

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

2019

ISBN 0 9 08579 28 4

**New Zealand Educational Institute Te Riu Roa Incorporated**

Education House, 178-182 Willis Street, Wellington

P O Box 466, Wellington 6140, New Zealand

Phone: 0800 693 443 - Fax: (04) 385 1772

Website: [www.nzei.org.nz](http://www.nzei.org.nz)

# Contents

<b>A: About these rules .....</b>	<b>7</b>
<b>B: Interpretation .....</b>	<b>8</b>
<b>C: About the Institute.....</b>	<b>9</b>
1    Institute's Name .....	9
2    Institute and Te Tiriti o Waitangi.....	9
3    Institute's Registration as a Union.....	9
4    Institute's Goals .....	9
5    Institute's Offices.....	10
6    Affiliation .....	10
7    Dissolution of the Institute .....	10
<b>D: Membership and Honours.....</b>	<b>11</b>
8    Categories of Membership .....	11
9    Full Membership .....	11
10   Provisional Membership.....	12
11   Honorary Membership.....	13
12   Applying for Membership .....	13
13   Honours Awarded by the Institute .....	14
14   Honours Committee .....	16
15   Nominations and Decision-making for Honours.....	17
<b>E: Membership Subscriptions and Levies.....</b>	<b>17</b>
16   Membership Subscriptions.....	17
17   Emergency Levies .....	18
18   Register of Financial Members.....	18
<b>F: The National Executive.....</b>	<b>18</b>
19   National Executive's Functions .....	18
20   National Officers .....	19
21   National Executive Membership.....	20
22   National Executive Meetings .....	20
23   Relationship between the National Executive and the National Secretary .....	20
24   National President's Role.....	21
25   Nominations for National Officer & National Executive Positions.....	21

26	Elections for National Executive and National Officers .....	22
27	Term of Office for National Executive and National Officers .....	23
28	Vacancies for National Executive Positions.....	23
29	Vacancies for National Officers .....	24
30	Suspension and Removal of National Executive Members and National Officers .....	25
<b>G: Branches of the Institute .....</b>		<b>26</b>
31	Branches.....	26
32	Objects of the Institute’s Branches .....	26
33	Establishing New Branches.....	26
34	Disestablishing Branches .....	27
35	Branch Membership .....	27
36	Branch Administration and Operation.....	28
37	Branch Meetings .....	28
38	Branch Managing Committee officers .....	30
39	Branch Representatives .....	32
<b>H: Area Councils of the Institute .....</b>		<b>33</b>
40	Current Area Councils.....	33
41	Functions of Area Councils .....	34
42	Establishing New Area Councils .....	34
43	Dis-establishing Area Councils.....	35
44	Composition of Area Councils .....	35
45	Election of Area Council representatives.....	36
46	Election of Area Council Officers.....	36
47	Area Council Meetings and Financial Powers .....	36
48	Restrictions on Area Council representations.....	36
<b>I: Workplace Representatives.....</b>		<b>36</b>
49	Representation at workplace level.....	36
<b>J: Institute Meetings.....</b>		<b>36</b>
50	Institute’s Annual Meeting .....	36
51	Institute’s Special Meetings.....	37
52	Composition of Institute Meetings .....	38
53	Standing Orders for Institute Annual or Special Meetings .....	38
54	Te Kāhui Whetū .....	42
55	Te Reo Areare .....	42
<b>K: Institute Administration .....</b>		<b>42</b>

56	Copies of the Rules and Amendments .....	43
57	Copies of Other Institute Documents.....	43
58	Common Seal .....	43
59	Legal Documents and Hearings .....	43
60	Ballot Papers .....	43
<b>L: Institute Finances .....</b>		<b>44</b>
61	Financial Year .....	44
62	Banking.....	44
63	Investing and Borrowing.....	44
64	Financial Grants to Branches and Area Councils .....	45
65	Branch Financial Management.....	47
66	Legal Assistance Fund.....	47
67	Provident Fund.....	48
68	Death Benefit Fund .....	48
69	NZEI Te Riu Roa Reserves Fund.....	49
70	Institute Accounting Records.....	49
<b>M: Institute’s Member Assist team.....</b>		<b>50</b>
71	Member Assist Team’s Functions .....	50
72	Members’ Rights to Assistance .....	50
73	Appointment of Member Assist personnel .....	51
74	Method of Working and Powers .....	51
<b>N: Institute’s Ethics Panel .....</b>		<b>51</b>
75	Institute’s Code of Ethics.....	51
76	Ethics Panel’s Functions and Powers .....	51
77	Ethics Panel’s Procedures .....	52
78	Ethics Panel Appointments and Vacancies .....	53
79	Conflicts of Interest .....	54
80	Complaints to the Ethics Panel .....	54
81	Appeals.....	54
<b>O: Disciplinary Matters .....</b>		<b>54</b>
82	Disciplinary Offences .....	54
83	Procedure for Charges of Disciplinary Offences.....	55
84	Disciplinary Tribunal Membership .....	56
<b>P: Collective Agreements and Bargaining.....</b>		<b>56</b>
85	Negotiation and ratification.....	57
86	Variations.....	57

87	Secret Ballots.....	58
<b>Q: Status of and Changes to These Rules.....</b>		<b>58</b>
88	Status of the Rules.....	58
89	Matters Arising Under Previous Rules.....	58
90	Power to Amend or Repeal the Rules .....	58
<b>First Schedule .....</b>		<b>60</b>
	1A: The Institute’s Current Branches.....	60
	1B: The Institute’s Current Area Councils.....	62
	1C: Aronui Tōmua Electoral Regions .....	62
<b>Second Schedule .....</b>		<b>62</b>
	NZEI Te Riu Roa Code of Ethics.....	63
<b>Third Schedule .....</b>		<b>65</b>
	Te Tiriti o Waitangi .....	65
<b>Fourth Schedule.....</b>		<b>67</b>
	Nomination paper for Branch officers and representatives .....	67
<b>Fifth Schedule .....</b>		<b>68</b>
	Nomination paper for National Officers / National Executive.....	68

## **A: About these rules**

This document sets out the rules of the New Zealand Educational Institute Te Riu Roa Incorporated, more commonly known as NZEI Te Riu Roa.

NZEI Te Riu Roa is New Zealand's largest education union, representing principals, teachers and support staff in primary, area and secondary schools, early childhood centres, special education and school advisory services nationwide. It is a democratic, treaty-based organisation, whose members work in every community in New Zealand advocating for quality public education.

NZEI Te Riu Roa is registered under the Incorporated Societies Act 1908 and is registered as a union and operates under the Employment Relations Act 2000.

Every incorporated society is required to have a set of rules. The rules apply to all NZEI Te Riu Roa members, for as long as they remain members of the Institute. Any member can propose that the rules should be amended, or that new rules should be added or redundant rules repealed. There are processes set out in the rules for these changes to occur.

If you have any questions about these rules, phone 0800 693 443. For more information about NZEI Te Riu Roa or to obtain a copy of these rules, please visit: [www.nzei.org.nz](http://www.nzei.org.nz)

## B: Interpretation

**Aronui Tōmua:** an official Branch of the Institute established under these rules. Aronui Tōmua represent mainly Māori members within a defined geographical area.

**Branch:** an official Branch of the Institute established under these rules. Branches represent members within defined geographical areas. They include Aronui Tōmua and Komiti Pasifika. See Schedule 1A of these rules for a list of the Institute's current Branches.

**Area Council:** an official Area Council of the Institute established under these rules. Area Councils represent members on district-wide issues, and are made up of representatives from all Branches within their area. See Schedule 1B of these rules for a list of the Institute's current Area Councils.

**Komiti Pasifika:** an official Branch of the Institute established under these rules. Komiti Pasifika represent mainly Pasifika members within a defined geographical area.

**Majority:** a majority in the context of a vote means a simple majority of voters (50% plus 1), unless stated otherwise.

**Members:** an enrolled member of the Institute, whether a full, provisional or honorary member.

**National Executive:** the Institute's managing body, elected under these rules.

**National Officer:** any member of the National Executive, whether or not they hold a specific office.

**Section:** all references to sections mean sections of these rules, unless stated otherwise.

**Subscription:** the annual membership fee paid by members, inclusive of GST.

**Support Staff:** 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.

**Tauiwi:** Non-Māori New Zealanders.

**Te Reo Areare:** The Institute's National Māori Council.

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

**Rules:** the rules of the New Zealand Educational Institute Te Riu Roa (Incorporated), as required by the Incorporated Societies Act 1908.



# C: About the Institute

## 1 Institute's Name

- 1.1 The Institute's full name is The New Zealand Educational Institute Te Riu Roa Incorporated. Its short name, which it also operates under, is NZEI Te Riu Roa. In these rules, it will be referred to as the Institute.

## 2 Institute and Te Tiriti o Waitangi

- 2.1 The Institute is a tiriti-based organisation that provides pathways for member participation through the structures of NZEI Te Riu Roa. These structures have been premised on Te Tiriti o Waitangi and the tongi:-

Kotahi te kohao o te ngira e kuhuna ai  
Te miro ma, te miro pango, te miro whero  
(Potatau Te Wherowhero)

A tiriti-based organisation in practise demands that parties work closely together for one purpose based on respect and trust.”

## 3 Institute's Registration as a Union

- 3.1 The Institute is registered as a union under The Incorporated Societies Act 1908 and under the Employment Relations Act 2000.
- 3.2 Registration under the Incorporated Societies Act 1908 means that all of the Institute's members (see Section 8) are bound by these rules, regardless of when they became members, and for as long as they remain members.
- 3.3 The Incorporated Societies Act 1908 also contains provisions about the internal management of incorporated societies, which the Institute must comply with, and makes the Institute's actions subject to review by the High Court.
- 3.4 Registration under the Employment Relations Act 2000 means the Institute must be democratic, independent and operate at arm's length from any employer.

## 4 Institute's Goals

- 4.1 To advocate for quality public education and the rights of learners
- 4.2 To give honour and effect to Te Tiriti o Waitangi (see the Third Schedule of these rules) with Māori and Tauīwi being equal parties in Institute operations
- 4.3 To support members' collective and individual employment interests
- 4.4 To be an influential, member driven, democratic union

- 4.5 To facilitate full and active member participation in the activities of the Institute
- 4.6 To respect and uphold members' professional status and wellbeing
- 4.7 To promote and protect workers professional, economic, political, social and educational interests including working with other unions and like-minded organisations

## **5 Institute's Offices**

- 5.1 The Institute's National Office and registered office is at Education House, 178-182 Willis Street, Wellington.
- 5.2 The National Executive may, from time to time, change the location or postal address of the registered office to another place in Wellington city. It must immediately notify the Registrar of Incorporated Societies and the Institute's members of the change and the date from which it occurred.

## **6 Affiliation**

- 6.1 The Institute may associate or affiliate itself with any other educational body whose purposes are to advance the cause of education generally and whose activities are not for gain. The Institute may be a member of the New Zealand Council of Trade Unions.

## **7 Dissolution of the Institute**

- 7.1 The Institute can be dissolved at any time, if a secret postal ballot of its full members, conducted for that purpose, results in a majority in favour of its dissolution. The National Secretary must give every full member notice, before the ballot, of the intention to seek the Institute's dissolution.
- 7.2 The dissolution will not take effect until the National Secretary has applied to cancel the Institute's registration under The Incorporated Societies Act 1908, and notice confirming the cancellation has been received from the Registrar of Incorporated Societies.
- 7.3 If the Institute is dissolved it will be subject to a final audit, in accordance with the Incorporated Societies Act 1908. Any of its property left after the payment of all costs, debts and liabilities can then be disposed of. The means of disposing of the remaining property will be decided by resolutions at a special meeting of the Institute (see Section 51) called for that purpose. The resolutions must be carried by a majority of at least three-fifths of members present who are entitled to vote.

### **7.4 Amalgamation with another union**

- 7.4.1 A resolution for the Institute's dissolution may make provision for it to be amalgamated with another union registered under the Incorporated Societies Act 1908, provided that all of the Institute's members are given notice that a resolution seeking amalgamation has been passed.

- 7.4.2 In an amalgamation, all the Institute's property (after the payment of all costs, debts and liabilities) will become the property of the amalgamated union or be disposed of in a manner that a special meeting of the Institute deems fit (see Section 7.3).

## **D: Membership and Honours**

### **8 Categories of Membership**

- 8.1 Members of the Institute may be full (see Section 9), provisional (see Section 10), honorary (see Section 11) or life members (see section 13.5).
- 8.2 The Institute also distinguishes between financial and non-financial members (see Section 18), and may award honours (see Section 13) to members and non-members that support its work and objects.
- 8.3 Existing members who do not fall within any of the membership categories set out in Section 9 to 11 will continue as members.

### **9 Full Membership**

- 9.1 Full membership of the Institute is open to every person employed, or engaged to be employed, other than those eligible to be provisional members (see Section 10), honorary members (see Section 11) or life members (see Section 13.5), throughout New Zealand as:
- a) a teacher in a state or state integrated school
  - b) an early childhood teacher or educator
  - c) a teacher, educator or support worker, other than those defined in parts (a) or (b) of this rule, working in the education sector
  - d) 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 (referred to as Support Staff)
  - e) a registered teacher or support worker in a service fully funded through the state education system
  - f) a reliever in any of the positions in parts (a) to (e) of this rule.
- 9.2 Section 9.1 does not apply to employees in private, fully-registered schools.
- 9.3 The Institute can extend full membership to include any categories of workers already included in the membership of another union. This must be done by changing the rules (see Section 90).
- 9.4 Full members are entitled to:
- attend, speak and vote at all meetings of the Branch they are enrolled in

- be elected to any position within their Branch, and to represent the Branch or the Institute, if so appointed
- receive assistance from the Institute's advisory services
- receive a free copy of these rules, and all subsequent amendments to them (see Section 56)
- receive a free copy of the collective employment agreement that they are employed under
- receive a free copy of the Institute's Annual Report and Financial Statement
- apply for assistance from the Institute's Legal Assistance Fund and Provident Fund.

## **9.5 Resignation and termination of full membership**

- 9.5.1 A member can resign as a full member of the Institute by giving the National Secretary 14 days written notice of their intention to resign.
- 9.5.2 The resignation is not effective, except by the leave of the National Secretary, until the member has paid all subscriptions and levies due under these rules. The resignation also does not exempt the member from liability for any act or omission they committed while they were a member.
- 9.5.3 Subject to Sections 10 and 11, any full member who stops being employed in an occupation eligible for full membership under Section 9.1, will be deemed to have their full membership terminated.
- 9.5.4 Members must still pay any dues outstanding at the time their membership is terminated. Members must give 14 days written notice of the termination of their membership to the National Secretary. Once they have done so, they will qualify for a refund of a proportion of any subscriptions they have paid in advance.
- 9.5.5 The Institute will continue to act on behalf of any member affected by Section 9.5.3 in personal grievance procedures initiated while the member was still a full member.

## **10 Provisional Membership**

- 10.1 Provisional membership of the Institute is open to:
- a) every student enrolled, more than 0.5 full-time-equivalent, in a training or education course intended to lead to employment in any of the roles eligible for full membership, as set out in Section 9.1
- This shall include students who are studying towards an under-graduate degree in early childhood education and for whom centre-based training, on either a paid or unpaid basis, is a course requirement.
- b) every person who has completed a teacher education course, is provisionally registered, and is seeking employment in any of the roles eligible for full membership, as set out in Section 9.1.

- 10.2 Provisional membership is valid until 30<sup>th</sup> November each year at which time it may be renewed in writing or electronically for a further 12 months subject to the provisions of Section 10.1 continuing to be met.
- 10.3 Provisional members have the same entitlements as full members, as set out in Section 9.4, unless otherwise provided for in these rules. (see Sections 66 & 67)

## **11 Honorary Membership**

- 11.1 Honorary membership is open to former full members who are no longer employed in any of the roles set out in Section 9.1.
- 11.2 Honorary members are entitled to:
- attend and speak at any meeting of their Branch
  - apply to the National Office to receive a free copy of the Institute's Annual Report and Financial Statement.

## **12 Applying for Membership**

- 12.1 Any person who fulfils the criteria for full (see Section 9), provisional (see Section 10) or honorary (see Section 11) membership can apply to become a member of the Institute. The application is made to the National Office.
- 12.2 The Institute's Branches (see Section 31) and workplace representatives (see Section 49) are responsible for encouraging prospective members to apply.
- 12.3 An applicant must sign a declaration (disclaimer) that there are no employment-related legal, ethical or disciplinary matters in progress or outstanding against them at the time of their application. A false declaration will be deemed to cancel any subsequent membership based on it, and the Institute will not be liable for any payment or support to the applicant in respect of the outstanding matters.
- 12.4 A person's membership is effective from the date that their application is accepted. The member must then pay all subscriptions, levies and other contributions due (see Sections 16 and 17).
- 12.5 The National Executive may object to a person becoming a member of the Institute. Objections will follow the procedure for referring matters to the Ethics Panel (see Section 80).
- 12.6 A full member may object to a person becoming a member of any of the Institute's branches, on the grounds that the person:
- has been expelled from a Branch
  - has not fulfilled any conditions imposed by the Institute's Disciplinary Committee
  - is not fit to be registered as a member due to a Court conviction
  - has breached the Institute's Code of Ethics.

- 12.7 Any prospective member whose application for membership is rejected may appeal to the Ethics Panel under Section 81 of these rules.

## **13 Honours Awarded by the Institute**

- 13.1 The Institute awards honours to members and non-members who support its work and objectives. The honours are Associate (see Section 13.2), Fellow (see Section 13.3), Honorary Fellow (see Section 13.4), and Life Membership of the Institute (see Section 13.5). Nominations for honours are considered by the Institute's Honours Committee (see Section 14), which makes recommendations to the National Executive on the awards.

### **13.2 Associate**

- 13.2.1 The Institute awards the honour of Associate to acknowledge the work of individuals at a workplace, local or area level. There are two categories for the award: professional contribution and union activism.

- 13.2.2 To be eligible, the nominee must have demonstrated:

- **Associate (Professional):**
  - support for the Institute's ethics, objects and goals
  - a high level of effectiveness and credibility as a practitioner
  - that he or she is held in high regard by, and has excellent relationships with, learners, colleagues, caregivers and other members of the education community
- **Associate (Union Activism)**
  - support for the Institute's ethics, objects, goals and activities
  - a high level of effectiveness, activism and credibility as a union member
  - that he or she is held in high regard by, and has excellent relationships with, colleagues, NZEI members and other members of the education community.

- 13.2.3 It is also advantageous if nominees are involved in community activities, outside education.

- 13.2.4 Nominees for the award of Associate must have held provisional or full membership of the Institute or a kindred organisation for at least 10 years (earlier in exceptional circumstances) to be eligible.

- 13.2.5 The award can also be made to a member within one year of their resignation or retirement from the Institute.

### **13.3 Fellow**

- 13.3.1 The Institute awards the honour of Fellow to acknowledge the work of individuals at a regional and national level. There are two categories for the award: professional expertise and contribution, and union activism.

- 13.3.2 To be eligible, the nominee must have demonstrated:

- **Fellow (Professional):**
  - all of the requirements for Associate (Professional) to a higher level
  - outstanding leadership, and active promotion of excellence in education in his or her field
  - ongoing quality contributions to a range of Institute activities
  - a special contribution to the wider educational community
  - service to the wider community
  
- **Fellow (Union Activism):**
  - all of the requirements for Associate (Union Activism) to a higher level
  - outstanding leadership and active promotion of excellence in his or her field;
  - ongoing quality contributions to a range of Institute activities
  - a special contribution to the wider educational community
  - service to the wider community.

13.3.3 In general, nominees for the award of Fellow should have held full membership of the Institute or a kindred organisation for approximately 15 years. A nominee must also be an Associate or hold an Education Service Para-professional Association or NZEI Te Riu Roa Special Service Award.

13.3.4 The award of Fellow can be made within up to one year of the date that a member resigns or retires from the Institute.

#### **13.4 Honorary Fellow**

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

13.4.2 Nominees for Honorary Fellow must have demonstrated:

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

#### **13.5 Life Member of the Institute**

13.5.1 Life Members of the Institute are entitled to:

- inclusion in the Institute's Roll of Life Members, published as part of the Institute's report and proceedings on its annual meeting
- free copies of the Institute's current newsletter

- attend all general meetings of the Institute or any of its Branches, and to have speaking, but not voting, rights.
- 13.5.2 To be eligible, nominees for Life Membership must have demonstrated distinguished service in the cause of the Institute's members and education. The honour is the highest honour awarded by the Institute. It is given only when the service rendered has been of nationwide and outstanding nature.
- 13.5.3 The Award of Fellow or Honorary Fellow is a prerequisite for eligibility for Life Members of the Institute.
- 13.5.4 If a union amalgamating with the Institute has a rule providing for life membership similar to this rule, then honorary life membership of the union may transfer to the Institute, subject to the recommendations of the Institute's Honours Committee.

### **13.6 Life Member of a Branch**

- 13.6.1 The Institute's Branches may elect suitable people to be Life Members of the Branch.
- 13.6.2 Life Members of a Branch are entitled to attend all meetings of that Branch and to have speaking, but not voting, rights.

## **14 Honours Committee**

- 14.1 The Institute's National Executive will appoint an Honours Committee.
- 14.2 The Honours Committee's function is to:
- consider nominations for the honours in Sections 13.2 – 13.5 of these rules and make recommendations to the National Executive about them
  - consider and report to the National Executive on any matter relating to the Institute's rules on awarding honours.
- 14.3 The Honours Committee will consist of:
- a Fellow of the Institute, appointed by the Institute's National President to chair the committee
  - four Fellows of the Institute, appointed for a four-year term
  - two members nominated by Te Reo Areare, for a four-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 kaumātua or pakeke
  - up to four others, determined by the National President in conjunction with the committee Chairperson, to provide the balance of skills and knowledge needed. These are appointments for up to four years.
- 14.4 Honours Committee members cannot also be members of the National Executive.
- 14.5 A quorum is a simple majority of the current committee members.



## **15 Nominations and Decision-making for Honours**

- 15.1 Nominations for Associates and Fellows (Professional or Union Activism) can be made by any Branch, Area Council or National Leadership Group. The nominations will be referred to the Honours Committee, which will consider them and make recommendations to the National Executive. The National Executive decides who the honours will be awarded to.
- 15.2 Nominations for Life Members of the Institute and Honorary Fellows will be made by the National Executive, which may act on the recommendation of a Branch, Area Council or National Leadership Group. The nominations will be referred to the Honours Committee, which will consider them and make recommendations to the National Executive. The National Executive decides who the honours will be awarded to.
- 15.3 The format for nominations for all honours will be prescribed by the Institute, which will advise members annually.

## **E: Membership Subscriptions and Levies**

### **16 Membership Subscriptions**

- 16.1 All full and honorary members must pay a membership subscription to the Institute and become liable for paying subscriptions upon their application for membership being accepted.
- 16.2 The rate of the membership subscriptions will be adjusted each year to reflect movements in the Consumer Price Index during the previous year.
- 16.3 The National Executive can propose an additional increase to subscriptions for a particular year, beyond the increase allowed for in Section 16.2. Any additional increase will be set by majority decision at the Institute's annual meeting
- 16.4 Members who earn less than certain income thresholds only pay part of the full subscription rate. The income thresholds will be adjusted each year in the same manner as set out in section 16.2.
- 16.5 The income thresholds and reduced proportions will be set by majority decisions at the Institute's annual meeting
- 16.6 The National Executive will decide how subscriptions can be paid, and will let members know through the Institute's website and communications to workplaces.
- 16.7 Full members who are on leave without pay from a permanent position can apply to the National Secretary to suspend their subscription payments during their leave. Suspensions are for a maximum of 15 months. Members in this situation retain their full membership entitlements (see Section 9.4).

## **16.8 Non-payment of subscriptions**

- 16.8.1 The Institute may terminate the membership of any member whose annual subscription or current instalment is more than 90 days in arrears except those covered by section 16.6.
- 16.8.2 Membership may be terminated after the National Secretary has written to the member who is in arrears at their last known address. Members are free to re-join the Institute at a later date.

## **17 Emergency Levies**

- 17.1 In emergencies, the Institute can require full members to pay an additional levy. The levy will not exceed 10 per cent of each full member's subscription for the year.
- 17.2 An emergency levy must receive the prior approval of the majority of members at the Institute's annual meeting or at a special meeting of the Institute, or of full members in a postal ballot. Members will be notified of the Institute's intention to seek an emergency levy before the meeting or ballot is held.

## **18 Register of Financial Members**

- 18.1 A financial member is any member of the Institute (full, provisional or honorary) who is not in arrears for more than 90 days for any subscription, levy or other contribution that they are required to be pay under these rules.
- 18.2 The Institute will keep a register of its financial members, including each member's:
- full name
  - workplace address
  - occupation
  - employment agreement that applies to them
  - date of joining the Institute.

# **F: The National Executive**

## **19 National Executive's Functions**

- 19.1 The Institute is managed on a day-to-day basis by its National Executive. In particular, the National Executive has the following roles and functions:
- a) to direct the Institute's policy when the Institute is not in session
  - b) to fix the date of, and order of business at, the Institute's annual meeting (see Section 50)
  - c) to prepare and circulate to National Executive members the minutes of the National Executive's and its Standing Committee's meeting

- d) to meet together, 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 of the Institute's financial matters (see Part L), and submit financial statements for audit by a chartered accountant who will be elected by the Institute for the purpose
- h) to operate the Institute's bank accounts (see Section 62), and use its funds in a lawful manner, in the interests of members and in line with the objects of the Institute
- i) to enter into investments, loans and overdrafts as required to further the Institute's business (see Section 62)
- j) to control, acquire and dispose of property
- k) to summon special meetings of the Institute when necessary (see Section 51)
- l) to hold a referendum of Institute members on important changes in Institute policy, or on other matters that it or an annual meeting considers require a referendum
- m) at the request of the Chairperson of an Area Council, a Branch President or the Member Assist team, to appoint an Institute representative to provide advice, assistance and / or appear at any informal, statutory or other inquiry, or other legal action instituted by an employing authority, which involves an Institute member
- n) to confer on members such honours as may be recommended by the Honours Committee (see Sections 13 and 14)
- o) to take disciplinary action, when necessary, against members, officers and other position holders in the Institute (see Part O).

19.2 The National Executive may have other functions, as specified elsewhere in these rules.

## **20 National Officers**

20.1 The Institute's National Officers are:-

- the National President
- the National Immediate Past-President, or where applicable, the Senior Executive Member
- the National Vice-President

20.2 In affairs of the Institute and National Executive, the National President has seniority, followed by the National Immediate Past-President or where applicable, the Senior Executive Member

## **21 National Executive Membership**

21.1 The Institute's National Executive consists of:

- a National President
- a National Immediate Past-President or where applicable, a Senior Executive Member (see section 25.5)
- a National Vice-President
- eight other members of the Institute:
  - one from the early childhood sector
  - one from the primary teaching sector
  - one from the support staff sector
  - one from among the school principals
  - four from among the general membership
- three members selected biennially from current members of Te Reo Areare, in accordance with procedures established by Te Kāhui Whetū (see Section 54).

21.2 See Sections 25 and 26 for rules governing the nomination and election of National Executive and National Officers.

## **22 National Executive Meetings**

22.1 The National Executive will meet as often as is needed to fulfil its functions (see Section 19). Meetings are called by the National President.

22.2 Voting methods and the quorum required for National Executive meetings are the same as those set out in the standing orders for the Institute's annual meeting (see Section 53).

## **23 Relationship between the National Executive and the National Secretary**

23.1 The National Secretary is the Institute's Chief Executive and is responsible for its efficient and effective operation.

23.2 The National Secretary will carry out the duties specified in these rules and any other duties delegated by the National Executive that are consistent with her or his conditions of employment.

23.3 The National Secretary attends the meetings of the Institute and National Executive but cannot vote on any matter.

23.4 For the purpose of clarity, the National Secretary cannot exercise any of the following powers:

- a) set Institute policy

- b) determine financial policies or allocations (other than secondary allocations related to operating the Institute's offices)
- c) take disciplinary action against Institute members or officers
- d) remove elected officers of the Institute or fill vacancies

## **24 National President's Role**

24.1 The National President's role includes:

- acting as Chairperson at meetings of the Institute, and the National Executive and its subcommittees
- exercising a deliberative, as well as a casting vote, where necessary at all meetings over which she or he presides
- ensuring the Institute's rules and policy are observed and promoted wherever possible.

## **25 Nominations for National Officer & National Executive Positions**

25.1 Only full or provisional members of the Institute are eligible to be nominated, elected or serve as National Officers or National Executive members.

25.2 Nominations made prior to annual meeting for the offices of National President, where applicable, the Senior Executive Member (see section 25.5) and National Vice-President must be made in the form set out in the Fifth Schedule of these rules. Nominations must be received by the National Secretary at least 10 weeks before the first day of the Institute's annual meeting.

25.3 Where the current President is eligible (see Section 25.1) and available to hold the office of National Immediate Past-President, no nomination is necessary and that person is automatically appointed to the office for the next term.

25.4 Where the current President is not eligible or available to hold the office of National Immediate Past-President, the current National Immediate Past-President shall automatically continue to hold that office for the next term.

25.5 In the event of the application of clause 25.4 and where the current National Immediate Past-President is not eligible or available to hold the office, nominations shall be called from those entitled to attend, speak and vote at annual meeting, for the office of Senior Executive Member. The Senior Executive Member can only be nominated from among currently elected National Executive members.

25.6 Where there is only one nomination for any National Officer position, that nominee shall be declared elected.

25.7 If no nominations are received for a National Officer position in accordance with section 25.2, then nominations shall be called from those entitled to attend, speak and vote at annual meeting (see section 52.1).

25.8 Nominations made prior to annual meeting for the eight additional members (see section 25.1) of the National Executive must be made in the form set out in

the Fifth Schedule of these rules. Nominations must be received by the National Secretary at least 10 weeks before the first day of the Institute's annual meeting.

- 25.9 Where there is only one nomination received for the early childhood sector, primary teaching sector, support staff sector or school principal sector National Executive position (see section 25.11) that nominee shall be declared elected.
- 25.10 If no or insufficient nominations are received in accordance with section 25.8, then nominations shall be called from those entitled to attend, speak and vote at annual meeting (see section 52.1).
- 25.11 Nominations for the eight additional members should be clearly marked as follows:
- for the four members from the general membership – GENERAL MEMBERSHIP BALLOT
  - for the member from the early childhood sector – EARLY CHILDHOOD SECTOR BALLOT
  - for the member from the primary teaching sector – PRIMARY TEACHING SECTOR BALLOT
  - for the member from the Support Staff sector – SUPPORT STAFF SECTOR BALLOT
  - for the member from among the school principals – SCHOOL PRINCIPALS BALLOT.
- 25.12 At least 3 months before the annual meeting, the National Secretary will write to Te Reo Areare seeking names from the Aronui Tōmua electoral regions of those who will form Te Reo Areare. The names must be delivered to the National Secretary at least six weeks before the start of the Institute's annual meeting.
- 25.13 Where possible, the National Secretary will circulate details of all candidates nominated for National President, National Vice-President and the eight additional National Executive members, to Institute members, at least four weeks before the first day of the annual meeting.

## **26 Elections for National Executive and National Officers**

- 26.1 Elections from among the nominated candidates will be held at the Institute's annual meeting.
- 26.2 The order of elections is:
- The National President
  - The Senior Executive Member, where applicable (see sections 25.5 & 29.4)
  - The National Vice-President

- early childhood sector, primary teaching sector, support staff sector and school principal representatives
- general membership representatives

- 26.3 In any ballot for the election of the National Executive & National Officers:
- a) where the ballot is for a single position, the highest polling candidate will be elected
  - b) where the ballot is for the general membership positions, the highest polling candidates will be elected
  - c) in the event of a tie, new ballot(s) between the tied candidates must be run until the tie is broken. The highest polling candidate(s) will be elected in accordance with sections 26.3 (a) and 26.3 (b)
- 26.4 The election ballot will be taken of all those entitled to attend, speak and vote at annual meeting (see section 52.1). The National President will appoint the scrutineers for the ballot. Each candidate is also entitled to appoint a scrutineer.
- 26.5 A ballot paper will be invalid if it contains votes for more candidates than are required to fill a vacancy. See Section 60.2 for provisions on disputed ballots.

## **27 Term of Office for National Executive and National Officers**

- 27.1 The term of office for all positions is 2 years (24 months), coinciding with the Institute's financial years (see Section 61). Newly elected or appointed National Officers and National Executive Members take office from 1 January in the year following annual meeting.
- 27.2 Incumbent National Executive Members and National Officers remain in office until their successors take office.

## **28 Vacancies for National Executive Positions**

- 28.1 Where there is a vacancy during the term, or where a vacancy was not filled at the most recent annual meeting, the National Executive can fill the vacancy by appointment, without calling for nominations. The method for making the appointment is described in Sections 28.4 and 28.5.
- 28.2 The exception to the rule in Section 28.1 is when the vacancy is for a representative of Te Reo Areare, in which case the National Secretary will invite Te Reo Areare to nominate a replacement representative for the remainder of the current term.
- 28.3 A vacancy is deemed to occur where a National Executive member resigns their position, is removed from their position (see section 30.2), ceases to be a member of the Institute, is no longer a member of the sector of the Institute that they were elected to represent or is otherwise unavailable or unable to continue in their position.
- 28.4 In filling a vacancy, the National Executive will appoint the next highest polling candidate for that office in the ballots held at the most recent annual meeting of

the Institute where elections were held. Such appointees will have full voting rights on the National Executive.

28.5 Where there is no next highest polling candidate (as described in Section 28.4) the National Executive can fill the vacancy in either of the following ways.

a) It can appoint a member from among the relevant sector or general membership group (see Section 25.6). Such a person will not have voting rights on the National Executive.

or

b) Where the vacancy occurs before the mid-term annual meeting, it can call for nominations from members of the appropriate sector or general membership in order to fill the vacancy. Elections will then be held at the mid-term annual meeting, following the provisions in Section 26. The successful candidate will take office for the balance of the two-year term, and will have full voting rights on the National Executive.

## **29 Vacancies for National Officers**

29.1 A vacancy is deemed to occur where the National Officer member resigns their position, is removed from their position (see section 30.2), ceases to be a member of Institute, is no longer a member of the sector of the Institute that they were elected to represent or is otherwise unavailable or unable to continue in their position.

29.2 In filling a vacancy, the National Executive will appoint the next highest polling candidate for that office in the ballots held at the most recent annual meeting of the Institute where elections were held. Such appointees will have full voting rights on the National Executive.

29.3 Where there is no next highest polling candidate for the office of President, the National Immediate Past-President (or where applicable, the Senior Executive Member) shall assume the office and have full voting rights.

29.4 Where the National Immediate Past-President or the Senior Executive Member (where applicable) vacates (see section 29.1) their office, National Executive will appoint a member from the current National Executive as the Senior Executive Member who will assume the office and have full voting rights.

29.5 Where there is no next highest polling candidate for the office of National Vice-President and the vacancy occurs before the mid-term annual meeting, elections will be held at the mid-term annual meeting, following the provisions in Section 26. The successful candidate will take office for the balance of the two-year term, and will have full voting rights on the National Executive.

29.6 Where there is no next highest polling candidate for the office of National Vice President and the vacancy occurs after the mid-term annual meeting, the vacancy will remain unfilled for the balance of the two-year term.



## **30 Suspension and Removal of National Executive Members and National Officers**

### **30.1 Suspension following vote by the National Executive**

- 30.1.1 The National Executive can vote to suspend a National Executive Member or National Officer from office for serious breach of duty, disability, bankruptcy or misappropriation of Institute funds. The vote to suspend is by simple majority. The National Executive can then authorise another member to act on behalf of the National Executive Member or National Officer until the matter is resolved.
- 30.1.2 The National Executive must establish a Committee of Inquiry within seven days of the suspension, to determine whether the National Executive Member or National Officer should be removed from office. The Committee of Inquiry will consist of three members of the Institute: only one can be a member of the National Executive.
- 30.1.3 Once the Committee of Inquiry has been established, the National Executive must immediately provide it with a written statement setting out the reason or reasons for the suspension, and the facts supporting it. The committee will then send a copy of the statement to the suspended National Executive Member or National Officer.
- 30.1.4 The Committee of Inquiry will call a meeting within 14 days of its establishment to hear the matter.
- 30.1.5 The suspended National Executive Member or National Officer and a representative of the National Executive will have the right to address the meeting.
- 30.1.6 The suspended National Executive Member or National Officer, National Executive representative and the Committee of Inquiry will have the right to call witnesses.
- 30.1.7 The Committee of Inquiry will decide within seven days of the hearing whether the National Executive Member or National Officer should be removed from office.
- 30.1.8 The National Executive Member or National Officer will have the right to appeal the Committee of Inquiry's decision to the National Executive as a whole.

### **30.2 Removal at the request of members**

- 30.2.1 Where 20 or more financial members want a National Executive Member or National Officer removed from office, for the reasons in Section 30.1.1 or any other reason, they must give a written statement to their Branch Secretary:
- setting out the reason for removal and the facts supporting it
  - requesting a special meeting of the Branch to be called to consider the matter.
- 30.2.2 The Branch Secretary will call a special meeting of the Branch to consider the matter (see Section 37.3), and notify the National Officer of the meeting. The National Executive Member or National Officer has the right to address the

meeting or make a written statement responding to the call for his or her removal.

- 30.2.3 If the special meeting passes a resolution that the National Executive Member or National Officer should be removed, the Branch Secretary will deliver a written copy of the resolution to the National Secretary. The National Secretary will circulate a copy of the resolution to each Branch.
- 30.2.4 Upon receipt of the resolution, the Branch Secretary of each Branch will call a special meeting of the Branch to discuss the resolution.
- 30.2.5 The National Executive Member or National Officer has the right to present a written statement to every Branch meeting called to discuss the resolution.
- 30.2.6 Where the special meeting of 15 or more Branches, representing at least two Area Councils, support the resolution, the question of whether the National Executive Member or National Officer should be removed shall be submitted to a secret postal ballot of all the Institute's financial members.
- 30.2.7 If the secret postal ballot confirms the resolution, the National Executive Member or National Officer will be removed.

## **G: Branches of the Institute**

### **31 Branches**

- 31.1 The Institute's Branches are listed in Schedule 1A of these rules.

### **32 Objects of the Institute's Branches**

- 32.1 The main objects of any Branch of the Institute are to:
- a) advance the cause of education
  - b) promote the welfare of its members by:
    - upholding their just claims, individually and collectively
    - giving them frequent opportunities to express their views
    - encouraging networking, communication and membership loyalty
  - c) enable members to work together for a special purpose or to represent a community of interest

### **33 Establishing New Branches**

- 33.1 Members must ask the National Executive if they want to establish a new Branch of the Institute.
- 33.2 Before granting approval, the National Executive must be satisfied that:
- a) there is sufficient demand for a new Branch

- b) the views of surrounding branches and the relevant Area Council have been considered, and that they generally support the proposal
- c) the proposed Branch's boundaries have been well defined
- d) the proposed new Branch will have at least 25 members, or 15 members in the case of a proposed new Aronui Tōmua or Komiti Pasifika
- e) an inaugural Managing Committee has been selected for the proposed branch and is ready to take office
- f) the proposed Branch would further the objects of the Institute's Branches (see Section 32).

33.3 Where National Executive resolves to establish a new Branch, that Branch's name is automatically added to Schedule 1A of these rules.

## **34 Disestablishing Branches**

34.1 Whenever a Branch ceases to meet its objects or operational requirements, or asks to be disestablished, the National Executive will decide the matter.

34.2 The National Executive will either:

- a) confirm the Branch's continued existence
- b) agree by way of resolution to the disestablishment
- c) convene a Branch Review Panel, to consider the matter further.

34.3 The Branch Review Panel will be made up of:

- one member of the National Executive (appointed by the National President),
- the President of the Branch under review (or their nominee),
- where they choose, a representative from each surrounding branch,
- and the President (or their nominee) of the relevant Area Council(s).

34.4 The Review Panel will consider all information presented to it and recommend to the National Executive whether or not the Branch should be disestablished.

34.5 If the National Executive resolves to disestablish the Branch, the decision takes effect immediately, and the Branch name is automatically removed from Schedule 1A of these rules.

34.6 When a Branch is disestablished, all of its assets are transferred to the National Executive for redistribution as it sees fit.

## **35 Branch Membership**

35.1 Anybody who joins the Institute (see Part D) becomes a member of the Branch of their choice.

35.2 People joining the Institute can become a member of any Branch they have an interest in.

35.3 Institute members can attend the meetings of any Branch, but they can only vote and hold office in the Branch they are a member of.

35.4 When a Branch member wishes to transfer to another Branch, they must advise the National Office.

### **35.5 Annual statements of membership**

35.5.1 The National Office will let the Secretary of each Branch know how many members their Branch has, as at 30 August each year. This number will determine each Branch's share of the membership subscriptions for the coming financial year (see Section 64).

35.5.2 The National Office will let the Secretary of each Branch know how many members their Branch has, as at a date determined by the National Executive. This number will be used to determine how many representatives each Branch is entitled to send to the Institute's annual meeting (see Section 39.1).

## **36 Branch Administration and Operation**

### **36.1 Branch address**

36.1.1 Every Branch will maintain an official mailing address and an email address. All of the Branch's members and the National Office will be notified of these.

36.1.2 Any change in these addresses will be advised immediately to all of the Branch's members and the National Office.

### **36.2 Branch affiliation and restrictions on representation**

36.2.1 All Branches are subject to the Institute's general directions and governance, and to these rules.

36.2.2 No Branch may bring any matter before the Minister of Education, the Ministry of Education or the Education Review Office, without the specific consent of the National Executive.

36.2.3 No Branch can bring any matter that affects members of its district as a whole before an employer organisation, except through its Area Council.

### **36.3 Branch financial powers**

36.3.1 See Part L for details of how Branches can manage their financial affairs.

## **37 Branch Meetings**

### **37.1 Branch meetings and Branch Managing Committee meetings**

37.1.1 Branch meetings and Branch Managing Committee meetings may be held face-to-face or by electronic means. This excludes annual general or special meetings (see Sections 37.2 and 37.3).

37.1.2 All meetings shall have minutes kept, which will be available on request to Branch members and the National Office. Minutes will be approved as true and correct at the next meeting of the Branch or Branch Managing Committee.

## **37.2 Branch annual meetings**

37.2.1 Every Branch must hold an annual meeting each calendar year. The date set for the meeting will be consistent with the method chosen to elect the Branch officers that year (see Section 38.3). Branch members will be notified of the date, time and venue of the meeting.

37.2.2 The Branch annual meeting will:

- a) consider the Branch Managing Committee's report for the past year
- b) consider the Branch's finalised financial reports for the previous calendar year
- c) declare the results of the election for officers for the coming calendar year, where the election was by postal ballot
- d) hold the election for officers for the coming calendar year, where the election is to occur at the annual meeting
- e) elect an auditor or auditors if required
- f) conduct any other business, provided one month's notice of the intention to include the business in the meeting is given to the Branch's Managing Committee
- g) conduct such other business as is agreed to by two-thirds of the members present at the meeting.

37.2.3 Immediately following the meeting, the Secretary will forward to the National Office a list of the elected Branch officers who will take office in the coming calendar year.

## **37.3 Branch special meetings**

37.3.1 A special meeting of a Branch can be called at any time:

- on the motion of the Branch President or Secretary (or both of them)
- at the written request of any three members of the Branch Managing Committee
- at the written request of any 10 members of the Branch.

37.3.2 Members will be given at least seven days' notice of special meetings, except where a meeting is called under Section 30.2 for the removal of a National Officer, in which case they will be given 21 days' notice.

## **37.4 Quorum at Branch annual and special meetings**

37.4.1 The quorum for a Branch annual or special meeting will be 10 members, except where the Branch has less than 30 members, in which case the quorum will be one-third of the total Branch membership.

## **37.5 Adjournment of Branch annual and special meetings**

37.5.1 Any Branch annual or special meeting can be adjourned until such time as the members present at the meeting think fit.

## **38 Branch Managing Committee officers**

### **38.1 Branch Managing Committee powers and quorum**

- 38.1.1 Subject to these rules, and any decisions of the Branch, a Branch's Managing Committee can take all measures that it considers advisable in carrying out the objects of the Branch.
- 38.1.2 A quorum at a Branch Managing Committee meeting is one-third of the committee's officers.

### **38.2 Branch Managing Committee officers**

- 38.2.1 Any full or provisional member of a Branch is eligible to be elected as a Branch Managing Committee officer, or as a representative of the Branch (see Section 39). See Section 38.3.1 for the method of election.
- 38.2.2 Every Branch will elect a Managing Committee made up of:
- a President
  - a Vice-President
  - where they are willing, a Past-President (who is the retiring President)
  - a Secretary and a Treasurer (alternatively, these offices may be held by one person as Secretary–Treasurer)
  - any additional number of officers as it sees fit.
- 38.2.3 At least two officers of the Managing Committee should be from the support staff sector, and at least one from the early childhood sector.
- 38.2.4 Where a Branch resolves not to elect a Secretary or Secretary–Treasurer, the Managing Committee may appoint a person to the position, whether or not they are a member of the Institute.
- The appointment will be for an honorarium and on such terms as the committee sees fit. A Secretary or Secretary–Treasurer appointed in this way will not be a member of the Managing Committee, but will be entitled to be present at all its meetings.
- 38.2.5 The Managing Committee has the power to co-opt, for consultation purposes, any Institute workplace representative from any workplace within the Branch (see Section 49).
- 38.2.6 The Branch can elect or, subject to confirmation by the Branch, the Managing Committee can appoint such other officers as the Branch deems necessary.

### **38.3 Election of Branch Managing Committee officers**

- 38.3.1 Branch Managing Committee officers can be elected either by postal ballot (see Section 38.4) or at the annual meeting of the Branch (see Section 38.5).
- 38.3.2 The method to be used will be determined, by way of resolution, at the Branch's annual meeting (see Section 37.2.1). The resolution takes effect in the following year.

### **38.4 Election by postal ballot**

- 38.4.1 Where Branch Managing Committee officers are to be elected by postal ballot, nominations must be made in writing, in the form set out in the Fourth Schedule to these rules. Nominations must reach the Secretary by the specified date.

- 38.4.2 The Managing Committee will issue a ballot paper to each Branch member, with the names of the nominees for the respective offices. Papers will be issued at least 21 days before the ballot closes.
- 38.4.3 Ballot papers must be returned by the start of the Branch's annual meeting, when the Chairperson will declare the ballot closed. The members present at the meeting will appoint scrutineers who will count and report to the meeting the result of the ballot. The Chairperson will declare the result.
- 38.4.4 Where there are no nominations, or fewer nominations than the number required to fill the positions, the remainder of the Managing Committee officers will be nominated and elected at the annual meeting, in accordance with Section 38.5.

### **38.5 Election at the annual meeting**

- 38.5.1 Where the election of Branch Managing Committee officers is at the Branch's annual meeting, nominations can be made in writing or from the floor. All nominations will require a mover and seconder, and the consent of the nominee.
- 38.5.2 Voting is by ballot paper, issued at the meeting. Ballot papers may be pre-printed (with members required to cross out the names of the candidates they do not want to vote for) or blank (with members required to write the names of the candidates they want to vote for on them).
- 38.5.3 Special voting is allowed when requested by individual members and will occur by postal ballot, in accordance with Section 38.4. Any special votes received will be included in the count, in accordance with Section 38.5.4.
- 38.5.4 The Chairperson of the meeting will appoint two or more scrutineers who will count and report to the meeting the result of the ballot. The Chairperson will declare the result.

### **38.6 Invalid ballot papers**

- 38.6.1 Regardless of the election method used, a ballot paper will be invalid if it contains more names than the number of candidates required to be elected.
- 38.6.2 See Section 60.2 for provisions on disputed ballots.

### **38.7 Term of office for Branch Managing Committee officers**

- 38.7.1 All Branch Managing Committee officers will take office at the start of the calendar year following their election, and remain in office until their successors are elected.

### **38.8 Vacancies in the Branch Managing Committee**

- 38.8.1 Where there is a vacancy on the Managing Committee, the members of the committee must fill it from members of the Branch.
- 38.8.2 If a Managing Committee member is absent, without leave, from three consecutive committee meetings, this will be deemed to create a vacancy, which the committee must fill.

### **38.9 Suspension and removal of Branch Managing Committee officers**

- 38.9.1 The Branch Managing Committee can vote to suspend any of its officers from office, for serious breach of duty, disability, bankruptcy or misappropriation of

funds. The vote to suspend is by simple majority. The Managing Committee can then nominate another Branch member to act in that position until the matter is resolved.

38.9.2 The process to be used in deciding whether the suspended Branch Managing Committee officer should be removed from office is the same as that used for the suspension and removal of National Executive Members and National Officers, as set out in Section 30. All references in Section 30 to the National Executive Member or National Officer should be read as meaning the Branch Managing Committee; and references to the National Executive Member or National Officer should be read as meaning the Branch Managing Committee officer.

38.9.3 The suspended Branch Managing Committee officer retains the right (as set out in Section 30.1.8) to appeal the Committee of Inquiry's decision to the National Executive as a whole.

### **38.10 Removal of Branch Managing Committee officers at the request of members**

38.10.1 Where 20 or more financial members of a Branch want a Branch Managing Committee officer removed from office, for the reasons in Section 38.9.1 or any other reason, they must give a written statement to their Branch Secretary or Branch President:

- setting out the reason for removal and the facts supporting it
- requesting a special meeting of the Branch be called to consider the matter.

38.10.2 The Branch Secretary or President will call a special meeting of the Branch to consider the matter (see Section 37.3), and notify the Branch Managing Committee officer of the meeting. The Branch Managing Committee officer has the right to address the meeting or make a written statement responding to the call for his or her removal.

38.10.3 If the special meeting passes a resolution that the Branch Managing Committee officer should be removed, the question of their removal will be submitted to a secret postal ballot of all the Branch's financial members.

38.10.4 If the secret postal ballot confirms the resolution, the Branch Managing Committee officer will be removed.

## **39 Branch Representatives**

### **39.1 Branch representatives for the Institute's annual meeting**

39.1.1 Each Branch will elect representatives to attend the Institute's annual meeting. The number of representatives required is based on the Branch's membership (see Section 35.5.2).

39.1.2 Branch representatives can be elected either by postal ballot or at a meeting of the Branch, as determined by the Branch Managing Committee.

39.1.3 Election procedures for Branch representatives will follow the procedures in Sections 38.4 to 38.6 for election of Branch officers.



39.1.4 Where the election is at a meeting of the Branch, members will be given at least 21 days' notice that the meeting and election will take place. Notification will be by circular to all members in their workplaces.

39.1.5 Where fewer than the required number of nominations is received, the Branch Managing Committee can appoint other NZEI Te Riu Roa members (other than honorary or life members) to make up the balance.

39.1.6 Branch Secretaries must advise National Office of the names of their representatives at least 12 weeks before the annual meeting, or within a shorter timeframe where approved by the National Secretary.

### **39.2 Official observers for the Institute's annual meeting**

39.2.1 Branches that are entitled to only one representative at the Institute's annual meeting are also entitled to have one official observer. The Branch Secretary will advise National Office of the name of its observer.

### **39.3 Branch representatives for the Institute's special meetings**

39.3.1 When there is a special meeting of the Institute, Branches are entitled to send the same number of representatives as they were entitled to send to the Institute's last annual meeting.

39.3.2 Branches can either send their currently elected or appointed representatives for the Institute's annual meeting, or elect new representatives. Elections will be held by postal ballot or at a general meeting of the Branch, as set out in Sections 39.1.2 and 39.1.3.

### **39.4 Other Branch representatives**

39.4.1 Branches can elect representatives to attend Area Council meetings, with the number of representatives determined by the Area Council concerned (see Section 44).

39.4.2 Branches can elect, or subject to confirmation by their Managing Committee, appoint such other representatives as they consider necessary.

### **39.5 Term of office for Branch representatives**

39.5.1 All Branch representatives will remain in office until their successors are elected.

### **39.6 Suspension and removal of annual meeting representatives**

39.6.1 The reasons and process for the suspension and removal of a Branch's annual meeting representatives is the same as for the suspension and removal of a Branch Managing Committee officer. See Sections 38.9 and 38.10.

## **H: Area Councils of the Institute**

### **40 Current Area Councils**

40.1 The Institute's current Area Councils are listed in Schedule 1B of these rules.

## **41 Functions of Area Councils**

41.1 The functions of the Institute's Area Councils are to:

- make representations to local employers, and district offices of the Ministry of Education and Education Review Office, on matters raised by its constituent Branches that only affect members within its district
- recommend to its constituent Branches the adoption, and occasional alteration, of their Branch boundaries
- consider and report on any matters referred to it by the National Executive
- discuss and stimulate interest among constituent Branch members about matters affecting them
- accept nominations from constituent Branches, and select (by any manner the Area Council decides), the teachers' and other representatives on any committees set up within its district. The exception is teachers' college councils and other committees with national jurisdiction, in which case the National Executive will consult the Area Council about representation.

## **42 Establishing New Area Councils**

42.1 Any group of contiguous Branches can request the establishment of a new Area Council. The request must be made in writing to the National Executive.

42.2 Before granting approval, the National Executive must be satisfied that:

- there has been a meeting about the issue for all interested members, including representatives from all the affected Branches and any existing Area Councils
- the proposed new Area Council's boundaries have been satisfactorily defined
- the Steering Committee of the proposed new Area Council includes enough members to form a Managing Committee
- the new Area Council's establishment will further the objects of the Institute
- all other relevant information has been considered.

42.3 Where a new Area Council is approved, its establishment will take effect from the date of the next round of Area Council funding grants (see Section 64).

42.4 Upon the establishment of a new Area Council, any existing Area Councils whose boundaries are affected by the establishment will be re-established, with new boundaries and funding, at the same time.

42.5 Area Councils shall be named in Schedule 1B of these rules.

42.6 Where National Executive resolves to establish a new Area Council, that Area Council's name is automatically added to Schedule 1B of these rules.

## **43 Dis-establishing Area Councils**

43.1 Whenever an Area Council ceases to meet its objects or operational requirements, or asks to be disestablished, the National Executive will decide the matter.

The National Executive will either:

- a) confirm the Area Council's continued existence
- b) agree by way of resolution to the disestablishment
- c) convene an Area Council Review Panel, to consider the matter further.

43.2 The Area Council Review Panel will be made up of:

- one member of the National Executive (appointed by the National President),
- the Chairperson of the Area Council under review (or their nominee),
- where they choose, a representative from each branch forming the Area Council,
- the Chairperson (or their nominee) of each adjoining Area Council

43.3 The Review Panel will consider all information presented to it and recommend to the National Executive whether or not the Area Council should be disestablished.

43.4 If the National Executive resolves to disestablish the Area Council, the decision takes effect immediately, and the Area Council name is automatically removed from Schedule 1B of these rules.

43.5 When an Area Council is disestablished, all of its assets are transferred to the National Executive for redistribution as it sees fit.

## **44 Composition of Area Councils**

44.1 Area Councils will be made up of:

- one or more representatives from every Branch within the Area Council's district (see Section 39.4)
- three representatives from the Support Staff sector
- two representatives from the early childhood sector
- two representatives who are provisional members.

44.2 The number of representatives that each Branch is entitled to is decided by the Area Council.

44.3 Where there is only one Branch in an Area Council's district, that Branch will determine the composition of the Area Council.

## **45 Election of Area Council representatives**

- 45.1 Each Branch will decide how it elects its representatives on the Area Council. The Branch must advise the Area Council of its representatives' names before 31 March each year. Branches may fill their casual Area Council representative vacancies.
- 45.2 Other representatives on the Area Council will be elected using the procedures in Sections 38.4 to 38.6 for election of Branch officers.

## **46 Election of Area Council Officers**

- 46.1 Area Councils can elect any officers, including a Chairperson and Secretary, that they determine they need. Officers will be elected at the Area Council's annual meeting. The Area Council will then advise National Office of the officers' names.

## **47 Area Council Meetings and Financial Powers**

- 47.1 Area Councils will hold an annual meeting and any other meetings they decide they need.
- 47.2 See Section 51.3 for meetings on matters of regional and national urgency.
- 47.3 See Part L for details of an Area Council's ability to invest, borrow and otherwise manage financial matters.

## **48 Restrictions on Area Council representations**

- 48.1 No Area Council can 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.

# **I: Workplace Representatives**

## **49 Representation at workplace level**

- 49.1 The Institute can also be represented at a workplace level. There may be more than one representative at each workplace. Election of workplace representatives is by secret ballot.

# **J: Institute Meetings**

## **50 Institute's Annual Meeting**

- 50.1 The Institute's annual meeting (along with any special meetings) is the highest authority within the Institute.

- 50.2 The functions of the annual meeting are to:
- consider the National Executive’s report
  - consider the financial report, note the Consumer Price Index adjustment to the subscriptions (see Section 16.2), and consider any further subscription increases needed (see Section 16.3)
  - elect the members of the National Executive (see Sections 21.1 and 26)
  - debate and determine issues of interest to the Institute, and set Institute policy accordingly (see Section 50.3)
  - amend or repeal these rules (see Section 90)
  - receive and consider the report from Te Kāhui Whetū (see Section 54)
  - receive a written report from the National Executive detailing all policy decisions that it or the Institute has made since the previous annual meeting.
- 50.3 Issues of interest to the Institute, debated during the annual meeting, will be determined by way of resolutions to amend policy. Any Institute member can submit a resolution to amend policy, for discussion at the meeting, provided it has the prior sanction of the National Executive or a meeting of their Area Council or Branch. The National Executive will, subject to any direction on this matter from an Annual Meeting, advise Branches of the correct procedures for proposing and making resolutions to amend policy.
- 50.4 The National President will establish an advisory Steering Committee, which will receive suggestions from representatives, during the annual meeting, about the nature and order of the meeting agenda. Any changes to the agenda will be at the discretion of the National President.
- 50.5 Branches will be given at least 3 months’ notice of the date of the Institute’s annual meeting.

## **51 Institute’s Special Meetings**

- 51.1 The National Executive may call a special meeting of the Institute at any time and for any purpose.
- 51.2 Special meetings may also be called by a group of members, provided that the decision to call the meeting is supported by at least 15 Branches, from at least two Area Councils. Such meetings may be called at any time and for any purpose that the group considers necessary, and will be at the expense of the group.
- 51.3 Matters of national or regional urgency**
- 51.3.1 Meeting-based ballots of members on issues of regional or national urgency shall be in accordance with the following principles:
- when a question is put, it shall be decided by a simple majority by representatives voicing their support or opposition to the motion
  - the Chairperson or meeting facilitator will rule on the voice vote

- where a show of hands is then called for, a count of all votes cast by a show of hands will occur
- the Chairperson or meeting facilitator will rule on the show of hands, if it shows a simple majority or more
- if the show of hands shows no simple majority, then a division will proceed and every registered representative present at the meeting must record a vote using a ballot paper
- the result of the vote will be recorded in the minutes for the session
- the Chairperson will then have a deliberative vote, and in cases where the votes are equal, will also have a casting vote
- where used, ballot papers must be kept in accordance Section 60.

## **52 Composition of Institute Meetings**

52.1 The following people are entitled to attend, speak and vote at the Institute's Annual and special meetings:

- all members of the National Executive and Te Reo Areare
- Branch representatives (see Section 39)
- Area Council Chairpersons or representatives elected in their place
- two representatives from each Area Council that has provisional member representation (see Section 44)
- at the sole discretion of the President, a maximum of 10 other members (other than honorary or life members) who are appointed national or regional leaders and who have exhausted all other means of being elected or appointed to attend annual meeting

52.2 For the Institute's annual meeting, Branches are entitled to one representative for every 95 full-time-equivalent members that they have. Branches with fewer than 95 full-time-equivalent members are entitled to one representative. The National Executive will set a date each year when the Branches' membership will be calculated for this purpose, and will send the Branches a written membership statement based on this (see Section 35.5.2).

52.3 For special meetings of the Institute, Branches are entitled to the same number of representatives that they were entitled to at the preceding annual meeting.

52.4 All attendees as defined in section 52.1 must be registered in order to speak and vote. Substitute representatives can be registered, where a representative cannot attend or continue to represent a Branch.

## **53 Standing Orders for Institute Annual or Special Meetings**

53.1 These standing orders apply at all times during Institute annual or special meetings; except the hui session of the annual meeting, when tikanga Māori applies.

## **53.2 Chairperson**

53.2.1 Institute meetings will be chaired by the National President, unless he or she appoints someone else to act as Chairperson.

53.2.2 If the Chairperson rises to speak, all other representatives must sit down.

## **53.3 Hours of session**

53.3.1 The hours of session for Institute meetings will be determined by formal resolution.

## **53.4 Quorum**

53.4.1 The quorum for any Institute meeting is half the representatives registered for that meeting.

53.4.2 If, half an hour after the start of any session, a quorum is not present, the Chairperson will postpone the session and set a time for reconvening the meeting.

53.4.3 Representatives' attendance will be recorded in a register.

53.4.4 Registered representatives must get the Chairperson's leave to be absent from a session.

## **53.5 Record of proceedings**

53.5.1 The National Secretary, or another person acting in that capacity, will keep minutes of the meeting proceedings.

53.5.2 The draft minutes will be circulated to representatives as soon as possible after the meeting, so that they can identify any errors and advise the National Secretary.

53.5.3 The draft minutes will then be considered by the National Executive, with any discussion being limited to their accuracy. The National Executive will correct any inaccuracies and pass a motion: 'That the minutes of annual meeting be signed as a correct record'.

## **53.6 Proposing motions and amendments**

53.6.1 All motions and amendments to motions must be handed to the Chairperson in writing, in duplicate, and include the names of the mover and seconder.

53.6.2 The Chairperson will not accept any motion or amendment that is substantively the same as a matter already resolved earlier in the meeting.

53.6.3 The Chairperson will not accept any motion that deals with a matter that could have been raised using other annual meeting procedures, unless three-quarters of the registered representatives at the meeting agree to accept the motion.

53.6.4 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.

53.6.5 A further amendment will only be considered when the previous amendment has been lost or carried. Where an amendment is carried it becomes the substantive motion.

- 53.6.6 No representative can move or second more than one amendment to any motion.
- 53.6.7 The Chairperson may order a complicated motion or amendment to be divided.
- 53.6.8 If an amendment is proposed that clarifies or strengthens the effect or intent of a motion, the Chairperson can, with the approval of the motion's original mover and seconder, deem it to be a friendly amendment.
- 53.6.9 Where the Chairperson deems an amendment to be friendly, it proceeds as the substantive motion, without the need for a vote. However, any representative can challenge the Chairperson's ruling, and request that the amendment proceeds as a normal amendment.

### **53.7 Withdrawing motions and amendments**

- 53.7.1 Any move to withdraw a motion or amendment must come from the original mover. Withdrawal requires the majority consent of the registered representatives at the meeting.

### **53.8 Speaking to motions and amendments**

- 53.8.1 Any representative who wants to speak during a meeting must stand and address the Chairperson. The representative can only speak when called on to by the Chairperson, and must give their name and Branch.
- 53.8.2 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.
- 53.8.3 The mover of an amendment has no right of reply. The seconder of an amendment may not reserve the right to speak later.
- 53.8.4 No representative can speak more than once to a resolution, except to:
- ask a question
  - reply to a question
  - explain a point
  - reply to a misrepresentation.

In these circumstances, the representative may speak only when called on by the Chairperson.

- 53.8.5 Debate may be interrupted by:
- a point of order
  - expiry of the time allocated to the debate
  - a motion that the question be put
  - a motion to proceed to the next business.

- 53.8.6 No representative can interrupt a speech, except to make a point of order.

- 53.8.7 The Chairperson can call any representative to order for irrelevance, repetition, unbecoming language or other breach of order, and may direct such representative to stop speaking.

### **53.9 Motions to proceed**



- 53.9.1 At the end of any speech, a representative who has not already spoken on the motion can move: "That the question be put to a vote". If the Chairperson accepts the motion to put the question to the vote, and it is seconded and carried, the original motion shall be put to the vote straight away, unless the original mover wants to exercise his or her right of reply.
- 53.9.2 When a motion of closure is made and carried during a discussion about an amendment, the closure applies only to the amendment and not the original motion.
- 53.9.3 At the end of any speech, a representative who has not already spoken on the motion can move: "That the Institute proceed to the next business". If this motion is seconded and carried, the Chairperson will proceed to the next item of business.
- 53.9.4 When a question is put to the vote, it will be decided by a simple majority, with the vote cast by representatives voicing their support or opposition to the motion, unless these rules require otherwise.
- 53.9.5 The Chairperson will 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. The Chairperson's decision is final in all these circumstances, except where there is a division (see Section 53.10).

### **53.10 Divisions**

53.10.1 The procedure where a division is called for is as follows:

- it will be preceded by a count of all votes cast by a show of hands
- if the show of hands shows a clear majority either way, the Chairperson will rule that a division is not necessary
- if the show of hands shows no clear majority, then the division will proceed and every registered representative present at the meeting must record a vote
- the National Secretary will record the votes in a register, in alphabetical order for all representatives
- the result of the division will be shown in the minutes for the session
- the Chairperson will have a deliberative vote, and in cases where the votes are equal, will also have a casting vote.

### **53.11 Suspension of a representative**

53.11.1 The Chairperson can suspend a representative for persistently disregarding the Chairperson's authority. When this happens, the Chairperson will state the length of the suspension and the representative will not have access to the meeting during that time.

### **53.12 Institute in committee**

53.12.1 The Institute can, by unanimous decision during a meeting, resolve into a committee of the whole. When the Institute is in a committee of the whole, the standing orders about seconding motions and restrictions on speaking do not apply.

### **53.13 Suspension and breach of standing orders**

53.13.1 Any standing order can be suspended by a unanimous decision during a meeting.

53.13.2 Where any representative considers that a Chairperson's ruling on a particular matter breaches these standing orders, the representative can raise a point of order by stating: "I challenge that ruling". The following procedures then apply:

- the Chairperson will ask the representative their reasons for disagreeing with the ruling
- the Chairperson will state the reasons for the ruling
- the Chairperson will put the motion: "That the ruling be accepted"
- if the vote is carried, the business of the meeting will proceed
- if the vote is lost, the Chairperson will withdraw the ruling and issue a new one.

53.13.3 The Chairperson will rule on any matters of order or procedure that are not provided for in these standing orders or rules.

## **54 Te Kāhui Whetū**

54.1 Te Kāhui Whetū will be held annually. Its purpose is to formulate Institute policy on Māori issues, and to nominate three Te Reo Areare representatives on the National Executive.

54.2 The date for Te Kāhui Whetū will be different than those set for the Institute's Annual and special meetings, but must be within 12 weeks of the start of the annual meeting.

## **55 Te Reo Areare**

55.1 Te Reo Areare shall meet as required. It is made up of:

- 12 regional members nominated by Aronui Tōmua members: the rohe that regional members are selected from are listed in Schedule 1C of these rules
- and
- a support staff representative selected by Te Kāhui Whetū
- a provisional member representative selected by Te Kāhui Whetū
- three early childhood representatives selected by Te Kāhui Whetū

# **K: Institute Administration**

## **56 Copies of the Rules and Amendments**

- 56.1 A copy of these rules will be available to all members when they join the Institute.
- 56.2 Amendments to these rules will be registered with the Registrar of Incorporated Societies.

## **57 Copies of Other Institute Documents**

- 57.1 The Institute will make available any of the following documents to any financial member who requests them:
- the Institute's annual report
  - the Institute's most recent annual income and expenditure account and balance sheet, together with the auditor's report on the accounts
  - any resolution passed at any general or special meeting of the Institute or any meeting of the National Executive.

## **58 Common Seal**

- 58.1 The Institute's common seal will be held by the National Secretary, and only used, altered or removed with the National Executive's authority.

## **59 Legal Documents and Hearings**

- 59.1 The National Executive will designate who should draw up the Institute's legal documents.
- 59.2 The Institute's legal documents will be executed by the National President, together with one of either, the National Immediate Past-President, the Vice-President or the National Secretary.
- 59.3 The National Executive will decide how the Institute will be represented at any legal or other formal hearings.

## **60 Ballot Papers**

- 60.1 Ballot papers used in any ballot conducted under these rules can be destroyed 28 days after the ballot's results have been announced, except where a ballot is subject to a judicial review under Section 60.2.
- 60.2 Where 10 per cent of, or 50, Institute members covered by a ballot claimed there is an irregularity in the ballot, they can seek a judicial review of the ballot within 28 days of its results being announced. The ballot papers for a disputed ballot will not be destroyed until after the judicial review is complete.

# L: Institute Finances

## 61 Financial Year

61.1 The Institute's financial year runs from 1 January to 31 December each year.

## 62 Banking

62.1 The National Executive will appoint a registered bank as the Institute's bank. All monies received by the Institute will be paid into its general account held with this bank.

62.2 The National Executive can also use facilities at other registered banks, as it sees fit.

62.3 The Institute will keep sufficient funds in its bank account to meet its current obligations. The balance will be invested (see Section 63).

62.4 All payments will be made using common banking technology. Signatories will be approved by the National Executive.

## 63 Investing and Borrowing

63.1 The National Executive can invest any of the Institute's funds that are not currently required in:

- securities authorised by law for trust fund investments
- a single-premium investment policy

63.2 In addition to Section 63.1, the National Executive can invest any of the Institute's funds that are not currently required in:

- purchasing land of any tenure, either with or without buildings, for the purpose of accommodating the Institute's administration
- erecting, improving and maintaining buildings on any land it acquires, where the buildings are to be occupied in whole or part by the Institute
- promoting or acquiring shares in a limited liability company formed for the previous two purposes.

63.3 For the purposes in Section 63.2, the Institute can raise or borrow money from its bankers by way of overdraft, or by issuing bonds to its members, Branches or associate bodies, on such terms and conditions (including power of redemption in whole or part) as the National Executive thinks fit.

63.4 In addition to the investments in Sections 63.1 and 63.2, the National Executive can from time to time invest in other professionally managed funds, but only when acting on the advice of an accredited financial planner.

63.5 Any areas of the buildings in Section 63.2 that are not occupied by the Institute can be leased to tenants.

63.6 Any investments made by the Institute can be varied or transposed from time to time.

### **63.7 Investments by Branches and Area Councils**

63.7.1 The Institute's Branches and Area Councils may invest any funds, which they do not require for their current expenses in Bank term deposits.

## **64 Financial Grants to Branches and Area Councils**

### **64.1 Payment of grants**

64.1.1 The National Secretary will pay each Branch and Area Council a share of the subscriptions collected from those members who are on the Branch's or Area Council's roll as at 30 August each year. These payments are referred to as grants.

64.1.2 The grants in Section 64.1.1 will be made annually, or at shorter intervals as determined by the National Executive.

64.1.3 Grants will only be paid in a current financial year where:

- a) the Branch's or Area Council's finalised financial reports from the previous year have been received by National Office; and
- b) a costed activity plan has been approved by the appropriate Area Council (for Branches) or the National Executive (for Area Councils); and
- c) either:
  - the total net funds held by a Branch or 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 rate determined by the National Executive (see Section 64.2); or
  - the total net funds held by a Branch or Area Council during the current financial year become equal to or less than the funding threshold percentage rate determined by the National Executive (see Section 64.2).

### **64.2 Funding threshold percentage**

64.2.1 The National Executive will set a funding threshold percentage rate. The purpose of the rate is to maximise use of the Institute's available funds.

64.2.2 At the start of each financial year, the funding threshold percentage rate will be compared with the total net funds held by each Branch or Area Council at the end of the previous financial year (with the total net funds expressed as a percentage of that Branch's or Area Council's funding entitlement amount for the new financial year).

64.2.3 The effect of the comparison in Section 64.2.2 on a Branch's or Area Council's entitlement to a grant is as set out in Section 64.1.3(c).

### **64.3 Calculation of Branch grants**

64.3.1 The amount of a Branch's grant is based on its share of its members' annual subscriptions (see section 64.4 for additional Aronui Tōmua establishment entitlements). A Branch's share of these subscriptions is:

- for full and provisional members – 2.9 per cent of their annual subscription (less a collection commission)
- for honorary members – \$1.00 per annum (less a collection commission).

64.3.2 In addition to the Branch share in Section 64.3.1, each Branch is entitled to receive:

- a grant based on the number of full members on the Branch roll at 30 August each year, calculated as follows:
  - under 50 full members – the grant is five times the annual subscription set under Section 15 of these rules
  - 50 to 99 full members – the grant is six times the annual subscription set under Section 15
  - 100 to 149 full members – the grant is seven times the annual subscription set under Section 15
  - 150 to 224 full members – the grant is eight times the annual subscription set under Section 15
  - 225 or more full members – the grant is nine times the annual subscription set under Section 15, with an additional amount equal to the annual subscription set under Section 15 paid for every complete additional 75 members
- a grant of \$350 per annum for each representative that the Branch sends to the Institute's annual meeting that year.

### **64.4 Calculation of Aronui Tōmua grants**

64.4.1 For an Aronui Tōmua, the annual grant is as calculated for a Branch under Sections 64.1 and 64.3; with the exception that for the first whole year of the Aronui Tōmua's operation, its grant will be increased by an additional 9 per cent of the total, and for the second whole year, by an additional 3 per cent.

### **64.5 Calculation of Area Councils' grants**

64.5.1 Every year, the National Secretary will pay each Area Council the following grants:

- a) An administration grant, which is equal to a weighted factor times the annual subscription set under Section 16 for these rules, plus an additional 1 per cent of the annual subscription for each full-time-equivalent member in the Area Council's area at 30 August every year. (The weighted factor will be the thousands value of the Institute's total full-time-equivalent membership, rounded to the next thousand, minus the thousands value of the total full-time-equivalent membership within the Area Council's area, rounded to the next thousand.)

- b) A further grant equal to two times the annual subscription set under Section 16 for each representative sent by the Area Council to the New Zealand Council of Trade Unions district councils.
  - c) A further grant of \$350 per annum for the representative that the Area Council sends to the Institute's annual meeting that year.
- 64.5.2 Area Council grants will be paid annually or at shorter intervals at the discretion of the National Executive.
- 64.5.3 Any additional expenses that an Area Council incurs must be met through a levy paid by the Branches that the Area Council represents. The Area Councils will determine the amount of the levies and the proportions that each Branch should pay.

## **65 Branch Financial Management**

- 65.1 Branches that meet acceptable standards of accountability can self-manage their finances. Any Branch can have its finances managed by the Institute's National Office, on an imprest basis, by advising National Office before 1 February in the year that it wants the transfer to take place.
- 65.2 Any Branch that does not forward its finalised financial reports, for the previous financial year, to National Office before 1 July (see Section 70.2.1), may be transferred to imprest accounting by National Office. Should such a transfer occur, it will take effect from the year after the year for which National Office last received finalised financial reports for the Branch.
- 65.3 Imprest accounting allows Branches to hold and operate a \$500 imprest fund. All other accounting functions will be managed by National Office. Guidelines for how imprest accounting is managed will be issued from time to time
- 65.4 Any Branch transferring to imprest accounting under Sections 65.1 and 65.2 will retain \$500 in their Branch imprest fund. Any funds held above this amount will be remitted to National Office for deposit in the Branch fund.
- 65.5 Any Branch that has been using imprest accounting, but wishes to return to self-management, must demonstrate its ability to self-manage its finances by providing parallel financial statements for one year and attending treasurer's training, before it can revert to self-management in the following year.

## **66 Legal Assistance Fund**

- 66.1 The National Executive will maintain and administer a Legal Assistance Fund for providing legal assistance to members.
- 66.2 Only full members are entitled to benefit from the fund.
- 66.3 Assistance from the fund is restricted to legal proceedings brought against a member, or that a member is involved in, as a result of his or her employment.
- 66.4 The National Executive will decide whether assistance should be in the form of a grant or through the Institute accepting liability in whole or part for the legal expenses incurred.

- 66.5 The National Executive will not pay legal expenses that were incurred without its consent or direction.

## **67 Provident Fund**

- 67.1 The National Executive will maintain and administer a Provident Fund for providing assistance to members or their dependants, or in special cases ex-members or their dependants, who are in needy circumstances.
- 67.2 Only full members who have been members of the Institute for 12 months or more are entitled to benefit from the fund.
- 67.3 Applications for assistance from the fund must be made on the forms provided and signed by a Member Assist team member, executive officer, field officer or takawaenga.
- 67.4 A Member Assist team member or NZEI Te Riu Roa staff member , executive officer, field officer, or takawaenga who receives an application for assistance from the fund, must add comments (whether favourable or unfavourable) to it and send it as soon as possible to the National Executive.
- 67.5 Assistance from the fund can take the form of a grant, a loan, or both. Provision of assistance is at the sole discretion of the National Executive, which may adopt guidelines about members' eligibility.
- 67.6 For a loan, the National Executive will set the conditions of its repayment. Failure to repay a loan may result in a member's expulsion from the Institute or recovery of the debt through legal channels, at the discretion of the National Executive.
- 67.7 Any member who receives assistance from the Provident Fund may not apply for further assistance within two years of their previous application for assistance.
- 67.8 No member is eligible for a loan from the fund while he or she has an existing loan, or part of a loan, that remains unpaid.

## **68 Death Benefit Fund**

- 68.1 The National Executive will maintain and administer a Death Benefit Fund.
- 68.2 On the death of any full or provisional member, that member's Branch will pay an approved recipient four times the annual subscription, as set under Section 16.
- 68.3 The National Executive will issue guidelines to help Branches decide who the approved recipient should be.
- 68.4 The National Executive will immediately reimburse Branches for death benefit payments made.



## **69 NZEI Te Riu Roa Reserves Fund**

- 69.1 The National Executive will maintain a NZEI Te Riu Roa Reserves Fund for the purpose of supporting and furthering the aims and objects of the Institute, by such means as the National Executive thinks fit.
- 69.2 Payments from the fund are at the National Executive's sole discretion. Branches will not make any commitment in respect to the fund without the National Executive's approval.
- 69.3 Payments from the fund may be made to members, Branches, or other people, corporations or organisations that the National Executive thinks fit, in accordance with the fund's purposes.

## **70 Institute Accounting Records**

- 70.1 The Institute will keep accounting records, which will set out, in a way that enables them to be properly audited, full, true and complete accounts of the Institute's financial affairs and transactions.

### **70.2 Annual return of finalised financial reports for Branches and Area Councils**

- 70.2.1 The Secretary of each Branch and Area Council shall forward to the National Secretary:
- a) before 1 April each year, a copy of the finalised financial reports for the previous calendar year and
  - b) a copy of the Branch or Area Council's bank statements, showing its bank account and investment balances as at 31 December the previous year, together with details of any unpaid accounts or un-presented debits outstanding on that date.

### **70.3 Audits of national, Branch and Area Council financial statements**

- 70.3.1 Where required, the Institute will arrange for its national, Branch and Area Council statements of financial position and financial performance to be audited by a member of the Institute of Chartered Accountants of New Zealand at the end of each financial year, as follows:
- a) for the national consolidated financial statements, including those of any Branch accounts that are managed by National Office (see Section 65), by an auditor appointed at the Institute's annual meeting
  - b) for the financial statements of Branches who continue to manage their own finances (see Section 65), either:
    - (i) by an auditor appointed at the Branch's annual meeting (see Section 37.2.2), or
    - (ii) by an auditor contracted by National Office for Branches that are unable to secure appropriate local audit services

- c) for Area Council financial statements, by an auditor appointed at the Area Council's annual meeting (see Section 47.1).
- 70.3.2 The National Secretary will sign the annual national consolidated statements of financial performance and financial position, and will present them, together with the auditor's report on the statements, at the next Institute annual meeting held after the date of the report.
- 70.3.3 Within six months after the end of the financial year, the National Secretary will deliver a copy of the accounts for that financial year to the Registrar of Incorporated Societies, together with a certificate signed by the auditor. The certificate will state that the auditor:
- has audited the Institute's accounts
  - is satisfied with the Institute's control of its membership records, collection of its members' subscriptions and payment of the national subscription to the National Office
  - has reported on those accounts to the Institute.
- 70.4 Inspection of accounting records and registers**
- 70.4.1 Every financial member or previous financial member of the Institute is entitled to inspect its accounting records and register of officers.

## **M: Institute's Member Assist team**

### **71 Member Assist Team's Functions**

- 71.1 The personnel who make up the Institute's Member Assist team have the following functions:
- to help and guide members
  - to represent and uphold members' rights
  - to help resolve differences between members, and between members and other people.
- 71.2 These functions may be exercised at the request of a member, or at the request of the Institute's Ethics Panel or Disciplinary Tribunal.

### **72 Members' Rights to Assistance**

- 72.1 Any Institute member who is subject to an inquiry, whether formal or informal, or any other process or legal action instituted by an employing authority, has the right to:
- receive a summary of the matter under inquiry before the inquiry can proceed

- request the assistance of a Member Assist team member, subject to the team member's agreement.

### **73 Appointment of Member Assist personnel**

73.1 Member Assist personnel are appointed by the National Executive. Branches will be advised what the appointment procedures are. Appointments are for a specified term. The National Executive has the right to terminate an appointment at any time.

### **74 Method of Working and Powers**

74.1 In carrying out their functions, Member Assist personnel will have regard to the general education and welfare of children, the Institute's Code of Ethics (see Section 75) and such other matters as they think fit.

74.2 Member Assist personnel will work cooperatively with field staff and other Member Assist personnel.

74.3 Member Assist personnel can recommend to members or other people that they take certain actions to help resolve the differences or complaints between the parties.

74.4 Where Member Assist personnel are involved in a matter at the request of the Institute's Ethics Panel or Disciplinary Tribunal, they will (if so requested) advise the panel or tribunal what the outcome of their assistance was, and whether there is a need for further assistance.

74.5 In no situation (including that in Section 74.4), will Member Assist personnel divulge to the Institute's Ethics Panel or Disciplinary Tribunal or any other body or person any information received while giving assistance, except where they have the express permission of the members concerned.

74.6 Member Assist personnel may meet, and make recommendations to the Institute's National Executive, as they consider necessary. The exception is individual cases where the National Executive is exercising an appellate function: personnel cannot make recommendations in these situations.

## **N: Institute's Ethics Panel**

### **75 Institute's Code of Ethics**

75.1 All Institute members are bound by the Institute's Code of Ethics, as set out in the Second Schedule to these rules.

### **76 Ethics Panel's Functions and Powers**

76.1 The functions of the Institute's Ethics Panel are to:

- a) investigate, consider and act on any complaints made to it about a member

- b) investigate, consider and act upon objections made to it about any person's application for membership of the Institute
- c) advise on the interpretation, meaning and effect of the Code of Ethics, with respect to any matter that the National Executive refers to it
- d) promote ethical and professional conduct among Institute members, in accordance with the Institute's Code of Ethics
- e) report annually to the National Executive on any matters that have come before it, except matters where the National Executive is exercising or may exercise an appellate function.

76.2 In carrying out its functions, the Ethics Panel will have regard to:

- the desirability of resolving differences, and providing help and rehabilitation for members, through the Institute's Member Assist team (see Part M)
- the general education and welfare of children in any places of work that may be involved
- the Institute's Code of Ethics (see Section 75)
- such other matters as it thinks fit.

76.3 The Ethics Panel is not obliged to meet on any matter referred to it, and can instead refer the matter to the Member Assist team to resolve.

76.4 Where the Member Assist team reports that it cannot resolve a matter referred to it, the Ethics Panel will invite the complainant, member complained against or person seeking membership and Member Assist team member involved to report on or reply to the matter. The panel will consider any such reports and replies received. No person involved has the right to appear before the Ethics Panel.

76.5 Where the panel receives a complaint, it can:

- take no action
- advise a member in writing of the possible consequences if the conduct complained of is repeated
- reprimand a member
- lay a charge of a disciplinary offence to the National Secretary in accordance with Section 83 of these rules.

76.6 The Ethics Panel can continue to investigate a complaint against a member, despite that member's resignation from the Institute. If the member subsequently seeks to re-join the Institute, the result of the panel's previous investigation against them will be upheld.

## **77 Ethics Panel's Procedures**

77.1 The Ethics Panel will choose a Chairperson from among its members. The Chairperson will remain in office until a successor is appointed. The Chairperson has a deliberative as well as a casting vote.

- 77.2 The Ethics Panel will meet as required.
- 77.3 The quorum for Ethics Panel meetings is six members who must be present in person.
- 77.4 A decision of the majority of the panel members present at the meeting will be the decision of the Ethics Panel. A decision may be made in writing on a paper or document signed by a majority of the members.
- 77.5 As soon as practicable after the Ethics Panel has made a decision, it will notify in writing the complainant, member complained against, any Branch involved and the National Secretary of the decision, and the particulars of any charges (if any) to be laid against the member.

## **78 Ethics Panel Appointments and Vacancies**

- 78.1 The Institute's Ethics Panel consists of:
- six full members of the Institute, appointed by the National Executive from nominations received from Branches; nominees must also have the endorsement of their Area Councils or Te Reo Areare
  - two members selected by Te Reo Areare
  - one member nominated by the New Zealand Teachers Council (or its successors)
  - one member nominated by the New Zealand School Trustees Association.
- 78.2 The term of office for members of the Institute's Ethics Panel is five years. Members are eligible for re-appointment.
- 78.3 Members cannot be appointed to, or remain in office on, the Institute's Ethics Panel once they become a member of the National Executive.
- 78.4 Members of the Ethics Panel can resign from office in writing. Members must vacate office if at any time they:
- become ineligible to be appointed or remain in office
  - become bankrupt
  - are convicted of a criminal offence
  - are no longer fit to hold office, in the opinion of the National Executive, by reason of mental or physical ill health, prolonged absence without leave, or for any other reason.
- 78.5 Where there is a vacancy, the group or authority that appointed the vacating member can appoint another person to fill their office for the remainder of the vacating member's term.
- 78.6 The Ethics Panel will continue to act when there is a vacancy among its members.

## **79 Conflicts of Interest**

79.1 Members of the Ethics Panel cannot participate in any deliberation about a matter where they have an actual or potential conflict of interest.

## **80 Complaints to the Ethics Panel**

80.1 Any Institute member, Branch, Area Council or other Institute organisation has the right to lay a complaint to the Ethics Panel. Complaints should be referred to the National Secretary.

80.2 Complaints by non-members may be heard at the Ethics Panel's discretion.

80.3 Where a Branch receives a formal complaint against one of its members, charging a breach of the Institute's Code of Ethics, the Branch must immediately refer the complaint to the National Secretary.

### **80.4 Member's rights**

80.4.1 Any member who is subject of a complaint has the right to:

- receive a copy of the complaint before it can be dealt with
- request the assistance of a Member Assist team member, subject to the team member's agreement.

## **81 Appeals**

81.1 Any member who is the subject of a complaint or the complainant, or who is dissatisfied with a decision by the Ethics Panel or a Disciplinary Tribunal (see Sections 76.5 and 83.5), can appeal to the National Executive.

81.2 The National Executive will appoint an Appeal Authority to determine the appeal. The Appeal Authority will consist of at least three people, who may or may not be Institute members.

81.3 The Appeal Authority can handle appeals in the manner that it considers most effective, and can confirm, vary or reverse the decision appealed against.

81.4 The Appeal Authority's decision will be final and binding.

# **O: Disciplinary Matters**

## **82 Disciplinary Offences**

82.1 It will be a disciplinary offence under these rules for any member to:

- a) knowingly act in a manner contrary to these rules
- b) knowingly act in a manner contrary to the Institute's objects and policies
- c) misappropriate Institute money or property
- d) knowingly divulge confidential Institute information, unless authorised to by the National Executive

- e) wilfully ignore a resolution made by an Institute annual or special meeting, or the National Executive
- f) assault or threaten an employee, elected representative or member of the Institute.

## **83 Procedure for Charges of Disciplinary Offences**

- 83.1 Only the Ethics Panel (see Section 76) or the Appeal Authority (see Section 80) can lay a charge of a disciplinary offence under Section 82.1.
- 83.2 Within 14 days of a charge of a disciplinary offence being received from the Ethics Panel or Appeal Authority, the National President will fix a time and place for hearing the charge. Where practicable, the place will be near the charged member's home or workplace.
- 83.3 The National President will establish a Disciplinary Tribunal to hear the charge, in accordance with Section 84.
- 83.4 A full copy of the charge, together with details of the time and place for the hearing, will be forwarded to the charged member within three days of the hearing date being fixed.

### **83.5 Disciplinary Tribunal hearing**

- 83.5.1 The Disciplinary Tribunal will adjudicate upon the charge of a disciplinary offence after hearing:
  - all the evidence
  - from the member charged, where they want to be heard.
- 83.5.2 The Disciplinary Tribunal will not exercise any of its powers (see Section 83.6) in respect of the charge until after the hearing.
- 83.5.3 The parties have the right to call witnesses. Expenses for witnesses appearing on behalf of the Institute will be paid by the Institute. Expenses for witness appearing on behalf of the charged member will not be paid by the Institute, unless the tribunal directs that these expenses should be met by the Institute's Legal Assistance Fund (see Section 66).
- 83.5.4 The Disciplinary Tribunal's Chairperson can, independently or on the application of any party, request any Institute member to attend the hearing to give evidence. The request to attend will be in writing, signed by the Chairperson, and sent by courier.
- 83.5.5 Any person giving evidence at the hearing must take an oath or make an affirmation.
- 83.5.6 If any party fails to appear or be represented at the hearing, the hearing may proceed in their absence.
- 83.5.7 The Disciplinary Tribunal can continue to investigate a complaint against a member, despite that member's resignation from the Institute. If the member subsequently seeks to re-join the Institute, the result of the tribunal's previous investigation against them will be upheld.

### **83.6 Disciplinary Tribunal's decision**

- 83.6.1 After hearing the evidence on a charge of a disciplinary offence, the Disciplinary Tribunal can decide to:
- take no action
  - caution the member
  - censure the member
  - severely reprimand the member
  - recommend to the National Executive that the member is suspended or expelled from the Institute.
- 83.6.2 A decision by the majority of its members will be a decision of the Disciplinary Tribunal. The Chairperson has a deliberative, as well as a casting vote.
- 83.6.3 As soon as practicable after it has made a decision, the Disciplinary Tribunal will notify, in writing, the charged member, the President of the charged member's Branch, the complainant, the Ethics Panel (if appropriate) and the National Executive of the decision.
- 83.7 Appeals against Disciplinary Tribunal decision**
- 83.7.1 Any member or members can appeal a Disciplinary Tribunal decision. The appeal must be made 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.
- 83.7.2 Appeals of Disciplinary Tribunal decisions will be heard by an Appeal Authority established for the purpose, in accordance with Section 81.

## **84 Disciplinary Tribunal Membership**

- 84.1 A Disciplinary Tribunal set up under these rules will consist of the following Institute members:
- a member nominated by the National President who will act as the tribunal's Chairperson
  - the President of the Branch of the charged member, or a member nominated by the President, or a member nominated by the charged member's Branch
  - a member nominated by the charged member.
- 84.2 The Disciplinary Tribunal will exercise its powers in good faith and without bias, while observing the precepts of natural justice.

# **P: Collective Agreements and Bargaining**



## **85 Negotiation and ratification**

- 85.1 All agreements that the Institute negotiates on behalf of its members will be ratified by the members bound by the agreements before the Institute signs them.
- 85.2 The methods used to ratify collective agreements (excluding variations to agreements: see Section 86) will be:
- by a majority decision of the team negotiating the agreement; and
  - by a majority decision of the members entitled to vote, who do vote.
- 85.3 The Institute's National Executive will decide whether voting to ratify collective agreements will occur at meetings of members entitled to vote or by postal ballot.
- 85.4 For the following national collective employment agreements (and their successors), the National Executive will verify, before the agreements are ratified by Institute members, that the proposed settlement is consistent with Institute policy.
- 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.

## **86 Variations**

- 86.1 The terms and conditions in an agreement may be varied at any time by written agreement between the Institute, acting on behalf of its members, and the employer parties to the agreement.

## **87 Secret Ballots**

87.1 Where the Employment Relations Act 2000 requires a secret ballot to be held in relation to proposed multi-party bargaining, the following procedures will be used:

- the National Executive will agree on questions for the ballot
- the ballot will be conducted on paper
- the National Executive will decide whether voting should occur at meetings or by postal ballot
- the result of the ballot will be determined by a majority of the members employed by each employer that is intended to be a party to the bargaining who are entitled to vote and who do vote.

87.2 Where the Employment Relations Act 2000 requires a secret ballot to be held in relation to a proposed strike, the following procedures will be used:

- the question for the ballot will be whether the member is in favour of the proposed strike
- the National Executive will determine the processes for voting.

## **Q: Status of and Changes to These Rules**

### **88 Status of the Rules**

88.1 These rules are the only rules of the Institute. All previous rules are repealed.

### **89 Matters Arising Under Previous Rules**

89.1 All acts undertaken within the authority of previous versions of the Institute's rules will continue unless overridden by the current rules.

89.2 Matters pending or in progress when the current rules came into operation may be continued and enforced under the current rules.

### **90 Power to Amend or Repeal the Rules**

90.1 The Institute's annual meeting can amend, add to or repeal these rules, subject to any changes required by the Registrar of Incorporated Societies.

90.2 Any full or provisional Institute member can submit a resolution, for discussion at the Institute's annual meeting, proposing that the rules should be amended, added to or repealed, provided that the resolution has already been sanctioned by the National Executive or a meeting of the member's Area Council or Branch.

90.3 Except as provided in Section 90.4, resolutions to amend, add to or repeal these rules must be:

- submitted on the correct form, in duplicate
- accompanied by a supporting argument
- received by the National Secretary at least 3 months before the date of the Institute's annual meeting
- forwarded by the National Secretary to the Branches at least 2 months before the date of the Institute's annual meeting.

90.4 The provisions in Section 90.3 will not apply where new legislation or another extraordinary event might adversely affect members' welfare, or the security of their conditions of employment, or the Institute's ability to fulfil its obligations to members. In these circumstances, the National Executive can propose protective and technical amendments, additions or repeals to these rules at any time up to and during the annual meeting. The amendments, additions or repeals will be considered at the annual meeting, provided the National Secretary:

- immediately informs all Branches and annual meeting representatives about the nature of the new legislation or extraordinary event and its implications for members
- forwards any resulting resolutions to amend, add to or repeal these rules to all Branches and annual meeting representatives as soon as is practicable after the meeting.

90.5 Any section of these rules can be amended or repealed, and any new section added, by a three-fifths majority of the votes recorded at the annual meeting. There is no need for any consequential amendments to the rules contents pages or schedules to be considered as separate resolutions.

90.6 No resolution to amend, add to or repeal these rules can be amended.

90.7 No amendment, addition or repeal of these rules will come into force until it has been recorded by the Registrar of Incorporated Societies.

# First Schedule

## 1A: The Institute's Current Branches

A T - Hikurangi ki Te Tairāwhiti  
A T - Hokianga ki Taumarere  
A T - Kahungunu ki Te Wairoa  
A T - Kahuranaki  
A T - Manaakitia o Potiki  
A T - Manaia ki Tutamoe  
A T - Manawatu  
A T - Manukau Whānui  
A T - o Mataatua  
A T - o Otepoti  
A T - Parininihi ki Taipake  
A T - Rotorua  
A T - ki Ruapehu  
A T - Tamaki Makaurau  
A T - Tauranga-Moana  
A T - Te Hiku o Te Ika  
A T - Te Mangai Māori Waikato  
A T - o Te Rohe Potae  
A T - Te Ropu Manawatahi o Murihiku  
A T - Te Whānau-a-Apanui  
A T - Te Whanganui a Tara  
A T - Tokoroa  
A T - Turanga  
A T - Waitaha  
A T - Whakatu  
A T - Whanganui  
A T - Whanganui a Orotu  
Ashley  
Auckland  
Bay of Islands  
Buller  
Cambridge  
Central Hawkes Bay  
Central King Country  
Central Otago  
Christchurch  
Coromandel Peninsula  
Ellesmere  
Feilding  
Far North  
Franklin  
Golden Bay  
Grey  
Hastings  
Heretaunga  
Hibiscus Coast

Hokianga  
Hokonui  
Horowhenua  
Howick  
Huntly  
Hurunui  
Hutt Valley  
Kaipara  
Kapiti  
Komiti Pasifika (Auckland)  
Komiti Pasifika (Wellington)  
Mackenzie  
Malvern  
Mana  
Manawatu  
Maniapoto  
Manurewa  
Marlborough  
Matamata  
Mid Canterbury  
Motueka  
Napier  
Nelson  
North Shore  
Northern Wairoa  
Opotiki  
Otago  
Otago  
Otahuhu  
Papakura  
Papatoetoe  
Patea-Waverley  
Piako  
Poverty Bay  
Rangitikei  
Rodney-Otamatea  
Rotorua  
South Canterbury  
South Otago  
South Wairarapa  
Southern Hawkes Bay  
South Taranaki  
Taihape  
Takitimu  
Taranaki  
Taupo  
Tauranga  
Te Aho o Te Kura Pounamu – The Correspondence School  
Te Puke  
Thames  
Tokoroa  
Turangi

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

## **1B: The Institute's Current Area Councils**

Auckland  
Central East  
Counties Manukau  
Murihiku Southland  
Otago  
Pipiri Mananui o Nga Tataha a Maui  
Tai Tokerau  
Taranaki  
Te Haunui Central  
Te Rohe o Te Waiariki – Bay of Plenty  
Top of the South Te Tau Ihu o Te Waka a Maui  
Waikato  
Waitaha Canterbury  
Wellington

## **1C: Aronui Tōmua Electoral Regions**

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

## **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 Māori and Tāiwi 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 rongu ki a ratou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi rangatira hei kai wakarite ki nga Tangata Māori o Nu Tirani kia wakaaetia e nga rangatira Māori 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 lwi 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 Māori 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 wakaaetanga ki te Kawanatanga o te Kuini. Ka tiakina e te Kuini o Ingarangi nga tangata Māori 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 wakaaetia 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) Māori people of New Zealand. Let the Māori 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 Māori 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 Māori 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 Branch officers and representatives

---

### 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 paper for National Officers / National Executive

---

### Nomination of National Officer / National Executive

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

If this nomination is for a non-officer National Executive position, please clearly mark which ballot this nomination is for ( ✓ )

**GENERAL MEMBERSHIP**   
**EARLY CHILDHOOD SECTOR**   
**PRIMARY TEACHING SECTOR**   
**SUPPORT STAFF SECTOR**   
**SCHOOL PRINCIPALS'**