

**DISABLED PERSONS ASSEMBLY (NEW ZEALAND)
INCORPORATED**

CONSTITUTION and RULES

Amended: 4 August 2012

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DISABLED PERSONS ASSEMBLY (NEW ZEALAND) INCORPORATED

RULES

PART 1 – INTRODUCTION

1 About This Constitution and Rules

1.1 This Constitution and Rules is divided into parts as follows:

- Part 1 – Introduction
- Part 2 – Vision, objects and powers
- Part 3 – Membership
- Part 4 – Organisational Structure
- Part 5 – Meetings of members
- Part 6 – General

1.2 In these Rules some words have particular meanings. These meanings are explained in rule 24.

1.3 Examples have been included to help people understand particular Rules. However, the examples are not part of these Rules.

2 Name

The name of the society is the **DISABLED PERSONS ASSEMBLY (NEW ZEALAND) INCORPORATED** ("Assembly").

PART 2 – VISION, OBJECTS AND POWERS

3 Vision and Objects

3.1 The Assembly has a vision of a society which provides both equity and maximum opportunity to participate for all people.

3.2 The vision of the Assembly includes the principles of the Treaty of Waitangi, relevant to the Assembly, which are:

Partnership: the Assembly and Māori will have a relationship of good faith, mutual respect and understanding, and shared decision-making.

Participation: the Assembly and Māori will work together to ensure Māori participate in the disability sector at all levels of decision-making around disability issues. Participation includes the right to self-determination and self-management.

Protection: the Assembly and Maori actively contributes to improving the wellbeing of Māori, including support for independent living and the protection of Māori property and identity, in accordance with Māori values.

3.3 The Assembly is established to promote in every way within New Zealand the interests and welfare of all people with disabilities.

3.4 In particular the Assembly is established for the purposes of:

3.4.1 **Leadership:** to lead in reflecting the collective voice of people with disabilities, locally, nationally and internationally;

- 3.4.2 **Information and advice:** to inform and advise on policies impacting on the lives of people with disabilities;
- 3.4.3 **Advocacy:** to support people with disabilities to have a voice, including a collective voice, in society;
- 3.4.4 **Monitoring:** to monitor and give feedback on existing laws, policies and practices about and relevant to people with disabilities;
- 3.4.5 **Incidental things:** to do all other things that are incidental or conducive to the attainment of any of the above objects.

4 Powers

The Assembly has all the powers given to it by the Act and law. Without limiting that statement the Assembly has the following powers:

- 4.1 to acquire any real or personal property on the terms and conditions it thinks fit;
- 4.2 to give mortgages over real or personal property on the terms and conditions it thinks fit;
- 4.3 to purchase, construct, alter and maintain buildings, fences, machinery and other works as it considers necessary;
- 4.4 to enter into any lease of real or personal property on the terms and conditions it thinks fit;
- 4.5 to borrow money on the terms and conditions it thinks fit;

- 4.6 to enter into negotiations, contracts and agreements consistent with the objects of the Assembly on the terms and conditions it thinks fit;
- 4.7 to open and operate bank accounts;
- 4.8 to receive and give receipts for all gifts, legacies, bequests or other monies, and to execute any trust created for any of the objects of the Assembly or for the purpose of furthering any of those objects;
- 4.9 to invest the funds of the Assembly in investments for the time being authorised by law for the investment of trust funds in New Zealand and from time to time vary any of those investments;
- 4.10 to exercise all powers and duties of the National Executive Committee under these Rules;
- 4.11 to exercise all administrative powers necessary to further the objects of the Assembly;
- 4.12 to co-opt any person with special expertise to serve on the National Executive Committee or any standing committee on conditions determined by the National Executive Committee;
- 4.13 to do all things reasonably related or incidental to any of the above powers.

5. Funds

- 5.1 The funds and other property of the Assembly must be applied solely towards the objects of the Assembly.

Any income, benefit, or advantage must be used to advance the purposes of the Assembly.

No member of the Assembly, or anyone associated with a member, is allowed to take part in, or influence any decision made by the Assembly in respect of payments to, or on behalf of, the member or associated person of any income, benefit, or advantage.

Any payments made to a member of the Assembly, or person associated with a member, must be for goods or services that advance the purpose and must be reasonable and relative to payments that would be made between unrelated parties.

- 5.2. All property received or held by the National Executive Committee and any Regional Executive Committee is the property of the Assembly.
- 5.3 No Regional Executive Committee shall exercise any power over property received or held by it without the consent of and within limits from time to time authorised by the National Executive Committee.
- 5.4 The National Executive Committee will control and regulate the management of the Assembly's bank accounts and the means by which cheques are drawn or endorsed and the powers of any Regional Executive Committee to operate bank accounts and authorise expenditure.

PART 3 - MEMBERSHIP

6 Membership

6.1 **Membership categories:** The Assembly has the following categories of membership:

- Individual membership
- Family membership
- Life membership
- Organisations of disabled people membership
- Organisations for disabled people associate membership
- Individual and family associate membership

6.2 **Individual membership:** Any person with an impairment may apply to become an Individual member of the Assembly.

6.3 **Family membership:** Any member of a family with a child with an impairment under 18 years of age may apply to become a Family member of the Assembly.

6.4 **Life membership:**

6.4.1 A person who is deemed to have served the Assembly in an extraordinary way may be granted Life Membership.

6.4.2 The members at a meeting of the Assembly shall approve Life Membership after a recommendation by the National Executive Committee.

6.4.3 Life Membership will accord the recipient all rights and privileges accorded a financial Individual member but the recipient will not be required to pay the annual subscription.

6.5 Organisations of disabled people membership

6.5.1 Any eligible organisation may apply to become an “Organisations of disabled people” member of the Assembly.

6.5.2 An eligible organisation is an incorporated or unincorporated body that:

- is a non-profit, charitable or welfare organisation; and
- has objects similar to the objects of the Assembly or works in any way for the benefit of people with disabilities; and
- is governed by a board the majority of whom are people with disabilities or are directly accountable to people with disabilities.

6.5.3 A regional division or branch of an eligible organisation is an eligible organisation in its own right.

6.6 Organisations for disabled people associate membership

6.6.1 Any eligible organisation may apply to become an “Organisations for disabled people” associate member of the Assembly.

6.6.2 An eligible organisation is an incorporated or unincorporated body that:

- provides services specific to people with disabilities or
- provides services to the general population including people with disabilities

6.6.3 A regional division or branch of an eligible organisation is an eligible organisation in its own right.

6.7 Individual and family associate membership:

Any:

- person who; or
- family who

is interested in the work and activities of the Assembly may apply to become an Associate member of the Assembly.

6.8 Application procedure

6.8.1 An application for membership must be in writing in the form determined by the National Executive Committee from time to time.

6.8.2 An application for Individual membership or Family membership must be decided by:

- the Regional Executive Committee for the region of their choice; or
- the National Executive Committee.

6.8.3 An application for “Organisation of disabled people” membership must be decided by the National Executive Committee.

6.8.4 An application for Associate membership must be decided in the same manner as an application for Individual, Family or organisation membership, as appropriate for the applicant.

6.8.5 The Committee to which an application for membership has been made may accept or reject any application for membership.

6.9 Termination of membership

6.9.1 A member may resign their membership by giving written notice to:

- the Regional Executive Committee of the region to which the member paid their membership subscription to; or
- to the National Executive Committee.

6.9.2 The National Executive Committee may cancel a member's membership if:

- the member's subscription is two years in arrears; or
- the National Executive Committee reasonably believes that the member or their representative has been guilty of, or party to, conduct contrary to these Rules or contrary to the objects or interests of the Assembly.

Before a member's membership is cancelled the member must be given written notice by the National Executive Committee of the matters charged against the member and shall be given a reasonable opportunity to be heard in defence. Such notice in writing may be served by delivery in person or by mail to the last known mailing address by registered post. If no response is forthcoming within four weeks of a notice so delivered, then by direction of the National Executive Committee, the member's name shall be removed from the register.

6.10 Consequences of termination

Termination of membership does not release a member from any liability arising prior to the termination.

6.11 Constitutions of Organisation of disabled people members

Despite anything in these Rules, the Assembly will at all times respect the constitution and autonomy of any member that is an incorporated or unincorporated body.

7. Subscriptions

7.1 Each member must pay an annual subscription for each financial year of the assembly.

7.2 The rates of annual subscriptions for a financial year are fixed at the annual general meeting of the Assembly prior to the start of the financial year. The rates of annual subscriptions may be fixed according to any basis and may vary between categories of membership.

Example: The annual subscription for an Individual member may differ between waged and unwaged members. The annual subscription for a Family member may equal to the sum of one waged Individual member subscription and one unwaged Individual member subscription or two times the unwaged Individual member subscription according to the family's circumstances.

7.3 The annual subscription is due on the first day of the financial year.

7.4 The annual subscription is payable to:

- in the case of an Individual member or Family member, the Regional Executive Committee of the region of their choice; or
- otherwise, the National Executive Committee.

7.5 The annual subscription for Associate membership is payable in the same manner as for Individual, Family or Organisation of disabled people membership, as appropriate for the member.

7.6 If any annual subscription is unpaid on the due date the member will be deemed to be non- financial until the subscription is paid. Despite anything in these Rules, a non-financial member may not:

- vote at any meeting or in any ballot of the members; or
- in the case of an Individual, hold office as a member of the National Executive Committee or any Regional Executive Committee.

No representative of a non-financial Organisation of disabled people member or Family member may hold office as a member of the National Executive Committee or any Regional Executive Committee.

8. Regions

8.1 The National Executive Committee after consultation locally will divide New Zealand into regions and define the boundaries of each region.

- 8.2 Each member may choose to affiliate to a region. All of the members affiliated to a region will comprise the Regional Assembly of that region.
- 8.3 The National Executive Committee may change the number and boundaries of regions from time to time after consultation locally.

PART 4 – ORGANISATIONAL STRUCTURE

9 National Executive Committee

- 9.1 **Composition:** The Assembly has a National Executive Committee. The National Executive Committee has up to ten members comprising
- President
 - Immediate Past President or President Elect
 - Five elected members
 - Up to Three Board Appointed Members
- 9.2 **President:** At the next annual general meeting since their election, the President-Elect shall become the President and serve for a two-year term.
- 9.3 **Immediate Past President:** When the President vacates office, they assume the office of Immediate Past President until the conclusion of the President's first year in office. The Immediate Past President may stand for election to any position on the committee.
- 9.4 **President-Elect:** The President-Elect is elected at the annual general meeting where the President begins their last year as President. If the President-Elect vacates office with more than six

months before the next annual general meeting, a new President-Elect shall be elected within two months.

9.5 **National Maori Adviser:** The National Executive Committee may appoint an Individual member or representative of an Organisation of disabled people member or Family member as the National Maori Adviser for a term of not more than two years.

9.6 **Board Appointed Members:** The National Executive Committee may appoint an Individual member or representative of a member Disabled Persons Organisation or Family member to meet a specific need identified by NEC for a term of not more than two years.

9.7 **Committee members:** Committee Members: The five committee members are elected by rotation at each annual general meeting. At each annual general meeting the two committee members who have been longer in office since their last election or appointment to the committee must retire as committee members. As between committee members elected or appointed at the same time those to retire must be determined by lot unless otherwise agreed between themselves. Any committee member who retires under this rule is eligible for re-election.

9.8 **Method of election:** Elections for President-Elect and retiring committee members must be by postal ballot conducted prior to the annual general meeting in accordance with Schedule D.

9.9 **Eligibility:** The following people are eligible for election to the National Executive Committee:

- an Individual member;
- a representative of an Organisation of disabled people member; and

- a representative of a Family member; and
- not an employee of the Assembly.

No person may be nominated for election unless written notice of the nomination and written acceptance by the nominee has been given to the National Executive Committee not less than eight weeks before the annual general meeting. In all cases, including existing members of the committee who are seeking re-election, the notice must include biographical details of the nominee and a statement:

- whether or not the nominee has a disability or is the parent or guardian of a person with a disability; and
- if applicable, the name of the Organisation of disabled people member represented by the nominee.

9.10 Casual vacancies: The National Executive Committee may fill any casual vacancy occurring during a year. Any person appointed under this rule will hold office only until the next annual general meeting but is eligible for election.

9.11 Regular meetings: The National Executive Committee must meet not less than three times in each year. The President must convene a meeting of the National Executive Committee within 30 days of a request to do so from not less than four members of the National Executive Committee. Proceedings of a meeting must be conducted in accordance with Schedule B.

9.12 Functions: The National Executive Committee is responsible for managing the affairs of the Assembly in accordance with the objects of the Assembly. The National Executive Committee may do all things that the Assembly may do other than those things required to be done by the Assembly at a meeting of members. In particular, the National Executive Committee may:

- 9.12.1 appoint a Chief Executive Officer and fix the term of their appointment;
- 9.12.2 determine the duties, powers and obligations of the Regional Executive Committees;
- 9.12.3 make and amend by-laws not inconsistent with these Rules to regulate:
- the administration of Regional Assemblies and Regional Executive Committees;
 - meeting procedures to be used by Regional Assemblies and Regional Executive Committees;
 - all other matters relating to the objects of the Assembly or specified in these Rules;
- 9.12.4 deal with any breach of these Rules or any by-laws or any misconduct on the part of any member, Regional Assembly or Regional Executive Committee;
- 9.12.5 define the authority of Regional Executive Committees to enter into financial commitments on behalf of the Assembly and the manner in which Regional Executive Committees administer financial matters;
- 9.12.6 inspect the books and records of any Regional Executive Committee;
- 9.12.7 carry out the functions of any Regional Executive Committee in any region where no properly constituted Regional Executive Committee exists or where the powers of the Regional Executive Committee have been suspended by the National Executive Committee;

9.12.8 enter into contracts on behalf of the Assembly and spend the Assembly's money in carrying out its objects;

9.12.9 institute, carry out or defend legal proceedings when necessary, including for the recovery of any debt due to the Assembly;

9.12.10 carry out and enforce any of the objects of the Assembly.

9.13 **Tenure:** The tenure of a member of the National Executive Committee terminates:

9.13.1 at the conclusion of the Annual General Meeting where their successor is elected;

9.13.2 upon being absent from three consecutive meetings of the National Executive Committee without leave of absence unless the National Executive Committee determines otherwise;

9.13.3 upon becoming non-financial or in the case of a representative of an Organisation of disabled people member or Family member, that Organisation of disabled people member or Family member becoming non-financial.

9.14 **Expenses:** All reasonable travelling and accommodation expenses incurred by members of the National Executive Committee attending meetings of the National Executive Committee will be borne by the Assembly.

9.15 **Transition:** the implementation and transition period 2012 consists of the five current mid term members retaining their positions in November 2012. Only a President Elect is elected. In November 2013 there will be an election for five people. The top

three elected members sit a two year period and the other two sit a 1 year period. From November 2014 onwards, the elected members will sit a two year period. If one of the current 5 midterm members becomes president elect in 2012 then clause 9.10 will be enacted.

10. Standing Committees

- 10.1 The National Executive Committee may appoint standing committees and may delegate to any standing committee any powers and duties as it thinks fit.
- 10.2 Each standing committee will consist of the persons appointed from time to time by the National Executive Committee. The President and President-Elect or Immediate Past President will be ex-officio members of all standing committees.
- 10.3 A standing committee must meet and report as required to carry out its functions and will be allocated sufficient funds to meet expenses by the National Executive Committee.
- 10.4 A standing committee must not spend any money or incur any liabilities in excess of any budget approved by the National Executive Committee without the prior approval of the National Executive Committee.
- 10.5 Each standing committee must keep minutes of all meetings and forward a copy of those minutes to the National Executive Committee.
- 10.6 The National Executive Committee may fill any casual vacancies or make any further appointments to a standing committee from time to time.

11. Other Committees

- 11.1 The National Executive Committee may appoint a convenor and members of other committees.
- 11.2 Each committee will consist of the persons appointed from time to time by the National Executive Committee. The President and President-Elect or Immediate Past President will be ex-officio members of all committees.
- 11.3 Each committee will have the powers and duties fixed by its appointment.

12. Regional Executive Committees

- 12.1 The National Executive Committee may allow the members of a Regional Assembly to elect annually, a Regional Executive Committee to facilitate the co-ordination of the work of the Assembly at a local level in accordance with the vision, objects and policies of the Assembly.
- 12.2 Each Regional Executive Committee will comprise a President and any other office holders as the Regional Assembly deems necessary for it to carry out its duties.

In addition, the Assembly's President and President-Elect or Immediate Past President will be ex-officio members of all Regional Executive Committees.

- 12.3 The following people are eligible for election to a Regional Executive Committee:

- an Individual member;
- a representative of an Organisation of disabled people member;
and
- a representative of a Family member; and
- not an employee of the Assembly.

12.4 The elections for the President and other office holders of a Regional Executive Committee may be by a:

- postal ballot conducted in accordance with Schedule D, or;
- poll.

12.5 Rules 9 to 11 (except rules 9.1, 9.2, 9.4, 9.6, 9.7, 9.8 and 9.11) apply with all necessary modifications as if references to the National Executive Committee are references to the Regional Executive Committee and references to the Assembly are references to the Regional Assembly.

12.6 Each Regional Executive Committee will have the powers and duties delegated to it from time to time by the National Executive Committee to promote the policies of the Assembly.

12.7 A Regional Executive Committee must not enter into any financial commitment or obligation except to the extent and within the limits from time to time authorised by the National Executive Committee.

12.8 The Auditor may access at all times the books, accounts, minutes and other records and papers of any Regional Executive Committee and may require from the Regional Executive Committee any information or explanation that the Auditor thinks necessary in the interests of the Assembly.

12.9 Each Regional Executive Committee must:

- keep a register of members affiliated to its region;
- issue a receipt for any subscription received by it;
- issue membership cards to new members to its region; and
- forward details of all the above to the National Executive Committee on a regular basis in a format and at intervals requested by the National Executive Committee.

PART 5 - MEETINGS OF MEMBERS

13. Annual general meeting

- 13.1 An annual general meeting of the Assembly must be held not later than 30 November in each year.
- 13.2 An annual general meeting will be held at the time and place determined by the National Executive Committee.
- 13.3 The business of an annual general meeting is to:
 - 13.3.1 receive and consider an annual report of the National Executive Committee and any other duly constituted committee;
 - 13.3.2 receive and consider the annual financial statements of the Assembly;
 - 13.3.3 the election of officers;
 - 13.3.4 the election of the Auditor; and
 - 13.3.5 the consideration of any other business accepted by the majority of members present and with power to vote at the meeting.
- 13.4 Every member of the Assembly is entitled to be given notice of an annual general meeting.
- 13.5 Proceedings of an annual general meeting will be conducted in accordance with Schedule A.

14. Regional general meetings

- 14.1 A regional general meeting of each Regional Assembly must be held not later than 31 October in each year.
- 14.2 A regional general meeting will be held at the time and place determined by the Regional Executive Committee
- 14.3 The business of a regional general meeting is to:
 - 14.3.1 receive and consider the Annual Report of the Regional Executive Committee and any other duly constituted committee.
 - 14.3.2 elect officers of the Regional Executive Committee.
 - 14.3.3 elect an auditor;
 - 14.3.4 consider any other business accepted by the majority of members present and with power to vote at the meeting.
- 14.4 Every member of the relevant Regional Assembly is entitled to be given notice of a regional general meeting.
- 14.5 Proceedings of a regional general meeting will be conducted in accordance with Schedule A.

15. Special general meetings

- 15.1 A special general meeting of members of the Assembly:

- 15.1.1 may be called by the National Executive Committee at any time; and
 - 15.1.2 must be called by the National Executive Committee on the written request of not less than 20 members.
- 15.2 A special general meeting of members of a Regional Assembly:
- 15.2.1 may be called by the National Executive Committee at any time; or
 - 15.2.2 may be called by the Regional Executive Committee at any time; and
 - 15.2.3 must be called by the Regional Executive Committee on the written request of not less than 10 members of the Regional Assembly.
- 15.3 Every request under rule 15.1.2 or rule 15.2.3 must:
- 15.3.2 state the business to be dealt with at the meeting; and
 - 15.3.2 be given to the President at the registered office of the Assembly.
- 15.4 A special general meeting required to be held under rule 15.1.2 or rule 15.2.3 must be held within 30 days of the date on which the written request is received by the President under rule 15.3.2.
- 15.5 Every member of the Assembly is entitled to be given notice of a special general meeting under rule 15.1. The notice must specify the business of the special general meeting.

- 15.6 Every member of the Regional Assembly is entitled to be given notice of a special general meeting under rule 15.2. The notice must specify the business of the special general meeting.
- 15.7 The business of a special general meeting is limited to the matters specified in the notice.
- 15.8 Proceedings of a special general meeting will be conducted in accordance with Schedule A.

PART 6 - GENERAL

16. Registered Office

- 16.1 The registered office of the Assembly is at the place determined by the National Executive Committee from time to time.
- 16.2 The National Executive Committee must notify the Registrar of any change of the place of the registered office of the Assembly.

17. Common Seal

- 17.1 The Assembly will adopt a common seal.
- 17.2 The common seal will be kept in the custody of the National Executive Committee or any person appointed by the National Executive Committee.
- 17.3 The common seal must not be affixed to any document except where authorised by a resolution of the National Executive Committee or a meeting of the Assembly.
- 17.4 The common seal must be affixed only in the presence of two members of the National Executive Committee.

18 Financial Year

The financial year of the Assembly ends on 30 June in each year or any other date the National Executive Committee may determine from time to time.

19. Financial Statements

19.1 The National Executive Committee must cause to be prepared financial statements as at the end of each financial year showing:

- the receipts and expenditure of the Assembly for the financial year; and
- the liabilities and assets of the Assembly at the end of the financial year.

19.2 The financial statements must be audited by the Auditor.

19.3 The financial statements and the Auditor's report on those financial statements must be presented to the annual general meeting of the Assembly following the end of the financial year.

20. Alterations to Rules

- 20.1 These Rules may be amended by special resolution at any meeting of the Assembly.
- 20.2 No amendment to these Rules may be made which is inconsistent with the charitable nature or objects of the Assembly
- 20.3 Any amendment of these Rules must be registered in accordance with the Act.

21. Disputes

Any dispute about:

- 21.1 a matter which is not provided for in these Rules;
- 21.2 any other matter concerning the Assembly, its property or interests; or
- 21.3 the interpretation of these Rules

will be determined by the National Executive Committee whose decision shall be conclusive and binding on all members unless revoked at a special general meeting of the Assembly held not later than the annual general meeting following the decision.

22. Winding Up

The Assembly may be wound up in the manner prescribed by the Act.

23. Disposal of Surplus Funds

On the winding up or dissolution of the Assembly and after the payment of all costs, debts and liabilities any surplus assets will be applied according to a special resolution of the Assembly exclusively for purposes within New Zealand which as near as possible resemble the objects of the Assembly.

24. Interpretation

In these Rules unless the context requires otherwise:

"Act" means the Incorporated Societies Act 1908 as amended from time to time and includes all regulations made under that statute and any re-enactment of it or statute passed in substitution for it;

"Auditor" means the auditor of the Assembly appointed from time to time by meeting of the Assembly;

"special resolution" means a resolution approved by a majority of 75 percent of the votes of those members entitled to vote and voting on the question;

the singular includes the plural and vice versa.

SCHEDULE A

Proceedings of meetings of members

1. Chairperson

- 1.1 All meetings of the Assembly will be chaired by the President. If the President is not present at the meeting within 15 minutes of the time appointed for starting the meeting, the meeting will be chaired by the President-Elect or Immediate Past President.
- 1.2 All meetings of a Regional Assembly will be chaired by the Regional Assembly President.
- 1.3 If an authorised chairperson, as stated in Schedule A, clauses 1.1 or 1.2, is not present at the meeting within 15 minutes of the time appointed for starting the meeting, the members present may choose one of them to chair the meeting,

2. Notice of meetings

- 2.1 Notice of the time and place of the meeting must be given to all members entitled to receive notice of the meeting.
- 2.2 Notice of the meeting must be given:
 - 2.2.1 in the case of a meeting of members of the Assembly, not less than 30 days prior to the meeting; and
 - 2.2.2 in the case of a meeting of members of a Regional Assembly, not less than 14 days prior to the meeting.
- 2.3 Any irregularity in a notice of meeting is of no effect if all members entitled to attend and vote at the meeting attend the

meeting without protest as to the irregularity or agree to overlook the irregularity.

3. Methods of meeting

A meeting of members may be held either:

- 3.1 by the members who are participating in the meeting being assembled together at the place appointed for the meeting; or
- 3.2 by means of audio or audio and visual communication so that all members participating in the meeting can simultaneously hear or see each other throughout the meeting.

4. Quorum

4.1 Subject to Schedule A, clause 4.3, no business may be transacted at a meeting of members if a quorum is not present.

4.2 A quorum for a meeting of members is:

4.2.1 for a meeting of members of the Assembly, 20 members present in person or by their proxy or representatives; and

4.2.2 for a meeting of members of a Regional Assembly, 7 members present in person or by their proxy or representatives.

4.3 If a quorum is not present within 30 minutes after the time appointed for starting the meeting:

4.3.1 if the meeting was convened following a request under rule 15.1.2 or rule 15.2.3, the meeting is dissolved; and

4.3.2 in any other case, the meeting is adjourned to the day, time and place within 14 days as the Chairperson may appoint. If a quorum is not present within 30 minutes after the time appointed, any four members present in person or by their proxy or representatives will be a quorum.

5. Voting

5.1 Subject to Schedule A, clauses 5.2 and 5.3, voting at any meeting of members will be by

- voice; or
- show of hands

as determined by the Chairperson.

5.2 Whenever a vote is required:

5.2.1 each Organisation of disabled people member shall have one vote;

5.2.2 each Individual member shall have one vote;

5.2.3 each Family member shall have one vote.

5.3 Except as specified in Rule 9.7, voting for the election of officers will be subject to Schedule A, clause 5.1.

5.4 Voting will be by poll on any question where a poll is demanded by at least four members who are:

- present in person or by their proxy or representatives; and
- entitled to vote.

5.5 An Associate member is entitled to attend and speak at any meeting but has no vote.

5.6 The Chairperson has a deliberative and a casting vote.

6. Proxies

6.1 An Individual member or a Family member may appoint a proxy to attend and be heard at any meeting of members as if the proxy were the member.

6.2 A proxy must be appointed by notice in writing signed by the member and the notice must state whether the appointment is for a particular meeting or a specified term. The appointment of a proxy may be in the form set out in Schedule C or in any form of the same effect.

6.3 No proxy is effective for a meeting unless a copy of the notice appointing the proxy is produced to the Chairperson before the start of the meeting.

7. Minutes

7.1 The Chairperson must ensure that minutes are kept of proceedings at meetings. Minutes which have been signed correct by the Chairperson of the meeting are evidence of the proceedings unless they are shown to be inaccurate.

8. Organisation of disabled people members and Family members

- 8.1 An Organisation of disabled people member may appoint a representative to attend a meeting of members on its behalf in the same manner as it could appoint a proxy.
- 8.2 A Family member may appoint two representatives to attend a meeting of members on its behalf in the same manner as it could appoint a proxy.

9. Other proceedings

Except as set out in this Schedule, a meeting of members may regulate its own procedure.

SCHEDULE B

Proceedings of the National Executive Committee and Regional Executive Committees

1. Chairperson

- 1.1 All meetings will be chaired by the President or if they are not present, by the President-Elect or Immediate Past President. If neither of these people are present, the meeting will elect a Chairperson for the meeting.

2. Notice of meetings

- 2.1 Notice of the time and place of a meeting must be given to all members of the committee.

- 2.2 Notice of the meeting must be given:

2.2.1 in the case of a meeting of the National Executive Committee, not less than 14 days prior to the meeting; and

2.2.2 in the case of a meeting of members of a Regional Executive Committee, not less than 7 days prior to the meeting.

- 2.3 Any irregularity in a notice of meeting is of no effect if all members entitled to attend and vote at the meeting attend the meeting without protest as to the irregularity or agree to overlook the irregularity.

3. Methods of meeting

A meeting of the committee may be held either:

- 3.1 by the members participating in the meeting being assembled together at the place appointed for the meeting; or
- 3.2 by means of audio or audio and visual communication so that all members participating in the meeting can simultaneously hear or see each other throughout the meeting.

4. Quorum

- 4.1 Subject to Schedule B, clause 4.3, no business may be transacted at a meeting if a quorum is not present.
- 4.2 A quorum for a meeting is a majority of the members of the committee.
- 4.3 If a quorum is not present within 30 minutes after the time appointed for the start of the meeting, the meeting is adjourned to the day, time and place within 14 days as the Chairperson may appoint. If a quorum is not present within 30 minutes after the time appointed, any four members present will be a quorum.

5. Voting

- 5.1 Each member of the committee present at the meeting has one vote. A resolution is passed if it is agreed to without dissent or by a majority of members present having voted in favour of it.
- 5.2 The Chairperson has a deliberative and a casting vote.

6. Minutes

- 6.1 The Chairperson must ensure that minutes are kept of proceedings at meetings. Minutes which have been signed correct by the Chairperson of the meeting are evidence of the proceedings unless they are shown to be inaccurate.

7. Other proceedings

- 7.1 Except as set out in this Schedule, the committee may regulate its own procedure.

SCHEDULE C

Form of Proxy

Appointment of Proxy

(an Individual member of the Disabled Persons Assembly (New Zealand) Incorporated) hereby appoints:

_____ (*fill
in full name*)

to be my proxy at all annual and special general meetings of the Disabled Persons Assembly (New Zealand) Incorporated to be held at any time or times hereafter. This appointment will have effect and remains in full force until it is withdrawn or replaced by another appointment in writing.

Dated this day of 20

Signed

SCHEDULE D

Rules for postal ballots

1. All postal ballots will be conducted by the Returning Officer and two scrutineers.
2. The Returning Officer will be the Chief Executive Officer of the Assembly for the time being or if there is no such person, a person appointed by the National Executive Committee
3. The scrutineers are appointed by the National Executive Committee.
4. The Returning Officer will send out voting papers to all eligible voters not less than 30 days before the meeting.
5. The postal ballot voting papers, for the election of the National Executive Committee, will include for each candidate:
 - a summary of the biographical details of the candidates;
 - whether or not the candidate has a disability or is the parent of guardian of a person with a disability; and
 - which, if any, Organisation of disabled people member or Family member the candidate is a representative of.
6. Voting papers must be returned to the Returning Officer no later than 5pm on the third day before the meeting. Any voting paper received after that time is invalid.
7. The scrutineers will count the votes and advise the Returning Officer in writing. The Returning Officer will announce the result at the meeting.