

# Constitution of the Commerce Undergraduate Society



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## ARTICLE I: Preamble

- A. Organization Name
  - 1. The organization shall be known as the “Commerce Undergraduate Society of the University of British Columbia, Vancouver,” hereafter referred to as the CUS.
- B. Mission
  - 1. The mission of the CUS shall be to enhance the value of the UBC Sauder School of Business Bachelor of Commerce degree while cultivating the personal, professional and academic success of students.

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## ARTICLE II: Membership

- A. All undergraduate students who are registered at the Sauder School of Business in the Bachelor of Commerce program during the academic year and who have paid their CUS fee are members of the CUS.
  - 1. Only individuals fulfilling the requirements of article II, section (A) may be members of the CUS.
- B. All members of the CUS are afforded the same rights and opportunities to participate in CUS or CUS-related activities.
- C. Not with standing article II, section A(1), exchange students to the Sauder School of Business shall be deemed to be members of the CUS, except in the matters of:
  - 1. Elections
  - 2. Referendums
  - 3. Financial Assistance to attend External Conferences
  - 4. Membership in Board of Directors; OR
  - 5. Appointment to the Executive Council

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## ARTICLE III: Definitions and Interpretations

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

-“Academic Year”	From the day after Labour Day until the final day of exams in April.
-“Academic Terms”	From the day after Labour Day until the last day of classes during the Fall semester in December and the first day of classes in January until the last day of classes during the Winter semester.
-“AMS”	Refers to the Alma Mater Society of the University of British Columbia, Vancouver.
-“Announce”	To post on the CUS website.
-“Distribute”	To post on the CUS website and upon request to make paper copies available.
-“Elections Committee”	Appointed by the Elections Officer as per the Hiring Policy; consisting of at least three (3) members as is necessitated by the AMS Code of Procedure.
-“Elections Officer”	The person charged with the fair and efficient administration of the CUS elections.
-“Exam Periods”	The time period from the last day of classes in the Fall semester until the first day of classes in January and the time period from the last day of classes in the Winter semester until the end of the academic year.
-“General Membership of the CUS”	The most current count of the individuals who are active members, as provided by the Undergraduate Programs Office.
-“Official Turnover Date”	The <del>last day of classes</del> <u>first Monday</u> in <del>the academic year prior to the commencement of the spring exam period</del> <u>March</u>
-“Line-by-line”	The approval of each item that appears on its own line in the annual CUS budget. These items represent any individual budget proposal as received by the Executive Council.
-“Portfolio”	The area of responsibility for the President or a Vice-President, outlined in the Executive Policy, and the <del>Student</del> <u>Service</u> Council members who report to that Executive Council member.
-“Present”	The physical or virtual attendance at a meeting.
-“Term”	From the incoming turnover date of the elected members of the Board of Directors until the outgoing turnover date of the majority of the Board of Directors.

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## ARTICLE IV: Board of Directors

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- A. The Board of Directors shall represent the general membership of the CUS and act on their behalf to the best of their ability as directed by the general membership of the CUS and the mission of the CUS.
- B. The Board of Directors shall be composed of:
1. The following members of the CUS elected by the general membership of the CUS:
    - i. President
    - ii. Senator
    - iii. Alma Mater Society Representative
    - iv. Year One Representatives – two (2) representatives
    - v. Year Two Representatives – two (2) representatives
    - vi. Year Three Representatives – two (2) representatives
    - vii. Year Four Representatives – two (2) representatives
  2. ~~The following former members of the CUS appointed by the Board of Directors in accordance with article IV, section I:~~
    - i. Alumni Representatives – four (4) representatives
- C. Restrictions on Members of the Board of Directors
1. ~~With the exception of article IV, section B(2), all~~ members of the Board of Directors must be members of the CUS.
  2. All Year One Representative candidates must hold a First Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
  3. All Year Two Representative candidates must hold a First Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
  4. All Year Three Representative candidates must hold a Second Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
  5. All Year Four Representative candidates must hold a Third or Fourth Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
  6. With exception of the ~~Executive Council~~President, members of the Board of Directors shall not hold any Executive Council or ~~Student Service~~ Council Position, nor be a president of a CUS Recognized Club.
  7. ~~D. All Alumni Representatives must have been former members of the CUS and have had the degree of Bachelor of Commerce conferred upon them by the University of British Columbia.~~
- D. ~~Board of Director Meetings~~
1. Quorum is achieved when two-thirds (~~2/3rd~~) of the members of the Board of Directors are present.
  2. All Board of Directors members have the right to one (1) vote.
  3. No Board of Directors member shall hold more than one (1) voting position on the Board of Directors.
  4. ~~The Speaker~~Chairperson of the Board of Directors will be ~~an appointed member of the general membership of the CUS as selected~~elected by and from the Board of Directors ~~upon~~. ~~The Chairperson may not be the Official Turnover Date.~~
  4. ~~In the absence of the Speaker, the CUS President shall serve as the Chair of the Board of Directors. If the President serves as Chair, they~~
  5. ~~The Chairperson~~ may only vote to break a tie.
    - ii. ~~The Speaker shall only vote to break a tie.~~
  - 5-6. Subject to the ~~provisions~~provision in article IV, section D(10), Board of Directors meetings may be called by the ~~Speaker~~Chairperson at any time.
  - 6-7. The ~~Speaker~~Chairperson shall convene a Board of Directors meeting if petitioned to do so by a quorum of Board of Directors members, President, or a majority vote of Executive Council, subject to article IV, section D(10).
  - 7-8. Board of Directors meetings must be convened:
    - i. at least once per month during the academic year, except during the exam period;
    - ii. at least once during the December exam period, and once during the April exam period;
    - iii. at least twice between May and August inclusive.
  - 8-9. All Board of Directors meetings shall be open to all members of the CUS unless specifically deemed in camera. Only a two-thirds (~~2/3rd~~) majority vote of Board of Directors can deem a meeting to be in camera.
  - 9-10. Board of Directors meetings must be announced at least 72 hours prior to the meeting.
  - 10-11. The proposed agenda of the Board of Directors meetings must be distributed at least 48 hours prior to the meeting.
- E. Responsibilities of the Board of Directors shall be to:
1. Foster a long-term strategy to fairly and efficiently achieve the mission of the CUS.
  2. Elect a Chairperson of the Board at the first meeting after the official turnover date.
  3. Select and appoint the Vice-Presidents of the Executive Council prior to the official turnover date.
  4. Select and appoint the Alumni Representatives of the Board of Directors prior to the official turnover date.
  - 2-5. Approve the annual CUS Budget as presented by the Executive Council.
  - 3-6. Manage Board of Director Committees as outlined in the Committee Policy.
  4. ~~Select and appoint the Vice Presidents of the Executive Council.~~

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7. Receive verbal reports from Executive Council members at least once per month.
- ~~5-8.~~ Receive written reports from Executive Council members three times per year.
- ~~6-9.~~ Evaluate and present recommendations for the continuation, discontinuation, or improvement of CUS activities to the incoming Board of Directors prior to turnover.
- ~~7-10.~~ Remove an appointed Executive Council member from Executive Council by a two-thirds (2/~~3rd3~~) majority vote should that person derogate the CUS name or fail to fulfill their Executive duties.
- ~~8-11.~~ Remove an appointed StudentService Council member from StudentService Council by a two-thirds (2/~~3rd3~~) majority vote should that person derogate the CUS name or fail to fulfill their duties.
- ~~9-12.~~ Ensure each member of the Board of Directors provideprovides accurate contact information for publication on the CUS website.

- F. Responsibilities of a member of the CUS Board of Directors shall be to:
1. Represent the opinion and position of their respective constituents while adhering to the mission of the CUS
  2. Attend all CUS Board of Director meetings as scheduled
  3. Ensure due diligence is performed prior to making a decision
  4. Maintain up-to-date contact information
  5. Actively participate in committees of the Board of Directors
- G. Overarching and Residual Powers
1. Powers which are not granted by this Constitution to any other council or to the general membership of the CUS are granted to the Board of Directors.
  2. Any decision of the Executive Council may be overturned by a two-third (2/~~3rd3~~) majority vote of the Board of Directors.
  3. Any decision of the Board of Directors may be overturned by a referendum of the general membership of the CUS.
  4. The Board of DirectorDirectors may introduce additional self-governing operational procedures as outlined in the Board Procedures Policy at their discretion.
- H. The SpeakerChairperson of the Board of Directors shall:
1. Prepare and distribute the agenda and any related materials for each Board of Directors meeting 48 hours prior to the meeting.
  2. Submit a continuity report to the Board of Directors pertaining to Board of Directors activities prior to turnover.
  3. Issue written notification to individual members of the Board of Directors who miss more than one (1) Board of Directors meeting per term without notifying the appropriate person, as designated by the SpeakerChairperson.
  4. Keep accurate written records of Board of Director meetings posted on the CUS Website within 4 calendar days of the meeting.
  5. Exercise due diligence at meetings and refer to the CUS Constitution and/or Robert's Rules of Order where there exists a question of order or procedure.
  6. Ensure that this Constitution is signed and dated by all current members of the Board of Directors.
  7. Act strictly as a liaison between the CUS Board of Directors and all external bodies
  8. Attend all Board of Directors meetings

I. Appointment of Alumni Representatives to the Board of Directors

1. All appointments of Alumni Representatives to the Board of Directors will be by the recommendation of a nominations committee, composed of:
  - i. The following members of the Board of Directors:
    - a. President
    - b. Year Representatives – four (4) representatives
  - ii. The following non-voting members:
    - a. President-elect
    - b. Ombudsperson
    - c. Executive Council Representatives – two (2) representatives
    - d. Sauder Development and Alumni Engagement Representative – one (1) representative
2. Only those specified in article IV, section I(1)i shall be entitled to vote, and they shall have one(1) vote each.
3. All recommendations for appointments to the Board of Directors must be complete by the official turnover date.
4. Appointments to the Board of Directors must be ratified by a two-thirds (2/3) majority vote of those members of the Board of Directors outlined in article IV, B(1).

ARTICLE V: Executive Council

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

- B. The Executive Council shall be composed of the following elected members:
1. President
- C. The Executive Council shall also be composed of other members as established in the Executive Policy, appointed by the Board of Directors.
- D. Executive Council Meetings
1. Quorum is achieved when fifty percent (50%) of the voting members of the Executive Council are present.
  2. All Executive Council positions have the right to one (1) vote.
  3. No Executive Council member shall hold more than one (1) voting position on the Executive Council. The President shall be the Chair of the Executive Council.
  4. The Chair may only vote to break a tie, but is considered a voting member.
  5. Executive Council meetings may be called by the President at any time.
  6. The President shall convene an Executive Council meeting if petitioned to do so by a quorum of Executive Council members.
  7. Executive Council meetings must be convened:
    - i. at least twice per month during the academic year (with the exception of exam periods);
    - ii. at least once during the December exam period, and once during the April exam period;
    - iii. at least once per month between May and August inclusive.
  8. All Executive Council meetings shall be open to all members of the CUS unless specifically deemed in camera. Only a two-thirds (~~2/3~~2/3) majority vote of Executive Council can deem a meeting to be in camera.
- E. Responsibilities of the Executive Council shall be to:
1. Approve non-reoccurring initiatives, subject to the approval of the Board of Directors and budgetary powers as per article IV, section E and article XIII, section C, respectively.
  2. Select, appoint and oversee the StudentService Council.
  3. Make recommendations to the Board of Directors for reoccurring initiatives to be included in the annual budget and/or to have a corresponding StudentService Council position created.
  4. Have the power to remove appointed StudentService Council members from the StudentService Council, by a two-thirds (~~2/3~~2/3) majority vote, for derogation of the CUS name or a failure to fulfill their CUS duties as outlined in the StudentService Council Policy.
  5. All members of Executive Council shall:
    - i. Report regularly to all Executive Council meetings.
    - ii. Provide verbal reports to the Board of Directors at least once per month.
    - iii. Provide written reports to the Board of Directors three times a year.
    - iv. Keep accurate written records of their meetings and activities and submit a continuity report pertaining to their activities prior to Executive turnover.
    - v. Hold no other CUS position except as established within the Involvement Policy.
    - vi. Do such other things as required for the successful operations of the CUS.
    - vii. Complete Executive duties as outlined in the Executive Policy.

#### ARTICLE VI: President

- A. Responsibilities and Powers
1. Chair all Executive Council meetings.
  2. Reserve the right to designate another member as Chair of Executive Council.
  3. Announce and hold office hours at least twice weekly, totalling no less than three (3) hours.
  4. Exercise due diligence at meetings and refer to the CUS Constitution and/or Robert's RuleRules of Order where there exists a question of order or procedure.
  5. Enforce compliance with this Constitution.
  6. Supervise and direct the duties of Executive Council and StudentService Council members.
  7. Assign duties when necessary to any and all Executive Council and StudentService Council members.
  8. Act as Spokesperson for the CUS.
  9. Maintain relations and communications with key Sauder School of Business contacts including, but not limited to:
    - i. the Dean and Dean's Office
    - ii. the Director of Undergraduate Programs and Undergraduate Programs Office
    - iii. the Alumni Office
  10. Coordinate with the CUS Alma Mater Society Representative to maintain relations, communications and representation of the general membership of the CUS to the Alma Mater Society.
  11. Ensure regular attendance of the Alma Mater Society Council by him/herself or an appointed proxy as per AMS Proxy Policy.
  12. Perform duties required to further the mission of the CUS.

## ARTICLE VII: Alma Mater Society Representative

- A. Responsibilities and Powers
1. Coordinate with the President of the CUS to maintain relations, communications and representation of the general membership of the CUS to the Alma Mater Society.
  2. Ensure attendance of the Alma Mater Society Council by him/herself or an appointed proxy.
  3. Actively participate in Alma Mater Society Committees.
  4. Attend AMS activities and events to represent the CUS.
  5. Announce AMS activities and events to the general membership of the CUS.
  6. Announce CUS activities and events to the AMS.
  7. Promote strong interfaculty relations.
- B. Adjustments
1. Should the CUS have an additional Alma Mater Society Representative, this Constitution shall be amended to reflect the number of Commerce Alma Mater Society Representatives currently on AMS Council.
  2. Should the CUS lose a seat on AMS Council, this Constitution shall be amended to reflect the number of Commerce Alma Mater Society Representatives currently on AMS Council
    - i. The Board of Directors shall appoint the Official AMS Representative(s) from the Alma Mater Society Representative(s) and the President.
    - ii. In this case, any individual(s) not selected as Official AMS Representative(s) will retain voting power on the Board of Directors and any other responsibilities within the CUS.

## ARTICLE VIII: Senator

- A. Responsibilities and Powers
1. Fulfill the duties, responsibilities, and obligations of the position of Student Senator as dictated by ~~the~~ all and any rules and regulations governing the UBC Vancouver Senate.
  2. Attend all UBC Senate meetings and Student Senate Caucus meetings, representing the best interests of the general membership of the CUS.
  3. Liaise with the university community, UBC Administration, President, Board of Governors, and Chancellor.
  4. Actively participate in Senate Committees.
  5. Promote strong interfaculty relations.

ARTICLE IX: ~~Student~~Service Council

- A. Membership
1. The ~~Student~~Service Council shall consist of the members as dictated by the ~~Student~~Service Council Policy.
- B. ~~Student~~Service Council Meetings
1. Quorum is achieved by a majority (50%) of the members of the ~~Student~~Service Council.
  2. All ~~Student~~Service Council members have the right to one (1) vote.
  3. The President of the CUS shall be Chair of the ~~Student~~Service Council.
    - i. The President shall only vote to break a tie.
  4. Meetings of the ~~Student~~Service Council may be called by the President of the CUS, a simple majority vote (50%) of Executive Council, or a petition of ten (10) ~~Student~~Service Council members.
  5. The ~~Student~~Service Council shall meet at least four times per academic year.
  6. All ~~Student~~Service Council meetings shall be opened to all members of the CUS unless specifically deemed in camera. Only a two-thirds (~~2/3rd~~3) majority vote of ~~Student~~Service Council can deem a meeting to be in camera.
- C. Responsibilities and Powers
1. Responsibilities of ~~Student~~the Service Council shall be outlined in the ~~Student~~Service Council Policy

## ARTICLE X: Ombudsperson

- A. The Ombudsperson shall:
1. Not be eligible to vote on any committee or council he/she is a member of, nor hold any CUS position while serving his/her term as Ombudsperson.
  2. Investigate and make a report based on any:
    - i. Complaint or question that a CUS member has with the CUS and its organizations,
    - ii. Directive from the Board of Directors or the Executive Council, OR,
    - iii. Observed violations of this Constitution.
  3. Recommend a course of action to the Board of Directors or the Executive Council or any of the Society's organizations where such action is necessitated.
  4. Where possible, be responsible for the resolution of any complaint or question referred to in article X, section A(2).
  5. Represent or ensure representation for any active CUS member in approaching the Sauder School of Business

- in individual matters.
- 6. Make known to the members of the CUS that he/she is available for the hearing of complaints or questions by posting on his/her office door and website:
  - i. Specific office hours to be held
  - ii. Contact information of the Ombudsperson
- 7. Announce and hold no less than three (3) office hours per week no less than two (2) days per week during the academic year, excluding exam periods.
- 8. Attend all CUS Board of Directors and Executive Council meetings.
- ~~99.~~ Receive a copy of all written reports from the Executive Council to be held for continuity.
- ~~10.~~ Provide verbal reports on all Ombudsperson related activities to the Board of Directors at least once per month.
- ~~11.~~ Have the right to attend any meetings of Councils, Committees, and other bodies of the CUS, including meetings held in camera.
- ~~12.~~ Act in an impartial and unbiased manner in the exercise of his/her duties.
- ~~13.~~ Maintain confidentiality with respect to all matters brought to his/her attention.
- ~~14.~~ Make a report of the Ombudsperson available to all concerned parties.
- ~~15.~~ Refer unresolved cases, or cases with an actual or perceived conflict of interest, to the AMS Ombuds Office or the UBC Ombuds Office.
- ~~16.~~ In conducting a formal investigation, at minimum:
  - i. Conduct research into the rules and regulations that are pertinent to the complaint,
  - ii. Contact and attempt to interview all parties involved, and invite such parties to make a written submission if they so choose,
  - iii. Produce a written report, summarizing the information gathered in accordance with clauses 14 i. and ii. above, and provide recommendations if appropriate, and,
  - iv. Submit the report to all concerned parties.
- ~~17.~~ Complete all equity training as deemed necessary by the Board of Directors and/or the AMS.

▲ **ARTICLE XI: Committees of the Board of Directors**

A. Purpose and Nature

- 1. Committees shall be formed for a purpose identified by the Board of Directors and act as agents of the Board of Directors.
- 2. The committee sits for a period stated by the Board of Directors at the committee's formation, not to exceed the term of the Board of Directors.
- 3. All standing committees and membership on committees shall be outlined in the Committee Policy

B. Responsibilities and Powers

- 1. Committees are responsible to make regular reports and provide information to the Board of Directors, the ~~Student~~Service Council and Executive Council as required.
- 2. Decisions within the committee are made by a simple majority (50%) vote.
- 3. The decisions or recommendations made by committees are not binding and require consultation of the Executive Council prior to approval by the CUS Board of Directors for implementation.
- 4. Committees have power to investigate and have access to public information (budgets, agendas, minutes, etc.) of organizations within the CUS for the purpose of achieving objectives.
- 5. Committee members are responsible to be present at committee meetings. After a default in attendance of three meetings, it is at the discretion of the chair to remove the member's seat on the committee.
- 6. The chair of each committee is responsible to ensure that the objectives of the committee will be achieved in the given time frame.
- 7. Each committee may apply to the Board of Directors for the use of funds as set aside by the Board of Directors for the expenses of committees in the annual CUS Budget.

▲ **ARTICLE XII: CUS Policies**

- A. The Commerce Undergraduate Society shall be governed by CUS Policies. The CUS Constitution will always supersede any policy in the event of a conflict.
- B. All amendments to CUS policies will be distributed to the general membership of the CUS at least seven (7) calendar days prior to their ratification and application.
- C. A CUS Policy may be created or amended by a two-thirds (2/3) majority vote of the CUS Board of Directors.
- D. Prior to implementation, any new or amended CUS Policy must be presented to the Executive Council no later than twenty-one (21) calendar days after the approval of the CUS Board of Directors.
- E. A list of current policies shall be maintained in the Operations Policy. Any amendment or addition of policies shall be reflected in the Operations Policy, without deliberate action from the CUS Board of Directors.

▲ **ARTICLE XIII: Annual Budget**

A. Budget Timeline

1. The Executive Council shall receive all budget proposals to be considered in the annual CUS budget no later than May 15.
    - i. In the case of a failure to submit a budget proposal, the Executive Council may assign an appropriate interim budget on behalf of the service, club, or committee.
  2. The Executive Council must submit the budget to the AMS by the appropriate deadline.
    - i. Prior to submitting the budget to the AMS, the Executive Council must vote on and pass the budget with a two-thirds (2/3) majority vote.
  3. The Executive Council must submit the budget to the Board of Directors members no later than June 15th.
  4. The Executive Council must present the budget to the Board of Directors at the first meeting after June 15th.
  5. The Board of Directors must pass the budget no later than July 15
- B. Guidelines for Passing the Budget:
1. The budget will be considered line-by-line by the Board of Directors.
  2. Each line requires a two-thirds (2/3) majority vote to be passed by the Board of Directors.
    - i. If the line item is passed, the line item will not be presented again.
    - ii. If the line item is failed, the Executive Council must make necessary changes and present the failed line items again at the next Board of Directors meeting, which will take place prior to July 15
    - iii. If an unforeseen circumstance or new information arises requiring the revision of a passed line item, the line item may be revised and approved at the next Board of Directors meeting, which will take place prior to July 15
  3. All line items must be passed no later than July 15
- C. Budgetary Powers:
1. The Executive Council can approve any unbudgeted monetary expenditure up to and including \$10,000 by a **simplysimple** majority vote (50%).
  2. The Board of Directors can approve any unbudgeted monetary expenditure up to and including \$50,000 by a simple majority vote (50%).
  3. Any unbudgeted monetary expenditure over \$50,000 must be approved by referendum.
    - i. Budgeted monetary expenditures may exceed \$50,000 without approval of referendum.
  4. Any budgeted monetary expenditure cannot be modified nor adjusted after July 15
- D. Other Budgetary Requirements:
1. The Executive Council must present financial statements to the Board of Directors upon request.
  2. Prior to approval, the Board of Directors must perform due diligence on the presented financial statements to ensure the appropriate use of all financial resources of the CUS.
  3. The budget shall be distributed to the general membership of the CUS within seven (7) days of its approval by the Board of Directors.
  4. The budget shall be updated and distributed to the general membership of the CUS every three months after its approval by the Board of Directors

▲ **ARTICLE XIV: Elections and Turnover**

- A. Administration of the Elections
1. Elections shall be administered by the CUS Elections Officer.
  2. The Elections Officer shall appoint an Elections Committee consisting of at least three (3) members in good standing of the CUS, who do not hold an elected or executive position, nor are candidates for any elected or executive position.
  3. The Elections Committee shall ensure that Elections are run in accordance with the CUS Elections Policy and the AMS Code of Procedure.
- B. Restrictions on Timing of Elections
1. Elections shall be held only during the academic year.
  2. No elections shall be held during exam periods.
- C. Board of Directors – ~~First Year Representative~~
1. Elections for First Year Representatives on the Board of Directors shall occur at the discretion of the current Board of Directors before the end of September.
  2. First Year Representatives may be elected only by those members of the CUS holding First Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
  3. Turnover for the First Year Representatives shall occur on the ~~official turnover date~~ **last day of September.**
- D. Board of Directors – Second Year, Third Year, and Fourth Year Representatives
1. Elections for Second Year Representatives, Third Year Representatives, and Fourth Year Representatives shall occur at the discretion of the current Board of Directors prior to the commencement of Reading Break.
  2. The Second Year Representatives may be elected only by those members of the CUS holding First Year student standing as confirmed by the Undergraduate Programs Office as at the election date.

3. The Third Year Representatives may be elected only by those members of the CUS holding Second Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
4. The Fourth Year Representatives may be elected only by those members of the CUS holding Third or Fourth Year student standing as confirmed by the Undergraduate Programs Office as at the election date.
5. Turnover for the Second Year, Third Year, and Fourth Year Representatives shall occur on the official turnover date.

E. Board of Directors – President, Senator, AMS Representative

1. Elections for one (1) President, one (1) Senator and one (1) AMS Representative shall occur at the discretion of the current Board of Directors prior to the commencement of Reading Break.
2. Turnover for the President and AMS Representative shall occur on the official turnover date.
3. Turnover for the Senator shall be in accordance with Senate policy or on the official turnover date, whichever comes first.

~~F.~~ ~~Board of Directors – Alumni Representatives~~

- ~~1. Turnover for Alumni Representatives shall occur at the official turnover date, subject to the Board Procedures Policy.~~

~~G.~~ Ombudsperson

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

~~GH.~~ Executive Council and ~~StudentService~~ Council

1. Turnover for Executive Council and ~~StudentService~~ Council shall occur on the official turnover date.

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~~ARTICLE XV: Annual Appointments~~

- A. ~~StudentService~~ Council appointments are to be made by Executive Council in an in-camera meeting following the appointment of the Executive Council. Applications for appointment must be made available and advertised per the Hiring Policy.
- B. In the event that a ~~StudentService~~ Council member resigns, is removed by the Executive Council, can no longer claim general membership in the CUS, or becomes in any other way unable to fulfill their duties, his/her vacant position must be filled as outlined in article XV, section A.

~~Article~~ ~~ARTICLE XVI: Recognized Commerce Clubs~~

- A. Any registered AMS club in good standing may apply to the Executive Council to be a recognized Commerce Club. Recognized Commerce Clubs must as their primary focus substantially contribute to the achievement of the CUS mission statement.
- B. Relations and responsibilities with the recognized Commerce Clubs shall be maintained as established in the Clubs Policy.

~~Article XVII: Governance~~

- A. This Constitution shall remain the law governing the conduct and activity of the CUS.
- B. The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall govern the CUS in all cases to which they are applicable and in which they are not inconsistent with this Constitution, the AMS Code of Procedure, Bylaws and Constitution, or any special rules adopted by the general membership of the CUS from time to time.
  1. There shall be a copy of Robert’s Rules of Order Newly Revised available in the Office of the CUS President.
- C. The Board of Directors may create, by a two-thirds (2/3) majority vote, further rules and procedures for the CUS provided that such rules are consistent with, and subservient to, this Constitution.
- D. Nothing within this Constitution shall be interpreted in such a way as to be inconsistent with the AMS Code of Procedure, Bylaws or Constitution.

~~ARTICLE XVIII: Record of Constitution~~

- A. A copy of this Constitution shall be kept on file at the AMS Archives and the CUS Offices and shall be available

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for viewing.

- B. A copy of this Constitution shall be published on the CUS website.
- C. In circumstances where there is a disagreement between two or more copies of the CUS Constitution only the printed copy of the CUS Constitution, kept in the Office of the President of the CUS, signed and dated by all members of the current Board of Directors, shall be considered the official version.
- D. A record of all past constitutions and amendments must be kept in the Office of the Ombudsperson in perpetuity.

ARTICLE XIX: Referendums

- A. A referendum shall be called by the President of the CUS upon:
  - 1. a resolution of the Board of Directors, OR
  - 2. a petition, delivered to the President of the CUS and signed by 100 members. The petition must include the petitioners':
    - i. names;
    - ii. student number
    - iii. year of academic standing; AND,
    - iv. the specific request that is to be voted on.
- B. Upon formal receipt of a petition in accordance with Article XIX, Section A(2), the Board of Directors and petitioners, or their delegates, henceforth "the parties", must agree on the wording of the question. Should the parties be unable to agree on the wording, the Ombudsperson shall act as binding arbitrator.
- C. The question posed in a referendum shall be drafted so that it may be answered "yes" or "no".
- D. Subject to article XIX, section E, upon the finalization of the wording of the question, the President shall hold the referendum no sooner than seven (7) calendar days, and no later than thirty (30) calendar days.
- E. Referendum shall only be held except during the academic year, excepting the exam period.
- F. Should less than fourteen (14) calendar days of the referendum period established in article XIX, section D occur during the academic year, the Elections Officer may delay the referendum until the first thirty (30) calendar days of the next academic year.
- G. A referendum of the CUS shall be acted upon by the CUS where:
  - 1. subject to other sections in the Constitution, a simple majority (50%) of votes cast support the referendum; AND
  - 2. at least fifteen (15%) of the general membership of the CUS has voted.
- H. All referendums shall occur in accordance with the Elections Policy of the CUS.

ARTICLE XX: Recall

- A. Recall of the President, Senator, AMS Representative, or a Year Representative of the Board of Directors of the CUS:
  - 1. The President, Senator, AMS Representative, First Year Representatives, Second Year Representatives, Third Year Representatives, or Fourth Year Representatives of the Board of Directors may be removed from office by a referendum, held in accordance with article XIX, ~~and initiated by petition as per article XIX, section A(2).~~
  - 2. A Year Representative of the Board of Directors may only be recalled by the members of the CUS originally eligible to elect the Representative.
  - 3. A vote to remove the President, Senator, AMS Representative, First Year Representatives, Second Year Representatives, Third Year Representatives, or Fourth Year Representatives of the Board of Directors of the CUS shall be acted upon by the CUS where:
    - i. sixty (60%) of the votes cast support the referendum; AND,
    - ii. at least fifteen (15%) of the eligible general membership of the CUS have cast a vote.
- B. Recall of the Ombudsperson of the CUS:
  - 1. The Ombudsperson may be removed by a referendum, held in accordance with article XIX.
    - i. A referendum to recall the Ombudsperson must be initiated by petition as per article XIX, section A(2).
  - 2. A vote to remove the Ombudsperson of the CUS shall be acted upon by the CUS where:

- i. sixty (60%) of the votes cast support the referendum; AND,
- ii. at least fifteen (15%) of the general membership of the CUS have cast a vote.

C. Subject to article XIV, section B, an election to fill any recalled elected position shall be held within 30 calendar days.

- 1. ~~1.~~ Should less than fourteen (14) calendar days of the remain in the academic year before the beginning of the exam period the Elections Officer may delay the election to the first thirty (30) calendar days of the next academic year.

D. Recall of Alumni Representatives from the Board of Directors of the CUS:

- 1. Alumni Representatives may be removed from the Board of Directors by a two-thirds (2/3) majority vote of the Board of Directors.

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ARTICLE ~~XXIV~~XXI: In Term Vacancies

A. In the event that any position-holder elected by the general membership of the CUS is unable to fulfill their obligations, the Board of Directors shall designate, by a simple majority (50%) vote, an individual to act in that position until an election to fill the vacated position can be held.

B. Subject to article XIV, section B, the election shall be held within 30 calendar days.

C. Should less than fourteen (14) calendar days of the remain in the academic year before the beginning of the exam period the Elections Officer may delay the referendum until the first thirty (30) calendar days of the next academic year.

ARTICLE ~~XXIII~~XXII: Amendment of the Constitution

A. ~~This Constitution may only be amended by:~~

- 1. ~~A~~a referendum, held in accordance with the CUS Elections Policy.

2.A. A vote to amend the Constitution shall be acted upon by the CUS where:

- i1. ~~two-thirds (2/3) of the votes cast support the referendum, AND~~
- #2. ~~at least ten (10%) of the general membership of the CUS have cast a vote.~~

B. Should a parent or subsidiary organization change its name, references in this Constitution to that organization shall be changed to reflect the new name of the organization.

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ARTICLE ~~XXIV~~XXIII: Implementation

A. Effective Date

- 1. By the power of a vote of two-thirds (2/3) majority or greater of at least ten (10%) of the General Membership of the CUS, this Constitution will come into force February 1<sup>st</sup>, ~~2011~~2012.

- 2. ~~Any amendments that can be retro-actively implemented after this constitution coming to force will be implemented~~

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