



New Zealand Union of Students' Associations (Inc)

Te Ropu Akonga o nga Whare Wananga o Aotearoa

CONSTITUTION OF THE NEW ZEALAND UNION OF STUDENTS' ASSOCIATIONS

03/09/08

1. NAME

The name of the Association must be -

"THE NEW ZEALAND UNION OF STUDENTS' ASSOCIATIONS (INCORPORATED)"

2. INTERPRETATION

In this Constitution, unless the context otherwise requires -

'Association of Students' means any incorporated society of students.

'Casting Vote' means a vote cast by the Chair where the votes for and the votes against a motion are equal in number. A Casting Vote must be cast in accordance with the majority of Constituents, or in favour of the status quo.

'Chairperson' means the President of NZUSA or such other person as may be in the Chair.

'Constituent Member' means any full constituent member or associate constituent member

'EFTS' means Equivalent Full-Time Student, as provided by the Ministry of Education

'Motion' means a proposition beginning with the word 'that', which has been both moved and seconded by members entitled to do so or by the Chair; **'Amendment'** has a corresponding meaning.

'Notice' means notice in writing to the President and all constituent members by fax, post or email.

'NZUSA' means the New Zealand Union of Students' Associations (Incorporated).

'The President' means either or both of the Co-Presidents of NZUSA.

'Rules' means these rules, and includes the Schedule to these Rules.

'SJS' means Student Job Search Aotearoa (Incorporated).

'Student' means any person enrolled as a student at any tertiary institution in New Zealand.

'TMA' or **'Te Mana Ākongā'** means Te Mana Ākongā, the National Māori Tertiary Students' Association

'TWF' means the Tertiary Women's Focus Group. The National Women's Student Group.

'Voting Member' means all Full Constituent Members, and any Associate Constituent Member that the Federation executive has granted voting rights to.

'Year' or **'calendar year'** or **'financial year'** are used interchangeably and means the year running from 1 January to 31 December.

3. **TE TIRITI O WAITANGI / TREATY OF WAITANGI**

NZUSA must act consistently with the principles of Te Tiriti o Waitangi.

TE TIRITI O WAITANGI

Ko Wikitoria, te Kuini o Ingarangi i tana mahara atawhai ki ngā rangatira me ngā Hapū o Nū Tireni i tana hiahia hoki kia tohungia ki a rātou ō rātou rangatiratanga, me tō rātou whenua, ā, kia mau tonu hoki te rongo ki a rātou me te āta noho hoki kua whakaaro ia he mea tika kia tukua mai tētahi rangatira hei kai-whakarite ki ngā Tangata Māori o Nū Tireni - kia whakaaetia e ngā Rangatira Māori te Kawangatanga o te Kuini ki ngā wāhi katoa o te whenua nei me ngā motu - nā te mea hoki he tokomaha kē ngā tangata o tōna iwi kua noho ki tēnei whenua, ā, e haere mai nei.

Na, ko te Kuini e hiahia ana kia whakaritea te Kawangatanga kia kua ai ngā kino e puta mai ki te tangata Māori ki te Pākehā e noho ture kore ana.

Na, kua pai te Kuini kia tukua ahau, a Wiremu Hopihona he Kapitana i te Roiara Nawi hei Kawana mō ngā wāhi katoa o Nū Tireni e tukua aianei, a mua atu ki te Kuini e mea atu ana ia ki ngā rangatira o te whakaminenga o ngā hapū o Nū Tireni me ēra Rangatira atu ēnei ture ka korerotia nei.

Ko Te Tuatahi

Ko ngā Rangatira o te Whakaminenga me ngā Rangatira katoa hoki, kihai i uru ki taua Whakaminenga, ka tuku rawa atu ki Kuini o Ingarani ake tonu atu te Kawanatanga katoa o ō rātou whenua.

Ko Te Tuarua

Ko te Kuini o Ingarangi ka whakarite ka whakaae ki ngā rangatira ki ngā hapū, ki ngā tangata katoa o Nū Tireni te tino rangatiratanga o ō rātou whenua, ō rātou kainga me ō rātou taonga katoa. Otirā ko ngā Rangatira o te Whakaminenga me ngā rangatira katoa atu, ka tuku ki te Kuini te hokonga o ēra wāhi whenua e pai ai te tangata nōna te whenua, ki te ritenga o te utu e whakaritea ai e rātou ko te kai-hoko e meatia nei e te Kuini hei kai-hoko mōna.

Ko Te Tuatoru

Hei whakaritenga mai hoki tēnei mō te whakaaetanga o te Kuini. Ka tiakina e te Kuini o Ingarangi ngā tangata Māori katoa o Nū Tireni. Ka tukua ki a rātou ngā tikanga katoa rite tahi ki āna mea ki ngā tangata o Ingarani.

Na, ko mātou ko ngā Rangatira o te Whakaminenga o ngā hapū o Nū Tireni ka huihui nei ki Waitangi ko mātou hoki ngā rangatira o Nū Tireni ka kite nei i te ritenga o ēnei kupu. Ka tangohia, ka wakaaetia katoatia e mātou. Koia ka tohungia ai ō mātou ingoa, ō mātou tohu.

Ka meatia tēnei ki Waitangi i te ono o ngā rā o Pepueri i te kotahi mano, e waru rau e whā tekau o tō tātou Ariki.

(signed) W. Hobson, Consul and Lieutenant Governor.

THE TREATY OF WAITANGI

Victoria, Queen of England, in her concern to protect the chiefs and sub tribes of New Zealand and in her desire to preserve their chieftainship and their lands to them and to maintain peace and good order considers it just to appoint an administrator one who will negotiate with the people of New Zealand to the end that their chiefs will agree to the Queen's government being established over all parts of this land and (adjoining) islands and also because there are many of her subjects already living on this land and others yet to come.

So the Queen desires to establish a government so that no evil will come to Māori and European living in a state of lawlessness.

So the Queen appointed me, William Hobson a captain in the Royal Navy to be Governor for all parts of New Zealand (both these) shortly to be received by the Queen and (those) to be received hereafter and presents to the chiefs of the Confederation chiefs of the sub tribes of New Zealand and other chiefs these laws set out here.

The First

The Chiefs of the Confederation and all the chiefs who have not joined that Confederation give absolutely to the Queen of England for ever the complete government over their land.

The Second

The Queen of England agrees to protect the chiefs, the sub tribes and all the people of New Zealand and the unqualified exercise of their chieftainship over their lands, villages and all their treasures. But on the other hand the chiefs of the Confederation and all the chiefs will sell land to the Queen at a price agreed to by the person owning it and by the person buying it (the latter being) appointed by the Queen as her purchase agent.

The Third

For this agreed arrangement, therefore concerning the Government of the Queen, the Queen of England will protect all the ordinary people of New Zealand and will give them the same rights and duties of citizenship as the people of England.

(signed) W. Hobson, Consul and Lieutenant Governor.

So we, the Chiefs of the Confederation and of the sub tribes of New Zealand meeting here in Waitangi having seen the shape of these words which we accept and agree to record our names and our marks thus, was done at Waitangi on the 6th of February in the year of our Lord, 1840.

4. RECOGNITION OF TE MANA AKONGA

- (1) NZUSA recognises Te Mana Ākonga as:
 - (a) the national Māori tertiary student body of Aotearoa;
 - (b) an autonomous body; and
 - (c) parallel to NZUSA

5. RECOGNITION OF THE TERTIARY WOMEN'S FOCUS GROUP

- (1) NZUSA recognises the Tertiary Women's Focus Group as a forum for women students to express their concerns to NZUSA.
- (2) NZUSA commits to supporting the Tertiary Women's Focus Group through an annual budgetary allocation. The Tertiary Women's Focus Group has authority to determine how their budgetary allocation is spent.
- (3) NZUSA recognises the right of the Tertiary Women's Focus Group to determine policy independent of NZUSA and NZUSA's methods of determining policy, providing it doesn't contradict the rule or objects of NZUSA.

6. OBJECTS

Preamble

- (1) NZUSA is a federation of those students' associations that are constituent members in terms of these rules, and is established to represent the common and collective concerns of students in general, and the constituent members specifically.

- (2) The objects of the Association include, but are not limited to:
 - (a) Represent both nationally and internationally the views of students on matters of concern to students, or of concern to students as members of society in general;
 - (b) Function as a major, informed and principled pressure group with education and student welfare and national and international social reform among its areas of concern;
 - (c) Promote 'barrier free' education;
 - (d) Encourage and co-operate closely with other student organisations.

7. POWERS

- (1) NZUSA has the widest possible powers to do all lawful things that it considers necessary in the pursuit of its objects.
- (2) Without limiting this power, and in accordance with the Incorporated Societies Act 1908, NZUSA has the specific power to borrow or raise money by any means and upon such conditions as to security or otherwise as the General Meeting considers necessary.

8. MEMBERSHIP

- (1) NZUSA has the following classes of membership:
 - (a) Constituent membership;
 - (i) Full Constituent Membership
 - (ii) Associate Constituent Membership
 - (b) Honorary Life Membership.
- (2) A Full Constituent Member is an incorporated body of students:
 - (a) That applies in writing to the President for Full Constituent Membership; and
 - (b) Whose membership is approved by the General Meeting; and
 - (c) That pays a membership fee, set annually by the General meeting
- (3) An Associate Constituent Member is an incorporated body of students:
 - (a) That applies in writing to the President for Associate Constituent Membership; and
 - (b) Whose membership is approved by the Federation Executive; and
 - (c) That pays a membership fee, set annually by the Federation Executive.
- (4) Associate constituent members are eligible for such services and facilities of NZUSA as determined by the Federation Executive.
- (5) No member may remain an Associate Constituent Member for more than two years without NZUSA establishing good cause. When establishing good cause, NZUSA Federation Executive may consider a range of factors, but must take into account:
 - (a) their historical relationship with NZUSA;
 - (b) their financial situation compared to full constituent members;
 - (c) their active commitment to supporting NZUSA and its principles;
 - (d) social and education differences between the student members of the body in question and full constituent members;
 - (e) their commitment to move towards being a full constituent member of NZUSA in the future.
- (6) The terms and conditions of Associate Constituent Membership, and the levy, is negotiated individually between the Federation Executive of NZUSA and the body in question. Such terms and conditions may include:
 - (a) the right to a maximum of one vote at general meetings

- (b) the right to a maximum of one vote at Federation Executive
 - (c) the right to put motions at General Meetings and Federal Executive Meetings.
- (7) The following are Honorary Life Members of NZUSA:
- (a) Any past Presidents of NZUSA;
 - (b) Any person who, in the opinion of a General Meeting, has given distinguished service to NZUSA, and is made an Honorary Life Member by a motion carried at a General Meeting with a two-thirds majority of the total number of votes exercisable.
- (8) The President must maintain a Register of Members.

9. TERMINATION OF MEMBERSHIP

- (1) A Constituent or Associate Member may terminate their membership by:
- (a) giving six (6) months notice in writing to the President at the Registered Office, if the period of membership of that Member is less than two year; or
 - (b) giving twelve (12) months notice in writing to the President at the Registered Office, if the period of membership of that Member is more than two years, and discharging all financial obligations to NZUSA at the date of the termination taking effect
- (2) The membership of an Honorary Life Member may be terminated by resignation in writing to the President at the Registered Office.
- (3) A member ceases to be a member of NZUSA if:
- (a) a motion to remove that member is carried at a General Meeting; and
 - (b) where a unanimous vote to remove that member of the total number of votes exercisable as determined under Schedule A, less the number of votes held by the member which is the subject of the motion, is passed;
- (4) Each membership to be terminated at a General Meeting requires a separate motion; and
- (5) The General Meeting is not required to give any reason for terminating a membership.

10. MAKING OR AMENDING POLICY

- (1) The General Meeting will set the Association's policy on matters external to the Association.
- (2) Any policies established by the General Meeting or the Federation Executive must be recorded in the NZUSA policy book.
- (3) 1 week's notice must be given for the setting, rescinding or amending of policy except where the setting, rescinding or amending of policy has been the subject of a workshop at an NZUSA conference within 6 months of a notice of motion.
- (4) Notice must include the proposed policy or change of policy.
- (5) No policy may be incompatible with this Constitution and its objects.
- (6) Policy may be altered only:
- (a) If a notice of motion of the proposed alteration has been sent in writing to both the President at the Registered Office of NZUSA and to Constituent Members at least one week before a General Meeting of NZUSA, and has been put at that meeting and carried by two-thirds of the total number of votes exercisable as provided for in Schedule A; or

- (b) If the policy has been workshoped at an NZUSA conference and has been put at a NZUSA General Meeting and is carried by two-thirds of the total number of votes exercisable as provided for in Schedule A; or
- (c) When the required notice has not been given, by unanimity of the total number of votes exercisable at a General Meeting.

11. MAKING OR AMENDING REGULATIONS

- (1) The General meeting of NZUSA may, by a two-thirds majority, make, amend or rescind regulations to govern procedure at NZUSA's meetings and governing all the activities of NZUSA not provided in this constitution.
- (2) Such regulations will have the same effect as if they were incorporated into these rules.
- (3) Regulations must be made, amended or rescinded only:
 - (a) If a notice of the proposed alteration has been sent in writing to the President at the Registered Office of NZUSA and to the Constituent Members at least one month before a general meeting of NZUSA, and has been put at that meeting and been carried by two-thirds of the total number of votes exercisable as provided in Schedule A; or
 - (b) By unanimity of the total number of votes exercisable at a General Meeting when the required notice has not been given.

12. ALTERATIONS TO THE CONSTITUTION

- (1) The constitution may be altered only:
 - (a) If notice of the proposed alteration has been sent in writing to the President at the Registered office of NZUSA and to the Constituent Members at least one month before a General Meeting of NZUSA, and has been put at that meeting and carried by two-thirds of the total number of votes exercisable as provided in Schedule A; or
 - (b) By unanimity of the total number of votes exercisable at a General meeting when the required notice has not been given.
 - (c) Before accepting a motion to amend the constitution the President must produce a letter from a solicitor certifying that the proposed amendment is consistent with the rules of NZUSA and must set out any consequential amendments made necessary by the passing of the amendment.
- (2) No addition to or alteration or rescinding of these Rules will be valid if it affects section 13 (Winding up)

13. WINDING UP

- (1) In the event of the winding up or dissolution of the Association, not less than thirty (30) days notice must be given to the Constituent Members of any Notices of Motion resolving NZUSA be wound up, and any such resolution when passed by a General Meeting must, in accordance with Section 24 (1) of the Incorporated Societies Act 1908, be confirmed at a subsequent General Meeting called together for that purpose and held not earlier than thirty (30) days after the date on which the resolution so to be confirmed was passed.

For the purpose of this rule the term “**resolution**” means a resolution carried by a simple majority of the valid votes cast by Voting Members at the General Meeting in accordance with Schedule A, and must be taken to be confirmed at the subsequent General Meeting if the confirmation is carried by the like majority.

- (2) In the event of the winding up or dissolution of the Association, all property both real and personal must after payment of all costs, debts and liabilities vest in trustees to be appointed by the General Meeting to hold in trust for any similar Association.

The trustees to hold such trustees must be specified before the winding up or dissolution takes effect.

14. OFFICERS OF NZUSA

The President and the National Women's Rights Officer are the Officers of NZUSA. Officers must be elected in accordance with these rules for a term of one year.

15. COMMON SEAL

- (1) The President must keep the Common Seal at the Registered Office of NZUSA.
- (2) The Common Seal may only be affixed to any document by resolution of the Federation Executive. Two Officers of NZUSA must sign the document as attesting witnesses. There must be a separate Federation Executive resolution for every time the Common Seal is affixed.

16. GENERAL MEETINGS

The following meetings are mandatory:

- (1) The Annual General Meeting of NZUSA must be held in June or July, and may be referred to as 'June/July Conference'.
- (2) A General Meeting must be held in January/February, and may be referred to as 'January/February Conference'.
- (3) A General Meeting must be held in August/September, or as soon as is reasonably practicable for the Constituent Members there after, and may be referred to as 'August/September Conference'.
- (4) A Special General Meeting must be held:
 - (a) If a General Meeting or the Federation Executive or the President so directs, at a time, date and place so directed; or
 - (b) If at least one-third of the Constituent Members make a written request to the President. The President must give notice to the Constituent Members of such a Special General Meeting as soon as is practicable.
- (5) Notice of any General Meeting must be notified in writing to the Presidents of each of the Constituent Members at their Registered Offices at least thirty (30) days before the General Meeting, and such notice must specify the time, date, place and reason for the holding of the General Meeting.

Reference of Business to Finance Commission

- (7) The General Meeting may refer any of its business with financial implications to a sub-committee known as the '**Finance Commission**' for consideration and report back to the General Meeting.
- (8) The Finance Commission must consist of:
 - (a) The Officers of NZUSA; and

- (b) A minimum of one and a maximum of two delegates from each Voting Member and any Associate Constituent Member granted speaking rights;
- (8) All resolutions of the Finance Commission must require a two-thirds majority to be carried.
- (9) The quorum for a commission must be the same as for a General Meeting.
- (10) The Finance Commission is responsible for:
 - (a) Examination of the Federation's financial management at June/July and August/September Conferences;
 - (b) Reviewing any motions at a NZUSA Conference that have financial implications;
 - (c) Discussing and recommending draft and final budgets at August/September Conference and February Workshops;
 - (d) Initiating special financial investigations;
 - (e) Reviewing and recommending changes to the management regulations once per year, if necessary.

Attendance and Speaking, Moving and Seconding Rights

- (11) The quorum for a General Meeting is two-thirds of Full Constituent Members.
- (12) At a General Meeting, only Voting Members are entitled to move and second motions.
- (13) At a General Meeting and Finance Commission each Voting Member and Associate Constituent Member that has been granted speaking rights may be represented by one or two delegates.
- (14) Any Honorary Life Member and any member of a Constituent Member may attend a general meeting.
- (15) Only nominated delegates, members of Federation Executive, Te Mana Ākonga nominated delegates and officers of NZUSA are entitled to speak at a General Meeting, unless leave is granted by the meeting.

Voting

- (16) Only Voting Members may vote at a General Meeting, except the Chair who is entitled to a casting vote.
- (17) The total number of votes exercisable at a General Meeting is seven times the number of Full Constituent Members plus any votes that may be brought in by Associate Constituent Members.
- (18) Allocation of votes must be in accordance with Schedule A of the constitution.

Postal Ballot

- (19) Any motion that may be carried at a General Meeting may be carried by a postal ballot. On a postal ballot, each Voting Member has the number of votes as it would at a General Meeting.
- (20) Notice of a postal ballot must be the same as if it were a motion at a General Meeting. Any Voting Member desiring a postal vote on any motion must forward the text of the motion together with any explanation and the name of the seconder to the President at the Registered Office.
- (21) The President must forthwith send a copy of the motion and any other relevant material to all Constituent Members, to Federation Executive Members, and to other such persons as the Federation Executive may direct. Notice is deemed to take effect from the date the President sends a copy of the motion to all Voting Members.

- (22) 14 days after the expiry of the notice period each Voting Member must advise the President how it votes on the motion. If any Voting Member fails to vote within 7 days of the expiry of the notice period, a facsimile message stating this must be sent forthwith to that Voting Member by the President. If no vote is received from the Voting Member within seven days of sending the facsimile message, the Constituent must be deemed to have abstained from the motion.
- (23) When all votes have been received or seven days after such a facsimile message has been sent, the President must advise Voting Members and other persons who received the motion of the result of the voting.
- (24) Any motion carried by a postal vote must be reported to the next General Meeting and must be recorded in the minutes of that meeting.

17. FEDERATION EXECUTIVE

Membership

- (1) There must be an executive of NZUSA to be known as the Federation Executive whose members must be:
 - (a) The Officers of the Association;
 - (b) The Te Mana Ākonga Kaitūhono
 - (c) A nominee of each of the Voting Members, usually the President.
- (2) In the event of a vacancy occurring at any time in any of the elected positions on the Federation Executive, the Federation Executive may appoint any person to fill the vacancy until a person is duly elected to fill the vacancy. Any election to fill a vacancy must be held as soon as practicable, and on resolution of the Federation Executive may be conducted by way of postal vote, provided, however, that notice of such an election must be given in accordance with Schedule B.
- (3) Any elected member of the Federation Executive ceases to be a member if a motion is carried at a General Meeting with an absolute majority stating that such member no longer enjoys the confidence of NZUSA.

Meetings

- (4) The Federation Executive may meet at such time and in such places as it from time to time determines, provided that it must meet on at least four occasions between each Annual General Meeting.
- (5) No person who is not a member of Federation Executive, or a TWFG delegate to Federation Executive may be entitled to speak at a meeting of Federation Executive unless the Federation Executive resolves to grant such person speaking rights.
- (6) The quorum for a meeting of the Federation Executive is two-thirds of its members.
- (7) Each member of the Federation Executive has one vote. A majority is a simple majority of the votes cast by those present. Proxy voting must not be allowed.
- (8) Any motion that may be carried at a Federation Executive meeting may be carried by a postal vote. A postal vote of the Federation Executive must be conducted mutatis mutandis in the same way as for a General Meeting postal ballot as laid down in these rules.

Powers

- (9) The Federation Executive may exercise all the powers of NZUSA and has the power to delegate such powers to any agent provided that:
 - (a) In exercising those powers and discharging its functions, the Federation Executive or its agent must be bound by the direction and policies of NZUSA in General Meetings;
 - (b) The Federation Executive or its agent may not exercise powers reserved by this Constitution for exercise by NZUSA in General Meeting;
 - (c) The Federation Executive or its agent may not incur any expenditure in excess of budgetary provision approved by NZUSA in General Meeting, unless it is permitted to do so by a resolution of NZUSA or procedures laid down by NZUSA.
- (10) The Federation Executive may appoint committees to deal with special matters provided that any such committee must be convened by a member of the Federation Executive and that the President must be an ex-officio member.
- (11) The funds and property of NZUSA must be controlled by the Federation Executive and it must present an annual report of NZUSA activities and a statement of all assets and liabilities, income and expenditure of NZUSA for the past financial year at the Annual General Meeting.

Institution Type Standing Committees

- (12) There will be two standing committees of the Federation Executive known as the Institution of Technology and Polytechnic Member Fedex Committee (ITP Committee) and the University Member Fedex Committee (University Committee) respectively.
- (13) They will have the following duties
 - (a) To recommend action to Fedex with regards to University or ITP specific member needs
 - (b) To advise on institution type specific developments or institution type specific aspects of tertiary developments
 - (c) To recommend and organise topics for institution specific workshops or streams at conferences
- (14) All member associations will have one representative on their aligned Institution Type committee and will each have one vote. A majority is a simple majority of the votes cast by those present. Proxy voting must not be allowed.
- (15) One Co-President will be ex-officio on each committee.
- (16) Each committee may meet at such time and in such places as it from time to time determines, provided that it must meet on at least four occasions between each Annual General Meeting and minutes from all meetings are presented to Fedex. A quorum for a committee meeting is two thirds of its members.
- (17) Any decisions of a committee are not binding on Fedex and serve only as recommendations.
- (18) Each committee shall have a chair elected from committee members who shall serve for a six month term. Chair elections shall be held for the first six month term the previous year during Presidents' training and they shall hold office until a chair is elected for the second six month term during the first Committee meeting after June/July Conference. Both Chairs per year cannot be from the same association.
- (19) The role of the chair is to:
 - (a) Chair committee meetings
 - (b) Coordinate committees meeting times and agenda
 - (c) Report to Fedex on committee meetings and issues

- (d) Liaise with the Co-Presidents regarding organisation of institution specific workshops and streams at conference

18. FINANCE

Funds and Property of NZUSA

- (1) The funds, income and property of NZUSA from whatever source must be applied towards the promotion and achievement of the objects of NZUSA and no portion NZUSA's funds must be paid directly or indirectly by way of dividend, bonus, or otherwise to members of NZUSA other than employees.

Annual Accounts

- (2) The Annual Accounts for the immediate past financial year must be presented to the Annual General Meeting by the President
- (3) The Annual Accounts must be audited by NZUSA's Auditor, who must be a chartered accountant within the meaning of the Institute of Chartered Accountants of New Zealand Act 1996, and who must be appointed at the Annual General Meeting.

Budget

- (4) August/September Conference must adopt a budget for the following financial year.

Levies

- (5) The NZUSA General Meeting must set an annual levy upon each Full Constituent Member. When setting the annual levy a majority of two-thirds of the total exercisable votes as provided in Schedule A is required.
- (6) The total amount payable by Full Constituent Members per year will consist of a membership fee and a levy based on the number of EFTS attending the tertiary institution with which that Full Constituent Member is associated ("the Institution"), from two years prior to that which the budget applies. The General Meeting must set:
 - (a) A uniform annual membership fee for Full Constituent Members;
 - (b) An EFTS threshold of which charging the "Type B" rate begins ("the Threshold"); and
 - (c) A levy, to be calculated as follows:
 - (i) A "Type A" rate (to be set by the General Meeting) is to be charged to the Full Constituent Member on all EFTS of the Institution up to the Threshold;
 - (ii) A "Type B" rate (to be set by the General Meeting) is to be charged to the Full Constituent Member on all EFTS of the Institution at or higher than the Threshold;
- (7) Levies must be paid in each financial year by each Full Constituent Member of NZUSA in the following manner:
 - (a) A sum equal to 20 percent of the draft levy must be paid by all Full Constituent Members with compulsory membership before the 5th of January each year.
 - (b) A sum equal to an additional 30 percent of the levy must be paid by all Full Constituent Members with compulsory membership before the 30th of March of each year.
 - (c) The balance must be paid within one month of the receipt of a notice from a NZUSA Co-President indicating the amount owing.

- (8) Voluntary Student Membership Associations that are Full Constituent Members must be charged the same levy as other Full Constituent Members, but this must be calculated on the number of members they declare at 31 July of the year in which the levy is due.
- (9) Late payment of levies must, except when caused by industrial action or an 'Act of God', result in interest being charged to the Full Constituent Member at the current Bank of New Zealand overdraft rates from the due date until the date of clearance of the payment.

19. BANKING

- (1) The Federation Executive must maintain one or more bank accounts and must cause all receipts to be banked therein as soon after receipt as possible. The signatories to such accounts of NZUSA must be the President and the Accountant, provided that if any two of these are absent the Federation Executive may appoint any other member of the Federation Executive as a signatory.

20. STANDING ORDERS

Interpretation

1. In these Standing Orders, unless the context otherwise requires:

'Absolute Majority' means a majority of the votes exercisable in respect of a motion or amendment.

'Contrary to the intention of' means directly or substantially negates.

'Executive' means, where appropriate, the Federation Executive of NZUSA, or the Executive organ of any other body using these standing orders.

'Foreshadowed motion' means a motion of which notice is hereby given before or during a debate on another motion, and which is contrary to the intention of the original motion. If the original motion is carried, the foreshadowed motion lapses; but if the original motion is lost, the foreshadowed motion is dealt with as the next business, provided that (except where moved by the Chair) it is seconded before being placed before the meeting by the Chair. In speaking against the original motion, the mover (and seconder, if any) of a foreshadowed motion may explain the foreshadowed motion. **'Foreshadowed amendment'** has a corresponding meaning.

'Leave' or **'leave of the meeting'** means leave granted without dissent from any member of the meeting who has voting rights.

'Meeting' means, where appropriate, either a Federation Executive Meeting or General Meeting of NZUSA, or a meeting of any other body using these Standing Orders.

'Member' means any person present at a meeting with speaking rights.

'Motion' means a proposition beginning with the word 'that' which has been either moved and seconded by members entitled to do so or moved by the Chair; **'Amendment'** has a corresponding meaning.

'Resolution' means a motion carried by or agreed to at the meeting by the required majority.

'Simple majority' means a majority of votes exercised in respect of a motion or amendment.

'Votes exercisable' means the total possible number of votes that could be cast in respect of the motion or amendment if all voting members were present at the meeting and voting (but does not include any casting votes of the Chair).

'Votes exercised' means the total votes that are cast either for or against a motion or amendment (including any casting vote of the Chair).

The Chair

2. At any time during a meeting, any member of the Federation Executive may at the request of the Chair or Acting Chair for the time being take the Chair temporarily as Acting Chair, or the meeting may appoint some person to take the Chair temporarily as Acting Chair.
3. If the Chair decides to take part in any debate, other than to make an explanation as to the matter under debate, he or she must vacate the Chair in favour of an Acting Chair until the matter under debate has been disposed of.

General Conduct of Business

4. Subject to Standing Orders 23(a) and 26, the Chair must be heard without interruption.
5. Every person desiring to speak must address himself or herself to the Chair.
6. When two or more members desire to speak, the Chair must call upon the member who in the Chair's opinion first indicated a desire to speak.
7. The Chair may by a ruling set a time limit on speakers, whether generally or on the speakers to any particular motion or amendment.

Motions

8. Except when moved by the Chair, all motions, whether substantive or procedural, must be seconded. Any motion not seconded may not be debated but must lapse forthwith, provided that a foreshadowed motion need not be seconded until immediately before it is placed before the meeting by the Chair, and provided further that debate (but no vote) may proceed on a motion seconded pro forma.
9. When a motion has been moved and seconded, and accepted by the Chair, it must be placed before the meeting by the Chair.
10. After a motion has been accepted by the Chair, it must be deemed to be in possession of the meeting and may not be withdrawn without leave of the meeting. **'Leave'** or **'leave of the meeting'** means leave granted without dissent from any member of the meeting who has voting rights.
11. A motion which by leave of the meeting has been withdrawn may not be moved again during that same meeting.
12. Except where otherwise provided for, a simple majority must be sufficient to resolve a motion in the affirmative.
13. Except for a procedural motion, and subject to Standing Order 14, no motion may be accepted by the Chair which is the same in substance as any motion that during the same meeting has been resolved in the affirmative or negative.
14. A motion that has been resolved by the meeting may be rescinded or recommitted by a simple majority vote of the meeting.

Amendments

15. Standing Orders 8 to 14 must also apply to amendments.
16. When a motion has been moved and seconded, and has been accepted by the Chair, an amendment may be moved and seconded by members other than the mover and seconder of the original motion.

17. No amendment may be accepted by the Chair which is contrary to the intentions of (i.e. directly or substantially negates) the original motion.
18. If an amendment is carried, it must become and must be stated from the Chair as part of the original motion.

Voting

19. Voting must be by voice. However, should two members with voting rights so request the voting must be by a secret ballot.
20. The Chair must have a casting vote.

Procedural (formal) motions

21. The business of the meeting generally or the debate on a particular motion or amendment may be interrupted due to a procedural (formal) motion being moved.
22. Procedural motions have the following characteristics:
 - (a) Except when moved by the Chair, a procedural motion must be seconded.
 - (b) Subject to Standing Order 23 (a) and Standing Order 25, a procedural motion may not be moved while another member is speaking.
 - (c) Subject to Standing Order 23 (a) (b), and Standing Order 25, a procedural motion may be debated, subject always to the Chair's power to apply strict order under Standing Order 7 and to make a ruling setting time limits on speakers under Standing Order 7.
 - (d) The mover of a procedural motion has no right of reply.
 - (e) In the case of any closure motion (see closure motions (a) to (d) in Standing Order 23):
 - (i) The Chair has discretion whether to accept it or not; and
 - (ii) It may not be moved or seconded by the mover or seconder of any motion or amendment to which it is applied; nor, when it is applied to an amendment, may it be moved or seconded by the mover or seconder of the original motion.
23. The following types of closure motions may be made:
 - (1) **"THAT the motion (or amendment) be now put"**
(Note: this is the motion most commonly referred to as 'the closure motion'.)
 - (a) The motion may be moved while another member is speaking.
 - (b) A member making a speech may not conclude the speech by moving the motion.
 - (c) It may not be debated or amended, provided that the mover of the motion or amendment to which it is applied may exercise a right of reply.
 - (d) If it is carried, the motion or amendment must be put immediately.
 - (e) If it is carried on an amendment, debate on the original motion must resume.
 - (2) **'THAT the meeting proceed to the next business'**
 - (a) The motion may not be moved while another member is speaking.
 - (b) A member making a speech may not conclude the speech by moving the motion.
 - (c) It may not be debated or amended.
 - (d) If carried on a motion, it terminates debate on the motion for that meeting.
 - (e) If carried on an amendment, debate on the original motion must resume.
 - (3) **'THAT the motion (or amendment) lie upon the table'**
 - (a) The motion may not be moved while another member is speaking.
 - (b) It may be debated and previous speakers to the motion or amendment to which it is applied may speak to it, but there must be no right of reply.

- (c) It may specify a time, date and place at which the motion or amendment to which it is applied must be taken up.
 - (d) If it is carried on an amendment, the original motion must also lie upon the table.
 - (e) If it is carried, there must be a subsequent motion either at the same time or a later meeting to take the motion (and any amendment thereto) from the table.
- (4) **'THAT the meeting be adjourned'**
- (a) The motion may not be moved while another member is speaking.
 - (b) It may be debated and previous speakers to any motion or amendment then before the meeting may speak to it, but there must be no right of reply.
 - (c) Adjournment may be indefinitely or to a definite time, date and place.
 - (d) It may be amended only as to the time, date and place of the adjourned meeting.
 - (e) If it is carried, the meeting must be adjourned immediately.
24. The closure motion known as **'the previous question'** (i.e. 'THAT the motion be not now put') may not be moved.

25. Further to Standing Order 22, the following rules apply to the motion:

'THAT the speaker be no longer heard'

- (1) The motion may be moved while the member is speaking.
 - (2) It may not be moved or seconded by the mover or seconder of any motion or amendment then being debated; nor, when an amendment is being debated, may it be moved or seconded by the mover or seconder of the original motion.
 - (3) The Chair has discretion whether to accept it or not.
 - (4) It may not be debated or amended.
 - (5) If it is carried, the speaker must be deemed to have completed his or her speech.
26. Further to Standing Order 22, the following rules apply to the motion:

'THAT the Chairperson's ruling be disagreed with'

- (1) The motion may not be moved except immediately after the Chairperson has given the ruling (for example, on a point of order).
- (2) The Chairperson must, immediately the motion has been seconded, vacate the Chair in favour of an Acting Chairperson.
- (3) The mover and seconder only of the motion may speak to it and the Chairperson may reply.
- (4) After the Chairperson has replied, the motion must be put to the vote without further debate, in the following form:

'THAT the Chairperson's ruling be upheld.'

- (5) If the motion to uphold the Chairperson's ruling is lost, the Chairperson must upon resuming the chair give a different ruling in the respect of the subject matter of the original ruling.
27. Procedural motions include motions to grant speaking rights, resolve into and out of committee (Standing Order 29), and suspend Standing Orders (Standing Order 34); and the general rules outlined in Standing Order 22 apply accordingly.
28. In any case where there is doubt as to whether or not a motion is primarily of a substantive or procedural nature, the Chair must determine the matter by a ruling, subject to the right of the meeting to disagree with the ruling.

Committee of the whole

29. At any time the meeting may resolve itself into a committee of the whole, and may exclude from the proceedings of the committee any person who has no moving and seconding rights at the meeting. The meeting in committee must, after resolving itself out of committee, report to the open meeting, which must forthwith adopt or reject such report. The proceedings of the committee of the whole must not be reported or recorded.

Point of Order

30. At any time any member may address the Chair on a point of order (e.g. breach of Constitution or Standing Orders or irrelevance on the part of the speakers) but must immediately state that he or she is raising a point of order and must confine his or her observations to the point of order raised. A point of order should be raised immediately the breach of order occurs. A member called to order should be given the opportunity to explain and the Chair may allow others to speak briefly, but new matter must not be debated. The Chair's ruling on a point of order is final (and may not be discussed) unless a motion to disagree with the ruling is moved and seconded.

Point of Personal Explanation

31. By permission of the Chair and when no other member is speaking, any member who has already spoken on the particular motion under debate may speak briefly in personal explanation of a remark or action of his or hers which has in his or her opinion been queried, misquoted, distorted, or taken out of context, but must state concisely the point he or she wishes to explain and must keep to that point. The member may not interrupt any other speaker in order to explain, nor may the member employ additional arguments.

Point of Information

32. By permission of the Chair and when no other member is speaking, any member may speak briefly to correct any substantial error of fact that has been stated to the meeting. The member must state concisely the point he or she wishes to correct and must keep to that point. The member may not interrupt any other speaker in order to explain, nor may the member employ additional arguments.

Questions

33. By permission of the Chair and when no other member is speaking, questions relating to the matter under discussion may be put to the Chair or through the Chair to any member, but the Chairperson may disallow any questions he or she thinks should not be put. Speeches may not be interrupted for the purpose of asking questions.

Suspension of Standing Orders

34. Any of these Standing Orders (or any part thereof) may be suspended for the time being by a motion carried with a two-thirds majority of the votes exercised in respect of the motion. Such a resolution may be rescinded at any time by a motion having the support of more than one-third of the votes exercised in respect of the motion.

General

35. Any matter or question of order or procedure not provided for or not fully provided for in the Standing Orders must be determined by a ruling from the Chair.

22. ELECTIONS

1. The election of the Officers of NZUSA must be held each year at the August/September General Meeting of NZUSA known as August/September Conference, and must be held in the manner prescribed in this rule.

2. A ballot must be conducted for election to each elected position.

Returning Officer

3. Prior to any election the Federation Executive or a General Meeting must appoint a Returning Officer who must be responsible for the conduct of the election.
4. If the Returning Officer is not appointed in time to perform the duties laid down in clauses 13 and 14 of this Schedule, the President must act as Returning Officer for the purposes of those clauses until such time as a Returning Officer is appointed.
5. The Federation Executive or the General Meeting may appoint scrutineers to assist the Returning Officer.
6. A person accepting appointment as Returning Officer or scrutineer may not be a candidate in the election.
7. The Returning Officer must be entrusted with the whole conduct of the election.
8. The Returning Officer must generally do all things he or she considers necessary, expedient or advisable for the proper conduct of the election, and without derogating from the generality of the Returning Officer's powers and duties the Returning Officer must:
 - (a) Be required to issue a written statement at the beginning of the election which indicates the importance of the elected officer being skilled in written and oral communication, analysis, meeting organisation and working with others;
 - (b) The Returning Officer's statement should also note the ability of the August/September Conference to reject all candidates for a position, rather than opt for the least unsatisfactory;
 - (c) Provide sufficient ballot papers to allow for all Voting Members to cast all exercisable votes;
 - (d) Exclude from voting all persons who do not appear to be duly authorised to vote, provided that the Returning Officer may permit any person to cast a vote on behalf of a Voting Member who appears entitled to do so;
 - (e) Provide for the peaceful nature and due secrecy of the ballot in such manner as he or she may consider necessary;
 - (f) Direct and regulate the manner of voting and of recording votes;
 - (g) Arrange for and superintend the counting of votes and must disallow votes not recorded in the specified number or not sufficiently clear in his or her opinion;
 - (h) On completion of the counting of votes, retain and securely keep all votes until the expiry of seven (7) days or until determination of any enquiry arising out of the election, and at the end of that time the Returning Officer must take steps to effectively and entirely destroy the ballot papers.
9. The Returning Officer must comply with any regulations not inconsistent with this Rule duly made by the Federation Executive or a General Meeting amplifying or specifying more particularly the Returning Officer's powers and duties.
10. All acts and things done by the Returning Officer for any purpose in reasonably carrying out the Returning Officer's duties must be deemed to be done under the direction and authority of the Federation Executive.
11. The Federation Executive must reimburse the Returning Officer for all reasonable expenses incurred by the Returning Officer in carrying out her or his duties.

12. If for any reason the Returning Officer is unable to fulfil the duties of the Office at an election, the Federation Executive must appoint a substitute who for the purpose of that election must be deemed the Returning Officer.

Notice of Election

13. The Returning Officer must give at least thirty (30) days notice of an election. Such notice must set a time, date and place where applications must close, which must be at least fourteen (14) days before the election. Such notice must be sent to each officer by hardcopy and each Constituent Member and student newspaper via email and must state the positions open to candidates with such further details as the Returning Officer may deem fit.
14. As soon as possible and expedient after applications have closed, the Returning Officer must inform Constituents of the name of all candidates and the positions they are standing for. The candidates must circulate a comprehensive curriculum vitae to all Constituent Member at least seven (7) days before the election.

Applications

15. All applications must be in writing signed by the candidate, stating the candidate's full name, address, telephone number if any, and the position for which the candidate wishes to stand.
16. A candidate may stand for one or more positions but may hold only one position.
17. Any person may stand for the position of NZUSA President.
18. Only women may stand for the position of National Women's Rights Officer

Ballot Paper

19. The ballot paper must be in the following form:
NEW ZEALAND UNION OF STUDENTS' ASSOCIATIONS (INC.)
Election to be held on
for
Voting member voting) To be
filled
Number of vacancies) in by
the
Number of votes per vacancy) Returning
Total number of votes that may be cast) Officer
Instructions
(1) This election is being conducted in accordance with the provisions
of the NZUSA constitution, and any instructions issued by the Returning
Officer.
(2) You have votes equal to the number of votes you may cast at a
General Meeting, multiplied by the number of vacancies to be filled.
(3) The maximum number of votes you can give a candidate is the number
of votes you may cast at a General Meeting.
(4) You need not cast all your votes.
(5) This ballot paper is subject to the rules of NZUSA.
(1) Candidates
(2) listed in
(3) alphabetical
(4) order.
(5 No Confidence)
20. Any ballot paper not adhering strictly to the instructions on the paper must be examined by the Returning Officer. If in the Returning Officer's opinion the ballot paper does not show a clear vote for the appropriate number of candidates, he or she must declare it invalid.

Voting

21. The number of votes available in any ballot must be seven (7) times the number of Full Constituent members multiplied by the number of candidates to be elected. The votes are to be allocated to Voting members in accordance with Schedule A with each only able to cast the maximum number of the total number of votes ordinarily available to them under Schedule A for each candidate in the ballot.
22. Proxy voting is not allowed.
23. No person other than the Returning Officer and the scrutineers must be present at the counting of the votes.
24. For any candidate to be elected they must receive two-thirds (2/3) or more of the total exercisable votes.
25. Once a candidate has received two-thirds (2/3) or more of the total exercisable votes in any ballot the Returning Officer must declare that candidate elected. This process must be followed until the required number of candidates in each ballot is elected. The Returning Officer must then declare the election for that position to be concluded subject to any successful appeal made under clause 24 of this Schedule.
26. If neither the required number of candidates nor no confidence achieves the required number of votes at the first ballot there must be a second ballot. If at the second ballot neither the required number of candidates nor no confidence achieves the required number of votes there must be a third ballot. In the event that after three separate ballots no candidate receives the required majority in any one ballot, the Returning Officer must terminate the election and nominations must be reopened to close at a time, date and place determined by the meeting, and thereafter a fresh election must be held, notice of such election to be given in the manner specified in clauses 12 and 13 of this Schedule. Provided that the meeting may terminate the election after two separate ballots, if there is unanimous agreement of those present and entitled to vote that the election should be so terminated.

Appeals

27. If any dispute arises as to the election, the decision of the Returning Officer must be final, subject to any appeal made under clause 24 of this Schedule.
28. Any appeal against the conduct or result of the election must be notified to the Federation Executive through the President within forty-eight hours of the announcement of the result.
29. Any such appeal must be in writing and must state the grounds of appeal.
30. Any such appeal must be accompanied by a deposit of twenty dollars.
31. On receipt of an appeal, the President must appoint on behalf of the Federation Executive three disinterested people to act as arbitrators, who must be given full powers to inquire into and investigate the causes of the complaint.
32. The Arbitrators must appoint a time for hearing the appeal and all relevant evidence, and must at the conclusion of the inquiry deliberate in private, and must decide either unanimously or by a majority whether the election was valid or not. They must not declare an election invalid unless they decide the irregularity, failure or mistake affected the result of the election.
33. If the election is declared valid, the deposit must be forfeited to NZUSA.
34. If the election is declared invalid, a written notice to this effect must be sent to the Federation Executive, who must take immediate steps to hold a fresh election, and the deposit must be refunded. The manner, conduct, determination and effect of the fresh election must be such as may be decided by the Federation Executive within the terms of this Rule.
35. The Arbitrators' decision must be final and there must be no appeal from their decision.

General

36. All matters relating to the conduct of an election not dealt with in this Rule must if arising before or after the day of the election be decided by the Federation Executive, and if arising on the day of the election must be decided by the Returning Officer subject only to the appeal provisions within this Rule.
37. That the vote allocation in election of the NZUSA Women's Rights Officer be by those women's representative positions within that constituent association, in the first instance and that where this is not possible, by women of the constituent members.

**Schedule A
Voting Allocation**

1. Voting at NZUSA general meetings and special general meetings is on a proportional basis.
 - a. Full constituent members vote proportionality. Each Full Constituent Member brings every votes to a pool.
 - b. Every Full Constituent Member is entitled to three votes.
 - c. The remaining votes in the pool are allocated according to membership figures calculated in April. The calculation is determined by dividing each campus' EFTS by the total EFTS pool, and then multiplying by the remaining votes in the pool.
 - d. Associate members who get a maximum of one vote each are additional to the formula.

Each Full Constituent Member Number of Votes

$$\frac{\text{Full Constituent Member 's Campus EFTS}}{\text{Member 's Total EFTS Pool}} \times \text{Remaining number of Votes in Pool} = \text{Full Constituent Campus Vote}$$

Total Voting Pool

$$7 \times \text{Full Constituent Member} = \text{Total Voting Pool}$$