

# CONSTITUTION

OF THE

USP LAW  
STUDENTS  
ASSOCIATION - Laucala

(USPLSA - Laucala)

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## DEFINITIONS

This section serves to clarify the intended meaning within the provisions of this Constitution so that there is no ambiguity:

**Association** - means the USP Law Students Association - Laucala established by this Constitution.

**Chairperson** - means the person specifically elected by the Association at the first round of elections, who is charged with ensuring that a particular Committee carries out its functions smoothly and fairly.

**Election** - means the process of electing Executives, chairpersons, and other representatives for any vacant positions of the association in accordance with this constitution.

**Executive Committee** - is the elected body responsible for the daily running of the Association.

**Executives** - Are the elected Executives of the USPLSA-Laucala which is inclusive of the 8 individuals elected by the Executive Committee and any other person elected by the Executive Committee for any other purpose.

**Members** - means a person qualifying under Article 3 of this constitution.

**Minutes** - refers to the account of the proceedings of any meeting as recorded by the Secretary or in their absence, the Assistant Secretary of the Association.

**President** - means the duly elected President of the Association.

**Quorum** - refers to the number of members of the association required to be present for any meeting to be officially convened pursuant to this Constitution. The minimum number required for the forming of a quorum is a minimum of 50% of the total Executives.

**Secretary** - means the Secretary of the Association.

**Special General Meeting** - means a Meeting of the association called for a specific purpose at any time under the provisions of Article 16 of this Constitution.

**Tenure/ term** - means the period of time that a position lasts or the term of office for any elected Executive, Chairperson, or any elected representative, the normal tenure is one year.

**Treasurer** - means the elected Treasurer.

**University** - means the University of the South Pacific, situated in Laucala Bay, Suva.

**Vice President** - means the duly elected Vice President of the Association.

**Council** - refers to the meeting including the elected and appointed members of the association.

## **ARTICLE 1 - ESTABLISHMENT OF THE USP LAW STUDENTS ASSOCIATION – LAUCALA**

(1) There shall be within the University of the South Pacific, a Law Students Association known as the USP LAW STUDENTS ASSOCIATION - LAUCALA; and such shall be abbreviated as "USPLSA - Laucala".

## **ARTICLE 2 – VISION, MISSION & OBJECTIVES**

(1) The Association shall have the following vision:  
“To create a vibrant and supportive community for law students at the University of the South Pacific, Laucala Campus, fostering personal growth, academic excellence, and ethical awareness, while providing opportunities for diverse experiences and initiatives”.

(2) The Association shall have the following missions:

(2.1) The USPLSA-Laucala is to act as an independent advocate for every law student’s right; to enhance every student’s wellbeing; and to recognize the value of the diverse communities and cultures that are part of USPLSA-Laucala.

(2.2) To empower future legal leaders through a productive learning environment that nurtures intellectual curiosity, critical thinking, and lifelong learning, while establishing the foundations of future legal practitioners in the Pacific.

(2.3) Foster a legal community among members by creating a platform in which members can engage with each other, promoting open dialogue on legal and social issues.

(2.4) To promote the interests of the Law Students, ensuring that the members’ time as students is maximized to its highest potential.

(3) The Association shall have the following objectives:

(3.1) Respect and obey carry out the function of the USPLSA and the USPSA

(3.2) Promote the interests of the Law Students

(3.3) Undertake the organization of sporting, social, cultural, religious, and educational activities.

(3.4) Raise and invest funds for the specific purposes of activities, projects and events of the USPLSA-Laucala.

(3.5) To lobby and advocate for the promotion of such activities as it considers appropriate for the benefit of the Law Students and any other purpose it approves as necessary.

(3.6) Articulating and implementing policies, or statements on academic, social or other issues of concern to its members.

(3.7) To explore and tackle concerns in assisting of the association.

## **ARTICLE 3 - MEMBERSHIP:**

(1) Every enrolled student of the University of the South Pacific, who is a student of the Laucala Campus and:

a. is currently enrolled in the LLB undergraduate program or

b. is currently enrolled in any other program with at least one law unit is considered a member of the USPLSA-Laucala.

#### **ARTICLE 4 – POWERS OF THE EXECUTIVE COMMITTEE**

- (1) Pursuant to the provisions prescribed in this Constitution, the Executive Committee shall have the following powers:
  - a. To coordinate and execute the organization of the Association's activities;
  - b. Establishing any committee as it may from time to time deem necessary subject to Article 5;
  - c. approving the Association's budget.
  - d. entering into contracts or other commercial or financial arrangements;
  - e. requesting and collecting all written reports from representatives or delegates representing the Association on any seminar, tour, delegation or meeting;
  - f. establishing affiliation with other student organisations or any bodies in furtherance of its objects; and
  - g. reviewing the work of the Association and taking appropriate action thereon.

#### **ARTICLE 5 – APPOINTMENT OF SUBCOMMITTEES**

- (1) The Association holds the authority to establish subcommittees as deemed necessary for the efficient functioning and pursuit of the association's objectives.
- (2) The purpose of subcommittees may include, but is not limited to, addressing specific issues, organizing events, or managing ongoing projects within the association.
- (3) The Association shall establish clear procedures and responsibilities for subcommittee formation, including nomination, approval, and reporting processes for members. These guidelines will be documented in a Terms of Reference or a similar document.
- (4) The Association shall appoint members to subcommittees based on their expertise, interest, and dedication to the objectives of the respective subcommittee who may be Association members.
- (5) Subcommittees shall be established for a defined term, as specified by the Association and extended as necessary.
- (6) Subcommittees shall regularly provide written reports of their progress, findings, and recommendations to the Association based on the requirements set out by the Association.
- (7) While subcommittees are empowered to make decisions within their assigned scope, major decisions impacting the association as a whole shall be subject to the final approval of the Association.

#### **ARTICLE 6 – EXECUTIVES**

- (1) The executives of the Association shall consist of:
  - a. a President
  - b. 2 Vice Presidents

- c. a Secretary
  - d. an Assistant Secretary
  - e. a Treasurer
  - f. an Assistant Treasurer
  - g. 1 Education Chairperson
  - h. 1 Public Relations Chairperson
  - i. 1 Cultural and Religious
  - j. 1 Social and Welfare Chairperson
  - k. 1 Sports and Recreational Chairperson
- (2) The executives of the Association shall also consist of 8 Committee Members.
- a. The Executives shall call for nominations for these 8 committee members through an online platform opened for a designated period after the Elections at their first official meeting.
  - b. Received nominations shall be voted upon during the second official meeting of the elected executive body, with each executive casting their vote for preferred candidates at a majority vote via secret ballot.
- (3) The head of the School of Law shall be the patron of the association.
- (4) The Executives may also allow the appointment of additional committee members through a majority vote, for such a period where a need arises. Such an appointment shall last no longer than the period necessary.
- (5) The President, Treasurer and Secretary shall to the exclusion of any other person be authorized Signatories of the Association's bank accounts whosoever kept and shall be eligible to sign the cheque on its behalf.
- a. Any cheque written by the Association must bear the signatures of the President followed by the Treasurer.
  - b. In the absence of the President, the Secretary shall sign in place of the President.
  - c. In the absence of the treasurer due to suspension or resignation, the President, shall jointly sign with the Assistant Treasurer and the Secretary until the Treasurer comes into office.

## **ARTICLE 7 - THE LEADERSHIP CODE**

- (1) Executives shall:
- a. be committed to the interests of the Association at all times;
  - b. not hold any position in any other organisation directly affiliated to the Association;
  - c. take decisions solely in terms of the interests of the Association;
  - d. administer the Association's resources in an efficient and effective manner;
  - e. not place themselves under any obligation, financial or otherwise, that might influence or prejudice the proper performance of their duties;
  - f. be attentive, fair and impartial in the performance of their functions;
  - g. be accountable for their actions or omissions to the Association through appropriate mechanisms;
  - h. not mislead the Association; and
  - i. adhere to and respect the decisions of the USPSA and the USPLSA.

- (2) The Leadership Code set out in sub article (1) of this article and articles 8-10 shall also apply to the Secretary, Assistant Secretary, Treasurer and Assistant Treasurer.

#### **ARTICLE 8 - GENERAL DUTIES OF EXECUTIVES**

- (1) Executives shall not behave in a way that:
  - a. demeans their respective offices or the Association;
  - b. diminishes their official integrity;
  - c. diminishes respect for and confidence in the integrity and reputation of the Association.”

#### **ARTICLE 9 - CONFLICTS OF INTEREST AND DISQUALIFICATION**

- (1) Executives must avoid a situation in which they have, or can have, a direct or indirect interest that conflicts, or possibly may conflict, with the interests of the Association.
- (2) If an executive, either directly or indirectly, has a conflict of interest, the executive must declare the nature and extent of that interest to the other executives. A declaration of interest must be made as soon as reasonably practicable.
- (3) Executives shall not use Association property, services, or information, acquired or available in the course of their tenure in office, for activities unrelated to their official duties.

#### **ARTICLE 10 – TENURE OF OFFICE, RESIGNATION AND TERMINATION**

- (1) An Executive shall remain in office until the next Elections, but shall cease to hold office, and that office shall be declared vacant, upon the occurrence of any of the following events:
  - a. Death
  - b. Suspension or removal by LSA Executives.
  - c. Resignation
  - d. A person ceases to become a student of the USP, or is no longer a member in accordance to Article 3
  - e. Suspended by disciplinary action by the USPSA-Laucala in accordance with Article 20.
- (2) Any Executive of the Association may resign at any time by giving notice in writing to the Secretary who shall notify the President and other Executives in the following Executive meeting. The resignation becomes effective 14 days thereafter submitted and accepted by the Executives in the Executive meeting.
- (3) Any member of the Executive who fails to attend the full duration of three executive meetings without notification to either the Secretary or Assistant Secretary shall cease to be a member of the Executive Committee.

- (4) An Executive Member may be suspended or terminated from their position for grossly breaching either Articles 2, 4, 7, 8 and 9 of this Constitution following the process below:
  - a. A written motion for dismissal specifying the alleged breach and referencing the Article(s) that was breached must be submitted to the Secretary at least seven (7) days before an Executive meeting.
  - b. The Secretary shall inform the accused Executive Member of the motion and provide a copy of the allegations as well as the date of the meeting immediately upon receipt of the written motion.
  - c. The accused Executive Member is entitled to respond to the allegations in writing or in person at the meeting.
  - d. The vote on the dismissal shall be conducted by secret ballot at the meeting.
  - e. If a two-thirds majority of the Executive votes in favour, the dismissal shall become effective immediately, and the position shall be declared vacant.
  - f. The proceedings and the outcome of the vote shall be recorded in the meeting minutes.
  - g. The outgoing Executive member is obliged to adhere to a handing over process as stipulated by the Executive Committee.
  
- (5) An Executive member may be elected to office for two consecutive terms and thereafter no longer eligible to contest for any position in USPLSA - Laucala.

#### **ARTICLE 11 - OFFICE OF THE PRESIDENT**

- (1) There shall be an Executive head of the Association who shall be the President.
- (2) The President shall symbolize the unity of the Association and shall have the following functions:
  - a. Chair all meetings of the council including General Meetings and the Annual General Meeting.
  - b. Chair any Committee meeting in the absence or unavailability of its substantive chair.
  - c. Carry out other duties that may be required of the individual from time to time.

#### **ARTICLE 12 - OFFICE OF THE VICE PRESIDENTS**

- (1) There shall be 2 Vice Presidents of the Association
- (2) The Vice Presidents shall have the following functions:
  - a. Assist the President in policy making
  - b. Responsibility to outline calendar of events
  - c. Responsibility for all matters related to the use, maintenance and management of the Association's Assets and Facilities
  - d. Such other duties that may be assigned to them from time to time by the President or from the Executive Meetings.
- (3) In the temporary absence of the President from office by reason of illness or another contingency, the 2 Vice Presidents shall be entitled to exercise such powers that are

ordinarily conferred upon the President under this Constitution provided that each Vice President acts for a period of no longer than 7 days.

- (4) The first interim President is to be elected through secret ballot.
- (5) Upon the completion of the 7-day acting period, the outgoing acting president is to handover all assets, and information necessary in the office of the president to the new acting president.
- (6) If the president is absent for a period of longer than 14 days, the Executive committee is to appoint an acting President through secret ballot who shall be either of the two Vice Presidents.

### **ARTICLE 13 – TREASURER**

- (1) There shall be a treasurer of the Association who shall be accountable for the proper and prudent management of the financial affairs and resources of the Association.
- (2) The treasurer, by the Leadership Code established under article 6 including the provisions of articles 7 and 8 of this Constitution shall be responsible for:
  - a. Maintaining accurate and proper books of accounts of the Association according to the accepted standards of accounting principles, and practice and standards.
  - b. Advising the association on the financial implications of any initiative put forward by the University administration.
  - c. Making recommendations on the appropriate response of the association with regard to such initiatives referred to as aforesaid.
  - d. liaising with the Executives in ensuring the accounts are properly audited.
  - e. Issuing receipts for all moneys received to the satisfaction of the Association.
  - f. Making reimbursements from the funds of the association against proper accounts or vouchers for such matters as are approved by the Association.
  - g. Present monthly financial reports including the Association's financial activities with a recent bank statement attached showing the Association's current balance to the Executives in the Executive Meetings.
  - h. Carrying out such other duties that are necessary as may be assigned to him by the President or the Executive Committee.
    - (i) The treasurer shall be the compulsory person to sign the cheque subject to the conditions specified in Article 6(5) of this Constitution.
- (3) In order to qualify for this position, the Treasurer must be a person with either:
  - a. university level accounting background;
  - b. the equivalent of a Fiji Year 13 accounting background; or
  - c. the equivalent working experience.
- (4) The Treasurer shall be required to deliver in person a financial report of all financial activities of the association at the Annual General Meeting.

### **ARTICLE 14 – SECRETARY**

- (1) There shall be a Secretary of the Association.
- (2) The Secretary is charged with the daily administration of the Association and shall have the following functions and responsibilities:
  - a. Preparation, recording and maintenance of all meeting minutes.
  - b. Maintenance of a systematic and accurate record of all files pertaining to the Association and its affiliates.
  - c. Preparing “action sheet” for members and other representatives of the Association;
  - d. Preparation and following up all correspondence of the Association.
  - e. Ensure that reports are prepared and submitted by the respective office chairpersons, committees and to the relevant bodies.
  - f. Liaise between the Association and the USPSA, the University and any other institution in any matter of importance to the students.
  - g. Carry out any other duties as may be assigned occasionally by the Association or the President.
  - h. Distribute copies of the Association Constitution, and Financial reports to its members upon request.
  - i. To conduct pre-election duties and to act in fair and appropriate manner.
  - j. The Secretary is required to collaborate with the Public Relations Chairperson to create and disseminate social media posts, with the primary objective of fostering accountability, trust, transparency, and accuracy.

## **ARTICLE 15 – ELECTIONS**

- (1) There shall be general elections held annually, for the election of new members of the Association to take the role of the Executives.
- (2) The Association can conduct elections in person and virtually as deemed necessary by the Executive Committee and shall be facilitated with the assistance of USPSA.
- (3) The General Elections shall be held on any working day of the eleventh (11) week of the USP Calendar in the second semester. The term of the elected officials is to commence next semester.
- (4) Schedule AA should be filed out and submitted to the USPSA Secretary before the end of the seventh day. No other method of nomination shall be accepted to nominate a candidate with the exception on the basis of (5) below.
- (5) Any person contesting elections must submit an unofficial transcript together with the nomination form laid out at Schedule AA to the USPSA - Laucala Secretary. Failure to do so will amount to the nomination being considered invalid.
- (6) The Returning Officer shall advertise the opening of the nominations for all positions within the second week and also state the date of the Elections. The nominations shall remain open for seven days from the date of the said advertisement.

- (7) A general listing of all contesting Candidates is to be advertised by the Returning Officer on the same day following the closing of the nomination. The Retaining Officer shall be appointed by the USPSA Council committee.
- (8) If a post is not contested by any individual, then it should be re-advertised by the Returning Officer. If no nominations are filed within two days, then the nomination for that position. will be accepted on the day of the General Elections and the normal process of electing shall continue.
- (9) Elections shall be held after the Annual General Meeting.
- (10) Where there is a tie in the number of votes, a revote is to be called at the same meeting. On any further tie in the number of votes, the elected USPLSA-Laucala Executive committee will part take in a vote at the same meeting to determine the winner.
- (11) The official result of the Election shall be published immediately after the counting of the votes by the Retaining Officer after the General Elections.
- (12) Elections shall take in a professional and a calm manner.
- (13) The successful candidates shall take Oath, Schedule BB, in the first executive meeting of the LSA.
  - c. The Moderator/ Retaining Officer shall administer the oath.
  - d. All successfully appointed executives must administer the oath at the said meeting.
- (14) The newly appointed Secretary is to submit its list of executives to the USPSA within seven days of the official election results.
- (15) The first Executive meeting is to be held within three working days after the publishing of the official election results. This meeting shall be chaired by the Retaining Officer.
- (16) It is the responsibility of the Secretary each outgoing Executive Member to fill in the Handing over form, Schedule CC, in which all the property of the Association shall be transferred to the succeeding Executive Member. The form must be signed by the outgoing Executive Member, and the succeeding President, or in their absence the Vice President.
- (17) To qualify as a candidate for the LSA Elections, a student must have a cumulative GPA of 2.5 or more.
- (18) If a candidate is found by the Retaining Officer at any point in time to have misrepresented any information while contesting elections, whether intentionally or unintentionally, that nomination is to be declared invalid and the candidate barred from contesting the elections for that particular term.

## **ARTICLE 16 – VACANCY**

- (1) When a vacancy occurs in any position in the Executive Body howsoever occasioned, the following procedure shall be followed depending on the timing of such vacancy.
- (2) The sitting Executive Committee is to nominate and appoint a replacement for that position. subject to Article 3 Membership. This appointment shall be carried out by a secret ballot at the said executive meeting. No other method is to be used.

#### **ARTICLE 17 - ANNUAL GENERAL MEETING**

- (1) The Annual General Meeting shall be the highest authority and policy-making body for the Association.
- (2) The Annual General Meeting of the Association shall be held in the tenth week, before the elections in the second Semester in person and or virtually attended.
- (3) The Secretary must issue a Notice through email and social media of the Annual General Meeting including the Agenda giving seven clear days before the meeting.
- (4) The quorum for the Annual General Meeting shall be fifty (50) members either attending in person or virtually. Failure to meet the quorum will amount to the Annual General Meeting being dissolved and invalid.
  - a. In the event of failing to meet the quorum, the Executive Community is to subsequently organize a Special General Meeting within the next 14 days giving seven clear days' notice before the meeting.
- (5) The President shall chair the meeting.
- (6) In the event that the President and Vice Presidents are absent, the Annual General Meeting may appoint an interim chairperson from the present members to chair the Annual General Meeting.
  - a. In such an event, the Secretary shall call for nominations by virtue of a motion to appoint an Interim chairperson. If more than one person is nominated, there shall be a vote by show of hands, and the Secretariat shall reserve his/her vote and use it only if there *is* a tie.
  - b. In the event where all four Executives, who are, the President, 2 Vice Presidents and the Secretary is not present in the meeting, the AGM shall be dissolved and the procedures of (4).a above shall be followed.
- (7) The President shall personally deliver an annual report of the activities of the Association at the AGM.
- (8) The Treasurer shall personally deliver a financial report of the financial activities of the Association.
- (9) The Annual General Meeting may formulate, amend or revise any by-laws, standing orders and policies of the Association.

#### **ARTICLE 18 - SPECIAL GENERAL MEETING**

- (1) The Secretary shall convene a special general meeting on any of the following grounds:
  - (i) On the instructions of the President
  - (ii) If the Executives of the LSA-Laucala so decide.
  - (iii) On the written request of the quorum and plus 5 members of the Association.
- (2) The Special General Meeting referred to in (1) above can be held in person and or virtually attended and it shall be called within seven days of the receipt of the request as outlined on the grounds stated in (1) above.
- (3) At least seven days' notice shall be given of any General Meeting and such notice shall include an Agenda of the items to be discussed.
- (4) The quorum for the Special General Meeting shall be fifty members either attending in person or virtually.
  - (i) The President shall preside at Special General Meeting as its chairperson (unless a motion of no-confidence on the president is to be discussed in which section (5) below shall apply) and in his/her absence, the Vice President may act as Chairperson.
- (5) In the event that both the President and the Vice Presidents are absent or disqualified from chairing:
  - (i) the Secretary will chair the Special General Meeting
  - (ii) and in the absence of the Secretary, the Executive body may appoint an interim chairperson to conduct the meeting.
- (6) In the event that the Special General Meeting is to move a vote of No Confidence on the Incumbent President for reasons of impartiality or acting contrary to Articles 7-9 of the Constitution, the incumbent President shall not chair such a meeting but disqualify him/herself in compliance with Articles 7, 8, or 9, of this Constitution.
- (7) In the event that the object of the Special General Meeting is to move a vote of No Confidence in any other incumbent Executive (other than the President) of the Association then the executive shall be deemed disqualified from chairing such meeting pursuant to Article 9, section (2) of this constitution.

## **ARTICLE 19 – RESIGNATION**

- (1) Any member of the executive may resign by giving a 14 days' notice in writing to the Secretary who shall submit the name at the Executive Meeting.
- (2) Any member of the Executive who fails to attend the full duration of three executive meetings without 24 hours' prior notification to the Secretary or in their absence, the Assistant Secretary shall cease to be a member of the Executive Committee.

## **ARTICLE 20 - DISCIPLINARY POWERS**

- (1) The Association shall refer to the USPSA all disciplinary matters that are deemed critical, with full reports and available evidence.

- (i) This report must be endorsed by the President.
  - (ii) If in the event whereby the President is implicated in any disciplinary matter requiring to be referred to the USPSA, the report must be endorsed by the second in charge.
- (2) The USPSA will have the discretion to handle the matter from there on.

#### **ARTICLE 21 - COMPLIANCE WITH THE USPSA CONSTITUTION AND BY-LAWS**

- (1) The Association shall fully comply with all the regulations and by-laws of the USPSA.
- (2) It accepts the USPSA as its parent and governing body of the highest authority.
- (3) The Association shall be accountable to the USPSA and shall report to it.
- (4) The USPSA has the authority to audit the accounts of the Association.

#### **ARTICLE 22 - AMENDMENTS TO THE CONSTITUTION**

- (1) The Constitution may be amended at an Annual General Meeting of the Association called for its purpose or at the Special General Meeting.
- (2) The Executive Committee may appoint a Constitutional Review Committee for the purposes of reviewing the Constitution subject to Article 5.
- (3) Proposed amendments with signatures of the person proposing and seconder must be advertised to all members at least one week before the date of the meeting.
- (4) Amendments shall be made if approved by more than two-thirds majority of the members present at the meeting.
- (5) Any amendment must then be submitted to the USPSA for approval.
- (6) Amendments become effective from the date the USPSA approves it.
- (7) The Constitution is subject to its review every 3 years from its current review in 2024.

**SCHEDULE AA**  
**USP LAW STUDENTS' ASSOCIATION - LAUCALA**  
**NOMINATION FOR GENERAL ELECTIONS**

NAME OF THE PERSON NOMINATED:

CURRENT COURSES ENROLLED (ATTACH  
TRANSCRIPT): NOMINATION FOR THE POSITION OF:

I, the undersigned, \_\_\_\_\_ accept to be nominated for the position of  
... for the general elections of the USP Law Students' Association -  
Laucala (Please refer to Article 3, of the USPLSA-Laucala Constitution before submitting  
this form).

Signature of the Nominee ..... DATE: ...../...../.....

	Name	Student ID	Signature	Current Registration
1.				
2.				
3.				
4.				
5.				
6.				

**SCHEDULE BB**

I, \_\_\_\_\_, DO SWEAR I WILL WELL AND TRULY SERVE THE USP  
LAW  
STUDENTS ASSOCIATION - LAUCALA,  
IN THE OFFICE OF .....

I WILL IN ALL THINGS UPHOLD THE CONSTITUTION AND WILL DO RIGHT TO  
ALL  
MANNER OF PEOPLE WITHOUT FEAR OR FAVORS, EFFECTION OR ILLWILL.

SO HELP ME GOD!

**SCHEDULE CC**  
**HANDING OVER FORM**

I, ..... hereby handover to  
USP Law Students Association – Laucala.

the following property of the

	ITEM	CONDITION	REMARKS
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

I ..... hereby clarify the receipt of the above property of the USPLSA - Laucala in the above and agreed conditions as to its presence of the Succeeding President/ Vice President as a witness.

**Succeeding Executive Member**

Name: .....

Date: ...../...../.....

**Witness**

Name: .....

Date: ...../...../.....

**Outgoing Executive Member**

Name: .....