

Schedule 1 to the Democracy Referendum Proposal

1. Repeal Bye-law 7 and replace it with the text as follows:

BYE-LAW 7 GUILD ASSEMBLY

INTRODUCTION

1. Holding of ordinary Meetings

- 1.1 An ordinary Meeting of the Guild Assembly ("the Assembly") shall be held on at least two occasions in every semester.
- 1.2 This section is subject to clause 28 of the Constitution.

2. Chair of Meetings

- 2.1 Subject to the proceeding provisions of this section, the Guild Chairperson shall chair every Meeting.
- 2.2 Where, during a Meeting:
 - (a) the Guild Chairperson is absent,
 - (b) the office of Guild Chairperson is vacant, or
 - (c) a motion of no confidence is passed in the Chair under section 8.4; a member of the Democratic Procedures Committee ("DPC") shall, with the leave of the Meeting, take the Chair in his place, and shall, for the purposes of this and any other Bye-law or regulation of AUGS, have all the powers, functions and duties of the Guild Chairperson.
- 2.3 Where, at any time other than during a Meeting, the office of Guild Chairperson is vacant, a reference to that office in the Constitution or this or any other Bye-law or Regulation of AUGS shall be construed as a reference to the members of the DPC acting jointly.

3. The Democratic Procedures Committee

- 3.1 The DPC shall assist the Chair in the effective operation of the Assembly.
- 3.2 The DPC shall assist in:
 - (a) the preparation for Meetings,
 - (b) the verification of the membership of the attendees of every ordinary Meeting as Assembly Members,
 - (c) the calculation of quorums, and
 - (d) the counting of votes.
- 3.3 One member of the DPC shall be appointed by the Chair to act as Clerk to the Assembly.

MOTIONS AND OTHER BUSINESS FOR MEETINGS

4. Submission of motions

- 4.1 Any AUGS Member or Trustee may propose a motion for debate at a Meeting.
- 4.2 A motion may be submitted:
 - (a) in writing, to the Guild Reception, or
 - (b) electronically, to union@aber.ac.uk.
- 4.3 A motion must have a proposer and a seconder, who must each sign the submission and include both their student number and University email address (but where a motion is submitted electronically, the requirement to sign a motion shall be fulfilled by the sending of that motion from the University email accounts of both the proposer and the seconder).
- 4.4 A motion must be submitted before the time specified as the deadline for the submission of motions in the notice given for the purposes of calling that Meeting in accordance with clause 31 of the Constitution.

5. Motions: general

- 5.1 A motion may be proposed on any matter within the charitable objectives of AUGS.
- 5.2 A motion cannot mandate or require any person or group of people to do anything that would constitute a breach of the relevant laws or would conflict with the provisions of the Constitution or of any Bye-law or Regulation of AUGS.
- 5.3 This Bye-law is in addition to and not in derogation of clause 67 of the AUGS Constitution (under which the Board of Trustees have the power, in certain circumstances, to override a decision or policy made in a Meeting).

6. Policy motions

- 6.1 A motion that proposes to create, alter or amend Guild Policy shall be a Policy Motion.
- 6.2 The classification of a motion as a Policy Motion shall be at the discretion of the DPC.
- 6.3 The creation, alteration or amendment of Guild Policy by means of a Policy Motion shall have effect from the end of the Meeting in which it is made.

7. Emergency motions

- 7.1 Where an urgent matter arises during the period between the deadline for motions and one hour prior to the time appointed for a Meeting, any AUGS Member or Trustee may propose a motion (an Emergency Motion) relating to that matter.
- 7.2 The proposer of an Emergency Motion must provide a written statement justifying the urgency of the Motion to the Chair.
- 7.3 The acceptance of a motion as an Emergency Motion shall be at the discretion of the Chair, which he shall not withhold unreasonably.

- 7.4 If, owing to the timing of the submission of an Emergency Motion, it is not reasonably practicable to translate that Motion into Welsh, it may be distributed in English only. But such a Motion must be read to the Meeting before it is discussed, allowing for simultaneous translation of the motion.
- 7.5 An Emergency Motion shall not have the effect of amending the AUGS Constitution.

8. Procedural motions: general

- 8.1 An AUGS Member may, during the course of a Meeting, move a procedural motion.
- 8.2 But the Chair is under no obligation to permit a procedural motion to be debated if he reasonably believes that to do so would constitute an abuse of the Meeting or would severely and disproportionately prejudice the interests of the minority.
- 8.3 The procedural motions are as provided for by the rest of this section, and where more than one procedural motion is moved at one time they shall be proceeded with in the order given below.
- 8.4 **“That the Meeting has no confidence in the Chair”**. If passed, the Chair must step down from the chair and his place will be filled in accordance with section 2.2. This shall have effect for the duration of the Meeting in which it is passed only.
- 8.5 **“That [a member of the DPC] do take the Chair”**. If passed, the Chair must step down from the chair and the named member of the DPC will take the Chair. This shall have effect the motion under consideration only, but could be moved more than once if needed.
- 8.6 **“That [a person] be excluded from the remainder of the Meeting”**. This motion may only be proposed in accordance with section 27.3.
- 8.7 **“That the motion be taken in parts”**. If passed, the motion under consideration will be split up into a number of separate parts and each part will be debated and voted on separately.
- 8.8 **“That the vote be held now”**. If passed, the debate on the motion under consideration (or, if there is an amendment under consideration, the amendment) will end and a vote will be held immediately.
- 8.9 **“That a re-count be held”**. If passed, the last-held vote will be held again.
- 8.10 **“That the Order of Business be changed as follows: [...]”**. If passed, the Order of Business will be changed accordingly. But a procedural motion passed in accordance with this subsection is subject to section 13.5.
- 8.11 **“That the decision of the Chair be negated”**. This motion shall only be proposed in respect of a particular decision made by the Chair in execution of a power granted to him by this Bye-law. If passed, his decision shall be negated and shall be of no effect.

9. Procedural motions relating to the chair

- 9.1 Where a procedural motion is proposed under sections 8.4, 8.5 or 8.6, the Chair shall immediately step down and shall have the right to speak on that

motion, and a member of the DPC shall, with the leave of the Meeting, take the chair in his place.

10. The budget

- 10.1 The budget for the current academic year shall be reported by the President at the first Meeting of every academic year.

11. Minutes of the previous Meeting

- 11.1 The minutes of the previous Meeting shall be presented at every Meeting, and shall be proposed by the author. Amendments may be made, if necessary, by the leave of the Meeting.

PROCEDURE IN MEETINGS

12. Debate: general

- 12.1 The Chair shall have the general power to control debate, subject to the proceeding provisions of this byelaw, but must do so in a manner that permits the widest contribution of views as reasonably practicable.
- 12.2 The Chair shall ensure that every remark that is made is relevant to the motion (or amendment, as the case may be) under discussion.
- 12.3 The Guild Chairperson and the members of the DPC shall not take part in debate on any matter (subject to section 9.1).
- 12.4 The Guild Chairperson and the members of the DPC shall not vote on any matter.

13. Order of Business

- 13.1 The Order of Business at every Meeting shall be:
- (a) Chair's opening remarks
 - (b) Apologies for absence
 - (c) Approval of minutes from the previous Meeting
 - (d) Matters arising from the minutes
 - (e) * Correspondence
 - (f) Officer Trustee reports
 - (g) Part-time executive officer reports
 - (h) Board of Trustees report
 - (i) AUGS Sub-groups report
 - (j) * Reports back from NUS Conference/Council
 - (k) * Presentation of the budget
 - (l) Financial reports
 - (m) Ratification of Motions
 - (n) Motions
 - (o) * Emergency Motions
 - (p) Lapsing policies
 - (q) * Elections for committees
 - (r) Any other business

(s) Date of next Meeting

* If applicable

- 13.2 Where the Meeting is an annual general Meeting, the following shall occur before the Officer Trustee reports:
- (a) receiving the report of the Trustees on AUGS's activities since the previous AGM,
 - (b) receiving the accounts of AUGS for the previous financial year,
 - (c) appointment of the auditors,
 - (d) approving the list of affiliations of AUGS, and
 - (e) open questions to the Trustees by the Members.
- 13.3 As part of the Order of Business, the Chair shall have the power to place a limitation on the number of questions that may be asked on a particular motion as he sees fit, but no such limitation shall prevent fewer than three questions from being asked.
- 13.4 The Chair shall have the power to amend or suspend the Order of Business where he sees fit, but this shall be subject to any alteration made by a procedural motion to that effect passed in accordance with section 8.10.
- 13.5 Neither the Chair nor the Meeting shall have the power to remove from the Order of Business those things which are required to be done by virtue of section 13.2.

14. Debate: order of debate

- 14.1 Every motion (other than a procedural motion) shall be debated as follows.
- 14.2 The proposer of a motion is required to attend and speak on that motion. If the proposer is absent, the seconder of that motion shall attend and speak on that motion. If neither the proposer nor the seconder are present, the motion shall not be debated.
- 14.3 The order of speeches on a debate shall be:
- (a) a speech proposing the motion, which shall last no longer than three minutes, after which questions may be asked by any AUGS Member or Trustee,
 - (b) a speech opposing the motion, which shall last no longer than three minutes, after which questions may be asked by any AUGS Member or Trustee,
 - (c) an open debate (basket debate) providing that there are an equal number of speakers supporting and opposing the motion, in which each speech shall last no longer than two minutes,
 - (d) a speech summarising the motion, which shall last no longer than one minute, and must not contain any information that has not been introduced by a previous speaker.
- 14.4 A member may at any time during the debate propose an amendment, which shall interrupt the debate on the main motion. A proposed amendment must be written down and the wording agreed between the Chair and the proposer before it may be debated. The order of speeches on an amendment shall be:

- (a) a speech proposing the amendment, which shall last no longer than two minutes, after which questions may be asked by any AUGS Member or Trustee,
 - (b) a speech opposing the amendment, which shall last no longer than two minutes, after which questions may be asked by any AUGS Member or Trustee,
 - (c) an open debate (basket debate) providing that there are an equal number of speakers supporting and opposing the amendment, in which each speech shall last no longer than two minutes,
 - (d) a speech summarising the amendment, which shall last no longer than one minute, and must not contain any information that has not been introduced by a previous speaker.
- 14.5 After an amendment has been debated, the debate on the main motion, amended or otherwise, shall continue from the interruption.
- 14.6 After the summation speech on the main motion, a vote on that motion shall be held immediately.

15. Debate: additional

- 15.1 Debate shall be conducted and questions asked through the Chair. Members must speak through the Chair and not to other members directly.
- 15.2 Questions are to be asked by raising a hand and indicating to the Chair that a Question is requested, by declaring "Question". The Chair may reject a question which appears to him to be unrelated to the matter under debate. Statements will be rejected by the Chair.
- 15.3 If an amendment to a motion substantially changes the effect of the motion, then the original proposer may move that the motion passes to the proposer of the amendment, with the leave of the Meeting.
- 15.4 The proposer of a motion (or the seconder, if the proposer is absent) may, with the leave of the Meeting, move that another person speaks in his place where he would otherwise be required to speak in accordance with section 14.2.
- 15.5 The proposer of a motion or amendment shall have the right to waive the summation speech.

16. Debate: procedural motions

- 16.1 Every procedural motion shall be debated as follows.
- 16.2 The order of speeches on a debate shall be:
- (a) a speech proposing the motion, which shall last no longer than one minute,
 - (b) a speech opposing the motion, which shall last no longer than one minute.
- 16.3 After the speech opposing the motion, a vote on that motion shall be held immediately.

16.4 If a procedural motion is passed, the Meeting shall carry out the appropriate actions, before returning to the appropriate point in the order of business (agenda).

17. Points that may be raised

17.1 Any AUGS Member or Trustee may at any time raise a Point to the Chair, as follows:

(a) **Point of Order.** May be raised if it is believed that the relevant laws have been broken. The Chair will rule on the Point of Order and inform the Speaker of their decision.

(b) **Point of Information.** May be raised during a speech to assist or challenge the speaker in their motion by providing additional supporting information or to contest, on factual grounds, a statement made during the speech.

(c) **Point of Clarification.** May be raised to request an explanation of a certain part of a speech, an explanation of jargon or to request an interpretation of the relevant laws by the Chair.

17.2 No person shall be under an obligation to deal with or respond to a Point if the Chair reasonably believes that that Point has been made solely for vexatious purposes.

18. Votes

18.1 Every vote shall be conducted by means of an electronic voting system.

18.2 But where an electronic voting system is unavailable or inoperable, every vote shall be taken:

(a) at an ordinary Meeting, by a roll-call, in which every Assembly Member states their vote,

(b) at an annual general Meeting, by a show of hands.

18.3 The votes that may be given are "yes", "no" and "abstain".

18.4 In addition, in a vote on a motion other than a procedural motion or an emergency motion, a person may give a "defer" vote.

19. Results of votes

19.1 The result of every vote shall be announced in an audible form and displayed in a visual form as soon as is reasonably practicable after that vote.

19.2 A motion shall be passed if the requisite majority of votes cast is reached, but subject to the following provisions of this section.

19.3 A motion shall not be passed if the number of "no" votes are equal to the number of "yes" votes.

19.4 A motion shall be deferred if the number of "defer" votes are more than or equal to one-third of the votes cast.

19.5 If a motion is deferred, the Chair shall hold an open meeting prior to the next Meeting during which a full and public debate may occur on the motion in question. The Chair shall report back to the next Meeting the proceedings of the open meeting and the motion in question shall be debated again.

19.6 For the purposes of an open meeting, sections 2, 8.1 to 8.6, 12, 14 to 17 and 24 to 27 of this Bye-law shall apply as though a reference in them to a Meeting were a reference to that open meeting.

20. Elections to committees

20.1 Elections to the following committees (to serve in the academic year following) shall take place at every annual general Meeting:

- (a) Democratic Procedures Committee
- (b) Elections Committee

20.2 The procedure for such elections shall be as follows:

- (a) Nominations will be taken throughout the Meeting, and should an election be required (by reason of there being more candidates than places available), there will be a brief period of hustings, where each candidate may make a speech lasting no longer than two minutes in which they may state why they wish to be elected to the relevant committee.
- (b) The candidates must then leave the Meeting, and a secret ballot shall be held. The election will be by first past the post, and it shall be the responsibility of the Chair to run and oversee the election.

20.3 Where a vacancy arises among the membership of either committee, a by-election shall be held for that position at the next Meeting.

21. Restrictions on motions

21.1 A motion that would have the effect of amending, repealing or reinstating any part of the Constitution previously amended, reinstated or repealed in the same academic year shall not have effect unless passed by a two-thirds majority.

21.2 A motion shall not have the effect of amending, repealing or reinstating any part of the Constitution, Bye-laws or Regulations previously inserted, amended, reinstated or repealed by way of referendum.

21.3 A motion shall not have the effect of amending, reinstating or repealing any part of a Guild policy previously passed, amended, reinstated or repealed by way of referendum.

POLICY

22. Policy Document

22.1 AUGS shall keep a Policy Document.

22.2 The purpose of the Policy Document is to codify Guild policy in a single document in order to maintain clarity and avoid confusion about Guild policy.

22.3 The Policy Document shall contain every policy of AUGS, and with every policy shall be included the date it was passed, and, where applicable, every date on which it is due to elapse and every date on which it is renewed.

- 22.4 The Policy Document shall be updated, where necessary, as soon as is reasonably practicable after every Meeting, but in any case within five working days.
- 22.5 The Policy Document shall be maintained by the Chair, in consultation with the President, and shall be displayed via the AUGS website.

23. Lapsing policies

- 23.1 At the first Meeting of every academic year the President shall state every policy that was originally enacted more than two years prior to that Meeting (a "lapsing policy"). Every lapsing policy shall be displayed in the room in which the Meeting is held, and shall be made available on the AUGS website at least ten clear days prior to that Meeting.
- 23.2 Unless an objection is raised, every lapsing policy shall expire at the end of that Meeting and shall cease to be of any effect.
- 23.3 Objections to the lapse of any such policy shall be delivered to the Chair before the time prescribed for the debate of lapsing policies in accordance with section 13.
- 23.4 The debate on a contested lapsing policy shall consist of one speech in opposition to the lapse, and one in favour of the lapse, and such debate shall be confined to the question of whether the policy should lapse or not. Questions may be asked of either speaker by any AUGS Member or Trustee.
- 23.5 As soon as the debate has concluded, the vote shall be held. The motion in every such case shall be "That the policy be reconfirmed as policy of AUGS."

SUPPLEMENTARY AND MISCELLANEOUS PROVISION

24. Records of Meetings

- 24.1 The Chair shall ensure that an accurate and full written record is kept of the Votes and Proceedings of every Meeting, which shall include every motion and amendment proposed, and the result of the debate on such.
- 24.2 The Chair shall ensure that an accurate record is kept of the debate at every Meeting.
- 24.3 The functions of the Chair under this section may be delegated to the Clerk of the Assembly or to any other person as the Chair sees fit.
- 24.4 The records required to be kept by this section shall be made available online as soon as reasonably practicable after the holding of that Meeting, and in any case within five working days.

25. Bilingualism

- 25.1 The UMCA President and Welsh Language Officer shall take every practicable step to ensure that translation equipment is provided for every person attending a Meeting.
- 25.2 Where translation equipment is provided for every person attending a Meeting, every person who speaks may do so in English or Welsh, and a translation shall be provided as appropriate.

25.3 Where translation equipment is not provided for every person attending a Meeting, every person who speaks must do so in English.

26. Publicity

26.1 No publicity relating to any motion standing on the order of business for a Meeting shall be distributed at or in the vicinity of that Meeting:

- (a) by any person other than an AUGS Member, and
- (b) without the prior consent of the Chair.

26.2 The Chair shall give his consent unless it reasonably appears to him that such publicity:

- (a) is in breach of the Bilingualism Policy,
- (b) is in breach of the Equal Opportunities Policy,
- (c) is inflammatory, or
- (d) contains inaccurate or misleading content.

26.3 The Chair shall not give his consent if it reasonably appears to him that the material is unlawful or its distribution would be in breach of the relevant laws.

27. Order during Meetings

27.1 A person present at any Meeting who engages in conduct likely to prejudice the good order of that Meeting may be directed to discontinue such conduct by the Chair.

27.2 A person present at any Meeting who disregards the authority of the Chair, or who persistently and wilfully obstructs the business of the Meeting, may be directed to leave the Meeting by the Chair.

27.3 If a person ignores a direction to leave a Meeting given under section 27.2, the Chair shall immediately put a motion to the Meeting that that person be excluded for the remainder of the Meeting under section 8.6.

27.4 An AUGS Member who refuses to leave the Meeting following the passage of a motion made under section 18.3 commits a disciplinary offence and shall be dealt with as though a complaint has been made in respect of them in accordance with Bye-law 12 (Member Disciplinary Procedure).

27.5 In case of grave disorder arising during any Meeting, the Chair may suspend the Meeting for as long as he sees fit (but any suspension still in force at 11pm on the day of that Meeting shall be taken to be an adjournment within the meaning of clause 39 of the Constitution).

27.6 A person who:

- (a) is directed to leave the Meeting under section 27.2, or
- (b) in respect of whom it is resolved that they be excluded for the duration of a Meeting under section 27.3;

shall immediately withdraw from the premises in which that Meeting is being held and shall not return until that Meeting is concluded.

28. Interpretation

28.1 In this Bye-law:

“annual general Meeting” means the annual general meeting of AUGS held in accordance with clause 27 of the Constitution,
“Assembly” means the Guild Assembly,
“Assembly Member” means a member of the Assembly,
“AUGS Member” shall have the meaning given to “Member” by clause 15 of the Constitution,
“Chair” means the person who occupies the Chair at the material time, in accordance with the provisions of section 2,
“Meeting” includes an ordinary Meeting and an annual general Meeting,
“ordinary Meeting” means an ordinary meeting of the Assembly, held in accordance with clause 28 of the AUGS Constitution,
“the relevant laws” means the law of England and Wales, the Charter of the University and any statute, ordinance, standing order, rules or regulations made thereunder, and the Constitution, Bye-laws and Regulations of AUGS,
“Trustee” means an External Trustee of AUGS, but excluding Student and Officer Trustees.