

New Zealand  
Psychological Society  
*Rōpū Mātai Hinengaro o Aotearoa*



## **Rules**

# **The New Zealand Psychological Society – Te Rōpū Mātai Hinengaro o Aotearoa Incorporated**

**Revised September 2020**

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## **1 Name**

The Name of the Society shall be "The New Zealand Psychological Society – Te Rōpū Mātai Hinengaro o Aotearoa Incorporated".

## **2 Objects**

The objects for which the Society is established are:

- (a) To promote the discipline of psychology as a science and the practice of psychology as a profession;
- (b) To promote the development and use of psychological knowledge for the alleviation of social problems and reduction of social inequalities, consistent with the principle of empowerment;
- (c) To promote high standards of ethical and professional conduct and practice on the part of psychologists;
- (d) To promote the teaching and dissemination of knowledge of basic and applied psychology;
- (e) To promote the interests of the profession of psychology in New Zealand;
- (f) To grant pecuniary or other assistance to any society, school, college, university, institute or body corporate established in New Zealand in the interests of research in or the study of psychology or of the profession of psychology;
- (g) To grant prizes or scholarships or subsidise lectureships in any school, college, university or institute in connection with research in or the study of psychology or its practice;
- (h) To do all such things as are incidental or conducive to the attainment of the above objects or any of them.

## **3 Implementation of Objects**

### 3.1

In giving effect to the objects for which the Society is established the Society shall encourage policies and practices that reflect New Zealand's cultural diversity and shall, in particular, have due regard to the provisions of, and to the spirit and intent of, Te Tiriti o Waitangi (the Treaty of Waitangi.)

### 3.2

In accordance with 3.1, the Executive may from time to time, following consultation with the National Standing Committee on Bicultural Issues, appoint a Kaumatua for the Society.

### 3.3

In accordance with 3.1, the Executive may from time to time appoint a person or persons to provide advice and support in respect of other cultures.

## **4 Membership**

### 4.1

There shall be the following classes of membership of the Society:

- (a) Full membership;
- (b) Senior Full Membership

Full members of the Society may be admitted to the further status of

- (c) Fellowship;
- (d) Associate Fellowship;
- (e) Life membership

#### 4.2

Additional categories of persons associated with the Society are

- (a) Honorary Fellows
- (b) Emeritus Fellows
- (c) Subscribers
- (d) Student Subscribers
- (e) International Affiliate Member
- (f) Psychology Teacher Affiliate Member

#### 4.3

All persons who were Members, Fellows, Associate Fellows, Emeritus Fellows, Life Members, Honorary Members, Subscribers, or Student Subscribers of this Society on the date of adoption of these Rules shall retain the status held at the date of adoption of the Rules of the Society.

#### 4.4

Persons shall be admitted to each respective class of membership in accordance with the rules relating to that class of membership.

#### 4.5

A member shall cease to be a member, Fellow, Associate Fellow, Emeritus Fellow, Life Member, Honorary Member, Subscriber, or Student Subscriber of the Society upon their death, resignation or expulsion.

#### 4.6

All members of the Society will be notified of the election of any new member and of any change in the membership status of any existing member (including the transfer from one class of membership to another, cessation, resignation or expulsion).

### **5 Full Members**

#### 5.1

To qualify for election as a Full member an applicant must have satisfied the Executive that they possess one of the following qualifications:

- (a) a Doctorate in the field of psychology; or
- (b) an Honours or Masters degree in the field of psychology, or
- (c) an Honours, Masters, or other approved postgraduate qualification in which at least two courses (equivalent in total credit weight to one half of a full academic year of study) on psychological topics have been passed at postgraduate level, and that either
  - (i) a thesis on a psychological topic has been accepted, or
  - (ii) at least one year of relevant supervised experience or training acceptable to the Executive has been completed.
- (d) such equivalent qualifications, skills or knowledge in psychology as may be approved by the Executive after consultation with the Membership and Status Committee.

#### 5.2

Qualifications gained at overseas institutions will be accepted if they are deemed by the Executive Director in consultation with the Membership and Status Committee as equivalent to the Society's published membership criteria. Any person holding overseas qualifications recognised as sufficient for registration as a psychologist by

the New Zealand Psychologists Board will be deemed to have qualifications meeting the requirements of rule 5.1.

### 5.3

An applicant for election to Full membership shall be proposed by at least two members. These members must have personal knowledge of the applicant, sufficient to have satisfied themselves

- (a) as to the authenticity of the applicant's qualifications; and
- (b) that the applicant is in good standing as a psychologist.

### 5.4

To qualify for election as a Full member an applicant must also have satisfied the Executive that they are of good character and have not been and are not currently subject to disciplinary action by any professional disciplinary body.

## **5.5 Senior Full Member**

To qualify for Senior Member status, NZPsS Members must have been a Full Member of the NZPsS for a minimum of ten years and be eligible for New Zealand Superannuation. Senior members will retain the rights and benefits of Full Membership and will pay a fee as determined by the NZPsS Executive

## **6 Fellows**

### 6.1

To qualify for election as a Fellow, a member must have satisfied the Executive that:

- (a) They have been a member of the Society for at least a total of seven years; and
- (b) They have made a substantial contribution to the advancement of psychological knowledge or practice either by their own research and/or practice or by organising or developing the work of others, and, normally
- (c) That they possess an advanced knowledge of psychology in at least one of its fields.

### 6.2

A member seeking Fellowship must be nominated by two members of the Society. Such nominations will be referred to the Membership and Status Committee. Following consideration of any nomination the Membership and Status Committee will make a recommendation to the Executive regarding election to Fellowship. The Executive will decide whether the candidate will be elected. No record will be made in the Minutes of the Executive of the names of candidates not elected, but such a record may be made in the Minutes of the Membership and Status Committee.

## **7 Associate Fellows**

### 7.1

To qualify for election as an Associate Fellow, a member must have satisfied the Executive that:

- (a) They have been engaged in psychological work for a period of not less than four years after qualifying for membership; and
- (b) By their own research or practice or by organising or developing the work of others, they have made a substantial contribution to the advancement of either:
  - (i) psychological knowledge; or
  - (ii) psychological practice, and

(iii) have developed professional skills which entitle them to be regarded as a mature and highly competent professional psychologist.

## 7.2

A member seeking Associate Fellow membership must be nominated by two full members of the Society. Such nominations will be referred to the Membership and Status Committee. Following consideration of any nomination the Membership and Status Committee will make a recommendation to the Executive regarding election to Associate Fellowship. The Executive will decide whether the candidate will be elected. No record will be made in the Minutes of the Executive of the names of candidates not elected, but such a record may be made in the Minutes of the Membership and Status Committee.

## **8 Emeritus Fellows/Associate Fellows**

### 8.1

Emeritus Fellowship/Associate Fellowship may be granted by the Executive, at its discretion, on request from any Fellow or Associate Fellow who declares that they have fully retired from the practice of psychology and from paid employment and who, in consequence, wish to retire from active Society membership.

### 8.2

A member who is made an Emeritus Fellow or an Emeritus Associate Fellow is not obliged to pay any subscription and is not entitled to receive any Society services, but subject only to Rule 4.4 is entitled to use the title as above until their death.

## **9 Honorary Fellows**

### 9.1

Honorary Fellowship is open to persons of distinction outside of the Society who have made an original and significant contribution to psychological knowledge or who have rendered outstanding services to New Zealand Psychology. The total number of Honorary Fellows at any one time shall not exceed fifteen.

### 9.2

Honorary Fellows are to be elected by the Society at a General Meeting following nomination in accordance with rule 9.3

### 9.3

A person may be proposed for Honorary Fellowship upon the nomination to the Executive by any two members of the Society. If the nomination is endorsed by the Executive, the Executive will propose that person for election as an Honorary Fellow at the next General Meeting of the Society following endorsement. That person will become an Honorary Fellow if so elected by a simple majority of those voting at the General Meeting.

### 9.4

Following the General Meeting the Executive Director will advise the person of their election as Honorary Fellow and will announce the election of the Honorary Fellow to the membership of the Society.

## **10 Life Membership**

### 10.1

Life membership may be granted by the Executive, at its discretion, to those full members who have been members of the Society for thirty years, or who have been members of the Society for at least twenty years and who have made an outstanding contribution to the Society over an extended period of time. For the

purposes of this rule prior membership of an equivalent overseas psychological organisation may be deemed equivalent to membership of the New Zealand Psychological Society, at the discretion of the Executive.

#### 10.2

Life Members shall retain all rights and privileges of membership but are to be liable for diminished subscriptions or may be exempt from payment of further subscriptions in such manner and to such extent as the Executive may from time to time determine.

### **11 International Affiliate Membership**

#### 11.1

To qualify for election as an International Affiliate Member, an applicant must have satisfied the Executive that they are resident overseas and are a current Full Member of an association with whom the NZPsS has signed a memorandum of understanding. International Affiliate Members will pay a fee, (as determined by the Executive), will not have voting rights and will have access to a limited range of benefits as determined by the Executive.

### **12 Psychology Teacher Affiliate Membership**

#### 12.1

To qualify for election as a Psychology Teacher Affiliate Member, an applicant must have satisfied the Executive that they are a resident of New Zealand; have an undergraduate qualification in psychology, are a registered teacher, and are currently teaching psychology in a New Zealand secondary school or polytechnic. Psychology Teacher Affiliate Members will pay a fee (as determined by the Executive), will not have voting rights and will have access to a limited range of benefits and services as determined by the Executive.

### **13 Membership Applications**

#### 13.1

Applications for Full membership are to be sent to the National Office of the Society. Applications must include documentary evidence of educational qualifications, experience and employment.

#### 13.2

The Executive Director and/or the Chair of the Membership and Status Committee may consult the Membership and Status Committee, the Convenor of the Ethical Issues Committee, the applicant's proposer and seconder and/or any other person thought to possess information relevant to the membership application.

#### 13.3

Once the Executive Director is satisfied the applicant fulfils the requirements of rule 5, the Executive Director shall circulate to all Members of the Society a list showing the applicant's name, location, proposer and seconder, together with a statement that if no objections are lodged within a period of twenty-one calendar days, each applicant will be declared elected. If no objections are received within 21 calendar days, the Executive Director will proceed as provided for in 13.8 to confirm membership.

#### 13.4

A Member who objects to the election of any applicant shall lodge the objection in writing with the Executive Director. Such objection shall be supported in writing by a second Member of the Society, except that with the approval of the Executive given

in recognition of exceptional circumstances pertaining to the objection, an objection will be considered when made by one Member only.

### 13.5

- (a) On receipt of an objection to any applicant made under 13.4 the Executive Director will make such initial enquires as they deem appropriate to establish the grounds for the objection and will report on the objection to the Executive.
- (b) Upon receipt of the Executive Director's report the Executive may:
  - (i) Set the objection aside if it thinks fit;
  - (ii) Ask the applicant, proposer and seconder to comment;
  - (iii) Seek further information from the applicant, the objectors, or any other person;
  - (iv) Set up a Committee to enquire into the matter;
  - (v) Or take any other action deemed appropriate by the Executive.

### 13.6

In the event of a Committee being set up

- (a) The Committee with the assistance of the Executive Director will enquire further into the objection.
- (b) The Executive Director will inform the applicant of the objection and the grounds on which it has been made and invite the applicant to respond.
- (c) The business of the Committee will be conducted to the greatest degree possible in strict confidence.
- (d) The Committee will provide a full report of its enquiries to the Executive within a reasonable time of it being established. If enquiries are not completed within two months a progress report will be presented to Executive.
- (e) The Executive has absolute discretion to decide whether or not the applicant will be declared elected.

### 13.7

An applicant whose application is declined under 13.5 or 13.6 may request the Executive Director to initiate a review of the decision by way of the appointment of an arbitrator. The arbitrator will be appointed with the agreement of both the applicant and the Society, and the costs of the review will be borne by the applicant. The decision of the arbitrator will be binding on both the applicant and the Society.

### 13.8

The Executive Director will inform an applicant of the result of their application. Successful applicants will be advised of the subscription and/or fees payable and will be provided with a copy of the Rules by the Executive Director.

### 13.9

Election of an applicant becomes effective when the first subscription is received by the Executive Director. If this is not paid within six months from the date of election, the election may be revoked by the Executive.

## **14 Student Subscribers**

### 14.1

The Executive Director may admit students who meet the Society's published criteria as Student Subscribers. Student Subscribers are not members of the Society and are not eligible to vote but will receive notices of and be entitled to attend general

meetings of the Society and may enjoy such privileges of membership as the Executive may from time to time determine.

14.2

The Executive will determine an annual subscription for Student Subscribers.

## **15 Subscribers**

15.1

The Executive Director may admit persons who are not qualified for membership but who have a professional interest in psychology as Subscribers. Subscribers are not members of the Society and will not be eligible to vote but will receive notices of and be entitled to attend general meetings of the Society and to enjoy such privileges of membership as the Executive may from time to time determine.

15.2

The Executive Director may approve as Temporary Subscribers persons who are qualified for membership but who are either resident overseas or newly arrived in New Zealand, and unable to obtain membership nomination from two members. Temporary Subscriber status may continue for a maximum of 12 months from the date of arrival in New Zealand. Temporary Subscribers are not members of the Society and will not be eligible to vote but will be entitled to receive all periodicals and services and attend all events at member's rates.

15.3

The Executive will determine an annual subscription for Subscribers and Temporary Subscribers.

## **16 The Executive and Officers of the Society**

16.1

The Society's affairs will be governed by an Executive consisting of the offices of President, President-elect, a minimum of six and a maximum of eight Directors, including two Bicultural Directors, plus the Executive Director. Except for the Executive Director, only Full Members of the Society are eligible to serve as members of the Executive. Each member of the Executive will normally serve a term of two years and will be elected or appointed according to the provisions set out below. A student subscriber representative will also be elected to the Executive- see 16.5

16.2

President and President-elect shall be elected to these offices by the members of the Society as set out in rule 17. The President-elect will assume office at the expiry of the incumbent's term of office, without further election.

16.3

The Directors, (other than the two Bicultural Directors), shall be elected by the members of the Society as set out in rule 17, to manage specific portfolios determined from time to time upon the recommendation of the Executive by the Annual General Meeting as relevant to the Objects and activities of the Society.

16.4

The two Bicultural Directors will be nominated by the National Standing Committee on Bicultural Issues, with the nominees' endorsement, and the nominations notified to the Executive Director. Appointment of the nominees will be announced by the Chairperson at the AGM or as soon as possible thereafter.

16.5

A student representative shall be elected by student subscribers of the Society as set out in rule 15. The student representative will have speaking rights but not voting rights on the Executive and at the AGM. The student representative must be a current student subscriber of the Society and will normally serve a term of one year with the option of a further one year in the role. The student representative must remain a student for the duration of the role.

#### 16.6

Any Kaumatua appointed under 3.2 may, as of right, attend meetings of the Executive and any committees established by the Executive, and any general meetings of the Society, and shall have speaking but not voting rights.

#### 16.7

Co-opted members may be appointed by the Executive as necessary. The names and roles of co-opted members will be reported to the Membership as soon as practicable following their appointment.

#### 16.8

There may be times due to early departures, completion of terms or other factors that result in over half the Executive stepping down at one time. This can result in a significant loss of organisational knowledge. If half or more of the Executive are leaving at any stage, the Executive can postpone the election of up to two Executive roles (excluding President and President-Elect) whose terms are expiring, by a maximum of one year to provide for continuity on the Executive.

### **17 Annual Elections**

#### 17.1

Nominations for elections to the Officers of the Society and the Executive will be in writing and signed by two Members of the Society with the consent of the nominee endorsed. The Executive Director must receive these at least twenty-one calendar days before the date on which the annual general meeting is to be held.

#### 17.2

Notice of the date on which nominations close will be embodied in or accompany the notice of the annual general meeting.

#### 17.3

If the number of candidates nominated for any office equals the number of vacancies, the Chairperson at the annual general meeting shall declare those nominated to be elected.

#### 17.4

If the number of candidates for any office is less than the number of vacancies the Chairperson at the annual general meeting will call for nominations for any office then vacant. If such nominations equal the number of vacancies the Chairperson will declare the nominees elected.

#### 17.5

If the number of candidates for any office is greater than the number of vacancies a ballot will be held in the manner described in Appendix 1.

#### 17.6

Nominations for a student representative on the Executive will be called when this position becomes vacant. This will normally be at the commencement of the academic year (i.e. March). Nominations from student subscribers for the position of

student representative will be with the consent of the nominee and be in writing and signed by the nominators.

#### 17.7

Notice of the date on which nominations close will be notified in the newsletter, *Connections* and on the Society website at least 21 days prior to the closing date for nominations.

#### 17.8

If only one candidate is nominated that person will be declared by the President to be elected to the position of student representative on the Executive. If there is more than one nomination for the position a ballot will be held in the manner described in Appendix 1. Student subscribers will be notified of the successful candidate via a Society newsletter and on the Society website

### **18 Casual Vacancies**

If any casual vacancy occurs in the office of President, the President-elect will take that office. If any other casual vacancy occurs the Executive may appoint a person to fill that vacancy for the unexpired term of the office. If the person appointed is already a member of the Executive, then the Executive may likewise fill the subsequent vacancy.

### **19 Vacation of Office**

Membership of the Executive will be vacated if the Member:

- (a) fails to attend three consecutive meetings of the Executive without first having obtained the approval of the Executive; or
- (b) resigns office by notice in writing to the President or Executive Director; or
- (c) becomes bankrupt or makes an arrangement or composition with their creditors; or
- (d) is convicted of any offence against the laws of New Zealand for which the member would be liable on conviction to imprisonment for one year or longer; or
- (e) being a Registered Psychologist, has their Registration suspended or terminated by the Psychologists' Board.

### **20 Powers of the Executive**

The Executive will have the following powers:

- (a) To exercise on behalf of the Society the powers vested in it by these Rules, including the power to make Regulations and Schedules as specified in these Rules.
- (b) To direct and manage the property and affairs of the Society; to control and invest the funds of the Society in such a manner as the Executive sees fit whether or not such mode of investment is authorised by the law of New Zealand for the investment of trust funds.
- (c) To employ staff having such titles, roles and duties as the Executive may determine from time to time, including the employment of an Executive Director (or equivalent), and to oversee and monitor their performance in carrying out their duties; and (subject to 20e below) to make such arrangements with employees as the Executive sees fit.
- (d) To purchase, take on lease, or in exchange, hire or acquire in any manner any property or any rights or privileges which the Society may think necessary or convenient for any of its purposes.
- (e) To enter into any arrangements with any authorities, associations, boards, societies, corporations or individuals which may seem conducive to the attainment of any of the Society's objects, and to obtain from any such bodies any rights, privileges and concessions.

- (f) To apply for, promote and obtain, or join in applying for, promoting or obtaining any Act of Parliament, Royal Charter or licence or any authority, necessary or desirable for furthering any of the Society's objects. To take such steps and proceedings and to do such things as may seem necessary or expedient to protect or further the interests of the Society.
- (g) To promulgate, on the initiative of the Executive alone or in cooperation with any other body, a Code of Ethics, binding all Members and regulating professional standards of behaviour, relations between Members and Members, and relations between Members and non-members, and to amend, revoke and replace the Code of Ethics currently in force.
- (h) To convene conferences of the Society for the purpose of holding lectures, discussions, symposia and addresses, or for any other purpose within the objects of the Society.
- (i) To prepare, edit, print, publish, issue, circulate, sell, lend, issue and distribute, in print or electronically, any journals, newsletters, papers, treatises, books, pamphlets, leaflets, or documents relating to psychology, or any reports of the proceedings and accounts of the Society (and any translations of such documents as the Executive may commission or prepare).
- (j) To solicit and receive money and funds by way of contributions, donations, legacies, grants or any other lawful methods; and to accept gifts of property of any description (whether subject to any special trusts or not) donated for any of the objects of the Society; and to administer those funds and property.
- (k) To establish, maintain and extend a library of books, works and manuscripts on psychology and its applications, or on allied subjects.
- (l) To organise and promote workshops and professional development activities in any aspect of psychological knowledge or practice.
- (m) To make grants of money, books, apparatus, or other things for the purpose of promoting invention and research in psychology or its applications or in allied subjects.
- (n) To sign, draw, accept or endorse all cheques, promissory notes, drafts, bills of exchange and other negotiable instruments, and all receipts for money paid to the Society, in such manner as the Executive from time to time determines.
- (o) To construct, alter, pull down, decorate, maintain, furnish, fit out, and improve any buildings or premises, and to undertake and execute any works necessary or convenient for the purposes of the Society.
- (p) To lend and advance money or give credit to any person company or incorporated body.
- (q) To reduce or remit in any special case the annual subscription or subscription arrears of any Member.
- (r) To delegate to the Executive Director and/or other employees such powers as it may from time to time determine.
- (s) To take such steps as it may think fit for the purpose of promoting any of the objects of the Society.

## **21 Duties of the Executive**

It will be the duty of the Executive:

- (a) To keep a register of Members, and to record their qualifications, appointments, dates of membership, occupations, addresses and classes of membership.
- (b) To keep minutes of its proceedings.
- (c) To fix the annual subscription of Members.
- (d) To monitor the ongoing income and expenditure of the Society and ensure the preparation of a set of Annual Financial Statements.
- (e) To employ under an agreed employment agreement and job description an Executive Director (or equivalent), to determine their responsibilities and duties, to oversee and monitor their employment and to review their performance annually or at some other agreed interval, and to fix their annual remuneration. Unless otherwise expressly provided for by resolution of the Executive, the Executive Director shall be responsible for the employment of any other employees of the

- Society and all matters relating to their employment, save that the Executive Director must have the agreement of the Executive (i) to establish or disestablish any position or (ii) enter into any employment agreement with an employee.
- (f) The Executive will strive to ensure that the Society is a good employer in all respects.

## **22 Proceedings of the Executive**

### **22.1**

The Executive will normally meet at least ten times per year, some of which meetings may be by tele- or video-conference. The President or any two members of the Executive may at any time summon a meeting of the Executive by giving at least seven calendar days' notice to all Executive members. The quorum necessary for the transaction of business at an Executive meeting shall be four.

### **22.2**

The President or in the President's absence the President-elect will chair at Executive meetings. If within fifteen minutes after the time appointed for the holding of a meeting neither the President nor President-elect is present the members attending will appoint one of their number to chair the meeting.

### **22.3**

Executive may regulate its meetings, as it thinks fit. Questions arising at any meeting will be decided by a majority of votes. In the case of an equality of votes the Chairperson will have a second or casting vote.

### **22.4**

No members of the Executive will vote on any issue relating to any contract or agreement in which they are interested. If they do so, their vote will not be counted. It will be the duty of all members of the Executive who are directly or indirectly interested in any matter under consideration by the Executive to declare the nature and extent of their interest to the Executive.

## **23 Committees**

### **23.1**

- (a) The Executive may delegate any of its powers to Standing or ad-hoc Committees. The approval of the Annual General Meeting will be required for the establishment and disestablishment of Standing Committees. Ad hoc committees may be established and disestablished by the Executive.
- (b) The Executive will publish from time to time and not less than annually a Schedule, showing the Names, Terms of Reference and Membership of any Standing Committees
- (c) The Executive must prescribe the terms of reference and powers of all such Committees and may fix the quorum for each Committee. Any Committee appointed by the Executive will conform to any requirements imposed on it by the Executive.
- (d) All Committees will report at least annually to the Executive. Their decisions shall be subject to confirmation by the Executive, unless the Executive otherwise expressly determines.

### **23.2**

Members of Standing Committees will be appointed by the Executive, usually in consultation with the chairperson of the Committee, for a term of three years. At the end of this term they may be reappointed except that no member shall be eligible to serve more than two consecutive terms. Appointees must be financial members of the Society and in the case of the Membership and Status Committee must be Fellows of the Society. Committees will have no fewer than three members and may elect a chairperson from among their own members.

23.3

Ad hoc Committees may be appointed by the Executive at its discretion to carry out any task assigned to them by the Executive and on terms and conditions laid down by the Executive.

23.4

Committees may invite persons who are not Members of the Society to attend their meetings in an advisory capacity.

## **24 Member Groups of the Society**

24.1

With the approval of the Executive, any members of the Society may form groups as divisions, institutes, local branches, interest groups, or ad hoc groups of the Society. A group's Objects, criteria for membership and rules will be subject to the approval of the Executive.

24.2

An Institute is concerned with a specialist area of psychological practice, as specified in its Objects and criteria for membership. The criteria and procedures for the formation of an Institute are contained in Regulations and/or a Memorandum of Understanding approved from time to time by the Executive.

24.3

(a) Groups formed under 24.1 may conduct their proceedings in such manner as provided for in their rules or their Objects, save that they must conduct their activities in a manner consistent with the Rules of the Society.

(b) They shall report at least annually on their activities to the Executive.

(c) They may report on matters of interest or concern to the Executive via the Executive Director at any time and request such advice and assistance from the Executive as they deem appropriate.

24.4

The Executive has the power to wind up any group formed under Rule 24. The Executive shall give one month's notice to the Members of any such winding up decision. A petition signed by at least five members may be presented to the next General Meeting of the Society to suspend or reverse any such winding up, and the General Meeting may decide the matter.

## **25 Publicity**

No member or employee other than the President (or a member or employee authorised so to do by the President) will speak for and represent the views of the Society as a whole without first having obtained the approval of the Executive so to do.

## **26 Financial Year**

The financial year of the Society shall commence on the 1st day of June and shall end on the following 31st day of May.

## **27 Accounts**

The Executive Director will ensure the proper keeping of books of accounts and will submit to each annual general meeting a statement of the Society's assets and liabilities, income and expenditure for the preceding financial year.

## **28 Audit**

The Executive will annually appoint an auditor who is a member of the New Zealand Society of Accountants but who is not a member of the Society.

## **29 Annual General Meetings**

### 29.1

In each calendar year the Society will hold an annual general meeting. Not more than fifteen months will elapse between the date of one annual general meeting and that of the next. The business to be transacted at each annual general meeting will include the consideration of the income and expenditure accounts and balance sheets for the preceding financial year and reports from the Society's Officers, Standing Committees, Member groups, and Auditors.

### 29.2

Remits to the annual general meeting should conform to the Society's Regulations on Remits, as published from time to time by the Executive, and should be notified to the Executive Director as specified in the notice of meeting. Remits tabled at the meeting will only be considered at the Chairperson's discretion.

## **30 Extraordinary General Meetings**

The Executive may, whenever it thinks fit, convene an extraordinary general meeting. After receiving a requisition signed by not less than ten Members of the Society, the Executive Director will convene an extraordinary general meeting within three months of receipt of the requisition.

## **31 General Meetings**

### 31.1

All general meetings of the Society will be held at such time and place as the Executive may appoint. The Executive Director must give all Members not less than thirty-five calendar days' notice of any general meeting and the notice shall specify the business proposed for the meeting. Any general meeting may transact business other than that set out in the notice calling the meeting.

### 31.2

The quorum at any general meeting will be twenty-five Members personally present, and no business will be transacted at any general meeting unless a quorum is present at the commencement of business. If within half an hour from the time appointed for a general meeting a quorum is not present the meeting will be dissolved.

### 31.3

The President, or, in their absence, the President-elect will chair general meetings of the Society. If neither of these officers are present within fifteen minutes after the time appointed for the holding of the meeting members of the Executive present shall elect one of their number to chair the meeting. If there are no members of the Executive present, the Members of the Society present will elect one of their number to chair the meeting.

### 31.4

At any general meeting a motion put to the vote of the meeting will be decided by a simple majority on a show of hands unless a poll is demanded by not less than a third of the Members present, or the motion is referred to a postal ballot. Any poll required will be held in such manner as the Chairperson of the general meeting will determine. A declaration by the Chairperson that a resolution has been carried or lost will be conclusive evidence of the fact. In the case of an equality of votes the Chairperson of the meeting will be entitled to a casting vote.

## **32 Complaints against Members**

### 32.1

The Executive is entitled to discipline any Member who in the opinion of the Executive has acted:

- (a) in breach of the Rules, By-laws or Code of Ethics of the Society; or
- (b) who has been admitted as a Member as a result of false representation; or
- (c) has been found guilty of conduct rendering them unfit to remain a Member of the Society.

### 32.2

Any complaint against a member must be made in writing to the President or to the Executive Director. The President and/or the Executive Director must

- (a) make enquiry of the Health and Disability Commissioner and/or of the New Zealand Psychologists Board and/or to any other appropriate body or agency to ascertain whether or not any complaint of the same or substantially the same nature has been made about the complainant;
- (b) report to the Executive the complaint received, and the result of the enquiries made following 32.2(a), and
- (c) advise the Executive of any enquiries made to establish the bona fides of the complainant and/or the complaint, including the status of the person complained about.

### 32.3

The Executive shall determine whether or not it is appropriate to investigate the complaint further.

- (a) If a complaint of the same or substantially the same nature has been made to the Health and Disability Commissioner or the New Zealand Psychologists Board or to any other statutory or professional body, the Executive may, at its discretion, take no further action in respect of the complaint until the complaint has been finally determined. Following final determination of the complaint to the Health and Disability Commissioner or the New Zealand Psychologists Board or other body or agency, the Executive shall then determine what further steps (if any) are required in respect of the complaint made to the Society.
- (b) If the Executive decides to proceed with the investigation of any complaint it shall refer the complaint to a Committee set up for the purpose, which shall operate as specified in Regulations approved for the purpose by the Executive.
- (c) The Executive Director will inform the complainant of any decision made by the Executive about the complaint received by the Society.

### 32.4

The Executive Director will send by registered post to the last known address of the member about whom the complaint has been made a copy of the complaint and the member shall have 30 calendar days following the notification to make to the Executive Director such response and representations on the matter as the member wishes. Any communication between the member and the Executive Director shall be communicated to the investigating committee, and all communications from the committee to the member will be by way of the Executive Director.

### 32.5

If the investigating committee considers that the Member has breached the Code of Ethics or has been guilty of misconduct, it may recommend to the Executive that one or more of the following actions be taken by the Executive:

- (a) Provide educative advice to the Member;
- (b) Require that the Member cease and desist from the conduct considered inappropriate/unethical;
- (c) Warn the Member about consequences of further or repeated instances of the conduct investigated.

Taking into account the seriousness of the breach or misconduct, the investigating committee may also recommend to the Executive that one or more of the following sanctions be imposed by the Executive:

- (d) Reprimand of the Member for the misconduct;
- (e) A requirement that the Member undertake a specified programme of education, supervision, or review of practice (to standards defined by the Executive);
- (f) A probationary period with monitoring of the Member's compliance with the Executive's disciplinary requirements and sanctions;
- (g) Suspension of membership of the Society, in conjunction with or pending other actions;
- (h) In accordance with Rule 32.7 (a), termination of membership by invited resignation;
- (i) In accordance with Rule 32.7 (b), expulsion of the Member from the Society;

### 32.6

Any person who is the subject of any disciplinary decision made under Rule 32.5 will be notified by registered (or similarly documented) post to the address shown in the Register of Members. Within 30 calendar days of such notification being posted, the Member must inform the Society in writing whether the decision is accepted (and give an assurance that any required proof of compliance will be provided) or whether the Member intends to seek review of the decision. The complainant is also advised of the decision and may seek review of the decision within the same period. The following may then occur:

- (a) After the expiry of the review period, if no review request has been lodged, the Executive will ratify the decision and inform the investigating committee, complainant, Member, and other relevant persons of the decisions and action taken. The Executive will, where appropriate, authorise the announcement of the decision to members and the public.
- (b) Where a review of a disciplinary decision is initiated by any party to the investigation within the prescribed time, such review will reassess the material and documentation made available to those investigating the matter. New information is admissible at this stage so long as it is disclosed to all parties and they have a reasonable opportunity to respond to it.
- (c) Reviews will be conducted by a Tribunal (appointed by the Executive), consisting of at least two Society members with power to consult as deemed appropriate. The Tribunal will advise the Executive whether:
  - (i) The decision should be upheld, or
  - (ii) A hearing may be required to reassess the case or determine the matters under review.
- (d) Where the Executive decides under 32.6 (c) that the appeal should be heard, the hearing is to be conducted by the reviewing Tribunal, which will co-opt to its membership at least one person approved by the Executive to represent the community interest and may also co-opt additional members with relevant specialist knowledge or expertise (as approved by the Executive). The Tribunal will invite relevant parties to make submissions where appropriate. The Chair (or another member) of the investigating committee may be required to attend to advise on the earlier enquiry and the basis for the original decision.
- (e) Following its consideration and hearing of the case, the Tribunal will recommend whether the Executive should:
  - (i) Uphold, modify or overturn the decision made under Rule 32.5; and/or
  - (ii) Uphold, modify or overturn the disciplinary action decided or recommended under Rule 32.5. Any of the disciplinary actions listed in Rule 32.5 may be substituted by the Tribunal following the review.
- (f) The Executive will make the Society's final decision by a simple majority vote (by postal ballot if required) after consideration of the Tribunal's recommendation. All relevant parties will be advised of the outcome of the review process and the decision will be announced to the membership and (where appropriate) the general public.
- (g) Those seeking review of decisions may be required to meet all or part of the costs of the review and hearing process and the Executive may from time to time set or impose fees to be prepaid on lodgement of review requests.

### 32.7

Any decision to terminate the membership of, or expel, any member requires a simple majority of the full Executive to vote in favour of the decision. The ballot on such a decision may be conducted by post and the result being declared by the Executive Director. Membership termination and expulsion decisions will be recorded in the Minutes of the Executive; and

- (a) Where the Executive decides to terminate a person's membership, the Executive Director will notify the person in writing, requesting they resign from the Society. If the Member's notice of resignation is not received within 30 calendar days of notification being posted to the Member, the Society will inform the Member in writing that their membership has been terminated and the Member's membership shall thereupon be deemed to have been terminated.
- (b) Where the Executive decides to expel a Member, the Executive Director will notify the member in writing that the member has been expelled and the member shall be deemed to have been expelled from the date the Executive's decision to that effect is declared by the Executive Director.

### **33 Suspension**

The Executive Director may suspend from membership any Member who fails to pay their annual subscription. Before any resolution for suspension for this cause shall take effect, the Executive Director will:

- (a) Determine that the Member's subscription is in arrears for at least one financial year; and
- (b) Give the Member 30 calendar days' notice in writing of intention to suspend membership. Any membership so suspended shall immediately be reinstated upon payment of the subscription in arrears.
- (c) If after 12 months of suspension a member has not reinstated their membership by payment of their subscription and arrears that member will be deemed to have resigned.

### **34 Resignation**

#### 34.1

Subject to rules 34.2 and 34.3, any member or person admitted as a Student Subscriber, Subscriber or Temporary Subscriber may resign from the Society by notifying the National Office in writing and stating that they wish to resign. The termination of membership or subscription status will take effect when the current subscription period ends, unless the person withdraws their resignation before it has taken effect.

#### 34.2

A Member who tenders their resignation pursuant to a request from the Executive under Rule 32.7(a) shall not be entitled to withdraw their resignation, which shall take effect immediately on receipt by the Executive Director.

#### 34.3

A Member who, at the time of tendering their resignation, is the subject of an investigation under Rule 32 may not resign until such time as the Executive has determined the matter under investigation.

### **35. Duties of Members to Advise the Society in relation to conduct and complaints**

#### 35.1

A member must advise the Executive Director immediately of any complaints against them in relation to their professional practice that have resulted in any disciplinary action against the Member.

### 35.2

A member must advise the Executive Director when any disciplinary requirements imposed upon them have been discharged or fulfilled.

### 35.3

In joining and remaining as a member of the Society a member gives permission for any records held by any professional disciplinary body, pertaining to any action taken by or complaint made to those bodies in relation to the Member's professional conduct to be made available to the Executive Director and Executive of the Society if such information is requested by the Executive Director or Executive.

### 35.4

In joining and remaining as a member of the Society a member gives permission for the Executive Director to disclose to authorised enquirers information pertaining to the membership status of the member and the outcome of any complaints against the Member determined under Rule 32.

## **36 Notices**

Any notice to a Member of the Society may be served upon that Member either personally or by sending it prepaid through the post addressed to the Member's last known address. If served by post, any notice shall be deemed to be served on the third calendar day following posting.

## **37 Seal**

The Common Seal of the Society will remain in the custody of the President or the Executive Director and will only be fixed to an instrument pursuant to a resolution of the Executive. Every instrument to which it will be fixed will be signed by the Executive Director or the President and by at least two other members of the Executive.

## **38 Dissolution and Winding Up**

### 38.1

The Society may be voluntarily wound up in accordance with the provisions of Section 24 of the Incorporated Societies Act 1908.

### 38.2

Any resolution for dissolution or winding up of the Society must be determined by the members at a general meeting.

### 38.3

After payment of the Society's liabilities and the expenses of winding-up, surplus assets and funds will be vested in an institution or institutions which have objects similar to those of the Society, or in a charitable institution or institutions. These decisions are to be determined by the members in the general meeting at which the resolution for dissolution is passed or confirmed.

### 38.4

In the event of any group of the Society formed under Rule 24 being wound up, the Executive will determine the disposition of any assets of the group remaining after its liabilities have been paid.

## **39 Alteration of Rules**

39.1

The Rules of the Society may be altered by a resolution supported by the majority of members present at any general meeting of the Society. The meeting must be properly called and constituted in terms of these rules. Notice of the proposed alteration must be given in writing to members not less than fourteen calendar days prior to the date of the general meeting. Alternatively, the rules may be altered by postal ballot carried out in accordance with Appendix 2.

## **Appendix 1**

### **Procedure for a Ballot for Elections to Office**

a) After the date on which nominations close the Executive Director will ensure that notification is sent to each Member of the Society (at the Member's last known contact) with details on how to exercise their vote. This will usually be sent via email.

b) When using an electronic or online ballot the Executive Director will ensure that the system chosen for the ballot is encrypted and provides secure voting so that each Member may only vote once per vacancy and privacy is maintained.

c) All votes must be completed by the closing date.

d) Results will be received by the Executive Director prior to the Annual General Meeting (AGM) who will advise the Chairperson of that meeting. They will announce the final result at the AGM

e) If the votes are equal for two or more candidates the election is not complete. The Chairperson of the AGM will decide by lot which of such candidates shall be elected.

f) Any omission on the part of the Executive Director to forward voting information to any Member entitled to vote will not invalidate the election

g) If for any reason an electronic ballot cannot be held, a physical ballot can be used, ensuring measures are taken to protect the privacy, security and integrity of the vote and the nominees.

### **Procedure for a Ballot for Election of Student Representative**

a) After the date on which nominations close the Executive Director will ensure that information is sent to each Student Subscriber of the Society (at the Subscriber's last known contact) with details on how to exercise their vote. This will usually be sent via email.

b) When using an electronic or online ballot the Executive Director will ensure that the system chosen for the ballot is encrypted and provides secure voting so that each Student Subscriber may only vote once per vacancy and privacy is maintained.

c) All votes must be completed by the closing date.

d) Results will be received by the Executive Director who will advise the President of the result

e) If the votes are equal for two or more candidates the election is not complete. The President will decide by lot which of such candidates shall be elected.

f) Any omission on the part of the Executive Director to forward voting information to any Student Subscriber entitled to vote will not invalidate the election

g) If for any reason an electronic ballot cannot be held, a physical ballot can be used, ensuring measures are taken to protect the privacy, security and integrity of the vote and the nominees.

## Appendix 2

### Procedure for Voting on matters other than the Election of Officers

(i) Notice of intention to hold a vote and information relating to the substance of the matter to be voted on, is to be advised to Members in a Society publication.

(ii) The Executive Director will send to each financial Member of the Society (at the Member's last known contact) voting information containing detailed wording of the matter to be voted on. Voting information will be sent not less than 21 calendar days following publication as in (i) above.

(iii) Voting information will clearly indicate the closing date for votes to be completed. This date to be not less than 21 calendar days following the date the information was sent.

(iv) The voting system used will ensure the security and integrity of the vote. Ensuring that each member may only vote once and that the results cannot be tampered with.

(v) The result of the vote is to be recorded by the Executive at its next meeting, and published in the next member publication.

(vi) Any omission on the part of the Executive Director to forward voting information to any Member will not invalidate the election.

(vii) The result of any ballot will be considered invalid if the number of returns submitted constitutes fewer than 10% of current financial Members.