

CSU BYLAWS

**As Adopted in
December 2011
and
Amended in:
March 2013
November 2013
March 2014**

CONCORDIA STUDENT UNION

GENERAL BY-LAWS (2014-1)

NAME

- 1.1 The name of the company shall be Concordia Student Union in English and Syndicat des étudiants et étudiantes de Concordia in French (the “Student Union”).

OBJECTS

- 2.1 The objects of the Student Union are:
- a. To form a representative Student Union to promote the educational, political, social, recreational and cultural interests of its members;
 - b. To provide for student representation on various boards, councils, and committees of Concordia University;
 - c. To co-operate with other organizations having similar interests in promoting student activities and interests;
 - d. To consider and support activities which enhance the quality of life for students of Concordia University;
 - e. To represent its membership as required;
 - f. To engage in such other activities and undertakings as may seem appropriate to the Student Union;
 - g. To increase awareness, to educate and to mobilize with a view to promote the quality of the environment and of life, both with regard to the student population and the public in general, the whole subject to the *Act Respecting Private Education*;
 - h. To be the representative of the undergraduate students of Concordia University pursuant to the accreditation granted to the Student Union pursuant to the *Act Respecting the Accreditation and Financing of Students' Associations*.

MEMBERSHIP

- 3.1 Every undergraduate student registered in a credit course or its equivalent and subject to the Student Union fee at Concordia University shall be a member of the Student Union. Membership entails the right to vote in all elections, by-elections, general meetings and to run and hold an elected office in the Student Union or serving as the Chief Electoral Officer or on the Judicial Board.
- 3.2 Membership starts on the first day of the semester in which the student in registered in a credit course or its equivalent and subject to the Student Union fee, as defined in the University’s academic calendar.
- 3.3 Membership in the student union will expire the day following Concordia University’s DNE drop deadline the semester following the last semester they were registered in a credit course or its equivalent and subject to the Student Union fee, or the fall semester if the last semester the member was registered in a credit course or its equivalent and subject to the Student Union fee was the winter semester. . For greater clarity, a member who registers for the following winter and does not register for the fall semester will be an associate member for the duration of the fall semester.

- 3.4 An undergraduate student who does not fulfill the conditions for membership but who is still registered in a program at a university will be considered an associate member. This will include students who are under a suspension, waiting for their graduation or on a leave from their program of studies. Associate members have access to services offered by the student union but do not have the right to vote in all elections, by-elections, general meetings and to run or hold an elected office in the Student Union or serving as the Chief Electoral Officer or on the Judicial Board. The Council of Representatives, by a two-thirds majority vote at a meeting duly convened for that purpose, may, in exceptional circumstances, grant temporary membership to an individual who is not a member, with full rights and privileges, for a period ending not later than the last day of registration of the succeeding Fall term of Concordia University. When a student requests the granting of temporary membership he remains a member until the next regular meeting of the Council of Representatives where his request will be disposed of. Exceptional circumstances are defined to mean that the lack of membership is due to the actions or decision of a third party outside of the power and ability of the member to remedy such as a contested suspension or expulsion, late registration not processed by the university, visa problems unresolved because of the government bureaucracy etc.
- 3.5 The Council of Representatives, by a two-thirds majority vote at a meeting duly convened for that purpose, may, to recognize a special contribution to the Student Union, grant honorary membership to an individual who is not a member, with no right to vote in all elections, by-elections, general meetings and to run and hold an elected office in the Student Union or serving as the Chief Electoral Officer or on the Judicial Board.

FACULTY AND DEPARTMENTAL ASSOCIATIONS

- 4.1 The Student Union recognizes and defines a faculty association as an academic association organized by, comprised of and representing students of a particular faculty and all of the departments contained therein.
- 4.2 The Student Union recognizes and defines a departmental association as an academic association organized by, comprised of and representing students of a particular department, school, college, institute, autonomous program or "academic unit" as defined by the University Calendar.
- 4.3 In addition to any afforded to them by law, the powers of faculty and departmental associations are as follows:
- a. To select and appoint representatives to the University bodies with a mandate specific to their faculty or department;
 - b. In the case of a faculty association, to administer the departmental associations within that faculty.
- 4.4 Should a faculty association not exist in any faculty, the Student Union shall take on the responsibilities of the faculty association on an interim basis.

GENERAL MEETINGS

- 5.1 All meetings of members must be called with at least five (5) days notice and must be properly advertised on both campuses by posters, on the Student Union website and if possible by at least one notice in a publication distributed on both campuses. The posters and notice of meeting shall contain the place, date and time of the meeting, the proposed agenda, and the proposed resolutions in the case of a Special General Meeting of members.

ANNUAL GENERAL MEETING

- 5.2 The Annual General Meeting of members shall be held solely for the following purposes:
- a. Receiving the Chief Electoral Officer's report on the Annual General Elections of the Student Union and on any Student Union referendums or by-elections held concurrently;
 - b. Receiving the audited financial statements of the Student Union for the last fiscal year and the auditors' report thereon as well as the interim financial statements up to at least the end of February of the current fiscal year;
 - c. Appointing the auditors for the ensuing year, where an open tender process must occur at a minimum every three years;
 - d. The presentation of a written annual report from the outgoing President.

The quorum for the Annual General Meeting of members shall consist of thirty (30) members. The Annual General Meeting of members shall be called by the Council of Representatives to take place during the last week of April and by the latest on April 30th annually.

SPECIAL GENERAL MEETING

- 5.3.1 A Special General Meeting of the members may be called by the President or the Council of Representatives solely for the purpose of considering specific resolutions proposed by the President or the Council of Representatives, such resolutions to be included in the notice of meeting. Special General Meetings may amend such proposed resolution to the extent that such amendments pertain to the same topic as the original resolution. Resolutions adopted by a Special General Meeting of members are binding upon the Student Union, subject to the respect of these By-Laws and the Quebec Companies Act part III, until they have been repealed or amended by the members in a Special General Meeting or a referendum. The Quorum for a Special General Meeting of members shall consist of 450 members.
- 5.3.2 A Special General Meeting of the members may also be called by the presentation of a petition signed by at least 250 members to the Chairperson of the Council of Representatives. Such petition must set out the reasons for the meeting and the specific resolutions to be considered at such meeting. The Chairperson of the Council of Representatives must inform the Representatives of such a petition at the earliest possible time and hold the meeting within thirty days from receiving the petition.

- 5.3.3 The petition must designate up to three members of the Student Union as the promoters of the petition. The promoters may cancel the Special General Meeting called by their petition by giving written notice to this effect to the President or the Chairperson of the Council of Representatives.

INFORMATION GENERAL MEETING

- 5.4 The President or the Council of Representatives may also from time to time, call Information General Meetings of the members to provide information on various topics to be determined by the President or the Council of Representatives. Such Information General Meetings have no quorum requirement and may not serve as a forum to make decisions binding upon the Student Union

COUNCIL OF REPRESENTATIVES

- 6.1 The governing authority of the Student Union shall be vested in the Council of Representatives.

COMPOSITION

- 6.2.1 The Council of Representatives shall be composed of a minimum of two Representatives from each of the Faculties of Concordia University representing the members enrolled in those Faculties.
- 6.2.2 The maximum number of Representatives shall be thirty (30), as stated in the Student Union's letters patents. The composition not specified in 6.2.1 above shall be determined by the Council of Representatives before calling the Annual General Election of the Representatives. The composition decided upon shall appropriately reflect the composition of the membership in the different faculties of the University. For the purposes of this Article, the collectivity of Independent Students is deemed a faculty.
- 6.2.3 In addition to the above, the following shall be the advisors to the Council of Representatives with permanent ex-officio rights to speak at Council meetings: members of the Executive, members of the Judicial Board the Chairperson and Secretary of the Council of Representatives and the members elected or appointed to the Board of Governors and University Senate.
- 6.2.4 Representatives shall sit as such for one year until their replacements, elected at the annual general election, take office, or until their resignation or removal from office. An incumbent Representative may run for re-election.

TASKS AND POWERS

- 6.3 The tasks and powers of the Council of Representatives may only be properly exercised in the course of a duly convened meeting of same. In particular the Council shall do or cause to be done the following:
- a. Administers the affairs and formulate policy for the Student Union
 - b. Approve budgets of the Student Union and its affiliate organizations
 - c. Act as the final authority on appointments of the Student Union
 - d. Enact, amend or repeal by-laws, policies, regulations and resolutions which shall be binding on' the Student Union, its affiliated organizations,

officers, employees, and all others under its authority. Regulations shall be policies of a permanent nature which may only be adopted, amended or rescinded by a two-thirds majority vote of the Council of Representatives at a meeting specifically called for that purpose.

- e. Enact, amend or repeal policies, regulations and resolutions for its own procedure to ensure its own proper functioning.
- f. Enact, amend or repeal policies and resolutions so that the Student Union will conform to any policy or resolution passed in a duly convened Special General Meeting, and to the results, affirmative or negative, of duly conducted referendums which met quorum.
- g. Such other acts as allowed by law which do not contravene these by-laws.

CHAIRPERSON

- 6.4.1 The Chairperson of the Council of Representatives is elected from among the members by the Representatives to chair and administer meetings of the Council and to act on behalf of the Council when instructed to do so by the Council.
- 6.4.2 The term of the office of the Chairperson shall run from the first meeting of the newly inducted Representatives to the time when their successors, elected at the following Annual General Elections, take office. However, should the chair be vacant, the Council of Representatives shall, within twenty (20) days, elect a new Chairperson from among the members to carry out the duties stated in 6.4.1 above for the remainder of the term. The Chairperson may be removed by a two-thirds majority vote of the Council of Representatives at a duly convened meeting of the Council of Representatives.
- 6.4.3 Representatives and members of the Executive and of the Judicial Board may not assume the chair except on an acting basis, and then only when the regular Chairperson is absent or incapacitated, or when there is no regular Chairperson.
- 6.4.4 The Chairperson may not vote. Nevertheless, a Representative who is an acting Chairperson may vote in the event of a tie and may vote in all secret ballots.

SECRETARY

- 6.5 The Council of Representatives shall elect a Council Secretary from the members of the Student Union to hold office from the first meeting of the newly inducted Representatives to the time when their successors, elected at the following Annual General Elections, take office. Should the position of Council Secretary be vacant, the Council of Representatives shall, within twenty (20) days, elect a new Council Secretary from among the members. The Secretary shall be responsible for preparing minutes of all meetings of Council and General meetings of the members. The Secretary may be removed by a simple majority vote of the Council of Representatives at a duly convened meeting of the Council of Representatives.

MEETINGS

- 6.6.1 Regular meetings of the Council of Representatives shall be held on the second Wednesday of every month, except September where the meeting will take place on the third Wednesday. There shall be no regular meeting during the months of July and August and two regular meetings during the months of October, November and January where the second meeting will be held on the fourth Wednesday of those months.
- 6.6.2 The agenda must be distributed the Friday before any regular Council meeting. Should the Friday not be a day according to the By-Laws the agenda shall be distributed on the first day preceding that Friday.
- 6.6.3 The President or any three Representatives may call a special meeting of the Representatives. Two days' notice must be given to each Representative.
- 6.6.4 The quorum for the meetings of the Council of Representatives shall be one-third of sitting Representatives.

PROCEDURE

- 6.7.1 Procedure at meetings of the Council of Representatives shall be governed by Roberts Rules of Order (latest edition), except when such Rules contravene these by-laws or the Quebec Companies Act Part III.
- 6.7.2 No Representative shall vote by proxy.
- 6.7.3 Notices of meetings, agendas and related documents may be transmitted by electronic mail, by regular mail, by commercial delivery, by delivery in a reserved mailbox at the offices of the Student Union or by such other means as the Council of Representatives may determine from time to time.

EXECUTIVES

- 7.1 The Executive shall be composed of the President and seven (7) Vice-Presidents. . The Vice-Presidents are directly responsible to the President and to the Council of Representatives.
- 7.2 The Executive shall submit written reports to the Council of Representatives for distribution with the agenda for the first regularly scheduled council meeting of each month.
- 7.3 The President may fill a vacancy in a Vice-Presidency from among the members, subject to ratification by a majority of the Council of Representatives.
- 7.4 Should there be a vacancy in the Presidency, the Council of Representatives shall appoint a President from among the remaining Vice-Presidents for the remainder of the term of office. Should no Vice-President remain in office or be willing to be appointed, the Council shall appoint a President from among its members by two-thirds majority vote, at a meeting duly called for such purpose, who shall thereupon be deemed to have resigned from the Council of Representatives.

- 7.5 Each member of the Executive shall have ex-officio right to present motions at meetings of the Council of Representatives as if a voting member.

PRESIDENT

- 7.6 The President shall:
- a. Be the Chief Executive Officer of the Student Union;
 - b. Be the official representative and chief spokesperson of the Student Union;
 - c. Be an ex-officio member of every committee and affiliated organization of the Student Union;
 - d. Delegate responsibilities as s/he sees fit;
 - e. Have the power to veto any action of any individual or group which would violate or seek to violate these by-laws or regulations of the Student Union. Such a veto must be ratified by the Representatives at the first succeeding duly convened meeting of the Council of Representatives following the enactment of said veto. If said veto is not ratified at this time, it is null and void. Notwithstanding, the president cannot veto a decision of the Council of Representatives or of the Judicial Board.
- 7.7 The President shall implement the decisions of the Council of Representatives, be responsible for the day-to-day administration of the Student Union and shall have the authority to exercise in writing, by decree, all the powers of the Council of Representatives between meetings of the latter, limited only by policy, regulation or resolution passed by the Council of Representatives, by the results of duly conducted referendums and/or Special General Meeting(s) which met quorum and the dispositions of the Quebec Companies Act part III. Any exercise of the powers of the Council of Representatives by the President shall be reported to the next meeting of Council for ratification. The exercising of the decree can only be used for unforeseen emergencies that cannot be remedied by calling a Special Meeting of the Council of Representatives or where a Special Meeting of the Council of Representatives failed to remedy the situation or failed to achieve quorum.

VICE PRESIDENTS

- 7.8 The Vice-President Finance is responsible for preparing the budget of the Student Union, ensures that the financial information is up to date and reported on a monthly basis to the Council of Representatives and to ensure that access to the financial information available to the members is done effectively. The vice-president finance is also responsible to ensure that the budget adopted by Council is respected and that expenses are made in the interest of the Student Union. The vice-president finance will also sit on the board of CUSACORP and on the financial committee.
- 7.9 The Vice-President Academic and Advocacy is responsible for the coordination and chairing meetings of the student academic caucus. The Vice-President is also the liaison to the Graduate Student Association and the individuals responsible for academic bodies on all academic issues, as well as sitting on or appointing students to the academic bodies of the university.

- They are also responsible for overseeing the advocacy office and the legal clinic.
- 7.10 The Vice-President External Affairs and Mobilization is responsible for the liaison with all organizations outside of the University. The vice-president is also responsible for the organization and mobilization of the students to participate in the various campaigns of the Student Union and will sit on the External and Campaigns committee.
- 7.11 The Vice-President Clubs and Internal Affairs is responsible for overseeing all non-academic related services of the Student Union and the development of clubs services. The Vice-President will also act as the Secretary of the Corporation and is responsible for all the corporate books of the Student Union. They are responsible for the liaison with clubs, the management of clubs budgets and will sit on the Clubs and Space committee.
- 7.12 The Vice-President Student Life is responsible for the organizing of student orientation and the major events related to student life on campus. The Vice-President is also the liaison for faculty associations.
- 7.13 The Vice-President Sustainability is responsible for the development of environmental and social sustainability policy for the union. The Vice-President will also sit on the Sustainability Action Fund (SAF) board of Directors as well as the Concordia Volunteer Abroad Program (CVAP)'s board of directors and is responsible for supporting student sustainability initiatives on campus and within the Concordia community.
- 7.14 The Vice-President Loyola is responsible for overseeing and maintaining the CSU presence at Loyola and ensuring that Loyola students best interests are represented within the union and university community. The Vice President will encourage building ties between both campuses and encouraging a united university community.

JUDICIAL BOARD

COMPOSITION

- 8.1.1 The Judicial Board shall be composed of no less than three and no more than nine members of the Student Union. The Council of Representatives may, by a two-thirds majority vote, fill a vacancy on the Judicial Board. Members of the Judicial Board shall be appointed for as long as they are members
- 8.1.2 The Council of Representative, by a 2/3 majority vote shall name a legal adviser to the Judicial Board. The legal adviser shall a member of the Quebec Bar and shall be responsible to provide training to members of the Judicial Board on an annual basis related to procedure and the rules of natural justice. The legal adviser shall also serve as a non-voting chair to hear appeals to the Judicial Board related to Annual General Elections and direct the procedure for such appeals. The adviser shall be appointed for a five (5) years mandate. The legal adviser cannot have held any offices in the Student Union, in an organization the Student Union is a member of and cannot accept any professional work outside the legal adviser mandate during the course of his term and for five (5) years following the end of his term.

POWERS AND TASKS

- 8.2 The Judicial Board of the Student Union shall, upon the written request of any member or member association, convene to:
- a. Interpret these by-laws and the validity of regulations and resolutions enacted by the Council of Representatives.
 - b. Declare invalid any act of any member who through his or her action derogates from these by-laws or from the constitution of any member association of the Student Union.
 - c. Settle disputes on matters concerning the Student Union between its members, officials and/or constituted bodies.
 - d. It is the duty of the Judicial Board to act upon any violation to By-Laws and Constitutions that comes to light stemming from an ongoing investigation; even if such violations are not directly related to the original complaint.
 - e. The Judicial Board may issue provisional decisions to safeguard the rights of the parties in the course of proceedings. Provisional decisions are issued when they are urgent and necessary to avoid an irreparable prejudice which the final decision could not effectively remedy. Such provisional decisions require a two-thirds majority vote of the Judicial Board. Provisional decisions remain in effect until the final decision is rendered, save earlier revocation by the Judicial Board.

PROCEDURES

- 8.3 The Judicial Board shall observe the following procedures:
- a. It shall render all its decisions in writing and answer those questions put to it by a plaintiff. In the case of a plaintiff naming a respondent, that respondent must be notified in writing of the case, charges, and all other relevant matters to the case.
 - b. It shall keep a digital copy of all decisions made. Those decisions shall be made available to any member of the Student Union at the latest five (5) days following such request. In the case that confidential information is included in the decision the copies available to the members shall be modified to remove any nominative information.
 - c. It shall not dismiss charges of any plaintiff without having sat in session and shall act in accordance with the rules of natural justice.
 - d. The Judicial Board shall keep a list of upcoming hearings on the Student Union website. It may invite interested parties, even those not named by a plaintiff or respondent, to attend a session of the Judicial Board. The Judicial Board shall also consider requests to intervene as an interested party from members who are not invited by the Judicial Board.
 - e. In the event of new evidence forthcoming, any member or member association may request that such evidence be considered at a new hearing. The Judicial Board shall determine whether new evidence has been presented.
 - f. The quorum for the duly convened Judicial Board meeting shall be a simple majority or three (3) members, whichever is greater.
 - g. Every final decision of the Judicial Board must be presented in writing to the Council of Representatives at the meeting following such decision.

Decisions of the Judicial Board shall be considered final and binding. However, the Council of Representatives may, at the request of a party to proceedings, annul a decision of Judicial Board, by a four-fifths majority vote at a special meeting duly convened for such purpose, should it conclude that the Judicial Board decision was manifestly unreasonable or was motivated by racism, sexism, collusion, bribery, homophobia or conflict of interest.

- h. The Judicial Board shall keep for a period of twelve (12) months copies of all recordings, transcripts and exhibits related to a decision in case remedy is sought in a court of law or otherwise subpoena.

GENERAL ELECTIONS, BY-ELECTIONS AND REFERENDA

- 9.1.1 The Representatives and the Executives shall be elected annually in the Annual General Elections, which takes place during the month of March.
- 9.1.2 Candidates for the Executive run individually for the positions of President, Vice President Finance, The Vice-President Academic and Advocacy, Vice-President External Affairs and Mobilization, Vice-President Clubs and Internal Affairs, Vice-President Student Life, Vice-President Sustainability and Vice-President Loyola.
- 9.1.3 Candidates for the Council of Representatives, Senate and Board of Governors run individually and independently.
- 9.2 The Council of Representatives shall appoint a Chief Electoral Officer for the Annual General Elections, by-elections or referenda. The Chief Electoral Officer shall be charged with the supervision of the said plebiscites and shall report the results of such in accordance with the by-laws.
- 9.3 The Annual General Elections and any by-elections or referenda held concurrently, and the Chief Electoral Officer's report of such shall be deemed to form part of the proceedings of the Annual General Meeting.
- 9.3.1 Vacant seats on the Council of Representatives may only be filled through a by-election called in accordance with these by-laws and regulations. If such a by-election is not held at the same time as the Annual General Elections, the report of Chief Electoral Officer shall be tabled at the first succeeding meeting of the Council following said by-election.
- 9.4 The following procedures shall be complied with:
 - a. The Chief Electoral Officer must file the results of a by-election with the Chairperson of the Council of Representatives on the day following the expiry of the deadline to contest same, indicating whether such a contestation has been filed;
 - b. If a contestation is filed, the Chief Electoral Officer must immediately file a copy of the decision rendered thereon with the Chairperson of the Council of Representatives;
 - c. The Judicial Board must immediately file with the Chairperson of the Council of Representatives a copy of any appeal of the decision of the Chief Electoral Officer;

- d. Similarly, the Judicial Board must immediately file a copy of its decision on the appeal, or a notice of discontinuance, with the Chairperson of the Council of Representatives;
 - e. Upon the delays to contest or appeal having expired without the filing of a contestation or appeal, or upon a final decision being rendered or a notice of discontinuance being received, the Chairperson of the Council of Representatives shall call a special meeting of the Council of Representatives within five (5) days to receive the final results.
- 9.5.1 A by-election may only be held during the fall and winter academic sessions on days when regular classes are held.
- 9.6.1 The Council of Representatives may choose to call referenda on amendments to these by-laws or on questions of importance to the Student Union. The Chief Electoral Officer's report on such referenda shall form part of the proceedings of the Annual General Meeting if such referenda are held concurrent to an Annual-General Election. The procedure set out in paragraphs a) to e) of Section 9.4 shall apply *mutatis mutandis* to referenda. Referenda may also be called by a petition of at least five-hundred (500) members presented to the Chairperson of the Council of Representatives a minimum of five (5) days before the announcement of the Poll. The stipulations of by-laws 5.3.2 and 5.3.3 apply, *mutatis mutandis*, to this by-law. Any petition concerning the introduction or change in a fee levy must in addition to receiving the respective amount of signatures, follow the dispositions of these By-Laws and CSU Standing Regulations.
- 9.6.2 In addition to the above, the promoters of a petition for the calling of a referendum are responsible to come and present their petition to the Council of Representatives prior to circulating it on campus. The purpose of such a presentation is only to allow for discussion between Council and the promoters and to solicit feedback on the proposed question. The Council of Representatives shall have no decision-making power regarding the wording of any question presented for discussion, nor over the ability of the promoters to pursue their petition, nor over the putting of that question to referendum.
- 9.7.1 Representatives and Executives elected at the Annual General Elections, shall take office on June 1st following said election. The elected executive members will start working on May 1st following the elections for a transition period of one month. During that month they shall be given training, have access to the documents related to their portfolios and will have the right to be present at all closed sessions of the Council of Representatives. They will also receive a salary equal to 50% of one month of the salary of an executive member in office for that fiscal year.
- 9.7.2 Representatives elected in a by-election, shall take office upon the Council of Representatives receiving the final results at a special meeting called by its Chairperson pursuant to Section 11.4.1.
- 9.8 Quorum for Annual General Elections, by-elections and referenda shall be 450 members.

- 9.9 No candidate for any position in Annual General Elections or by-election shall be elected by acclamation. In the case of an uncontested candidacy, the candidate shall only be declared elected upon obtaining a majority of votes in a ratification poll held during the Annual General Elections or by-election.

REMOVAL FROM OFFICE

BY REASON OF ABSENCE

- 10.1 Representatives absent from three scheduled regular meetings of the Council of Representatives during a term of office are deemed to have automatically resigned.

MEMBERSHIP STATUS

- 10.2 The Chairperson of the Council of Representatives shall verify the status of all Representatives, Executives, members of the Judicial Board, Chief Electoral Officer and the Chairperson and Secretary of Council to ensure they are members. The verification shall happen after the DNE deadline for Concordia University for the fall and winter semester. The Chairperson shall present his report at the first meeting of Council following the DNE deadlines. The Chairperson shall also bring a copy of the list of members to the Council meeting in order to allow any Representatives to verify the membership status of the people included in the report. Should the Chair find that any individual do not have the membership status to hold their position, the individual(s) will have 48 hours to request temporary membership. Pursuant to article 3.4 of the CSU by-laws, this temporary membership will be disposed of unless the member in question can clearly demonstrate that Exceptional Circumstance, as defined in our by-laws, are the cause of registration difficulties. Should the individual(s) fail to obtain temporary membership, it will be considered as automatic resignation.

BY VOTE OF THE COUNCIL OF REPRESENTATIVES

- 10.3 The President and Vice-Presidents may be removed from office by a two-thirds majority vote of the Council of Representatives for misappropriation of funds, dereliction of duties, violation of these by-laws or of the Regulations adopted thereunder. Ten (10) days of written notice of the proposed removal must be given to the President. The notice must be signed by at least ten (10) Representatives and indicate the alleged cause(s) for removal, including the specifics of the charge(s) and evidence related to the charge(s) the date, time and place of the meeting of the Council of Representatives where the issue will be decided. Should the vote be carried the removal is effective immediately. Should the judicial board reverse the decision of the Council of Representatives, the executive will have the right to receive their salary for the period between the Council of Representatives and the Judicial Board decision.
- 10.4 Vice-Presidents may be removed from office by a majority vote of the Council of Representatives upon the recommendation of the President. Five (5) days of written notice of the proposed removal from office must be given to the Council of Representatives indicating the date, time and place of the meeting of the Council of Representatives where the issue will be decided. The person facing removal must also receive the cause and the evidence to justify the removal from office.

BY PETITION OF THE MEMBERS

- 10.5 Representatives and the Executive may be removed from office by the members who have the right to elect them by a petition presented to the Chairperson of the Council of Representatives. The petition requesting the removal has to be signed by 2500 members in the case of an executive member, 1250 in the case of an Arts & Sciences Representative, 600 in the case of a John Molson School of Business or Computer Science and Engineering Representative, and 300 in case of a Fine Arts or Independent student Representative. Upon receipt the Chairperson must give a copy of the petition to the Representative or Executive concerned and verify the petition within five (5) days of its filing. If a petition has enough valid names the Chairperson must call and hold a special general meeting no less than 5 and no more than ten (10) days following the validation of the petition. The quorum for the special general meeting where the removal from office is to be considered is 450 members if the petition concerns a member of the executive, 225 in the case of an Arts & Sciences Representative, 108 in the case of a John Molson School of Business or Computer Science and Engineering Representative and 54 in the case of a Fine Arts or Independent Representative. The petition must state the name of three promoters who must be student union members. One petition has to be filed for each member to be removed from office and must contain the name of three promoters. The Chairperson and a majority of the promoters must agree on a time and location for the special general meeting to take place. Should no agreement be reached within 5 days of the validation of the petition a majority of promoters can call the special general meeting, choose the time and location and get reimbursed by the Student Union reasonable expenses related to the organization and holding of the special general meeting.

STUDENT UNION FEE

- 11.1 Upon registration at Concordia University, every member shall pay to the Student Union or its agent the Student Union fee set by these By-Laws.
- 11.2 The Student Union fee shall be set by referendum. Notwithstanding by-law 9.6, the Council of Representatives shall have the sole authority to propose the amount of the fee.
- 11.3 No organization affiliated with the Student Union shall be permitted to collect fees independently of the Student Union.

AUDITORS

- 12.1 The Auditor or Auditors of the Student Union shall be appointed annually at the Annual General Meeting of members.

BOOKS AND RECORDS

- 13.1 The Student Union shall maintain and make available to its members at its head office during normal business hours a book or books containing the following:
- a. These by-laws, amendments to it and all regulations enacted or repealed.

- b. The names, alphabetically arranged, and addresses of the members.
- c. The names and addresses of the Representatives and the dates upon which they become and cease to be such.
- d. Minutes of all the meetings of the Council of Representatives, as approved by the Council and signed by the Chairperson and the Secretary of the meeting at which the proceedings were held or by the Chairperson and Secretary of the next succeeding meeting.
- e. Detail as to the receipts and disbursements of the Student Union and the matters to which each of them relates, as well as details of its financial transactions and its credits and liabilities.

FISCAL YEAR

- 14.1 The Fiscal Year of the Student Union shall terminate on the 31st of May. The financial statements of the affairs of the Student Union for the presentation to the members at the Annual General Meeting thereof shall be made up to that date.

SEAL

- 15.1 The Seal of the Student Union shall be circular in form and shall bear the name of the Student Union and the date of its incorporation.

HEAD OFFICE

- 16.1 The Head Office of the Student Union will be in the city of Montreal, Province of Quebec. The Student Union may in addition to the foregoing establish other offices elsewhere as the Representatives may, from time to time, determine.

BANKING AND NEGOTIABLE INSTRUMENTS

- 17.1 The Representatives may, from time to time, by resolution authorize any Representative or Representatives, officer or officers, clerk, employee or agent to transact banking business of the Student Union with such bank or banks and to sign, make draw or accept, endorse or execute in the name of or on behalf of the Student Union, all cheques, promissory notes, bills of exchange or other negotiable instruments. Any and all such documents so signed shall be binding upon the Student Union.

DELEGATION OF POWERS

- 18.1 The Representatives may, from time to time, entrust to and confer upon any one or more of the Representatives or any standing or special committee or any officer or officers of the Student Union for the time being or any corporation or person or attorney or agent or trustee, either within or without Canada such of the powers exercisable by the Representatives as they think fit, including the powers to sub-delegate, for such time and to be exercised for such objects and purposes, and upon such terms and conditions and with such restrictions as they may deem expedient and may from time to time revoke, withdraw, alter or vary all or any of such powers.

CONTRACTS, DOCUMENTS AND DECLARATIONS

- 19.1 All documents and returns required to be submitted to or filed with governmental authorities, customs and excise declarations and returns, affidavits, statutory declarations, proofs of claim or loss and general or partial releases relating to same, waivers or claims of lien or privilege and discharges of same and declarations in respect of garnishment proceedings involving the Student Union or interrogatories upon articulated facts may be signed and executed under seal or otherwise by any member of the Executive or such other person as the Council of Representatives may appoint from time to time for or in the name of and on behalf of the Student Union and if signed and executed as aforesaid, shall be binding upon and enforceable against the Student Union.
- 19.2 Save for the documents referred to in Section 21.1 and all other documents in connection with the ordinary course of activity of the Student Union which may also be signed and executed under seal or otherwise by any member of the Executive or such other person as the Council of Representatives may appoint from time to time for or in the name of and on behalf of the Student Union with the same effect, all documents not in the ordinary course of activity of the Student Union to be signed and executed by the Student Union shall be signed and executed in the name of and on behalf of the Student Union by such persons as may be determined from time to time by resolution of the Council of Representatives and, if required, the corporate seal of the Student Union shall be attached thereto.

AUTHORITY OF BY-LAWS

- 20.1 In the event of any conflict between these by-laws and the constitution of any member association, these by-laws shall take precedence.
- 20.2 All amendments, regulations, and resolutions, motions or decisions of the Student Union, including, but not limited to those made by or in the Council of Representatives, the President, the Judicial Board, Special General Meetings, Referendums and any member association must be made in conformity with these by-laws.

AMENDMENTS TO BY-LAWS

- 21.1 Amendments to these By-Laws and the adoption of any new by-law must be approved by two-thirds majority vote of the Council of Representatives, and shall be in force and effect only after they have been confirmed by a simple majority of a quorum of the members voting in a referendum.
- 21.2 Notwithstanding Section 21.1, amendments may be in force and effect upon approval by a two-thirds majority vote of the Council of Representatives, but shall be in force and effect only until the end of the term of office during which they are enacted, unless they have been confirmed by a simple majority of a quorum of the members voting in a referendum.

GENERAL PROVISIONS

- 22.1 In these by-laws the singular shall include the plural and the plural the singular, where appropriate.

- 22.2 In these By-Laws and any regulation or policy of the Student Union, a day is defined as a business day which excludes Saturdays, Sundays, Good Friday, Easter Monday, third Monday of the month of May, Quebec's National Holiday, Canada Day (or July 2nd if July 1st falls on a Sunday), Labour day, Thanksgiving day, Concordia University Holidays where the University is closed and any days starting December 20th until January 5th inclusively. These days shall not be calculated in calculating any delays under the By-Laws, regulations or policies of the Student Union.

OFFICE HOLDERS

23. Members can only hold one position of Representatives, Executive, Chairperson or Secretary of Council, Judicial Board or Chief Electoral Officer at the same time. Notwithstanding, members who are leaving the position of Chief Electoral Officer and Judicial Board member cannot run or hold office for a period of six (6) months following their resignation or removal.

SPECIAL BY-LAW A

BORROWING OF MONEY BY THE STUDENT UNION

The Council of Representatives of the Student Union may from time to time:

- a. Borrow money upon the credit of the Student Union;
- b. Issue debentures or other securities of the Student Union, and pledge or sell the same for such sums and at such prices as may be deemed expedient;
- c. Delegate to such Officers or Members of the Council as it may designate, all or any of the foregoing powers to such extent and in such manner as it may determine;

SPECIAL BY-LAW B

HOLDING STOCK

The Student Union may use its funds in the purchase of stock in any other company.

SPECIAL BY-LAW C

CUSACORP MANAGEMENT LTD.

The General By-Laws of Cusacorp Management Ltd. adopted by its Board of Directors on February 7, 1994 and ratified by CUSA on February 7, 1994 by resolution of its Board of Directors and the Sole Shareholder Statement adopted by CUSA on February 7, 1994 by resolution of its Board of Directors are hereby confirmed.

Any repeal, amendment or re-enactment, in whole or in part, of the General By-Laws of Cusacorp Management Ltd. or of a Sole Shareholder Statement of the Student Union as sole shareholder of Cusacorp Management Ltd. to restrict the power of its directors, or of the adoption thereof, shall only be approved by a two-thirds majority vote of Concordia Student Union's Council of Representatives at a meeting duly called for that purpose.

Amendments to this Special By-Law must be approved by two-thirds of the sitting representatives duly assembled for that purpose and are only valid until the following Concordia Student Union Annual General Elections, unless ratified by referendum.

SPECIAL BY-LAW D

[Superseded by Special By-Law I]

SPECIAL BY-LAW E

[Superseded by Special By-Law I]

SPECIAL BY-LAW G

[Superseded by Special By-Law I]

SPECIAL BY-LAW H

AFFILIATION AND ACCOUNTABILITY with External Provincial and National Student Organizations

The Student Union may become a member of a provincial or national student organization that requires the Student Union or its members to pay a membership fee to that organization only after the Student Union and the organization enter into a binding, written agreement, which will remain in effect as long as the Society is a member of the organization and containing the following:

- a. The Student Union membership in the organization does not preclude the Student Union membership in other organizations.
- b. The organization will make its by-laws, policies and minutes available online to all members of the Student Union within three (3) months of their approval.
- c. The organization will, within thirty days (2) of receipt of a written request from any member of the Student Union, provide to them a copy of any document in care or control of the organization not lawfully required to be kept private.
- d. The organization recognizes that the Student Union reserves the right to terminate its membership in the organization according solely to the Student Union's by-laws and regulations and according to any of the following procedures:
 - i) by resolution of the Council of Representatives if the Student Union joined the organization by resolution of the Council of Representatives;
 - ii) by a general meeting or a referendum if the Student Union joined by a general meeting or a referendum.

SPECIAL BY-LAW I

LEVY OF STUDENT UNION FEES

The membership fees payable by members of the Concordia Student Union pursuant to Section 11.1 of its General By-Laws and the *Act respecting the Accreditation and Financing of Students' Association* (Quebec) are the following:

General Operations: \$1.75 per credit

Non-Academic Clubs: \$0.25 per credit

Student Space, Accessible Education & Legal Contingency Fund*: \$1.50 per credit

Advocacy Centre: \$0.30 per credit

I/EAC Fee: \$0.06 per credit

TOTAL: 3.86 per credit

(*Previously called Union Building Fund, as per Special By-law G now repealed)

Those fees are refundable in accordance with Concordia University's Fee Payment, Refund and Withdrawal Policy in effect from time to time. This by-law replaces Special By-Law E, Special By-Law F and Special By-Law G concerning the levy of fees.

Any and all resolutions and By-Laws of the CSU (with the exception of its General By-Laws) relating to the fixing, combining and collection of the Fee Levy or any portion thereof and the allocation of such fees for various purposes are hereby repealed, and any agreements or other arrangements of any kind made in connection with the Fee Levy or any portion thereof are hereby cancelled and are replaced by the other provisions of this Special By-Law "I", provided that such repeal and cancellation shall not affect the past application thereof nor the past validity of any measures taken (including without limitation the validity of the past collection of the Fee Levy), resolutions passed, and rights, privileges or obligations created thereunder before their repeal.

Under no circumstances may any representative, member of the Executive, or member of the Council of Representatives consent to an "entente" as defined by the *Règles Budgétaires* and the Quebec Ministry of Education, Leisure and Sports regarding the collection of mandatory institutional fees ("frais institutionnels obligatoires") with Concordia University on behalf of the Concordia Student Union.

The sole method by which the Concordia Student Union may authorize the collection of an increase to mandatory institutional fees is through a duly convened referendum pursuant to these Bylaws and all CSU Regulations. The referendum question must clearly state that the elector is being asked to consent to an increase to a mandatory institutional fee to Concordia University beyond the normally allowed increase as defined by the *Règles Budgétaires* and the Quebec Ministry of Education, Leisure and Sports.

The Council of Representatives of the CSU be and is authorized to incur expenses from the Student Space, Accessible Education, and Legal Contingency Fund, as well as the former Union Building Fund as per Special By-law G now repealed, with the utmost transparency and diligence, and subject to the approbation of a Fund Committee as established by Special By-Law J, to:

A) carry out such studies, make such inquiries, retain such professionals, contractors and other service providers and make any decisions and enter into any transactions or agreements, and generally take any and all other actions that the Council of Representatives of the CSU

considers desirable from time to time in its discretion to improve the facilities available to students for use as student spaces, including without limitation:

(i) the construction, acquisition, disposition, replacement, renovation of, and/or repairs to, such lands and buildings (or parts thereof) located at one or more sites considered suitable by the Council of Representatives of the CSU to serve as student centres;

(ii) acquiring, maintaining and/or disposing of ownership or other occupancy rights in such lands and buildings (or parts thereof) and the operation thereof, including without limitation the leasing, subleasing or use of space by persons carrying on commercial and/or non-commercial activities beneficial or useful to the students, engaging such contractors, building managers and other service providers desirable for the operation, maintenance, repair and/or renovation of such lands and buildings (or parts thereof) and including the payment of all fees and expenses associated with the foregoing (including for greater certainty any rents, taxes, management fees and other costs);

(iii) the obtaining of any financing (in capital and interest and secured or unsecured) contracted for the purposes set forth in this section, according to terms and conditions determined by the Council of Representatives of the CSU; and the use of the funds forming part of the Union Building Fund for any or all of the above purposes as may be authorized from time to time by the Council of Representatives of the CSU;

B) With permission of a two-thirds (2/3) majority vote of the Council of Representatives, to satisfy a judgment or to settle a legal action where the cost to the Student Union would compromise the general operations of the Union.

C) Limited exclusively to the annual interest accrued on the Student Space, Access to Education and Legal Contingency Fund from the previous fiscal year, for the provision of additional resources and to accommodate costs needed in case of a binding strike mandate approved by the membership at a duly convened Special General Meeting specifically for the purpose of protecting the accessibility of postsecondary education.

The Council of Representatives of the CSU, as mentioned above, is authorized to incur expenses from the above mentioned funds. However, expenses incurred from the former Union Building Fund may solely be incurred for the purposes outlined in Section A) above.

The directors of the CSU be and are hereby authorized to present an application to the *Registraire des entreprises* for supplementary letters patent in order to amend article 4 of the CSU's letters patent to increase the value of the immovable properties which may be owned or held by the CSU from \$2,000,000 to \$50,000,000 and that for the purpose of filing an extract of the present resolution with the Quebec authorities, the following French version is hereby approved:

Il est résolu que les administrateurs de l'Union étudiante de Concordia, soient et ils sont par les présentes autorisés à demander l'émission auprès du Registraire des entreprises de lettres patentes supplémentaires visant à modifier l'article 4 des lettres patentes de l'Union étudiante de Concordia afin d'augmenter la valeur des biens immobiliers que peut posséder l'Union étudiante de Concordia de 2,000,000 \$ à 50,000,000 \$.

The Council of Representatives of the CSU be and is hereby authorized to do all other things necessary, desirable or advisable for the due carrying out of the foregoing in any manner which it may deem to be in the best interest of the CSU and of its members, subject only to the specific jurisdiction of the Fund Committee established by Special By-Law J.

Special By-Law J Fund Committee

A Fund Committee is hereby established by this Special By-Law J to oversee, protect, and manage the funds collected and to be collected in the future in the Student Space, Accessible Education, and Legal Contingency Fund as established by Special By-Law I as well as the funds collected in the former Union Building Fund as per Special By-law G now repealed.

Said Committee will be comprised of five (5) members;

- one member of the Council of Representatives of the CSU appointed at the June Council Meeting annually;
- the General Manager of the CSU ex officio;
- the President of the CSU ex officio;
- two (2) external members appointed for a three (3) year term, one being a lawyer not employed nor affiliated with Concordia University, and the other a Concordia University Professor (full or part time) who cannot hold any other elected position within the University.

The Fund Committee is authorized to negotiate and enter into an agreement with a third party, to the exception of Concordia University, with respect to the holding of the management of the funds collected and to be collected in the future pursuant to the Student Space, Accessible Education, and Legal Contingency Fund as established by Special By-Law I as well as the funds collected in the former Union Building Fund as per Special By-law G now repealed. The Committee must implement such measures with regards to the collection, holding and management of said funds as it considered being in the best interest of the CSU. It must, on an annual basis, provide a written report to the Council of Representatives of the CSU on the status of the funds.

If the Council of Representatives of the CSU, as provided by Special By-Law I, decides to incur expenses from the funds, said decision of Council must be ratified by the Committee. Said ratification vote must be carried with a 4/5 majority and all members of the Committee must certify that the provisions of the By-Laws and the CSU standing regulations have been met so that any expense can be incurred as per Special By-Law I.

If the Committee does not ratify the decision made by Council for any reason whatsoever, only a duly convened referendum pursuant to these By-Laws and CSU regulations can forgo the ratification of the Committee. The referendum question must clearly state that the elector is being asked to consent to an expense from the funds as requested by Council but not ratified by the Fund Committee.