

THE CONSTITUTION OF THE MONASH UNIVERSITY POSTGRADUATE ASSOCIATION

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PART 2: THE ASSOCIATION

2. NAME AND ADDRESS

- 2.1 The name of the Association is the “Monash University Postgraduate Association” (“MUPA”).
- 2.2 The address of the organization is:
Monash University Malaysia Jalan Lagoon Selatan, 47500 Bandar Sunway,
Selangor Darul Ehsan, Malaysia
- 2.3 The electronic address of the association is: mupa@monash.edu

3. PURPOSES

- 3.1 The purposes of MUPA are:
- 3.1.1 to be the recognized means of communication between Postgraduate students and the academic and the administrative authorities of the University;
 - 3.1.2 to make representation on matters affecting Postgraduate students to any member or body of the University and in particular to the MUPA EC;
 - 3.1.3 to make representations on behalf of Postgraduate students to the community at large;
 - 3.1.4 to provide a forum for open discussion on matters of general concern to Postgraduate students;
 - 3.1.5 to be an accountable, representative and democratic body for Postgraduate students;

3.1.6 to otherwise protect, promote and develop the interests and welfare of
Postgraduate students;

3.1.7 to administer the funds of MUPA in accordance with this Constitution
and in reference to Part 6 Clause 36 herein;

3.1.8 to use the funds of MUPA for payment of any expenses incurred in
furthering the purposes of the MUPA.

4. DEFINITION

4.1 In this Constitution, unless the contrary intention appears:

4.1.1 “Absolute Majority” means at least 75% of the votes of all members of
the body at the time, whether present at the meeting and voting or not.

4.1.2 “Academic Day” means a day other than a Sunday or a day which has
been declared a public holiday by the Federal Government and/or the
State Government of Selangor.

4.1.3 “Constituent” means Postgraduate students enrolled in Monash
University Malaysia.

4.1.4 “Monash University Postgraduate Association” or “MUPA” as defined in
Clauses 2 and 3 herein.

4.1.5 “MUPA EC” means MUPA Executive Committee as defined in Part 4
herein.

4.1.6 “MUPA notice-board” means notice-board(s) in any Postgraduate
spaces.

4.1.7 “Office-bearer” means an office-bearer of the MUPA under Part 4
Clause 19 herein.

4.1.8 “Member” means a member of the MUPA EC as defined in Part 4 Clause 19 herein.

4.1.9 “Postgraduate Student” means a currently enrolled Postgraduate student of Monash University.

4.1.10 “Proxy” means an elected MUPA EC member who has been nominated by a Constituent (hereinafter referred to as the “nominator”) to vote on the nominator’s behalf according to the nominator’s wish. (A proxy form has to be signed by the nominator and given to the Secretary before the meeting).

4.1.11 “Regulation” means the regulations of MUPA, made under Part 6 Clause 40 herein.

4.1.12 “Resolution” means a formal determination by the MUPA EC or Postgraduate students at a general meeting.

4.1.13 “Special Resolution” means a resolution at a general meeting or a referendum of the Members and Constituents of MUPA.

4.1.14 “General meeting” means an Annual General meeting (AGM), or an Extraordinary General meeting (EGM).

4.1.15 “University” means Monash University Malaysia.

5. STATUS

MUPA is recognized by the University as the body that represents Postgraduate students.

6. INDEPENDENCE

Independence means:

6.1 MUPA, represented by the MUPA EC, has the independence to make decisions as regards its activities, its members and any Postgraduate student affairs;

- 6.2 Any other body running student activities involving Postgraduate students in any way should be referred to the MUPA as a representative of Postgraduate students;
- 6.3 Funds allocated to MUPA by the University will be used to plan the yearly activities of MUPA in consultation with postgraduate student community and the University.

7. POWERS

- 7.1 The powers of MUPA are subject to those given to it by this Constitution.
- 7.2 MUPA may only exercise its powers and use its income for its purposes as stated in Part 2 Clause 3 herein.
- 7.3 MUPA must not distribute any of its income or assets to members or constituents by way of profit or wage.

8. MEMBERSHIP

- 8.1 The Constituents of MUPA are the Postgraduate students.
- 8.2 MUPA may open up events and/or provide services to individuals and groups approved by the MUPA EC who are not constituents, and MUPA EC may choose to set a fee for the event and/or service.
- 8.3 Nothing in this Constitution prevents MUPA from providing research support services to Honours students of the University.
- 8.4 The Secretary must ensure that a register of the following is maintained:
- (i) the name of each constituent;
 - (ii) the student identification number of each constituent; and (iii) the contact details of each constituent.

PART 3: GENERAL MEETINGS AND REFERENDA

9. CONVENING

- 9.1 An Annual General Meeting (AGM) of the Constituents of MUPA must be held each year by 30th November.
- 9.2 Extraordinary General Meeting of the Constituents of MUPA must be held
- (i) within one month of receipt by MUPA EC of a petition from no fewer than fifteen constituents; and
 - (ii) at such other times as MUPA EC considers would be conducive to the attainment of its objectives.
- 9.3 The MUPA EC shall use its good offices to facilitate General Meeting of MUPA Constituents.

10. TIME AND PLACE

- 10.1 General Meetings may only be held on an academic day at the campus.
- 10.2 If a General Meeting has not finished by one hour, any motion under debate must immediately be put to the vote unless a motion is passed to extend the meeting for a fixed time period by a two thirds majority of those present, with a total extension of not more than two hours. The motion must then be immediately put to vote and the meeting must then be declared closed.

11. AGENDA

- 11.1 The preliminary agenda for a General Meeting must be posted on the MUPA notice-boards at least seven days before the meeting;
- 11.2 The final agenda must be:
- (i) posted on the MUPA notice-board at least three days before the meeting; and
 - (ii) distributed to students before the meeting.
- 11.3 The MUPA EC shall make Regulations stipulating the time within which and the manner in which notices of motion for General Meetings shall be made.

12. NOTICE

A notice of the General Meeting including the date, time and place of the meeting must be given to Constituents at least:

- (i) fourteen days before the AGM; and
- (ii) seven days before an EGM.

13. QUORUM

A quorum for a General Meeting facilitated by the MUPA shall be twenty Postgraduate Students.

14. CHAIRING

14.1 The President will chair General Meetings.

14.2 If the President is not present, the Vice-President will chair.

14.3 If neither the President nor the Vice-President is present, the MUPA EC must appoint a chair.

15. VOTING

15.1 Each Constituent present at a General Meetings is entitled to one vote.

15.2 Voting is by show of hands unless a secret ballot is requested by five or more Constituents.

15.3 The declaration by the chair of the result of the vote as recorded in the minutes is conclusive evidence of that result.

15.4 The chairperson may have a casting vote in the event of any deadlock.

16. REFERENDA OF MEMBERS AND CONSTITUENTS

16.1 Referenda must be conducted by secret ballot.

16.2 Decisions of Constituents by referenda override decisions of annual general meetings only if at least 5% of the total Constituent population have voted in the referenda.

17. BINDING DECISIONS

17.1 All MUPA office-bearers must give effect to binding decisions of general meetings and referenda.

17.2 Binding decisions of general meetings remain binding until changed by a further binding decision of a general meeting or referendum.

PART 4: MONASH UNIVERSITY POSTGRADUATE ASSOCIATION EXECUTIVE COMMITTEE

18. RESPONSIBILITY AND POWERS

The MUPA EC is responsible for the management of MUPA, subject to Clause 7 herein.

19. MEMBERSHIP

The office-bearers of the MUPA EC are elected as per Part 5 of this Constitution. The MUPA EC consists of the following positions:

- (i) the President;
- (ii) the Vice-President;
- (iii) the Secretary;
- (iv) the Treasurer;
- (v) the Activities Manager;
- (vi) the Welfare Executive;
- (vii) the Publicity and Media Executive; and (viii) School and inter-school/Campus level representatives”

20. OFFICE-BEARERS

20.1 The MUPA EC may by resolution:

- (i) grant leave of absence to any office-bearer for a period of not more than three months;
- (ii) elect a constituent of MUPA to hold the position for that period.

20.2 School representatives are Postgraduate students elected by the Postgraduate students enrolled at those specific schools.

21. DIRECTION AND RESPONSIBILITIES

21.1 The President:

- (i) is subject to the direction of MUPA;
- (ii) is the official spokesperson of MUPA;
- (iii) is responsible to MUPA for the day to day ~~management of MUPA EC;~~
- (iv) is responsible for initiating and maintaining liaison with the University and its representatives;
- (v) is to advocate for the collective interests of Postgraduate students;
- (vi) is to hear grievances, complaints or suggestions to do with any aspect of the workings of MUPA from any Postgraduate student or any member of the MUPA EC, and to ensure that appropriate action is taken;
- (vii) is to chair and carry out normal MUPA meetings;
- (viii) is to implement the decisions of MUPA EC and keep track of progress on all MUPA matters;
- (ix) is to audit the accounts every four months; (x) is to maintain MUPA's official email address; and (xi) is to act as MUPA's most senior representative.

21.2 The Vice-President:

- (i) is subject to the direction of MUPA;
- (ii) is to assist the President in all his/her duties;

- (iii) is to assist the President in representing the views of MUPA in various forums;
- (iv) is to help facilitate communication between members and the MUPA EC;
- (v) is to chair and carry out normal MUPA meetings if the President is unable to do so;
- (vi) is to act as MUPA's most senior representative when the President is unable to or chooses not to do so;
- (vii) has other responsibilities as may be determined by the MUPA EC from time to time;
- (viii) is directly responsible to the President and the members in general.

21.3 The Secretary:

- (i) is subject to the direction of MUPA;
- (ii) is to register all Postgraduate students who are fully qualified to be members as per Clause 8;
- (iii) is to record attendance and progress of every member;
- (iv) is to record and keep the minutes of every meeting;
- (v) is to write all the letters of MUPA;
- (vi) is to give notice, and prepare agenda for all meetings and annual general meetings;
- (vii) has responsibilities specified under this Constitution;
- (viii) has other responsibilities as may be determined by the MUPA EC from time to time; and
- (ix) is directly responsible to the President and the members in general.

21.4 The Treasurer:

- (i) is subject to the direction of MUPA;
- (ii) is to keep a detailed record of the day to day financial transactions;
- (iii) is to keep a detailed financial record of all MUPA projects;
- (iv) is to submit a financial report of MUPA for auditing every two months;
- (v) is to prepare the budget report for MUPA every year;
- (vi)
- (vii) has other responsibilities specified under this Constitution;

- (viii) has other responsibilities as may be determined by the MUPA EC from time to time; and
- (ix) is directly responsible to the President and the members in general.

21.5 The Activities Manager:

- (i) is to organize social events for the Postgraduate students;
- (ii) is to liaise with the relevant office bearers in order to expand, develop and co-ordinate a range of social activities for Postgraduate students; and
- (iii) is to make recommendations to the MUPA EC on ways to improve the activities to cater to all Postgraduate students.
- (iv) has other responsibilities as may be determined by the MUPA EC from time to time; and
- (v) is directly responsible to the President and the members in general.

21.6 The Welfare Executive:

- (i) is to engage in policy formulation, liaison, initiatives and action on any matter concerning the social and economic welfare of Postgraduate students;
- (ii) is to organize activities to promote the mental and physical well-being of Postgraduate students' welfare;
- (iii) is to promote the spread of knowledge of welfare issues amongst Postgraduate students;
- (iv) has other responsibilities as may be determined by the MUPA EC from time to time; and
- (v) is directly responsible to the President and the members in general.

21.7 The Publicity and Media Executive:

- (i) is to manage the official MUPA website and MUPA accounts on social media platforms;
- (ii) is to promote all activities and events sponsored, provided, or endorsed by or through the MUPA EC;
- (iii) is to manage the marketing and publicity announcements;

- (iv) is to officially promote MUPA elections, EGM, and referenda in accordance with the regulations;
- (v) is to produce promotional material in co-operation with the office bearers;
- (vi) is to edit, produce and manage articles for any official publications by MUPA;
- (vii) has other responsibilities as may be determined by the MUPA EC from time to time; and
- (viii) is directly responsible to the President and the members in general.

21.8 The School Student Representative:

- (i) is to liaise with the Vice President regarding school-based issues;
- (ii) is to represent the views of MUPA in any school-specific forums and discussions;
- (iii) is to consider issues relating to the quality of education and research, student welfare and rights of Postgraduate students from the respective schools;
- (iv) is to initiate school-based activities and events for the purpose of improving the Postgraduate experience at the University;
- (v) is to develop and maintain communication with the Postgraduate students of the respective schools;
- (vi) other responsibilities as may be determined by the MUPA EC from time to time;
- (vii) is directly responsible to the President and the members in general.

21.8(A) The International Student Representative

- (i) is to liaise with the Vice President regarding school-based issues concerning international students;
- (ii) is to represent the views of MUPA in any school-specific forums and discussions;
- (iii) is to consider issues relating to the quality of education and research, international student welfare and rights of international Postgraduate students from the respective schools;
- (iv) is to initiate school-based activities and events for the purpose of improving the international Postgraduate students' experience at the University;
- (v) is to develop and maintain communication with the international Postgraduate students of the respective schools;

- (vi) other responsibilities as may be determined by the MUPA EC from time to time; and
- (vii) is directly responsible to the President and the members in general.

21.8(B) The Coursework Student Representative:

- (i) are to establish and maintain contact with MSc. Coursework students in the capacity of an interschool liaison;
- (ii) are to effectively communicate the views of MUPA to the coursework cohort regarding campus level forums;
- (iii) are to consider issues relating to the quality of education, student welfare and rights of Postgraduate students from the respective schools;
- (iv) are to emphasize key University policy changes that affect coursework students;
- (v) are to participate as a representative of MUPA in specific campus level meetings as delegated by the MUPA president;
- (vi) are to initiate inter-school activities and events for the purpose of improving the Postgraduate experience at the University;
- (vii) are subject to other responsibilities as may be determined by the MUPA EC from time to time; and
- (viii) are directly answerable to the President and the members in general.

22. DUTIES

22.1 Office-bearers of the MUPA EC are to:

- (i) act honestly and in good faith;
- (ii) declare any conflict of interest;
- (iii) not to make improper use of their position or of information obtained in their position; and
- (iv) to exercise reasonable care and diligence while undertaking any of their responsibilities as office-bearers of the MUPA EC.

22.2 The members of the MUPA EC have the right within themselves in a joint consensus to transfer or add certain duties and responsibilities to themselves or others to facilitate working relationships.

- 22.3 The MUPA EC may, at any point in time, appoint an individual(s) to hold and provide specific strategic and administrative support and/or advice and support services within MUPA where the duties, period of appointment and termination of appointment are determined by the MUPA EC and outlined in *Appendix 2*, as amended from time to time.
- 22.4 The individual(s) appointed will have a “staff-like” role within MUPA and shall be allowed to attend all MUPA EC meetings in a consultative role with full speaking rights but will not have voting rights and will not be counted towards determining quorum.
- 22.5 The individual(s) appointed will report directly to the President.

23. MEETINGS

- 23.1 The MUPA EC must meet at least six times each year between January to December.
- 23.2 Meetings of the MUPA EC are to be chaired on the same basis as general meetings.
- 23.3 Minutes must be kept by the Secretary and copies must be given to the members of the MUPA EC within a week from the meeting and be made available to all MUPA members upon request.
- 23.4 All office-bearers are to present progress reports at each MUPA EC meeting.
- 23.5 Each office-bearer position on the MUPA EC has one vote.
- 23.6 The chair has a casting vote only.
- 23.7 A non-elected member of the MUPA EC has to be nominated and elected by MUPA EC at the first MUPA EC meeting.
- 23.8 Each general representative may send in his/her place a proxy who must be a Constituent.

PART 5: ELECTIONS

24. APPLICATION

In this Constitution, “MUPA election” means an election for a MUPA body.

25. CONDUCT

- 25.1 The MUPA EC must make regulations for the conduct of MUPA elections.
- 25.2 All MUPA elections must be conducted by secret ballot using the firstpast-the-post method of election.
- 25.3 Office-bearers of the MUPA EC directly elected by students must be elected at the annual elections.
- 25.4 The annual elections must be held over at least one academic day.

26. RETURNING OFFICER

- 26.1 The Annual General Elections will be coordinated by the Returning Officer and Deputy Returning Officer.
- 26.2 The Returning Officer will be an individual who is not an enrolled student in the University, nominated by the MUPA EC and approved by the Pro Vice Chancellor, whereas the Deputy Returning Officer will be a Postgraduate student appointed by the Returning Officer.
- 26.3 During the period of elections, the Returning Officer's decisions will be final pertaining to any issues relating to nominations, candidates and running of elections.
- 26.4 At the first meeting of the MUPA EC, the Returning Officer has to submit a report to the MUPA EC for approval.
- 26.5 The Returning Officer, after seeking advice from the Deputy Returning Officer, may declare an election null and void with the approval of the University, and only upon showing due cause.

27. ELIGIBILITY TO STAND AND VOTE

- 27.1 All Constituents may stand in MUPA elections, except for:

- (i) Constituents who are full-time staff of the University; and
- (ii) Office-bearers who have ceased to be enrolled as Postgraduate students of the University, and to whom the definition of “Postgraduate Student” in Clause 4.1.9 herein does not apply.

27.2 All constituents may vote in MUPA elections.

27.3 Clauses 27.1 and 27.2 above do not prevent this Constitution or the regulations from limiting the eligibility to stand and vote in particular elections to specified group or groups of Postgraduate students.

28. ELIGIBILITY TO HOLD POSITIONS

28.1 A person may stand for but not hold more than one office-bearer position.

28.2 A person may stand for, but not hold more than two separate positions as an office-bearer of the MUPA EC.

29. TERM OF OFFICE

29.1 Office-bearers of the MUPA EC elected at the annual elections hold those positions from the following 1st January to 31st December.

29.2 No Postgraduate Student may hold the same office-bearer position on the MUPA EC for more than a total cumulative period of two terms.

30. VACANCIES

30.1 The position of an office-bearer of a MUPA EC becomes vacant if the person holding the position:

- (i) delivers a signed hardcopy resignation or resignation by email to the President (or, in the case of the President, to the Vice President);
- (ii) ceases to be a Constituent;
- (iii) has without prior leave of the body failed on 3 consecutive occasions to attend an MUPA EC meeting;

- (iv) is removed by a resolution passed by an absolute majority of the members of the MUPA EC on the ground that the member has been certified by a registered medical practitioner to be incapable of carrying out the responsibilities of the position because of injury or illness; (v) is removed by special resolution of a general meeting; or (vi) dies.

30.2 The position of a person nominated or appointed to a MUPA EC becomes vacant if the person making the nomination or appointment withdraws it.

30.3 If the position of President becomes vacant, then the Vice-President automatically assumes the position of President, and the position of Vice-President becomes vacant.

30.4 Vacancies must be filled within 45 academic days:

- (i) in the case of office-bearer positions directly elected by Postgraduate students – through a by-election being held, subject to Clause 30.5 herein;
- (ii) in the case of other elected positions – in accordance with the regulations; or
- (iii) in the case of positions that are not elected – by another nomination or appointment being made.

30.5 If a vacancy occurs within three months before the annual elections, the MUPA EC may appoint a person to fill the vacancy.

30.6 Persons filling vacancies hold those positions for the remainder of the term of office.

31. VALIDATION

Even if it is later found that a person who has acted as an office-bearer of the MUPA EC was not properly elected, the validity of:

- (i) the acts of that person as an office-bearer of the MUPA EC; and
- (ii) decisions of meetings of MUPA bodies in which that person has participated, is not affected.

PART 6: FINANCIAL AND LEGAL

32. SOURCES OF FUNDS

The funds of MUPA is derived from:

- (i) the University as per the budget principles outlined in *Appendix 1*, as amended from time to time; and
- (ii) other sources approved by the MUPA EC and the University.

33. FINANCIAL REPORT

33.1 The final financial report is to be prepared by the Treasurer at the end of the year and prepared for the AGM.

33.2 Intermediate financial reports have to be prepared by each office bearer at the end of each activity, and must be audited by the Treasurer.

34. BUDGET

34.1 The MUPA EC office-bearer (except for the President and the Treasurer, who are not allocated any monies) are required to submit a budget for the following year for their respective department by the last week of August of the current financial year.

34.2 The MUPA EC may spend money only in accordance with a budget allocated by the MUPA EC and approved by the University.

34.3 Each MUPA office-bearer may by resolution expend money from any budget allocated to that office-bearer by the MUPA EC.

34.4 All projects are to have their budget submitted before any money can be issued out by the Treasurer.

34.5 The MUPA EC may only adopt a budget if it has considered a draft budget prepared by the Treasurer and approved by the President and Vice President.

35. FINANCIAL YEAR

The financial year of MUPA is to be in accordance with the University's financial year.

36. MANAGEMENT OF FUNDS

36.1 The MUPA EC is responsible for the management of the funds of MUPA.

36.2 The MUPA EC must ensure that true and fair accounts of MUPA are kept.

36.3 Money received must be lodged with the University's finance department which has responsibility for auditing the funds.

37. RECORDS

37.1 The MUPA EC must provide for the safe keeping of the records of MUPA.

37.2 Constituents are entitled to inspect all of the records of MUPA at any time should they so wish to, by making a formal request to the President.

37.3 Updated copies of this Constitution and regulations must be made available for inspection by Constituents at all times.

38. MINUTES

The MUPA EC must ensure that minutes are kept of all general meetings.

39. PUBLICATIONS

All materials published by MUPA is subject to a review by the Publicity and Media Executive, and the President.

40. REGULATIONS

40.1 The MUPA EC may by resolution, passed by an absolute majority, make regulations to give effect to this Constitution.

40.2 New regulations must promptly be published on the MUPA notice-boards for at least ten academic days.

41. AMENDMENT OF CONSTITUTION

41.1 This Constitution may only be amended by Special Resolution of the Postgraduate Students present and voting and duly ratified by a special resolution passed by the MUPA EC; ^[11]_[SEP]

41.2 An amendment does not take effect until it is brought to the notice of, and approved by, the Registrar of the University.

42. DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS

42.1 Subject to this Constitution, if the MUPA EC is of the opinion that a member has refused or neglected to comply with this Constitution or attendant Regulations, or has been guilty of conduct unbecoming a member or prejudicial to the interests of MUPA, the MUPA EC may by resolution:

- (i) suspend that member from membership of MUPA for a specified period; or
- (ii) expel that member from MUPA.

42.2 A resolution of the MUPA EC under clause 42.1 does not take effect unless a meeting of the MUPA EC to confirm or revoke such a resolution is held not earlier than 14 days, and not later than 20 days, after notice has been given to the member in accordance with clause 42.3.

42.3 For the purposes of giving notice in accordance with clause 42.2, the President must as soon as practicable cause to be given to the member a written notice:

- (i) setting out the resolution of the MUPA EC and the grounds on which it is based;
- (ii) stating that the member, or his or her representative, may address the MUPA EC at a meeting to be held not earlier than 14 days and not later than 20 days after the notice has been given to that member;

- (iii) stating the date, place and time of that meeting;
- (iv) informing the member that he or she may attend the meeting and/or provide to the MUPA EC before the date of the meeting a written statement seeking the revocation of the resolution; and
- (v) informing the member that, if at that meeting, the MUPA EC confirms the resolution, he or she may not later than 40 hours after that meeting, give the President a notice to the effect that he or she wishes to appeal to MUPA in the general meeting against the resolution.

42.4 A resolution of the MUPA EC under Clause 42.1 does not take effect unless at a meeting held in accordance with Clause 42.2 the MUPA EC confirms the resolution and if the member exercises a right of appeal to MUPA under Clause 42.3 (v) and Clause 42.6 MUPA confirms the resolution in accordance with this provision.

42.5 At a meeting of the MUPA EC to confirm or revoke a resolution to suspend or expel a member the MUPA EC must:

- (i) give the member or his or her representative an opportunity to be heard; and
- (ii) give due consideration to any written statement submitted by the member; and
- (iii) determine by resolution whether to confirm or revoke the resolution.

42.6 If at a meeting of the MUPA EC, the committee confirms the resolution, the member may, not later than 40 hours after that meeting, give the President a notice in writing to the effect that he or she wishes to appeal to MUPA in general meeting against the resolution.

42.7 If the President receives a notice under Clause 42.6 he or she must give notice to the MUPA EC, and the committee must convene a general meeting of the Association to be held within 21 days after the date on which the President received the notice.

42.8 At a general meeting of MUPA convened under clause 42.7:

- (i) no business other than the question of the appeal may be conducted;
- (ii) the MUPA EC may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
- (iii) the member or his or her representative, must be given an opportunity to be heard;
- (iv) the Constituents present must vote by secret ballot on the question of whether the resolution should be confirmed or revoked; and
- (v) a resolution is confirmed if, at a general meeting, not less than two thirds of the Constituents vote in person, or by proxy, in favour of the resolution. In any other case, the resolution is revoked.

43. GRIEVANCE PROCEDURES

43.1 The grievance procedure set out in this clause applies to disputes under this Constitution between:

- (i) a member and another member; or (ii)
a member and MUPA.

43.2 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all the parties.

43.3 If the parties are unable to resolve the dispute at the meeting, or if a party failed to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.

43.4 The mediator must be:

- (i) a person chosen by agreement between the parties; or
- (ii) in the absence of agreement:
 - (a) in the case of a dispute between a member and another member, a person appointed by the MUPA EC ;
 - (b) in the case of a dispute between a member and MUPA, a person who is a mediator appointed by the University.

43.5 A member of MUPA can be a mediator.

43.6 The mediator cannot be a member who is a party to the dispute.

43.7 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

43.8 The mediator, in conducting the mediation, must:

- (i) give the parties to the mediation process every opportunity to be heard;
- (ii) allow due consideration by all parties of any written statement submitted by any party; and
- (iii) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

43.9 The mediator must not determine the dispute.

43.10 If the mediation process does not result in the dispute being resolved, the parties may refer the matter to the PVC or nominee.

44. TRANSITIONAL

The failure of the MUPA EC to make regulations as required by Clause 40 herein does not affect the validity of any meeting held or decision made before those regulations are made.

PART 7: MISCELLANEOUS

45. UNIVERSITY REPRESENTATION

MUPA EC members who are appointed as MUPA representatives on University bodies are required to:

- (i) report to MUPA on relevant issues that arise at each meeting of the University body of which they are a member; and
- (ii) communicate to the University body MUPA's position on relevant issues.

PART 8: LAWS OF MALAYSIA

46. NO CONTRAVENTION

None of the procedures, responsibilities nor power embodied in this Constitution nor any of the activities that emerge from them, are to contravene the laws of Malaysia including, without limitations the Private Higher Educational Institutions Act 1996.

RECORD OF CONSTITUTIONAL AMENDMENTS

Council Meeting of Monash University Postgraduate Association ratified this Constitution on 10th January 2017.

Appendix 1: Monash University Postgraduate Association (MUPA) Budget principles as outlined by Monash University Malaysia

Purpose

These budget principles serve to guide MUPA's annual budget planning expenditure

Principles

- (i) The Student Experience Unit provides oversight for MUPA's budget development and expenditure.
- (ii) In October, MUPA will submit its budget plan for the following year.
- (iii) Monash Malaysia will disburse MUPA funds in January.
- (iv) The MUPA EC is responsible for approving and managing the annual MUPA funds.
- (v) All expenditure of MUPA funds is subject to authorization by President and Treasurers of MUPA.
- (vi) Unutilized funds as at 31 December will be returned to Monash Malaysia.

- (vii) MUPA will adhere to the relevant business processes of the Student Experience Unit and the Finance Unit for all transactions involving payment and reimbursement of funds.
- (viii) Monash University Malaysia reserves the right to periodically review and audit the use of MUPA funds.
- (ix) MUPA funds are not to be used for any unlawful or fraudulent activity.

Appendix 2: Monash University Postgraduate Association (MUPA) Responsibility Statements for appointed positions

1. MUPA Coordinator

Position Title	: MUPA Coordinator
Organizational Unit	: Monash University Postgraduate Association (MUPA)
Campus	: Malaysia
Fraction	: 10 hours per week
Term of Office	: At least one year

Organizational Context

MUPA is the representative body for all postgraduate students enrolled through Monash University Malaysia. It provides representation, services and support to over 500 postgraduate and honours students.

The MUPA Executive Committee (MUPAEC) is the representative body of MUPA and acts in the capacity of a governing body. The MUPA Coordinator works closely with the MUPA President and reports directly to the MUPAEC.

The Coordinator:

- Is the first point of contact for postgraduates who wish to connect with MUPA.
- Provides strategic advice, information and administrative assistance to the MUPAEC.
- Liaises with senior officers of the University.
- Assists in the organization of events.

Responsibilities

- Provide strategic advice, information and general and administrative support to the MUPAEC as directed by the MUPAEC.

- Develop internal policy and monitor changes and trends in University policies.
- Liaise with key officials of the University and prepare reports and submissions.
- Assist the MUPA President in providing advice and advocacy to postgraduate students experiencing problems.
- Respond to incoming inquiries and where appropriate, make referrals to MUPA officers or to the relevant bodies.
- Analyze information from the general welfare surveys conducted by MUPA and provide suitable recommendations to the MUPAEC.
- Assist with organization or orientation sessions, social events and seminars.
- Assist with the promotion of MUPA to postgraduates and to the wider university community.
- Liaise with university organizations for inclusion of information about seminars, research and other matters of interest to postgraduates in relevant MUPA, University or other publications.
- Other duties as directed by the MUPAEC.

2. MUPA Student Advisor

Position Title	: MUPA Student Adviser
Organizational Unit	: Monash University Postgraduate Association (MUPA)
Campus	: Malaysia
Term of Office	: At least one year

Organizational Context

MUPA is the representative body for all postgraduate and honours students enrolled through Monash University Malaysia. It provides representation, services and support to over 500 postgraduate and honours students.

The MUPA Executive Committee (MUPA EC) is the representative body of MUPA and acts in the capacity of a governing body. The MUPA Student Advisor will work closely and report directly to the MUPA President.

Responsibilities

- Would be the first point of contact for all postgraduate students who wish to seek advice and support on any issue/concerns related to their candidature, be it research or coursework.
- Provide sensible and professional advice, guidance and support on any candidature related issue whether academic or administrative.

- Provides one-on-one professional advice and support sessions for all postgraduate students on a confidential basis.
- Understand the policies, guidelines and procedures at Monash Malaysia Campus and Monash Australia Campus (where applicable to Malaysia Campus postgraduate and honours students).
- Attend and assist postgraduate students to prepare for any Academic Progress Committee (APC) Hearings where requested by students.
- Attend and assist postgraduate students to prepare for any Disciplinary Hearings where requested by students.
- Assist in the organization of forums and/or focus groups to gather information on the issues/concerns raised within the postgraduate student community.
- Work closely with MUPA President to resolve the issues/concerns raised by postgraduate students in a confidential and professional manner.
- Other duties as directed by the MUPA EC.