



STUDENTS' UNION CONSTITUTION

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The Constitution of Brighton, Hove and Sussex Sixth Form College Student Union

June 2010

This constitution shall take effect from July 2010 and invalidates all former constitutions of this union. The constitution shall be subject to review by the Student Union and the College Corporation every five years, in accordance with the Education Act 1994.

The College Corporation recognises Brighton, Hove and Sussex Sixth Form College Student Union as a democratically run organisation, committed to serving and representing the students of the college. The Corporation will endeavour to ensure that the activities of the Union do not contravene the College's equal opportunities policy nor bring the College into disrepute.

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The Constitution of the Brighton, Hove and Sussex Sixth Form College Student Union

1. Aims and Principles

1.1. Name

The Name shall be the Brighton, Hove and Sussex Sixth Form College (BHASVIC) Student Union, hereafter referred to as "The Union".

1.2. Democracy

The Union shall conduct business in a democratic way in order to give a true representation of the views of the students. The Union will encourage participation, communication and empowerment of members through methods deemed appropriate, in order to be an effective and legitimate voice of student opinion to College staff, local, regional, and national affiliations, the Corporation, the media, and other relevant groups.

1.3. Education

The Union shall provide a source of information and advice for members and shall promote awareness and understanding of The Union business and issues affecting students in order that students may make informed and educated decisions. The Union will also uphold the value of education and will campaign for accessibility and effective learning, and will provide political education through participation in the Union.

1.4. Equality

The Union will promote equality and respect within the College and The Union business regardless of race, gender, sexual orientation, national or ethnic origin, political or religious beliefs, marital status, age, disability, socio-economic background, medical conditions, or any other discrimination which cannot be justified by Union policy.

1.5. Unity

The fundamental belief that underpins the union is that "Unity is Strength" and that the collective is more effective than the individual. The Union will therefore encourage students to join. The Union and will emphasize responsibility, co-operation, and solidarity in union business, and where possible act on a student consensus.

1.6. Independence

Communication and cooperation with the College and senior staff and Corporation is a practical necessity and an effective course of action, and is therefore encouraged. However the independent nature of The Union should never be compromised and all decisions are to be autonomous. Therefore funding and other support, including the Liaison Officer, should be accepted on the conditions mentioned above. Therefore funding must always be unconditional.

1.7. Sustainability

The Union recognizes that its actions may directly or indirectly affect the wider community and the environment. The Union will consider these implications and conduct its activities in a manner that promotes social justice and environmental sustainability.

1.8. Welfare

The Union will protect the rights and well-being of students and will provide important information regarding finance, housing, child care, legal status, and any other areas regarding students' welfare.

2. Membership

2.1. All students enrolled at BHASVIC will be made aware of and will be members of The Union, unless they exercise the right not to be so. In exercising this right, by notifying The Union President in writing, such students would continue to have access to services provided by The Union. The Union President will keep a list of those students exercising this right.

2.2. All members of The Union must abide by the constitution of The Union.

2.3. The rights of The Union members shall include the following:

2.3.1. The right to exercise freedom of speech at Cross-College Council meetings and Union functions.

2.3.2. The right to access all The Union documents including the constitution, financial reports, motions passed and minutes of meetings at minimal practicable cost and minimal practicable delay.

2.3.3. The right to request invitation to Executive meetings for viewing purposes and to voice concerns.

2.3.4. The right to attend all Cross-College Council Meetings and vote in Referenda.

2.3.5. The right to stand as a Tutor Group Representative candidate, allowing a vote at Cross-College council meetings if elected as the Tutor Group's Representative.

2.3.6. The right to hold a Union membership card (or equivalent) and access other Union facilities and services.

2.3.7. The right to run for an Executive Seat.

3. Cross-College Council Meetings

3.1. Meetings can be attended by all members of the Union, staff, and any other relevant parties. Attendance should be encouraged.

3.2. Attendance is compulsory for the Executive

- 3.3. Attendance is compulsory for Tutor Group Representatives:
 - 3.3.1. Elections for Tutor Group Representatives will take place within each tutor group at the beginning of the each academic year.
 - 3.3.2. Re-election of the Tutor Group Representatives shall occur if their attendance at Cross-College Council meetings falls below 50% in a term. The re-election shall take place immediately.
- 3.4. Meetings are to be held once a half-term mitigating any unforeseen circumstances or overriding Union business, to be agreed at the Executive meeting.
- 3.5. Any Union member present has the right to speak and submit a motion. The motion must be seconded by at least one other Non-Executive Union member.
- 3.6. All Tutor Group Representatives attending have the right to vote on motions.
- 3.7. Once seconded, a motion must be passed by a simple majority of all Form Representatives present and Executive members present at the meeting.
- 3.8. If the motion is passed, it must become a policy of the Student Union Executive:
 - 3.8.1. This can be overturned by a 2/3 majority from the Executive, to act as a check on the Cross-College Council
- 3.9. The meeting should be quorate where there is a minimum of 16 of the Union's full time membership and 50% of the Executive attending. No motions may be carried unless quorate.
- 3.10. Minutes will be taken for every meeting and approved at the subsequent meeting, or Executive meeting. Minutes will be available to all Union members on request, and be sent to all Form Representatives.
- 3.11. The Student Liaison Officer is Chair of the Cross-College Council Meeting, but does not have the right to make a final decision on a matter.
- 3.12. Each Cross-College Council Meeting shall be run according to the Rule Book (see appendix).

4. The Executive

'The role of The Executive is to support, represent and entertain the Members of the Union.'

- 4.1. Each position of the Executive shall be elected according to section 5 of the constitution, with the exception of the Student Voice Editor.
- 4.2. Each member of the Executive shall serve a term of office of one year.
- 4.3. Any Executive member who is temporarily unable to fulfill their role should delegate responsibilities to another member of the Executive, preferably with prior warning.

- 4.4. Each position on the Executive has the right to vote in Executive meetings.
- 4.5. The decisions of the Executive meetings shall be carried out by the elected student Executive.
- 4.6. The Executives shall also deal with the general business of the Union according to this constitution.
- 4.7. The two Student Governors will relay any grievances or issues from the Executive or any individual Union member to the College's Senior Management Team and the College's Governing Body.
- 4.8. The Staff Liaison Officer is required to attend Executive meetings but can be refused entry and requested to leave, before, during or at any point of the Executive meetings.
- 4.9. The Executives shall convene an Executive meeting at least once a fortnight, or at the discretion of an Executive majority.
- 4.10. The quorum of an Executive meeting shall be 9 members of the Executive. No motions can be carried if not quorate.
- 4.11. The Executive may invite others, including the Principal or his representatives or any related party to such meetings. This shall be at the discretion of the Executive.
- 4.12. Executive meetings shall where possible make decisions according to a general consensus of opinion. However, if consensus cannot be reached then the matter shall be decided by a vote, where one vote is available per role. A majority is required for the proposal to be passed.
 - 4.12.1. If the vote is tied then the Presidents must make the decision on the issue being discussed.
- 4.13. All Executive members must declare any interests in the subject under discussion. Such interests must be minuted.
- 4.14. The positions of the Executive body are as follows:
 - 4.14.1. President(s)

There are two Presidents that shall act as spokespersons for the students to local, regional and national media. The President will attend all Cross-College Council and Executive Meetings, mitigating unforeseen circumstances. The President will regularly review all activities and decisions of the Union to ensure that they are compatible with the constitution and all Union policy. The President will act as Chair of the Executive Meetings.

4.14.2. Governors

There shall be two Student Union Executive Officers who are also Governors on the College Governing Body. The Governors are not obliged to directly represent any Union Member or the views of the Executive. All concerns of Executive members will be voiced to the Governors who can then choose to address the issue with the College's Senior Management Team or with the Governing Board.

4.14.3. Staff Liaison Officer

The Staff Liaison Officer shall be a member of the College's staff who is appointed by the Principal, and who shall be co-opted onto the Executive. The Officer shall act as an advisor to other members. The Liaison Officer can not vote in The Union affairs and has a purely advisory and communication role between College staff and students. The Liaison Officer shall also act as Treasurer, and be responsible for the security, depositing and withdrawal of money belonging to The Union. The Liaison Officer, in his role as Treasurer, will keep a record of money received and money spent.

4.14.4. The Secretary

The Secretary shall take minutes of Executive and Cross-College Council Meetings. Any Executive member, who wishes to add to the proposed schedule of a meeting, must contact the Secretary. The Secretary will also produce the agenda for Executive meetings.

4.14.5. Charities Officer

The Charity Officer will co-ordinate the raising and distribution of The Union's charity donations. The Charity Officer will be responsible for the collection of information about, and the communication with, relevant charities. The Charity Officer may also help raise funds for The Union. The financial dealings must be reported to the 'Treasurer' regarding any and all financial transactions.

4.14.6. Entertainment Officers

The Entertainment Officers (2) shall be responsible for coordinating the organisation of student social events. They should consider the practicality and the financial implications of all social events they organise, take part in, or agree to promote, in any fashion or form. The Treasurer must be consulted on all issues regarding pricing, availability, charges and additional costs, before the event is authorised as a motion by the Executive.

4.14.7. Communications Coordinator and Officers

The Communications Coordinator shall direct two Officers on the following tasks. Publicise information from any source which is of concern to the students of BHASVIC. This shall include publicising information from the Environment, Entertainment, and Welfare Officers. They shall assist the Student Liaison Officer in publicising their concerns. The Communications Officers shall be responsible for the assessment and publication of material related to relevant issues. This shall include publicity, within College, of national or regional events related to these issues. The Officers shall co-ordinate any student participation in these events. The Communications Officer shall also be responsible for advertising Student Union Events.

4.14.8. Environment Officer

The Environment Officer shall work towards a pleasant environment for students to work and socialise within. The Officer shall also promote wider 'green' issues, both inside and outside the College. They must oversee recycling programmes within the College. They are also required to regularly attend 'Green Team' or relevant environmental groups within the College and local community where deemed necessary, to liaise with them and report back to the meetings.

4.14.9. Equality & Welfare Officer

The Equality & Welfare Officer shall be responsible for the promotion and maintenance of the well-being of BHASVIC students. The Officer shall act as a contact for students who require information or advice regarding equal opportunities or student issues. In addition the Officer can act as a representative to staff in individual conflicts. The Equality & Welfare Officer shall be responsible for raising awareness about the forms that racism can take and the extent to which racism still exists. The Officer shall be responsible for getting people involved in anti-racist campaigns and be the contact for those students suffering from racist behaviour, including any religious discrimination, of any kind. The Equality & Welfare Officer shall be representative of Lesbian, Gay, Bisexual, Transgender and Unsure sexual orientations issues. The Officer will lead campaigns relating to LGBTU issues and liaise with the College community to ensure that all individuals are treated fairly, with dignity and respect.

4.14.10. Enrichment Officer

The Enrichment Officer will be concerned with organizing any Student Union Events that may take place in the time allocated by the College for "Enrichment Activities". This will involve booking venues for activities and they must consult the Treasurer and the Executive if any financial payment is required for this.

4.14.11. Student Liaison Officer

The Student Liaison Officer is responsible for communicating the policies of the Executive to Union members. This will involve Chairing the Cross College Council Meetings, and maintaining the Student Union notice board. This person should also be the first link to the Executive for any Union Members. If the President is absent, this person should chair the Executive meetings.

4.14.12. Student Voice Editor

The Student Voice Editor shall be appointed by the retiring Executive and are not subject to the same election process as other members. They shall be responsible for editing the Student Newspaper, as well as its printing and distribution.

5. Elections

- 5.1. Elections for 15 Executive Members will take place in Spring of each year. The election is organized by the retiring Executive. Any first year candidate can run for the election. 16 Executive member seats are available (15 via election) but the elector is not required to specify for which post they want a candidate to occupy. Specific posts are decided by the retiring Executive.
- 5.2. The election shall be announced at least fifteen college days before the election.
- 5.3. Each candidate must be a member of the Union as defined in section 2 of this constitution.
- 5.4. Each candidate shall be requested to attend a formal and open Hustings and, there, to provide an election speech. This shall be held in the week running up to the election. Any candidate not wishing to attend the Hustings will be required to provide a written manifesto.

- 5.5. The 15 Candidates with the most votes shall be elected as the New Student Union Executive.
- 5.6. All votes shall be placed through a secret ballot.
- 5.7. Voting shall take place over one College day. Each voter will be required to prove their identity by showing their BHASVIC ID card, to be eligible to vote. The Liaison Officer shall keep a record of who has voted.
 - 5.7.1. Each student shall get two votes on one ballot sheet. The votes cannot be both given to the same candidate and both votes do not have to be used.
- 5.8. Four retiring officers, who will count and recount the votes, shall be nominated by the Executive prior to the election.
- 5.9. The count shall be open to scrutiny by any interested member. Details must be available of the election results and management. A recount may be requested if candidates are within 5% of each other. Above 5%, sufficient and reasonable evidence must be submitted to the existing or retiring Executive who will decide whether there is sufficient cause for a recount, re-election of an individual or entire election in the cause of gross misconduct or corruption. Such a request should be made with one week of the results being announced.
- 5.10. The Election results shall be announced to the student body as soon as possible.
- 5.11. The election may be supervised by the Principal or his representative to ensure that it is carried out in a fair and just manner. Results will be reported to the remainder of the Executive.
- 5.12. Candidates may be awarded a small support of printing credit and/or stationary materials, to help them campaign. These resources must be used for the campaign. This amount should not exceed £2.50 each and a receipt for costs should be presented to the Executive.
- 5.13. Any candidates found to have intimidated and/or in any form look to have purposely sabotaged another candidate's campaign, including the graffiti of posters, use of name or image of another candidate without their permission or in an offensive way, may be expelled from the campaign and be banned from holding an Executive position. Ruling on these matters will be dealt with by the Executive.
- 5.14. Failure to strictly adhere and follow all of the above election rules in both letter and ethos may result in expulsion from the campaign or position on the Executive. This shall be decided by the retiring Executive.
- 5.15. The Student Voice Editor position on the New Executive will be decided through interviews with the retiring Student Voice Editor and other members of the retiring Executive. They will appoint the person they deem to be the most suitable and appropriate for the job.

6. Finance

- 6.1. The matters regarding the financing of The Union are the responsibility of the Union's Treasurer. The College's Finance Office shall advise the Treasurer on the most appropriate methods of recording and controlling finance.
- 6.2. The Treasurer will record all financial transactions, keep accurate and complete records, and may be called upon to report in detail at any Cross-College Council and Executive Meeting.
- 6.3. The Treasurer may at all times be called upon to report in detail on The Union's financial standing.
- 6.4. Petty cash shall only be held for specific events and shall not exceed £50. Excess amounts shall be deposited immediately in the College Finance Office at the conclusion of the event.
- 6.5. The Union's funds are held by the College. No cheques or money can be issued without the prior authority of the Executive, determined by a majority vote in favour of the expenditure. Written authority is then required by the Staff Liaison Officer.
- 6.6. Money held by The Union is held in trust by the Executive with the College for the benefit of the Union and its members. The Executive are responsible for that money.
- 6.7. The Union will receive a budget from the College at the start of each academic year. Any money remaining at the end of the year is returned to the College.
- 6.8. Any expenditure the Union intends to incur which is not a recognised administration cost must be the voted policy of Executive (see appendix).
- 6.9. The Union funds will be subject to annual audit by the College's appointed external auditors as part of the College's audit programme.
- 6.10. The Treasurer is required to agree to and reserves the right of veto on any financial transaction.

7. Charity Donations

- 7.1. The Union may organise specific charity events and the net profit from such events will be held in a Charity Fund.
- 7.2. The Charity Fund can be used to make donations to individuals, organisations and charities as agreed by the Executive.
- 7.3. These individuals, organisations and charities will be selected by the Executive when deemed appropriate.
- 7.4. The Charity Officer may prioritise distributions, but may not exclude any donation agreed by the Executive.
- 7.5. Section 7.3 may be temporarily overturned by a 2/3 majority of the Executive.

- 7.6. Under no circumstances will donations be made to anyone involved in actions, or that is associated with anything that is against the Union's aims and principles as set out in section 1.

8. Motions of Affiliation

- 8.1. Affiliation is against Union principles and policy, and can therefore not be undertaken with any party, group or business.
- 8.2. However affiliation with and only with BHASVIC is acceptable and adheres to Union policy. Close communication and cooperation should be encouraged with the College as it is beneficial and essential for both parties.

9. Motions of "No Confidence", Expulsions and Resignations

- 9.1. If the Executive as a whole or if individual members of the Executives are considered to be failing in their responsibilities then they may be removed from office by the passing of a motion of "No Confidence".
- 9.2. A motion of "No Confidence" must be placed before an Executive meeting and subsequent Cross-College Council as a standard motion, which must be passed in the Cross-Council Meeting in public.
- 9.3. Such a motion requires a two-thirds majority to be passed, by Executive and Union members present.
- 9.4. The attendance requirements of members are as follows.
 - 9.4.1. Any Executive member who misses over half of meetings, both General and Executive, without due cause, will be automatically evicted. This will be reviewed every academic half term.
 - 9.4.2. Any Executive member who misses three consecutive meetings without due cause will be automatically expelled from the Executive.
 - 9.4.3. Any Tutor Group Representative whose attendance falls below 50% in a term without due cause shall have their position put up for re-election immediately.
- 9.5. In the event of a vacancy on the Executive as a result of a motion of no confidence, expulsion, resignation, or untimely demise of the member concerned, an election will be held to fill the post within 30 college days.
- 9.6. Should one half of a job share become vacant due to an expulsion or resignation or death, then the entire job shall be offered to the remaining Executive member in that position. If that person declines this offer, then the vacant position shall be up for election.
 - 9.6.1. In filling a vacated Executive seat, an election process will be used to narrow the candidates down to 5. The remaining candidates will then be interviewed by the Executive to appoint the most appropriate candidate to the vacant position.

- 9.7. Any expelled member is banned from running for any position in future elections' However, those who resign may become candidates in future elections if the remaining Executive vote a majority in favour.

10. Complaints

- 10.1. Complaints about ways in which The Union conducts its business may be given in writing to any member of the Executive for discussion at the next Executive or Cross-College Council Meeting
- 10.2. Any Union member may raise complaints in the Executive meetings and then in the subsequent Cross-College Council Meeting, under any other business.
- 10.3. In the event of a complaint, it is the responsibility of the President(s) to ensure that the issue has been dealt with properly, in sufficient depth and fairly and that there has been an effective remedy, which may include expulsion and involvement of senior staff.
- 10.4. In the occasion of a complaint directed at the Chairperson, the other President (if in existence) shall assume the Chair responsibilities.
- 10.5. In the event that the entire Executive is under scrutiny, the Staff Liaison Officer shall assume the responsibility of the Chair.

11. Constitutional Amendments

- 11.1. Any form of amendment to the constitution of The Union must be placed before a Executive or Cross-College Council meeting as a standard motion.
- 11.2. Such a motion requires at least a two-thirds majority to be passed.
- 11.3. The constitution cannot be altered by way of an emergency motion of any kind.
- 11.4. Any amendment to the constitution of The Union must be ratified by the College Governing Body before it is implemented.
- 11.5. The Constitution shall be reviewed by The Union, the Senior Management Team and the Principal at least once every five years.

Appendix

The Rule Book

1. Procedures of Cross-College Council and Executive Meetings

- 1.1. The Chair of Cross-College Council Meetings shall be the Student Liaison Officer or one of the Presidents if that person is unavailable. The Chair of the Executive meetings shall be one of the Presidents.
- 1.2. Business may only be conducted if a meeting is quorate (see Clause 3.9 of Constitution).
- 1.3. Discussion of motions and amendments shall be administered and regulated by the Chair in order to maintain order and respect throughout.
- 1.4. Each motion shall be read to the meeting by the Chair before any debate begins.
- 1.5. Any member who wishes to speak shall raise their hand.
- 1.6. Each speaker in discussion shall be encouraged by the Chair to be direct and concise and to speak for only the necessary amount of time.
- 1.7. Those members who have not spoken on an issue shall take priority over those who have.
- 1.8. The chair should encourage wider participation of all present, ensuring as many wishing to speak have time to do so.
- 1.9. In the event of conflict regarding procedure or behaviour during meetings, the ruling of the Chair shall be followed.
- 1.10. The Chair holds at his/her absolute discretion powers of eviction on matters of unruly or offensive behaviour.

2. Motions

- 2.1. Any student of BHASVIC may submit a policy motion (i.e. involving a change in The Union's policy) to be debated and voted upon by the meeting.
- 2.2. All motions must be seconded by another member of the Executive unless the constitution specifies otherwise.
- 2.3. All standard motions received shall be distributed by the Student Liaison Officer before the meeting to each tutor group for discussion.
- 2.4. The Chair, with advice from the Executive and Union members, may prioritise issues, if it is felt that there is not enough time to discuss all of the issues.

- 2.5. Any business on the agenda which there is not time to discuss shall take automatic priority at the following meeting unless the meeting decides otherwise.
- 2.6. All motions must accord with the constitution, and any which is not must be ruled 'out of order' by the Executive.
- 2.7. In the event of agreement over the basic nature of a motion, but a disagreement over the details or the wording, then an amendment to that motion may be proposed to change the specific area.
- 2.8. An amendment to a motion requires the same majority required for the motion itself to be passed. The motion will then be debated and amended or unamended.
- 2.9. Amendments to motions shall be submitted to the chair at least three College days before the meeting where possible.
- 2.10. Amendments to motions may be proposed during the meeting, and shall be discussed in the usual way.

3. Policy motions

- 3.1. In order to ensure that the Executive acts according to the will of the meeting, as a legitimate voice of The Union, the Executive and Cross-College Council Meetings shall decide on the policy it adopts.
- 3.2. Any policy motion requires a simple majority of Tutor Group Representatives and of the Executive in the meeting to become the policy of The Union.
- 3.3. Each policy motion should outline the reasons for, and the nature of, any instructions to the Executive.

4. Emergency motions

- 4.1. In the event of an issue becoming important for discussion after the submission deadline, an emergency motion may be presented to a Cross-College Council Meeting.
- 4.2. Such a motion must be submitted to the Chair before the Cross-College Council meeting, and as early as possible.
- 4.3. All emergency motions shall be displayed on The Union notice board in order that students may examine the issues before the meeting, if possible.
- 4.4. The motion requires a simple majority of Union members and two thirds majority of the Executive to be passed and shall be presented and discussed in the standard way.

5. Motions of Interpretation and Clarification

- 5.1. In the event of an ambiguity in the meaning of policy or the constitution, a motion of interpretation may be presented to an Executive Cross-College Council Meeting.
- 5.2. A motion of interpretation motion shall include a specification of how the relevant policy or part of the constitution should be understood which, if passed, will be added for future reference to prevent confusion or misinterpretation.
- 5.3. Such a motion requires a two-thirds majority of the Cross-College Council Meeting to be passed with regards to the constitution, or a simple majority with two thirds majority of Executive with regards to policy.
- 5.4. In the event of ambiguity in the meaning or usage of specific words or phrases within policy or the constitution, a clarification motion may be presented to an Executive or Cross-College Council Meeting.
- 5.5. A motion of clarification shall include a definition of the specific word or phrase which, if passed, will be added to the relevant part of policy or the constitution.
- 5.6. Such a motion requires a two-thirds majority of the Executive to be passed with regard to the constitution or a simple majority with regard to policy.

6. Procedural Motions

- 6.1. Any Union member may change the standard procedure of the meeting through the passing of a procedural motion.
- 6.2. Such a motion may be moved at any convenient time during the meeting and requires only a verbal explanation.
- 6.3. A procedural motion requires a simple majority of The Union members and two thirds majority of Executive to be passed.
- 6.4. Procedural motions may be moved on the following grounds:
 - 6.4.1. That the Chair stand down and that another Executive member take the chair (for a specified length of time).
 - 6.4.2. To make a point of information or a point of order (no seconder required).
 - 6.4.3. That the meeting be adjourned.
 - 6.4.4. That the meeting proceeds to the next business.
 - 6.4.5. That the agenda item now be concluded.
 - 6.4.6. That the agenda item now be adjourned.
 - 6.4.7. That business on the agenda be re-ordered.

- 6.4.8. That an item be referred to the Executive.
- 6.4.9. That the discussion be extended.
- 6.4.10. That the speaker keeps to the point (no seconder required).
- 6.4.11. That the motion be amended.

7. Administration costs.

The following shall be regarded as legitimate administration costs:

- 7.1. Stationary where the total spent over a year is less than £200.
- 7.2. Photocopying where the total spent over a year is less than £200.
- 7.3. Travel expenses to Conferences and other relevant locations where the total spent is less than the petty cash limit.
- 7.4. Items that seek to provide direct benefits for the Student body, bought on the direct expression of policy set by Executive.