

Further rule changes to be considered by Annual Meeting 2011

The National Executive is bringing forward two further rule change resolutions to Annual Meeting 2011 that are intended to deal with an extraordinary event.

It was not possible to advise the membership of these proposed rule changes prior to the cut-off date of June 20th 2011, and so the provisions of section 6.19.4 of the Rules of NZEI Te Riu Roa apply. That section of the rules deals with the Institute's ability to bring forward rule amendments at a date later than the 3 months prior to Annual Meeting as determined in section 6.19.3

The proposed amendments are intended to make provision for new executive members to be elected during the first year of the two-year national executive term so that they have full voting rights at the executive table for the duration of their term.

The resignation from the National Executive of the Support Staff sector representative, Ann Hoglund, created a situation whereby, under the current rules, the National Executive could have appointed from the Support Staff sector, but the person so appointed would not have had voting rights at the National Executive table. This would have meant that the sector would have been effectively disenfranchised until after the end of the current National Executive term in December 2012.

The proposed changes to the rules seek to change that. If the rule change is agreed to by Annual Meeting 2011, then the national President will call for nominations from the floor of Annual Meeting 2011 in order to fill the vacancy with an elected representative of the sector.

That section 4.2.4 of the rules be amended by the deletion of the current wording and the insertion of a new section 4.2.4 to read:

4.2.4 In circumstances where a vacancy arises for positions described in section 4.1.2.3(b) and there is no next highest polling candidate in the ballots for National Executive held at the preceding Annual Meeting, then National Executive will fill that vacancy through either of the following provisions

- a) The National Executive may appoint a member of a sectoral or general membership group (as is appropriate) that would nominate candidates in a ballot for the national executive in which that vacancy occurs and such person will not have voting rights on National Executive.*
- b) 1. Where the vacancy occurs at any time prior to the mid term Annual Meeting, National Executive may call for nominations from members of the appropriate sectoral or general membership group to fill the vacancy as soon as possible after the vacancy occurs*
 - 2. Elections will be held at that (mid term) Annual Meeting under the relevant provisions of Rule 4.1.4*

- 3. The successful candidate(s) will take office for the balance of the 2 year period remaining with full voting rights on the National Executive.*

Background Information

The resignation from the National Executive of the designated Support Staff member has created a situation whereby, under the current rule provisions (there being no 'next polling candidate' for support staff) any replacement National Executive member so appointed would not have a voting right for the remaining 18 months of the current National Executive term of office.

The purpose of this protective amendment is both to recognize an extraordinary event and to provide continuity of the democratic rights of the organisation's membership sectors, – in this case protecting the democratic rights of members in the support staff sector.

Specifically, the adoption of this rule change will ensure that the Support Staff sectoral representative so elected to the National Executive is able to take a full and active role in the democratic processes for the remainder of the current term. It will enable ability of the Institute to fulfil its obligations to members.

Rule 6.19.4 deals with the Institute's ability to bring forward rule amendments at a date later than the normal 3 months prior to Annual Meeting as is determined in rule 6.19.3

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- ii) That section 4.1.3.1 of the rules be amended by the deletion of the words "on the last day of" and their replacement with the word "at", to read:*

4.1.3.1 Elections shall be held at the Annual Meeting and successful candidates shall take office for the two year period commencing on the 1st January following the Annual Meeting.

Background Information

Dependent on the length of an annual meeting, its location and the makeup of the agenda, the ability to have the elections at the most opportune time is considered important.

A mid term election to cover a vacancy, should the amendment for rule 4.2.4 be agreed, would allow a member elected to national executive at the beginning of the meeting to participate in the meeting in an executive role.

Rule 6.19.4 deals with the Institute's ability to bring forward rule amendments at a date later than the normal 3 months prior to Annual Meeting as is determined in rule 6.19.3