

# Sample School Constitution

Approved by

*His Excellency, the High Honourable Mr. Peter A. McGovern  
The Principal of St. Joseph's Catholic High School,  
And its Parliamentary Guild,*

With the advice of the Staff General & Staff Executive and of

*His Excellency, the Right Honourable Mr. Donald Perna  
Member of the Staff General,  
Whom shall be appointed hereafter as The Governor-General of the  
St. Joseph's Catholic High School Parliamentary Guild,*

With the consent of the author of this Constitution,

*Ryan J. Kernaghan  
School Captain of St. Joseph's Catholic High School,  
And Member of its Parliamentary Guild.*

And so, by the good and faithful permission of the authorities  
aforementioned, this Constitution is hereby enacted

(DATE)

*(Preamble)*

**A declaration from the Principal to constitute the Parliamentary Guild of St. Joseph's Catholic High School in Albion Park (27th February 2005).**

**Whereas** the people of St. Joseph's Catholic High School in Albion Park, humbly relying on the blessing of Almighty God, have agreed to proceed with the creation of a guild that will symbolically represent the interests of the school population in a parliamentary forum of the style present in Westminster, and under the Constitution hereby established:

Be it therefore enacted by the Principal of this secondary educational establishment of New South Wales, by and with the advice and consent of the Staff Executive, and Staff General, in this present hierarchy assembled, and by the authority of the same, as follows:--

1. This Constitution may be cited as the Constitution of the *Parliamentary Guild of St. Joseph's Catholic High School*.
2. The provisions of this Constitution referring to the Principal shall extend to his or her successors in the position therein.
3. It shall be lawful for the Principal, with advice from the Staff Executive, declare by proclamation that, on and after a day therein appointed, not being later than seven weeks after the approval of this constitution, the people of the School will be granted the creation of a guild that will represent the interests of the school population in the manner stated within this Constitution. But the Principal may, at any time after the proclamation, appoint a Governor-General to oversee the execution of his or her interests in the operation and election of the guild.
4. The guild shall be established, and the Constitution of the Guild shall take effect, on and after the day so appointed.
5. This Constitution, and all laws made by the Parliamentary Guild under the Constitution shall be binding only by those members of the guild. Furthermore, this Constitution shall only enable the laws made by the Parliamentary Guild, to be extended to its members and, by the authority of the Principal only, shall the laws be extended to the student body of the School.
6. This Constitution shall consent for the college to be referred to as *the school*.

Furthermore, consent for the Guild to be known by its members as the *Parliamentary Club*, is hereby granted.

7. The Club may pass laws that act in repealing laws previously introduced by the Club, to be considered by the Occasional Senate, and the Principal, and or his deputy in the manner prescribed within this Constitution.

8. The constitution of the Club shall be as follows:-

## *Chapter I. The Parliament.*

### **Part I. —General.**

1. The legislative power of the Club shall be vested in a Parliament, which shall consist of the Principal, an Occasional Senate, and a House of Representatives, and which is herein-after called “The Parliament,” or “The Parliamentary Club”.
2. A Governor-General appointed by the Principal shall be his or her representative in the Club, and shall have and may exercise in the Club, during the Principal’s pleasure, but subject to this Constitution, such powers and functions of the Principal may be pleased to assign to him or her.
3. The provisions of this Constitution relating to the Governor-General extend and apply to the Governor-General for the time being, or such person as the Principal may appoint to administer the Government of the Club.
4. The Governor-General may appoint such times for holding the sessions of the Parliament as he or she thinks fit, and may also from time to time, by Proclamation or otherwise, prorogue the Club, and may in like manner dissolve the House of Representatives.

After any general election, the Club shall be summoned to meet not later than ten days after the establishment of the new Parliament.

5. There shall be a session of the Club once at least in every two weeks, in order to maintain consistency of representation of the people of the School.

### **Part II. —The Occasional Senate.**

6. The Occasional Senate shall be composed of selected members of the Staff General and members of the Staff Executive, to be directly appointed by the Governor-General during the Principal’s pleasure. The people of the School will not elect the Occasional Senate.

The members of this Occasional Senate shall be known as Senators. Three such senators will be selected from the Staff General and the Staff Executive, during the pleasure of the Governor-General. The Governor-General will determine the numbers of the Senate, but the number will not be less than six. The terms of the senators shall be indefinite, but the Senators may withdraw from their positions at any time. The Governor-General may also, at any time, end the term of a Senator.

7. The House of Representatives will make recommendations to the Governor-General with regard to appointment of Senators. The decision of the Governor-General, with regard to the appointment of a Senator is absolute. He or she shall be under no obligation to reveal his or her reasons for the appointment.

**8.** Where a vacant position arises as a result of a Senator's absence from the School, for an extended period, an acting Senator shall be appointed by the Governor-General. The Governor-General, during his or her pleasure, shall seek to replace the permanent Senator, if the circumstance has arisen that he or she has relinquished their position.

**9.** The Occasional Senate shall only meet, during the pleasure of the Governor-General, in the event of the following circumstances arising:--

(i.) A major issue of contention has arisen in the House of Representatives, which has affected operations.

(ii.) The pleasures of the Principal have been omitted in the operation of the Club.

(iii.) To consider and decide upon a possible alteration to policies of the School

(iv.) To decide upon the suspension or cancellation of the term of a member of the House of Representatives

These shall be the only occasions at which the Occasional Senate shall be in session. The House of Representatives must be permitted to operate, undisturbed by the Occasional Senate, within the scope prescribed in this Constitution, unless the aforementioned circumstances shall arise.

**10.** Political persuasions shall not be considered in the operation of the Occasional Senate.

**11.** The Occasional Senate shall not proceed with sitting sessions in the same manner in which business is conducted in the House of Representatives. The Governor-General shall determine the manner in which business shall be conducted in the event of a meeting of the Occasional Senate.

**12.** A Senator is only obliged to report his or her resignation to the Governor-General. The position, until the Governor-General acts upon declaration, will be considered as vacant.

**13.** The Occasional Senate shall meet to make decisions with regard to the House of Representatives. The Senators shall meet in a location to be disclosed by the Governor-General. A minimum of two Senators must be present at these sessions.

**14.** Only he or she that is qualified to be a member of the Staff General and Staff Executive, shall qualify for appointment as a Senator.

The exception to this is where an acting Senator is to be appointed. In that circumstance, any person within the School is qualified for the position.

**15.** Questions arising in the Occasional Senate shall be determined by a majority of votes, and each Senator shall have one vote. When the votes are equal, the question shall pass in the negative.

**17.** On the occasion of a law arising from the House of Representatives, the Senate will discuss the law and make verbal or written recommendations to the Principal. Only the Principal will decide whether the law shall be entered into the policies of the School.

**18.** The Principal, and his or her deputy shall attend sessions of the Occasional Senate, during their pleasure. Only the Governor-General is obliged to be present at these sessions. If he or she is absent from the School, the meeting shall be cancelled, and may be postponed.

### **Part III. —The House of Representatives.**

**16.** This Constitution shall consent for the House of Representatives to be otherwise referred as *the House* and shall be referred to as such hereafter in this Constitution.

**17.** The House shall be composed of members directly chosen by the people of the School, and the number of such members shall be, as nearly as practicable, twice the number of the members of the Occasional Senate.

It shall be the responsibility of the Governor-General to determine the manner in which the election shall be conducted. It shall also be the responsibility of the Governor-General to execute the counting of the results of the election.

The Governor-General is permitted to alter the manner in which the election is conducted, at his pleasure. But the election of the members must be democratic, allowing all members of the School to take an active part in the process, and shall adhere to the preferential style consistent with the Canberra standard, where practicable.

A general election is hereby defined, and the House shall be dissolved and an election of all electorates conducted, thereupon.

An extraordinary election is hereby defined, and the House shall be dissolved and an election of all electorates conducted, thereupon. An extraordinary election shall be held in the event of three members, or in excess of that number, resigning from their seats. An extraordinary election shall also be held in the event of consistent postponements of sessions of the Parliament, as expressed in Section 28 of this Constitution.

A by-election is hereby defined, and an election will only occur in the vacant electorate concerned.

**18.** No person belonging to the School hierarchy shall be disallowed from the right to franchise. Furthermore, no member of the School is obliged to participate in the election of the House. The Principal, and his Deputy, and the Governor-General are the only authorities that shall disqualify a student from the election process.

**19.** The Governor-General shall exclusively determine the increasing or diminishing of the number of the members of the House. Furthermore, the Governor-General is not obliged to explain his actions, with regard to electoral re-division, to the Club.

**20.** The House shall continue as a Parliament for no longer than a year after the previous election, after which, the House shall be dissolved. The dates of the general elections, and extraordinary elections, and by-elections are not to be fixed. The Governor-General, subject to the first clause of Section 21 shall liberally determine these dates. The Governor-General in Council must cause writs to be issued for all elections of the members of the House. These writs shall be audible in the House on the final session of Parliament before the dissolution thereof.

**21.** The Governor-General may dismiss a member, only after consulting with the Occasional Senate, and the Principal, and or his deputy.

**22.** Until the Parliament otherwise provides, the qualifications of a member of the House shall be as follows:--

- (i.)** He or she must not have a disciplinary action against him or her at present from the Disciplinary Board of the School:
- (ii.)** He or she must be a member of the School:
- (iii.)** He or she must have been a member of the School for more than one month.

**23.** The House shall, before proceeding to the dispatch of any other business, choose a member to be the Speaker of the House, and as often as the office of Speaker becomes vacant, the House shall again choose a member to be the Speaker. The Speaker shall be either an elected or non-elected member of the Club. He or she may be removed only by a majority vote of the House, and he or she may resign from his office or his seat through writing addressed to the Governor-General. The Speaker must be free from political persuasion in the form of membership in a party. A fully declared independent member shall be the only member that will be elected to the position. Furthermore, the Governor-General may recommend a member of the Club, to be appointed as Speaker.

**24.** Before or during any absence of the Speaker, the Government shall choose a member to perform the duties of the office in his or her absence.

**25.** A member may, through writing addressed to the Speaker, or to the Governor-General if the Speaker is absent from the School, resign from his seat, which thereupon shall become vacant.

**26.** Whenever a vacancy occurs in the House, the Speaker shall issue his or her writ for the election of a new member, or if there is no Speaker, or if he or she is absent from the School, than the Governor-General in Council may issue the writ of similar consequence.

**27.** The seat of a member shall become vacant if, for four consecutive sessions of Parliament, without the permission of the Governor-General, the member fails to attend the House.

**28.** The House shall conduct a session at least once in every two weeks, on flexible

dates to be proclaimed by the Governor-General. At least half of all members are required to attend these sessions in order to exercise the legislating powers of the Parliament. In the event of an absence of more than half of the Parliamentarians, the session will be postponed. In the event of a consistent diminished presence in the House, the Governor-General, may cause writs to be issued for an extraordinary election and subsequently, the House shall be dissolved.

**29.** If a member of the House of Representatives is involved in a serious infringement of the policies of the school and is severe punitive action is taken by the Disciplinary Board of the School, his or her position or positions shall be revoked by the Governor-General, as advised by the Occasional Senate.

**30.** Only he or she that is a member of the student population shall qualify for election as a member of the House.

**31.** Questions arising in the House shall be determined by a majority of votes. The Speaker shall also vote, and in the event of the numbers being equal, he or she shall decide whether or not the decision shall proceed to an Occasional Senate session for review.

#### **Part IV. —Both Houses of the Parliament.**

**32.** Every member of the House of Representatives, and the Occasional Senate, shall before assuming his or her seat, make and subscribe before the Governor-General, an oath or affirmation of allegiance in the form set forth in the schedule to this Constitution.

**33.** The powers, privileges, procedures and immunities of the Occasional Senate and the House of Representatives, and of the members and committees of both Houses, shall be such that are declared by documents, to be composed and introduced independently from this constitution. Such documents shall only be approved and enacted by the Governor-General.

**34.** The documents to which Section 33 refer, shall establish within the House of Representatives, and the Occasional Senate:

- (i.)** The mode in which its powers, privileges, and immunities may be exercised and upheld:
- (ii.)** The order and conduct of its business and proceedings.

#### **Part V. —Powers of the Parliament.**

**35.** The House of Representatives shall, subject to this Constitution, have the power to introduce and discuss laws to be submitted to the Occasional Senate for review and potential installation in the School. The aim of the club is to promote orderly and just laws for consideration by the School, especially regarding the student population, with respect to:

- (i.) Fundraising, and Charity causes within the School and in the general community:
- (ii.) Uniform Policies:
- (iii.) Rights and Responsibilities of the students:
- (iv.) Home Studies, and Assessment Tasks, and framework, and curriculum matters:
- (v.) Grounds, and Planning, and the environment of the School:
- (vi.) Publicity of the School:
- (vii.) Student Representative Council, and other student councils, and or communities, and or societies:
- (viii.) Canteen, and Lavatory and other Student domestic services:
- (ix.) Library, and Academic Faculties, and facilities, and services, and privileges, and Special Educational provisions:
- (x.) Pastoral Care programs, and extra curricular, and extra social activities and endeavours.

**36.** The Club shall not introduce proposals of laws regarding religious issues or issues with regard to the professionalism and or competence of a member of the General Staff or Executive Staff. The Speaker may temporarily suspend any members who make such proposals.

**37.** The Club may introduce laws affecting its operation and the operation of the Executive Government, without consultation with the Principal, or the Occasional Senate. These laws will be determined in the manner outlined in Section 31.

**38.** A successful law that is introduced into the School demonstrates the active power of the Club in the affairs of the community. A successful proposal that has obtained a majority vote or, in the case of the numbers being equal, a vote of confidence from the Speaker, shall proceed to the Occasional Senate. The Governor-General, and the Senators shall review the proposed law and make recommendations to the Principal, and or his or her deputy. If the Principal approves the law, the alteration will be enacted and the affected policy amended.

**39.** The Principal of the School shall determine when, and if applicable, how the approved law shall integrate into School policy. He or she may make amendments during his pleasure and the Governor-General shall ensure that the Club will not pressure the Staffs General, and or Executive, or the Principal with regard to amendments at the highest level.

**40.** Without approval by the Principal, his or her Deputy, or the Occasional Senate, the

law shall be rejected and the Club shall not again pursue the law, until amendments are addressed.

The Principal and or Governor-General may make recommendations to the Club for amendments to a proposed law. These recommendations shall not be compulsorily amended to the law.

*With thanks to the students of  
St Joseph's High School  
Albion Park NSW Australia*

## *Chapter II. The Executive Government.*

**41.** The executive power of the Club is vested in the Principal and is exercisable by the Governor-General as the Principal's representative, and extends to the execution and maintenance of this Constitution, and the laws of the Club. The Principal is not obliged by this constitution and may declare the document invalid during his or her pleasure. The Governor-General shall also make such a declaration, but with consultation with the Principal.

**42.** There shall be a Executive Council to advise the Governor-General in the Government of the Club, and the members of the Council shall be chosen and summoned by the Governor-General and sworn as Executive Councillors, and shall hold office during his or her pleasure, within the member's elected term.

There shall be no provision for a Senator to be a member of the Executive Council.

**43.** The provisions of this Constitution referring to the Governor-General in Council shall be construed as referring to the Governor-General acting with the advice of the Federal Executive Council.

**44.** The Governor-General may appoint officers to administer such departments of interest to the Club, as the Governor-General in Council may establish.

Such officers shall hold office during the pleasure of the Governor-General, but only if the Minister is an elected member of the Club. They shall be members of the Executive Council, and shall be the Ministers of the Club.

**45.** There shall be at a minimum, four Ministers of the Club. Until the composition of the House of Representatives otherwise provides, the number of Ministers of the Club shall not exceed six. They shall hold such offices as the House prescribes, or, in the absence of provision, as the Governor-General directs.

**46.** As with the all other members of the House of Representatives, the Ministers of the Club shall not be financially remunerated for their services to the Club.

**47.** The appointment and removal of all other officers of the Executive Government of the Club shall be vested in the Governor-General in Council.

### *Chapter III. The Judicature.*

- 48.** The Governor-General shall implement a framework for the Judicature of the Club, if the need arises in the future of the operation of the Club. At the implementation of this Constitution, no foreseeable need for the Judicature exists within the Club.
- 49.** In the event of the addition of the Judicature to this Constitution and the Club, as a consequence, the Executive Government shall not be involved in its creation. It is to be as independent a practicable from the interests of the House of Representatives. The Governor-General and independent, unelected officials from the School will be the only architects of this theoretical and potential organ of the government.
- 50.** The Judicature shall not be implemented within the first year of the introduction of this Constitution and the Club.

#### *Chapter IV. Finance.*

- 51.** The Club shall not engage in fiscal pursuits that will lead to sources of income as a result of the member's service to the School. No position pertaining to the Club, including the Governor-General is exempt from this provision of the Constitution.
- 52.** The Club may conduct efforts in fundraising for charitable causes within the School and or external communities, as deemed suitable by both the Executive Government and the Governor-General. Approval from the Governor-General and Executive Government shall be adequate for immediate collection and distribution by a committee or delegate appointed by the House, for that purpose.
- 53.** Any member of the Club is hereby permitted, in furtherance to Section 52, to contribute, financially, to fundraising efforts for charitable causes within the School and or external communities.

*Chapter V. Miscellaneous.*

- 54.** Members of the School are permitted to be members of the Club, without election by the school. They may be present at any session of the House and these non-elected members are obliged to vote in any motion of alteration of this Constitution, as established in Section 57 therein. Non-elected members shall not vote in the passing of legislation in the House.
- 55.** The Governor-General shall establish during his or her pleasure, the location at which the House of Representatives shall congregate.
- 56.** In the event of a prolonged absence of the Governor-General from the School, a Senator, or an appointed Executive Councillor, for the purpose thereof if the Governor-General provides, shall perform the duties of the office in an acting capacity.

## *Chapter VI. Alteration of the Constitution.*

**57.** This Constitution shall not be altered, except in the following manner:--

Prior to the consideration of the alteration thereof by the members of the Club, a poll must be conducted, through means to be decided by the Governor-General, that will reveal the interests of the electorate with regard to the alteration. The results shall be viewed in the session of Parliament whereof the alteration is to be decided upon. This shall ensure that the elected members are aware of the interests of those whom they represent.

The proposed law for the alteration thereof must be approved by all members, elected and non-elected in a joint sitting of each House of Parliament. If non-elected members fail to vote on the issue, the Governor-General may revoke their membership. The vote shall be counted, and if all approve, the Governor-General shall proclaim the alteration as taking effect as of immediately.

## *Chapter VII. Schedule.*

### **OATH.**

I, *A. B. C.*, do swear that I will be faithful and bear true allegiance to Mr. Peter. A. McGovern, the Principal of this guild, and his successors, whom lead and represent the will, and Catholic vision, and direction of the members of St. Joseph's Catholic High School, in Albion Park. SO HELP ME GOD!

### **AFFIRMATION.**

I, *A. B. C.*, do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to Mr. Peter. A. McGovern, the Principal of this guild, and his successors, whom lead and represent the will, and Catholic vision, and direction of the members of St. Joseph's Catholic High School, in Albion Park, according to the laws of the guild.

(NOTE – The name of the Principal of St. Joseph's Catholic High School in Albion Park, for the time being, is to be substituted from time to time).