

CONSTITUTIONAL AMENDMENT PROCESS INQUIRY

PREPARED

BY

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TO BE

REVIEWED BY

SEVENTH COLLEGE

JUDICIAL BOARD

MPR

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| Constitutional Amendment Process Inquiry |

TO BE PRESENTED : *TBD*

FOR : *Seventh College Judicial Board*

SUBJECT : CONSTITUTIONAL AMENDMENT PROCESS INQUIRY

I. ESTABLISHMENT & PURPOSE

1. Presently, the process for the passage of amendments to the Constitution of the Seventh College Student Council is ambiguous.

2. Article VII Section IV.a establishes that “legislation can be an introduction of [...] an amendment to the Constitution” so far that the sponsor is “[a]ny member of the Seventh College Student Body.” However, no clause presently exists in the Constitution or Bylaws that specifically outlines the authority of 7CSC in regards to the ratification of amendment legislation.

3. If no amendment process is possible, the Constitution will not be amenable & will persist as a dead document.

II. THEORISED PATHWAYS

1. The Seventh College Rules Committee may prove to be a potential pathway for the ratification amendment legislation to the Constitution.

a. The Rules Committee has the authority “[t]o review all legislation pertaining to amending the Constitution” under Title III.1e.ii.1.

b. The Rules Committee procedurally has the authority to approve amendment legislation under Title III.1e.iv.1 “by a majority vote of members present.”

c. Amendment legislation is procedurally required to be “presented at the following 7CSC meeting” under Title III.1e.iv.2. However, “legislation may be overturned by a two-thirds vote of the entire membership of 7CSC” under Title III.1.

2. With the exception of ratification of Bylaw amendment legislation established under Title I.4, 7CSC appears to only have the authority to overturn the approval of legislation by the Rules Committee. Therefore, the Rules Committee appears to have authority to ratify amendment legislation.

III. REQUESTED RULING

1. 7CSC seeks Judicial Board ruling to identify & clarify the precise process for the ratification of amendments to the Constitution of the Seventh College Student Council.

Appendix A

~ CONSTITUTION CITATIONS ~

Item A-1 outlines all complete citations from the Constitution present in this document & is organised with clause citation & the text of the cited clause.

Article VII Section IV	“IV. Any member of the Seventh College Student Body may submit legislation to the Vice President Internal. All legislation must be put in writing.”
Article VII Section IV.A	“A. This legislation can be an introduction of a new policy or an amendment to the Constitution, Bylaws, and Election Code, provided that they are either: (1.) Sponsored by a member of the 7CSC. (2.) Have a signed petition totaling no fewer than five percent of the Seventh College Student Body, which is then presented to the Vice President Internal.”

Item A-1

Appendix B

~ BYLAW CITATIONS ~

Item B-1 outlines all complete citations from the Bylaws present in this document & is organised with clause citation & the text of the cited clause.

Title I Section 4b	“b. The requirements for amendment to any other Title shall be described therein.”
Title III Section 1e.ii.1	“1. To review all legislation pertaining to amending the Constitution, Bylaws, and other governing documents of the 7CSC.”
Title III Section 1e.ii.2	“2. To review all legislation pertaining to the amendment of the Associated Students Constitution.”
Title III Section 1e.iv.1	“1. Legislation shall be approved by a majority vote of members present.”
Title III Section 1e.iv.2	“2. All legislation decisions shall be presented at the following 7CSC meeting.”
Title III Section 1e.iv.2a	“a. The legislation may be overturned by a two-thirds vote of the entire membership of 7CSC.”
Title V Section 4g.i.1	“1. Any amendments to the Constitution, Standing Rules, or Elections Code.”

Item B-1

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