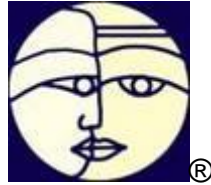


Te Ao Māramatanga

New Zealand College of Mental Health Nurses Inc.



CONSTITUTION

INDEX

1	Name	18	Powers of the Committee
2	Interpretation	19	Committee Meetings
3	Objects	20	Maori Caucus
4	Powers of the Committee	21	Membership of Maori Caucus
5	Membership	22	Maori Caucus Office Holders
6	Termination of membership	23	Common Seal
7	Subscriptions	24	Finance
8	General Meetings	25	Auditor
9	Voting	26	Branches
10	Office Holders and Committee	27	Indemnity
11	Term of Office	28	Notices
12	President	29	Alterations to the Constitution
13	Vice-President	30	Records
14	Kai Whakahaere	31	Other matters
15	Secretary	32	Winding up
16	Treasurer		Standing Orders
17	Registrar		Electoral Regulations

NAME

- 1.1 The name of the society is Te Ao Māramatanga (New Zealand College of Mental Health Nurses) Incorporated (hereinafter called 'the College').

INTERPRETATION

- 2.1 Subject to section 28 of this constitution, the following words and expressions in this constitution shall be the several meanings given them herein unless such meanings are excluded by, or repugnant to, the context or subject matter, that is to say;
- 2.1.1 the "Committee" means the Committee of the College provided for in this constitution;
- 2.1.2 "Registered Nurse" means any person who is registered as a nurse in New Zealand under the Health Practitioners Competence Assurance Act 2003, or any subsequent and successive amendment to that Act;
- 2.1.3 "Enrolled Nurse" means any person who is enrolled as a nurse in New Zealand under the Health Practitioners Competence Assurance Act 2003, or any subsequent and successive amendment to that Act;
- 2.1.4 "Nurse Practitioner" means a nurse who has been endorsed as a Nurse Practitioner by the Nursing Council of New Zealand
- 2.1.5 "Mental Health Nurse" means a registered nurse who is suitably qualified in terms of the Nurses Act, and is working in the area of mental health care, substance misuse/addictions, intellectual disability or any other area which the Committee deem appropriate in terms of its accepted definition of Mental Health;
- 2.1.6 "College" means Te Ao Māramatanga (New Zealand College of Mental Health Nurses) Incorporated;
- 2.1.7 "Meeting" means either a face to face meeting or a teleconference;
- 2.2 Notwithstanding this section of this constitution, nothing in this constitution shall be interpreted so as to;
- 2.2.1 contravene the Incorporated Societies Act 1908, or any subsequent and successive amendment to that Act;
- 2.2.2 permit the College to be aligned with any political party or to make gifts to any political party.
- 2.3 In any dispute about interpretation of this constitution, the Committee has the power to make a final decision.

OBJECTS

- 3.1 The objects for which the College is incorporated are to:
- 3.1.1 represent the professional interests of psychiatric and/or mental health nurses in Aotearoa New Zealand, and those Enrolled Nurses who work in mental health settings in Aotearoa New Zealand;

- 3.1.2 promote and develop the identity of psychiatric/mental health nurses as specialists working in a clinical specialty field via representation and liaison;
- 3.1.3 obtain recognition of the professional status of psychiatric/mental health nurses and to promote public awareness of mental health nursing;
- 3.1.4 advance the educational and clinical expertise of members;
- 3.1.5 promote and develop nursing codes of ethics, education, research and practice which are culturally safe and encompass the three articles of the Treaty of Waitangi and the principles of Kawa Whakaruruhau;
- 3.1.6 approve national standards of practice taking into account the unique cultural, social and political conditions existing in New Zealand to guide members in their professional practice;
- 3.1.7 develop and support research efforts which may benefit the community and the profession;
- 3.1.8 promote clinical career pathways within the clinical specialty field;
- 3.1.9 promote awareness of the members about political decisions which may affect the clinical and professional role of those members;
- 3.1.10 form links with other health professional bodies in Aotearoa New Zealand;

POWERS OF THE COLLEGE

- 4.1 The powers of the College are to:
 - 4.1.1 provide whether by purchase, lease or other means such premises and equipment, materials and services which may be required for the meeting and generally carrying into effect the objects of the branch;
 - 4.1.2 employ and dismiss servants and agents;
 - 4.1.3 raise or borrow money in such manner as is approved by the Committee;
 - 4.1.4 sell, improve, maintain, manage, exchange, lease, mortgage, dispose of, turn to, account or otherwise deal with any or all of the property, assets and rights of the branch;
 - 4.1.5 invest and deal with monies not immediately required upon such securities or otherwise, in such manner as from time to time may be determined by the Committee;
 - 4.1.6 do any act or thing which may appear to the Committee to be incidental or conducive towards carrying into effect or attainment of the objects of the College.
- 4.2 The constitution applies only to matters arising in New Zealand.

MEMBERSHIP

- 5.1 Membership shall be in four categories (i) Associate Member, (ii) Ordinary Member, (iii) Fellow, and (iv) Student Member.
- 5.2 All membership applications shall be approved by the Committee, or by the Committees delegated agent. In all such cases approval for membership shall not unreasonably be denied, but shall only last as long as the member is financially current.
- 5.3 Associate members shall be those people who are either (i) working in the psychiatric/mental health field but who are not registered or Enrolled Nurses, (ii) those members eligible for ordinary membership in clause 5.4 of this constitution who do not live in or work in New Zealand, (iii) retired members who would, if working be eligible for membership in clause 5.4 or 5.5 of this constitution, (iv) those nurses who have an association with the mental health field such as midwives, or (v) who are not otherwise eligible for membership under clause 5.4 or 5.5 of this constitution.
- 5.4 Ordinary members shall be those people who are suitably qualified and are working as a registered nurse, Nurse Practitioner or enrolled nurse in the psychiatric/mental health field irrespective of their current employment designation (i.e. manager, lecturer).
- 5.5 The College shall award the distinction of Fellowship every two years, at the biannual conference, to members who meet the criteria set out below and who make application in accordance with the process established.
- 5.5.1 Criteria for the award of Fellowship are:
1. Three years membership of the College
 2. Outstanding contribution and leadership to the profession of mental health nursing in the area of clinical practice, education, research, or professional leadership.
 3. Contribution to the development and functioning of the College.
- 5.5.2 Fellowship will be considered following nomination by a current College member and two supporting letters (inclusive of nominee) from current members.
- 5.5.3 Nominations, the applicants' acceptance and supporting letters shall be in the hands of the Secretary six weeks prior to the Annual General Meeting.
- 5.5.4 Applications for Fellowship will be decided by a Fellowship Committee consisting:
1. The Vice-President or nominee (convenor)
 2. A Māori Caucus member or nominee
 3. The chairs of each Board, or their nominee

- 5.5.5 The Fellowship Committee shall make recommendations for the award of Fellowship to the President and Kai Whakahaere, who will seek endorsement from the National Committee
- 5.5.6 Announcement of the award of Fellowship shall be communicated to members at the biennial conference
- 5.5.7 Former New Zealand branch members who were Fellows of the Australian and New Zealand College of Mental Health Nurses will be awarded Fellowship on receipt of a letter of application.

- 5.6 Student members shall be those people who are undertaking a course of training leading to nursing registration or enrolment, and are interested in working in the mental health area. This extends to Registered Nurses in full time post graduate nursing study. The maximum student membership shall not exceed 4 years.

TERMINATION OF MEMBERSHIP

- 6.1 Membership shall be deemed to have been terminated in the following circumstances:
 - 6.1.1 if the members dies;
 - 6.1.2 if, having paid all subscriptions, the member resigns in writing;
 - 6.1.3 if the member fails to pay any subscription within three months of the payment becoming due.
- 6.2 The following shall be regarded as prima facie circumstances meriting expulsion or censure, provided always that such member is given opportunity to be heard by the Committee before any decision is made:
 - 6.2.1 the member acts in a manner prejudicial to the good reputation of the College;
 - 6.2.2 the member is subject to disciplinary action from the Nursing Council of New Zealand;
 - 6.2.3 the member is convicted of any crime which is punishable by imprisonment.

SUBSCRIPTIONS

- 7.1 All categories of membership shall pay such subscriptions as shall be determined by the treasurer in consultation with the Committee and/or approved by a general meeting.

GENERAL MEETINGS

- 8.1 All general meetings shall be run in accordance with the accepted rules of debate, and the standing orders that are appended to, and form part of, this constitution.
- 8.2 The annual general meeting of the College shall be held no later than 31st July each year, or at some other date decided by the Committee.
- 8.3 The annual general meeting shall:
- 8.3.1 confirm the minutes of the previous annual general meeting;
 - 8.3.2 consider the annual reports and financial statements, and approve a budget for the next financial year;
 - 8.3.3 elect the officers and Committee of the College as provided for in this constitution;
 - 8.3.4 appoint an auditor and legal counsel;
 - 8.3.5 transact such other business as may be duly submitted to the meeting.
- 8.4 The Committee may at any time convene any other general meeting, and shall do so within three months of the written requisition of at least 20 percent (20%) of current membership. Such written request, to be valid, must state in clear and unambiguous terms the business to be discussed at such a meeting.
- 8.5 Every general meeting shall be called by written notice, posted or emailed at least three (3) weeks before the date of the meeting. All members who intend to be present are obliged to notify the secretary two (2) weeks prior to the meeting date.
- 8.6 Within three (3) weeks prior to the date of the meeting, the secretary shall cause notices of all business to be conducted at that meeting to be sent to all members as stipulated under section 28 of this constitution, this shall include copies of reports, financial statements and rule changes which are to be considered at the meeting. Alternatively, copies of reports and documents can be made available on the College website.
- 8.7 At any general meeting, 30 percent (30%) of the membership or 30 eligible voting members (whichever is the lesser) shall form a quorum.
- 8.8 If at least 30 percent (30%) of the membership or 30 eligible voting members (whichever is the lesser) have not indicated they will be attending the meeting at least two (2) weeks before the date of the meeting, then the meeting shall be postponed and a new date (as decided by the Committee) shall be notified in writing or by email to the membership.
- 8.9 At any general meeting the president shall chair the meeting. If the president is unwilling or unable to chair the meeting, then the Committee shall elect one of their numbers to act as chair.

- 8.10 The chairman of the meeting, with the consent of the members present at the meeting, may adjourn the meeting from time to time and place to place to enable any unfinished business to be concluded.

VOTING

- 9.1 Only financial ordinary members shall be entitled to vote on any question put before a meeting at which they are present. Associate members and student members shall have automatic observer/speaking rights only.
- 9.2 The president (or the vice-president in the absence of the president) may direct that a postal or on-line ballot be taken on any matter, including the election of officers, before the meeting. In making such a direction the chairman, president (or vice-president) shall state their reasons for making that decision. The outcome of the postal or on-line ballot shall be ratified by the next subsequent general meeting.
- 9.3 With the exception of the election of officers and Committee, all questions put to a general meeting shall be decided by a simple majority of those present and entitled to vote. In the case of equality of votes, the chairman shall have a second (casting) vote.
- 9.4 The election of officers and Committee shall be conducted in accordance with the electoral regulations, which are appended to, and form part of, this constitution.
- 9.5 Notwithstanding anything in this section of the constitution, if anything in this constitution indicates that the election or appointment process of any officer or Committee member shall be conducted differently to the process outlined in the electoral regulations, then the process outlined in this constitution shall over-ride the electoral regulations.
- 9.6 Except in the case of elections, voting at any meeting shall be by voices or show of hands, but should any ten (10) members or the president so demand; a secret ballot shall take place.
- 9.7 If a secret ballot is required, where possible impartial scrutineers shall be appointed by the meeting. If this is not possible, the meeting shall elect at least two, but no more than five scrutineers from its membership.

OFFICE HOLDERS AND COMMITTEE

- 10.1 The office holders shall be:
- 10.1.1 President;
- 10.1.2 Vice President;
- 10.1.3 Kai Whakahaere;
- 10.1.4 Secretary;
- 10.1.5 Treasurer;

- 10.1.6 Registrar (optional).
- 10.2 The Committee shall comprise of the office holders in clause 10.1, along with five other people, all of whom shall be eligible voting members. At least three Committee members shall be Maori, and three shall be Tauwi.
- 10.3 The Committee shall have the power to co-opt people to meet the requirement of clause 10.2 if the voting does not return sufficient Committee members from each group to fulfill this requirement.
- 10.4 Notwithstanding anything in this clause, some Committee members may be co-opted to fill casual vacancies during the term of office, or for some other reasons the Committee may decide.
- 10.5 All members are elected in accordance with the electoral regulations which are appended to, and form part of, this constitution.
- 10.6 The Kai Whakahaere shall be selected by the Maori Caucus of the College.
- 10.7 Should no secretary be elected as per clause 8.3.3 of this constitution, the Committee shall have the power to appoint or employ a person, under any terms it feels necessary, to undertake any or all of the responsibilities of secretary. This person may be a financial member of the College.

TERM OF OFFICE

- 11.1 Unless otherwise stated the term of office for executive and Committee shall be for two years, with a right of re-election for a subsequent term of two years in that same position. This does not preclude a member for standing for another position at the expiry of the second two-year period.

PRESIDENT

- 12.1 The president shall:
- 12.1.1 preside over meetings in accordance with clause 8.9 of this constitution;
- 12.1.2 co-ordinate the work of the Committee and ensure that consultation takes place with the Kai Whakahaere before any major or significant decisions are made;
- 12.1.3 have overall responsibility for promoting the objects of the College;
- 12.1.4 act as the principal spokesperson, and shall be responsible for all media contact, unless otherwise delegated;
- 12.1.5 be able to delegate any or all of their authority to the vice-president, or any other Committee member as they see fit.

VICE-PRESIDENT

- 13.1. The vice-president shall assist the president, and act in the role of president in the event of the unwillingness, absence or unavailability of the president.

KAI WHAKAHAERE

- 14.1. The Kai Whakahaere shall:
- 14.2 be a current financial member of the College;
- 14.3 consult with and represent the views of Maori membership of the College;
- 14.4 provide advice and make recommendations to the College in matters that may affect Maori, nursing practice and College policy;
- 14.5 uphold the Maori Caucus of the College, and ensure communication, and consultation is maintained;
- 14.6 act as the consultant and spokesperson to the College on Maori issues;
- 14.7 do such other things and acts in keeping with their role and the objects of the College.

SECRETARY

- 15.1 The secretary shall:
- 15.1.1 notify the membership of all meetings they are entitled to attend;
- 15.1.2 keep an accurate record of all meetings, and the business transacted thereat; and at times delegate to College Administrator
- 15.1.3 act as returning officer at all elections;
- 15.1.4 do such other things and acts in keeping with the role of secretary which the Committee may from time to time require.

TREASURER

- 16.1 The treasurer shall:
- 16.1.1 bank all monies received; and at times delegate to College Administrator
- 16.1.2 disburse the branch monies as authorised;
- 16.1.3 keep accurate financial records (in conjunction with the accountant, if any) and prepare the necessary financial accounts and statements including the financial report and budget for the annual general meeting;
- 16.1.4 assist the auditor including supplying relevant records and information;

- 16.1.5 do other such acts in keeping with the role of treasurer as the Committee may from time to time require.

REGISTRAR

- 17.1 The registrar shall be appointed by the College Committee to:
- 17.1.1 maintain an up-to-date list of members;
- 17.1.2 write to each new member providing them with current information and welcoming them to the College, and co-ordinate new member recruitment campaigns.

POWERS OF THE COMMITTEE

- 18.1 The Committee may exercise all such powers of the College as are stated in this constitution except those reserved for members in general meeting. The Committee is specifically empowered to:
- 18.1.1 adopt such measures as may from time to time seem proper to facilitate the aims and objects of the College;
- 18.1.2 authorise expenditure and payment of accounts properly incurred by the College or its membership;
- 18.1.3 create and dissolve such sub-Committees as deemed necessary and co-opt members to such sub-Committees;
- 18.1.4 settle and resolve claims and demands made on the College;
- 18.1.5 fill any casual vacancies on the Committee during its year of office;
- 18.1.6 create and dissolve sub-Committees and to co-opt members onto such sub-Committees.

COMMITTEE MEETINGS

- 19.1 All Committee meetings shall be run in accordance with the accepted rules of debate, and the standing orders which are appended to, and form part of, this constitution.
- 19.2 The Committee shall meet at such times and places as determined by the president. At such meetings the Committee shall operate under the standard rules of debate and meeting procedure, unless the Committee unanimously resolves to suspend such rules.
- 19.3 The secretary shall call a Committee meeting within twenty-eight (28) days of being so requested by the president or three (3) other Committee members. Such request shall be in writing. Such written request, to be valid, must state in clear and unambiguous terms the business to be discussed at the meeting.
- 19.4 Every Committee meeting shall be called by written notice posted or emailed at least two (2) weeks before the date of the meeting. All

members who intend to be present at the meeting are obliged to notify the secretary by one (1) week prior to the meeting date.

- 19.5 At any Committee meeting, six (6) Committee members shall form a quorum, of which at least two (2) shall identify as Maori and two (2) as Tauwi.
- 19.6 If at least six (6) members have not indicated they will be attending the meeting at least one (1) week before the date of the meeting, then the meeting shall be postponed and a new date (as decided by the president) shall be notified in writing.
- 19.7 At any Committee meeting the president shall chair the meeting. If the president is unwilling or unable to chair the meeting, then the Committee shall elect one of their numbers to act as chair.
- 19.8 The chair of the meeting, with the consent of the members present, may adjourn the meeting from time to time and place to place to enable any unfinished business to be concluded.

MAORI CAUCUS

- 20.1 Maori Caucus shall:
- 20.2 provide a forum for Maori membership of the College to meet, be informed and be heard;
- 20.3 receive and share information, and inform the College on matters that affect Maori, nursing practice and College policy;
- 20.4 provide representation and support the roles of the Kaiwhakahaere, and national committee members Maori;
- 20.5 provide representation to College sub-committees and other working parties;
- 20.6 develop protocols that determine the rules of the caucus;
- 20.7 develop links with other indigenous health professional bodies in Aotearoa and other countries.

MEMBERSHIP OF MAORI CAUCUS

- 21.1 Membership of Maori Caucus shall consist of:
- 21.2 Maori members of the College
- 21.3 Kaumatua and kuia

MAORI CAUCUS OFFICE HOLDERS

- 22.1 The caucus shall appoint or elect the following office holders in accordance with the rules of the College:
- 22.2 Caucus secretary;
- 22.3 Caucus treasurer;

- 22.4 Caucus chairperson;
- 22.5 College Kaiwhakahaere.

COMMON SEAL

- 23.1 The College shall have a common seal which shall be kept by, or under the direction of, the secretary.
- 23.2 The seal shall not be affixed to any document except pursuant to a resolution of the Committee.
- 23.3 Every document to which the seal is authorised to be affixed shall be signed by the president (or vice-president) and two (2) other Committee members, at least one of whom (except for the president or vice-president) shall be an office holder.

FINANCE

- 24.1 The College financial year (effective from 1st April 2004) shall be from 1 April to 31 March the following year.
- 24.2 All subscriptions and other amounts received by the College shall be paid forthwith into its bank account.
- 24.3 The Committee may from time to time authorise separate bank accounts to be kept for special purposes.
- 24.4 All funds of the College shall be under the control of the Committee whose authority shall be required for all payments exceeding one hundred dollars (\$100.00).
- 24.5 The Committee shall have the power to authorise in advance the payment of accounts which are known, but have not been presented for payment.
- 24.6 The treasurer shall make known to the Committee any regular and routine payments which once approved in principle, shall be deemed to be authorisation for payment.
- 24.7 Payment shall be by cheque drawn from the branch account and signed by the appropriate number of delegated signatories.
- 24.8 The Committee shall appoint from time to time such signatories as it thinks expedient.
- 24.9 The College may from time to time borrow all such money and on such terms as the Committee thinks necessary or expedient for the attainment of its objects and to that end may mortgage, charge, pledge, or otherwise encumber any of its property as security for any borrowing subject to the approval of a general meeting.
- 24.10 The income and property of the College wheresoever derived shall be applied solely towards the achievement of the objects of the College and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever, by way of profit to

individuals who are part of the membership of the College providing that nothing herein shall prevent payment in good faith of remuneration to any office holder or other servant of the branch duly authorised by the Committee in return for services rendered to the College, or reasonable and proper rent for premises let by the College.

- 24.11 No member of the organisation or any person associated with a member shall provide or materially influence any decision made by the organisation in respect of payment to or on behalf of that member or associated person of any income, benefit or advantage whatsoever.
- 24.12 The provisions and effect of clauses 20.10 & 20.11 above shall not be removed from this document and shall be included and implied into any document replacing this document.

AUDITOR

- 25.1 There shall be an auditor (who shall not be part of the membership of the College) elected annually at the annual general meeting.
- 25.2 Notwithstanding the above clause, if the annual general meeting is unable to elect an auditor then the Committee shall appoint one during the financial year.
- 25.3 Such auditor shall audit the accounts in accordance with normal auditing practices for similar incorporated societies, and shall be paid such a fee as may be fixed at the annual general meeting.
- 25.4 Notwithstanding the above clause, if no fee is fixed at the annual general meeting then the fee shall be approved by the Committee during the financial year.
- 25.5 Such auditor is empowered to call for the production of any and all books, papers, computer software, data and other information relating to the financial affairs of the College, and shall have the full co-operation of all the office holders and other servants or agents.

BRANCHES

- 26.1 Any existing group of psychiatric and/or mental health nurses in Aotearoa / New Zealand having similar objects to those of the College, and desiring to change its name to that of a branch shall notify in writing to the College its application for branch status.
- 26.2 Nothing in the above clause 26.1 shall prevent the establishment of a new branch or student branch under the guidance of the Committee.
- 26.3 The Committee may at its absolute discretion approve the application subject to the following conditions:
- 26.3.1 all the members of the proposed branch are already part of the membership of the College;

- 26.3.2 the branch has a minimum of 10 members;
- 26.3.3 the branch has a duly elected convenor/chair, secretary and treasurer at an annual general meeting attended by at least 10 members (either in person or via teleconference/telemedicine);
- 26.3.4 the branch must abide by the constitution and regulations of the College;
- 26.4 No public statements will be made by the branch without the prior knowledge and approval of the College Committee.
- 26.5 The branch may apply for an annual grant of up to a maximum of \$5.00 per member of the branch, for the purposes of maintaining a viable branch. All applications for a grant under this clause shall be accompanied by a detailed written statement explaining what the grant shall be used for.
- 26.6 All branches shall supply to the College Committee via the secretary:
 - 26.6.1 an annual activity report which includes current and planned activities and include all funding and sponsorship contacts which are planned;
 - 22.6.2 end of year financial statements;
 - 26.6.3 a list of officers and Committee, and what portfolios [if any] they hold.
- 26.7 Any major projects planned to be undertaken by the branch (under the name of the College) will have prior approval by the Committee. The branch may then communicate with other agencies using the College letterhead regarding the approved project.
- 26.8 The College secretary will provide branches with Committee minutes and relevant correspondence.

INDEMNITY

- 27.1 In respect of the affairs of the branch, no office holder or other Committee member of the College shall be liable for the acts, receipts, neglects, or defaults of any other office holder or Committee member (or any other part of the College membership), or for any loss occasioned by any error of judgment or oversight on their part, or for any loss or damage whatsoever, which may happen in relation to the execution of their duties.
- 27.2 Notwithstanding the above clause 27.1, nothing shall prevent the office holder or committee member from obtaining an insurance policy covering the membership in cases of negligence or misconduct which may arise due to the work performance or professional conduct of that individual nurse.

NOTICES

- 28.1 It shall be the responsibility of individual members to notify the secretary in writing of any change in address.
- 28.2 Notices shall be sent to the last notified postal or email address of the current and financial membership, which shall be recorded in the membership database, and shall be deemed to be delivered within forty-eight (48) hours of posting.

ALTERATIONS TO THE CONSTITUTION

- 29.1 These rules may only be altered, added to, or rescinded by resolution of the members present and entitled to vote at a general meeting, and due notice of the proposed changes has been given to the secretary under this section of the constitution.
- 29.2 All proposed changes to these rules shall be notified to members by the secretary at least three (3) weeks prior to a general meeting at which the changes will be voted upon.
- 29.3 No addition to or alteration or rescission of the rules shall be approved if it affects the non-profit aims, the personal benefits clauses or the winding up clauses unless such changes have been approved by the Inland Revenue Department of New Zealand.
- 29.4 Notice of any proposed alteration, addition or deletion shall be in writing and signed by a proposer and seconder, along with a written explanation of why the change is sought.
- 29.5 All proposed changes must be in the hands of the secretary at least six (6) weeks prior to any notified general meeting.
- 29.6 Notices of all proposed changes shall be sent out to all members in accordance with section 8 and section 28 of this constitution.

RECORDS

- 30.1 All records of the College shall be the property of the College and not the Committee member responsible for their keep. All manipulation of records with members' personal details shall adhere to the Privacy Act 1993.
- 30.2 All records of the College shall be open for inspection at any time and place of meeting of the College by any of the membership, or upon written request to the Committee for their production.
- 30.3 Such person or body requiring access to the College records shall be required to access the records at such a time and place that is suitable to both the Committee and the person or body requesting access to the records.

OTHER MATTERS

- 31.1 Should any matter arise which is not provided for in this constitution, it shall be determined by the Committee in the manner thought by the Committee to be the most conducive to the attainment of the College and/or branch objects, and the determination of the Committee shall be final.
- 31.2 A substantial compliance as to form, number, amount or any other matter relating to this constitution shall be accepted as if no alteration had occurred.

WINDING UP

- 32.1 The College may be voluntarily wound-up by resolution in accordance with section 24 of the Incorporated Societies Act 1908 (or such subsequent and successive amendment to that Act).
- 32.2 Upon winding up, any surplus property or assets whatsoever shall be transferred to another Aotearoa (New Zealand) nursing body with similar objects as the College, failing that to any Aotearoa (New Zealand) nursing body which may be an industrial union.

STANDING ORDERS

- 1.0 Any member of the College is entitled, at their own expense, to attend and speak at College Committee meetings – but may not move or second motions, or vote.
- 2.0 Voting at College Committee meetings shall be done only by those people who have been elected or appointed at the AGM of the College, or by those people who have been elected by the Committee to fill casual vacancies. This shall not include those members who are co-opted onto the Committee by the Committee.
- 3.0 All voting and other matters shall be conducted in accordance with the constitution which is in force from time to time.
- 4.0 Should any matter be discussed which is of a sensitive nature, and the president or chairperson feels that discussion should be restricted to elected Committee only, the president or chairperson shall have the right to ask all non-elected members and other visitors to leave. Any person who is not a Committee member may be entitled to remain in the meeting by unanimous resolution of the Committee members present and entitled to vote.
- 5.0 If any matter under discussion concerns an individual directly then the president or chairperson may, after giving the individual a chance to speak to the matter under discussion, direct that person to leave the meeting temporarily in order to facilitate free debate and discussion.

ELECTORAL REGULATIONS

- 1.0 All elections for officers and Committee are to be undertaken in accordance with these regulations.
- 2.0 The current secretary shall act as returning officer for all elections, unless there is a conflict of interest, in which case the secretary shall notify the president in writing, and the president shall appoint an interim returning officer for the duration of the election.
- 3.0 The election of officers and Committee shall take place during the annual general meeting, unless a postal ballot has been called for by the president under clause 9.2 of the constitution.
- 4.0 At least twelve (12) weeks prior to the date of the annual general meeting or election, the returning officer shall notify the current membership of the vacancies and call for nominations.
- 5.0 All nominations shall be in writing on the prescribed form, which shall be distributed to all current members at the same time as the notification of vacancies. Such a form shall ask for such details as are necessary to give a clear indication of the person, which position they are standing for, and other matters which the returning officer considers will assist the electoral process.
- 6.0 All nominations must be in the hands of the returning officer at least six (6) weeks before the first day of the annual general meeting or, in the case of a postal ballot, before the date set for the election.
- 7.0 All candidates shall provide a written biographical statement, and statement of intent indicating why they are seeking election, and what their aims and objectives will be if they are elected.
- 8.0 At least three (3) weeks before that date of the election, the returning officer shall cause ballot slips to be produced, and along with the candidate details shall be sent out to all current members. Where an election is being held at a meeting, members attending that meeting may vote at that meeting. Members not able to attend that meeting may cast a postal ballot on the ballot slip provided.
- 8.1 For any or all positions, if there is only one candidate for that position, then no ballot or election shall be required and the candidate shall be declared duly elected.
- 8.2 If there are no candidates for any vacant position, then nominations shall be called for from the floor of the election meeting or general meeting; in the case of a postal or on-line ballot, or if no nominees are forthcoming, then the Committee shall determine the best way to fill the vacancy.
- 9.0 Those members who are not able to attend the election shall be able to send in their ballot slip to the returning officer, which shall arrive in the hands of the returning officer no later than 4 PM on the day one (1) week before the date set for the election.
- 10.0 In the case of a postal or on-line ballot, all members shall be able to cast a postal ballot.

- 11.0 The returning officer shall cause secure ballot boxes two hours prior to the annual general meeting.
- 12.0 The ballot boxes shall be closed off after the candidate's addresses, and at least one hour before the commencement of the AGM.
- 13.0 In the case of there being no annual general meeting, the ballot boxes shall be available at a designated place allowing sufficient time for votes to be cast.
- 14.0 In the case of postal ballot, the returning officer shall collect all the votes, and place them unopened into one ballot box. In the case of an on-line ballot, the returning officer shall collect all electronic information necessary.
- 15.0 All candidates who are present at the annual general meeting or election meeting shall be given the opportunity, as early as possible in the proceedings, to address the members and answer any questions.
- 15.1 The president shall appoint an impartial person to act as chairperson for this session.
- 15.2 In the case of a postal or on-line ballot, no candidate speeches will be required.
- 16.0 The returning officer shall, before the commencement of the AGM or election meeting, appoint no less than two and no more than five people who are impartial and shall act as scrutineers for the electoral process.
- 17.0 In the case of a postal ballot, the returning officer shall appoint scrutineers who meet the prescribed criteria, but who live in the vicinity.
- 18.0 The scrutineers shall be made known to the members at a time practicable to the returning officer and before the counting of votes has commenced.
- 19.0 Counting of the votes shall be undertaken by the scrutineers, and supervised by the returning officer.
- 20.0 Counting of the votes shall be undertaken as soon as practicable after the close off of the ballot boxes.
- 21.0 At least two scrutineers shall be present before the ballot boxes are opened and votes are counted.
- 22.0 The final result of the election shall be made known to the returning officer (by the scrutineers), who shall inform the chairperson of the AGM.
- 23.0 At some time practicable during the AGM, the chairperson shall make known to the AGM the results of the election.
- 24.0 In the case of a postal ballot, the results shall be made known to all members by the returning officer as soon as practicable, but in no case later than twenty four (24) hours after the completion of the counting of votes.

- 25.0 Upon the request of any candidate, a motion for a recount of the votes shall be put to the AGM or election meeting. If the motion is successful, a recount shall take place by the scrutineers and supervised by the returning officer and the appellant. The result of any recount shall be final. The returning officer shall notify the president of the result of the recount.
- 26.0 In the case of a postal or on-line ballot, a period of one (1) week after the notification of election results shall be allowed for appeals, and requests for recounts of votes. If a request is received by the returning officer within this period, the returning officer shall reconvene the scrutineers, or any of them, and recount the votes. The appellant shall be entitled to be present at their own expense. The result of any recount shall be final. The returning officer shall notify the president of the result of the recount.
- 27.0 If, at the close of the AGM or election meeting, there have been no appeals, the returning officer shall put a motion to the meeting that the ballot papers be destroyed. If the motion is successful, the returning officer shall cause the ballot papers to be destroyed at the earliest opportunity.
- 28.0 In the case of a postal ballot all ballot papers shall be destroyed after one week of the notification of the result of the election.

**TE AO MĀRAMATANGA (NEW ZEALAND COLLEGE
OF MENTAL HEALTH NURSES) INCORPORATED
COMMITTEE ELECTIONS
NOMINATION FORM**

PROPOSER NAME: _____ MEMBER NO: _____

SECONDER NAME: _____ MEMBER NO: _____

WISH TO NOMINATE THE FOLLOWING PERSON

NAME: _____ MEMBER NO: _____

FOR THE POSITION OF _____

I HEREBY AGREE TO BE NOMINATED FOR THE ABOVE POSITION,

SIGNED

DATE

Bio and statement of intent attached

ADDRESS FOR CORRESPONDENCE:

PLEASE SEND THE COMPLETE NOMINATION FORM TO THE ADDRESS BELOW

Postal

**THE SECRETARY
TE AO MĀRAMATANGA (NZCMHN) INC.
PO BOX 83-111
EDMONTON ROAD
AUCKLAND**

Electronic

admin@nzcmhn.org.nz

ALL NOMINATIONS ARE TO BE IN THE HANDS OF THE SECRETARY BY 4.00PM
ON _____ (*please allow 10 working days for
postal mail to be delivered within the timeframe allocated*).