21: Constitutional Records

#### Section 21.01: Availability to Members

- (A) A copy of this Constitution shall be kept on file at the AMS Archives and the CUS Offices and shall be available for viewing.
- (B) A copy of this Constitution shall be published on the CUS website.

#### Section 21.02: Conflicting Copies

- (A) In circumstances where there is a disagreement between two or more copies of the CUS Constitution only the printed copy of the CUS Constitution, kept in the Office of the President of the CUS, signed and dated by all members of the current Board of Directors, shall be considered the official version.

#### Section 21.03: Past Constitutions

- (A) A record of all past Constitutions and amendments must be kept in the Office of the Ombudsperson in perpetuity.

### Article 22: Amendment of the Constitution

#### Section 22.01: Amendment Procedures for the Constitution

- (A) This Constitution may only be amended through a referendum, held in accordance with the Code of Procedure.
- (B) A referendum vote to amend the Constitution shall be acted upon by the CUS where two-thirds ( $2/3^{\text{rds}}$ ) of the votes cast support the referendum and at least ten (10%) of the general membership of the CUS have cast a vote.
- (C) Should a parent or subsidiary organization change its name, references in this Constitution to that organization shall be changed to reflect the new name of the organization.

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- (D) The formatting or presentation of this Constitution may be amended by two-thirds ( $2/3^{\text{rds}}$ ) majority vote of the Board of Directors, provided such an amendment in no way materially affects the content or meaning of the document.

### Article 23: Implementation

#### Section 23.01: Effective Date

- (A) By the power of a vote of two-thirds ( $2/3^{\text{rds}}$ ) majority or greater of at least ten percent (10%) of the General Membership of the CUS, this Constitution will come into force on the later of February 1<sup>st</sup> 2015 or upon the confirmation of the successful results of a referendum to amend this document.