



# TEU Rules

amended at conference May 2021

# RULES OF THE NEW ZEALAND TERTIARY EDUCATION UNION TE HAUTŪ KAHURANGI O AOTEAROA

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## **A. General**

### **1. Name**

- 1.1 The name of the union shall be 'The New Zealand Tertiary Education Union Te Hautū Kahurangi o Aotearoa Incorporated', hereinafter referred to as 'the union'.
- 1.2 The union shall have perpetual succession and a common seal and, in its corporate name and title, it shall be able to do and suffer all that bodies corporate may do or suffer.

### **2. Registered office**

- 2.1 There shall be a registered office of the union which shall be at Level 8, Education House, 178 Willis Street, Wellington, or such other place as may be approved from time to time by the council.
- 2.2 Every change in the situation of the registered office or the postal address of the union shall be immediately notified to members, the registrar of incorporated societies, and such other persons as the council may determine.

### **3. Objects**

The objects of the union shall include:

- 3.1 the advancement of tertiary and further education, teaching, learning and research, and of education in general;
- 3.2 the protection of public provision of tertiary education in Aotearoa New Zealand;
- 3.3 the maintenance, promotion, and advancement of professional, teaching, and academic standards within Aotearoa New Zealand tertiary and further education and training institutions;
- 3.4 the furthering and safeguarding of the interests of the members of the union in any way which seems to the union necessary or desirable;
- 3.5 the promotion and protection of the interests of the members in appropriate cases including personal grievances, industrial disputes, or industrial matters;
- 3.6 the furthering of the just concerns and rights of tertiary education staff, employees, and students and general participation in the activity of tertiary institutions and other agencies of education and training;
- 3.7 the advancement of academic freedom;
- 3.8 the advancement of all workers' rights in society;

- 3.9 the safeguarding of the rights of Māori members, te uepū, and the meeting of the union's responsibilities to wider Māori communities through the promotion of and adherence to Te Tiriti o Waitangi, in particular by supporting Māori staff in achieving their objectives within the union, tertiary and further education and training institutions, the union movement, and the wider community;
- 3.10 the commitment to and promotion of gender equity and equal employment opportunities for staff in tertiary and further education;
- 3.11 the promotion of equal educational opportunities in further and tertiary education;
- 3.12 the encouragement of good management and community governance in tertiary education institutions;
- 3.13 the establishment, by affiliation and other methods, of closer relations between the tertiary and further education staff of Aotearoa New Zealand and those in other parts of the world;
- 3.14 the establishment, by affiliation and other methods, of closer relations between the tertiary and further education staff of Aotearoa New Zealand and workers in other sectors or industries, nationally and internationally;
- 3.15 affiliation, association, or cooperation with any other organisation having objects or interests similar to or associated with the objects of the union for the pursuit of any common objects or interests;
- 3.16 the formulation and dissemination of the views of members by the holding of regular meetings of branches and by issuing such publications as are from time to time considered desirable;
- 3.17 Advocate for transforming TEU and tertiary education institutions' relationship with Papatūānuku and Ranginui, supporting climate justice, just transition and kaitiakitanga of our natural environment, in relationship with mana whenua and mana tangata;
- 3.18 such other objects as are ancillary or related to the objects stated above.

#### **4. Te Tiriti o Waitangi**

- 4.1 Te Tiriti o Waitangi shall be implemented in the policies and practices of the union and a copy of Te Tiriti o Waitangi shall be appended to these rules in schedule C.
- 4.2 The council shall monitor the implementation of Te Tiriti o Waitangi and ensure that the union is fulfilling its obligations to honour Te Tiriti o Waitangi.
- 4.3 Conflict in policies, priorities, and/or processes shall be resolved by negotiation between an equal number of representatives of tāngata Māori and Pākehā.

## **B. Members**

### **5. Membership**

- 5.1 Membership of the union shall be open to any person employed in tertiary and further education and training institutions, including but not limited to universities, wānanga, polytechnics, institutes of technology, private training establishments, rural education activities programmes (REAPS), community tertiary education providers,, industry training organisations/industry skills bodies, or in any organisation in which any such institution has a financial interest, or in any of the institutions or organisations appearing in Schedule A; or any person covered by clause 5.5; except that no employer of staff shall be eligible for membership.
- 5.2 The council shall have the power to add to or delete from schedule A any institution or organisation, subject to prior consultation with the members of that institution or organisation.
- 5.3 Membership of the union shall be open to any person employed on a casual or fixed-term basis in any institution or organisation set out in subclause 5.1 and whose employment may involve periods of non-employment for the calendar year in which that employment occurs or across two calendar years.
- 5.4 Notwithstanding the provisions of subclause 5.3, membership may be declined to an applicant by the council on the grounds that coverage cannot be provided under the provisions of these rules, or for any other valid reason protecting the interests of the union. Persons declined membership under this subclause shall have the right of appeal against the decision of the council to the immediately subsequent annual conference.
- 5.5 A general meeting of a branch may from time to time elect as honorary members of the branch such retired or other persons as it deems desirable in recognition of services rendered to the union or branch. Honorary membership may not be awarded to persons who qualify for financial membership and honorary members shall not hold elected office, vote in union elections, or receive industrial services or representation.
- 5.6 Members shall pay the subscription set from time to time by the annual conference of the union and shall be bound and abide by the rules of the union.
- 5.7 Members shall be entitled to receive all membership rights provided for in the rules of the union, including the right to participate in the constitutional structures of the union, to take advantage of the services of the union, and to receive such benefits as may from time to time be decided upon by the annual conference or council.
- 5.8 Prospective members of the union applying for membership shall sign a declaration undertaking to obey the rules and pay the subscription and levies as set from time to time:
- (i) agreeing that the union is not obligated to act on their behalf in any matter which arose prior to the application;
  - (ii) authorising the union and its authorised representatives to act as their sole representative in respect of their current and future employment agreement, to settle, subject to ratification, the terms of any applicable

employment agreement through negotiation with the relevant employer, and to act as their sole representative in exercising any of the rights and powers given to them under the Employment Relations Act 2000 or otherwise;

- (iii) agreeing that their rights and obligations in respect of bargaining under the Employment Relations Act 2000, Privacy Act 1993, or otherwise, in relation to their employment will be in accordance with the union's rules and policies as determined from time to time and that the union will not be obligated to undertake any bargaining or enforcement on their behalf which is not in accordance with the rules and policies; and
- (iv) agreeing that the above authorities will continue until they withdraw them in writing or cease to be members of the union.

5.9 Should any member of the union cease to be employed in any of the institutions or organisations referred to in subclause 5.1, that person's membership shall be deemed to be terminated at the end of fourteen days after so ceasing to be employed, unless the member was dismissed from their position and applies within that fourteen days or reaches the end of a fixed-term agreement and applies within three months to the relevant branch to have their membership continued and the relevant branch committee agrees to that person's membership continuing. The council shall review the continuance of that person's membership after three months of the extension and shall either terminate or extend the membership. The termination of a person's membership under this subclause shall not exempt that person from payment of all fees, subscriptions, fines, levies or other monies payable by the member under the rules of the union or from liability in respect of any act or omission while that person was a member. Any member who has their membership extended under this subclause may not hold, or continue to hold, any elected branch or national office.

5.10 Any member may cease to be a member of the union by giving fourteen days' notice of that person's intention to discontinue membership to the national office. The resignation shall not be effective, except by leave of the council, until the member has paid all fees, subscriptions, fines, levies, or other monies payable by the member under these rules and the resignation shall not exempt the member from liability in respect of any act or omission while that person was a member.

5.11 Members of the union shall, upon retirement or resignation from any of the institutions or organisations referred to in subclause 5.1, be entitled to associate membership of the union and be eligible to receive such services or benefits as may from time to time be decided by the annual conference or council. Associate members shall not have the right to vote and shall pay a subscription to national office as determined by the council from time to time.

5.12 The term member in these rules shall mean any financial member who pays or has deducted an annual subscription as set out in clause 6 and is not in arrears of more than three months with the payment of such subscription, and any person covered by subclause 5.3.

5.13 Any member, other than those provided for in subclause 5.5, who is three months or more in arrears with fees, subscriptions, fines, levies, or other monies shall be deemed to be no longer a member of the union and shall not be eligible to

participate in the affairs of the union; the former member shall not be exempt from paying any outstanding fees, subscriptions, fines, levies, or other monies.

- 5.14 The union shall keep a register of members which will at a minimum record the full name, a contact address or phone number, the member's occupation, the applicable agreement, the date on which the member joined, and the date of resignation or termination.
- 5.15 Membership in the TEU for an employee on a casual or fixed-term agreement (of short duration) in the tertiary sector shall be continuous for a year from the first payment of a membership fee by that member.

## **6. Subscriptions and levies**

- 6.1 The annual subscriptions of members shall be set from time to time by annual conference. The annual subscriptions of associate members shall be set from time to time by council. Any change in the annual subscriptions shall take effect from the beginning of the following financial year.
- 6.2 The subscription may be paid by regular salary deduction, automatic bank payment, or direct debit or, in special cases authorised by the national secretary, by quarterly or annual payment and shall be paid directly to the national office of the union. In special circumstances, the council may, at its discretion, waive or reduce the subscription of any member of the union.
- 6.3 The branch capitation levy shall be one week's subscriptions at the standard maximum subscription for each actual member as at 30 June, calculated at the rate of the subscription for that year. This shall be paid to branches by the national office in February of the following year.
- 6.4 Annual conference, or a special conference called for the purpose, may determine that a levy be imposed on members or groups of members of the union for a special purpose. Where the amount of such a levy would increase the aggregate amount of levies payable in any one year by a member of the union to more than 10 percent of the annual subscription, such levy must be approved by a ballot of the financial members upon whom the levy is intended to be imposed.
- 6.5 Annual membership of the union for casual or fixed-term agreement (of short duration) employees earning less than \$5,000 per annum gross from their tertiary sector employment shall be capped at \$15 per annum and annual membership of the union for casual or fixed-term agreement (of short duration) employees earning between \$5,000 and \$10,000 per annum gross from their tertiary sector employment shall be capped at \$30 per annum.

## **7. Membership awards**

- 7.1 The council may annually confer life membership and meritorious service awards to members who have given significant service to the union. The council may also confer honorary life membership to non-members who have given significant service to the union.
- 7.2 The council may also choose to annually confer awards for excellence in public



tertiary education. The categories shall be supporting teaching and research; academic freedom; professional integrity; student learning and participation; an open category where nominators put the case for consideration of an award where the nominee/s contribution may not fit the previous categories.

- 7.3 The national secretary will call for nominations no later than eight weeks prior to the date of annual conference. Nominations for national awards can be made by council, any national committee, or branches and must be received by the National Secretary no later than six weeks prior to conference.
- 7.4 Life members, unless they are also financial members of the union, shall not hold elected office, vote in union elections, or receive industrial services or representation.
- 7.5 Branches may annually confer service awards to members to recognise periods of ten, fifteen, and twenty years of continuous membership.

## **8. Disciplinary procedures**

- 8.1 Any member of the union, including life, honorary, and associate members, may be disciplined by the council of the union if the member acts for themselves in negotiating an employment agreement and acts in a manner, or agrees to any employment agreement which is prejudicial to the relevant current collective agreement; if the member acts contrary to, or in disregard of, or fails to comply with any of the rules of the union; or if the member acts in a manner that is seriously prejudicial to the union or brings the union into disrepute.
- 8.2 Before formally exercising the power to discipline a member, the council shall notify the member of the alleged breach with which the member is charged, the facts in support of the charge, and the date on which the matter will be heard, and shall give the member charged a reasonable opportunity to answer the charge. Once a member is so charged, the council must arrange for the matter to be heard within a three month period, unless the member and council otherwise agree.
- 8.3 Upon such a charge being proven, the council may censure, suspend, remove from office, or expel the member.
- 8.4 The member so charged shall have the right of appeal to the annual conference of the union and the annual conference shall have the power to sustain, amend, or reverse the decision of the council.
- 8.5 The powers set out above shall be exercised in good faith and without bias and in all proceedings the principles of natural justice shall apply.

## **C. Branches**

### **9. Branches**

- 9.1 A branch shall be formed where there are 25 or more members of the union at a single institution and employed by the same employer. Branches with fewer than 25 members and existing at 31 December 2008 shall continue in operation. The council shall have the power to establish branches in circumstances other than those set out above and to disestablish branches that are no longer operational.
- 9.2 The objects of each branch shall be the objects of the union set out in section 3.
- 9.3 There shall be a president; treasurer or secretary-treasurer; women's representative; youth representative; Māori representative; and rainbow te kahukura representative in each branch and, in addition, there may be such other officers as the branch may from time to time determine. The additional officers may, wherever possible, include an immediate past-president or presidents, a vice-president, a membership officer and sector representatives.
- 9.4 Where co-presidents are elected to share the branch president position, the preference shall be one Māori and one Pākehā, and they will act together with all the powers and responsibilities of a branch president as provided for in the rules.
- 9.5 Branch presidents or their delegated nominees shall be able to speak publicly on behalf of the branch on local issues within the rules and policy of the union.
- 9.6 A branch treasurer or secretary-treasurer retiring from office shall complete the branch accounts for the current financial year and ensure that a statement of accounts is presented to the next general meeting of the branch. A branch treasurer vacating the office during the financial year shall present an interim statement of branch accounts to the branch committee.
- 9.7 The branch committee shall comprise the officers and such number of other members who should, as far as possible, represent the broad membership of the branch, all of whom shall be members of the branch and elected annually by the members of the branch at its annual general meeting and whose term of office shall commence as soon as is practicable after the AGM and before the start of the next academic year.
- 9.8 Council representatives and elected members of national committees who are members of a branch shall be ex officio members of the committee of the branch to which they belong.
- 9.9 The branch immediate past-president or presidents shall be a member or members of the branch committee for one year only after vacating the presidency or co-presidency, but shall be eligible thereafter for election as a branch officer or as an ordinary member of the branch committee.
- 9.10 The branch committee shall have the power to co-opt such non-voting members as it sees fit, including staff representatives on the governing bodies of institutions employing members of the union.

- 9.11 In the event of a casual vacancy occurring among the members of the branch committee other than a women's, Māori, or sector representative, such a vacancy shall be filled by the branch committee by co-option. In the event of a casual vacancy occurring in the case of a women's, Māori, or sector representative, the relevant branch constituency shall appoint a replacement. A co-opted or appointed member shall retain the position until the next annual general meeting of the branch, provided always that only a financial member of the branch shall be eligible to fill any such casual vacancy.

## **10. Election of branch officers and position-holders**

- 10.1 Before the branch annual general meeting, the branch committee shall call for nominations from the members of the branch for the various branch officers and general committee members. Nominations must be seconded and must have the written consent of the nominee. In the case of the election of women's, Māori, rainbow te kahukura, and sector representatives on the branch committee, only the constituency comprising those members of the branch represented by each of those position-holders shall be eligible to nominate and vote.
- 10.2 For each election the branch committee shall appoint a returning officer who shall be in charge of the ballot. Candidates for any office or position shall not be eligible to be returning officers but shall be permitted to nominate, on their behalf, scrutineers to attend the counting of any relevant ballot.
- 10.3 If the number of nominations does not exceed the required number to fill the relevant vacant offices or positions, the candidates shall be declared elected unopposed by the returning officer.
- 10.4 If the number of nominations exceeds the required number to fill any relevant vacant office or position, the returning officer shall make all the necessary arrangements for an election by secret ballot at the branch annual general meeting of all members attending and eligible to vote.
- 10.5 If no nominations have been received for any such office or position, nominations may be called for the vacant positions at the branch annual general meeting. Nominations must be seconded and must have the consent of the nominee. If the number of nominations exceeds the required number to fill any relevant vacant offices or positions, the returning officer shall make all the necessary arrangements for an election by secret postal ballot of all members eligible to vote, to close two weeks after the close of nominations.
- 10.6 If no nominations are received in respect of any such office or position at the branch annual general meeting, the incoming branch committee may call for nominations for the vacant position. Nominations must be seconded and must have the consent of the nominee. If the number of nominations exceeds the required number to fill any relevant vacant offices or positions, the returning officer shall make all the necessary arrangements for an election by secret postal ballot of all members eligible to vote, to close two weeks after the close of nominations.

- 10.7 Should the preceding balloting provisions be exhausted, and an office or position remain vacant, the branch committee may, by resolution, fill the vacancy by co-option.

## **11. Branch meetings**

- 11.1 A branch annual general meeting of members shall be held no later than 30 September in each year to receive a report of the branch committee and a financial report, to elect branch officers and position-holders, and to conduct such other business as has been determined by the branch committee and advised to members at least fourteen days before the date of the meeting.
- 11.2 The branch committee may hold general meetings of the branch at such times as it shall determine and they shall be advised to members at least seven days before the date of the meeting together with notice of the business to be conducted. General meetings, in addition to the annual general meeting, shall be held at least twice in each calendar year.
- 11.3 In the case of urgency, the branch committee may call a special general meeting at such notice as the circumstances may require with notice of the business to be conducted.
- 11.4 Where an issue of local or national importance cannot be resolved by discussion with the branch organiser, branch committee, member forum or national officers, not fewer than ten members of a branch may request in writing that the branch committee call a general or special general meeting. The meeting shall be called not later than three days after the request is received by the branch committee and advised to members with notice of the business to be conducted at least seven days before the date of the meeting.
- 11.5 The minutes of branch annual general, general, and special general meetings shall be made available to members and forwarded to the national office of the union not later than 28 days after the date of the meeting.
- 11.6 The branch committee shall meet regularly throughout the year to manage the business of the branch between general meetings subject to the rules of the union.
- 11.7 The branch committee shall prepare an annual report to the branch annual general meeting and to the annual conference of the union setting out the composition of the branch committee, the number of general and committee meetings held during the year, any other activities of the branch, membership and recruitment, and any major issues confronting the branch.
- 11.8 The branch president shall take the chair at all meetings of the branch except that, in the absence of the president, a vice-president shall take the chair and except that, in the absence of a vice-president, a member present and elected by the meeting shall take the chair.
- 11.9 The quorum for a general meeting of a branch shall be 10 percent of the branch membership or 20 members, whichever is the less, except that, in the absence of a quorum, resolutions carried at the meeting shall be submitted to the next general meeting of the branch for ratification. The quorum for a meeting of the branch

committee shall be 50 percent plus one of the voting members of the branch committee.

- 11.10 Each member present at a general meeting of the branch shall be entitled to one vote and voting shall normally be by show of hands, except that, upon the request of 10 percent of the members present, voting shall be by secret ballot. Decisions of a general meeting of a branch shall be by simple majority of voting members present, except that any member shall be entitled to nominate a proxy to vote on that member's behalf, provided that the member notify the chair of such nomination not later than the beginning of the meeting at which the proxy is to act and provided that no member shall be entitled to act as proxy for more than one other member at any meeting. In the event of equality of votes, the chair of the meeting shall have a casting as well as a deliberative vote.
- 11.11 Decisions of the branch committee shall be by simple majority of voting members present and, in the event of equality of votes, the chair of the meeting shall have a casting as well as a deliberative vote.

## **D. Council and national committees.**

For the operation of council, annual conference and national committees refer to standing orders (Schedule B).

### **12. Council**

- 12.1 The council of the union shall be its governing body and shall have full power to act on behalf of the union between conferences. The council shall meet at least four times in each calendar year.
- 12.2 The council shall comprise: the national president, Te Tumu Whakarae, (who shall chair the meetings); the immediate past-president; the vice-presidents; Te Kāhui Kaumātua (advisory); two Māori members (Tumu Āwhina); one general staff ITP sector; one general staff university sector; one academic staff ITP sector; one academic staff university sector; one member from any institution that is not a university or an ITP; one Pasifika member; one U35 representative; both co-chairs of Te Tiriti relationship group (if not already members of council); a union staff member who shall have voice but no vote; the national secretary (advisory); and other paid staff as deemed necessary (advisory).
- 12.3 Council may co-opt up to two additional TEU members to council or any national committee for a specified period of time and not beyond the current term of council. Additional places shall be non-voting.
- 12.4 TEU staff members attend meetings in an advisory and support role. They have no vote.
- 12.5 The powers and functions of the council shall include but not be limited to financial matters, including the control, acquisition, and disposal of property, the investment of funds, adopting a budget for the following year, and the borrowing of funds; the employment of the national secretary; the development and implementation of the policy of the union; the oversight of the management of the union; the receipt and approval of reports from the national secretary on the union's finances, activities, and staffing; and the conduct of disciplinary procedures as set out in section 8.
- 12.6 The council shall constitute annually a Tiriti o Waitangi relationship group, te hau tikanga o te Tiriti, comprising one Kaumātua, an experienced Pākehā council member; three Māori members chosen by hui-ā-motu, three Pākehā members chosen by council from within the pool of Pākehā members sitting on national committees and council, Te Pou Tuarā (advisory), and one Pākehā staff member (advisory). The co-chairs of Te Tiriti relationship group are elected by the members of the group at the first meeting of the two year term.

### **13. Executive committee**

- 13.1 There shall be a sub-committee of council comprising national officers, including the national president, Te Tumu Whakarae; the immediate past-president; the vice-presidents; two members of council elected as per rule 13.2; and, the national secretary (advisory). Its functions shall include: administering awards; reviewing finance and staffing; and developing policies.

- 13.2 To enable the executive committee to be balanced, representative, and in accordance with our Tiriti responsibilities, two members of council will be elected to the executive committee by majority vote at the first council meeting of a two year term of office. One of these two members will be Māori. If the only other Māori member of the executive committee is the Māori vice-president then both positions on executive committee shall be filled by Māori council members.

## **14. National committees**

- 14.1 There shall be three national committees of the union: an industrial and professional committee; a national women's committee, te kahurangi māreikura; and te toi ahurangi.
- 14.2 Designated staff members will attend national committee meetings in an advisory and support capacity as required.
- 14.3 The national committees shall promote the objects of the union and manage their affairs in a manner consistent with the rules and general policy of the union.
- 14.4 The national committees shall meet at least once, and usually three times, per calendar year.

## **15. Industrial and professional committee**

- 15.1 The industrial and professional committee shall deal with the industrial and professional issues of the membership, develop policy, provide advice and make recommendations to council and/or conference.
- 15.2 The committee shall comprise: the industrial and professional vice-president (who shall chair the meetings of the committee); the national president, Te Tumu Whakarae; two general staff university; two general staff ITP; two academic staff university; two academic staff ITP; two Māori representatives; two women's representatives; two U35 representatives; one wānanga representative; and one REAP/community education provider/PTE/other representative.
- 15.3 Sector discussions shall be held at each meeting to allow for the debate of any issues of concern to each sector.

## **16. National women's committee**

- 16.1 The national women's committee, te kahurangi māreikura, shall provide advice to the council and/or annual conference on issues of significance and/or concern to women, organise women members at national and local level, ensure that the union is representing the interests of women members in both professional and industrial spheres, and conduct national and local events for women members of the union.

16.2 The national women's committee, te kahurangi māreikura, shall comprise: the national women's vice-president (who shall chair the meetings of the committee), the national president, a Māori woman representative, a Pasifika woman representative, a young woman representative, four women representatives of the academic staff members of the union, and four women representatives of the general staff members of the union.

## **17. Te toi ahurangi**

- 17.1 Te toi ahurangi shall represent the interests of tāngata Māori in te Tiriti o Waitangi relationship, provide advice to the council and/or annual conference on issues of concern to Māori, organise Māori members at local level, ensure that the union is representing the interests of Māori members in governance, policy and industrial spheres, and conduct national and local hui of Māori members of the union.
- 17.2 With effect from the 2019-2020 term, Te toi ahurangi shall comprise: the Māori vice-president, Te Tumu Arataki (who shall chair the meetings of the committee); Te Kahui Kaumātua; two Tumu Āwhina; the national president, three Māori academic staff members; three Māori general staff members; one wānanga representative; two taitamariki Māori; and one Māori women's representative. Members of Te toi ahurangi shall be elected in accordance with rule 29.18.
- 17.3 Te toi ahurangi shall take full responsibility for the management of all matters Māori, mana Māori motuhake.
- 17.4 Te Kāhui Kaumātua shall guide, support, and provide a korowai of mātauranga Māori in relation to tikanga and kawa for te toi ahurangi, hui-ā-motu, governance meetings, and all members of the union.

## **18. Other national meetings**

- 18.1 Annual conference shall budget for national meetings of hui-ā-motu and a branch presidents' forum and may budget for national meetings of representatives of women, teacher education members, Pasifika members' lesbian, gay, bisexual, transgender and intersex (LGBTI) members and U35 members. The meetings shall report to council and conference. The national union will fund one representative per branch. Branches may fund and send additional members.

## **19. Branch presidents' meeting**

- 19.1 A meeting of all branch presidents shall be held annually and shall comprise the branch president of each branch, or their nominee, and the national president, Te Tumu Whakarae (who shall chair the meeting). National vice-presidents may also attend. Branches are entitled to send one member from each branch.

## **20. Hui-ā-motu**

- 20.1 Hui-ā-motu shall meet annually and shall comprise: the national Māori vice-president, Te Tumu Arataki (who shall chair the meeting); the other members of te toi ahurangi; Te Kāhui Kaumātua; Māori members on national committees elected to represent Māori; five taitamariki Māori and the national president. Branches are entitled to send one Māori member from each branch.



## **21. Women's event/s**

- 21.1 A national women's event may be held annually, but shall meet at least biennially; or alternatively, local events may be held. The national women's committee shall decide the nature of the event/s. Where a national event is held it shall comprise members of the national women's committee. Branches are entitled to send one woman member from each branch.

## **22. Teacher education meeting**

- 22.1 A teacher education meeting may meet annually, but shall meet at least biennially and shall comprise the national president, Te Tumu Whakarae, and/or national vice-presidents and branches are entitled to send one teacher education representative from each branch that has a teacher education programme.

## **23. TEU talanoa**

- 23.1 A talanoa may meet annually, but shall meet at least biennially and shall comprise: the national president, Te Tumu Whakarae; and/or vice-presidents. Branches are entitled to send one Pasifika member from each branch.

## **24. TEU Rainbow Te Kahukura**

- 24.1 TEU Rainbow Te Kahukura may meet annually, but shall meet at least biennially and shall comprise the national president Te Tumu Whakarae and/or national vice presidents plus one representative from each branch. That representative shall be a member who identifies as lesbian, or gay, or bisexual, or transgender, or intersex (LGBTI).

## **25. U35**

- 25.1 An annual U35 event may be held annually, but shall meet at least biennially; or alternatively, local events may be held. Where a national event is held it shall comprise all U35 representatives on council and national committees. Additionally, branches are entitled to send one U35 member from each branch.

## **E. Annual conference**

### **26. Annual conference**

- 26.1 The annual conference of the union shall be, subject only to a ballot of the membership of the union, its supreme decision-making body and shall meet at a date to be determined by the council and no later than 30 November, on at least a biennial basis, notwithstanding a catastrophic event. Under such circumstance's council would have the right to cancel a conference.
- 26.2 Attendance at annual conference shall comprise: Te Kāhui Kaumātua; national president, Te Tumu Whakarae, vice-presidents; all nationally-elected council and committee members including members of Te Tiriti o Waitangi relationship group; representatives selected by branches (see table below); the national secretary (advisory); and industrial, professional and organising staff (advisory).
- 26.3 Branch delegations to annual conference shall, as far as possible, reflect a balance of membership with regard to academic and general staff, Māori, and gender. The number of representatives shall be:

#### **Representation at annual conference by branches**

Branch size	Delegate entitlement
Up to 200	2
between 201 and 400	3
between 401 and 600	4
between 601 and 800	5
between 801 and 1000	6
1001 and over	8

- 26.4 Observers may attend annual conference if space permits. Such observers shall be determined and funded by individual branches.
- 26.5 Voting shall be on the following basis: branch - one vote per 100 members (or part thereof), with a maximum branch vote of 19; one vote for each member of council; and one vote for each member of a national committee who are not members of council and who are present at conference.
- 26.6 Not less than eight weeks' notice shall be given in writing to branches of the date of the annual conference.
- 26.7 Rule remits, which may be proposed by the council, any national committee, or branch, shall be received by the national secretary not less than six weeks before the date of the annual conference.
- 26.8 Policy remits, which may be proposed by the council, any national committee, or any branch, and other items for discussion at the annual conference shall be received by the national secretary not less than six weeks before the date of the annual conference.
- 26.9 Notice of all business to be conducted at the annual conference (including all policy and rule remits) shall be given to branches not less than four weeks before the date

of the annual conference.

- 26.10 Late business shall only be introduced if approved by the votes of two-thirds of the voting members of annual conference present.
- 26.11 The powers and functions of the annual conference shall include but not be limited to: receiving and considering the financial report and accounts of the preceding financial year; receiving and considering the annual reports of the council, national committees, branches, and national secretary; adopting policy; noting the budget for the current year, including setting the annual subscriptions; appointing an auditor; and transacting any other business of which due notice has been given.
- 26.12 No resolution involving an additional cost to the union of more than one percent of the budget under adoption shall be moved from the floor of the annual conference without first having been given to branches as a remit to conference in accordance with the provisions of subclause 25.6; except that a resolution involving a cost to the union of more than one percent of the budget under adoption may be moved from the floor of the annual conference but, if passed, shall not take effect until the following budget.

## **27. Special conferences**

Special conferences shall be called at the discretion of the council or if so requested by 25 percent of branches representing 25 percent of the members of the union to consider matters of urgency and shall be conducted, with such variation in circumstances as may be deemed to be required by the council, in accordance with the provisions for the conduct of annual conferences.

## **F. National office-holders**

### **28. National officers**

- 28.1 The national officers of the union shall be the national president, Te Tumu Whakarae, the immediate past-president where the position is occupied, and the national vice-presidents.
- 28.2 The national president, Te Tumu Whakarae, shall: attend and preside over the annual conference and meetings of the council; make public statements on behalf of the union; supervise the affairs and the implementation of the policies of the union; and undertake such other lawful duties as may be required of the office of national president.
- 28.3 When the national president, Te Tumu Whakarae, is absent from Aotearoa New Zealand or on leave, they shall appoint one of the vice-presidents to act on his or her behalf. In the event that the national president, Te Tumu Whakarae, is unable to appoint a person to act on their behalf, the council shall have the power to appoint an acting national president.
- 28.4 The national vice-presidents shall further the interests of the constituent members whom they represent at the annual conference, at meetings of the council, and national committees and in general, and they shall speak publicly on behalf of their constituents.
- 28.5 The national officers shall obey all such lawful instructions and do and perform all such lawful things and acts as may be given or required to be done by a meeting of a national or special conference or by the council or by these rules.
- 28.6 In the event that the national president is made redundant from their substantive job during the course of their presidency, they shall be entitled to see out the term of their presidency.

### **29. Election to council and national committees**

- 29.1 The national president shall be elected by the financial membership of the union at large.
- 29.2 Two national vice-presidents shall be elected by the appropriate constituencies, respectively Māori members and women members, to serve as the national Māori vice-president, Te Tumu Arataki, and the national women's vice-president. One national vice-president shall be elected by the union at large to serve as the industrial and professional vice-president.
- 29.3 Members of national committees (as detailed in Section D) other than those members covered by clauses 29.1 and 29.2 shall be elected by financial members of their respective constituencies, with the exception of Māori representatives, who will be elected in accordance with rule 29.18.
- 29.4 The national president, Te Tumu Whakarae, shall be elected for a two year term, and shall take office on the third Monday of January in the following year.

- 29.5 The immediate past-president shall hold office for one year only immediately after vacating the national presidency.
- 29.6 National vice-presidents and all other council and national committee members shall be elected for two-year terms.
- 29.7 The time limits for holding any national position shall be two consecutive terms for the national president and three consecutive terms for all other positions.
- 29.8 No more than two members from any branch shall be elected to council or any single national committee excluding the national president, vice-presidents and Te Tumu Āwhina.
- 29.9 The national secretary shall call for nominations for the national president not later than 31 July in each year in which an election is to be held, giving not less than one month's notice of the closing date for their receipt.
- 29.10 The national secretary shall call for nominations for all other national positions, with the exception of the Māori representatives as covered by rule 29.18, no later than 30 September in each year which an election is held giving not less than one month's notice of the closing date for their receipt.
- 29.11 In the event that an election needs to be conducted, the council shall appoint a returning officer, who may be the national secretary. Candidates for national office shall not be eligible to be returning officers, but shall be permitted to nominate, on their behalf, scrutineers to attend the counting of any relevant ballot.
- 29.12 Candidates for national positions must be financial members of the union. Nominations for national president, Te Tumu Whakarae, may only be made by any two financial members of the union at large. Nominations for all other national positions may only be made by any two financial members of their relevant constituencies.
- 29.13 Each nomination shall be made on the form issued by the returning officer and include:
- (i) Two nominator signatures;
  - (ii) Their constituencies; and
  - (iii) The signed consent of the nominee accompanied by the candidate's profile statement of up to 500 words.
- 29.14 If the number of nominations does not exceed the required number to fill the relevant vacant office, the candidate shall be declared elected unopposed by the returning officer.
- 29.15 If the number of nominations exceeds the required number to fill any relevant vacant office, the returning officer shall make all the necessary arrangements for an election by secret ballot of all members eligible to vote. The names of the candidates, together with their profile statements, shall be circulated to the relevant membership/constituency at least one month in advance of the election. No endorsements shall be included on or with voting papers distributed to members. (An endorsement is an expression by a person other than the candidate of support for any particular outcome of a ballot.)

- 29.16 The returning officer, together with any scrutineers, shall count the ballot and the successful candidates shall be declared elected and take office on the third Monday of January in the following year.
- 29.17 The returning officer shall take all reasonable steps to ensure that all ballot papers and other documents used in connection with the ballot are preserved and delivered to the national office of the union after the election. The national secretary shall ensure that all such documents are kept at the national office for at least one year after the completion of the ballot or, where an inquiry is instituted in relation to the ballot, until at least two months after the determination of the inquiry.
- 29.18 Election of Māori representatives to council, te toi ahurangi, the national women's committee, and the industrial and professional committee.  
These representatives shall be nominated and elected according to the above rules with the following exceptions;
- (i) The national secretary shall call for nominations for these positions three months before the date of Hui-ā-Motu.
  - (ii) Nominations close a month before Hui-ā-Motu and are circulated to all te uepū representatives for discussion at branches.
  - (iii) A returning officer, who must be a non-voting attendee, shall be appointed at the beginning of that Hui-ā-Motu.
  - (iv) If any election is required, this shall take place at that Hui-ā-Motu.
  - (v) Those eligible to vote shall be any financial member in attendance at that Hui-a-Motu.

### **30. Vacancies**

- 30.1 In the event of a vacancy on council or on any national committee, where the remainder of the term is more than half the term, the vacancy shall be filled, with such variation as circumstances shall require, according to the procedures for the original election.
- 30.2 In the event of a vacancy on council or any national committee, where the remainder of the term is less than half the term, or where the position has not been filled after two calls for nominations have been made for the position, the vacancy may be filled, for the balance of the term, by decision of the council on advice of the relevant committee.

### **31. Removal of national officers and council members**

- 31.1 The process established in this section is the only process for removing a national officer or council member notwithstanding clause 8 relating to the disciplining of members.
- 31.2 The council, having taken independent legal advice may, provided it has the support of two-thirds of those present and eligible to vote, suspend from office any national officer, council member, or national representative for serious breach of duty, disability, bankruptcy, or misappropriation of union funds.
- 31.3 The council may authorise any person to act on behalf of the national officer or council member until the matter is resolved in accordance with the procedures set

out below.

- 31.4 Should any twenty financial members who are also members of the constituency of the person concerned desire that a national officer, council member, or national representative be removed from office for serious breach of duty, disability, bankruptcy, or misappropriation of union funds, they shall give a written statement to the national office of the union setting out the reason for removal, setting out the facts in support of the removal, and requesting the council to seek independent legal advice. The national office shall immediately inform the council and the person concerned. Upon receipt of advice that there is a case to answer, the council may, provided it has the support of two-thirds of those present and eligible to vote, suspend from office that national officer, council member, or national representative and authorise any person to act on behalf of the national officer, council member, or national representative until the matter is resolved in accordance with the procedures set out below.
- 31.5 Upon suspension from office, the national officer, council member, or national representative shall be provided with a copy of this process for resolving the matter.
- 31.6 The council shall, within seven days of the suspension, establish a committee of inquiry to determine whether the national officer, council member, or national representative should be removed from office; the committee of inquiry shall comprise three financial members of the union with no more than one being a member of the council.
- 31.7 Immediately upon the establishment of the committee of inquiry, the council shall give a written statement to the committee of inquiry setting out the reason for the suspension and the facts in support of the suspension, and provide a copy of the independent legal advice obtained. On receipt of the statement the committee of inquiry shall send a copy of the statement to the national officer, council member, or national representative under suspension.
- 31.8 The committee of inquiry shall call a meeting within fourteen days of being established to hear the matter. The national officer, council member, or national representative and a representative of the council shall have the right to address the meeting. The national officer, council member, or national representative council representative, and committee of inquiry shall have the right to call witnesses. The committee of inquiry shall determine the matter within seven days of the hearing and the national officer, council member, or national representative shall have a right to appeal to annual conference.

## G. Ballots

- 32.1 Where a ballot of members or a group of members is required by legislation, the rules of the union, the annual conference, or the council, with the exception of a strike ballot, the members concerned shall be given not less than three calendar days' notice of the intention to hold the ballot, the issue to be voted on, the name and location of the returning officer, the closing date of the ballot, the location of ballot boxes or the place where a vote may be lodged, and, where appropriate, the date, time, and location of the meetings at which voting will occur. A strike ballot shall not require notice.
- 32.2 The council shall appoint a returning officer, who may be the national secretary. In the case of ballots other than for election of officers, the council shall appoint two scrutineers who need not be members of the union.
- 32.3 The returning officer shall ensure that no expression of an individual's opinion shall be included on or with the voting papers distributed to members. Where the annual conference, council, or relevant group or committee has reached a position on the matter being voted upon, that position may be explained to members in material accompanying the voting papers so that members know of the arguments.
- 32.4 As soon as possible after the conclusion of the ballot, the returning officer shall count the votes in the presence of the scrutineers and declare the result of the ballot.
- 32.5 The returning officer shall take all reasonable steps to ensure that all ballot papers and other documents used in connection with the ballot are preserved and delivered to the national office of the union after the ballot. The national secretary shall ensure that all such documents are kept at the national office for at least one year after the completion of the ballot or, where an inquiry is instituted in relation to the ballot, until at least two months after the determination of the inquiry.
- 32.6 Where there is a claim of irregularity in or in connection with a national ballot made to the national secretary within fourteen days of the declaration of the result of a ballot by a candidate for office or by ten percent of the membership entitled to vote in the ballot, the council shall conduct an inquiry into the claim. Where there is a claim of irregularity in or in connection with a branch ballot made to the branch president within fourteen days of the declaration of the result of a ballot by a candidate for office or by ten percent of the membership entitled to vote in the ballot, the branch committee shall conduct an inquiry into the claim. If a claim is found to be valid, remedies may include recounting the votes, declaring the ballot to be void, declaring a candidate not to have been elected, or declaring a new ballot. A finding of the council inquiry may be appealed to the annual conference and a finding of the branch committee may be appealed to the council.
- 32.7 A ballot for strike action shall be a secret ballot.



## **H. Constitution**

### **33. Rules amendments**

- 33.1 The rules of the union may, from time to time, be amended by a rule remit properly notified to branches not less than four weeks before the date of an annual conference and passed by a two-thirds majority of the voting members of the conference present. In the event of the proper notice not being given to branches, a rule remit to amend the rules shall be carried only by a unanimous vote of the voting members of the conference present.

### **34. Amalgamation**

- 34.1 The union may be amalgamated with another union or other organisation by a resolution to that effect passed in a ballot of the members of the union by a two-thirds majority of all members entitled to vote and voting. The procedure for amalgamation shall be determined by the council and shall include a process for the separate memberships of the unions or other organisations to become a common membership of one union or other organisation; a process for the separate properties and incomes of the unions or other organisations to become common to the one union or other organisation; the protection of any benefits to the union or its members or its staff as party to any contract whether of employment, of any other nature, or as the beneficiary of any trust; and the protection of the democratic rights of union members.
- 34.2 In implementing a decision to amalgamate in accordance with these provisions, the council shall have the power to make amendments to the rules; to request that the union be dissolved or its registration cancelled; and to take any other actions not inconsistent with the objects of the union and in the interests of the membership as determined by the council.

### **35. Voluntary dissolution or cancellation of registration**

- 35.1 The union may be dissolved or apply to have its registration as an incorporated society cancelled by a resolution to that effect passed in a ballot of all members of the union by a two-thirds majority of all members entitled to vote and voting.
- 35.2 In the event of dissolution or cancellation and after satisfaction of all the debts and liabilities of the union, any remaining property shall be disposed of in accordance with the terms of a resolution or resolutions passed by a ballot of all members of the union.

## **I. Operation**

### **36. Staff of the union**

- 36.1 The principle of equal employment opportunities shall be adhered to in making appointments to the staff of the union and this policy is to be reflected in the composition of interview panels. Any person is eligible to apply for and be appointed to any vacancy in the staff of the union in accordance with an equal employment opportunities policy which seeks to provide equal access and consideration and equal encouragement in areas of recruitment, selection, promotion, conditions of employment, and career development for people to pursue their careers without their prospects being reduced by factors which are irrelevant to the requirements of the position under consideration: for example, colour, race, ethnic or national origins, political orientation, family responsibilities, sex, sexual orientation, marital status, disability, religious or ethical belief, and age.
- 36.2 There shall be a salaried employee of the union appointed by the council and known as the national secretary who shall be the chief executive officer of the union and who shall be responsible for co-ordinating with elected officers the activities of the union, directing the staff of the union, and ensuring that goals and objectives established by annual conference and other bodies are attained. The national secretary shall not have voting rights or exercise any of the rights of membership of the union.
- 36.3 The union is the employer of all staff but, in relation to staff other than the national secretary, all aspects of such an employment relationship shall be conducted on behalf of the union by the national secretary. The national secretary shall, however, seek guidelines from the council prior to the negotiation of any collective agreements covering the staff of the union.

### **37. Information to members**

- 37.1 The union shall supply, upon request, to any financial member within a reasonable period of time a copy of the current rules of the union, the minutes of the most recent annual conference, and/or the most recent annual accounts and auditor's report.

### **38. Common seal**

- 38.1 There shall be a common seal of the union which shall be in the custody of the national secretary and shall not be affixed to any document except in the presence of the national president, Te Tumu Whakarae, and national secretary. Every use of the seal shall be reported to the council for approval. The seal shall not be altered or renewed except by resolution of the annual conference.

### **39. Execution of documents**

- 39.1 Formal documents shall be executed by the national president, Te Tumu Whakarae, and national secretary and any such execution shall be reported to the council.

### **40. Representation in formal proceedings**

- 40.1 The council shall decide, subject to the policy of the union, the manner in which the union shall be represented in any formal proceedings.

## **41. Finances**

- 41.1 The financial year of the union shall be 1 January to 31 December. The income and property of the union shall be applied solely towards the promotion of the objects of the union and no portion thereof shall be sold or transferred directly or indirectly by way of dividend, bonus, or otherwise, provided that nothing herein contained shall prevent the payment of remuneration duly authorised to any officer or employee of the union. The union shall have power from time to time to invest any monies not immediately required for assisting any of its objects and to borrow money for the purpose of assisting its objects. The banking accounts of the union shall be operated upon by the national secretary or the national office employee with responsibility for the union's financial records together with one elected officer of the union.

## **42. Accounts and audit**

- 42.1 The national secretary shall keep accounting records in which shall be set out, in such manner as to enable them to be conveniently and properly audited, full and true and complete accounts of the financial affairs and transactions of the union.
- 42.2 The treasurer or secretary-treasurer of each branch shall provide the national secretary with a copy of the financial report of the branch for the previous year not later than 31 March in each year. Any branch failing to provide the financial report by 31 March may, at the discretion of the council, forfeit the voting rights accorded to its members and forfeit the right to any capitation or grants until the financial statements are produced.
- 42.3 The national secretary shall arrange for the audit of the accounts of the union and the preparation of an annual income and expenditure account and an annual balance sheet by a member of the New Zealand Society of Accountants at the end of its financial year. Every annual income and expenditure account and balance sheet shall be signed by the national secretary and shall, together with the auditor's report on the accounts, be presented to the next council meeting held after the date of the report and the next annual conference.
- 42.4 The national secretary shall, after the end of the financial year, deliver to the Registrar of Incorporated Societies a statement containing the following particulars: the income and expenditure of the union during the union's last financial year; the assets and liabilities of the union at the close of the said year; and all mortgages, charges, and securities of any description affecting any of the property of the union at the close of the said year. The statement shall be accompanied by a certificate signed by a national officer to the effect that the statement has been submitted to and approved by a meeting of council.

## **43. Interpretation**

- 43.1 If at any time any matter shall arise which is not provided for in these rules or in the interpretation of these rules, the same shall be determined where appropriate by the council, whose decision shall be final.

## **J. Schedules**

### **Schedule A: Extended coverage**

Any person who is employed in the following institutions or organisations shall be eligible for ordinary membership of the union:

1. New Zealand Council for Educational Research;
2. Universities New Zealand;
3. Health Research Council;
4. New Zealand Universities Academic Audit Unit.
5. New Zealand Teachers' Council
6. Campus Living Villages NZ Limited

### **Schedule B: Standing orders**

#### **B1. General conduct**

- B1.1 The business of every meeting will be conducted in accord with the rules of the union and these standing orders.
- B1.2 Council and national committees shall operate on the same decision-making basis: following a process of seeking consensus; moving, if necessary, to a show of hands; and then to a secret ballot. Voting by secret ballot shall be either at the request of at least one-third of the members present or at the proposal of the chair. In the event of an equality of votes, the chair of the meeting shall have a casting as well as a deliberative vote.
- B1.3 The quorum for annual conference and national bodies shall be 50 percent plus one of those entitled to attend and vote. The quorum for branch meetings shall be 10 percent of the relevant branch membership or 20 of those entitled to attend and vote whichever is the smaller.
- B1.4 Any matter not provided for by the rules or standing orders shall be determined by the chair.
- B1.5 Any standing order may, with the leave of the meeting, be suspended in whole or in part at any meeting.

## **B2. Motions**

- B2.1 All motions will be duly proposed and seconded and:
  - B2.1.1 be of an affirmative character;
  - B2.1.2 may be adjourned to a future meeting;
  - B2.1.3 may be amended by additions or deletions;
  - B2.1.4 may be amended before a decision is arrived at; and
  - B2.1.5 may be moved without notice except where otherwise provided by the rules.
- B2.2 When a motion has been proposed and seconded it will be placed before the meeting for consideration and will not be withdrawn except with the leave of the meeting and the consent of proposer and seconder.
- B2.3 Motions which have been lost, withdrawn or passed may only be reconsidered at the same meeting with the leave of the meeting.

## **B3. Amendments to motions**

- B3.1 Only one amendment will be considered at one time.
- B3.2 If an amendment is carried it will be incorporated in the original motion and become the substantive motion.
- B3.3 If an amendment is lost other amendments may be proposed.
- B3.4 An amendment will not constitute a direct negative or contradict the principal intent of the motion.

## **B4. Speakers**

- B4.1 All speeches will be addressed to the chair.
- B4.2 If two or more members rise at the same time, the chair shall at once decide who has the floor.
- B4.3 The seconder of a motion or an amendment may do so pro forma, and reserve the right to speak to the question later;

- B4.4 A member can speak only once on any question before the meeting except:
- B4.4.1 in reply to an original motion,
  - B4.4.2 in explanation or correction of some matter during debate,
  - B4.4.3 to raise a point of order;
    - (a) when a point of order is raised the member raising the point will state the point clearly in a few words, and if another member is speaking at the time, that member will be seated until the point of order is decided.
    - (b) The chair shall decide the matter promptly and not allow any discussion.

**B5. Time limit**

- B5.1 The mover of any original motion and the mover of any amendments will be allowed five minutes for the introduction.
- B5.2 No other member will be allowed to speak for more than three minutes at any one time except with the leave of the meeting.
- B5.3 The mover of any substantive motion will be allowed one minute for the right of reply.

**B6. Motion to disagree with ruling**

- B6.1 Immediately after the giving of any ruling by the chair, a motion may be moved to the effect that the chair's ruling be disagreed with.
- B6.2 The mover and seconder of such motion but no other member shall be entitled to speak.
- B6.3 The chair will reply by explaining the ruling and the motion shall then be put to the meeting.
- B6.4 If the motion is carried, the chair will give a different ruling in regard to the subject matter of the original ruling.

**B7. Te toi ahurangi reports**

- B7.1 Standing orders shall be suspended during the presentation of any reports of te toi ahurangi.

## Schedule C: Te Tiriti o Waitangi

### He Kupu Whakataki

Ko Wikitoria, te Kuīni o Ingarani, i tana mahara atawai ki ngā Rangatira me ngā Hapū o Nu Tīrani i tana hiahia hoki kia tohungia ki a rātou ō rātou rangatiratanga, me tō rātou wenua, ā kia mau tonu hoki te rongu ki a rātou me te āta noho hoki kua wakaaro ia he mea tika kia tukua mai tētahi Rangatira hei kaiwakarite ki ngā Tāngata Māori o Nu Tīrani kia wakaāetia e ngā Rangatira Māori te Kāwanatanga o te Kuīni ki ngā wāhi katoa o te wenua nei me ngā motu, nā te mea hoki he tokomaha kē ngā tāngata o tōna iwi kua noho ki tēnei wenua, ā e haere mai nei. Nā ko te Kuīni e hiahia ana kia wakaritea te Kāwanatanga kia kaua ai ngā kino e puta mai ki te Tāngata Māori ki te Pākehā e noho ture kore ana. Nā, kua pai te Kuīni kia tukua a hau a Wiremu Hopihona he Kāpitana i te Roiara Nawi he Kāwana mō ngā wāhi katoa o Nu Tīrani e tukua aianeī, āmua atu ki te Kuīni e mea atu ana ia ki ngā Rangatira o te wakaminenga o ngā hapū o Nu Tīrani me ērā Rangatira atu ēnei ture ka kōrerotia nei.

### Ko Te Tuatahi

Ko ngā Rangatira o te Wakawinenga me ngā Rangatira katoa hoki kīhai i uru ki taua Wakaminenga ka tuku rawa atu ki te Kuīni o Ingarangi ake tonu atu, te Kāwanatanga katoa ō rātou wenua.

### Ko Te Tuarua

Ko te Kuīni o Ingarangi ka wakarite ka wakaāe ki ngā Rangatira ki ngā hapū, ki ngā tāngata katoa o Nu Tīrani te tino rangatiratanga o ō rātou wenua ō rātou kāinga me ō rātou taonga katoa. Otia ko ngā Rangatira o te Wakaminenga me ngā Rangatira katoa atu ka tuku ki te Kuīni te hokonga o ērā wāhi wenua e pai ai te tangata nōna te wenua, ki te ritenga o te utu e wakaritea ai e rātou ko te kaihoko e meatia nei e te Kuīni hei kaihoko mōna.

### Ko Te Tuatoru

Hei wakaritenga mai hoki tēnei mō te wakaāetanga ki te Kāwanatanga o te Kuīni. Ka tiakina e te Kuīni o Ingarangi ngā tāngata Māori katoa o Nu Tīrani. Ka tukua ki a rātou ngā tikanga katoa rite tahi ki āna mea ki ngā tāngata o Ingarangi.

W Hopihona, Kāwana Rūtene.

Nā ko mātou ko ngā Rangatira e te Wakaminenga o ngā hapū o Nu Tīrani ka huihui nei ki Waitangi ko mātou hoki ko ngā Rangatira o Nu Tīrani ka kite nei i te ritenga o ēnei kupu. Ka tangohia ka wakaāetia katoatia e mātou. Koia ka tohungia ai o mātou ingoa o mātou tohu. Ka meatia tēnei ki Waitangi i te ono o ngā rā o Pēpueri i te tau kotahi mano, e waru rau e whā te kau o tō tātou Ariki.

**A literal English translation of the Māori text signed at Waitangi, February 1840, and afterwards by about 500 chiefs.**

Victoria, the Queen of England, in her kind (gracious) thoughtfulness to the Chiefs and Hapus of New Zealand, and her desire to preserve to them their chieftainship and their land, and that peace and quietness may be kept with them, because a great number of the people of her tribe have settled in this country, and (more) will come, has thought it right to send a chief (an officer) as one who will make a statement to (negotiate with) Māori people of New Zealand. Let the Māori chiefs accept the governorship (Kāwanatanga) of the Queen over all parts of this country and the Islands. Now, the Queen desires to arrange the governorship lest evils should come to the Māori people and the Europeans who are living here without law. Now, the Queen has been pleased to send me, William Hobson, a Captain in the Royal Navy to be Governor for all places of New Zealand which are now given up or which shall be given up to the Queen. And she says to the Chiefs of the Confederation of the Hapus of New Zealand and the other chiefs, these are the laws spoken of.

**This is the First**

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

**This is the Second**

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

**This is the Third**

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

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

**The Fourth Article**

Two churchmen, the Catholic Bishop, Pompallier and the Anglican Missionary William Colenso recorded a discussion on what we would call religious freedom and customary law. In answer to a direct question from Pompallier, Hobson agreed to the following statement. It was read to the meeting before any of the chiefs had signed the Treaty.



E mea ana te Kāwana ko ngā whakapono katoa o Ingarani, o ngā Wēteriana, o Roma, me te ritenga Māori hoki e tiakina ngātahitia e ia.

Translation: The Governor says that the several faiths (beliefs) of England, of the Wesleyans, of Rome, and also Māori custom shall alike be protected by him.

### **English version Preamble**

Her Majesty, Victoria, Queen of the United Kingdom of Great Britain and Ireland, regarding with her Royal Favour the Native Chiefs and Tribes of New Zealand, and anxious to protect their just Rights and Property, and to secure to them the enjoyment of Peace and Good Order, has deemed it necessary, in consequence of the great number of Her Majesty's Subjects who have already settled in New Zealand, and the rapid extension of Emigration both from Europe and Australia which is still in progress, to constitute and appoint a functionary properly authorised to treat with the Aborigines of New Zealand for the recognition of Her Majesty's Sovereign authority over the whole or any part of these islands. Her Majesty therefore being desirous to establish a settled form of Civil Government with a view to averting the evil consequences which must result from the absence of the necessary Laws and Institutions alike to the Native population and to Her Subjects has been graciously pleased to empower and authorise me William Hobson, a Captain in Her Majesty's Royal Navy, Consul, and Lieutenant-Governor of such parts of New Zealand as may be or hereafter shall be ceded to Her Majesty, to invite the confederated and independent Chiefs of New Zealand to concur in the following Articles and Conditions.

### **Article the First**

The chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation, cede to Her Majesty the Queen of England, absolutely and without reservation, all rights and powers of Sovereignty which the said Confederation of Individual Chiefs respectively exercise or possess, or may be supposed to exercise or to possess over their respective Territories as the sole Sovereigns thereof.

### **Article the Second**

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof, the full exercise and undisturbed possession of the Lands and Estates, Forests, Fisheries, and other properties which they may collectively or individually possess, so long as it is their wish and desire to maintain the same in their possession; but the Chiefs of the United Tribes and the Individual Chiefs yield to Her Majesty the exclusive right of Pre-emption over such lands as the proprietors thereof may be disposed to alienate, at such prices as may be agreed upon between the respective proprietors and persons appointed by Her Majesty to treat with them in that behalf.

### **Article the Third**

In consideration thereof, Her Majesty the Queen of England extends to the Natives of New Zealand Her Royal Protection and imparts to them all the Rights and Privileges of British subjects. W. Hobson, Lieutenant-Governor.

### **Article the Fourth**

Now, therefore, We the Chiefs of the Confederation of the United Tribes of New Zealand being assembled in Congress at Victoria, in Waitangi and We the Separate and Independent Chiefs of New Zealand claiming authority over the Tribes and Territories which are specified after our respective names having been made fully to understand the Provision of the foregoing Treaty, accept and enter into the same in the full spirit and meaning thereof. In witness of which, we have attached our signatures or marks at the places and the dates respectively specified.

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

## Appendix 1: Glossary

Aotearoa	Māori name for New Zealand.
Hui	Meeting(s) and gathering(s).
Hui-ā-motu	Annual general meeting of te uepū branch committee representatives. Hui-ā-motu was adopted from the AUS structure as the given name for the AGM of Māori members.
Mana motuhake	Separate identity, autonomy, right(s) – mana through self-determination and control over one's own destiny.
Māori	Indigenous person/people of Aotearoa.
Mātauranga Māori	Māori knowledge – the body of knowledge originating from Māori ancestors, including the Māori world view and perspectives.
Ngā Tumu Āwhina	Two Māori representatives on council and te toi ahurangi, who can also deputise for the Te Tumu Arataki. Tumu is a post where canoes are tied up but when used in reference to people it can mean the support person, founder, or expert. Āwhina is to assist or help, subsequently ngā Tumu Āwhina refers to the support person(s) to Te Tumu Arataki (NB the title, Tumu Āwhina, can be prefixed by either te (singular) or ngā (plural) depending on the context; these positions are also flexible in that there could be two deputy Māori vice-presidents or a combination of one deputy Māori vice-president and an immediate past Māori vice-president).
Pākehā	<p>Directly from usage in the original Te Tiriti o Waitangi document and refers to descendants of all subsequent settler groups to Aotearoa New Zealand.</p> <p>Rose Black offers this additional meaning for Pākehā “Pākehā is a unique and indigenous word for the non-Māori settler of Aotearoa/New Zealand [and] implies an acceptance of Māori as a separate cultural entity . . . a relationship with Māori as a Treaty partner, a cultural identity for people of Northern European origin and a sense of uniquely belonging to Aotearoa/New Zealand.” (Black, R (2000) Political Implications of the Name “Pākehā” in Living Justly in Aotearoa Newsletter, Issue Three, Catholic Justice and Peace Office, Auckland, p1).</p> <p>TEU position(s) calling for Pākehā representation may be filled by any TEU member other than Māori.</p>

Pasifika	Refers to Pacific Islands people – including Melanesia, Micronesia, and Polynesia – and Pacific Islander, indigenous peoples of the Pacific Islands.
Taitamariki	A young person (non gender specific), youth. The dialect variation to ‘rangatahi’. In the TEU context taitamariki aligns with the international definition as being under 35 years of age on 1 May.
Tangata Pasifika	Pasifika name for the national advisory group which provide the Pasifika voice and leadership for and within the union that also advises TEU council and reports to the TEU annual conference.
Tāngata Māori	Directly from usage in the original Te Tiriti o Waitangi document to mean Māori rangatira and hapū.
Te hau tikanga o Te Tiriti	Māori name for the Tiriti Relationship Group. Combining one of the hau concepts, vitality, in the Māori name for TEU with the practice of tikanga, which means correct procedure, method, or practice we get Te Hau Tikanga o Te Tiriti and this refers to how Te Tiriti will live, both in practice and theory, within the TEU. It also affirm TEU’s commitment and obligation to honour Te Tiriti o Waitangi, to demonstrate that Te Tiriti relationship is a cornerstone of TEU, how it functions as an organisation, and to give effect and practical application to the union’s constitution and objects.
Te Hautū Kahurangi o Aotearoa	Māori name for the New Zealand Tertiary Education Union. Hau refers to wind, air, breath, and vitality (of human life). Hautū means to guide or lead and when prefixed with the word kai i.e. kaihautū it refers to the person who gives and keeps the timing for the paddlers on a waka. Tū means to stand, set in place, or establish. In this way, hautū refers to the union, its members and staff, and how they stand strong and unified to protect one another in the face of the four winds and whatever they carry e.g. vice-chancellors, CEOs, HR managers, etc. Kahurangi is a term given to something precious, honourable, or distinguished. It can also mean treasured possession, chieftain, and a translucent highly valued variety of greenstone without flaws or spots. Given the multiple meanings of these terms, Te Hautū Kahurangi o Aotearoa can mean “The distinguished leaders (TEU members and staff) positioned and cloaked in the TEU korowai guiding and protecting against the elements (employers, government, work colleagues)”.
Te Kāhui Kaumātua	Constellation of Māori elders of the TEU. The Kaumātua from ASTE Te Hau Takitini o Aotearoa and

	<p>AUS merged to form Te Kāhui Kaumātua for the TEU. Kāhui meaning assembly, alliance, constellation of Kaumātua. The individual titles of Kaumātua within the kāhui may differ according to their iwi affiliation or personal preference e.g. tauheke, kui, kuia (NB. the term Kaumātua is non-gender specific and both singular and plural). Combining these terms into a single title we get a constellation of Māori elders, in this way Te Kāhui Kaumātua is a very befitting name for the Kaumātua Māori of TEU.</p>
Te kahurangi māreikura	<p>Māori name for the national women’s committee. Kahurangi is a term given to something precious, honourable, or distinguished. It can also mean treasured possession, chieftain, and a translucent highly valued variety of greenstone without flaws or spots. Māreikura refers to a nobly born female, a sacred energy, and term of endearment. Given the multiple meanings of these terms, te kahurangi māreikura can mean “The distinguished and chieftain women”.</p>
Te Tiriti o Waitangi	<p>Māori text of the Treaty of Waitangi, 1840.</p>
Te toi ahurangi	<p>Māori name for the national Māori committee. Toi refers to the point or summit and also relates to the arts, knowledge, origin/source of humankind, and indigenous or aboriginal. Ahu means to move in a certain direction, face towards, and extend. Ahurangi refers to and has a connection with the sun. Accordingly, te toi ahurangi can mean “Striving for excellence in the tertiary sector through the TEU”.</p>
Te Tumu Arataki	<p>Māori vice-president and chair of te toi ahurangi. Tumu is a post where canoes are tied up but when used in reference to people it can mean the support person, founder, or expert. Ara is the course or passage taken when journeying and taki means to lead, entice, or challenge. Combining the terms into, arataki, means to lead and guide, accordingly Te Tumu Arataki refers to the lead person of the te toi ahurangi, national Māori committee. Also, the term acknowledges some of the union’s history as the title was used by ASTE Te Hau Takitini o Aotearoa for their Māori vice-president.</p>
Te Tumu Whakarae	<p>Māori name for the national president. Tumu is a post where canoes are tied up but when used in reference to people it can mean the support person, founder, or expert. Whakarae means to stand out, be prominent. Combining these terms into a single title refers to a chief of the highest rank, in this way Te Tumu Whakarae is a befitting name for the TEU national president.</p>

Te uepū	<p>This term has three meanings within the union:</p> <ol style="list-style-type: none"> <li>1. Māori member(s) of the TEU;</li> <li>2. branch committee Māori representative(s); and</li> <li>3. national network of all Māori members.</li> </ol> <p>The term acknowledges some of the union's history as the title was formerly used by ASTE Te Hau Takitini o Aotearoa for their Māori members at large. Accordingly te uepū was adopted to (a) differentiate between committee members (te toi ahurangi) and Māori members at large; and (b) honour the late Toby Rikihana who gifted this name to ASTE Te Hau Takitini o Aotearoa Māori members.</p>
Tikanga/kawa	Māori customs/protocols, procedures, lore, methods, practices, and conventions.
Wānanga	A wānanga is characterised by teaching and research that maintains, advances, and disseminates knowledge and develops intellectual independence, and assists the application of knowledge regarding āhuatanga Māori (Māori tradition) according to tikanga Māori (Māori custom), Education Act 1989.
U35	Defined in accordance with international definitions as under 35 years of age on 1 May.

## Signatures of three members of our society:

Hūhana Wātene (Unitec)

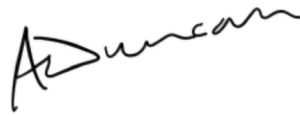
Name



Signature

Drew Duncan (Weltec)

Name



Signature

Angela Yerkovich (Manukau Institute of Technology)

Name



Signature