



# Motion Item 5.2

UTS Law Students' Society

Special General Meeting

**7 May 2022**

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## MOTION TO AMEND CONSTITUTION

**Mover:**

**Seconded:**

**Motion:** That the Society approve the amendments to the Constitution as annexed to Motion Item 5.2.

**Notes:** This is a motion to approve an amendment to the Society's Constitution and is a Special Resolution passed by over 75% of votes validly cast.

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**ANNEXURE TO MOTION ITEM 5.2**

**ANNEXURE 1**

**Amendment A – amending section 31 Duty not to improperly use information**

**Note to Amendment A**

Recent events have required us to evaluate the best interest duties of Councillors, particularly regarding situations in which a Councillor has obtained sensitive information which may remain useful or provide an advantage after a Councillor's tenure has ended. This amendment will mean that former Councillors will be obliged to not improperly use information relating to the Society that has been obtained during their tenure.

**Amendment B – inserting section 32 [xx]**

**Note to Amendment B**

In order to ensure confidential information regarding the Society is being protected, the insertion of Section 32 [xx] will mean that Councillors and former Councillors will be obliged to refrain from disclosing confidential information relating to the Society without prior written consent.

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## ANNEXURE TO MOTION ITEM 5.2

### ANNEXURE 2

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#### Part 4: Duties on Council Members

##### 31 Duty not to improperly use information

- 1) A member **or former member** of Council must not make improper use of information acquired through their position:
  - a) to gain, directly or indirectly, an advantage for the member or another person, or
  - b) to cause detriment to the Association.

##### 32 Duty to maintain confidentiality

- 1) A member **or former member** of Council must maintain confidentiality of sensitive information acquired through their position, and must not disclose this information to any third parties without obtaining written consent of Council, except if the information:
  - a) is or will be public knowledge; or
  - b) must be disclosed pursuant to applicable laws.

##### 33 Disclosure of material interests by Council member

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#### Part 5: General Meetings

##### 34 Annual General Meetings

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