

# ALSA Bylaw 1 –Finance

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## 1. Scope

- 1.1. The scope of this bylaw is to regulate any and all finance and accounting procedures with regards to the Australian Law Students' Association (**ALSA**).

## 2. Operating Provisions

- 2.1. This bylaw is created under the power conferred upon the Executive under clause 17 of the Constitution.
- 2.2. This bylaw operates subject to the Constitution.
- 2.3. Should a conflict arise between the content of the Constitution and this bylaw, the Constitution will prevail.

## 3. Definitions

- 3.1. The following are defined terms in this bylaw:

**ALSA International Travel** includes travel to attend conferences and/or events of the:

- (a) Asian Law Students' Association;
- (b) European Law Students' Association; and
- (c) New Zealand Law Students' Association.

**Annual Affiliation Fee** means the fee payable under rule 4 and clause 5.3 of the Constitution.

**Flights** includes air travel and sea travel over open ocean.

**Other transport** includes transport other than flights, including but not limited to:

- (a) petrol use;
- (b) taxi and other rideshare fares;
- (c) train fares;
- (d) ferry travel not over open ocean;
- (e) bus fares; and
- (f) other public transport.

**Reasonable** means a decision under this bylaw that shall be determined by the Vice-President (Finance) in consultation with the Executive and will have regard to the following factors, where relevant:

- (a) the available times and fares of flights and other transport;
- (b) distances Executive and Committee members are required to travel;
- (c) additional costs incurred by Executive and Committee members.

- 3.2. In this bylaw, except where the context otherwise requires:

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- 3.2.1. any capitalised words in this bylaw but are not defined in this bylaw have the same definition as in the Constitution;
- 3.2.2. the singular includes the plural and vice versa;
- 3.2.3. another grammatical form of a defined word or expression has the corresponding meaning;
- 3.2.4. a reference to a rule, paragraph, annexure or schedule is a reference to a rule, paragraph, annexure or schedule of this bylaw;
- 3.2.5. a reference to a clause is a reference to a clause of the Constitution
- 3.2.6. a reference to \$ is to Australian currency;
- 3.2.7. a reference to a person includes a natural person, partnership, body corporate, association, governmental or local authority or other entity;
- 3.2.8. the meaning of general words is not limited by specific examples introduced by **including, for example** or similar expressions.

## 4. Affiliation Fees

- 4.1. Refer to clause 5.3 in the Constitution.
- 4.2. An Australian Law Student Society/Association (**LSS/A**) must pay an Annual Affiliation Fee to become or remain an Australian Law Student Society/Association Member (**ALSA Member**) , and to exercise the privileges associated with being an ALSA Member.
- 4.3. Annual Affiliation Fees will fall due at 1 February of each year and upon payment of the Annual Affiliation Fee each LSS/A will remain an ALSA Member, subject to the Constitution, until the conclusion of that calendar year
- 4.4. The Vice-President (Finance) will issue invoices to each LSS/A before 1 February annually for payment of the Annual Affiliation Fee (**Affiliation Fee Invoice**).
- 4.4.1. The Annual Affiliation Fees will fall payable as determined by the particulars of the Affiliation Fee Invoice.
- 4.4.2. The Vice-President (Finance) shall issue a reminder notice by email to a LSS/A with an outstanding balance 14 days after the due date of an Affiliation Fee Invoice .

## 5. Divisions of Annual Affiliation Fees

- 5.1. Annual Affiliation Fees will be divided into three bands as outlined in Schedule 1.
- 5.2. LSS/As will be categorised into one of the three bands by the Vice-President (Finance).
- 5.3. The Vice-President (Finance) will categorise LSS/As into each band dependent upon a range of criteria including:
  - 5.3.1. an approximation of the number of law students enrolled at the university in question (which the LSS/A may submit to the Vice-President (Finance) to assist in categorising that LSS/A under this bylaw);
  - 5.3.2. the relative level of sponsorship and income received in comparison to other like LSS/As; and

5.3.3.

5.3.4. any other relative factor as reasonably determined by the Vice-President (Finance).

## 6. Review

6.1. The Vice-President (Finance) will review this bylaw if deemed necessary by the Executives in office.  
The power to review can be found in the Constitution.

## 7. Committee and Executive Travel Reimbursement

7.1. Refer to clause 24 in the Constitution.

### 7.2. Domestic flights

7.2.1. Where possible, flights for Council Meetings should be booked at least one month in advance with the aim to secure the cheapest fares.

7.2.2. A comparison between available airfares should be conducted by the Executive (taking into account convenience and other relevant matters) and the cost approved by the Vice-President (Finance).

7.2.3. Where rr 7.2.1-7.2.2 are not adhered to, this may render the costs not fully reimbursable as determined by the Vice-President (Finance).

7.2.3.1. In exercising this discretion, the Vice-President (Finance) may have regard to:

7.2.3.1.1. the length of the delay in booking the tickets;

7.2.3.1.2. the cost of the cheapest flight;

7.2.3.1.3. any other relevant matter determined in their reasonable discretion.

7.2.3.2. The reimbursable amount must not exceed the lowest reasonable airfare available.

### 7.3. International flights

7.3.1. Where possible, flights for ALSA International Travel should be booked at least two months in advance with the aim to secure the cheapest fares.

7.3.2. A comparison between available airfares should be conducted by the Executive (taking into account convenience and other relevant matters), and the cost approved by the Vice-President (Finance) and President.

7.3.3. Where rr 7.3.1-7.3.3 are not adhered to, this may render the costs not fully reimbursable as determined by the Vice President (Finance) and the President.

7.3.3.1. In exercising this discretion, the Vice-President (Finance) and President may have regard to:

7.3.3.1.1. the length of the delay in booking the tickets;

7.3.3.1.2. the cost of the cheapest flight;

7.3.3.1.3. any other relevant matter.

7.3.3.2. The reimbursable amount must not exceed the lowest reasonable airfare available.

### 7.4. Other transport

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- 7.4.1. Other transport costs will be reimbursed provided that they were reasonably incurred in the performance of an Executive/Committee Member's duties to ALSA.
- 7.4.2. Public transport fares may be fully reimbursed.
- 7.4.3. Taxi fares (including Uber, and other similar ride-sharing services) (together **Taxi Fares**) may not be reimbursed unless there was no reasonable public transport option available.
  - 7.4.3.1. 'Reasonable public transport option' shall be determined by the Vice-President (Finance) taking into consideration such factors as time, cost or convenience of an alternative transport.
- 7.4.4. Car parking costs are to be treated in the same manner as Taxi Fares.
- 7.4.5. Airport transfers (including by Taxi Fares or public transport) may be fully reimbursed provided they were reasonably incurred in connection with Council Meetings or the Annual Conference.

### 7.5. Exclusions

- 7.5.1. Executive/Committee Members will not be reimbursed where expenditure is incurred as a result of:
  - 7.5.2. personal circumstances within their control;
  - 7.5.3. mistake or failure to act;
  - 7.5.4. failure to mitigate additional expenditure where it may have been reasonably avoided; or
  - 7.5.5. where the expenditure failed to comply with this bylaw.

## 8. Accounting Procedures

- 8.1. The Vice-President (Finance) shall use the Accruals basis for accounting for all financial record keeping and reporting.

## 9. Financial Reports

- 9.1. Refer to clause 18.2 of the Constitution.
- 9.2. The Vice-President (Finance) will present to the Annual Council Meeting the last set of financial statements that have been signed and audited.
- 9.3. The financial statements to be presented to the Annual Council Meeting will include, but not be limited to:
  - 9.3.1. a Statement of Financial Position (Balance Sheet);
  - 9.3.2. a Statement of Financial Performance (Profit & Loss);
  - 9.3.3. a Statement of Cash Flows.
- 9.4. The Vice-President (Finance) will issue a monthly update to the Committee in the last meeting of every month of their term, apart from the month of a Council Meeting and the Annual Conference.
- 9.5. The Vice-President (Finance) will ensure compliance with clause 18.2 of the Constitution.

## 10. ALSA Audit Requirements

- 10.1. ALSA will not be required to undertake an external audit of the consolidated finances unless necessitated by law.
- 10.2. The reconciled accounts, must be sent in electronic copy to LSS/As with the Council agenda prior to the Annual General Meeting so that LSS/As may review and ask questions of the activities of the Executive.
- 10.3. An external audit can occur when the LSS/As requests it of the Executive by simple majority, or as required by law.

## 11. ALSA Annual Budget

- 11.1. A detailed budget for the Committee's term must be approved by a simple majority of the Committee (**Annual Budget**).
- 11.2. The Annual Budget may be varied by a simple majority of the Committee.
- 11.3. Where the Annual Budget is varied in accordance with rule 11.2, the Vice-President (Finance) will as soon as reasonably practicable update the Annual Budget.
- 11.4. The Vice-President (Finance) will present to the December Council Meeting the Annual Budget.
- 11.5. Any expenses incurred by an Executive/Committee Member that is not in the Annual Budget (**Unauthorised Expense**) must not be reimbursed, unless 75% of the Committee retrospectively approves the Unauthorised Expense.

## 12. ALSA Annual Conference

- 12.1. The Vice-President (Finance) will oversee all expenditure, review the budget associated with the Annual Conference (**Conference Budget**), and oversee all related financial activities of the Annual Conference.
- 12.2. The Conference Convenor will collaborate with the Vice-President (Finance) on a Conference Budget at least 18 months prior to the commencement of the Annual Conference.
  - 12.2.1. For the six months prior to the Annual Conference, the Conference Convenor will update the Vice-President (Finance) on expenditure on a monthly basis.
- 12.3. The Vice-President (Finance) will assist the Conference Convenor with any other financial-related matters that they may require.
- 12.4. The Conference Budget must be approved as if it is the Annual Budget.

## 13. Entering into Significant Agreements

- 13.1. Where ALSA proposes to enter into an agreement with a person and that agreement has a value of more than \$5,000 to ALSA (the value being either income or expenditure) (**Significant Agreement**):
  - 13.1.1. the Significant Agreement must be reviewed by the Executive; and

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13.1.2. the Executive/Committee member(s) proposing the Significant Agreement must present three independent quotes for expenditures to the Executive.

13.2. Where an Executive/Committee member(s) enters into a Significant Agreement in contravention of rule 13.1, that/those Executive/Committee member(s) is/are personally liable for any costs associated with that Significant Agreement, and the Executive/Committee member(s) must not be reimbursed by ALSA.

## 14. ALSA Banking Procedures

14.1. The Vice-President (Finance) will maintain all bank accounts necessary to ensure ALSA's day to day operation (each and together **ALSA Bank Accounts**).

14.2. The decision of which accounts, which institution or any other banking related matter will be for the Vice-President (Finance) to decide in consultation with the Executive.

14.3. All payments made from the ALSA Bank Accounts must be approved by the Vice-President (Finance) and the President.

14.3.1. If the President or Vice-President (Finance) is unable to approve a payment the other Executive with authorisation may approve the payment.

# Schedule 1: LSS/A Annual Affiliation Fees

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<b>Affiliation Band</b>	<b>Affiliation Fee</b>
Band 1 (Boutique)	\$250
Band 2 (Mid)	\$400
Band 3 (Large)	\$600

# Appendix 1: Amendments Table

Amendment Date	Author / Amender	Substantive Explanation	Passed by Motion of Council
July-2016	Jacinta Kenward	First issued	AGM, 9 July 2016
29 July 2016	Paul Melican	Amended to include public transport costs in reimbursement.	
16 September 2016	James Zhao	Add cl 8.3.5. to include airport transfer costs in reimbursement	
July 2017	Stef Fraser	Add factors to take into consideration to 3.2.2.2	Yes