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**MALMÖ UNIVERSITY'S STUDENT UNION**

# **The Union's Constitution**

Adopted by the General Council 2001-04-27  
Enacted by Malmö University's Board of Directors on 2001-05-15  
Revised by the Council 2002-04-17  
Revised by the Council 2005-05-26  
Enacted by Malmö University Board 2005-06-10  
Revised by the Council 2006-03-14  
Revised by the Council 2008-03-04  
Enacted by Malmö University Board 2008-05-07  
Revised by the Council 2013-05-08

1. **Composition and Purpose**
2. **Membership**
3. **The Student Union Council**
4. **Elections**
5. **Representation**
6. **The Union Board**
7. **Operations Committees**
8. **Student Ombudsperson**
9. **Student Associations**
10. **Formalities**
11. **Finances**
12. **Audit**
13. **Interpretation, Amending, and Dissolution**

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## MALMÖ UNIVERSITY'S STUDENT UNION

### 1. COMPOSITION AND PURPOSE

*This chapter of the Union's Constitution defines what the Student Union Malmö is, what parts it comprises, and what documents govern its operations.*

§1. The Student Union Malmö (hereafter, “the Union”) is an association of students at Malmö University. The organization is politically and religiously independent and is democratic in structure. The Student Union has its registered office in Malmö.

§2. The aim of the Union is to support its members' studies and related matters.

§3. The Union's bodies are:

- i. The Student Union Council
- ii. The Union Board
- iii. The Presidium
- iv. Operations committees
- v. Union associations
- vi. Members

§4. The Union's activities are regulated, in descending order, by:

- i. SFS 2009:769 (Student Union Regulation);
- ii. 1993:100 (Higher Education Act);
- iii. this Constitution; and
- iv. directives from the Union Council.

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## MALMÖ UNIVERSITY'S STUDENT UNION

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### 2. MEMBERSHIP

*This chapter of the Constitution defines who may become a member of the Union, how the membership fee is determined, the rights of Union members, and how expulsions from and reinstatements to the Union are conducted.*

§1. Membership in the Union can be requested by and granted to students studying at the faculties the Union represents.

§2. The membership fee and the membership period are set by the Student Union Council.

§3. A Union member has the right to:

- i. participate in elections to the Student Union Malmö;
- ii. hold elected office for the Student Union Malmö;
- iii. put a motion or an interpellation to the Student Union Council and have such considered; and
- iv. have full access to the Union's documents.

§4. A Union member may be expelled from the Union if said member does not follow this Constitution or the Code of Ethics adopted by the Union Council, or if said member commits illegal activities affecting the Union. A decision of expulsion is taken solely by the Union Council after the member has been served and the member has had both the right to attend and speak at the Student Union Council meeting in which the expulsion is decided upon.

Possible reinstatement of membership after expulsion will be tried by the Student Union Council on written request.

Cases of expulsion and reinstatement should be prepared by the Union Board.

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## MALMÖ UNIVERSITY'S STUDENT UNION

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### 3. THE STUDENT UNION COUNCIL

*This chapter of the Constitution defines what the Student Union Council shall do during its operational year.*

§1. The Student Union Council (hereafter, “the Council”) is the Union’s highest governing body. Matters of principle are determined by the Council.

§2. The Council consists of twenty-nine (29) members and up to twenty-nine (29) alternates elected in accordance with this Constitution.

Attendance by the Council’s members is of utmost importance. Therefore, it is an obligation for the members and alternate members of the Council to make known if they are unable to attend Council meetings. If members or alternate members do not participate in the Council’s work, the Council may remove the member or alternate member in accordance with the rules of procedure for the Council.

§3. The Council’s mandate (operational year) runs from 1 July to 30 June.

§4. The Council should have at least six (6) meetings during its operational year, by summons from the Union Board. The Council should not have meetings from 15 June to 15 August.

§5. A Statutory Student Union Council meeting must be held within four (4) weeks after the annual Council elections. The Statutory Student Union Council meeting shall be chaired by the current Union Board president until a chairperson has been elected for the meeting.

§6. The following have the right to request an additional Council meeting:

- i. the operational auditor or the financial accountant;
- ii. one third of the Council members;
- iii. thirty members of the Union; or
- iv. the Union Board.

§7. The Council shall:

- i. issue instructions to the Union Board;
- ii. promote and review the work of the Union Board, operations committees, and elected officials;
- iii. consider submitted motions, proposals, and interpellations under this Constitution;
- iv. revise the decision-making, delegation and work plans and other policy documents, particularly the instructions to the Nomination Committee and Election Committee;
- v. review the annual report for the preceding operational year;
- vi. review the income statement and balance sheet for the preceding operational year;

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## MALMÖ UNIVERSITY'S STUDENT UNION

- vii. decide on the allocation of profits;
- viii. examine the question of liability for last year's Union Board at the operational year's first regular Council meeting;
- ix. establish an operations committee on proposal from the Union Board, a member of the Union, or a Council member;
- x. revise the rules of procedure relating to the Council and the Union Board;
- xi. determine times and dates for coming elections; and
- xii. appoint a Nomination Committee consisting of one (1) rapporteur and four (4) members, who shall not stand in the next election or faculty elections for the Council for the coming operational year.

§8. The Statutory Student Union Council meeting shall:

- i. elect a meeting Presidium who are not members of the Council;
- ii. elect a Student Union Board in accordance with Chapter 6 § 2;
- iii. appoint operational auditor(s) and a financial accountant;
- iv. determine the membership fee and the membership period;
- v. determine the operational plan for the coming operational year;
- vi. determine the budget for the coming operational year;
- vii. appoint an Election Committee consisting of three (3) members, who must not be candidating in the next election. The composition of this Committee is up to the Council; and
- viii. determine the number of Council members to be elected from faculty elections (Forum) or delegate this to the Union Board.

§9. Council meetings are open to all members of the Union, who thus have the right to attend. The Council may choose to co-opt specific persons relating to certain issues with any or all of the following rights: Attendance, speaking, and proposing motions.

§10. Members of the Council, operational auditors, and the financial accountant have the rights of speech and motion at all Council meetings.

§11. Members of the Council have voting rights at Council meetings only after a correct voting list has been tabled.

§12. A member of the Council may not participate in decisions of liability concerning herself/himself or an entity the person has been a part of.

§13. The Council is quorate when half of the total number of elected members is present or is replaced by alternates. If the Union Board represents a majority in the Council, a two-thirds majority makes decisions.

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**MALMÖ UNIVERSITY'S STUDENT UNION**

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§14. A Union member has the right to submit motions to the Council. The motion has to be sent to the Union Board no later than fourteen (14) days prior to the Council meeting. The Union Board shall express an opinion over the motion.

§15. A member of the Union has the right to submit an interpellation to the Council. The interpellation shall be submitted to the Union Board no later than eight (8) days prior to the Council meeting. The Union Board shall answer interpellations in writing. Debate on an interpellation shall be allowed. The interpellant shall have the first opportunity to express their views on the Union Board's reply.

§16. The Council meeting may only deal with issues reported in the agenda. A question raised at the meeting can be put on the agenda as a discussion point if a simple majority of the members present agrees. To have a point raised during the meeting treated as a decision point requires consensus.

§17. At an extraordinary Council meeting, the Council can vote only on points included in the agenda.

§18. For a decision on the purchase or sale of a property or building on leasehold property, the detention or transfer of land or water rights, and the inclusion of loans relating to those matters, a winning application requires two corresponding decisions at two consecutive Council meetings.

§19. By-election to the Council.

Should a position as member of the Council become vacant and if this position cannot be substituted with an alternate, the Council shall declare a by-election for that position. The by-election will be handled by the Election Committee if a general election is not planned to be held within three (3) months.

- i. The Election Committee announces a by-election to the position of Council member with a possible alternate position, with times and locations for candidacy, and with what documentation candidates have to share with the Election Committee.
- ii. A member is eligible for the by-election to the Union if he/she can prove Union membership to the Election Committee before the candidacy period expires.
- iii. All registered candidates shall be given equal support.
- iv. The Election Committee shall present all registered candidates and administer the election procedure at the next Council meeting.
- v. Council members have the right to vote at the Council meeting in accordance with Chapter 3 §11.

§20. The Council may decide to dissolve itself with a three-quarters majority. New elections will then be held for the remainder of the operational year if the time until a general election is

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## MALMÖ UNIVERSITY'S STUDENT UNION

more than three (3) months away. If the general election is less than three (3) months away, the general election is advanced. The election process shall be initiated within two (2) weeks after the disbandment. The Union Board will work as an interim board until a new Council is elected.

### 4. ELECTIONS

*This chapter of the Constitution defines how elections within the Union are held.*

§1. The Council is elected annually in free, secret ballot, direct elections. Elections for faculty positions to the Council are done at faculty-based Forum elections.

- i. All registered students at a faculty at Malmö University represented by the Union have the right to vote.
- ii. Any member of the Union who can prove an active membership to the Election Committee before the end of the candidacy period is eligible in an election.
- iii. All registered candidates shall be given equal support.

§2. The Election Committee shall organize and conduct elections. It is the responsibility of the Election Committee to do the following:

- i. appoint and instruct election officials among members of the Union not candidating in the election;
- ii. determine and announce the characteristics of voting right documents and the times, dates, and places for the election, and publicize the voting ballot used in the election at least eighteen (18) days prior to the first day of the election;
- iii. provide to the Council voting ballots and the list of registered candidates for the election no later than five (5) days prior to the first day of the election;
- iv. distribute this Constitution, the instructions for voting procedures, and the list of registered candidates for the Council at polling stations;
- v. submit protocols to the Council and make public the election results no later than five (5) days after the end of the election; and
- vi. satisfactorily store the ballots cast at least one (1) year after the election.

§3. The Nomination Committee has a decision power if at least three (3) members are present and are involved in the decision. The Nomination Committee makes decisions by simple majority, with at least half of the votes.

The Nomination Committee shall, ten (10) days prior to the Statutory Student Union Council meeting, make known to the newly elected Council its proposal for a new Union Board in accordance with Chapter 6 §2 and present the proposal at the meeting.

§4. A member of the Union wishing to candidate for the Council shall register with the Election Committee no earlier than sixty (60) days and no later than twenty-one (21) days prior to the

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## MALMÖ UNIVERSITY'S STUDENT UNION

first day of election. The candidacy is for one election only. Registration consists of a written statement in which the candidate declares her/his willingness to assume the office of Council member.

- §5. The election begins no earlier than 15 March and ends no later than 1 May. Elections are held through voting at a polling station on the day or days decided by the Council and/or through comparable methods.
- i. The election at a polling station shall be overseen by two election officials, who shall maintain order in the polling station. Election propaganda is not permitted in polling stations during the election.
  - ii. A ballot defined by the Election Committee shall be used. Ballots and a list of registered candidates shall be provided in polling stations.
  - iii. Voting takes place according to the Election Committee's set guidelines.
  - iv. Those entitled to vote may vote for up to five (5) candidates for election to the Council; each candidate will receive one (1) vote.
  - v. After polling has been either interrupted or has closed, the ballot box shall be sealed.
- §6. Vote counting is open to any member of the Union and should be undertaken at the Union's office under the control of at least three (3) persons, who the Election Committee designates and who themselves are not candidates in the election. The counting of votes shall be completed within twenty-four (24) hours after the election.

An invalid ballot is a ballot:

- i. which does not comply with the Electoral Board's approved ballot;
- ii. which did not come to the Election Committee before the closing of the election; or
- iii. on which more candidates are voted upon than is permitted.

If the name on a ballot is for a non-eligible person or an unregistered candidate, the name and vote should be considered non-existent.

A ballot without an included name shall be counted as a blank vote, which shall be reported in the same way as other valid ballots cast.

Mandates are distributed according to the individual candidate's votes.

If the voting is tied, the mandate goes first to the least-represented sex; then, it is settled by a coin toss. If a mandate cannot be filled, it shall be vacant until the next election. After nineteen (19) mandates have been allocated, a list of alternates for replacing vacant mandates shall be established. The list shall be in order of the number of votes in the election. A vacant mandate shall be offered to the first alternate in the list, who can accept or decline. The list represents alternates with the right to, in the order of the list, temporarily replace a member of the Council with voting rights in her/his place.



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**MALMÖ UNIVERSITY'S STUDENT UNION**

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§7. Complaints over events in connection with the election shall be handled by an Appeals Committee consisting of one (1) member of the Union Board, one (1) member of the Council, and one (1) external member, elected by the Council. None of the members of the Appeals Committee may themselves have candidated in or have had an active part in the election.

A member of the Union who believes the election order has not been followed may appeal:

- i. concerning registration of candidates or the determination of the ballots no later than seven (7) days after the Election Committee announces the ballot;
- ii. concerning the electoral process, vote counting, the distribution of mandates, or alternates for replacing vacant seats no later than seven (7) days after the election results are announced; or
- iii. if the Appeals Committee, after being notified of complaints, find that errors have occurred that can affect or may have affected the election's outcome, the Appeals Committee shall compel the Election Committee to redo those parts of the election the error has affected.

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## MALMÖ UNIVERSITY'S STUDENT UNION

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### 5. REPRESENTATION

*This chapter of the Constitution defines how the Union is represented both in Malmö University's boards and bodies and in national and external organizations.*

§1. The Union Board is responsible for student representation in the university and faculty boards and bodies in the faculties the Union represents.

Student representatives are appointed on each faculty's Forum and the Central Forum in accordance with Chapter 5 §3.

§2. The Council appoints representatives to national bodies. This may be delegated to the Union Board.

§3. Each faculty has a Forum consisting of all students at that faculty. A Forum has meetings on at least one (1) occasion per operational year and is quorate with the number of students attending. The student ombudsperson for the Forum's faculty calls to meeting for Forum no later than three (3) weeks prior to the meeting. Notice of this meeting shall be advertised digitally and physically in environments where students gather.

A Forum shall also convene if at least ten (10) students from a specific faculty request it.

Furthermore, the Union Board shall call and convene a Central Forum at least one (1) time per operational year, and the Central Forum is quorate with the number of students attending. The Union Board calls to meeting for Central Forum no later than three (3) weeks prior to the meeting. Notice of this meeting shall be advertised digitally and physically in environments where students gather.

The Central Forum shall also convene if at least ten (10) students from Malmö University request it.

§4. A Forum shall:

- i. appoint members to the Council who will represent that Forum's faculty. The number of members appointed at each Forum is decided at the Statutory Student Council meeting in accordance with Chapter 3 §8; and
- ii. appoint student representatives to all committees and boards on that Forum's faculty.

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## MALMÖ UNIVERSITY'S STUDENT UNION

§5. Student ombudspersons shall call and convene all student representatives at each faculty for a representation council. Representation councils are not decision-making bodies.

### 6. THE UNION BOARD

*This chapter of the Constitution defines how the Union Board (hereafter, "the Board") shall be composed and what work it shall do. There are also instructions both on how by-elections to and vacancies of the Board shall be handled and on the documents and decisions that govern the Board's work.*

- §1. The Board is the Union's executive body. The Board leads the Union's activities in accordance with the Student Union Act (SFS 2009:769), the Higher Education Act (SFS 1993:100), this Constitution, and decisions and instructions from the Council. In matters of urgency, the Board can exercise the power of the Council. Such decisions shall be submitted to the Council at its next regular meeting.
- §2. The Board consists of two (2) full-time members of the Presidium (who govern the work of the Board), four (4) to five (5) full-time student ombudspersons, and three (3) to four (4) voluntary members. The number of Board members must not be an even number.
- §3. The Board may co-opt others with any or all of the following rights: The right of presence, of expression, and of motion. Co-opted members may not have voting rights.
- §4. If an elected Board member resigns from his/her seat, the Council shall, no later than the next regular meeting of the Council, conduct a by-election for that seat.
- §5. The Board holds meetings at the call of the Presidium. A member of the Board may request a Board meeting if the Presidium does not call a meeting within a reasonable time from requested date.
- §6. Should a member of the Presidium resign, the other member takes his/her place. If the whole of the Presidium resigns, the Board shall appoint one member of its members to exercise the power of the Presidium.
- §7. The Board shall:
- i. call the Council's meetings;

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## MALMÖ UNIVERSITY'S STUDENT UNION

- ii. implement the decisions of the Council through Operations committees;
- iii. appoint a chairperson for the Operations committees within the board;
- iv. be responsible to the Council for the Union's finances and administration;
- v. prepare the revision of the Decision Order, the Order of Delegation, the Order of Procedures, and other policy documents for decision in the Council;
- vi. be the employer for the Union's employees;
- vii. after its term of office and in accordance with this Constitution, deliver the annual report, income statement, and balance sheet to the Council and request an opinion from the auditors;
- viii. handle the questions and matters in the Union that no other bodies are responsible for;
- ix. ensure that area-specific student influence with large reach and good quality is maintained; and
- x. give practical form to the operational plan and budget.

§8. The Board is competent to act when at least half of its members are present. In the case of a tie after a repeated vote, a writing group is setup with representatives from the competing stances to return with a proposed solution before the meeting's end.

§9. The Presidium has the right to, with consensus, act as the Board should the decision be time sensitive. These decisions shall be put forth to the Board for approval.

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## MALMÖ UNIVERSITY'S STUDENT UNION

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### 7. OPERATIONS COMMITTEES

*This chapter of the Constitution defines the Union's operations committees. It provides details on the tasks of the faculty-based operations committees and on how these tasks should be carried out.*

- §1. The Council may establish operations committees with a specific purpose. Every operations committee is headed by a chairperson responsible for the operations committee's finances and operations.
- §2. The operations committee is responsible for preparing policy and planning activities within its area.
- §3. Operations committees must ensure their activities are conducted close to students and student activities and in conjunction with the University's faculties. The activities shall be open to students from all the faculties the Union represents.
- §4. Faculty-based operations committees.  
For each faculty the Union represents, there shall exist an operations committee chaired by the student ombudsperson responsible for the relevant faculty.  
The Council and the Board shall provide reasonable assistance, keeping in mind available resources, to these operations committees in order to support their activities.  
Faculty-based operations committees shall meet at least once week prior to each Council meeting and may also be convened by the chairperson if either the Union or the Council requests it, if the chairperson requests it, if a member of the operation committee requests it, or if ten (10) students at the faculty request it.

Members of the faculty-based operations committee can be:

- i. student ombudspersons responsible for the committee's faculty who is also chairperson of the committee;
- ii. Council members who are studying at the faculty;

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## MALMÖ UNIVERSITY'S STUDENT UNION

- iii. interested course representatives at the faculty; or
- iv. interested students at the faculty.

Faculty-based operations committees shall:

- i. work with student-related issues in every faculty;
- ii. oversee the various faculty committees and bodies where there are student representatives of the Union; and
- iii. prepare and report cases to the Council.

### 8. STUDENT OMBUDSPERSON

*This chapter of the Constitution defines what a student ombudsperson is and what tasks the ombudsperson performs.*

- §1. The student ombudspersons represent the students. They run individual and general student affairs within a faculty and lead the permanent, faculty-based operations committees. The Board determines both the division of labor between the student ombudspersons and any liability for representation by faculty in accordance with the contract with Malmö University and the Union's procedures.
- §2. For each faculty, there is to be a full-time salaried student ombudsperson with the primary responsibility for the faculty's students. Further, the ombudsperson represents the students within the faculty.
- §3. A faculty's student ombudsperson represents the students on the Faculty Board, on the operational management team, and at the principal body responsible for questions concerning education within the faculty.

A student ombudsperson in charge of a school shall:

- i. be responsible for and convene a faculty forum in accordance with Chapter 5 § 3 and § 4; and
- ii. be responsible for and chair the faculty-based operation committee in accordance with Chapter 7 § 4.

- §4. Student ombudspersons shall work to provide a good understanding of the Union's opinions within the student body and to actively gather the students' experiences and needs.

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## MALMÖ UNIVERSITY'S STUDENT UNION

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### 9. STUDENT ASSOCIATIONS

*This chapter of the Constitution defines what a student association is and what its assignments are.*

§1. Students who wish to do so should be able to operate an association within the Union. The activity should be relevant to members of the Union, have Union members as a primary focus, and be run by members of the Union.

The business of the Union's associations, in accordance with the above paragraph, must be consistent with the Union's core values and this Constitution.

§2. The Council establishes student associations as part of the Union.

The Board shall practically and in formal terms be instrumental in the formation of the student association; it shall also act as the preparatory body for the approval by the Council.

§3. The Council proposes the establishment of a student association after checking the following basic requirements:

- i. the student association has an approved constitution;
- ii. the student association has an appointed board; and
- iii. the student association has approved intended operations and financing in line with the Union's other activities and interests.

The basic requirements shall be regulated in the Union's Student Association Policy.

§4. Student associations shall at all times have, and at the request of the Council and Board produce, documents proving that the association has the following:

- i. a full board where all the members are members of the Union;
- ii. an activity in accordance with Chapter 9 § 1; and
- iii. an approved constitution, business plan, and operating budget.

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## MALMÖ UNIVERSITY'S STUDENT UNION

Student associations that cannot provide the documents listed above may be denied their status as a Union association or be classified as dormant by the statutory Council meeting.

§5. Student associations shall, if requested, receive help and support from the Council and the Board with their respective activities. How this help and support is to be constituted shall be governed by procedural rules for student associations.

Rules for student associations shall be audited annually by the Council; this issue shall be prepared by the Board.

§6. Expulsion of a Union association.

A Union association that has opposed the Union's values or has otherwise risked or damaged the Union can be expelled by the Council.

In emergencies, the Board can freeze an association's status as a Union association; this decision must be approved by the Council at its next meeting.

The expulsion of Union associations should be prepared by the Board.



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## MALMÖ UNIVERSITY'S STUDENT UNION

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### 10. FORMALITIES

*This chapter of the Constitution defines the basic formalities that determine how the Union should convene meetings, what documents should be included, and how protocols should be written and archived.*

- §1. Notice for a Council meeting shall be sent to members fourteen (14) days prior to the meeting. Notice must be provided to all Union members.
- §2. Meeting documents shall be distributed seven (7) days prior to the meeting referred to in § 1.
- §3. Proposed constitutional amendments must be distributed with the meeting notice and be made available to all Union members.
- §4. At the submission of a motion to the Council, Union membership shall be confirmed.
- §5. Notice of a board meeting and its agenda shall be distributed to Board members no later than seven (7) days prior to the meeting. Other documents shall be sent no later than three (3) days prior to the meeting.
- §6. At Council meetings, the Board, Forums, and other agencies shall keep a protocol, which shall be filed by the Union according to current practice.
- §7. The Council's protocol shall be attested by the meeting Presidium and two (2) attestors.
- §8. The Board's protocol shall be attested by the chair and an attestant.
- §9. The protocol from the Council, the Board, Forums, and the Union's other bodies should be made publicly available.

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## MALMÖ UNIVERSITY'S STUDENT UNION

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§10. To the extent possible, all documents the Union holds shall be made available to all Union members and to the public.

Since not all members can be assumed to speak Swedish, all documents shall be translated into English upon request. Documents likely to be of interest to all Union members shall be translated into English without any individual member's request.

Some documents may be of a sensitive nature, such as working materials from the University or student affairs, and the Union can deny access to these documents given that the Board can explain why.

§11. Appeals of a Union decision shall be submitted in writing and in accordance with the following:

- i. Decisions made by the Presidium and/or the student ombudsperson should be appealed to the Board.
- ii. Decisions made by the Board can be appealed to the Council.
- iii. Decisions made by the Council can be appealed to the next statutory Council.

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## MALMÖ UNIVERSITY'S STUDENT UNION

### 11. FINANCES

*This chapter of the Constitution defines how the Union's finances shall be managed.*

- §1. The Union's operational year and fiscal year runs from 1/7 - 30/6.
- §2. The Union finances its activities through membership fees, subsidies, funding, grants, and external revenue.
- §3. Fees are paid in the manner and at the time the Union decides upon, in accordance with practice.
- §4. Funds shall be used so as not to risk the Union's assets.
- §5. The Board appoints at least two persons from the Board to be the authorized signatories for the Union. The authorized signatories sign for the Union separately.

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## MALMÖ UNIVERSITY'S STUDENT UNION

### 12. AUDIT

*This chapter of the Constitution defines how the Union shall be reviewed. The Union has two kinds of auditors: An accountant who looks at the Union's finances and formalities and operational auditors who look at how well the Council and Board has done their respective jobs in terms of the Constitution, the operational plan, and other documents that govern the Union's operations.*

- §1. The auditor is to audit the Union's activities and finances in accordance with generally accepted auditing standards.
- §2. The operational auditors shall submit written reports of the Union's operations to the Council at the operational year's first Council meeting during the discharge point. Operational auditors always have present and speaking rights at Council meetings and Board meetings, and may call meetings of both the Council and the Board. It is also the operational auditors' task to present an interim report to the Board and Council at the mid-term period of the operational year. This interim report shall be in writing. When the Union works with sensitive cases, the business auditors can provide a supplemental oral report to the Board.

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## MALMÖ UNIVERSITY'S STUDENT UNION

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### 13. INTERPRETATION, AMENDING, AND DISSOLUTION

*This chapter of the Constitution defines how interpretations of the Constitution should be conducted, how the Union can change the Constitution, and how an eventual dissolution of the Union is to be conducted.*

- §1. In matters relating to the interpretation of this Constitution, the Presidium has, in the event of a tie, the right to call a commission for interpreting the Constitution. The commission shall consist of a legally qualified member, the Presidium, and a representative from Malmö University's management. The commission's interpretation shall be submitted to the Council at its next meeting and then the Council will make a new decision. Interpretations of the Constitution determined in this manner shall be included in this Constitution as attachments. If the matter cannot be delayed, it is determined by the chair.
- §2. Motions concerning the Constitution shall be received by the Board no later than three (3) weeks prior to the Council meeting.
- §3. In order for a dissolution decision to be in effect, two identical decisions at two Council meetings with intermediate elections is needed. On each occasion, two thirds of the members present shall have approved the proposal.
- §4. In order for a change of the Constitution to be in effect, either two identical decisions at two Council meetings with two-thirds majority at intermediate Council meetings or consensus decisions at two consecutive Council meetings is needed.

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## MALMÖ UNIVERSITY'S STUDENT UNION

- §5. When deciding on changes to the Constitution, the Council shall decide on a date for the change to take effect.
- §6. Upon the dissolution of the Union for reasons other than changes in SFS 2009:769 (Student Union Regulation), the Union's funds shall be managed by the University Board until a new Union is established.