

## **Motion proposed for Consideration at General Meeting**

### **A) Constitutional Provisions**

Article 7.7 of the Constitution provides that the role and function of the Student Council is inter alia to amend the schedules and appendices to the Constitution as appropriate.

Article 17 of the Constitution provides for amendment of the Constitution by Referendum or General Meeting.

### **B) Background**

In accordance with Article 17.4 of the Constitution, the Constitutional Review Group has reviewed the current Constitution and has also reviewed the findings of the Quality Review Group engaged to review the governance procedures within the Union. On foot of those reviews, the Constitutional Review Group has recommended that the business of the Union be transferred from its current unincorporated status to that of a Company Limited by Guarantee incorporated under the Companies Act 2014. The Student Council has been provided with a draft of the Constitution for the Company Limited by Guarantee proposed to be incorporated as successor to the current unincorporated Union. The Bye Laws to accompany the Constitution for the Company Limited by Guarantee have yet to be finalised and it is proposed that the Student Council be permitted in accordance with Article 7.7 of the Constitution to approve and adopt the new Bye Laws when submitted for approval. It is also proposed that the transfer of the current business and undertakings of the Union to the Company Limited by Guarantee would not take place until a future date to be determined by the Student Council (“the Commencement Date”) and that with effect from the Commencement Date the existing Constitution of the unincorporated Union would be repealed and replaced by the Constitution of the Company Limited by Guarantee and Bye Laws.

### **C) Motions**

- “1. The draft Constitution of University of Limerick Students’ Union Company Limited by Guarantee (the “CLG”) is hereby approved and Student Council is directed to procure its incorporation upon approval by the Student Council of the Bye Laws intended to accompany it, which said draft Bye Laws have not yet been finalised.
2. The Student Council is hereby authorised to approve the draft Bye Laws to accompany the Constitution of the CLG by a minimum of two thirds of the members present and entitled to vote at a quorate meeting of Student Council.
3. The proposal to transfer the business and undertaking of the current unincorporated Union to the CLG as a future date is hereby approved.
4. The date upon which the business and undertaking of the unincorporated Union is transferred to the CLG (“the Commencement Date”) shall be

determined by a simple majority of the members present and entitled to vote at a quorate meeting of Student Council and with effect from the Commencement Date the Constitution of the unincorporated Union shall be repealed and replaced by the Constitution and Bye Laws of the CLG.”

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4/15/2021

Ahana Maharaj

Chair Person

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