



Societies and Trusts Only



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Post your completed form to: Companies Office, Private Bag 92061, Victoria Street West

Certificate - Alteration of rules

Section 21 Incorporated Societies Act 1908

1. Name of society

USU Student Association at Unitec Incorporated

2. Society number

222517

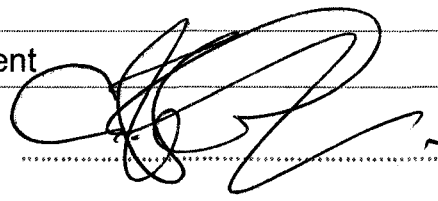
I certify that the rules that are endorsed with this application have been approved by a majority of the members of the society and comply with Section 6 of the Incorporated Societies Act 1908.

Name

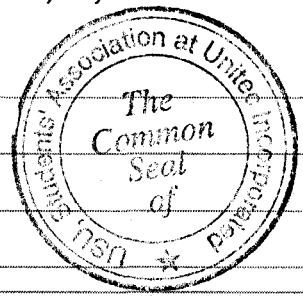
Gregory Powell

Position

President

Signature 

Date 06 / 11 / 2009



3. Complete this checklist before filing your application

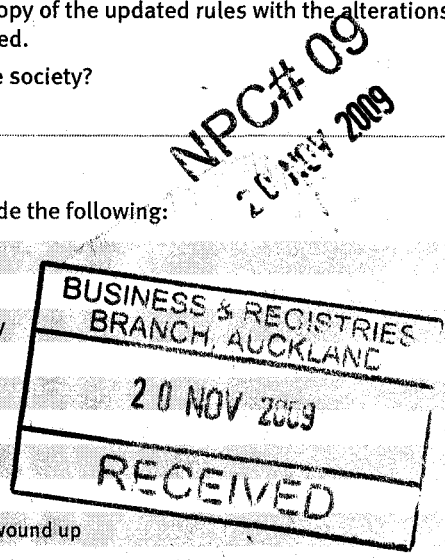
Tick all options that apply to this alteration of rules

- Does the rule alteration include a name change for the society?
- If the name of the society is being changed, have you checked that the society's name is available by conducting Register Searches at both www.societies.govt.nz and www.companies.govt.nz ?
- Has this certification been completed by an officer of or a solicitor for the society?
- Is a copy of the rule alteration(s) attached? This can either be a complete copy of the updated rules with the alterations underlined or in bold type, or a copy of the particular rule(s) that were altered.
- Has the copy of the alteration to rules been signed by three members of the society?

What must be included in your rules?

Section 6 of the Incorporated Societies Act 1908 requires that a society's rules include the following:

- The name of the society (ending with the word Incorporated)
- The objects for which the society is established
- How people become members of the society and cease being members of the society
- How meetings of the society will be called and held and how voting will take place
- How officers of the society will be appointed
- Control and use of the common seal
- How the society's funds will be controlled and invested
- The powers (if any) that the society has to borrow money
- How any property of the society will be distributed in the event of the society being wound up
- How the rules of the society can be altered



4. Your contact details

Name and postal address
Gregory Powell
USu Executive, Room 1087 Building 180
139 Carrington Road, Gate 4
Pt. Chevalier, Auckland

Email (optional)

Telephone

USU Students' Association At Unitec

Constitution and Regulations



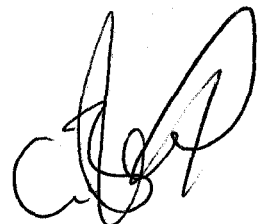
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Constitution and Regulations

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Constitution and Regulations of USU Students Association

1 Name

The name of the incorporated society shall be the “USU Students’ Association at Unitec (Incorporated)”.

2 Interpretation

In this Constitution and Regulations, unless a contrary interpretation appears:

“Unitec” shall mean “Unitec Institute of Technology.”

“USU” shall mean “USU Students’ Association at Unitec (Incorporated).”

“Clear days” shall mean “all days excluding weekends, public holidays and Unitec holidays.”

“Executive” shall mean the “Executive of the USU.”

“General Meeting” shall mean “General Meeting of the USU.”

“Member” shall mean “member of the USU.”

“Mission” shall mean “the assigned duty of the USU.”

“Objects” shall mean “the purpose and aims to which efforts of the USU are directed.”

“Powers” shall mean “the ability of the USU or its members to do or act in order to carry out the objects of USU.”

“Student” shall, subject to this Constitution, mean, “any person enrolled at Unitec.”

“Public Notice” shall mean, “written notice publicly displayed at every Unitec’ School Notice Board and every official USU Notice Board.”

3 Mission

The mission of the USU shall be:

“To be a democratic student-run organisation that fosters and furthers as widely as possible, the academic, cultural, social and sporting life of Unitec students.”



4 Objects

The following shall be the objects of the USU insofar as they derive from the mission and shall not derogate from the generality of that mission or the charitable nature of the USU:

- 4.1 To further the interests and aims members of the USU and Unitec students.
- 4.2 To deal with and represent Members in all matters in which the Members as a body are interested.
- 4.3 To manage and control the assets of the USU for the use and benefit of the Members.
- 4.4 To foster intellectual, cultural, social, and sporting life at Unitec.
- 4.5 To promote and protect the welfare of Members.
- 4.6 To promote and protect the civil liberties and individual freedoms of students.
- 4.7 To encourage student clubs, societies and cultural activities.
- 4.8 To edit, print, publish, issue and circulate such written material as may further any of the objects without contravening the USU's Policies, Human Rights Act 1993, Privacy Act 1993, and the Official Information Act 1982.
- 4.9 To maintain the equity of provision of services for ethnic groups.
- 4.10 To keep and preserve all records likely to prove of value or historic interest.
- 4.11 To uphold the principles and wairua (spirit) of Te Tiriti O Waitangi and Te Noho Kotahitanga in all activities of the USU
- 4.12 To do all things as are incidental or conducive to the attainment of any or all of the above objects.

5 Powers

The following shall be the powers of the USU, insofar as they derive from the mission and shall not derogate from the generality of that mission or the charitable nature of the USU:

- 5.1 To manage and conduct such business activities as may further any of the objects.
- 5.2 To raise funds for the purpose of furthering any of the objects.
- 5.3 To apply for and acquire any licences or permits deemed necessary by the Executive for the accomplishment of any of the objects.
- 5.4 To sell, exchange, maintain, improve, lease, hire, borrow, loan, grant, mortgage (either with or without security), dispose of, manage, control, invest, reserve or otherwise deal with and turn into account any real or personal property of the USU including the investment of monies of the

USU for such objects and giving guarantees for the payment of money or the performance of contracts or obligations by any person, society or company if so authorised by the executive of the USU.

- 5.5 To employ and remunerate servants and agents as required to meet the objectives of the USU.
- 5.6 To join with any other person, USU or Corporation for the accomplishment of any of the objects of the USU.
- 5.7 To assist any charity or charitable purpose, which in the opinion of the Executive or the USU it may be desirable to assist, with the exception of financial assistance.
- 5.8 To engage in, prosecute, defend or otherwise take any legal action or legal proceedings on behalf of the USU and its Members and to expend such money and employ such solicitors, counsel and other advisors as may be reasonable or appropriate.
- 5.9 Notwithstanding anything expressed or implied in this Constitution, the activities of the USU shall not be carried on for the personal pecuniary profit or benefit of any member.
- 5.10 Any income, benefit, or advantage must be used to advance the charitable purposes of the USU.
- 5.11 No member, or anyone associated with a member, is allowed to take part in, or influence any decision made by the USU in respect of payments to, or on behalf of, the member or associated person of any income, benefit, or advantage.
- 5.12 Any payments made to a member, or person associated with a member, must be for goods or services that advance the charitable purpose and must be reasonable and relative to payments that would be made between unrelated parties

6 Membership

6.1 Ordinary Membership

Every student at Unitec is eligible to be a member, and when a student enrolls at Unitec he or she becomes a member with all the rights this entails.

6.2 Associate Membership

The following persons shall be eligible for Associate Membership of the USU and shall become Associate Members upon payment of their subscription:

- a. All members of Unitec.
- b. Any other persons whom the Executive upon application may admit as Associate Members if seven (7) clear days public notice is given calling for objections to that application.

6.3 Honorary Life Membership

- a. All USU Presidents serving at least one (1) term from 1 January 2007 onwards automatically become Honorary life members.
- b. Honorary Life Membership may also be conferred upon any person in recognition of their outstanding contribution to the USU.
- c. Except for situations covered by 6.3.a, Honorary Life Membership shall only be conferred by a two-thirds majority vote at a General Meeting of the USU.
- d. Honorary Life members shall be exempt from payment of subscriptions to the USU after ending their term of study.
- e. With the exception of above, Honorary Life members shall have all the rights and privileges of Ordinary Membership

7 Termination of Membership

Membership of the USU shall terminate in the following circumstances:

- 7.1 A member ceases to fulfil the provisions for eligibility for membership of the USU.
- 7.2 A member is excluded from Unitec on any grounds whatsoever.
- 7.3 If so decided by a majority vote at a General Meeting of the USU.
- 7.4 Where any person objects on grounds of conscience to being a member, such person may apply to the Executive for exemption from membership. If the USU charges a membership fee, then the exempted person's fee will go to a charity determined by the Executive.

8 Membership Fee

- 8.1 Shall only be changed or set at an Annual General Meeting or half yearly Annual General meeting.
- 8.2 Members of the USU may determine by majority vote at a Special General Meeting to levy additional charges to the membership fee.
- 8.3 If the USU charges a membership fee, and any person objects to paying the fee on the grounds of hardship, then that person may apply to the Executive to be exempted from the fee. An exempted person will nevertheless remain a member.

9 Executive

- 9.1 Functions and Powers of the Executive Committee



- a. The Executive, subject to the powers and resolutions of General Meetings, referenda, and rulings of the USU Solicitor, may do all things deemed by it to be necessary or expedient for the fulfilment of any of the objects of the USU.
- b. The Executive shall be responsible for meeting the aims of the USU on behalf of the USU (Incorporated) members.
- c. The Executive shall be responsible to the members through the processes laid down in this constitution, regulations and schedules.
- d. The areas of responsibility relating to the elected positions on the Executive shall be determined at a General Meeting and attached to the Constitution as Schedule A (Executive)
- e. The full and complete control of the internal day-to-day business, funds, and affairs of the USU shall be vested in the Executive, but the Executive shall carry out the instructions of a General Meeting as far as practicable.
- f. The Executive may delegate its powers and duties thereof to any committee it appoints.
- g. All resolutions of the Executive and all acts and things duly done or executed in good faith there under shall be binding upon all members of the Executive whether present at such meeting or not and upon all members, property and assets of the USU, but such resolution shall not be passed in bad faith or with any improper motive and the fact that any such resolution is made in pursuance of any recommendations of a General Meeting shall be conclusive evidence of good faith and of the absence of any improper motive.

9.2 Executive Committee Composition

- a. The USU Executive, from January 1st, 2007 Committee shall consist of the following elected positions:
 - i. President
 - ii. Vice-President
 - iii. Finance Officer (formerly known as “treasurer”).
 - iv. Waitakere Representative
 - v. Maori Students Representative
 - vi. Postgraduate Representative
 - vii. International Representative
 - viii. And four (4) ordinary Executive members



9.3 Eligibility

- a. All Ordinary Members of the USU can stand for executive positions except for the following positions; Waitakere Representative, Maori Students Representative, Postgraduate Representative and International Representative.
- b. The Waitakere student must be a Student who is studying at Unitec Waitakere campus, and this will be subject to verification.
- c. The Maori Student's Representative has to be a student of Maori descent, and this will be subject to verification.
- d. The Postgraduate Representative must be enrolled in a postgraduate qualification at Unitec.
- e. The International Representative must be a student classified by Unitec as an International Full Fee Paying student.
- f. A candidate for president must be a student enrolled at Unitec or be a first term president. Notwithstanding 9.6.a, the President may continue to be President and continue to be a USU member if he or she ceases to be an enrolled student.
- g. Members may not stand as collectives for any positions.
- h. All members of the Executive or candidates for election must publicly declare any affiliation with political parties.

9.4 Period of Office

The Executive shall hold office for one (1) year, commencing on the 1st day of January and finishing on the 31st day of December the same year. The same President is limited to two (2) full terms.

9.5 Executive Meetings

- a. Meetings of the Executive shall be called at least fortnightly.
- b. The President shall chair meetings of the Executive. In the Presidents absence, the Vice-President shall chair
- c. Meetings of the Executive are to be held according to the procedure laid out in Schedule C (Meeting Procedure)
- d. A Special Meeting of the Executive may be called at any time, but written or verbal notice shall be given to all members of the Executive.
- e. At each meeting of the Executive, At least half (1/2) of the members of the Executive shall constitute a quorum.
- f. At each meeting, each Executive member shall have only one vote.

9.6 Vacancies

Any Executive position shall become vacant if the person holding it:

- a. Ceases to be an Ordinary member of the USU
- b. Has resigned either:
 - i. In writing; or
 - ii. Is absent from three (3) consecutive Executive meetings without apology or explanation in any one year.
- c. Fails to win a resolution of confidence at a General Meeting.
- d. Fails to achieve at least 50% of their performance criteria for any quarterly honoraria

9.7 Filling Vacancies

- a. Except in the case of the President, when a vacancies arise on the Executive:
 - i. If one person vacates the Executive, that position remains unfilled until the next annual election.
 - ii. If a second person vacates the Executive, a special general meeting for both positions shall be held within twenty (20) clear days of the second vacancy. In the period between the conclusion of one (1) academic year and the commencement of the next, the special general meeting shall be held within twenty (20) clear days of the beginning of the first semester of the following year.
 - iii. If a third person vacates the Executive before a special general meeting under (ii) above, an election is to be held for the three positions in accord with Schedule B.
 - iv. Neither (ii) nor (iii) above will apply if the relevant vacancy occurs after July 1 and before the annual elections. In this event, the positions will remain unfilled until the annual elections, and as soon as the Returning Officer declares the results of the election, the winners will assume their positions.
 - v. Nothing in 9.7a prevents positions that were unoccupied at the result of the last annual election from being filled at an Annual General Meeting or Special General Meeting.
- b. If the President's position becomes vacant:



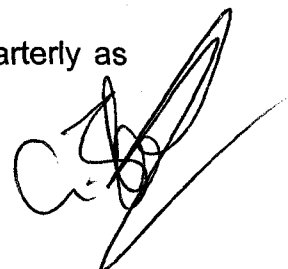
- i. If there is a President-elect, the President-elect takes office immediately on creation of the vacancy, notwithstanding anything else in this Constitution.
- ii. If there is no President-elect, and the vacancy occurs between 1 January and 30 June, an election is to be held for the Presidency in accord with Schedule B. During the period from the creation of the vacancy until the Returning Officer declares the results of the election, the Vice President will temporarily be President. As soon as the Returning Officer declares the results of the election, the winner becomes President.
- iii. If there is no President-elect, and the vacancy occurs between 1 July and 31 December, the Vice President will temporarily be President until the next annual elections. As soon as the Returning Officer declares the results of the annual elections, the winner becomes President.
- iv. Notwithstanding anything in this Constitution, a vacating President may announce their intention to resign and remain in office until the Returning Officer declares the results of the election to fill the vacancy under (ii) or (iii) above.
- v. If there is no Vice-President, or the Vice-President is unwilling to assume the Presidency temporarily, the Treasurer will fulfil the Vice President's responsibilities under (ii) or (ii) above. If there is no Treasurer, or the Treasurer is unwilling to assume the Presidency temporarily, the Executive will select a temporary President from amongst themselves.

9.8 No Confidence

- a. In the event of the failure to win a resolution of confidence in the whole Executive at any General Meeting, the Executive shall continue in office until a new Executive has been elected.
- b. An election shall be held within thirty (30) clear days of the General Meeting in question.
- c. Nothing in this Constitution shall preclude a member who previously held an Executive position and who failed to win a resolution of confidence from being a candidate in a special by-election to fill the position so vacated or from assuming the office again if subsequently re-elected.

9.9 Payment

- a. Payment of the Executive positions shall be made quarterly as laid out in Schedule A (Executive).

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- b. The amount of payment to be made for the at-risk components will be assessed by the Executive.
- c. Under no circumstances will payments be made to an Executive member for a meeting that he or she did not attend.

10 General and Special Meetings

10.1 General Meetings:

- a. The Executive shall fix the time, date, and locations of all General Meetings and at least ten (10) clear days' public notice shall be given.
- b. All general meetings are to be held within Unitec semesters
- c. That at any General Meeting of the USU, the USU Vice-President or, in the USU Vice-President's absence, a member of the Executive, shall be Chairperson.
- d. At any General Meeting forty (40) Ordinary Members shall form a quorum, and, if such a quorum is not present within fifteen (15) minutes of the time appointed for the meeting, no business may be discussed or dealt with and the meeting shall adjourn for one (1) week, and reconvene at the same time and place, and if a quorum of forty (40) Ordinary Members is not present within fifteen (15) minutes of the time appointed for that meeting, then those present shall form a quorum for the purpose of validity of transacting the business of the USU. In the case of constitutional changes at the time of voting the quorum must always be no less than forty (40) Ordinary Members.
- f. At all General Meetings each member shall have one vote. Voting shall be by show of hands.

10.2 Annual General Meeting

- a. The USU shall hold an Annual General Meeting, at Unitec, during the Second semester of each year at such time, date, place as the Executive decides.
- b. At the Annual General Meeting the following business shall be transacted:
 - i. A consideration of the Annual Reports and the Annual Balance Sheet and Statement of Accounts for the previous year.

- ii. Appointment of Auditors for the ensuing year.
- iii. Any business of which public notice has been given.
- iv. Any business which may be brought forward and for which notice is not required.

10.3 Special General Meeting

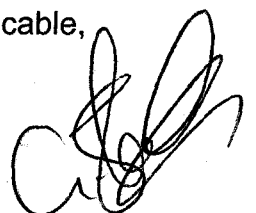
- a. A Special General Meeting of the USU shall be called within ten (10) clear days by the President of the USU on receipt of a requisition signed by:
 - i. At least (2/3 Majority) members of the Executive; or
 - ii. At least forty (40) Ordinary Members of the USU accompanied by a written copy of every resolution to be proposed.
- b. The Executive will decide where the General Meeting will be held.
- c. At least ten (10) clear days public notice of any Special General Meeting and of the business intended to be transacted shall be given and no other business other than that in such notice shall be transacted at such meeting except by unanimous leave of the members present.

11 Minutes and Records

The President shall be responsible for ensuring that a Book of Records is kept in which shall be recorded all the transactions and decisions of all General Meetings, meetings of the Executive, the Student Council and meetings of all other committees outlined in the schedules of this constitution.

12 Clubs and Societies

- 12.1 Any Society or Club at Unitech having not less than Five (5) Ordinary members may, subject to approval of the Executive, become affiliated to the USU.
- 12.2 Any such Society of Club shall have its membership open without restriction to all members of the USU, unless such restriction is permitted by the USU Clubs Policy
- 12.3 The Constitution for any Society and Club shall, as far as practicable, follow the provisions of the USU Clubs Policy.



- 12.4 Any Society or Club whose annual membership drops below Five (5) members may be disaffiliated from the USU at the discretion of the Executive.
- 12.5 Only Societies or Clubs currently affiliated to the USU may be eligible for grants from the USU, subject to the approval of the Executive.
- 12.6 To be eligible for a club grant, all clubs and societies must supply the Clubs Committee with the Minutes of the Annual General Meeting and budget and the addresses of the clubs officers.
- 12.7 Club financial signing authorities shall be members of the USU.

13 The Common Seal

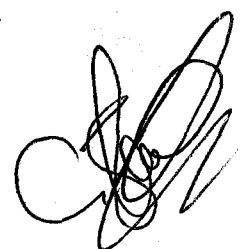
- 13.1 The USU shall have a Common Seal, which shall be the responsibility of the President, who shall ensure the safekeeping of the Common Seal.
- 13.2 The Common Seal should not be affixed to any instrument except by the authority of a resolution of an Executive meeting and shall be signed by the President, Vice-President, and one other Executive Officer present at that meeting.

14 Alteration of the Constitution and Regulations

- 14.1 The USU may, from time to time in a General Meeting, enact and amend the Constitution, Regulations and Schedules providing for the performance and furtherance of any other the objects of the USU and for the management of its affairs and those of its affiliated bodies. No such amendments shall detract from the charitable purpose of the USU. No such addition, alteration or deletion of the pecuniary profit clause or the winding up clause shall be made without the approval of Inland Revenue.
- 14.2 The Constitution and Regulations of the USU shall not be amended except at a General Meeting after at least ten (10) clear days public notice of the propose amendment shall have been given, provided that any amendment to the Constitution shall not detract in any way from the charitable nature of the USU.

15 National Bodies

- 15.1 The USU shall not join any political representation national body which:
 - a. Requires a period of notice to be served before leaving, or
 - b. Can levy the USU



Without the question being put to a student referendum obtaining at least 10% of the total Unitec student population for the year in cast votes.

16 Political Impartiality

- 16.1 The USU will not favour any political party over another
- 16.2 The USU will not favour any candidate for political office over any other candidate
- 16.2 The USU will not fund any political party
- 16.3 The USU will not provide resources to any political party or candidate give any other form of help to one political party over another
- 16.4 The USU may support individual policies, campaigns or parliamentary bills.

17 Winding Up

On the winding-up or dissolution of the USU, under the provisions of Section 24 of the Incorporated Societies Act 1908 the surplus assets of the USU, after payment of all costs, debts, and liabilities shall be handed to an charitable organisation of the majority of the members choosing, to be held upon trust and invested for the benefit of the Unitec student community until such a time as a similar student association is formed at Unitec.

This similar student association must be charitable under New Zealand law and must have similar purposes to those of the USU.

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Schedule A: Executive

1 Functions and Powers of Executive Members

The Executive shall be responsible for the competent running of the USU within constraints of General Meeting policy.

1.1 Duties of the Executive

All Executive positions shall:

- a. Ensure compliance with this Constitution, Incorporated Societies law, company law, and any other relevant legislation or regulations
- b. Ensure that the USU pursues its Objects as defined in this Constitution
- c. Ensure the USU uses its resources exclusively in pursuance of its Objects
- d. Contribute actively by giving firm strategic direction to the USU, setting overall policy, defining goals and setting targets and evaluating performance against agreed targets
- e. Safeguard the good name and values of the USU
- f. Ensure effective and efficient management of the USU
- g. Ensure financial stability of the USU
- h. Protect and manage the property of the USU and ensure the proper investment of the USU's funds
- i. Manage the appointment of the General Manager and monitor their performance
- j. Adhere to any policy governing Executive conduct or procedures that may be approved by the Executive from time to time

1.2 Employer

The Executive shall function as the employer of staff and shall ensure that all legal functions are discharged accordingly.

1.3 Budget

The Executive shall approve the budget and ensure the budget is followed and amended as appropriate.

1.4 Expenditure

The Executive shall ensure that all expenditure of the USU is accounted for.

- a. All major activities shall have budgets and accounts presented.
- b. All expenditure shall be authorised by the Executive.

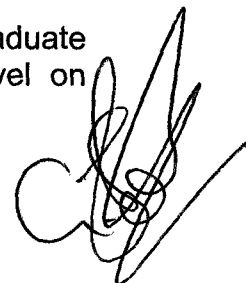
1.5 Accounting

The Executive shall ensure that the USU accounting procedures are adequate and followed and the audited accounts are presented to the Annual General Meeting.

1.6 Executive Position Descriptions

- a. The President's responsibilities:
 - i. Be responsible for the supervision of the affairs of the USU.
 - ii. Be responsible for overseeing the administration of the USU between Executive meetings.
 - iii. Attend any General Meetings of the USU
 - iv. Be chairperson of any Executive Meeting.
 - v. Be responsible for Executive matters in the absence of the Executive.
 - vi. Be responsible through the General Manager for employment matters.
 - vii. Be an ex-officio member of all committees of the USU.
 - viii. Be a cheque signatory for the USU.
 - ix. Be responsible for the coordination of the work of the Executive.
 - x. Represent the USU in the media, to other organisations and nationally on issues affecting the USU.
 - xi. Report at each ordinary meeting of the Executive on matters that have arisen of interest to the USU and matters dealt with by the President.
 - xii. Be an ex-officio member of all affiliated clubs and societies of the USU.
 - xiii. Be responsible for the coordination of all dealings with bodies external to the USU.
- b. The Vice-President's responsibilities:
 - i. Assist the President in their duties.
 - ii. Undertake any daily Presidential duties in the absence of the President.
 - iii. Ensure that the Constitution and Regulations of USU are updated after every General Meeting.
 - iv. Be a cheque signatory of the USU.

- v. Ensure the efficient workings of the Executive, including the preparation of Agenda and circulation of Minutes of Meetings.
 - vi. Ensure that all policy passed at Executive Meetings are entered into, in conjunction with the Treasurer, the USU's policy manual.
 - vii. Report fortnightly to the Executive on matters that have arisen of interest to the Executive and of matters dealt to by the Vice-President.
- c. The Finance Officer's responsibilities:
- i. Assist the President in their duties.
 - ii. Liaise with the Accountant, monitor and forecast the financial affairs of the USU, and report back to the Executive monthly on the financial affairs of the USU.
 - iii. Report to the Executive monthly regarding the financial position of the USU, and the financial implications of any decision or proposed resolution.
 - iv. Be a cheque signatory of the USU.
 - v. Report fortnightly to the Executive on matters that have arisen of interest to the Executive and of matters dealt to by the Treasurer.
 - vi. Ensure that the Constitution and Regulations of USU are updated after every General Meeting in conjunction with the Vice-President.
 - vii. Prepare the Agenda and circulate of Minutes of Executive meetings in conjunction with the Vice-President.
 - viii. Ensure that all policy passed at Executive Meetings are entered into the USU policy manual in conjunction with the Vice-President.
 - ix. Ensure that the Constitution and Regulations of USU are updated after every General Meeting in conjunction with the Vice-President.
- d. The Postgraduate Representative's responsibilities:
- i. Ensure that Unitec provides teaching, assessment and conditions of study that are of high quality and equitable amongst all postgraduate students.
 - ii. Ensure that courses are accessible to as many postgraduate students as possible.
 - lii. Assist with the training, support and education of postgraduate student representatives at school and departmental level on

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methods of assessment, student workloads, the performance of intuiotional teaching staff, and the quality of courses.

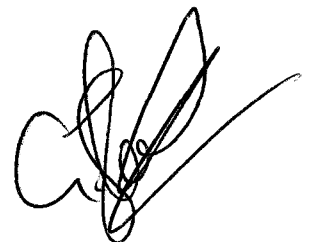
- iv. Assist postgraduate students with grievance procedures and issues when required.
- v. Ensure that there are adequate study facilities for postgraduate students on campus.
- vi. Ensure that the library services are adequate for the needs of postgraduate students.
- vii. To bring any issues relating to postgraduate students to the executive board.
- e. The Waitakere Representative's responsibilities:
 - i. Work on issues of relevance to Waitakere students
 - ii. Represent the views of Waitakere students on the USU executive
 - iii. Ensure that there is adequate representation and dialogue between Waitakere students and the USU executive.
 - iv. Organise meetings with Waitakere students to debate any issue that may concern them.
- f. The International Representative responsibilities
 - i. Work on issues of relevance to overseas students and ethnic groups at Unitec.
 - ii. Ensure that the USU maintains dialogue between overseas students and ethic groups.
 - iii. Work with the international office to facilitate overseas student groups and ethnic groups on campus.
 - iv. Ensure that there is adequate representation of international student issues on campus.
 - v. Ensure there is adequate liaison with the Association concerning their activities.

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2. Executive Payments

2.1 Executive shall be paid according to the following conditions

- a. The payments shall commensurate with the extent to which the areas of responsibility to the USU and its members have been fulfilled at no greater than current commercial rates provided that:
 - i. The President's base salary shall be a maximum of \$26,000.00 (Gross) at 37.5 Hours per week in 2005 terms. The salary may be adjusted upwards of \$26,000.00 by reference to the Consumer Price Index. This is to be paid as a regular salary, and the President must sign an employment agreement.
 - ii. The Vice President's wages shall be a maximum of Five Thousand dollars (NZ\$5,000.00) (Gross) at seven (7) hours per week in 2009 terms. The Wages may be adjusted upwards of NZ\$5,000.00 by reference to Consumer Price Index. This is to be paid as a regular wage and the Vice-President must sign an employment agreement
 - iii. The Finance Officer's wages shall be a maximum of Four Thousand dollars (NZ\$4,000.00) (Gross) at five (5) hours per week in 2009 terms. The Wages may be adjusted upwards of NZ\$4,000.00 by reference to Consumer Price Index. This is to be paid as a regular wage and the Finance Officer must sign an employment agreement
 - iv. All other Executive positions shall be paid a maximum of \$1750.00 (Gross), paid quarterly.
This shall consist of \$50 per meeting for a maximum of 26 meetings during a year (including General meetings) and the remaining \$450 at risk for committee work, performance, and extra works.
 - v. All of the above rates shall be effective from 2008
 - vii.. No Executive member, group or any other person associated with an Executive member shall participate in or materially influence any decision made by the USU in respect of the payment paid to or on behalf of that member of associated person of any income, benefit or advantage whatsoever.



2.2 Expenses

- a. The Executive are empowered to reimburse members who have suffered personal expenses as a result of official activities provided that notification of expected expenses is given in advance and upon presentation of appropriate documentation.
- b. Expenses shall be reimbursed when an arrangement is made prior to the associated activities.
- c. The Executive shall reimburse the USU delegates actual travel costs to conferences at a rate not exceeding stand-by airfares.

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Schedule B: Election of the Executive

1 Eligibility to vote

- 1.1 Annual election of the Executive of the USU and all polls are to be by secret ballot in which any member of the USU can vote.

2 Returning Officers

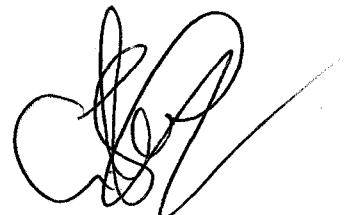
- 2.1 The General Manager shall appoint a Returning Officer.
- 2.2 Deputies may be appointed as scrutineers and polling clerks.
- 2.3 Neither the Returning Officers nor Deputy Returning Officers shall nominate candidates and must not have a conflict of interest (such being decided by the General Manager).
- 2.4 Returning Officers shall advise that no form of personal electioneering shall take place on the days of polling and that personal campaign spending is limited to an amount decided by the Executive. Responsibility for removing personal publicity lies with the candidate. Failure to comply with any of the terms of conduct as defined in the Election of Executive Schedule may, at the sole discretion on the Returning Officer, result in disqualification of the nomination, candidate or campaign.

3 Roll of Voters

Any Member of the USU is eligible to vote.

4 Election Procedure

- 4.1 An election must be held for every Executive position(s).
- 4.2 Elections may be online or via ballot box, or (providing measures are taken to eliminate duplicate voting), by a combination of these two methods. The final method is to be determined by the Returning Officer.
- 4.3 Ballot box elections shall take place between 10.00 am and 3.00 pm over a period of at least two (2) days, none of which shall be a Saturday, Sunday or a public/Unitec holiday. The ballots shall be put into a locked ballot box, at each voting location.
- 4.4 Online elections shall be open for at least seven (7 days), not counting Saturdays, Sundays or public/Unitec holidays
- 4.4 Voters must be able to prove that they are students



5 Nominations

- 5.1 Public notice calling for nominations for election to the Executive shall be given at least thirty (30) clear days before the first polling day.

Nominations for election to the Executive must be in writing, and be signed by no less than 3 Ordinary Members of the USU and bear the written consent of the nominee.

- 5.2 Nominations shall close twenty (20) clear days before the first day of polling.

6 Voting

- 6.1 For each Executive position in respect of which the election applies, there shall be the provision for a "No Confidence vote.
- 6.2 Any campaign for the option of "No confidence" must be registered with the returning Officer and shall be subject to the same rules regulations and actions as any other candidate
- 6.3 If the number of "No confidence" votes exceeds the total valid votes for the highest polling candidate for the position, then none of the candidates shall be elected to that position and another election shall be held.

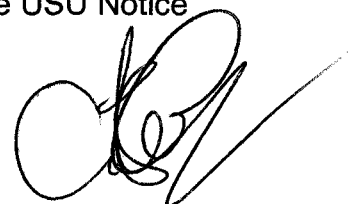
7 Code of Conduct in Elections

Non-observance of these codes of conduct is grounds for disqualification:

- 7.1 All candidates are responsible for removal of their personal campaign publicity material one (1) week after the election.
- 7.2 There is to be no form of personal electioneering on the days of polling.
- 7.3 No candidates may interfere with another candidate's campaign.
- 7.4 Candidates must observe the rules of fair play as defined by the Returning Officer who shall advise candidates of these rules in writing.

8 Vote Counting

- 8.1 When polling closes the Returning Officer and deputies shall count the votes, discounting all invalid votes. The Returning Officer shall decide whether a vote is invalid.
- 8.2 If there is equality of votes for an Executive position, a special poll shall be run for that position, no later than five (5) clear days after the declaration.
- 8.3 Immediately after the votes have been counted the Returning Officer shall notify all candidates and send a written declaration of the results to the Vice-President of the USU who shall post this on the USU Notice Board.



8.4 The voting papers or other voting related media must be retained for seven (7) clear days.

8.5 In the event of an election for executive positions, the winner of each election shall be determined by a simple majority. With the election of general executive positions the winners will be determined by the top four (4) polling candidates.

9 Objections

9.1 If a candidate and twenty-five (25) voters, or, any forty (40) voters, wish to object to the election or poll, they may within three (3) clear days of the result of the election or poll, lodge their objection in writing with the Returning Officer.

9.2 The written objection must allege specific grounds, and only these shall be investigated.

9.3 The Returning Officer shall appoint three (3) disinterested people to act as arbitrators who shall hear the complaints and decide whether the election or poll was invalid.

9.4 If the election or poll is invalid a fresh election or poll must be held.

9.5 Grounds for disqualification are set out in the Elections of Executive Schedule.

10 Other Matters

The Executive shall decide all matters relating to elections or polls not already dealt with in these regulations.

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Schedule C: Meeting Procedure

1 Introduction

- 1.1 Any meeting may not commit any act, pass any resolution or make any appointment in contravention of these Rules. Any such action, resolution or appointment will be invalid and will not bind the USU.
- 1.2 These standing orders may by leave be suspended at any meeting for all or part of a meeting, except for 1.1 above.

2 General Conduct of Business

- 2.1 The business of every meeting must be conducted in accordance with the Rules and Standing Orders of the USU.
- 2.2 All business (unless otherwise provided for by the Rules or Standing Orders) must be brought forward, discussed and dealt with in the form of a motion. No other business may be considered.

3 Order of Business

At ordinary meetings the order of business will be:

- 3.1 Election of a Chairperson if necessary.
- 3.2 In the case of a special meeting, the business for which such meeting has been called and in the order set out in the notice calling such meeting.
- 3.3 In the case of an ordinary meeting:
 - a. The confirmation of the Minutes of the last meeting.
 - b. The business to be conducted.
 - c. General business.

4 Quorum

- 4.1 Unless otherwise specified in these Rules the quorum of every meeting is half the maximum number of voting members of the committee or Body.
- 4.2 No meeting may commence until the required quorum is present. If such quorum is not present within fifteen minutes of the time for which the meeting is called the meeting must be abandoned.
- 4.3 All members of the committee must be physically present to participate in the meeting.
- 4.4 Executive meetings, where members may attend the meeting through a live telecommunications link, as long as they can:
 - a. Hear the entire debate and motions.



- b. Contribute to the meeting by speaking, putting motions and voting.
- c. Have full access to any materials placed before the meeting.

4.5 If at any time any meeting loses its quorum the Chair must adjourn the meeting.

4.6 Any member of the committee may call for a quorum count at any time, unless the meeting is in the process of voting.

5 Strangers

5.1 All members of the USU are entitled to be at all meetings of the USU.

5.2 A member of the student press is entitled to be at all meetings of the USU.

5.3 Those people present at a meeting who are not members of that meeting may only speak with leave of the meeting.

6 Chairperson

6.1 The Chairperson will conduct and maintain order in the meeting.

6.2 Any member of the committee called to order by the Chairperson must immediately cease to speak and must resume his or her seat unless permitted by the Chair to explain.

6.3 The Chairperson may not permit to be discussed and will rule out of order all matters that do not pertain to the question before the meeting.

6.4 The Chairperson will by ruling determine any matter, dispute or question as to order and procedure.

6.5 The Chairperson may by ruling grant leave, provided that no member of the committee objects to this.

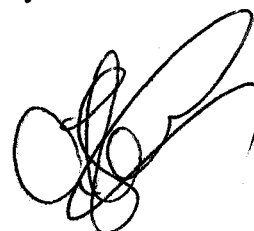
7 Absence of Chairperson

7.1 In the event of the Chair of a meeting not being present or being removed from the chair due to a motion of no confidence, a new Chairperson must be elected immediately.

7.2 The election of a Chairperson will take precedence over all other motions and business.

7.3 If the Chairperson is stepping down to speak to a motion, or to avoid a conflict of interest, they may, if no member objects, appoint a Chairperson from the meeting to replace them. In all other instances an election must be held. The procedure is as follows:

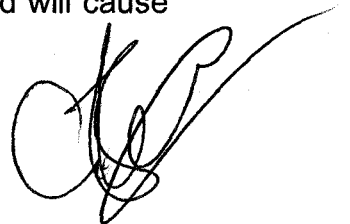
7.4 The Treasurer of the meeting will call for nominations by members of the meeting.



- 7.5 All persons nominated and seconded are permitted to address the meeting for no longer than two minutes.
- 7.6 The Treasurer will then call for votes from all members present for all candidates.
- 7.7 The candidate with the greatest number of votes will assume the Chair, and the meeting will resume.
- 7.8 A new Chairperson will be considered to be so for that meeting only, and the Chair will return to the usual Chairperson of the meeting for subsequent meetings.

8 Motions

- 8.1 Only one motion may be placed before the meeting at a time, except as otherwise provided by the Standing Orders.
- 8.2 When a substantive motion has been lost, a motion the same in substance may not be moved at the same meeting without leave.
- 8.3 Substantive Motions
 - a. A substantive motion is any motion that is not a procedural motion.
- 8.4 Procedural Motions
 - a. A procedural motion is any motion that affects the process of the meeting.
 - b. A procedural motion may be put to the meeting while there is a substantive motion on the floor, and the procedural motion must be resolved before the meeting can return to the substantive motion.
 - c. A procedural motion may not be put to the meeting while a person is speaking.
 - d. No procedural motion may be moved or seconded by the mover or seconder of a substantive motion currently before the meeting.
 - e. The Chairperson has the discretion to accept or reject a procedural motion, unless it challenges a ruling of the Chair, or is a motion of no confidence in the Chair.
 - f. Only the mover of a procedural motion and the Chairperson may speak to the motion.
 - g. A motion to move to the next business if passed will cause the substantive motion to lapse.
 - h. A motion that "the motion now be put" if passed will cause the substantive motion to be immediately put to the meeting.
 - i. A motion challenging the ruling of the Chair if passed will cause the Chair to accept the ruling of the meeting.

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- j. A motion of no confidence in the Chair if passed will cause the Chairperson to vacate the chair, and a new Chair elected.
- k. A motion altering the order of business if passed will cause the new order of business to be as outlined in the motion.

8.5 Committee

- a. A motion to move into committee is a procedural motion.
- b. A meeting may only move into committee for reasons of confidentiality or commercial sensitivity of the likely content of discussion.
- c. A motion to move into committee must state the reasons for moving into committee.
- d. No motions may be moved or voted upon while in committee, except a motion to move out of committee.
- e. While in "committee of the whole" discussion must be held in confidence, and must not be discussed outside of committee.
- f. While in "strict committee" all persons who are not members of the committee must leave the room. In addition, the conditions of "committee of the whole" apply.

8.6 Notice of Motion

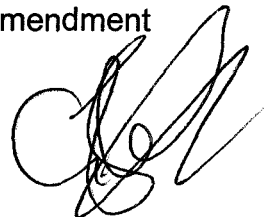
- a. Except where otherwise provided by the Rules any motion may be moved without notice.
- b. Any notice of motion lapses if the mover and seconder when called for at the meeting by the Chairperson do not present the motion.

8.7 Withdrawal of Motion

- a. When any motion has been moved and seconded it may not be withdrawn except with leave of the meeting and with the consent of the mover and seconder.
- b. When a motion has been withdrawn, it may be again moved at the same or any subsequent meeting.
- c. Any motion requiring notice that is withdrawn will require notice to be moved again.

8.8 Amendments to motions

- a. The Chairperson may rule that a complicated motion be put to the meeting in parts and then may do so.
- b. At any time during the debate or discussion on a motion, an amendment to that motion may be moved, providing:
- c. That the Chairperson does not rule the amendment unreasonable.



- d. That the amendment does not constitute a direct negative of the motion.
- e. That only one amendment may be before the meeting at any one time.
- f. That no amendment may be moved to a procedural motion, except with leave.
- g. Following the moving and seconding of an amendment, that amendment will be discussed and then voted upon as in Section 41 above.
- h. If an amendment is passed, the amendment becomes the new motion, and this new motion will be dealt with as if it were the original motion.
- i. If an amendment fails to pass, the original motion continues.

9 Debate

- 9.1 Any member of the committee may speak to a motion.
- 9.2 No member may speak to a motion for longer than five (5) minutes except with leave.
- 9.3 No member may speak to a motion more than once, except for:
- 9.4 The mover of a substantive motion who may speak to a motion when moving it, and then have a right of reply at the conclusion of the debate, except when there is no further debate, in which case the mover will be entitled to speak only once.
- 9.5 The seconding of a motion which is not to be considered as speaking to it.
- 9.6 The Chairperson who may permit any members who have spoken to explain themselves in regard to any part of their speech, or to answer questions from other members.
- 9.7 No member may speak to a procedural motion, except as provided by these Orders.
- 9.8 The Chairperson may speak to a motion only in order to make a personal explanation or an explanation as to the matter under debate.
- 9.9 A Chairperson wishing to take part in any debate must first leave the Chair, and cease to be the Chairperson until the motion currently before the meeting has been resolved. In the interim another Chairperson must be elected.

10 Breaches of Order

- 10.1 The Chairperson may at any time during a meeting rule that any named member of the committee is or has been guilty of a breach of order.



- 10.2 If the Chairperson rules that any named member is or has been guilty of a breach of order, they must then move a motion immediately over any other motion except a motion of no confidence in the Chair, asking that:
- 10.3 No further notice be taken of the breach, or
- 10.4 The member named be asked to apologise, or
- 10.5 The member named be expelled from the meeting for a specified time, or until an apology is offered to the meeting.

11 Voting

- 11.1 When any discussion on a motion is concluded, or when a motion "that the motion now be put" passes, the Chairperson must put the motion to the meeting.
- 11.2 The Chairperson must call upon all members present to vote for or against a motion by declaring "aye" or "nay". If the vote is close, or if any member requests it, then the Chairperson must call for a hand count of votes for and against.
- 11.3 All members have, and are entitled to exercise, one vote.
- 11.4 In voting, members must not cajole, threaten, bribe, vote in place of other members, or otherwise interfere with the democratic process.
- 11.5 Those members who do not vote are not to be considered to be part of the meeting for the purpose of determining the total number of votes cast, but can be considered to be part of the meeting for the purposes of quorum.
- 11.6 The Chairperson will declare a motion carried or lost, depending upon the required number of votes according to the Voting Schedule.
- 11.7 A motion carried takes effect immediately, unless otherwise stated in the motion.
- 11.8 The Chairperson has no vote, unless the vote on a motion is evenly tied, in which case the Chairperson must exercise a casting vote.
- 11.9 Where an error or confusion arises in connection with any vote, the Chairperson must rule that another vote be taken and this later vote overrides any earlier votes called for.
- 11.10 The Secretary of the meeting will not record the names of those voting for or against any motion unless any member specifically requests his or her vote to be recorded.

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12 Voting Schedule

- 12.1 Except where noted, all motions require positive votes of at least half of the total number of members voting.
- 12.2 Motions seeking leave, setting or rescinding USU policy, or changing the Constitution require a positive vote of at least two-thirds (2/3) of the total number of members voting.

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Schedule D: Committees

1 Introduction

- 1.1 The Executive has the power to establish committees as it sees fit to develop further the policy and objects of the USU.
- 1.2 When a committee has constitutional powers it must be incorporated into this Constitution.
- 1.3 The following provisions shall apply to all committees of the USU, except the Executive Committee.

2 Appointment

- 2.1 The Committee shall be appointed as soon as possible in the USU Year.
- 2.2 The appointment of every member of the Committee is to be made or approved by the Executive.

3 Membership of the Committees

- 3.1 The Chairperson shall be a member of the committee.
- 3.2 The committee shall consist of at least three (3) persons.
- 3.3 The quorum at all meetings of the Committee shall be at least two-thirds (2/3) of those eligible to vote.
- 3.4 The Executive at their discretion from time to time may vest certain powers, rights and duties to any committee.

4 Committee Meetings

- 4.1 The committee shall meet at such times as the Chairperson shall deem fit.
- 4.2 All meetings shall be conducted in accordance with these Rules and in particular with the Meeting Procedure Schedule C.
- 4.3 The Rules as to the minutes of meetings of the Executive shall apply *mutatis mutandis* to the committee.

5 Rules of Committees

- 5.1 Notwithstanding anything provided elsewhere in these Rules, the committee shall not make any expenditure or incur any liabilities on behalf of the USU in any way whatsoever without prior approval of such expenditure in detail by the Executive.



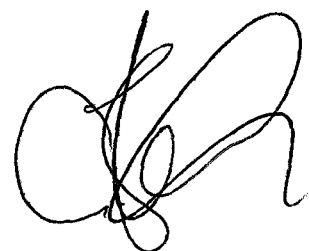
6 Powers of Committee

The committee shall have power to make recommendations to the Executive on any matter directly or indirectly concerned with its particular power or duties.

7 Reporting to Executive

Reports and full accounts of the activities of the committee shall be presented to the Executive on demand.

Where the committee is responsible for any particular institution or activity the committee shall furnish a report and full accounts of this institution or activity as soon as possible after completion of its other duties in connection therewith.

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