**UNIVERSITY of PRINCE EDWARD ISLAND STUDENT UNION INCORPORATED CONSTITUTION**

January 6th, 2019

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**UNIVERSITY of PRINCE EDWARD ISLAND STUDENT UNION INCORPORATED CONSTITUTION**

**WHEREAS** the UPEI SU Incorporated was granted letters patent as a Non-Profit Organization pursuant to Part II of the *Companies Act*, R.S.P.E.I., 1951, c.26, on September 23, 1969;

**WHEREAS** the UPEI SU Incorporated Memorandum of Agreement and by-laws were consolidated into the UPEI SU Incorporated Constitution (the “Constitution”) and by-laws on March 21, 1985;

**AND WHEREAS** the said Constitution and by-laws have been amended from time to time; and

**AND WHEREAS** the UPEI SU Incorporated wishes to amend and consolidate its Constitution and by-laws as hereinafter set out.

# **Article I ­­ NAME**

The name of the corporation shall be the University of Prince Edward Island Student Union Incorporated, and hereafter in this Constitution and these by-laws and policies shall be referred to as the "UPEI SU".

# **Article II ­­MEMBERSHIP**

1. The Membership of the UPEI SU shall consist of two (2) classes of members: Members and Honorary Members.
2. Members shall consist of every student who is classified as having full-time status as defined by the Office of the Registrar and who has paid the prevailing regular UPEI SU fees, appropriate for Members, as prescribed by the UPEI SU Council (hereafter referred to as Council), except wherein a member of the Executive of the UPEI SU, in extraordinary circumstances, submits a request to Council to be in less courses than required for full-time status; and
3. Honorary Members shall consist of persons upon whom honorary membership in the UPEI SU has been conferred by the Executive, and may include additional honorary members which include, but is not limited to, such persons as Chancellor, President, Faculty Administrative Staff of the UPEI SU and friends of the UPEI SU.

# **Article III-- STATEMENT OF PHILOSOPHY**

The UPEI SU is a student-governed organization holding the principles of Constitutional democracy to be of utmost value and is dedicated to serving its members through effective representation and communications. The UPEI SU believes and upholds the values of integrity, excellence, and respect while recognizing the importance of fun, community spirit, and the tradition upon which the UPEI SU was founded. The UPEI SU is dedicated to the betterment of university life and enhancing the student experiences at the University of Prince Edward Island (“UPEI” or the “University”).

# **Article IV—PURPOSES AND OBJECTIVES**

1. The purposes and objectives of the UPEI SU shall include the following:
2. To serve and represent the membership as required;
3. To enhance student life at UPEI;
4. To promote unity and goodwill among its members;
5. To advance the cause of higher learning in the province of Prince Edward Island and the country of Canada;
6. To provide a recognized means of communication and co­operation between the students of UPEI and all other bodies acting within the University;
7. To represent the interests of the UPEISU members to other student governments, to the municipal, provincial and federal levels of government, and to other organizations outside the University;
8. To promote and assist in maintaining an academic and social environment free from prejudice, exploitation, or abuse on the basis of, but not limited to, gender, ethnic background, language, religion, age, national or social status, political affiliation or belief, sexual orientation or marital status.
9. The UPEI SU is an independent student organization that derives its authority to act as the representative organization for all students of the University from Part II of the *Companies Act*, R.S.P.E.I., 1988, c. C-14**.**
10. Non-Discrimination:
11. The UPEI SU and any society or other organization under the jurisdiction of the UPEI SU

shall not discriminate against any person or group based on any of the prohibited grounds as outlined in the *Canadian Human Rights Act* or *Prince Edward Island Human Rights Act.*

1. The UPEI SU is committed to developing operating policies that respect and promote the dignity and participation of people with disabilities and members of minority groups. Therefore, no changes will be made to the UPEI SU Constitution, UPEI SU by-laws or UPEI SU policies before considering the impact on people with disabilities and members of minority groups.
2. Any by-law or policy of the UPEI SU that does not respect and promote the dignity and participation of people with disabilities and members of minority groups will be modified or removed.
3. This section, Article III (3), does not preclude any by-law, policy, programme, activity or group that has as its object the amelioration of conditions of Aboriginal people, racialized people, people living with disabilities, women, and people who identify within the 2LGBTQIA+ community.

# **Article V ­­ BY­LAWS OF THE UPEI SU**

1. The by-laws of the UPEI SU existing as of the date of the adoption of this Constitution are thereby ratified and confirmed until repealed and/or replaced in accordance with the provisions herein set out. The by­laws of the UPEI SU shall be as binding on the members of the UPEI SU as is the Constitution itself.
2. By­laws may be enacted to apply to any matters of the UPEI SU, as required.
3. Enacted by­laws may expand on, but not contradict or supersede the UPEI SU Constitution.
4. By­laws shall be created, amended or removed by Council according to the following procedure:
5. Any proposed creation of, an amendment to, or removal of a UPEI SU by-law shall be formally presented at a meeting of Council.
6. A proposed creation of, an amendment to, or removal of a UPEI SU by-law shall be voted on at a meeting of the Council held at least seven (7) days after its formal presentation.
7. In order to adopt the proposed creation of, an amendment to, or removal of, the UPEI SU by-law requires a two-thirds (2/3) majority vote of Council.
8. Once adopted, UPEI SU by-laws shall take effect immediately unless otherwise stipulated in the motion for creation, amendment or removal.

# **Article VI—AMENDING THE CONSTITUTION**

1. The Constitution of the UPEI SU may be amended by Council after the following conditions have been met:
2. Notice of the proposed Constitutional amendments shall be given at a meeting of the Council at least one (1) meeting prior to the proposed amendments being presented to and voted on by Council.
3. An amendment to the Constitution must be passed by a two-­thirds (2/3) majority vote of Council. Such amendments are then subject to the ratification of the general membership by a simple majority in a referendum.
4. The referendum must be held at least two (2) weeks following the Council meeting in which the amendments are passed by Council. The amendments which are to be voted on must be given at least two (2) weeks wide publicity prior to the date of the Referendum and must be publicized in the student newspaper, The Cadre.
5. Subject to the transitional provisions hereinafter set out, any amendments to the Constitution shall come into effect immediately after the Referendum unless specified in the amendment.
6. In the event that a legislated requirement conflicts with the contents of this Constitution, Council may amend the section of the Constitution in question by a majority vote.
7. Any spelling or grammatical errors in the Constitution may be amended by the committee tasked with the review of governing documents.

# **Article VII –GENERAL**

1. **Transitional**

The UPEI SU Incorporated may make by-laws for the effective transition from the administration of the UPEI SU Incorporated Constitution and by-laws in their current form to the UPEI SU Incorporated Constitution and by-laws to their amended form and the by-laws may include provisions for the lapse of existing by-laws, unless stated otherwise, and within such period as may be prescribed.

1. **Agreements**

Agreements made or deemed to be entered into before the date in which the amended UPEI SU Incorporated Constitution and by-laws come into force shall be deemed to have been validly entered into if such agreement complied with the Constitution and by-laws then in force, unless otherwise stated.

1. **Existing By-laws**

Provisions under the existing Constitution, which may include, but are not limited to, Finance, Membership, Student Union Fees, UPEI SU Council Membership, Powers and Duties of the UPEI SU Council, Student Representative on Board of Governors and Senate, General Meetings, Council Meetings, Executive Meetings and Impeachment Procedure, shall continue to be of force and effect until they are replaced by by-laws.

1. **Existing Decisions**

Any decision of the UPEI SU Incorporated that was decided prior to any amendments to the Constitution or by-laws shall stand.