

**Rules
of the
New Zealand
Educational Institute
Te Riu Roa
(Incorporated)**

**This 2010 edition of the Rules incorporates additions,
Amendments and deletions determined by Annual Meeting 2009**

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CONTENTS

	Page
1	GENERAL 8
1.1	Name 8
1.2	Registration 8
1.3	Purpose of registration under the Act 8
1.4	Registered office 8
1.5	National office 8
1.6	Other offices 9
1.7	Interpretation 9
1.8	Objects 9
1.9	Affiliation 10
2	MEMBERSHIP AND SUBSCRIPTIONS 10
2.1	General provisions 10
2.2	Full membership 10
2.3	Student Teacher membership 11
2.4	Honorary membership 11
2.5	Enrolment procedures 11
2.6	Extending the categories of full membership 12
2.7	Admission to membership 12
2.8	Financial membership 12
2.9	Register of members 12
2.10	Members outside scope of the full membership rule 13
2.11	Notice of discontinuance of membership 13
2.12	Grades of Membership 13
2.12.1	Honours Committee - Membership 13
2.12.2	Honours Committee - Functions 14
2.12.3	Grades of Membership - Criteria 14
2.12.4	Privileges of Life Membership 16
2.12.5	Associates and Fellows - Procedures 16
2.12.6	Life Membership and Honorary Fellow - Procedures 16
2.13	Entrance fees, subscriptions and levies 16
3	MANAGEMENT OF THE UNION 17
3.1	Annual Meeting (or Special Meeting) of the Institute 17
3.2	National Executive 17
3.2.1	Composition of the National Executive 17
3.2.2	Order of precedence 17
3.2.3	Standing Committee 18
3.2.4	Functions of National Executive 18
3.2.5	Functions of the National President 19

3.2.6	Functions of the National Secretary	19
3.2.7	Meetings of the National Executive	19
3.3	Te Reo Areare	19
3.4	Branches	20
3.4.1	Established branches	20
3.4.2	Establishment and disestablishment of branches	20
3.4.3	Objects	20
3.4.4	Restrictions upon branch representations	21
3.4.5	Affiliation	21
3.4.6	Common Seal	21
3.4.7	Office	21
3.4.8	Branch ceasing to be a branch	21
3.4.9	Representation at workplace level	21
3.4.10	Eligibility for membership	21
3.4.11	Enrolment procedures	22
3.4.12	Members' liability for subscriptions	22
3.4.13	Sub-branches and clusters - general provisions	22
3.4.14	Sub-branches at pre-service training institutions	22
3.4.15	Financial year	22
3.4.16	Power of investment	22
3.4.17	Annual statement of membership for branch share of subscriptions	23
3.4.18	Annual statement of membership for representation to Annual Meeting	23
3.4.19	Annual return of financial statements and annual meeting report	23
3.4.20	Branch Annual meeting	23
3.4.21	Special meetings	24
3.4.22	Quorum	24
3.4.23	Adjournment	24
3.4.24	Election of officers, Managing Committee and representatives	24
3.4.25	Method of election	25
3.4.26	Election by postal ballot	25
3.4.27	Election at the annual meeting	25
3.4.28	Election of Annual Meeting representatives	26
3.4.29	Representatives to Special Meetings	27
3.4.30	Ballot papers	27
3.4.31	Removal of branch officers, branch Managing Committee and Annual Meeting representatives	27
3.4.32	Powers of the Managing Committee	28
3.5	Area Councils	28
3.5.1	Establishment of Area Councils	28
3.5.2	Composition	29
3.5.3	Election of branch representatives	29
3.5.4	Election of officers	29
3.5.5	Meetings	29
3.5.6	Powers and functions	30

3.5.7	Power of investment	30
3.5.8	Annual return of financial statements- Branches and Area Councils	30
3.5.9	Restrictions upon representations	31
4	ELECTION AND REMOVAL OF NATIONAL OFFICERS	31
4.1	Election of national officers and method of election	31
4.1.1	Eligibility	31
4.1.2	Nominations	31
4.1.3	Election by ballot at Biennial National Meeting	32
4.1.4	Order of election	32
4.2	Vacancies	32
4.3	Term of office	33
4.4	Removal of national officers	33
5	MEETINGS OF THE INSTITUTE	35
5.1	Composition of meeting	35
5.2	Branch representatives and official observers	35
5.3	Quorum	35
5.4	Annual Meeting	35
5.5	Special Meetings	36
5.6	Te Kahui Whetu	36
5.7	Standing orders	36
5.7.1	Tikanga Maori at annual meeting	36
5.7.2	Chairperson	37
5.7.3	Hours of session	37
5.7.4	Quorum	37
5.7.5	Record of proceedings	37
5.7.6	Proposing motions and amendments	37
5.7.7	Withdrawing motions and amendments	38
5.7.8	Speaking to motions and amendments	38
5.7.9	Suspension	39
5.7.10	Procedural motions	39
5.7.11	Divisions	39
5.7.12	Institute in committee	40
5.7.13	General	40
5.8	Disputed ballots	40
5.9	Destruction of ballot papers	40

6	ADMINISTRATIVE REQUIREMENTS	40
6.1	Supply of Rules and amendments to Rules	40
6.2	Supply of annual report to financial members	41
6.3	Supply of annual accounts and auditor's certificate	41
6.4	Supply of copies of resolutions	41
6.5	Common Seal	41
6.6	Execution of instruments	41
6.7	Financial grants to branches and area councils	41
6.8	Financial operations	44
6.9	Financial year	44
6.10	Power of investing and borrowing	44
6.11	Legal Assistance Fund	45
6.12	Provident Fund	45
6.13	Death Benefit Fund	46
6.14	Special Purposes Fund	46
6.15	Audits of National, Branch and Area Council Financial Statements	47
6.16	Inspection of accounting records and registers	47
6.17	Cancellation of registration	47
6.18	Restriction on voluntary cancellation of registration of the association	48
6.19	Power to amend or repeal the Rules	49
7	ELECTION OF THE NZEI TE RIU ROA NOMINEE TO THE NEW ZEALAND TEACHERS COUNCIL AND METHOD OF ELECTION	49
7.1	Election of the NZEI Te Riu Roa nominee to the New Zealand Teachers Council and Method of Election	49
7.1.1	Election	49
7.1.2	Eligibility	49
7.1.3	Nominations	49
7.1.4	Election by Ballot at Annual Meeting	50
7.2	Vacancies	50
7.3	Term of Office	50
7.4	Removal of the NZEI Te Riu Roa Nominee to the New Zealand Teachers Council	50
8	OTHER MATTERS	50
8.1	Members' support teams	50
8.1.1	Appointment	50
8.1.2	Functions	51
8.1.3	Powers	51
8.1.4	Members rights	51
8.2	Ethics	51
8.2.1	Professional ethics	51

8.2.2	Complaints against members	52
8.2.3	Establishment of Ethics Panel	52
8.2.4	Functions	53
8.2.5	Powers	53
8.2.6	Procedure	53
8.2.7	Appeals	54
8.3	Disciplinary Offences	54
8.4	Disciplinary Tribunal	55
8.4.1	Establishment of a Disciplinary Tribunal	55
8.4.2	Procedure	55
8.5	Bargaining – Ratification of Agreements, Variation of Agreements and Secret Ballot	56
8.6	Repeal and saving	57
8.7	Transitional provision	57

SCHEDULE

First	A: Established branches of the New Zealand Educational Institute Te Riu Roa (Incorporated)	58
	B: Established Area Councils of the New Zealand Educational Institute Te Riu Roa (Incorporated)	60
	C: Established Aronui Tomua Electoral Regions for the purpose of each nominating a member of Te Reo Areare	60
Second	NZEI Te Riu Roa Code of Ethics	61
Third	Te Tiriti o Waitangi	63
	English translation	64
Fourth	Nomination paper for election of branch officers or representatives	65
Fifth	Nomination of national officer	66
Sixth	Nomination of NZEI nominee to the New Zealand Teachers Council	67

RULES OF THE NEW ZEALAND EDUCATIONAL INSTITUTE TE RIU ROA (Incorporated)

1 GENERAL

1.1 Name

1.1.1 The name of this union shall be "THE NEW ZEALAND EDUCATIONAL INSTITUTE TE RIU ROA, Incorporated" (hereinafter called "The Institute").

1.1.2 The Institute may operate under the name NZEI Te Riu Roa.

1.2 Registration

1.2.1 The Institute shall be registered as a union under The Incorporated Societies Act 1908 and under the Employment Relations Act 2000.

1.3 Purpose of Registration Under the Act

1.3.1 Registration as a union under the Incorporated Societies Act 1908 means that all persons who are members of the Institute at the time of registration or who become members after registration shall be bound by the Rules of the Institute during the continuance of their membership.

1.3.2 Registration as a union under the Incorporated Societies Act 1908 requires the Institute to comply with certain minimum requirements under the Act relating to its internal management and makes its actions subject to review by the High Court.”

1.3.3 Registration as a union under the Employment Relations Act 2000 requires the Institute to be democratic, independent, and to operate at arm’s length from any employer.

1.4 Registered Office

1.4.1 The Registered Office of the Institute shall be at Education House, 178-182 Willis Street, Wellington, or at such other place in the city of Wellington as the National Executive may from time to time determine.

1.4.2 Notice of any change in the situation of the registered office of the Institute shall be given to the Registrar forthwith. The date of the change shall be stated in the notice.

1.4.3 Notice of any change in the situation of the registered office of the Institute or the postal address of the Institute shall be given to members forthwith in a manner to be determined by National Executive.

1.5 National Office

1.5.1 National Office of the Institute shall be the same as the Registered Office.

1.6 Other Offices

1.6.1 The National Executive may establish other offices.

1.7 Interpretation

Aronui Tomua (AT) or Branch or Komiti Pasifika: A defined sub-set of Institute members established under Section 3.4.2 of these Rules and named in the First Schedule to these Rules

Branch: Either an Aronui Tomua, branch or Komiti Pasifika

Area Councils (DC): A representative committee of branch representatives established under Sections 3.5.1 to 3.5.3 of these Rules and named in the First Schedule to these Rules

Majority: Unless expressly stated otherwise a majority in any vote shall mean a simple majority

National Officer: Any member of the National Executive as defined in Section 3.2.1 of these Rules

Support Staff: A member defined in Section 2.2.1(d) of these Rules

The Act: The Incorporated Societies Act 1908

The Institute: The New Zealand Educational Institute Te Riu Roa (Incorporated)

The Registrar: The Registrar of Incorporated Societies

The Rules or These Rules: The rules of the Institute

1.8 Objects

1.8.1 The main object of the Institute shall be to advance the cause of education generally while upholding and maintaining the just claims of its members individually and collectively.

1.8.2 The Institute shall promote its members' collective employment interests.

1.8.3 The Institute shall at all times respect and uphold the professional status and the individual rights of its members.

1.8.4 The Institute shall give honour and effect to the Treaty of Waitangi with Maori and Tauwiwi being equal parties in Institute operations.

1.8.5 The Institute shall promote and protect the professional, economic, social and educational interests of its members. This may be done by the Institute alone or in co-operation with other organisations.

1.8.6 The Institute shall represent its members' interests in accordance with Section 18 of the Employment Relations Act 2000.

1.9 Affiliation

1.9.1 The Institute may associate itself with or affiliate to any other educational body whose purposes are to advance the cause of education generally and are not for purposes of gain.

1.9.2 The Institute may be a member of the New Zealand Council of Trade Unions.

2 MEMBERSHIP AND SUBSCRIPTIONS

2.1 General Provisions

2.1.1 "Member", wherever used in these Rules shall, (unless the context requires otherwise) mean any member, whether a full, Student Teacher or honorary member.

2.1.2 All members will be bound by the relevant sections of the Rules of the Institute.

2.1.3 Protection of membership is provided for members in any category who would not otherwise qualify under sections 2.2 - 2.6.

2.1.4 Members may choose either:

- membership of the branch in which they are employed;
- membership of the branch in which they reside; or
- any branch in which they show interest.

When a member of a branch transfers to another branch, it is that member's responsibility to advise the National Secretary and the secretaries of the two branches concerned of the transfer of membership.

2.1.5 An Institute member may attend a meeting of any branch but they may only vote or hold office in the branch to which they are financially affiliated.

2.2 Full Membership

2.2.1 Full membership may be open to every person employed or engaged to be employed throughout New Zealand:

- (a) as a teacher in a state or state integrated school;
- (b) as an early childhood teacher or educator;
- (c) as a teacher or educator, other than those defined in parts (a) or (b) of this rule, in the state education sector;
- (d) as an employee in a state or state integrated school, an educational institution or educational agency, whose function is to support administration, teachers or pupils in the state education sector or a licensed early childhood centre (including kindergartens).
- (e) any group of registered teachers and support workers in a service fully funded through the state education system.

2.2.2 Full members shall be entitled to:

- attend, speak and vote at all meetings of the branch in which they are enrolled;
- the right to be elected to any position within their branch and to represent the branch or the Institute if so appointed;
- the assistance of the advisory services of the Institute;
- receive an initial free copy of the Rules of the Institute and all subsequent amendments subject to the provisions of Sections 6.1.2 and 6.1.3 of these Rules;
- receive a free copy of the collective employment agreement under which they are employed;
- receive a free copy of the Annual Report and Financial Statement;
- apply for assistance from the Legal Assistance Fund and the Provident Fund.

2.3 Student Teacher Membership

2.3.1 Student Teacher membership shall be open to every student enrolled in a course of training leading to employment in any category of full membership as specified in Section 2.2.1 of the rules.

2.3.2 Student Teacher members shall be entitled to enrol as a member of a general branch, Komiti Pasifika or Aronui Tomua and entitled to speak and vote at any meetings of the branch, Komiti Pasifika or Aronui Tomua or any campus Student Teacher sub-branch of the general branch, Komiti Pasifika or Aronui Tomua in which they are enrolled.

2.3.3 Student Teacher members may be accorded the advice and support of the Institute.

2.4 Honorary Membership

2.4.1 Honorary membership may be open to former full members who have retired or resigned or become unemployed.

2.4.2 Honorary members shall be entitled to:

- attend and speak at any meeting of their branch;
- receive on application to the national office a free copy of the Annual Report and Financial Statement.

2.5 Enrolment Procedures

2.5.1 It shall be the function of each NZEI Te Riu Roa worksite representative and branch to enrol prospective members of the Institute.

2.5.2 The National Executive may object to the enrolment of a prospective member. Any such objection shall be made according to the procedures set out in that part of these Rules referring to the Ethics Panel.

The grounds upon which a full member may object to the registration of a person as a Student Teacher or honorary member of a branch shall be:

- (a) that the person has been expelled from membership of a branch;

- (b) that the person has not fulfilled any conditions imposed by the Disciplinary Committee pursuant to the Rules of the Institute;
- (c) that the person, by reason of conviction by a Court for an offence, is not a fit person to be registered as a member;
- (d) that the person, while a Student Teacher member committed a breach of the Code of Ethics.

2.5.3 Any prospective member whose application for membership is rejected may appeal to the Ethics Panel pursuant to Section 8.2 of these Rules.

2.6 Extending the Categories of Full Membership

2.6.1 Where the Institute wishes to extend the categories of full membership to include any category or categories of workers who are already included in the membership rule of any other union, this shall be done by a change of Rules as described in Section 6.19 of these Rules, Power to Amend or Repeal the Rules.

2.7 Admission to Membership

2.7.1 Any person employed or engaged to be employed within the categories of workers defined in Section 2.2.1 of these Rules may become a member of the union, without ballot or election, on making written application to the National Secretary, and shall thereafter pay all dues and contributions due from the date of joining.

2.7.2 Successful application to become a member shall be contingent upon the applicant's signed declaration (disclaimer) that there are no employment related legal, ethical or disciplinary matters in progress or outstanding against the applicant at the time of application to join.

2.7.3 Membership shall be effective from the date the applicant's application is received by the National Secretary.

2.7.4 A false declaration (disclaimer) on application to become a member shall deem any membership accepted null and void and in such case the Institute shall not be liable for payment or support to that member for any action stemming from outstanding matters.

2.8 Financial Membership

2.8.1 A "financial member" is any member of the Institute who is not in arrears for more than 90 days with the payment of any fee, subscription, levy or contribution required to be paid under these Rules.

2.9 Register of Members

2.9.1 The Institute shall keep a register of members containing, in respect of each financial member, the following information:

- (a) The member's full name;
- (b) The address of the member's workplace;
- (c) The member's occupation;

- (d) The employment agreement applicable to the member (if any);
- (e) The date on which the member joined the union.

2.10 Members Outside Scope of the Full Membership Rule

2.10.1 Subject to the provisions of Section 2.3 and 2.4 of these Rules should any member cease to be employed in any occupation to which the full membership rule relates, his or her membership of the Institute shall be deemed to be terminated.

2.10.2 Such persons shall not be exempt from paying any dues outstanding at the time of termination of their membership.

2.10.3 Such persons shall give 14 days written notice to the National Secretary of the termination of membership, and shall qualify for a proportionate refund of any subscription paid in advance.

2.10.4 The Institute shall continue to act on behalf of any person affected by this rule in personal grievance procedures initiated while the person was within the scope of the full membership rule.

2.11 Notice of Discontinuance of Membership

2.11.1 Any person may cease to be a full member of the Institute by giving the National Secretary 14 days written notice of that person's intention to discontinue membership of the Institute. The resignation shall not be effective, except by the leave of the National Secretary, until the member has paid all fees, subscriptions and levies payable by the member under these Rules and the resignation shall not exempt the member from liability in respect of any act or omission while that person was a member.

2.12 Grades of Membership

2.12.1 Honours Committee - Membership

2.12.1.1 Members of the Honours Committee shall not be members of the National Executive (other than the National President).

The National Executive shall appoint an Honours Committee consisting of:

- (a) The National President who will chair the Committee or who will appoint a Fellow of the Institute to chair;
- (b) Four Fellows of the Institute, appointed for a three year term, but who will be eligible for re-appointment by the National Executive;
- (c) Two members nominated by Te Reo Areare, for a three year term, provided that if the nominees are members of the Institute they shall be Fellows of the Institute and if not members of the Institute they shall be Kaumatua or pakeke;
- (d) One senior representative of teacher education providers appointed by the National Executive;
- (e) One tertiary representative nominated by the Tertiary Education Union;
- (f) One representative nominated by PPTA;
- (g) One representative nominated by the Minister of Education.

2.12.1.2 A quorum shall consist of seven members of the committee.

2.12.2 Honours Committee - Functions

- 2.12.2.1** Subject to the provisions of these Rules the functions of the Honours Committee are:
- to consider nominations for the grade of membership specified in these Rules and to make recommendations to the National Executive accordingly;
 - to consider and report to the National Executive on any matter relating to the Rules provisions for Grades of Membership.

2.12.3 Grades of Membership - Criteria

2.12.3.1 Associate

In order to be considered as an Associate the nominee must have demonstrated:

- support for the Institute's ethics, objects, goals and activities
- a high level of effectiveness as a committed practitioner in his/her respective field
- a strong commitment to personal professional development
- that he/she is held in high regard by and has excellent relationships with learners, colleagues, caregivers and other members of the education community.

An added advantage is involvement in community activities outside education

A pre-requisite for the award of Associate is either:

- full membership of the Institute or a kindred organisation for not fewer than 10 years or:
- if they have resigned after not fewer than 10 years full membership, then they are nominated for the Award within one year from the date they retired or resigned from the Institute or kindred organisation.

2.12.3.2 Fellow

The award of Fellow is made sparingly to those who are generally acknowledged as being worthy of this high honour.

In order to become a Fellow a nominee must have demonstrated:

- all of the requirements for Associate to a higher level i.e.
 - support for the Institute's ethics, objects, goals and activities
 - a high level of effectiveness as a committed practitioner in his/her respective field
 - a strong commitment to personal professional development
 - that he/she is held in high regard by and has excellent relationships with learners, colleagues, caregivers and other members of the education community.
- outstanding leadership and commitment to promotion of excellence in education in his/her field
- ongoing quality contributions to a range of Institute activities
- special contribution to the wider educational community

- service to the wider community

A general rule for the award of Fellow is either:

- full membership of the Institute or a kindred organisation for not less than 20 years or;
- if they have resigned after not fewer than 20 years full membership then they are nominated for the Award within one year from the date they resigned or retired from the Institute or a kindred organisation.

A nominee must also be an Associate or hold an ESPA or NZEI Te Riu Roa Special Service Award.

2.12.3.3 Honorary Fellow

The award of Honorary Fellow is made sparingly to those who are generally acknowledged as being worthy of this high honour and who do not otherwise qualify for the award of Fellow.

In order to be considered for Honorary Fellow the nominee must have demonstrated:

- eminence in their field of education or a kindred discipline nationally or internationally
- significant service to education and the well being of learners
- support for the Institute's objects, goals and activities, in principle.

2.12.3.4 Life Membership of the Institute

- (a) In order to be considered for Life Membership the nominee must have demonstrated long and distinguished service in the cause of members and education. The honour is to be given sparingly as this is the highest honour awarded by the Institute. It is given only when the service rendered has been of nationwide and outstanding nature.

A general rule for the award is to have been a member for 25 years.

- (b) In exceptional circumstances non-members of the Institute may be proposed for Life Membership in recognition of outstanding service to education for not fewer than 30 years.
- (c) If a union amalgamating with the Institute has a rule provision for life membership similar to those of section 2.13.3.4 (a) of these union Rules honorary life membership may transfer from the amalgamating union to the Institute subject to consideration of such transfers by the Honours Committee which shall make recommendations to the National Executive.

2.12.3.5 Life Membership of a Branch

Each branch of the Institute may elect to Life Membership of the branch such person or persons as the branch considers suitable for such an honour.

2.12.4 Privileges of Life Membership

2.12.4.1 Life Membership of the Institute

The privileges of Life Membership of the Institute shall be:

- (a) Publication in the Roll of Life Members, published as part of the Report and Proceedings of Annual Meeting;
- (b) the receipt of free copies of the current NZEI newsletter;
- (c) the right to attend all general meetings of the Institute or of any branch and to have speaking rights but not voting rights.

2.12.4.2 Life Membership of a Branch

The privileges of Life Membership of a branch shall be:

- the right to attend all meetings of that branch and to have speaking rights but not voting rights.

2.12.5 Associates and Fellows - Procedures

2.12.5.1 Nominations for the award of Associate and Fellow will be received from any branch or Area Council.

2.12.5.2 Nominations shall be made in the manner prescribed by the Institute and branches will be so advised annually.

2.12.5.3 Nominations shall be referred to the Honours Committee for consideration. The Professional Committee will make recommendations to the National Executive which will act for the Institute in deciding on which of these nominees these awards will be conferred.

2.12.6 Life Membership and Honorary Fellow - Procedures

2.12.6.1 Nomination for awards of Life Membership and Honorary Fellow will be made by the National Executive which may act on the recommendation of a branch or area council..

2.12.6.2 All such nominations will be referred to the Honours Committee for consideration and recommendation to the National Executive, which will act for the Institute in deciding on which of the nominees these awards will be conferred.

2.13 Entrance Fees, Subscriptions and Levies

2.13.1 Each full and Student Teacher member shall pay a membership subscription to the National Secretary at the appropriate rate that has been determined under rule 2.13.3.

2.13.2 The subscription of each member and the threshold below which part subscription rates shall be calculated shall be set by majority decision at Annual Meeting. Members earning less than the threshold so set shall pay part of the full members subscription at rates to be determined by majority decision at Annual Meeting.

2.13.3 The National Executive shall determine the methods of payment of subscriptions available to members which shall be notified from time to time via the Institute's website and normal communications to worksites.

2.13.4 Any member, not including members who are temporarily on leave from tenured positions, whose annual subscription or current instalment is more than 90 days in arrears may have their membership terminated, unless otherwise determined by the National Executive. Such membership termination shall not be effected unless the National Secretary has written to any member deemed to be in arrears at their last known address. Nothing in this section shall prevent a member from re-joining at a later date.

2.13.5 In the case of emergency, the Institute shall, in addition to the subscriptions above, have power to levy on the members through the branches a sum not exceeding 10% of the annual subscription of each full member in any one year, provided that such a levy receives the prior approval of a majority of members at Annual Meeting, at a special meeting of the Institute or in a postal ballot of full members. Any resolution to permit such a levy shall have been notified to members in advance of the meeting or ballot.

3 MANAGEMENT OF THE UNION

3.1 Annual Meeting (or Special Meeting) of the Institute

3.1.1 The highest authority within the Institute is an Annual Meeting (or Special Meeting) of the Institute convened in accordance with the provisions of these Rules and such a meeting shall determine the policies of the Institute in accordance with the provisions of these Rules and the Act.

3.2 National Executive

3.2.1 Composition of the National Executive

3.2.1.1 The National Executive of the Institute shall consist of a National President, a National Immediate Past-President (who shall be the retiring National President) or if there is no person eligible to hold the office of National Immediate Past-President a Senior Executive Member, a National Vice-President, and eleven other members, four of whom shall be elected from nominees of the general membership, one of whom shall be elected from nominees of members in the early childhood sector, one of whom shall be elected from nominees of members in the primary teaching sector, one of whom shall be elected from nominees of members in the support staff sector, one of whom shall be elected from nominees of school principal members, and three of whom shall be selected biennially from current members of Te Reo Areare in accordance with procedures established by the Te Kahui Whetu

3.2.2 Order of Precedence

3.2.2.1 In the affairs and proceedings of the Institute, the National Executive, and the Standing Committee, the National Immediate Past-President shall have seniority next after the National President.

3.2.3 Standing Committee

3.2.3.1 The Standing Committee of the National Executive shall consist of the National President, the National Immediate Past-President or Senior Executive Member, the National Vice-President, and two other members of the National Executive to be nominated for such time and from time to time by the National Executive or the Standing Committee, one of whom shall as far as possible be the chairperson of the Finance Committee (if any) of the National Executive. A quorum of the Standing Committee shall be three.

3.2.3.2 The National Executive may delegate to the Standing Committee such of the powers and functions of the National Executive as it from time to time thinks fit.

3.2.4 Functions of National Executive

3.2.4.1 In addition to functions specified elsewhere in these Rules the National Executive shall have the following functions:

- (a) To act for and on behalf of the Institute when it is not in session by directing the policy of the Institute;
- (b) To fix, subject to these Rules, the date of the Annual Meeting of the Institute and order of business of the Annual Meeting;
- (c) To prepare and circulate minutes of all meetings of the National Executive and Standing Committee to members of the National Executive;
- (d) To meet together for the dispatch of business, adjourn and otherwise regulate its business as it thinks fit;
- (e) To appoint a National Secretary and such other staff as are required;
- (f) To submit a report of its proceedings during the year;
- (g) To administer and control all financial matters of the Institute and to submit financial statements which shall be audited by a chartered accountant in public practice who shall be annually elected by the Institute for the purpose;
- (h) To operate the Institute's bank accounts and use the funds of the union in a lawful manner, in the interests of members and in line with the objects of the Institute;
- (i) To make such financial arrangements by way of investment, loan or overdraft as the business of the Institute may require;
- (j) To control, acquire and dispose of property;
- (k) To summon a Special Meeting of the Institute at such time and for such purposes as it may deem necessary;
- (l) To conduct a referendum of members of the Institute on any important changes in Institute policy or other matter if the National Executive or Annual Meeting considers such a referendum is desirable;
- (m) At the present request of the chairperson of a Area Council, a branch president or an Institute counsellor, to authorise and to appoint an Institute representative at any inquiry, whether informal or under statutory or other process, or for any other legal action instituted by an employing authority involving any member of the Institute;
- (n) Subject to the provisions of these Rules, to confer on members such grades of membership as may be recommended by the Honours Committee;
- (o) To take disciplinary action when necessary, against members, officers and other position holders in the Institute.

3.2.5 Functions of the National President

3.2.5.1 The National President is the chairperson of meetings of the Institute, the National Executive and appropriate sub-committees of the executive.

3.2.5.2 The president will ensure the Rules and policy of the Institute are observed and promoted on all possible occasions.

3.2.5.3 The National President shall exercise a deliberative as well as a casting vote where necessary at all meetings over which she/he presides.

3.2.6 Functions of the National Secretary

3.2.6.1 The National Secretary shall be the chief executive of the Institute and shall be responsible for the efficient and effective operation of the Institute.

3.2.6.2 In addition to the duties specified elsewhere in these Rules the National Secretary shall carry out all other duties delegated by the National Executive that are consistent with her/his conditions of employment.

3.2.6.3 The National Secretary may attend all such meetings of the Institute and National Executive as deemed appropriate by the executive but will not at any time exercise a vote on any matter.

3.2.6.4 The National Secretary shall not exercise all or any of the following powers:

- (a) Determining matters of Institute policy;
- (b) Determining financial policies or allocations, other than secondary allocations related to the efficient and effective operation of the NZEI Te Riu Roa Offices;
- (c) Taking disciplinary action against members or officers of the Institute;
- (d) Removing of elected officers of the Institute and the filling of any vacancies.

3.2.7 Meetings of the National Executive

3.2.7.1 Meetings of the National Executive shall be called by the National President as frequently as is necessary to fulfil the functions of National Executive described in Section 3.2.4 of these Rules.

3.2.7.2 The method of voting at such meetings and the quorum required for such meetings shall be in accordance with the principles of Annual Meeting Standing Orders as stated in Section 5.7 of these Rules.

3.3 Te Reo Areare

3.3.1 A Te Reo Areare comprising twelve members nominated regionally by Aronui Tomua members shall meet as required. In addition the Te Kahui Whetu shall select a support staff representative, a Student Teacher representative and three early childhood representatives.

3.3.2 The rohe from which Te Reo Areare shall be selected shall be named in Section C of the First Schedule to these Rules.

3.4 Branches

3.4.1 Established Branches

3.4.1.1 Branches of the Institute established within the provisions of these Rules shall be named in Section A of the First Schedule to these Rules.

3.4.2 Establishment and Disestablishment of Branches

3.4.2.1 Applications for the establishment of new branches must be made in writing to the National Executive which, before granting approval must be satisfied that:

- (a) a meeting of interested members, including representatives of all affected branches and the DC, has been held on the issue;
- (b) The boundaries of the new branch are satisfactorily defined;
- (c) Except in the case of the establishment of an Aronui Tomua , a postal ballot on the issue has been conducted among all members in the workplaces affected;
- (d) there should be no less than 25 members of the proposed branch or 15 of a proposed Aronui Tomua or Komiti Pasifika;
- (e) the Steering Committee of the proposed branch should include sufficient members to form a Managing Committee;
- (f) the establishment of such a branch will further the objects of the Institute.

3.4.2.2 Whenever an existing branch ceases to meet one or both of the following criteria the matter shall be referred to National Executive by the National Secretary.

- (a) no less than 25 members of a branch or 15 members of an Aronui Tomua or Komiti Pasifika;
- (b) meeting the objects or requirements of an Aronui Tomua, branch or Komiti Pasifika as defined in these Rules.

3.4.2.3 On considering the matter with reference to the provisions of Section 3.4.2.1 or 3.4.2.2 of these Rules, and any other relevant information, the National Executive shall within a period of two calendar months of its referral either:

- (a) confirm the continued existence of the branch for time being; or
- (b) immediately convene a Branch Review Commission comprising two members of National Executive to be elected by the National Executive, the chairpersons of the branch under review, the branches contiguous to the branch under review, and the relevant DC or DCs, and after receiving and considering the recommendations of the Commission shall by resolution determine the matter.

3.4.2.4 If after receipt of a recommendation from a Branch Review Commission National Executive resolves to disestablish a branch that decision shall take effect forthwith and the branch name shall be removed from the First Schedule to these Rules within the provisions of Section 6.19 of these Rules.

3.4.3 Objects

3.4.3.1 The main objects of a Branch shall be:

- (a) to advance the cause of education generally;
- (b) to promote the welfare of its members by:

- i) upholding their just claims individually and collectively;
- ii) affording them frequent opportunities of expressing their views;
- iii) encouraging social communication and membership loyalty.

3.4.4 Restrictions Upon Branch Representations

3.4.4.1 No branch shall bring any matter before the Minister of Education, the Ministry of Education or, the Education Review Office except at the direction of the National Executive.

3.4.4.2 No branch shall bring before a district employer organisation any matter affecting the NZEI members of that district as a whole except through the Area Council for that district.

3.4.5 Affiliation

3.4.5.1 A branch shall continue in affiliation with the Institute, and shall be subject to the general directions and government of that body.

3.4.6 Common Seal

3.4.6.1 The Common Seal shall be placed in the joint control of the President and the Secretary for the time being, who shall by direction of the Managing Committee, given by special resolution, affix the same to any document or documents.

3.4.7 Office

3.4.7.1 A Branch shall maintain an official mailing address which shall be notified to all branch members and the National Office of the Institute.

3.4.7.2 Notice of any change in the situation or the postal address of a branch shall be given to all branch members forthwith in a manner to be determined by the Managing Committee of the branch.

3.4.8 Branch Ceasing to be a Branch

3.4.8.1 When any branch is disestablished, all assets shall be transferred to the National Executive for redistribution as the National Executive sees fit.

3.4.9 Representation at Workplace Level

3.4.9.1 Representation of the Institute at workplace level shall be by an election of a member in secret ballot and balloting of members on issues of regional or national urgency shall be in accordance with the principles of Annual Meeting Standing Orders.

3.4.10 Eligibility for Membership

3.4.10.1 Any person who qualifies for membership under Section 2 of the Rules of the Institute may become a member of a branch.

3.4.11 Enrolment Procedures

3.4.11.1 The enrolment procedures to be followed are those set out in Section 2.5 of the Rules of the Institute.

3.4.12 Members' Liability for Subscriptions

3.4.12.1 Members become liable for payment of the subscriptions specified in Section 2.13 of these Rules on being enrolled as a member.

3.4.13 Sub-Branch and Clusters - General Provisions

3.4.13.1 A sub-branch or cluster of members combining for a special purpose or as a community of interest may be formed in a defined area within the boundaries of a branch. Such sub-branch or cluster shall consist of not fewer than 10 members. It shall be entitled to representation on the Managing Committee of the branch of which it forms a part, and its members shall have full rights as members of the Institute but a sub-branch or cluster shall not be entitled to representation at the Annual Meeting of the Institute.

3.4.14 Sub-Branches at Pre-Service Training Institutions

3.4.14.1 A sub-branch may be formed at each pre-service training institution and shall consist of the Student Teacher members who are students at the pre-service training institution and are enrolled as Student Teacher members of the branch in whose area the pre-service training institution is situated.

3.4.15 Financial Year

3.4.15.1 A financial year shall be from the first day of January in any year to the thirty-first day of December in the same year.

3.4.16 Power of Investment

3.4.16.1 Funds of the branch not immediately required for current expenses may be invested in securities authorised by law for the investment of trust funds or in bonds issued by the New Zealand Educational Institute Te Riu Roa or by any limited liability company promoted by it for the purpose of acquiring land or erecting buildings to be occupied in whole or part as offices of the Institute. Branches may contribute to centralised investments arranged from time to time within conditions notified to branches by national office.

3.4.16.2 Subject to the prior approval of the National Executive to be obtained on each occasion, the branch by resolution of the Managing Committee may purchase, take or lease or otherwise acquire, hold, exchange, transfer, lease or otherwise dispose of land, buildings, easements, shares or any other property whatsoever and for such purpose to borrow money whether on mortgage, debenture bond, overdraft or otherwise and to mortgage, charge or pledge any of its real or personal property whether present or future in such manner as it thinks fit for the purpose of securing any monies so borrowed.

3.4.17 Annual Statement of Membership for Branch Share of Subscriptions

3.4.17.1 The National Secretary shall provide a written statement to the secretary of each branch of the number of members as at 30th August in each year on which the branch share of subscriptions shall be determined.

3.4.18 Annual Statement of Membership for Representation to Annual Meeting

3.4.18.1 The National Secretary shall provide a written statement to the secretary of each branch of the number of members as at the date determined by National Executive within the provisions of section 5.1.1(b) of these Rules for the purpose of determining the number of representatives the branch is entitled to send to the Annual Meeting.

3.4.18.2 In terms of Section 5.2 of these Rules, no later than 12 weeks before the commencement of the Annual Meeting of the Institute, the branch secretary shall advise the National Secretary of the Annual Meeting representatives.

3.4.19 Annual Return of Financial Statements and Annual Meeting Report

3.4.19.1 The secretary of each branch shall forward to the National Secretary:

- (a) before February 1st each year a copy of the branch's statements of financial performance and financial position which shall have been audited by a member of the Institute of Chartered Accountants of New Zealand;
- (b) before May 1st each year, a report of the branch annual meeting and a list of the duly elected officers.

3.4.20 Branch Annual Meeting

3.4.20.1 At the meeting which shall be held before the 1st day of May in each year the following business shall be transacted:

- (a) The consideration of a report for the past year from the Managing Committee;
- (b) The consideration of the annual balance sheet;
- (c) Declaration of the results of the election of officers for the ensuing year if the method of election has been a postal ballot;
- (d) The election of officers for the ensuing year if election at the meeting is the method of election previously determined at the annual meeting in the preceding year;
- (e) The election of an auditor or auditors;
- (f) Any other business of which one month's notice in writing has been given to the Managing Committee of the branch;
- (g) Such other business as may be accepted by the permission of two-thirds of the members present at the meeting.

3.4.20.2 The date, time and venue of the annual meeting shall be notified to members in time that is consistent with the method of election of officers applicable in that year.

3.4.21 Special Meetings

3.4.21.1 A special meeting may be called at any time by the President or by the Secretary (on the motion of either or both of them), or on the requisition of any three members of the Managing Committee, or of any ten members of the branch. Not less than seven days' notice of such meeting shall be given provided that when a special meeting is called in accordance with Section 4.4.2.5 of these Rules 21 days' notice shall be given.

3.4.22 Quorum

3.4.22.1 At any meeting a quorum shall consist of not fewer than ten members but where a branch has less than thirty members, a quorum shall consist of not less than one third of the total branch membership.

3.4.23 Adjournment

3.4.23.1 It shall be within the power of any meeting to adjourn until such time as the meeting thinks fit.

3.4.24 Election of Officers, Managing Committee and Representatives

3.4.24.1 Any full or student teacher member of the branch shall be eligible for election as an officer, Managing Committee member or representative of a branch or a sub-branch.

3.4.24.2 Each branch and its sub-branches, if any, shall elect respectively a President, two Vice-Presidents (one of whom shall be the retiring President, if willing to be so elected), Secretary and Treasurer, and these with from five to fifteen such other members (at least two of whom should be support staff members and at least one other of whom should be an early childhood member) as may be deemed desirable shall form the Managing Committee. The offices of Secretary and Treasurer may be held by one person. The Managing Committee shall have the power to co-opt for consultation purposes the representative of the Institute at any workplace within the branch as determined in accordance with Section 3.4.9.1 of these Rules.

3.4.24.3 Provision shall be made by mutual agreement for the representation of sub-branches on the Managing Committee of the branch. The representatives to the annual meeting of the Student Teacher members of institutions which provide pre-service teacher education shall ex-officio be members of the Managing Committee. A quorum shall consist of one-third of the members of the Managing Committee.

3.4.24.4 Provided that where a branch by ordinary resolution resolves not to elect a secretary or secretary-treasurer the Managing Committee may appoint such person as it think fit whether a member of the Institute or not as secretary or secretary-treasurer as the case may be at such honorarium and upon such terms as it may decide. Such appointed secretary or secretary-treasurer shall not be a member of the Managing Committee but shall be entitled to be present at all meetings thereof.

3.4.24.5 The branch shall elect the number of representatives to Area Council determined by the Area Council(s) concerned.

3.4.24.6 The branch shall elect or subject to confirmation by the branch the Managing Committee shall appoint such other officers or representatives as the branch determines necessary.

3.4.24.7 In the case of any vacancy occurring on the Managing Committee, the members thereof shall proceed to fill the vacancy from the members of the branch. If any member of the Managing Committee is absent without leave from three consecutive meetings of the committee, the absence shall be deemed to create a vacancy, and the Managing Committee shall fill the vacancy.

3.4.24.8 All officers, members of the Managing Committee and other representatives shall remain in office until their successors are elected.

3.4.25 Method of Election

3.4.25.1 The method of election of the officers referred to in Section 3.4.24.2 of these Rules shall be by either:

- (a) postal ballot; or
- (b) election at the annual meeting of the branch.

3.4.25.2 Any branch may by resolution passed at any annual meeting in accordance with Section 3.4.20.1 (f) and (g) of these Rules determine whether the election of officers shall be by postal ballot or election at the annual meeting. Such a resolution shall take effect in the following year.

3.4.26 Election by Postal Ballot

3.4.26.1 Nominations shall be made in writing in the form of the Fourth Schedule to these Rules and forwarded so that they shall reach the Secretary by a date to be specified.

3.4.26.2 The Managing Committee shall issue to each member of the branch a ballot paper setting forth those nominated for the respective offices, such ballot papers shall be returned not later than the time notified for the commencement of the annual meeting. The members present at the meeting shall, on the chairperson declaring the ballot closed, appoint scrutineers to count the votes, and on their report the chairperson shall declare the result of the poll. Ballot papers shall be issued to members at least 21 days prior to the close of the ballot.

3.4.26.3 In the event of no nominations, or fewer nominations than the required number being received, the annual meeting shall proceed to nominate and elect the number of officers or members of the Managing Committee required to complete the full number.

3.4.27 Election at the Annual Meeting

3.4.27.1 Nominations shall require a mover and seconder and the consent of the nominee and shall either be in writing or made from the floor.

3.4.27.2 Voting shall be by ballot paper issued at the meeting on which each member present and entitled to vote shall write the name, or if more than one person is to be elected, the names of the nominated candidate or candidates for whom such members desire to vote. If printed named ballot papers are provided then cross out the name or names you do not wish to vote for.

3.4.27.3 Special voting facility shall follow the principles of Section 3.4.26 of these Rules and shall be available forthwith on application from individual members. Ballot papers issued for the purposes of special voting shall be returned not later than the time notified for the commencement of the annual meeting.

3.4.27.4 The chairperson of the meeting shall appoint two or more scrutineers who shall report to the meeting the result of the ballot. The chairperson shall declare the result of the ballot.

3.4.28 Election of Annual Meeting Representatives

3.4.28.1 The branch shall elect the required number of representatives to the Annual Meeting of the Institute.

3.4.28.2 The method of election of representatives to the Annual Meeting of the Institute shall be by either:

- (a) postal ballot; or
- (b) election at a meeting of the branch.

3.4.28.3 Any branch may by resolution passed at any annual meeting in accordance with Section 3.4.20.1 (f) and (g) of these Rules determine whether the election of representatives to the Annual Meeting of the Institute shall be by postal ballot or election at a meeting of the branch. Such a resolution shall take effect in the following year.

3.4.28.4 Election procedures shall respectively follow the principles of sections 3.4.26 or 3.4.27 of these Rules.

3.4.28.5 If election at a meeting of the branch is the chosen method not less than 21 days' notice of such meeting, and that an election of representatives to the Annual Meeting of the Institute shall take place, shall be given by circular to all members in their workplaces.

3.4.28.6 If fewer than the required number of nominations are received, the Managing Committee shall have the power to appoint members to make up the required number.

3.4.28.7 By mutual agreement with its sub-branches a branch may provide that one or more of its representatives to the Annual Meeting of the Institute shall, while the agreement remains in force, be elected by the members of one or more of its sub-branches. In holding any such election the sub-branch(es) shall use either a postal ballot or election at the annual meeting of the sub-branch as determined by an annual meeting of the branch. The members of any sub-branch(es) taking part in such election shall not be entitled to vote for the remaining branch representatives to Annual Meeting.

3.4.28.8 In the event of any representatives being unable to attend the Annual Meeting, the Managing Committee shall have the power to appoint a member of the branch as a substitute. Preference shall be given to the next highest polling candidate in the preceding ballot for representatives to Annual Meeting.

3.4.29 Representatives to Special Meetings

3.4.29.1 In the event of a Special Meeting of the Institute, the branch shall be entitled to send the same number of representatives as it was entitled to send to the previous Annual Meeting of the Institute. The branch shall either confirm its currently elected representatives to Annual Meeting of the Institute as representatives to any Special Meeting of the Institute held between elections of such representatives, or, if an election is required shall determine its representation either by postal ballot or election at a general meeting of the branch in accordance with the procedures set out respectively in Sections 3.4.26 and 3.4.27 of these Rules.

3.4.30 Ballot Papers

3.4.30.1 Whichever method of electing officers or representatives is adopted, no ballot paper shall be valid if it leaves unerased or contains (as the case may be) the names of more than the exact number of persons required to be elected.

3.4.31 Removal of Branch Officers, Branch Managing Committee Members and Annual Meeting Representatives

3.4.31.1 Notwithstanding Section 3.4.24 of these Rules the branch Managing Committee may, by a simple majority, vote to suspend from office any branch officer or branch Managing Committee member or Annual Meeting representative for serious breach of duty, disability, bankruptcy or misappropriation of Institute (including branch) funds, and nominate any person to act on behalf of the branch officer or branch Managing Committee member or Annual Meeting representative until the matter is resolved in accordance with the following procedures:

- (i) The branch Managing Committee shall, within seven days of the suspension, establish a Committee of Inquiry to determine whether the branch officer or branch Managing Committee member or Annual Meeting representative be removed from office.
The Committee of Inquiry shall consist of three members of the Institute with no more than one being a member of the branch Managing Committee;
- (ii) The branch Managing Committee shall immediately upon the establishment of the Committee of Inquiry give a written statement to the Committee of Inquiry:
 - (1) setting out the reason for suspension; and
 - (2) setting out the facts in support of the suspension.

On receipt of the statement the Committee of Inquiry shall send a copy of the statement to the branch officer or branch Managing Committee member or Annual Meeting representative:

- (iii) The Committee of Inquiry shall call a meeting within fourteen days of being established to hear the matter. The branch officer or branch Managing Committee member or Annual Meeting representative and a representative of the branch Managing Committee shall have the right to address the meeting;

- (iv) The branch officer or branch Managing Committee member or Annual Meeting representative and the branch Managing Committee representative and Committee of Inquiry shall have the right to call witnesses;
- (v) The Committee of Inquiry shall determine the matter within seven days of the hearing;
- (vi) The branch officer or branch Managing Committee member or Annual Meeting representative shall have the right to appeal to National Executive as a whole.

3.4.31.2 Should any twenty financial members of a branch desire that an officer or Managing Committee member or Annual Meeting representative of their branch be removed from their position for the reasons set out in Section 3.4.31.1 of these Rules, or for any other reasons, the following shall apply:

- (i) The members shall give a written statement to the Branch Secretary, or if that is inappropriate, to the Branch President:
 - (1) setting out the reason for removal;
 - (2) setting out the facts in support of the removal; and
 - (3) requesting that a special meeting be called to consider the matter.
- (ii) The Branch Secretary or President shall notify the officer or Managing Committee member or Annual Meeting representative of the special meeting and the officer or Managing Committee member or Annual Meeting representative shall have the right to address the special meeting or make a written statement in response to the call for removal;
- (iii) The Branch Secretary or President shall thereupon call a special meeting and should the special meeting pass a resolution that such officer or Managing Committee member or Annual Meeting representative be removed, the question of removal shall be submitted to a secret postal ballot of all financial members of the branch;
- (iv) Should the resolution be confirmed the officer or Managing Committee member or Annual Meeting representative shall be removed.

3.4.32 Powers of the Managing Committee

3.4.32.1 Subject to the provisions of these Rules and to such instructions as may from time to time be given by a duly convened meeting of the branch, the Managing Committee is empowered to take all such measures as it from time to time considers advisable in carrying out the special functions of the branch.

3.5 Area Councils

3.5.1 Establishment of Area Councils

3.5.1.1 All district councils (DC's) in existence prior to the registration of these Rules following Annual Meeting 2009 shall be deemed established Area Councils upon registration of these Rules.

3.5.1.2 Applications for the establishment of new Area Councils may be proposed by any group of contiguous branches and must be made in writing to the National Executive which, before granting approval must be satisfied that:

- a) a meeting of interested members, including representatives of all affected branches and any existing Area Council, has been held on the issue;

- b) the boundaries of the new Area Council are satisfactorily defined;
- c) the Steering Committee of the proposed Area Council should include sufficient members to form a Managing Committee;
- d) the establishment of such Area Council will further the objects of the Institute;
- e) any other relevant information has been considered.

3.5.1.3 The establishment of an Area Council shall take effect from the date of the next Area Council's funding grants following National Executive approval of such establishment.

3.5.1.4 Upon the establishment of a new Area Council any previously established Area Councils whose boundaries are affected by such establishment shall cease to exist but be re-established with new boundaries and funding at the same time.

3.5.1.5 When any Area Council is established, all assets shall be transferred to the National Executive for redistribution.

3.5.1.6 Area Councils established within the provisions of these Rules shall be named in Section B of the First Schedule to these Rules.

3.5.2 Composition

3.5.2.1

- (a) Each Area Council shall comprise one or more representatives of each branch within the AC district. The number of representatives to which each branch is entitled shall be determined by the Area Council. Representatives to Area Council shall be elected in accordance with Sections 3.4.24.5 and 3.4.25 of these Rules. A sub-branch within the AC district may by the consent of the Area Council be represented on that body.
- (b) In addition to branch representation, AC representation shall be extended to provide for three support staff member representatives, two early childhood member representatives and two Student Teacher member representatives to be elected annually.

3.5.2.2 If there is only one branch in any AC area that branch shall determine the composition of the Area Council.

3.5.3 Election of Branch Representatives

3.5.3.1 Representatives to the Area Council shall be elected by each branch in a manner to be determined by the branch. The Area Council must be advised of the names of representatives prior to 31st March in each year. The branch shall have the power of filling casual vacancies.

3.5.4 Election of Officers

3.5.4.1 Each AC shall at the annual meeting of the AC elect such officers, including a Chairperson and Secretary, as the AC shall from time to time determine it requires.

Following the election the AC shall advise the National Office of the names of the elected officers.

3.5.5 Meetings

3.5.5.1 Each District Council shall hold an annual meeting and such other meetings as it shall from time to time determine.

3.5.6 Powers and Functions

3.5.6.1 To consider and make representations to the local employing authorities and district offices of the Ministry of Education and Education Review Office, on matters brought forward by its constituent branches which affect only those members in that district.

3.5.6.2 To recommend to its constituent branches the adoption and from time to time the alteration of boundaries for branch districts.

3.5.6.3 To consider and report on matters referred to it by the National Executive.

3.5.6.4 To discuss and stimulate interest in all matters affecting members.

3.5.6.5 To accept nominations from constituent branches and to select in such manner as the Area Council shall decide, the teachers' representative or representatives on any committee set up in the district of the Area Council concerned except teachers' college councils and committees with national jurisdiction in each of which cases the National Executive shall consult the Area Council concerned.

Power of Investment

3.5.7.1 Funds of the Area Council not immediately required for current expenses may be invested in securities authorised by law for the investment of trust funds or in bonds issued by the New Zealand Educational Institute Te Riu Roa or by any limited liability company promoted by it for the purpose of acquiring land or erecting buildings to be occupied in whole or part as offices of the Institute. Area Councils may contribute to centralised investments arranged from time to time within conditions notified to area councils by national office.

3.5.7.2 Subject to the prior approval of the National Executive to be obtained on each occasion, the Area Council may purchase, take lease or otherwise acquire, hold, exchange, transfer, lease or otherwise dispose of land, buildings, easements, shares or any other property whatsoever and for such purposes borrow money whether on mortgage, debenture bond, overdraft or otherwise and to mortgage, charge or pledge any of its real or personal property whether present or future in such manner as it thinks fit for the purpose of securing any monies so borrowed.

3.5.8 Annual Return of Financial Statements – Branches and Area Councils

3.5.8.1 The secretary of each Branch and Area Council shall forward to the National Secretary:

- (a) before February 1st each year a copy of the branch and area council's statements of financial performance and financial position which shall have been audited by a member of the Institute of Chartered Accountants of New Zealand;
- (b) Before 31 January each year, a copy of bank statements showing bank account and/or investment balances as at 31 December the previous year, together with details of any unpaid accounts and/or unrepresented cheques at the same date.

3.5.9 Restrictions Upon Representations

3.5.9.1 No Area Council shall bring any matter before the Minister of Education, the head office of the Ministry of Education or the head office of the Education Review Office except at the direction of the National Executive.

4 ELECTION AND REMOVAL OF NATIONAL OFFICERS

4.1 Election of National Officers and Method of Election

4.1.1 Eligibility

4.1.1.1 Any full or student teacher member shall be eligible for election as an officer of the Institute.

4.1.2 Nominations

4.1.2.1 Nominations for the offices of National President and National Vice-President shall be in the form of the Fifth Schedule to these Rules and shall be received by the National Secretary no later than ten weeks before the first day of Annual Meeting. If no such nominations are received, then nominations shall be received at the Annual Meeting from representatives of branches. If there is only one nomination the President shall declare that person elected.

4.1.2.2 Nomination for the office of Immediate Past-President or Senior Executive Member (who shall be nominated from currently elected executive members only) shall be received at the Annual Meeting from representatives of branches.

4.1.2.3

- (a) Nominations for an additional eight members of the National Executive shall be in the form of the Fifth Schedule to these Rules and shall be received by the National Secretary no later than 10 weeks before the first day of the Biennial National Meeting. If no such nominations are received, or if insufficient nominations are received, then nominations shall be received at the Biennial National Meeting from representatives of branches;
- (b) (i) nominations for the four designated offices to be filled by nominees of members in the general membership shall be clearly marked GENERAL MEMBERSHIP BALLOT;

- (ii) nominations for the designated office to be filled by a nominee of members in the early childhood sector shall be clearly marked EARLY CHILDHOOD SECTOR BALLOT;
 - (iii) nominations for the designated office to be filled by nominees of members in the primary teaching sector shall be clearly marked PRIMARY TEACHING SECTOR BALLOT;
 - (iv) nominations for the offices shall be filled by a nominee of support staff members and shall be clearly marked SUPPORT STAFF SECTOR BALLOT;
 - (v) nominations for the designated office shall be filled by a nominee of school principal members in the school sector and shall be clearly marked SCHOOL PRINCIPALS' BALLOT;
- (c) The National Secretary shall, no later than 3 months prior to the date of the biennial national meeting, write to Te Reo Areare seeking names from the established Aronui Tomua Electoral Regions of those who shall form Te Reo Areare. Such names shall be delivered to the National Secretary no later than six weeks prior to the time notified for the start of the biennial national meeting.

4.1.2.4 Where possible relevant details of all candidates for the offices of National President, National Vice-President and National Executive members shall be circulated to members by the National Secretary not less than four weeks before the first day of Annual Meeting.

4.1.3 Election by Ballot at the Biennial National Meeting

4.1.3.1 Elections shall be held on the last day of the Biennial National Meeting and successful candidates shall take office for the two year period commencing on the 1st January following that Biennial National Meeting.

4.1.3.2 If a ballot is required it shall be taken of the National Executive and registered representatives of branches. The National President shall appoint the necessary scrutineers. Each candidate shall also be entitled to appoint a scrutineer.

4.1.4 Order of Election

4.1.4.1 The order of elections shall be:

- (a) National President;
- (b) National Vice-President;
- (c) General Membership Representatives;
- (d) Sector Representatives;
- (e) Immediate Past President or Senior Executive Member.

4.1.4.2 In any ballot for the election of the National President, Senior Executive Member, National Vice-President or the ballots for national officers representing the general membership, early childhood sector members, primary teaching sector members, support staff sector members and school principal members,

- (a) the highest polling candidate shall be elected in instances where the ballot is for a single designated position;

- (b) in ballots for multiple designated positions the highest polling candidates shall be elected to those positions;
- (c) in the event of a tie the National President shall draw a lot.

4.1.4.3 No ballot paper shall be valid if it contains votes for more than the number of candidates required to fill a vacancy.

4.2 Vacancies

4.2.1 If a vacancy shall occur during the year in the National Executive or a vacancy in any position has been carried forward from the immediately preceding annual meeting the vacancy shall be filled by appointment by the remaining members of the National Executive without calling for nominations for the vacancy to be filled except that if the vacancy occurs in a position occupied by a representative of Te Reo Areare the National Secretary shall invite Te Reo Areare to nominate a replacement for the respective vacancy for the remainder of the current term.

4.2.2 The National Executive shall appoint, in turn, from the next highest polling candidates (except those subsequently appointed as National Officers) in the ballots for National Executive held at the preceding Biennial National Meeting of the Institute and when appointing to a vacancy occurring in any office designated for a representative of either the general membership, early childhood sector, primary teaching sector, support staff members of principal members, National Executive shall appoint in turn from the next highest polling candidates in the respective Biennial National Meeting Ballot.

4.2.3 National Executive members so appointed shall have full voting rights on National Executive.

4.2.4 If it is required to fill a vacancy by appointment of a person other than a candidate as described in Section 4.2.2 of these Rules National Executive shall appoint a member of the sectoral membership group that would nominate candidates in a ballot for the national office in which the vacancy occurs and such person shall not have voting rights on National Executive.

4.2.5 A vacancy shall be deemed to occur in the case of members of the National Executive if the member ceases to be a member of a branch of the Institute or if they are no longer a member in the sector that they were elected to represent on National Executive.

4.3 Term of Office

4.3.1 All members of the National Executive and representatives of branches shall remain in office until their successors duly elected take office.

4.3.2 For the National Executive the term of office shall be twenty four (24) months coinciding with the financial years of the Institute (refer 6.9.1).

4.4 Removal of National Officers

4.4.1 Notwithstanding Section 4.1.1 of these Rules the National Executive may by a simple majority, vote to suspend from office any national officer for serious breach of duty, disability, bankruptcy or misappropriation of Institute funds, and authorise any member to act on behalf of the national officer until the matter is resolved in accordance with the following procedures.

4.4.1.1 The National Executive shall, within seven days of the suspension, establish a Committee of Inquiry to determine whether the national officer should be removed from office. The Committee of Inquiry shall consist of three members of the Institute with no more than one being a member of the National Executive.

4.4.1.2 The National Executive shall immediately upon the establishment of the Committee of Inquiry give a written statement to the Committee of Inquiry:

- (1) setting out the reason for the suspension; and
- (2) setting out the facts in support of the suspension. On receipt of the statement the Committee of Inquiry shall send a copy of the statement to the national officer under suspension.

4.4.1.3 The Committee of Inquiry shall call a meeting within fourteen days of being established to hear the matter. The national officer and a representative of the National Executive shall have the right to address the meeting.

4.4.1.4 The national officer, National Executive representative and Committee of Inquiry shall have the right to call witnesses.

4.4.1.5 The Committee of Inquiry shall determine the matter within seven days of the hearing.

4.4.1.6 The national officer shall have a right to appeal to the National Executive as a whole.

4.4.2 Should any twenty financial members desire that any national officer be removed from their position for the reasons set out in Section 4.4.1 of these Rules or for any other reasons the following shall apply.

4.4.2.1 the members shall give a written statement to their Branch Secretary:

- (1) setting out the reason for removal;
- (2) setting out the facts in support of the removal; and
- (3) requesting that a special meeting be called to consider the matter.

4.4.2.2 The Branch Secretary shall notify the national officer of the special meeting of the branch and the national officer shall have the right to address the special meeting or make a written statement in response to the call for removal.

4.4.2.3 The Branch Secretary shall thereupon call a special meeting and should the special meeting pass a resolution that such officer be removed, the Branch Secretary shall deliver to the National Secretary a written copy of the resolution.

4.4.2.4 The National Secretary shall then circulate to each branch a copy of that resolution.

4.4.2.5 Each branch Managing Committee shall require their Branch Secretary to call a special meeting of the branch to discuss the resolution.

4.4.2.6 The national officer shall have the right to present a written statement to every such branch meeting.

4.4.2.7 Should 15 or more branches representing at least two Area Councils support the resolution by way of special meetings called for the purpose, the question of removal shall be submitted to a secret postal ballot of all financial members of the Institute.

4.4.2.8 Should the resolution be confirmed the national officer shall be removed.

5. MEETINGS OF THE INSTITUTE

5.1 Composition of Meeting

5.1.1 A meeting of the Institute shall consist of the following persons who shall be entitled to attend, speak and vote thereat:

- (a) The members of the National Executive and Te Reo Areare; and
- (b) Representatives appointed by branches on the basis that each branch shall be entitled to one representative for each complete 95 full time equivalent (FTE) members of such branch provided that any branch with a membership of fewer than 95 full time equivalent (FTE) members shall be entitled to one representative. The date at which the branch roll will be calculated for this purpose will be a date to be advised by the National Executive. Representatives must be registered to be entitled to speak and vote and substitutes may be registered in the event that any representative is unable to continue to represent a branch.
- (c) Chairpersons or their elected representative of established Area Councils as listed in Section B of the First Schedule of these Rules.
- (d) Two Student Teacher member representatives appointed by each Area Council which has Student Teacher member representation within the provision of 3.5.2.1(b) of these Rules.

5.1.2 In the event that a Special Meeting of the Institute is held, the number of representatives a branch shall be entitled to send will be the number which that branch was entitled to send to the preceding Annual Meeting.

5.2 Branch Representatives and Official Observers

5.2.1 The names of representatives shall be advised to the National Office as requested by the National Secretary.

5.2.2 Branches with an entitlement to one representative shall also be entitled to have one official observer at an Annual Meeting and the names of such official observers shall be advised to National Office as requested by the National Secretary. No other branch or area council shall have such entitlement.

5.3 Quorum

5.3.1 At any meeting of the Institute a quorum shall consist of one-half of the members registered to attend that meeting.

5.4 Annual Meeting

5.4.1 The date of Annual Meeting will be advised to branches who will be given a minimum of 3 months' notice.

5.4.2 The venue for Annual Meeting will be at a place that caters for all representatives and observers entitled to attend as per Rule 5.1.1 and 5.2.2.

- 5.4.3** The functions of Annual Meeting shall be:
- to consider the report of the National Executive;
 - to consider the Financial Report and to determine the subscriptions for the following financial year;
 - to elect the members of the National Executive;
 - to debate and determine issues of interest to the Institute, provided such issues have the sanction of the National Executive or a general meeting of a branch;
 - to provide as set out in Section 6.19 of these Rules, for amendment to or repeal of these Rules;
 - in hui session to receive and consider the report from Te Kahui Whetu;
 - to receive a written report from National Executive that provides details of all policy decisions made by the Institute since the previous Annual Meeting.

5.4.4 The determination of issues of interest to the Institute shall be through the consideration of resolutions to amend policy. The National Executive shall, from time to time and subject to any directions from an Annual Meeting, advise branches of the procedures for handling resolutions to amend policy.

5.4.5 The President shall establish an advisory steering committee which shall, in the course of an Annual Meeting, receive suggestions from representatives as to the nature and order of the Annual Meeting agenda and report to the President accordingly. Any changes to the nature and order of the agenda shall be at the discretion of the President.

5.5 Special Meetings

5.5.1 A special meeting of the Institute may be called by the National Executive at such time and for such purpose as it may deem necessary.

5.5.2 A special meeting may be called by a group of members, apart from the National Executive, provided that it be a collective decision of 15 or more branches representing at least two Area Councils. Any such meetings may be called at such time and for such purpose as the group may deem necessary and at the expense of that group.

5.6 Te Kahui Whetu

5.6.1 A Te Kahui Whetu shall be held annually at a time other than that determined for the Annual Meeting or a Special Meeting of the Institute, but within the period of 12 weeks prior to the time notified for the start of annual meeting, for the purpose of formulating Institute policy on Maori issues and nominating three Te Reo Areare representatives to the National Executive.

5.7 Standing Orders

5.7.1 Tikanga Maori at Annual Meeting

5.7.1.1 Tikanga Maori shall apply during the hui session of annual meeting with the following standing orders applying at all other times.

5.7.2 Chairperson

5.7.2.1 A meeting of the Institute shall be chaired by the National President, unless the National President appoints some other person to act in that capacity.

5.7.2.2 If the chairperson rises to speak, any other representatives standing will resume their seats.

5.7.3 Hours of Session

5.7.3.1 The hours of session shall be determined by the adoption of an appropriate formal resolution.

5.7.4 Quorum

5.7.4.1 The quorum for a meeting shall be half the representatives registered for that meeting.

5.7.4.2 If, half an hour after the commencement of any session a quorum is not present, the chairperson shall postpone the session and set a time for the reconvening of the meeting.

5.7.4.3 The attendance of representatives shall be recorded in a register.

5.7.4.4 A registered representative must obtain leave from the chairperson to be absent from a session or sessions.

5.7.5 Record of Proceedings

5.7.5.1 The National Secretary, or such a person acting in that capacity, shall keep a record of the proceedings.

5.7.5.2 As soon as possible the record of proceedings shall be circulated to representatives for the purpose of correcting errors and that final minutes be confirmed by National Executive by way of motion ‘that the minutes of Annual Meeting be signed as a correct record’.

5.7.5.3 Any discussion on the minutes shall be restricted to matters of accuracy and will be sustained only through an amendment to the motion of confirmation.

5.7.6 Proposing Motions and Amendments

5.7.6.1 All motions and amendments must be handed to the chairperson in writing in duplicate and shall include the names of the mover and seconder.

5.7.6.2 No motion or amendment will be accepted by the chairperson that is the same in substance as any matter that has been resolved earlier in the meeting.

5.7.6.3 Only one amendment will be considered at a time. When an amendment is accepted, debate on the motion will be suspended until the amendment has been disposed of.

5.7.6.4 Only when an amendment has been carried, in which case it becomes the substantive motion, or lost, can a further amendment be considered.

5.7.6.5 No representative may move or second more than one amendment to any motion.

5.7.6.6 No notice of motion will be accepted that deals with a matter that could have been brought forward by other annual meeting procedures, unless a majority of three-quarters of the registered representatives deem otherwise.

5.7.6.7 The chairperson may order a complicated motion or amendment to be divided.

5.7.6.8 If an amendment is proposed that clarifies or strengthens the effect or intent of a motion, it may be deemed friendly by the chairperson who can, with the approval of the original mover and seconder of the motion, allow it to proceed as the substantive motion without the need for a vote by Annual Meeting.

5.7.6.9 Where the chairperson has deemed an amendment friendly any representative may challenge the ruling and request that the chairperson proceed as for a normal amendment.

5.7.7 Withdrawing Motions and Amendments

5.7.7.1 Any move to withdraw a motion or amendment must originate from the mover concerned. Withdrawal requires the majority consent of the meeting.

5.7.8 Speaking to Motions and Amendments

5.7.8.1 Any representative who wishes to speak shall stand and address the chairperson. A representative may speak only when called on by the chairperson, and shall give their name and branch.

5.7.8.2 The mover of a motion has a right to reply but loses that right by speaking to an amendment. The seconder of a motion may reserve the right to speak later.

5.7.8.3 The mover of an amendment has no right of reply. The seconder of an amendment may not reserve the right to speak later.

5.7.8.4 No representative may speak more than once to a resolution, except to:

- (a) ask a question;
- (b) reply to a question;
- (c) make an explanation;
- (d) reply to a misrepresentation.

In any of the above circumstances, a representative may speak only when called on by the chairperson.

5.7.8.5 Debate may be interrupted by:

- (a) a point of order;
- (b) the expiry of the time allocated to the debate;

- (c) a motion that the question be put;
- (d) a motion to proceed to the next business.

5.7.8.6 No representative shall interrupt a speech, except when it is necessary to do so to make a point of order.

5.7.8.7 The chairperson shall call any representative to order for irrelevance, repetition, unbecoming language or other breach of order, and may direct such representative to cease speaking.

5.7.9 Suspension

5.7.9.1 The chairperson shall have the power to suspend a representative for persistently disregarding the authority of the chair. In such event, the chairperson shall state the period of suspension and for that period the representative shall not have access to the meeting.

5.7.10 Procedural Motions

5.7.10.1 At the close of any speech, a representative who has not already spoken to the question may move without debate "That the question be put." If the chairperson accepts the motion and this is seconded and carried, the motion shall be put forthwith, unless a right of reply exists and is exercised.

5.7.10.2 If an amendment is the subject of discussion when a motion of closure is carried, the closure shall apply only to that amendment.

5.7.10.3 At the close of any speech, a representative who has not already spoken to the question may move without debate "That the Institute proceed to the next business." If this is seconded and carried, the chairperson shall immediately proceed to the next item of business.

5.7.11 Divisions

5.7.11.1 When a question is put it shall be decided by a simple majority, unless the Rules require otherwise.

5.7.11.2 The chairperson shall rule on the voices, unless a show of hands, a count of all votes cast by a show of hands or a division is called for. Unless a division is called, the chairperson's decision shall be final.

5.7.11.3 If a division is called it shall first be preceded by a count of all votes cast by a show of hands. If that count shows a clear majority decision of all representatives present the chairperson may rule that a division is not necessary to determine the question that has been put.

5.7.11.4 If a division is called, every registered representative present must record a vote. Such votes shall be entered in a register by the National Secretary. The result of any division will be shown in the minutes for that session. In the event of a division being called votes shall be recorded in alphabetical order for all representatives.

5.7.11.5 The chairperson shall have a deliberative vote, and in a case where the votes are equal, will also have a casting vote.

5.7.12 Institute in Committee

5.7.12.1 The Institute may, by unanimous decision, resolve into a committee of the whole. In committee of the whole, the standing orders concerning the seconding of motions and restrictions on speaking shall not apply.

5.7.13 General

5.7.13.1 Any standing order may be suspended by a unanimous decision.

5.7.13.2 In any matters of order or procedure not otherwise provided for, the chairperson shall rule.

5.7.13.3 Should any decision of the chairperson be considered by a representative to be in breach of the Standing Orders, that representative shall be entitled to raise a point of order by stating "I challenge that ruling." In such an event, the following procedures shall apply:

- (i) the chairperson shall ask the representative to state briefly the reasons for disagreeing with the ruling of the chair;
- (ii) the chairperson shall state briefly the reasons for the ruling;
- (iii) the chairperson shall put the motion "That the ruling be accepted."
- (iv) if the vote is carried, the business of the meeting shall proceed;
- (v) if the vote is lost, the chairperson shall withdraw the ruling and issue a new ruling.

5.8 Disputed Ballots

5.8.1 Where a claim is made of an irregularity in, or in connection with, a ballot conducted under these Rules by not less than 10% or 50 members of the Institute covered by that ballot then they may seek a judicial review within 28 days of the ballot results being announced.

5.9 Destruction of Ballot Papers

5.9.1 The ballot papers used in any ballot conducted under these Rules may be destroyed 28 days after the results of that ballot being announced, except in a ballot subject to a judicial review under 5.8.1 of these Rules in which case the ballot papers shall not be destroyed until after the completion of the review process.

ADMINISTRATIVE REQUIREMENTS

6.1 Supply of Rules and Amendments to Rules

6.1.1 A copy of the Rules of the Institute as for the time being amended shall be supplied to any person who joins the Institute, which copy shall be supplied by the Institute forthwith and without charge.

6.1.2 Any amendment made by the Institute to its rules shall be supplied to each branch secretary, Area Council secretary and worksite representative in each workplace and brought

to membership notice in a supplement to NZEI Rourou without charge within 30 days after the day on which the amendment is registered with the Registrar of Incorporated Societies.

6.1.3 One copy of any amendment to the rules registered with the Registrar of Incorporated Societies shall be supplied to each financial member who requests a copy of it.

6.2 Supply of Annual Report to Financial Members

6.2.1 One copy of the Institute's annual report shall be supplied to each financial member of the Institute who requests a copy of it.

6.3 Supply of Annual Accounts and Auditor's Certificate

6.3.1 One copy of the latest income and expenditure account and balance sheet, together with the auditor's report on the accounts shall be supplied to each financial member of the Institute who requests a copy of that account and balance sheet.

6.4 Supply of Copies of Resolutions

6.4.1 A copy of any resolution passed at any general or special meeting of the Institute or any meeting of National Executive shall be supplied to each financial member of the Institute who requests a copy of that resolution.

6.5 Common Seal

6.5.1 The seal of the New Zealand Educational Institute Te Riu Roa (Incorporated) hitherto in use shall be the seal of the Institute. The seal shall only be used or altered or removed on the authority of the National Executive.

6.5.2 The seal shall be held in the custody of the National Secretary.

6.6 Execution of Instruments

6.6.1 The National Executive shall designate the person to draw up a particular agreement or other legal document. The document shall be executed by the President and one of the following persons - the Immediate Past President, Vice-President, or the National Secretary.

6.6.2 The National Executive shall decide the manner in which the Institute shall be represented at any formal hearings.

6.7 Financial Grants to Branches and Area Councils

6.7.1 The National Secretary shall pay to each branch and area council a share of the subscription collected from each member on that branch's or area council's roll at the 30th August in any year. Such payments shall be made annually, or at some shorter interval as may be determined by the National Executive, subject to the following limitations:

- (i) grants to branches and area councils shall not be paid in the current financial year unless audited accounts from the previous year have been received at national office;
- (ii) grants to branches and area councils shall not be paid in the current financial year unless a costed Activity Plan has been approved by the appropriate area council (for branches) or the National Executive (for area councils).
- (iii) grants to branches and area councils shall only be paid in the current financial year when either:
 - (a) total net funds held by a branch/area council at the end of the previous financial year, when expressed as a percentage of the forecasted funding entitlement for the current financial year, are equal to or less than the funding threshold percentage determined by the National Executive; or
 - (b) total net funds held by a branch/area council during the current financial year become equal to or less than the funding threshold percentage determined by the National Executive.

6.7.2 The branch share of the subscriptions shall be:

- full and Student Teacher members' 2.9% of the annual subscription;
- honorary members \$1.00 per annum;

This share will be less collection commission.

6.7.3 In addition to the branch share calculated in accordance with sub-section 6.7.2 above, each branch shall be entitled to receive by way of additional branch share the following:

- (i) A grant calculated on the basis of the number of full members on the branch roll at 30th August each year in accordance with the following schedule:

Under 50 the grant shall be five (5) times the annual subscription set in accordance with Section 2.13.3 of these Rules.

50-99 the grant shall be six (6) times the annual subscription set in accordance with Section 2.13.3 of these Rules.

100-149 the grant shall be seven (7) times the annual subscription set in accordance with Section 2.13.3 of these Rules.

150-224 the grant shall be eight (8) times the annual subscription set in accordance with Section 2.13.3 of these Rules.

225 and above the grant shall be nine (9) times the annual subscription set in accordance with Section 2.13.3 of these Rules plus a grant equal to the amount of the annual subscription set in accordance with Section 2.13.3 of these Rules shall be paid in respect of every complete additional 75 members.

- (ii) A further grant of \$350 per annum for each representative that the branch sends to Annual Meeting that year

In the case of an Aronui Tomua the annual grant as calculated within the provisions of Sections 6.7.1, 6.7.2 and 6.7.3(i) of these Rules shall be increased by an additional nine per cent for the first whole year of operation of the komiti and by an additional three per cent for the second whole year of operation of the komiti.

6.7.4 Funding Threshold Percentage

In order to maximise the use of available funds, the National Executive shall, no later than 30 days prior to the end of the financial year, set a funding threshold percentage rate for the following financial year.

The funding threshold percentage rate will, at the commencement of each financial year, be compared with total net funds held by each branch/area council at the end of the previous financial year, expressed as a percentage of that branch's or area council's funding entitlement amount for the new financial year.

6.7.5 The National Secretary shall pay to each Area Council

- (i) an administration grant equal to a weighted factor times the annual subscription set in accordance with Section 2.14.3 of these Rules plus an additional 1% of the annual subscription in respect of each full time equivalent member in the Area Council area as at 30th August every year;
- (ii) the weighted factor will be the thousands value of the total full time equivalent membership of the Institute rounded to the next thousand minus the thousands value of the total full time equivalent membership of the Area Council area rounded to the next thousand;
- (iii) a further grant equal to two(2) times the annual subscription set in accordance with Section 2.13.3 of these Rules for each representative sent by branches to the NZCTU district councils;
- (iv) a further grant of \$350 per annum for the representative that the Area Council sends to annual meeting that year.

6.7.6 Such payment shall be made annually or at such shorter interval as may be determined by the National Executive.

6.7.7 Any additional expenses of each Area Council shall be paid by a levy on the branches represented on the Council of such amount borne in such portions as shall from time to time be determined by that Council.

6.7.8 Any branch, meeting acceptable standards of accountability may choose to continue self management of its funding as determined by section 6.7 of these Rules.

6.7.9 Any branch may choose to have its funding as determined by section 6.7 of these Rules managed by the NZEI Te Riu Roa national office on an imprest basis by advising national office before February 1st of the year of transition.

6.7.10 Any branch not forwarding audited financial statements to national office, for the previous financial year, before July 1st in any year shall be transferred to imprest accounting by national office from the year after the year for which the last audited financial statements had been received.

6.7.11 Any branch transferring to imprest accounting under sections 6.7.12 and 6.7.13 of these rules shall retain the amount of \$200 in their branch imprest fund and remit funds held in excess of this amount to national office for deposit in the branch fund.

6.7.12 Any branch choosing to opt out of imprest accounting shall demonstrate its ability to self manage its finances by providing parallel financial statements for one year and attending treasurer's training before reverting to self management in the following years.

6.7.13 Imprest funding shall provide, under guidelines established from time to time by an annual meeting of the Institute, for a limited imprest fund to be held by a branch and operated locally combined with all accounting functions managed by national office.

6.8 Financial Operations

6.8.1 The Institute shall pay all monies received to the general account of the Institute with the registered bank appointed by National Executive from time to time as the banker of the Institute.

6.8.2 The Institute shall keep to its credit not more than such sum as is estimated to be sufficient to meet the yearly current expenses of the Institute.

6.8.3 All payments made by the Institute shall be made by cheque or electronic transfer signed by the signatories duly appointed by the National Executive.

6.8.4 Nothing shall prevent National Executive from employing facilities at a registered bank outside those provided by its banker appointed in accordance with Section 6.8.1 of these Rules.

6.9 Financial Year

6.9.1 A financial year shall be from the first day of January in any year to the thirty-first day of December in the same year.

6.10 Power of Investing and Borrowing

6.10.1 All funds of the Institute not required for current expenditure may be invested in securities authorised by law for investment of trust funds or in a single premium investment policy or on deposit with the Public Trustee of New Zealand or in the purchase of land of any tenure and either with or without buildings for the purpose of providing accommodation for the administration of the Institute or in the erection, improvement, and maintenance of buildings on any land so acquired whether such buildings are to be occupied in whole or part by the Institute or in the promotion of and the subscription for or acquisition of shares of a limited liability company formed for such purpose. For any of the above purposes the Institute may raise or borrow money from its bankers by way of overdraft or by the issue of bonds to its members or branches or associate bodies on such terms and subject to such conditions including power of redemption in whole or part as the National Executive shall think fit. Any portion of any such buildings not occupied by the Institute may be leased to tenants and any investments made by the Institute may be varied or transposed from time to time.

6.10.2 In addition to the provisions of Section 6.10.1 of these Rules the National Executive may determine from time to time that investments may be made in a professionally managed fund or funds but only on the advice of an accredited financial planner.

6.11 Legal Assistance Fund

6.11.1 The National Executive shall maintain and administer a Legal Assistance Fund for the purpose of providing legal assistance to members.

6.11.2 Subject to the provisions of Section 8.4.2.3(a) of these Rules, application for assistance from the fund for a member must be made by a branch officer or an Institute counsellor to the National Executive provided that in cases of emergency the branch officer or a counsellor may take such preliminary steps as may be immediately necessary to safeguard the interests of a member. The National Office will meet any expenses incurred in such action.

6.11.3 A branch officer or an Institute counsellor when applying for assistance for a member shall give the National Executive full particulars.

6.11.4 Subject to the foregoing provisions the National Executive will not accept responsibility for payment of legal expenses if such expenses have been incurred without the consent or direction of the National Executive.

6.11.5 Only full members shall be entitled to benefit from the fund.

6.11.6 Assistance from the fund will be restricted to legal proceedings brought against a member, or in which a member is involved, as a result of the member's employment.

6.11.7 The National Executive shall determine whether assistance shall be in the form of a grant or through the Institute accepting liability in whole or part for the expenses incurred.

6.12 Provident Fund

6.12.1 The National Executive shall maintain and administer a Provident Fund for the purpose of according assistance to members or to their dependants and in special cases to ex members or their dependants who may be in necessitous circumstances.

6.12.2 Every application for assistance from the fund shall be made on the forms provided for the purpose, and shall be signed by an Institute counsellor, advocate, field officer, Takawaenga or regional secretary.

6.12.3 An Institute counsellor, advocate, field officer, Takawaenga or regional secretary receiving any such application shall in every case add comments (whether favourable or unfavourable) and as soon as possible send the application to the National Executive.

6.12.4 Assistance from the fund may be in the form of either a grant or a loan. In the case of a loan the conditions of repayment shall be determined by the National Executive.

6.12.5 Failure to repay a loan may result in the expulsion of the member and/or recovery of the debt through legal redress if so determined by the National Executive.

6.12.6 The provision of assistance from the fund shall be at the sole discretion of the National Executive, which may from time to time adopt guidelines as to eligibility for assistance.

6.12.7 For the purpose of 6.12 “member” means “full member” who has been a member of the Institute for 12 months or more.

6.12.8 Any member who receives assistance from the Provident Fund may not apply for further assistance within two years of the original application for assistance.

6.12.9 No member shall be eligible for a loan while an existing loan or part of that remains unpaid.

6.13 Death Benefit Fund

6.13.1 The National Executive shall maintain and administer a Death Benefit Fund.

6.13.2 On the death of any full or Student Teacher member that member's branch shall pay to an approved recipient the sum of four (4) times the annual subscription as set in accordance with Section 2.13.3 of these Rules.

6.13.4 In determining the approved recipient the branch shall have regard to guidelines to be issued from time to time by the National Executive.

6.13.5 The National Executive shall provide immediate reimbursement to branches for payment of the death benefit.

6.14 Special Purposes Fund

6.14.1 The Institute shall maintain a fund which shall be called the Special Purposes Fund.

6.14.2 From the total subscriptions received by the Institute under Section 2.13 of these Rules there shall be allocated to the Special Purposes Fund such amount not exceeding \$13.00 per annum in respect of each full member referred to in that section as the National Executive may decide.

6.14.3 The Special Purposes Fund shall be maintained for the purpose of supporting and furthering the aims and objects of the Institute by such action or means as the National Executive may from time to time think fit.

6.14.4 Payments out of the fund shall be entirely within the discretion of the National Executive and no branch shall undertake any commitment in respect to the fund without the prior approval of the National Executive.

6.14.5 Payments out of the fund may be made to members of branches, to branches and to such other persons, corporations or organisations in accordance with the purposes of the fund as the National Executive may think fit.

6.15 Audits of National, Branch and Area Council Financial Statements

6.15.1 The Institute shall keep accounting records in which shall be set out, in such manner as to enable them to be conveniently and properly audited, full and true and complete accounts of the financial affairs and transactions of the Institute.

6.15.2 The Institute shall arrange for the audit of its national, branch and area council statements of financial position and financial performance by a member of the Institute of Chartered Accountants of New Zealand at the end of its financial year as follows:

- (a) for national consolidated financial statements including those of any branch accounts managed by national office, by an auditor appointed at the Annual Meeting of the Institute,
- (b) for branch financial statements in branches who continue to manage their own finances, either
 - (i) by an auditor appointed at the annual meeting of the branch or
 - (ii) by an auditor contracted by national office for branches unable to obtain appropriate audit services locally
- (c) for area council financial statements by an auditor appointed at the annual meeting of the area council.

6.15.3 All annual consolidated statements of financial performance and financial position shall be signed by the National Secretary and shall, together with the Auditor's Report on the statements, be presented to the next Annual Meeting held after the date of the report.

6.15.4 The National Secretary shall, within three months after the end of the financial year, deliver to the Registrar a copy of the accounts for that financial year, together with a certificate signed by the Auditor that the Auditor:

- (i) has carried out the audit of the accounts of the Institute;
- (ii) is satisfied with the control of membership records, collection of members' subscriptions and the payment of the national subscription to the National Office; and
- (iii) has duly reported on those accounts to the Institute.

6.16 Inspection of Accounting Records and Registers

6.16.1 Every financial member or previous financial member having an interest in the funds of the Institute may inspect the accounting records and the register of officers.

6.17 Cancellation of Registration

6.17.1 The Institute may be dissolved at any time following a secret postal ballot among full members that is conducted for that purpose and which results in a majority in favour of such action, provided that the National Secretary has first given each full member prior notice of the intention to seek dissolution and provided further that the dissolution shall not take effect until the National Secretary has sought cancellation of registration from the Registrar and notice of cancellation has been received from the Registrar.

6.17.2 In the event of such dissolution and subject to final audit in accordance with the Act, all the real and personal property of the Institute after payment of all costs, debts and liabilities shall be disposed of in such manner as a Special Meeting of the Institute called for that purpose shall determine by resolution or resolutions to that effect carried by a majority of at least three-fifths of those present and entitled to vote.

6.17.3 Any resolution for the dissolution of the Institute may contain provision for the amalgamation of the Institute with another Union registered under Sections 7, 8 and 9 of the Incorporated Societies Act 1908 provided that notice shall be given to all members of the passing of such resolutions of amalgamation.

6.17.4 In the event of such amalgamation all the real and personal property of the Institute after payment of all costs, debts and liabilities shall become the property of the amalgamated union or disposed of in such other manner as the Special Meeting of the Institute may deem fit.

6.18 Restriction on Voluntary Cancellation of Registration of the Association

6.18.1 Annual Meeting or a Special Meeting of the Institute shall not authorise application to the Registrar for the voluntary cancellation of the registration of the Institute unless:

- (a) the Institute has first sent to each financial member of the Institute (by way of ballot) written notice of its intention to make the application; and
- (b) the majority of the financial members of the Institute support the application.

6.19 Power to Amend or Repeal the Rules

6.19.1 All resolutions that members want to send to Annual Meeting to amend or repeal the Rules and to amend policy require the sanction of the National Executive or a meeting of a area council or branch.

6.19.1.1 Where any agreed amendment to the body of these Rules causes a consequential amendment to either the Contents pages or Schedules, it shall not be necessary for such amendments to be put to Annual Meeting in the form of separate resolutions.

6.19.2 They must be submitted on the correct form, in duplicate, and be accompanied by supporting argument.

6.19.3 Resolutions must reach the National Secretary no later than 3 months prior to the date of Annual Meeting and be forwarded by the National Secretary to branches no later than 2 months prior to that date.

6.19.4 Notwithstanding the provisions of Section 6.19.3 of these Rules, whenever the effects of new legislation or any other extraordinary event might adversely affect the welfare of members, or the security of their conditions of employment, or the ability of the Institute to fulfil its obligations to members, national executive shall have authority to propose protective and technical amendments or repeals to these Rules at any such time up to and including the time of an annual meeting in any year and any such amendments or repeals shall be considered at the annual meeting as if they had met the requirements of Section 6.19.3 of these Rules provided:

- (a) that the National Secretary inform branches and annual meeting representatives forthwith of the general nature of the new legislation or extraordinary event and their respective implications for members;
- (b) that the National Secretary forward any consequential resolutions to amend and repeal these Rules to branches and/or annual meeting representatives as soon as is practicable.

6.19.5 Subject to the other provisions of this section, any sections of the Rules may be added to, rescinded or amended and any new section inserted by a three-fifths majority of the votes recorded.

6.19.6 No resolution to amend or repeal these Rules shall be subject to amendment.

6.19.7 No amendments to or repeal of these Rules shall come into force until they have been recorded by the Registrar.

7 ELECTION OF THE NZEI TE RIU ROA NOMINEE TO THE NEW ZEALAND TEACHERS COUNCIL AND METHOD OF ELECTION

7.1 Election of the NZEI Te Riu Roa nominee to the New Zealand Teachers Council and Method of Election

7.1.1 Election

7.1.1.1 An election for the position of NZEI Te Riu Roa nominee to the New Zealand Teachers Council will be held at any Annual Meeting that is held preceding the expiry of the term of office of the current NZEI Te Riu Roa nominee, or following the resignation or removal of that nominee.

7.1.2 Eligibility

7.1.2.1 Any member who is a registered teacher and holds a current practising certificate is eligible for election as the NZEI Te Riu Roa nominee to the New Zealand Teachers Council.

7.1.3 Nominations

7.1.3.1 Nominations for the office of the NZEI Te Riu Roa nominee to the New Zealand Teachers Council shall be in the form of the Sixth Schedule to these Rules and shall be received by the National Secretary no later than six weeks before the first day of Annual Meeting.

7.1.3.2 If no such nomination is received, then nominations shall be from representatives at Annual Meeting. If there is only one nomination the President shall declare that person elected.

7.1.3.3 Where possible, relevant details of all candidates for the office of the NZEI Te Riu Roa nominee to the New Zealand Teachers Council shall be circulated to members by the National Secretary not less than four weeks before the first day of Annual Meeting.

Election by Ballot at Annual Meeting

7.1.4.1 Elections will commence on the morning of the last day of Annual Meeting.

7.1.4.2 If a ballot is required it shall be taken of the National Executive and registered representatives at Annual Meeting. The National President shall appoint the necessary scrutineers. Each candidate shall also be entitled to appoint a scrutineer.

7.1.4.3 In any ballot for the election of the NZEI Te Riu Roa nominee to the New Zealand Teachers Council:

- (a) no candidate shall be elected without a majority;
- (b) in the event of a tie, the National President shall draw a lot.

7.1.4.4 No ballot paper shall be valid if it contains votes for more than the number of candidates required to fill a vacancy.

7.2 Vacancies

7.2.1 If the NZEI Te Riu Roa nominee to the New Zealand Teachers Council ceases to be a member of the Council before the expiry of the term of appointment, the National Executive may nominate to the Minister, in turn, from the next highest polling candidates in the ballot for the NZEI Te Riu Roa nominee to the New Zealand Teachers Council, held at the preceding Annual Meeting of the Institute.

7.3 Term of Office

7.3.1 The term of office of the NZEI Te Riu Roa nominee to the New Zealand Teachers Council is decided by the Minister of Education in accordance with Section 139AD(4) of the Education Act 1989 and is for a term of either three years or 18 months.

7.4 Removal of the NZEI Te Riu Roa Nominee to the New Zealand Teachers Council

7.4.1 As the NZEI Te Riu Roa nominee to the New Zealand Teachers Council is appointed to the NZ Teachers Council by the Minister of Education, the removal of that person from the Council is entirely at the discretion of the Minister.

8 OTHER MATTERS

8.1 Members' Support Teams

8.1.1 Appointment

8.1.1.1 Procedures for the appointment of Members' Support personnel will be advised to branches/aronui tomua from time to time. Appointment shall be for a specified term subject to the right of the National Executive to terminate any appointment at any time.

8.1.2 Functions

8.1.2.1 Institute Member's Support personnel shall have the following functions which may be exercised at the request of a member, at the direction of the Ethics Panel, Disciplinary Tribunal, or Regional Secretary:

- (a) to provide help and guidance to members;
- (b) to represent and uphold the rights of members;
- (c) to help resolve differences between members or between members and other persons.

8.1.3 Powers

8.1.3.1 In carrying out any of their functions (and powers) Members' Support personnel shall have regard to such matters as they may think fit and in particular shall have regard to the general education and welfare of children and to the Institute's code of ethics.

8.1.3.2 Members' Support personnel will work with field staff/regional secretaries or in conjunction with other Members' Support personnel.

8.1.3.3 Members' Support personnel may recommend to any member or other person concerned that they undertake such action or actions that will be of greatest help to resolve the differences or complaints between the parties.

8.1.3.4 In any situation where Members' Support personnel involvement is due to the request of the Ethics Panel or Disciplinary Tribunal, the Members' Support personnel shall at the request of the initiating body advise that body as to the result of, and the further need (if any) of assistance. In no case however may the Members' Support personnel divulge to either body or to anyone else any information received while giving assistance, except with the express permission of the members concerned.

8.1.3.5 Members' Support Teams may meet together and may make recommendations to the National Executive as they may consider necessary but shall not make any such recommendations on any individual case if the National Executive is exercising an appellate function thereon.

8.1.4 Members Rights

8.1.4.1 Any member who is subject to any inquiry, whether informal or under statutory or other process, or any other process, or any other legal action instituted by an employing authority shall have the right:

- (a) to receive a summary copy of the matter under inquiry before the inquiry may be proceeded with;
- (b) on request, to the services of a counsellor subject to the agreement of that counsellor.

8.2 Ethics

8.2.1 Professional Ethics

8.2.1.1 All members shall be bound by the Institute's Code of Ethics printed as the Second Schedule to these Rules.

8.2.2 Complaints Against Members

8.2.2.1 Any member or NZEI organisation has the right to lay a complaint to the Ethics Panel. Such complaints shall be referred to the National Secretary. Complaints by non-members shall be heard only at the discretion of the Ethics Panel.

8.2.2.2 Should any formal complaint be made to a branch against one of its members charging a breach of the Institute's Code of Ethics the branch shall forthwith refer that complaint to the National Secretary.

8.2.2.3 Any member who is subject to any complaint, shall have the right:

- (a) to receive a copy of the complaint made before that matter may be dealt with;
- (b) on request, to the services of a counsellor subject to the agreement of that counsellor.

8.2.3 Establishment of Ethics Panel

8.2.3.1 There shall be an Ethics Panel of the Institute which shall consist of 10 people:

- (a) six full members of the Institute, appointed by the National Executive from nominations received from branches/aronui tomua, each of whom will have received endorsement from their respective area councils or Te Reo Areare;
- (b) two shall be selected by Te Reo Areare;
- (c) one who shall be nominated by the Teachers Council; and
- (d) one who shall be nominated by the New Zealand School Trustees Association.

8.2.3.2 Each member of the Ethics Panel shall be appointed for a term of five years and will be eligible for re-appointment.

8.2.3.3 No member shall be eligible to be appointed or to remain in office under 8.2.3.1 (a) if he or she is or becomes a member of the National Executive.

8.2.3.4 Any member of the Ethics Panel shall vacate office if at any time that member:

- (a) resigns office in writing;
- (b) is no longer eligible to be appointed or remain in office;
- (c) becomes bankrupt;
- (d) is convicted of a criminal offence;
- (e) is no longer fitted for office in the opinion of the National Executive by reason of ill health (mental or physical) or prolonged absence without leave;
- (f) is no longer fitted for office in the opinion of the national executive.

8.2.3.5 On any vacancy occurring the remaining members of the Ethics Panel shall continue to act notwithstanding any vacancy. The person or authority who appointed any member vacating office may appoint some other eligible person to fill that office for the remainder of that member's term.

8.2.3.6 No member of the Ethics Panel shall participate or continue to participate in any deliberation about any matter if that member has a conflict of interest or a potential conflict of interest.

8.2.4 Functions

8.2.4.1 The Ethics Panel shall have the following functions:

- (a) to investigate, consider and act upon any complaints made to it about a member;
- (b) to advise the National Executive on the interpretation, meaning and effect of the Code of Ethics on any question referred to it by the National Executive;
- (c) to promote an awareness of ethical/professional conduct among members in accordance with the NZEI Code of Ethics;
- (d) to report annually to the National Executive on any matters arising from the exercise of its functions and powers except on any matter upon which the National Executive is exercising or may exercise an appellate function;
- (e) to investigate, consider and act upon objections made to it concerning the application for membership of NZEI as Student Teacher or honorary member of any person or persons.

8.2.4.2 Investigation of a complaint against a member by the ethics panel may continue despite resignation from Institute membership by that member.

8.2.5 Powers

8.2.5.1 In carrying out any of its functions and powers the Ethics Panel shall have regard to such matters as it may think fit and in particular shall have regard to the desirability of resolving differences and providing help and rehabilitation to members through counselling by the Institute counsellors, to the general education and welfare of children in the worksite or worksites that may be involved and to the Institute's Code of Ethics.

8.2.5.2 In respect of complaints the Ethics Panel may:

- (a) take no action; or
- (b) advise a member in writing of the possible consequences of any repetition of the conduct complained of; or
- (c) reprimand a member; or
- (d) lay a charge of an offence under Section 8.3.1 of these Rules to the National Secretary in accordance with the provisions of Section 8.3.2 of these Rules.

8.2.5.3 The result of a previous investigation by the ethics panel shall continue to be upheld if the member involved who resigned at that time seeks to rejoin the Institute.

8.2.6 Procedure

8.2.6.1 The Ethics Panel need not meet on any matter referred to it but may at any time refer the matter to Institute counsellors for resolution. Should the counsellors report that resolution is impossible then the Panel shall invite any complainant, member complained against, teacher subject to admission and Institute counsellors involved to make such report or reply as they think fit on the matters involved. The Panel shall consider all such reports

and replies received. No person involved in any matter shall have any right to appear before the Ethics Panel.

8.2.6.2 The decision of the majority of the members shall be the decision of the Ethics Panel.

8.2.6.3 As soon as practicable after any decision of the Ethics Panel it shall by notice in writing inform the complainant, the member complained against, and the branch if involved, and the National Secretary of the decision and the particulars of the specific charges (if any) to be laid against a member.

8.2.6.4 The Ethics Panel shall meet at least once a year at such place or time as the chairperson shall decide.

8.2.6.5 The Ethics Panel shall choose from among its members a chairperson who shall remain in office until a successor is appointed. The chairperson shall have a deliberative as well as a casting vote.

8.2.6.6 The quorum for meetings of the Ethics Panel shall be six (6) members present in person. Any decision may be made in writing on one or several papers or documents signed by a majority of the members.

8.2.7 Appeals

8.2.7.1 Any member who is the subject of a complaint or is the complainant and who is dissatisfied with a decision of the Ethics Panel, may appeal to the National Executive.

8.2.7.2 The National Executive shall appoint an appeal authority of not less than three persons to determine the appeal. The members of the appeal authority may or may not be members of the Institute. The appeal authority shall proceed in any appeal in such a manner as in its opinion shall most effectively deal with the matter and may confirm, or vary or reverse, the decision appealed against. The decision of the appeal authority shall be final and binding.

8.3 Disciplinary Offences

8.3.1 It shall be an offence against these rules for any member to undertake any one or more of the following actions:

- (a) knowingly act in a manner contrary to the rules of the Institute;
- (b) knowingly act in a manner contrary to the objects and policies of the Institute made in accordance with these rules;
- (c) misappropriate Institute money or property;
- (d) knowingly divulge information confidential to the Institute, unless otherwise authorised by the National Executive;
- (e) wilfully ignore a lawful resolution of an Annual or Special Meeting of the Institute or of the National Executive;
- (f) assault or threaten an employee, elected representative or member of the Institute.

8.3.2 Only the Ethics Panel (8.2.5.2 (d)) or the Appeal Authority (8.2.7.2) may lay complaints under the Disciplinary Offences section.

The National President shall, within fourteen (14) days of the statement being received from the Ethics Panel or Appeal Authority, fix the time and place for a hearing of the charge. (This place shall, if practicable, be near the charged members' home or workplace). These details, with a full copy of the charge(s), will be forwarded to the subject within three days of the date being fixed.

The President shall establish a Disciplinary Tribunal in accordance with Section 8.4.1 of these Rules.

8.3.3 Investigation of a charge against a member by the disciplinary tribunal may continue despite resignation from Institute membership by that member.

8.3.4 A Disciplinary Tribunal so established shall adjudicate upon the charge after hearing all the evidence thereon and after hearing the person charged if the person so wishes to be heard.

8.3.5 In respect of any charges considered a Disciplinary Tribunal may:

- (a) take no action; or
- (b) caution the member; or
- (c) censure the member; or
- (d) severely reprimand the member; or
- (e) recommend to National Executive the suspension or expulsion of the member from membership of the Institute.

8.3.6 The result of a previous investigation by the disciplinary tribunal shall continue to be upheld if the member involved who resigned at that time seeks to rejoin the Institute.

8.3.7 Any members may appeal the decision of the Disciplinary Tribunal within 10 days of the date of the letter conveying the Tribunal's decision. The appeal must be in writing and addressed to the National Secretary. Any such appeal shall be heard under the provisions of section 8.2.7.2 of these Rules.

8.3.8 The powers contained in Section 8.3 shall be exercised in good faith and without bias while observing the precepts of natural justice.

8.4 Disciplinary Tribunal

8.4.1 Establishment of a Disciplinary Tribunal

8.4.1.1 On any matter referred to a Disciplinary Tribunal a tribunal consisting of Institute members being:

- (a) a nominee of the National President who shall chair the Tribunal;
- (b) the President of the branch of the member charged or her/his nominee or that member's branch nominee;
- (c) a nominee of the member charged; shall be established.

8.4.2 Procedure

8.4.2.1 The Disciplinary Tribunal shall not exercise any of its powers until after the hearing of the Tribunal.

8.4.2.2 If any party fails to appear or to be represented at the hearing the Disciplinary Tribunal may proceed in default of such appearance or representation.

8.4.2.3

- (a) The parties to the hearing shall have the right to call witnesses. The expenses incurred by any witness appearing on behalf of the Institute shall be borne by the Institute. The expenses incurred by any witness appearing on behalf of the member charged shall not be borne by the Institute unless the Tribunal in its discretion directs that such costs be a charge against the Legal Assistance Fund;
- (b) The chairperson may of his or her own volition or on the application of any party request any member of the Institute to attend any hearing for the purpose of giving evidence. Such request shall be in writing over the signature of the chairperson and shall be forwarded by courier post.

8.4.2.4 All persons giving evidence shall be required to take an oath or make an affirmation.

8.4.2.5 The decision of the majority of the members shall be the decision of the Disciplinary Tribunal. The chairperson shall have a deliberative as well as a casting vote.

8.4.2.6 As soon as practicable after the decision of the Disciplinary Tribunal it shall by notice in writing inform the member concerned, the president of the member's branch, the complainant, the Ethics Panel (if appropriate) and the National Executive of the Tribunal's decision.

8.5 Bargaining – Ratification of Agreements, Variation of Agreements and Secret Ballot

8.5.1 All agreements negotiated by NZEI Te Riu Roa on behalf of its members will be ratified by members that are to be bound by the proposed agreement before it is signed by the union.

The method of ratification of collective agreements (excluding variations of them) will be:

- (i) by a simple majority decision of the team negotiating the agreement; and
- (ii) by a simple majority decision of members who are entitled to vote and who do vote.

The National Executive of the union will determine whether voting on ratification will be held at meetings of members entitled to vote or by way of postal ballot.

8.5.2 With respect to the following National Collective Employment Agreements (or their successors),

- Primary Teachers' (including Deputy Principals, Assistant Principals and other Unit Holders) Collective Agreement
- Primary Principals' Collective Agreement
- Area School Teachers' Collective Agreement
- Area School Principals' Collective Agreement

- Support Staff in Schools' Collective Agreement
- Kaiarahi i te Reo, Assistants to Teachers of Students with Severe Disabilities and Special Education Assistants' Collective Agreement
- Kindergarten Teachers, Head Teachers and Senior Teachers' Collective Agreement
- Early Childhood Education Collective Agreement
- Education Support Workers, Behaviour Support Workers and Communication Support Workers' Collective Agreement (Ministry of Education)
- Field Staff Collective Agreement (Ministry of Education)
- Ministry of Education Service Managers' Collective Agreement

the National Executive will verify, prior to membership decisions, that the proposed settlement is consistent with Institute policy.

8.5.3 The terms and conditions contained in an agreement may be varied at any time by written agreement between NZEI Te Riu Roa, acting on behalf of its members and the employer(s) parties to the agreement.

8.5.4 Where the Employment Relations Act requires a secret ballot to be held in relation to proposed multi-party bargaining the following procedures will be used to conduct the ballot:

- (i) the question(s) for the ballot will be agreed by the National Executive;
- (ii) all ballots will be conducted on paper;
- (iii) the National Executive will determine whether voting will be held at meetings or by postal ballot;
- (iv) the result of the ballot will be determined by a simple majority of members employed by each employer intended to be a party to the bargaining who are entitled to vote and who do vote.

8.6 Repeal and Saving

8.6.1 All rules previously in force are hereby repealed and (except as otherwise provided in these Rules) these Rules shall henceforth constitute the only Rules of the Institute.

8.6.2 All Acts of Authority which originated under the Rules hereby repealed shall ensure for the purpose of these Rules as fully and effectually as if they had originated hereunder and accordingly where necessary be deemed to have so originated.

8.6.3 All matters and proceedings commenced under any such Rules or pending or in progress on the coming into operation of these Rules may be continued completed and enforced under these Rules.

8.7 Transitional Provision

8.7.1 Any Annual Meeting may adopt amendments or repeals to these Rules subject to any changes required by the Registrar.

FIRST SCHEDULE

Section A

Established Branches of the New Zealand Educational Institute Te Riu Roa (Incorporated).

A T - Awakairangi	Golden Bay
A T - Hukurangi ki Te Tairāwhiti	Grey
A T - Hokianga ki Taumarere	Hastings
A T - Kahungunu ki Te Wairoa	Heretaunga
A T - Kahuranaki	Hibiscus Coast
A T - Manaakitia o Potiki	Hokianga
A T - Manaia ki Tutamoe	Horowhenua
A T - Manawatu	Howick
A T - Manukau Whanui	Huntly
A T - o Mataatua	Hurunui
A T - o Otepoti	Hutt Valley
A T - Parininihi ki Taipake	Kaipara
A T - Rotorua	Kapiti
A T - ki Ruapehu	Komiti Pasifika (Auckland)
A T - Tamaki Makaurau	Komiti Pasifika (Wellington)
A T - Tauranga-Moana	Mackenzie
A T - Te Mangai Maori Waikato	Malvern
A T - o Te Rohe Potae	Mana
A T - Te Ropu Manawatahi o Murihiku	Manawatu
A T - Te Whanau-a-Apanui	Maniapoto
A T - Te Whanganui a Tara	Manurewa
A T - Tokoroa	Marlborough
A T - Turanga	Matamata
A T - Wairau	Mid Canterbury
A T - Waitaha	Motueka
A T - Whakatu	Murupara
A T - Whanganui	Napier
A T - Whanganui a Orotu	Nelson
Ashley	North Shore
Auckland	Northern Wairoa
Bay of Islands	Opotiki
Buller	Otago
Cambridge	Otahuhu
Central Hawkes Bay	Pahiatua Bush
Central King Country	Papakura
Central Otago	Papatoetoe
Christchurch	Parumoana
Coromandel Peninsula	Patea-Waverley
Correspondence School	Piako
Ellesmere	Poverty Bay
Feilding	Rangitikei
Far North	Reefton-Murchison
Foxton	Reporoa
Franklin	Rodney-Otamatea

Rotorua
Ruapehu
South Canterbury
South Otago
South Wairarapa
Southern Hawkes Bay
Southland
South Taranaki
Taihape
Taranaki
Taupo
Tauranga
Te Puke
Thames
Tokoroa
Turangi
Waiapu

Waihi
Waikato
Waimate
Wainuiomata
Waipa
Wairarapa
Wairoa
Waitaki
Waiuku
Wanganui
Wellington
Wellington North
West Auckland
Westland
Whakatane
Whangarei

Section B

Established Area Councils of the New Zealand Educational Institute Te Riu Roa
(Incorporated)

Auckland	Otago	Waikato
Bay of Plenty	Tai Tokerau	Waitaha Canterbury
Central East	Taranaki	Wellington
Murihiku Southland	Te Haunui Central	
Top of the South	Te Tau Ihu o Te Waka a Maui	

Section C

Established Aronui Tomua Electoral Regions for the purpose of each nominating a
member of Te Reo Areare

Taitokerau	Te Arawa	Taranaki
Tamaki Whanui	Tairawhiti	Te Upoko o te Ika
Waikato	Kahungunu	Otautahi ki Wairau
Mataatua	Manawatu ki Whanganui	Murihiku

SECOND SCHEDULE

NZEI TE RIU ROA CODE OF ETHICS

Preamble

The main object of NZEI Te Riu Roa is “to advance the cause of education generally while upholding and maintaining the just claims of its members individually and collectively”.

Purpose of the Code of Ethics

The NZEI Te Riu Roa Code of Ethics will assist all members in supporting the objects of the Institute by clearly stating the core values that guide the commitments, responsibilities and conduct of NZEI Te Riu Roa members.

The Code aims to maintain the highest standards of ethical behaviour by NZEI Te Riu Roa members.

- **The Code operates within a belief that:** Quality public education, a pillar of a democratic society, has the task of providing equality of education opportunity for all children and youth and the well-being of society through its contribution to social, cultural and economic development.
- Members of NZEI Te Riu Roa shall give honour and effect to the Treaty of Waitangi, with Maori and Tauwiwi being equal partners in Institute operations by paying particular attention to the rights and aspirations of Māori as tangata whenua.
- Members are committed to the promotion of quality public education from the early years, helping to develop a person’s capacity to live a fulfilled life and to contribute to the well being of society.

Coverage

All members will accept a commitment to the NZEI Te Riu Roa Code of Ethics on joining the union.

Professional ethics expected of all members are complementary to the principles of Education International Declaration on Professional Ethics, and to the codes of other bodies and groups to which they individually belong.

These values guide our commitment, our responsibilities, and our conduct as members of NZEI Te Riu Roa, a treaty based organisation.

1. Collectivity

Within a quality education framework, we will strive to demonstrate collective responsibility by:

- (a) Acting in ways which respect and promote the collective interests and status of members.
- (b) Promoting collegiality among colleagues and respecting their professional opinions.
- (c) Taking responsible action around issues of collective concern to make a positive difference.
- (d) Advocating for collective consideration of work that benefit members and allow them to fulfil their responsibilities.

2. Responsibility

In leading, promoting and contributing to quality teaching and learning environments for all learners, we will strive to act responsibly by:

- (a) Supporting the development of fair practices.
- (b) Engaging in personal learning which advances professional knowledge and practice.
- (c) Developing positive parent/caregiver/whānau partnership whilst respecting their lawful authority.
- (d) Taking action to safeguard and promote the interests and well being of learners.
- (e) Accepting responsibility for our own actions and judgments.

3. Honesty and integrity

In justifying public trust and confidence and enhancing the esteem in which the Institute is held, we would strive to act with honesty and integrity by:

- (a) Interacting with fairness and dignity in relationships with members.
- (b) Exercising due care, diligence and confidentiality.
- (c) Exercising authority with justice and empathy.
- (d) Declaring all relevant information relating to competency and qualifications.

4. Equity and social justice

In seeking equal opportunities and fair sharing of social benefits for individuals, we would strive to promote equity and social justice by:

- (a) Being supportive of fairness at work.
- (b) Removing discrimination and preventing the abuse of power.
- (c) Operating within a framework of values consistent with New Zealand's human rights obligations.
- (d) Honouring, advocating and defending the entitlements of all members to equitable remuneration and conditions.

THIRD SCHEDULE

TE TIRITI O WAITANGI

HE KUPU WHAKATAKI

Ko Wikitoria te Kuini o Ingarani i tana mahara atawai ki nga rangatira me nga hapu o Nu Tirani i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga me to ratou wenua a kia mau tonu hoki te rongo ki a ratou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi rangatira hei kai wakarite ki nga Tangata Maori o Nu Tirani kia wakaetia e nga rangatira Maori te Kawanatanga o te Kuini ki nga wahikatoa o te wenua nei me nga motu - na te mea hoki he tokomaha ke nga tangata o tona Iwi kua noho ki tenei wenua a e haere mai nei.

Na ko te Kuini e hiahia ana kia wakaritea te Kawanatanga kia kaua ai nga kino e puta mai ki te tangata Maori ki te Pakeha e noho ture kore ana.

Na kua pai te Kuini kia tukua ahau a Wiremu Hopihono he Kapitana i te Roiara Nawi he Kawana mo nga wahi katoa o Nu Tirani i tukua aianeia a mua atu ki te Kuini e mea atu ana ia ki nga rangatira o te wakaminenga o nga hapu o Nu Tirani me era rangatira atu enei ture ka Korerotia nei.

KO TE TUATAHI

Ko nga rangatira o te Wakaminenga me nga rangatira katoa hoki, kihai i uru ki taua Wakaminenga, ka tuku rawa atu ki te Kuini o Ingarangi ake tonu atu te Kawanatanga katoa o o ratou wenua.

KO TE TUARUA

Ko te Kuini o Ingarangi ka wakarite ka wakaae ki nga rangatira, ki nga hapu, ki nga tangata katoa o Nu Tirani, te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga rangatira o te Wakaminenga me nga rangatira katoa atu, ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te wenua, ki te ritenga o te utu e wakaritea ai e ratou ko te kaihoko e meatia nei e te Kuini hei kaihoko mona.

KO TE TUATORU

Hei wakaritenga mai hoki tenei mo te wakaetanga ki te Kawanatanga o te Kuini. Ka tiakina e te Kuini o Ingarangi nga tangata Maori katoa o Nu Tirani. Ka tukua ki a ratou nga tikanga katoa rite tahi ke ana mea ki nga tangata o Ingarangi.

Na, ko matou ko nga rangatira e te Wakaminenga o nga hapu o Nu Tirani ka huihui nei ki Waitangi ko matou hoki ko nga rangatira o Nu Tirani ka kite nei i te ritenga o enei kupu. Ka tangohia ka wakaetia katoatia e matou. Koia ka tohungia ai o matou ingoa o matou tohu.

Ka meatia tenei ki Waitangi i te ono o nga ra o Pepueri i te tau kotahi mano, e waru rau e wa te kau o to tatou Ariki.

ENGLISH TRANSLATION

PREAMBLE

VICTORIA, the Queen of England, in her kind (gracious) thoughtfulness to the Chiefs and Hapus of New Zealand, and her desire to preserve to them their chieftainship and their land, and that peace and quietness may be kept with them, because a great number of the people of her tribe have settled in this country, and (more) will come, has thought it right to send a chief (an officer) as one who will make a statement to (negotiate with) Maori people of New Zealand. Let the Maori chiefs accept the governorship (KAWANATANGA) of the Queen over all parts of this country and the Islands. Now, the Queen desires to arrange the governorship lest evils should come to the Maori people and the Europeans who are living here without law. Now, the Queen has been pleased to send me, William Hobson, a Captain in

the Royal Navy to be Governor for all places of New Zealand which are now given up or which shall be given up to the Queen. And she says to the Chiefs of the Confederation of the Hapus of New Zealand and the other chiefs, these are the laws spoken of.

THIS IS THE FIRST

The Chiefs of the Confederation, and all these chiefs who have not joined in that Confederation give up to the Queen of England for ever all the Governorship (KAWANATANGA) of their lands.

THIS IS THE SECOND

The Queen of England agrees and consents (to give) to the Chiefs, hapus, and all the people of New Zealand the full chieftainship (rangatiratanga) of their lands, their villages and all their possessions (taonga: everything that is held precious) but the Chiefs give to the Queen the purchasing of those pieces of land which the owner is willing to sell, subject to the arranging of payment which will be agreed to by them and the purchaser who will be appointed by the Queen for the purpose of buying for her.

THIS IS THE THIRD

This is the arrangement for the consent to the governorship of the Queen. The Queen will protect all the Maori people of New Zealand, and give them all the same rights as those of the people of England. WILLIAM HOBSON, Consul and Lieutenant-Governor.

Now, we the Chiefs of the Confederation of the Hapus of New Zealand, here assembled at Waitangi, and we, the chiefs of New Zealand, see the meaning of these words and accept them, and we agree to all of them. Here we put our names and our marks.

Done at Waitangi, this sixth day of February in the year of Our Lord, one thousand eight hundred and forty.

FOURTH SCHEDULE

Nomination Paper for Election of Branch Officers or Representatives

To the Secretary of the _____ Branch of the NZEI.

We nominate _____

For the position of _____

for the year ending _____ in accordance with the Rules of the Institute.

Signed: _____ proposer

_____ seconder

Date: _____

I consent to the above nomination _____ nominee

FIFTH SCHEDULE

Nomination of National Officer

To the National Secretary NZEI,

We nominate _____ for the position of:

NATIONAL PRESIDENT

NATIONAL VICE-PRESIDENT

NATIONAL EXECUTIVE

of the NZEI for the year following Annual Meeting 20 _____

Signed: _____ proposer

_____ seconder

I consent to the above nomination _____ nominee

Date: _____

Where a nomination is endorsed by resolution of a branch the nomination should be signed by the Branch President as proposer and Branch Secretary as seconder and the branch name entered below:

(Name of Branch)

A nomination must be received by the National Secretary for the no later than 10 weeks before the first day of Annual Meeting

Please clearly mark which ballot this nomination is for (✓)

GENERAL MEMBERSHIP

EARLY CHILDHOOD SECTOR

PRIMARY TEACHING SECTOR

SUPPORT STAFF SECTOR

SCHOOL PRINCIPALS'

SIXTH SCHEDULE

Nomination for NZEI Te Riu Roa Nominee to the New Zealand Teachers Council

To the National Secretary NZEI

We nominate _____ as the

NZEI Te Riu Roa Nominee to the New Zealand Teachers Council

Sign and _____ proposer
print name

_____ seconder

I consent to the above nomination and have read Section 7 of the Rules

Sign: _____ nominee

Date: _____

Where a nomination is endorsed by resolution of a branch, the nomination should be signed by the Branch President as proposer and Branch Secretary as seconder and the branch name entered below:

Name of Branch

A nomination must be received by the National Secretary no later than 6 weeks before the first day of Annual Meeting after a vacancy has arisen.