



Rules & Regulations



New Zealand Public Service Association
Te Pūkenga Here Tikanga Mahi

as from September 2018



Rules & Regulations

New Zealand Public Service Association
Te Pūkenga Here Tikanga Mahi

as from September 2018



Published October 2018

New Zealand Public Service Association

Te Pūkenga Here Tikanga Mahi

PSA House, 11 Aurora Terrace,

PO Box 3817, Wellington.

Phone **0508 367 772**

Email **enquiries@psa.org.nz**

www.psa.org.nz

ISBN 978-0-908798-10-0

Rules and Regulations of the New Zealand
Public Service Association
Te Pūkenga Here Tikanga Mahi

Rules

PART 1: GENERAL	1	28. Annual members' meetings	10
1. Name	1	29. Workplace and enterprise members' meetings	11
2. Interpretation	1	PART 5: STAFF GROUP	11
3. Purpose	2	30. Staff group	11
4. Treaty of Waitangi	2	PART 6: SECTOR GOVERNANCE	11
5. Gender equity	2	31. Definition	11
6. Objects	2	32. Sector committees	11
7. Rules, regulations, operating manual	3	33. Functions and powers	12
8. Powers	3	PART 7: TE RŪNANGA O NGĀ TOA ĀWHINA	13
9. Election principles	3	34. Definition	13
10. Decision-making & meeting procedures	4	35. Enterprise representation	13
11. Registered office	4	36. Sector hui	13
PART 2: MEMBERSHIP	4	37. Sector rūnanga	13
12. Membership eligibility	4	38. Committee of Te Rūnanga o Ngā Toa Āwhina	14
13. Categories of membership	5	39. Te Rūnanga Taumata	15
14. Authority to represent	5	40. Kuia and kaumātua	15
15. Membership rights	6	PART 8: EXECUTIVE BOARD	15
16. Responsibilities of members	6	41. Preamble	15
17. Admission to membership	6	42. Members	15
18. Financial membership	7	43. Functions and powers	16
19. Register of members	7	44. Delegation	17
20. Discontinuance of membership	8	45. Meetings	17
PART 3: GOVERNANCE OF THE PSA	8	46. Quorum	17
21. Governance structures	8	47. Voting	17
22. Governance principles	8	PART 9: ANNUAL GENERAL MEETING	17
PART 4: WORKPLACES AND ENTERPRISES	8	48. Preamble	17
23. Definition	8	49. Representation	18
24. Delegates	9	50. Timetable	18
25. Terms applying to delegates	9		
26. Duties of delegates	9		
27. Delegate committees	10		

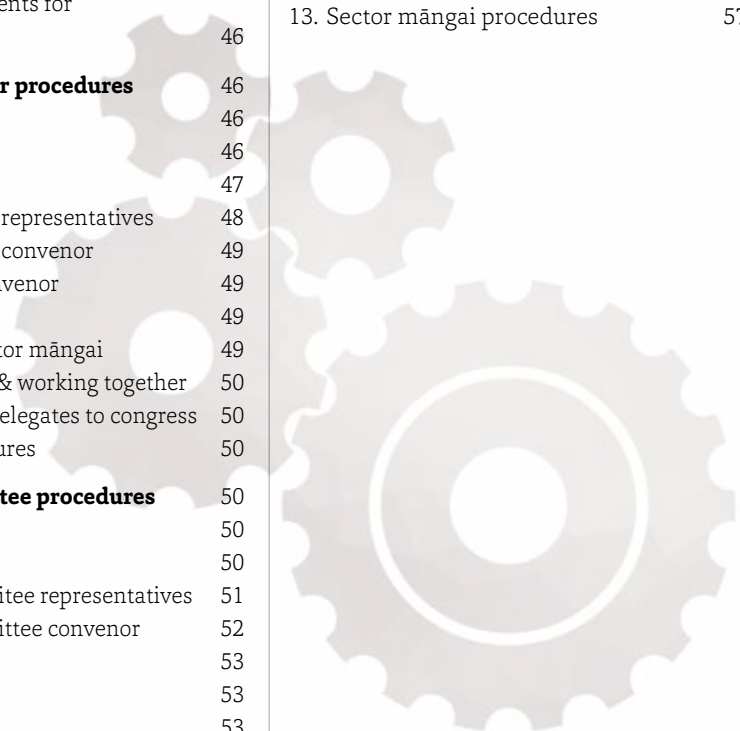
Rules

51. Functions and powers	18	PART 14: CLUSTERS AND NETWORKS	26
52. Quorum	18	73. Clusters	26
53. Voting	18	74. Networks	27
PART 10: NATIONAL DELEGATES' CONGRESS	18	75. PSA Pasefika	27
54. Definition	18	76. Women's Network	28
55. Frequency	19	77. PSA Youth (PSAY)	28
56. Timetable	19	78. Out@PSA	28
57. Business	19	79. Deaf and Disabled	28
58. Special Delegates' congress	20	PART 15: ADMINISTRATIVE MATTERS	28
59. Representation	20	80. Financial matters	28
60. Voting	21	81. Seal	28
61. Quorum	21	82. Winding up	28
PART 11: PROVISIONS RELATING TO OFFICERS	21	83. Indemnity cover	29
62. President	21	84. Amendments to rules	29
63. Vice President	22	85. Transitional arrangements	29
64. Te Rūnanga o Ngā Toa Āwhina Convenor	22		
65. Treasurer	23		
66. Secretariat	23		
PART 12: CASUAL VACANCIES	24		
67. President	24		
68. Executive board members	24		
PART 13: REMOVAL FROM OFFICE	24		
69. Officers	24		
70. Secretariat	25		
71. Delegates and representatives	25		
72. Members	26		

Regulations

PART 1: GENERAL	30	PART 6: ANNUAL GENERAL MEETING; SPECIAL AND NATIONAL DELEGATES' CONGRESSES	36
1. Preamble	30	19. Selection of sector representatives	36
2. Application of election principles	30	20. Consideration of remits	36
3. Decision-making and meeting procedures	31	21. Ballot for president	36
PART 2: MEMBERSHIP	31	PART 7: CLUSTERS AND NETWORKS	37
4. Services to members	31	22. Clusters	37
5. Honorary life membership	31	SCHEDULE A: SECTOR COMMITTEE PROCEDURES	38
PART 3: WORKPLACES & ENTERPRISES	32	Community Public Services Sector procedures	38
6. Numbers of delegates and constituencies	32	1. Purpose	38
7. Election of workplace and enterprise delegates	32	2. Constituencies	38
8. Enterprise delegate committees	33	3. Regional meetings	38
9. Members' meetings	33	4. Election of sector representatives	38
PART 4: SECTORS	33	5. Vacancies	39
10. Sector descriptors	33	6. Election of sector convenor	39
11. Establishment of constituencies	34	7. Quorum	39
12. Quorum	34	8. Working with sector māngai	39
13. Sector committee procedures	34	9. Decision-making & working together	40
14. Transfer of enterprises	34	10. Selecting sector delegates to congress	40
PART 5: TE RŪNANGA O NGĀ TOA ĀWHINA AND MĀORI REPRESENTATION	35	11. Special arrangements for representation	40
15. Māori enterprise delegate	35	District Health Board Sector procedures	40
16. Sector hui	35	1. Purpose	40
17. Sector rūnanga	35	2. Constituencies	40
18. Committee of Te Rūnanga o Ngā Toa Āwhina procedures	36	3. Sector committee representatives	41

4. Regional delegate meetings; election of sector representatives	41	8. Sector strategy / communication with sector	53
5. Election of DHB sector convenor	42	9. National delegates' congress	53
6. Quorum	42	Committee of Te Rūnanga o Ngā Toa	54
7. Working with sector māngai	42	Āwhina procedures	
8. Decision-making; working together	43	1. Purpose	54
9. Selecting delegates to congress	43	2. Election of sector māngai	54
10. Occupational panels	43	3. Vacancy for sector māngai	55
Local government Sector procedures	44	4. Rotation of sector māngai	55
1. Purpose	44	5. Election of convenor of Te Rūnanga o Ngā Toa Āwhina	55
2. Enterprises in the sector	44	6. Quorum	56
3. Constituencies	44	7. Working with sector committees	56
4. Election of committee representatives	44	8. Decision-making & working together	56
5. Election of sector convenor	45	9. Selection of substitute congress delegates	56
6. Quorum	45	10. Organisation of Te Rūnanga Taumata	56
7. Working with sector māngai	45	11. Selecting delegates for Te Rūnanga Taumata	57
8. Decision making and working together	46	12. Sector hui review	57
9. Selecting delegates to congress	46	13. Sector māngai procedures	57
10. Special arrangements for representation	46		
Public Service Sector procedures	46		
1. Purpose	46		
2. Glossary	46		
3. Constituencies	47		
4. Election of sector representatives	48		
5. Election of sector convenor	49		
6. Deputy sector convenor	49		
7. Quorum	49		
8. Working with sector māngai	49		
9. Decision making & working together	50		
10. Selecting sector delegates to congress	50		
11. Review of procedures	50		
State Sector committee procedures	50		
1. Purpose	50		
2. Representation	50		
3. Election of committee representatives	51		
4. Election of committee convenor	52		
5. Decision-making	53		
6. Quorum	53		
7. Sector rūnanga	53		



Rules of the New Zealand Public Service Association Te Pūkenga Here Tikanga Mahi

as amended September 2016

Part 1 General

1. Name

The name of the union is “New Zealand Public Service Association: Te Pūkenga Here Tikanga Mahi Incorporated” (PSA).

2. Interpretation

(1) In these rules except where the context otherwise requires:

- a. “Act” means the Incorporated Societies Act 1908;
- b. “Constituency” means any grouping of members within a workplace or enterprise that elects a delegate or delegates, or any grouping of members across enterprises brought together, with the approval of the executive board, for the purpose of electing representatives to sector committees;
- c. “Convenor” means a member selected in accordance with these rules to act as convenor of a workplace committee, enterprise committee, sector committee, Te Rūnanga O Ngā Toa Āwhina, the executive board, the national delegates’ congress or a special delegates’ congress;
- d. “Full member” means a member eligible for membership under rule 12(1) to (4);
- e. “General meeting” means the national delegates’ congress, special delegates’ congress or the annual general meeting except as provided by rule 48(1) of these rules;
- f. “Governance” means the exercising of democratic control by the membership of the PSA over the strategic direction and policies of the union, and the oversight of

the management of the union, through the representative structures provided for in these rules;

- g. “Māori enterprise delegate” means a Māori member elected by Māori members in an enterprise, to represent the interests of Māori members within that enterprise and to provide a point of connection with the wider structures of Te Rūnanga o Ngā Toa Āwhina and the PSA. The Māori enterprise delegate is a member of the enterprise delegate committee.
- h. “Majority” means a simple majority, i.e. 50% plus one of those authorised to vote and voting;
- i. “Member” means any person eligible for membership under rule 12 and admitted to membership under rule 17;
- j. “Month” means a calendar month;
- k. “National secretary” means a person appointed by the executive board to be a member of the secretariat under rules 42 and 66;
- l. “Officer” means the president, treasurer, vice president, convenor of Te Rūnanga o Ngā Toa Āwhina, members of the executive board and secretariat defined under Parts 8 and 11 of these rules;
- m. “Operating manual” means the procedural manual of the New Zealand Public Service Association: Te Pūkenga Here Tikanga Mahi as established under rule 7(3);
- n. “PSA” means New Zealand Public Service Association: Te Pūkenga Here Tikanga Mahi Incorporated;
- o. “Regulations” means the regulations of the New Zealand Public Service Association: Te Pūkenga Here Tikanga Mahi as established under rule 7(2);

- p. “Rules” means the rules of New Zealand Public Service Association: Te Pūkenga Here Tikanga Mahi Incorporated as registered in accordance with the Incorporated Societies Act 1908;
- q. “Rūnanga delegate” means a Māori member elected by Māori members to be a delegate within the rūnanga delegate structures in an enterprise, where such structures exist. The rūnanga delegates are workplace delegates with a primary focus on the representation of Māori members on Māori issues in the workplace, and to vote for a Māori enterprise delegate.
- r. “Secretariat” means the national secretaries acting as the secretariat of the PSA in accordance with rule 66(1);
- s. “Sector committee” means a committee of members within a sector established in accordance with these rules;
- t. “Sector rūnanga” means a grouping of Māori members within a sector established in accordance with these rules;
- u. “Te Rūnanga o Ngā Toa Āwhina” means the membership of the PSA who identify as Māori and encompasses the structures provided for in Part 7 of these rules;
- v. “Union” means New Zealand Public Service Association: Te Pūkenga Here Tikanga Mahi Incorporated.

(2) Any date or period of time specified in these rules shall be deemed to end at 5pm on that date or the last day of the period specified.

3 Purpose

To build a union that is able to influence the industrial, economic, political and social environment in order to advance the interests of PSA members.

4. Treaty of Waitangi

The PSA affirms Te Tiriti o Waitangi/the Treaty of Waitangi as the founding document of Aotearoa/New Zealand and is committed to

advancing the Treaty principles of partnership, protection and participation in activities pursuant to the purpose and objects of the union as they relate to the working lives of members.

5. Gender Equity

In accordance with principle of gender equity all governance bodies, and official delegations of the PSA will have women members consistent with the gender demographics of the membership they represent. For the purposes of this rule ‘governance bodies’ are defined as the national delegates’ congress, the annual general meeting, the executive board, sector committees and the committee of Te Rūnanga o Ngā Toa Āwhina.

6. Objects

The objects of the union are:

- (1) To build a democratic union organisation capable of achieving the purpose of the PSA;
- (2) To advance the interests of PSA members collectively and individually;
- (3) To represent the interests of any member or members in accordance with PSA policy, before any person, group, organisation, government or local authority, statutory body or any other legal entity;
- (4) To promote quality public services and support the delivery of quality public services;
- (5) To encourage full and active participation in the union by members of the PSA;
- (6) To ensure that provisions are made to protect the interests of the diverse membership of the PSA;
- (7) To do all such other things as are incidental or conducive to attainment of the objectives and the exercise of the powers of the PSA.

7. Rules, Regulations and Operating Manual

- (1) The rules of the New Zealand Public Service Association Te Pūkenga Here Tikanga

Mahi establish the objectives, powers and representative structures of the PSA, and sets out the requirements necessary for the effective governance of the union. The rules can only be amended by decision of the biennial delegates' congress.

(2) The regulations concern the application of the rules, are supplementary to the rules and must not be inconsistent with the rules. The regulations are to be approved by decision of the executive board.

(3) The secretariat may publish an operating manual, with the approval of the executive board, to provide guidance on the application of the rules and regulations and on any other matter relevant to the effective operation of the representative structures of the PSA.

8. Powers

(1) The PSA shall have the following powers in addition to any other powers in these rules:

- a. To invest, lend or advance the funds of the PSA in such manner as may from time to time be authorised in accordance with these rules;
- b. To borrow money for the purpose of furthering the interest of the PSA and its members in such manner as may from time to time be authorised in accordance with these rules;
- c. To acquire or sell any real or personal property as may be necessary for the purpose of furthering the interests of the PSA and its members;
- d. To sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of any real or personal property of the PSA;
- e. To operate such bank account(s) as necessary for the exercise of its powers;
- f. To fix and levy subscriptions from time to time, and to charge for the provision of services;

- g. To appoint such staff as are necessary for the efficient carrying out of the PSA's objects;
- h. To amalgamate or merge with any union subject to the compatibility of membership and objects;
- i. To establish any trust which is conducive to the PSA's aims;
- j. To offer benefits and services to members;
- k. To affiliate to or join organisations that support the achievement of the purpose and objects of the PSA;
- l. To exercise all other powers as are reasonably necessary to enable the PSA to fulfil its purpose and carry out its objects.

(2) In pursuit of its objects, the union shall not affiliate with or make any financial contributions to a political party or organisation currently in government or aiming at becoming the government of New Zealand. It shall, however, be free in the pursuit of its objectives to express opinions or take other action in respect of any act or omission of governments, organisations or persons, and to express its opinion on any issue or topic.

9. Election Principles

(1) Union elections shall follow accepted democratic principles and the following principles shall guide all elections within the union:

- a. in order to be considered a candidate in an election, a full member must submit a nomination supported by two full members and showing the candidate's assent;
- b. adequate time should be allowed between the calling of the elections and the closing date for nominations for all potential candidates to be notified;
- c. adequate time should be allowed between the closing date for nominations and the elections for all potential electors to be made aware of the candidates;

- d. the returning officer, or chairperson in charge of the election procedure shall not be a candidate in the election that she/he oversees;
- e. where a position is contested, voting shall be by secret ballot and the candidate with a majority of votes cast shall be declared elected;
- f. where a position is uncontested the person nominated shall be declared elected.

(2) The executive board may provide guidance on the application of these principles through the regulations.

10. Decision making and Meeting Procedures

(1) Decision making at any meeting within the PSA's governance structures shall be by consensus where possible, provided that where a vote is required on a matter it will be decided by a majority of votes cast by those entitled to vote and voting.

(2) Every PSA member entitled to attend, and attending, a meeting within the PSA's governance structures (other than an observer) is entitled to one vote.

(3) Subject to the rules on voting applying to any part of the governance structures, the person acting as convenor or chairperson, shall have a casting vote when the members, delegates or representatives are equally divided in opinion – such vote to be in addition to the deliberative vote of the convenor.

(4) All motions or amendments submitted to an authorised meeting of members shall be supported by a mover and seconder.

(5) The executive board may issue further guidance on meeting procedures in the regulations.

(6) Where required by law to conduct a secret ballot before strike action related to bargaining for a collective agreement may proceed, the following provisions shall apply:

- a. The question to be voted on in the secret ballot is whether the member of the union is in favour of the strike.
- b. The result of the ballot is determined by a simple majority of the members who are entitled to vote and who do vote.
- c. As soon as is reasonably practicable after the conclusion of the secret ballot the members who were entitled to vote must be notified of the result of the ballot.

11. Registered office

(1) The registered office of the PSA shall be situated at 5th floor, PSA House, 11 Aurora Terrace, Wellington or at such other place as the executive board may from time to time decide.

- a. The secretariat shall forthwith notify the Registrar of Incorporated Societies of any change in the situation of the registered office or the postal address of the PSA.

Part 2 Membership

12. Membership eligibility

(1) Subject to other provisions in these rules any person in New Zealand or who works overseas for any New Zealand public agency and who qualifies under one or more of the conditions set out in this rule shall be eligible to become a member of the PSA. They include workers employed or engaged to be employed in:

- a. The Public Service, comprising all public service and non-public service departments, and offices of parliament;
- b. The State Sector, comprising: crown entities; state owned enterprises; Public Finance Act 4th Schedule organisations; and any private organisation engaging in commercial activities, including those that were previously provided by the state;
- c. The District Health Boards or any public organisation established to replace the district health boards;

- d. Community public services comprising:
- i. non-governmental, not-for-profit, self-governing, voluntary organisations delivering a range of services in the community, including public services funded fully or partially by the state or local government;
 - ii. private, for-profit organisations delivering community-based public services funded fully or partially by the state or local government.
- e. local government, including all local authorities and council controlled organisations.

provided the executive board may from time to time approve eligibility for membership under subclause (1) for workers employed or engaged to be employed in other sectors, organisations or agencies.

(2) Individual independent contractors or groups of independent contractors contracted in one or more of the areas listed above.

(3) Staff employed by the PSA.

(4) Other workers at the discretion of the executive board or national delegates' congress.

(5) Persons who are granted honorary life membership by the congress.

(6) The PSA may grant associate membership to any person not otherwise entitled to membership if they:

- a. support the objects of the union; and
- b. are a former member who has retired from, resigned from, or been made redundant from their jobs and are not currently employed where the PSA has coverage.

(7) The PSA may grant student membership to any person engaged in full time study in a tertiary education institution where the person has an interest in or, as a consequence of their study, will be qualified to be employed in any of the agencies or industries described in subclause (1) of this rule.

13. Categories of membership

There are four (4) categories of membership:

(1) Full members:

- a. Those eligible for membership under rule 12(1), (2); or (4), being members of the sector established under these rules which covers the workplace or enterprise within which they are employed or engaged to be employed;
- b. PSA staff members who are also members of the PSA, being members of the staff group under these rules.

(2) Honorary life members: those granted honorary life membership.

(3) Associate members: those granted associate membership.

(4) Student members: those granted student membership.

14. Authority to represent

(1) Full membership of the union constitutes an authority, but not an obligation for the union to act as representative in all matters relating to the member's employment, including the negotiation and enforcement of employment contracts.

(2) Authority established under rule 14(1) may continue to apply in the case of any member who is not a financial member by reason of termination of her/his employment, subject to the following conditions:

- a. the member was a full financial member at the date at which her/his employment ceased;
- b. the member has a cause of action against his/her employer; and
- c. the PSA has agreed to act as her/his representative.

(3) Subject to any statutory requirement, any member may revoke in part or in full the authority conferred by rule 14(1) by notice in writing to the secretariat giving no less than fourteen (14) days notice of revocation, but revocation of authority

to represent does not constitute resignation from the union.

(4) A member who has revoked the authority conferred by rule 14(1) pursuant to rule 14(3) may reinstate that authority by making written application to the secretariat.

15. Membership rights

(1) Subject to other provisions in these rules and regulations all members shall have the right:

- a. To general services of the union as defined by the executive board from time to time and subject to such conditions or limitations as may be specified by the executive board;
- b. To participate in the constitutional structures established for their category of membership by attending meetings, propose nominations and motions, vote and act as a representative of the PSA within those structures;
- c. To receive information from the PSA;
- d. To accept office or position at workplace, enterprise, staff group, sector, rūnanga, executive board or national delegates' congress level according to their category of membership under rule 13;
- e. To receive a copy free of charge upon written request to the secretariat of:
 - i. the PSA's rules and any amendments;
 - ii. the PSA's annual statement of account and/or auditors report;
 - iii. the PSA's annual report;
 - iv. provided that where a member makes such a request more frequently than once in any 12 month period the PSA may charge a reasonable fee for provision of the material.

(2) Notwithstanding Rule 15(1)(b), associate and student members will not have voting rights within the PSA.

16. Responsibilities of members

(1) Subject to other provisions of these rules all members shall be bound by these

rules to the extent applicable to them and, without limiting the generality of the foregoing, shall have the obligation to:

- a. Pay such subscriptions, fees, levy or contribution in accordance with these rules provided that honorary life members are not required to pay;
- b. Notify the PSA in writing of any change of name, address, place of employment and job title;
- c. Abide by these rules and any policies, decisions and resolutions properly made under these rules and binding on them as a member;
- d. Deal lawfully with the money and property of the PSA.

17. Admission to membership

(1) Any person described in rule 12 apart from honorary life members shall become a member of the PSA at the time that:

- a. The secretariat or PSA staff member receives the written application of that person on the appropriate membership application form; or
- b. The secretariat or PSA staff member receives part or all of the subscription in the form of a cheque or cash, and a completed authority to deduct the intending member's subscription from salary or by direct debit, or some other assurance of payment which is acceptable to the executive board;

whichever is the earlier, except that the member shall not be considered to be a financial member until payment is made in accordance with 18(1).

(2) Provided that the executive board has the authority to decline any application for membership.

(3) Honorary life members:

- a. Honorary life members shall become members at the time of the decision of the national delegates' congress to appoint them to that category of membership.
- b. Honorary life membership may be granted

to members or former members who have demonstrated long and distinguished service in support of the purpose and objects of the PSA.

c. All life members under the previous rules of the PSA shall be deemed to be honorary life members under this rule.

(4) On admission to membership in accordance with this rule the member's name shall be entered on the register of members established under rule 19.

18. Financial membership

(1) All members (apart from honorary life and student members) shall pay all subscriptions from the date of joining, or from the next full pay period subsequent to joining, until they cease to be members. Membership will discontinue if subscriptions are more than ninety days in arrears except that:

- a. Members on parental leave or special leave without pay shall not be required to pay subscription during the period of leave provided that:
 - i. evidence of the leave and the date of the expected return to work is supplied to the PSA, when requested;
 - ii. at the time they commence leave their subscription is not in arrears;
- b. Subject to (a), members on parental leave shall be full members of the union;
- c. Members on extended special leave from their work will be entitled to remain full members but shall not be entitled to exercise voting rights during the period of leave.
- d. The secretariat may waive all or part of the subscription payable by a member or group of members according to any policy agreed by the executive board.
- e. The secretariat must try and contact any member whose subscription is in arrears to ascertain the reason for the arrears and outlining the implications for continued

membership of the union, before declaring the member unfinancial.

(2) Members are entitled to reimbursement of any overpayment of subscriptions subject to:

- a. The member providing documentary evidence of the overpayment;
- b. The maximum period for which the PSA remains liable not exceeding twelve months.

(3) Where a member is employed by more than one employer within the coverage of the PSA as defined in rule 12, the level of the subscription to be paid shall be based on the total gross annual income earned from working for all those employers.

19. Register of members

(1) The secretariat shall maintain a register of members, which shall contain the following information:

- a. The member's full name;
- b. The member's postal address (which may be either a residential or a workplace address);
- c. The member's electronic address;
- d. The category of membership the member belongs to;
- e. The job title or occupation of the member;
- f. The date at which the person was admitted to membership;
- g. Other data provided by members for the purpose of promoting equal employment opportunities for members.

20. Discontinuance of membership

(1) Subject to (2) of this rule, membership of the PSA ceases at the point of:

- a. Resignation: to resign a member must give at least two (2) weeks notice in writing to the secretariat;
- b. Becoming unfinancial: in terms of rule 18;
- c. Expulsion: the mechanism for expulsion is set out in Part 14 of these rules.

(2) All subscriptions due to the PSA at the cessation of membership shall be paid forthwith.

(3) Outstanding subscriptions and levies may be recovered by legal process.

Part 3

Governance of the PSA

21. Governance structures

(1) The PSA shall be governed by:

- a. A national delegates' congress or special delegates' congress which shall be the highest decision-making authority of the PSA (see rules 54 – 61);
- b. An annual general meeting which shall provide constitutional oversight between congresses (see rules 48 – 53);
- c. An executive board which is accountable to the national delegates congress and is responsible for the governance of the PSA between national delegates congresses (see rules 41 – 47);
- d. Sector committees that are responsible for representing the interests of members within their sectors in the governance of the union subject to the rules, regulations and policies of the PSA (see rules 31 - 33);
- e. Te Rūnanga O Ngā Toa Āwhina which will represent the concerns and interests of Māori members through the structures established in these rules (see rules 34 – 40);
- f. Workplaces and enterprises where members may elect delegate(s), a delegate committee or representatives to sector committees in accordance with these rules and the policy and procedures established by congress, the executive board and sectors (see rules 23 – 29);
- g. A staff group which will represent the interests of staff who are members of the PSA (see rule 30).
- h. Committees: the national delegates'

congress, executive board, the Committee of Te Rūnanga o Ngā Toa Āwhina and sector committees may establish committees with a specified role and accountability subject to the policy of the PSA established by congress or the executive board.

(2) Members elected to the governance structures identified in rule 21(1) (other than the president of the PSA) shall be workplace or enterprise delegates. Notwithstanding this provision a member aged 35 or under may be elected as a youth representative to a sector committee or the executive board if they are not a workplace or enterprise delegate, provided they hold another leadership role in the sector, enterprise or PSAY network.

(3) Although not a part of the formal governance structures, the PSA will operate networks and clusters with the roles and accountabilities set out in rules 73 - 79.

22. Governance Principles

Elected office holders within the PSA's governance structures have a responsibility to consider the interests of all members who come within the coverage of the body to which they have been elected in accordance with these rules, when fulfilling their duties under these rules and the regulations.

Part 4

Workplaces and Enterprises

23. Definition

(1) A workplace is a place of work operated by an employer containing at least one (1) member.

(2) An enterprise is one (1) or more workplaces forming an organisation with common ownership (whether incorporated or unincorporated) operating one (1) or more workplaces at which members are employed.

24. Delegates and delegate structures

(1) A delegate is a full member of the PSA who is elected to represent members within a workplace or enterprise.

(2) It is recognised that PSA members work in a wide variety of workplaces and enterprises and that there is no single model for the organisation of delegates that can be applied. Members in enterprises and workplaces may therefore organise their delegate structures in ways that reflect their needs taking into account such factors as the size of the enterprise, the geographical location of workplaces and the range of occupations of members.

(3) Enterprise delegate committees may decide the number of delegates in an enterprise or workplace and make minor changes to delegate structures in order to facilitate effective representation, provided that is consistent with these rules and any relevant provisions of the regulations. However, any major reorganisation of delegate structures in an enterprise must be confirmed by a vote of all members in that enterprise either at meetings of members or by some other method as provided in the regulations, except that rūnanga delegate structures within an enterprise must be decided by Māori members in that enterprise. Any major change to delegate structures must be decided upon at least one month prior to 1 April in a year in which delegate elections are due.

25. Terms applying to delegates

(1) All delegates and enterprise delegate committee members shall be elected for a two year term, running from the point of election under rule 25(2), through until the next annual members' meeting at which an election is scheduled.

(2) Delegates shall be elected, under normal circumstances, at an annual members meeting, recognising that the size and complexity of many enterprises may require that an enterprise

delegate committee (and any intermediate delegate structures) might need to be elected at a later date and by some other process consistent with rule 9 and any terms contained in the regulations.

(3) Notwithstanding (1) and (2), where a vacancy occurs in the course of a two year term a by-election may be held at a meeting of members or by some other method approved by the secretariat under 25(2). Under these circumstances the term of the successful candidate shall run until the next annual members' meeting at which an election is scheduled.

(4) Elections will take place in accordance with rule 9, except that:

- a. where no nominations have been received by the closing date, nominations may be accepted from the floor at an annual members' meeting or meeting called to fill a vacancy under rule 25(2);
- b. where an alternative method of election has been used as provided for in rule 25(2), the provisions of the regulations shall apply where it is inconsistent with rule 9.

(5) All nominations for a delegate position must be proposed and seconded by full members of the PSA employed in that workplace or enterprise.

26. Duties of delegates

(1) The duties of delegates include:

- a. Leadership within workplaces and enterprises, and implementing and promoting the purpose and objects of the PSA rules, and PSA policy within the workplace or enterprise;
- b. Acting as a link between the sector committee and executive board of the PSA, and members in the workplace;
- c. Forming committees of delegates within workplaces or enterprises in accordance with rule 27;
- d. Carrying out representative functions within the workplace or the enterprise, including:

- i. enrolling new members and maintaining PSA membership of those employed in the workplace or enterprise who are entitled to be members;
 - ii. representing the collective and individual interests of members to the employer;
- e. Such additional duties and responsibilities set out in the policies and plans of the PSA.

27. Delegate Committees

(1) Except where it is deemed not practicable or necessary by the secretariat, every enterprise shall have an enterprise delegate committee that is accountable to members in that enterprise and subject to the rules, regulations and policies of the PSA.

(2) The enterprise delegate committee is responsible for co-ordinating union activities in the enterprise and liaising with the other relevant parts of the PSA's governance structures.

(3) The size of the enterprise delegate committee is to be decided at the annual meeting of members, consistent with the framework set out in the regulations and operating manual.

(4) The enterprise delegate committee must provide for the following positions: a convenor elected by the members of the committee and a Māori enterprise delegate where one has been elected under rule 35(1). Other positions may be allocated among the committee, using

the framework set out in the regulations and operating manual.

(5) The establishment of other committees within an enterprise to facilitate the organisation of members in that enterprise, is a matter of policy to be decided by the enterprise delegate committee. All such committees are accountable to the members represented, and subject to the rules, regulations and policies of the PSA.

(6) The enterprise delegate committee, and any other delegate committee established under (5), will meet as regularly as necessary and by

whatever method is appropriate, to conduct the business of the committee.

(7) PSA organising staff shall provide support and guidance to delegate committees.

28. Annual members meetings

(1) The PSA shall hold an annual meeting of members in every workplace (except where it is considered impracticable or inappropriate and the secretariat has granted an exemption) which all members of the PSA in that workplace are eligible to attend.

(2) Annual members' meetings shall be held each year within the 3 months from 31 March.

(3) The functions of the annual members meeting are:

- a. To elect delegates in accordance with rule 25(2), in the year following the national delegates' congress;
- b. To receive a report from the enterprise delegate committee, or other enterprise delegate leadership approved under rule 27(1), on activities during the previous year;
- c. To provide guidance about the strategy of the PSA in that enterprise;
- d. To provide advice about the wider strategy of the PSA;
- e. To receive and share any relevant information;
- f. To consider any motions proposed by members or the enterprise delegate committee;
- g. Any other business relevant to the members in that enterprise or workplace.

29. Workplace and enterprise members meetings

(1) In addition to annual members meetings, delegates committees may call meetings of members from time to time within workplaces or enterprises to:

- a. facilitate union organisation within the enterprise or workplace;

b. hear any issue or consider any motion proposed by members.

(2) Any member has a right to attend any meeting of members in an enterprise or workplace in which they are employed, unless such a meeting is to consider the content or ratification of a collective agreement that they will not be covered by.

Part 5 Staff Group

30. Staff group

(1) With the exception of the national secretaries appointed under these rules, members of the PSA who are staff of the PSA shall be members of the staff group.

(2) The purposes of the staff group shall be:

- a. To be the representative body of staff who are members of the PSA; and
- b. To select such representatives to the representative bodies of the PSA as required by these rules and subject to the terms of rules 24, 25, 26 and 42.

(3) The staff group shall have such principles and processes as it establishes for itself from time to time provided that the executive board shall approve these.

These policies and processes shall be consistent with the rules, regulations and policy of the union.

(4) No member of the staff group shall be entitled to become president or hold any office not elected by the staff group in accordance with these rules.

Part 6 Sector Governance

31. Definition

(1) A sector is a grouping of members employed

in workplaces and enterprises designated by the national delegates' congress as having a community of interest and having the functions and powers outlined in these rules and a structure approved by the executive board in accordance with these rules.

(2) The current sectors are:

- a. The Public Service Rātonga mahi ā te Kāwanatanga;
- b. The District Health Boards Pōari Hauora ā Rohe;
- c. The State Sector Rāngai Tūmatanui;
- d. Local government Kāwanatanga-ā-Rohe;
- e. Community Public Services Rātonga Mahi ā Hāpori.

32. sector committees

(1) Sector committees are responsible for representing the interests of members within their sectors in the governance of the union, are accountable to those members and have the functions and powers set out in rule 33.

(2) Sector committees are comprised of the following representatives who are elected for a two year term:

- a. representatives elected by a vote of delegates within a constituency.
- b. two sector māngai as provided for in rule 37(3)
- c. youth representative elected by a youth constituency within the sector as established in the regulations and sector procedures.

(3) A two year term will run from the date of election until such time as an election is due under rule 32(4).

(4) The election of sector committee representatives shall be held within 6 months from 31 March in the year following a national delegates' congress.

(5) The election shall be conducted in accordance with rule 9 with the addition that delegates must use their best endeavours to consult with

members in the constituency to which they are responsible, before voting.

(6) The sector committee will decide the number of representatives and the constituencies they serve as provided for in rule 32(2)(a) subject to:

- a. The approval of the executive board;
- b. The final number being consistent with the guidelines in the regulations and operating manual.

(7) Where a vacancy occurs in the course of a two year term a by-election must be held as soon as is practicable, in accordance with rules 32(2) and 32(5).

(8) Where a member of the sector committee has been elected president of the PSA her/his position on the committee shall be considered to be vacant.

(9) On completion of her/his term the President is entitled to rejoin her/his sector committee of origin over and above the normal establishment of the sector committee concerned for a period of up to two (2) years.

(10) The quorum for each sector committee shall be established in the regulations.

33. Functions and powers

(1) The functions and powers of sector committees are as follows:

- a. To undertake planning specific to their sector, and to oversee policy implementation within their sector, subject to the rules and regulations of the PSA and the authority of the executive board.
- b. To act as advisors and make recommendations to the executive board on governance matters including:
 - i. Strategic issues;
 - ii. Policy development;
 - iii. Oversight of operational activities of the union;
 - iv. Industrial activities within their sector.

c. To elect two co-convenors, at least one of whom shall be a woman, to chair the sector committee and represent the sector on the executive board in accordance with rule 42.

d. To propose motions to national and special delegates' congresses.

e. To propose president and life membership nominations to national and special delegates' congresses.

f. To provide formal reports to, and generally communicate with, members in the sector about the activities of the sector committee and the activities and policies of the executive board.

g. To establish procedures for the operation of the sector committee, subject to the approval of the executive board and any provisions in the regulations.

h. To share information of common interest to members of the PSA represented in the sector.

i. To consider any issue or any motion proposed by members from any enterprise within the sector.

j. To work with and support the sector māngai.

k. To co-ordinate the selection of sector delegates to national delegates' congress, special delegates' congresses and annual general meetings in a manner consistent with the guidance contained in the regulations.

Part 7

Te Rūnanga o Ngā Toa Āwhina

34. Definition

(1) The purpose of Te Rūnanga O Ngā Toa Āwhina is to provide representation and co-ordination of Māori members within the structures of the PSA. All PSA members who identify as Māori are part of Te Rūnanga o Ngā Toa Āwhina.

35. Enterprise Representation

(1) Every enterprise delegate committee is to

provide a position for a Māori enterprise delegate, where one is elected.

(2) The role of the Māori enterprise delegate is to represent the interests of Māori members within the enterprise and to provide a point of connection with the wider representative structures within Te Rūnanga o Ngā Toa Āwhina,

(3) The Māori enterprise delegate is to be elected by Māori members in that enterprise according to the process set out in the regulations and in accordance with the principles in rule 9.

(4) The term of the Māori enterprise delegate shall be two (2) years and shall run concurrent with the term of the enterprise committee.

(5) Where a vacancy occurs in the course of a two year term a by-election may be held according to the process set out in the regulations and in accordance with the principles in rule 9. Under these circumstances the term of the successful candidate shall run until the next election for the enterprise delegates.

36. Sector Hui

(1) Each sector will hold a sector hui at least biennially.

(2) Delegates to sector hui shall be drawn from Māori enterprise delegates and other Māori members in the sector. Sector committee members and officers of the union will be entitled to attend and others may attend at the invitation of the sector māngai, provided that numbers and other practical arrangements will be subject to any guidelines set out in the regulations and operating manual.

(3) The hui will:

- a. Discuss issues of interest to Māori members in that sector;
- b. Make recommendations to sector rūnanga, sector committees and the Committee of Te Rūnanga o Ngā Toa Āwhina on matters of policy and strategy;

c. Appoint three (3) sector māngai.

d. Elect one (1) designated youth (rangatahi) representative

37. Sector Rūnanga

(1) The sector rūnanga consists of all PSA members in that sector who identify as Māori.

(2) The Sector Rūnanga may appoint three (3) sector māngai under 36(3)(c) and one (1) rangatahi representative under 36(3)(d). Additional sector māngai and rangatahi representatives may be appointed subject to resource constraints and the approval of the executive board. The executive board must consult with the Committee of Te Rūnanga o Ngā Toa Āwhina before making a decision on extra sector māngai or rangatahi representatives.

(3) All three sector māngai are authorised members of the Committee of Te Rūnanga o Ngā Toa Āwhina and the sector committee, provided that only two at any one time can attend a meeting of those two bodies, subject to any provisions contained in the regulations.

(4) The term of the sector māngai and rangatahi representative will be two years, until the next hui authorised to elect the sector māngai and rangatahi representative is held.

(5) Where a vacancy occurs in the course of a two year term a by-election may be held among the Māori enterprise delegates in the sector.

(6) The role and functions of the sector māngai are:

- a. To be a forum and conduit for the processing of issues that arise between biennial hui;
- b. To be a forum where its members can share information and test ideas;
- c. To provide advice and support to the sector committee and the Committee of Te Rūnanga o Ngā Toa Āwhina;
- d. To organise the sector hui.

38. Committee of Te Rūnanga o Ngā Toa Āwhina

(1) The Committee of Te Rūnanga o Ngā Toa Āwhina is the body charged with the governance of Te Rūnanga o Ngā Toa Āwhina according to the provisions of these rules.

(2) The Committee of Te Rūnanga o Ngā Toa Āwhina consists of:

- a. Two sector māngai from each sector appointed under 37(2).
- b. A designated youth (rangatahi) representative

(3) The Committee of Te Rūnanga O Ngā Toa Āwhina shall have a quorum when not less than five (5) sector māngai from three (3) or more sector rūnanga are present.

(4) Where a member of a sector committee has been elected as convenor of Te Rūnanga o Ngā Toa Āwhina, her/his position on the committee shall be considered to be vacant.

(5) On completion of his/her term the convenor of Te Rūnanga o Ngā Toa Āwhina is entitled to rejoin her/his sector committee of origin over and above the normal establishment of the sector committee concerned for a period of up to two (2) years.

(6) The functions and powers of the Committee of Te Rūnanga O Ngā Toa Āwhina are as follows:

- a. To undertake planning specific to Te Rūnanga o Ngā Toa Āwhina, and to oversee policy implementation within Te Rūnanga o Ngā Toa Āwhina, subject to the rules and regulations of the PSA and the authority of the executive board.
- b. To act as advisors and make recommendations to the executive board on governance matters including:
 - i. Strategic issues;
 - ii. Policy development;
 - iii. Oversight of operational activities of the union;

- iv. Relevant industrial activities;
- c. To propose motions to national and special delegates' congresses;
- d. To propose president and life membership nominations to national and special delegates' congresses;
- e. To provide formal reports to, and generally communicate with, members about the activities of Te Rūnanga o Ngā Toa Āwhina and activities of the executive board as they affect Māori members;
- f. The Committee of Te Rūnanga o Ngā Toa Āwhina may establish procedures for the operation of the Committee, subject to the approval of the executive board and any provisions in the regulations;
- g. To elect a convenor (tuakana) and deputy (teina) at least one of whom shall be a woman;
- h. To share information of common interest to members within Te Rūnanga o Ngā Toa Āwhina;
- i. To consider any issue or any motion proposed by sector hui, sector māngai or any group of Māori members;
- j. To co-ordinate the selection of Te Rūnanga o Ngā Toa Āwhina delegates to the annual general meeting, national delegates' congress and special delegates' congress in a manner consistent with the guidance contained in the regulations;
- k. To work in co-ordination with sector māngai, sector committees and the executive board;
- l. To attend the national delegates' congress, special delegates' congress and annual general meeting;
- m. To review the organisation of sector hui;
- n. To hold Te Rūnanga Taumata in accordance with Rule 39.

39. Te Rūnanga Taumata

(1) Te Rūnanga Taumata is the congress of Te Rūnanga o Ngā Toa Āwhina.

Part 8 executive board

(2) Te Rūnanga Taumata shall be held every two (2) years, prior to the date of the national delegates' congress.

(3) Representation at Te Rūnanga Taumata shall be by sector, with sector māngai and rangatahi representatives entitled to attend and other delegates allocated according to the approximate proportion of Māori members in each sector.

(4) The number of delegates, and the election of delegates to Te Rūnanga Taumata, shall be in accordance with any guidance contained in the regulations.

(5) The business of Te Rūnanga Taumata shall be:

- a. To receive reports from sector māngai and the youth (rangatahi) representative;
- b. to consider the business of the national delegates' congress;
- c. To confirm the designated youth (rangatahi) representative

40. Kuia and Kaumātua

(1) In accordance with rule 4 of these rules, which recognises Te Tiriti o Waitangi as the founding document of Aotearoa/New Zealand, the PSA Te Pūkenga Here Tikanga Mahi will recognise Kuia and Kaumātua with experience in tikanga Māori and tikanga union to provide advice and counsel to the PSA leadership and Te Rūnanga o Ngā Toa Āwhina.

(2) Te Rūnanga o Ngā Toa Āwhina will identify Kuia and Kaumātua for this role.

(3) The recognition of Kuia and Kaumātua will be done by a consensus decision of the executive board, including the convenor of Te Rūnanga o Ngā Toa Āwhina.

(4) The Kuia and Kaumātua shall be entitled to be paid such annual honoraria as may be directed by congress, on the recommendation of the executive board.

41 Preamble

(1) The purpose of the executive board is to set policy in between national delegates' congresses, and to oversee policy implementation and the efficient use of resources across all sectors of the union. It is to ensure that the purpose and objects of the PSA are reflected in every aspect of the union's structure, process and activity.

42. Members

(1) The executive board shall consist of:

- a. The president;
- b. A convenor (tuakana) and deputy convenor (teina) of Te Rūnanga o Ngā Toa Āwhina;
- c. A duly elected co-convenor of each sector committee;
- d. The secretariat;
- e. A co-representative of the staff group
- f. A national co-convenor of PSA Youth, as a youth representative

(2) When a vacancy for a sector committee co-convenor or youth representative or a co-representative of the staff group arises on the executive board, the provisions of rule 5 will determine whether the vacancy must be filled by a woman. If a woman is required for the role, the sector committee or the PSA Youth committee or the staff group will choose their female co-convenor or co-representative to represent them on the board.

- a. In the case of sector committees and PSA Youth committee, if both co-conveners are women, or if there is no requirement for a woman on the board in order to comply with rule 5, the committee will elect one of the co-conveners to the board.
- b. In the case of the staff group, there will be two co-representatives at least one of whom

shall be a woman. If both co-representatives are women, or if there is no requirement for a woman on the board in order to comply with rule 5, the staff group will elect one of the co-representatives to the board.

(3) Each sector convenor, rŭnanga convenor, youth representative and staff group representative may hold office for two (2) years with right of re-election for a further two (2) consecutive years and may stand for such office again after a break of two (2) years.

(4) Where a board member is unable to attend a particular executive board meeting the other co-convenor of the sector or PSA Youth committee, the deputy convenor of Te Rŭnanga or the other co-representative of the staff group shall be able to attend and have the same rights as if they were the member. In the event that this person is unable to attend a proxy representative shall be selected by the committee or group concerned provided that the secretariat shall not have a proxy.

43. Functions and powers

(1) The executive board is accountable to the members of the PSA through the national delegates' congress and is responsible for the effective functioning of the PSA between congresses. The executive board shall have the following functions:

- a. The executive board shall be the managing committee of the PSA, with responsibility to oversee the effective operation and maintain the collective integrity of the union;
- b. The executive board shall have all the powers of the PSA not required by law or by these rules to be exercised by a national delegates' congress or special delegates' congress but shall be subject to the control of the national delegates' congress or a special delegates' congress;
- c. The executive board shall take any action as in its opinion may be necessary to promote the purpose and objects of the PSA and the

interests of its members, and to implement the policy of the PSA;

- d. The executive board may, subject to any limitations specified by the congress, exercise any of the powers in rule 8 of these rules provided that any decision to amalgamate with any other union under rule 8(1)(h) of these rules shall be ratified by a national delegates' congress or special delegates' congress.

(2) Without limiting the general powers and functions set out in this rule, the executive board shall have the power to:

- a. Decide upon or take any action necessary (within the law and these rules) to achieve the purpose and objects of the PSA;
- b. Place any issue it considers requires the consideration of the members of the PSA in the form of a notice of motion to be decided by a national delegates' congress or a special delegates' congress;
- c. Appoint any sub-committee or person to exercise any of the powers of the executive board to be stated in writing at the time of appointment, and appoint any person to that sub-committee as it sees fit, and such sub-committee shall continue in existence until the executive board resolves otherwise;
- d. Control the financial and business activities of the PSA;
- e. Elect a treasurer and a vice president from among the sector and rŭnanga members of the executive board in accordance with rules 63 and 65;
- f. Approve the proposed provisions of any deed or other document intended to be binding on the PSA;
- g. Remove members in accordance with Part 13 of these rules;
- h. Approve any new sector or suspend any existing sector of the PSA until the national delegates' congress or a special delegates' congress has met to ratify or decline the approval or suspension;

- i. Allocate new enterprises to sectors and approve the transfer of enterprises between sectors according to any parameters or processes set out in the regulations;
- j. Appoint a person to represent the executive board in any formal proceedings;
- k. Appoint national secretaries and negotiate their conditions of employment.
- l. Take reasonable temporary measures to facilitate the maintenance of the gender balance among its membership in accordance with rule 5.

(3) Elected members of the executive board shall be entitled to be paid such annual honorarium as maybe directed by the national delegates' congress, on the recommendation of the executive board.

44. Delegation

(1) The executive board may delegate any of its powers to any specified officers or employees of the PSA or any specified sector committee, with the following exceptions:

- a. Disciplinary action against a member;
- b. The approving of the terms of any deed;
- c. The execution of deeds and any other documents required to be executed under the seal.

45. Meetings

(1) The executive board shall meet at least five (5) times per year. The president may call a special meeting of the executive board at any other time with seven (7) days written notice, and the president may abridge the notice period if in his or her opinion there are special circumstances that warrant an abridgement.

46. Quorum

(1) At any meeting of the executive board the quorum necessary to transact any business shall be five (5) members of the board made up of not less than:

- a. Three (3) elected representatives (made up of either sector convenors, a rūnanga representative, the staff group representative, of which a minimum of two(2) shall be sector convenors); and
- b. One (1) member of the secretariat; and
- c. The president (or vice president acting in the absence of the president).

47. Voting

(1) Decision-making at the executive board shall be in accordance with rule 10 and the provisions of this rule.

(2) Each member of the executive board has one (1) vote provided that:

- a. The president as convenor shall have a casting vote when the members are equally divided in opinion, such vote to be in addition to the president's deliberative vote;
- b. The members of the secretariat shall have two (2) votes in total and shall not be entitled to vote on matters relating to their:
 - i. accountability to the executive board for the performance of their duties as established under these rules; or
 - ii. management of the finances of the PSA.
- c. Convenor (tuakana) and deputy convenor (teina) of Te Rūnanga o Ngā Toa Āwhina shall have one vote in total.

Part 9 annual general meeting

48. Preamble

(1) The purpose of the annual general meeting is to provide constitutional oversight of the PSA between national delegates' congresses in accordance with the Incorporated Societies Act 1908. The executive board is to set policy in between national delegates' congresses. Annual general meetings shall be held in years in which no national delegates' congress is taking place.

49. Representation

(1) The representatives to the annual general meeting shall be:

- a. The executive board;
- b. Four (4) additional representatives from each sector and Te Rūnanga o Ngā Toa Āwhina who shall be selected from the members of the sector committee and the Committee of Te Rūnanga o Ngā Toa Āwhina or, should not enough sector or Rūnanga committee members be able to attend, representatives selected in accordance with the regulations, provided that these shall be full members of the union and shall not be officers of the PSA;
- c. An additional staff group representative.

(2) Rule 42(4) relating to proxy representatives to the executive board shall apply in relation to executive board members' attendance at the annual general meeting.

50. Timetable

(1) In years when no national delegates' congress is taking place an annual general meeting shall be called by the secretariat on completion of the annual audit. The secretariat shall then:

- a. Set the date of the annual general meeting;
- b. Notify the executive board and sectors of the date and place of the annual general meeting provided that no less than thirty (30) days notice shall be given;
- c. Circulate the financial and organisational reports required under rule 51 to the executive board and sectors not less than fourteen (14) days prior to the date of the meeting.

51. Functions and powers

(1) The functions and powers of the annual general meeting shall be:

- a. To receive from the treasurer and consider the annual report, statement of income and expenditure, annual balance sheet and auditor's report;
- b. To receive from the executive board and

consider a report on the activities of the executive board and sectors;

- c. To make resolutions and give directions on the matters raised in the reports received under this rule;
- d. To hear members who request a hearing;
- e. To consider proposals or issues submitted by members.

52. Quorum

(1) At any annual general meeting the quorum necessary to transact any business shall be two-thirds (2/3) of the representatives entitled to attend that meeting.

53. Voting

(1) Decision-making at the annual general meeting shall be in accordance with rule 10 and the provisions of this rule.

(2) Each representative at the annual general meeting has one (1) vote provided that:

- a. The president as convenor shall have a casting vote when the representatives are equally divided in opinion, such vote to be in addition to the president's deliberative vote;
- b. The members of the secretariat shall not be entitled to vote on matters relating to their:
 - i. accountability to the executive board for the performance of their duties as established under these rules; or
 - ii. management of the finances of the PSA.

Part 10 – national delegates' congress

54. Definition

(1) The national delegates' congress is a body representing all categories of membership of the PSA. It acts as the highest constitutional authority of the PSA and sets the overall policy direction of the PSA.

55. Frequency

(1) The national delegates' congress is to be held once every two (2) years, but no earlier than 1 July of the year that the national delegates' congress is held.

(2) The executive board shall set the date, place and time of the national delegates' congress.

56. Timetable

(1) The timetable for organising the national delegates' congress shall be:

- a. At least six (6) months before the date set for congress the secretariat shall give notice of the date on which congress is to be held to members, formal networks and the governance structures. At that time the executive board shall call for nominations from the sectors and Te Rūnanga o Ngā Toa Āwhina for the position of president and notices of motion.
- b. Nominations for the position of president must be received no later than four (4) weeks following the executive board's call for nominations. Notwithstanding rule 9(1)(a) a nomination for president must be supported by a resolution from a sector committee or the Committee of Te Rūnanga o Ngā Toa Āwhina,
- c. At least four (4) months before the date set for congress notice of proposed business must be received by the secretariat which shall then, within two weeks of receiving this notice, circulate:
 - i. information regarding the nominations for the position for president which it has received; and
 - ii. any notices of motion; and
 - iii. any other business material the secretariat considers appropriate to circulate at this time, not including the annual and financial reports.
- d. Any proposed amendments to notices of motion must be received from sector committees and the Committee of Te Rūnanga o Ngā Toa Āwhina no later than two (2)

months before the date set for congress. Such proposed amendments shall be circulated to delegates to congress no later than one (1) month before the date set for congress.

- e. The annual report and the financial report shall be circulated to delegates to congress no later than one (1) month before the date set for congress.

57. Business

(1) The business of the congress shall be to:

- a. Exercise constitutional governance of the PSA;
- b. Determine the policy of the PSA;
- c. Elect a president;
- d. Receive a financial report from the executive board;
- e. Appoint an auditor for the ensuing two financial years;
- f. Consider notices of motion from the executive board, sector committees, the Committee of Te Rūnanga o Ngā Toa Āwhina, clusters or formal networks;
- g. Receive a report on the executive board's appointment of the secretariat;
- h. Receive proposals and recommendations on the union's activities, interests, policy or administration from the executive board;
- i. Receive a report from the executive board on any notices of motion from sector committees, the Committee of Te Rūnanga o Ngā Toa Āwhina, clusters or formal networks;
- j. Receive a report from the executive board on its activities;
- k. Receive a report from the secretariat on its activities;
- l. Discuss, receive and decide on any other matter which the national delegates' congress decides by majority vote to put on the agenda;
- m. Ratify any decision to amalgamate with another union;
- n. Receive a financial report including financial

statements and audited accounts from the treasurer, and the accounts and reports certified by the annual general meetings held since the previous national delegates' congress;

- o. Approve any recommended changes to sector structure or introduction of new sectors;
- p. Decide upon any proposed rule changes;
- q. Receive representation from any member or group of members on any issue of governance, policy activity or function of the union;
- r. Consider the award of honorary life membership of the PSA to any member or former member in accordance with rule 12 (5).

(2) The national delegates' congress may exercise all the powers of the PSA.

(3) The national delegates' congress may delegate to the executive board any matter and may give the executive board any directions it sees fit.

(4) The effect of every decision made at the national delegates' congress is to bind every officer, member of the executive board and member of the PSA affected by that decision.

(5) Notwithstanding the provisions of rule 56(1)(d), an amendment to a notice of motion circulated in accordance with 56(1)(c) may be accepted from the floor of congress.

(6) Any financial member of the PSA shall be entitled to attend the national delegates' congress as an observer. An observer may speak with the permission of the convenor subject to such conditions (for instance, as to subject matter or duration of speaking time) as the convenor may rule, but shall have no vote.

58. Special delegates' congress

(1) A special delegates' congress may be called by the secretariat at a time and place to be decided by the executive board.

(2) A special delegates' congress shall be called by the secretariat within thirty (30) days of the executive board receiving a written application for a special delegates' congress. An application for a special delegates' congress must be either:

- a. Signed by a majority of members of the executive board; or
- b. Accompanied by a petition of not less than fifty (50) financial members in support of the application.

(3) Any such application must state the business to be transacted at the special delegates' congress.

(4) The secretariat shall give to members, formal networks and the governance structures not less than one (1) month's written notice of the date, time and place of any special delegates' congress as appropriate.

(5) Any notice given under this rule shall state the business to be transacted at the special delegates' congress and no business other than that specified in the notice shall be transacted at the meeting.

(6) Representation at the special delegates' congress shall be in accordance with rule 59.

(7) All rules applicable to a national delegates' congress shall apply with any necessary modifications to a special delegates' congress.

59. Representation

(1) The delegates to a national delegates' congress or special delegates' congress shall be as follows:

- a. The executive board of the PSA;
- b. Sector representatives: each sector shall be entitled to be represented by:
 - i. one (1) delegate for each five hundred (500) full members of the sector or part thereof as determined by the sector committee; and

- ii. three (3) sector māngai being that sector's representatives on the Committee of Te Rūnanga O Ngā Toa Āwhina and the sector committee. Where a sector māngai is not able to attend congress the sector rūnanga may select another Māori representative from within the sector.
- c. An additional representative of the staff group.
- d. Network representatives: each formal network shall be entitled to be represented by:
 - i. three (3) representatives from each formal network, as determined by each formal network's committee or equivalent

(2) The process for selecting representatives to attend national delegates' congress shall be in accordance with the provisions contained in the regulations.

60. Voting

(1) Decision-making at the national and special delegates' congresses shall be in accordance with rule 10 and the provisions of this rule.

(2) Notwithstanding that delegates to national delegates' congress have been selected by their sectors or formal networks, each delegate to the national delegates' congress shall have one (1) vote to exercise at their discretion, provided that:

- i. there is an expectation that delegates will have used their best endeavours to consult with any members they may be deemed to represent about any matter, election or rule change due to come before congress; and
- ii. the president as convenor shall have a casting vote when the delegates are equally divided in opinion, such vote to be in addition to the deliberative vote of the convenor.

(3) Where a vote is required it shall be conducted by show of hands except:

- i. a contested presidential election shall be conducted by secret ballot;
- ii. where the convenor has ruled that there is no clear majority decision from a show of hands or a secret ballot has been called for from the floor. No call from the floor for a secret ballot shall be recognised where the convenor has ruled that a clear majority decision has been achieved.

(4) The election for president shall be conducted by way of an exhaustive ballot to ensure that the successful candidate receives a majority of votes cast. Procedures involved in an exhaustive ballot are prescribed in the regulations.

61. Quorum

(1) The quorum for a national delegates' congress or a special delegates' congress shall be two-thirds (2/3) of the delegates entitled to attend that congress.

Part 11

Provisions relating to officers

62. President

(1) The president shall be a member of the PSA nominated by a sector committee or the Committee of Te Rūnanga o Ngā Toa Āwhina in accordance with rules 33(1)(e) and 38(6)(d) and elected by the national delegates' congress in accordance with rules 9, 57(1)(c) and 60(3)(i).

(2) The president shall be elected every two (2) years at the national delegates' congress, with the right of re-election for a further two (2) years, and may stand for such office again after a break of two (2) years. The president's term shall begin at the conclusion of the congress at which he/she was elected.

(3) The president shall be the head of the PSA whose functions shall be:

- a. To attend and convene all meetings of the national delegates' congress, special delegates'

congresses, annual general meetings and the executive board;

- b. To be a spokesperson for the PSA where appropriate;
- c. To carry out the direction of the national delegates' congress, special delegates' congresses, annual general meetings and the executive board;
- d. To perform any other lawful duties as may from time to time be necessary;
- e. To enhance the union's profile;
- f. To maintain an overview of the activities in sectors and Te Rūnanga o Ngā Toa Āwhina.

(4) The president may attend, as appropriate, any meeting of a sector committee or the Committee of Te Rūnanga o Ngā Toa Āwhina.

(5) The president shall be entitled to be paid such annual honorarium as may be directed by the congress on the recommendation of the executive board.

63. Vice President

The vice president shall be selected from the sector convenors or Te Rūnanga o Ngā Toa Āwhina representative to the executive board. The vice president shall be elected every two (2) years at the first executive board meeting following the national delegates' congress, with the right of re-election for a further two (2) years, and may stand for such office again after a break of two (2) years.

(1) Where the president is absent for any reason the vice president shall have and may exercise all powers of the president until the president is able to resume his/her duties.

(2) Where there is a vacancy in the office of president the vice president shall have and may exercise all powers of the president until a new president is elected in accordance with these rules.

(3) In case of incapacity or absence from New Zealand, the executive board may appoint

another of its members to carry out the vice president's functions temporarily.

(4) Where a vacancy occurs in the office of vice president the executive board shall elect a successor from among sector and rūnanga representatives on the executive board.

64. Te Rūnanga o Ngā Toa Āwhina Convenor

(1) The convenor of Te Rūnanga o Ngā Toa Āwhina shall be a delegate of the PSA elected every two (2) years by the Committee of Te Rūnanga o Ngā Toa Āwhina in accordance with rule 38(6)(g)

(2) The convenor of Te Rūnanga o Ngā Toa Āwhina will be the representative of Māori members within the PSA and will have the following functions:

- a. To attend and convene all meetings of the Committee of Te Rūnanga o Ngā Toa Āwhina and the Te Rūnanga Taumata;
- b. To be a member of the executive board as the representative of Māori within the PSA;
- c. To maintain an overview of the activities in sectors and Te Rūnanga o Ngā Toa Āwhina on matters Māori.

(3) The convenor of Te Rūnanga o Ngā Toa Āwhina may attend, as appropriate, any sector hui or meeting of sector māngai or sector committee.

(4) Where a vacancy occurs in the office of convenor of Te Rūnanga o Ngā Toa Āwhina, the deputy convenor will act in the role until a new convenor is elected in accordance with these rules.

65. Treasurer

(1) The treasurer shall be selected from the sector convenors or Te Rūnanga o Ngā Toa Āwhina representative to the executive board.

(2) The treasurer shall be elected every two (2) years at the first executive board meeting following the national delegates' congress,

with the right of re-election for a further two (2) years and may stand for such office again after a break of two (2) years.

(3) The treasurer shall oversee the maintenance of the financial records of the PSA.

(4) The treasurer shall, as directed by the executive board, present the annual accounts, audit and annual budget of the union, and any other proposals of a financial nature to the annual general meeting and national delegates' congress.

(5) In the case of incapacity or absence from New Zealand, the executive board may appoint another of its members to carry out the treasurer's functions temporarily.

66. Secretariat

(1) The secretariat is the collective of national secretaries appointed in terms of these rules, is responsible for the operational activities of the union and is the employer of the staff of the union.

(2) Where the secretariat is required to vote in any forum it shall decide on the allocation of its votes between and within its members.

(3) The secretariat shall:

- a. Act in accordance with their employment contracts and the job descriptions set by the executive board;
- b. Call and attend meetings of the executive board, national delegates' congress, special delegates' congresses and annual general meetings and be responsible for the taking of the minutes of such meetings;
- c. Efficiently manage the affairs and resources of the union and report to the executive board on these matters as required;
- d. Manage all matters related to the employment of staff, and report to the executive board on staff levels and needs, recommend the appropriate number of staff and to negotiate an appropriate collective

employment agreement with staff;

- e. Provide such resources and servicing necessary for the treasurer to adequately and satisfactorily oversee a proper and prudent use and accounting of the union's financial resources and property;
- f. Keep the register of members required by rule 19;
- g. Prepare and forward to the Registrar any information required to be forwarded under the Incorporated Societies Act;
- h. Hold the seal of the PSA;
- i. Obey all lawful instructions and perform all lawful things as may be given or required to be done by the executive board, national delegates' congress or special delegates' congress or by the Incorporated Societies Act or other legislation, or under these rules;
- j. Do and perform all such other duties as may usually apply to a chief executive officer including delegating functions under this rule to appropriate staff or officers of the PSA;
- k. Keep all proper financial records and systems as may be required under the supervision of the treasurer and executive board.

Part 12 Casual Vacancies

67. President

(1) Where the presidency of the PSA becomes vacant for any reason other than the expiry of the term of office, that vacancy shall be filled in the following manner:

- a. Where a vacancy occurs within the last six (6) months of the president's term the vice president shall remain in office for the balance of the term of their predecessor;
- b. In all other situations, the secretariat shall call for nominations from the sectors for the position of president within one (1) month of the vacancy occurring. Such nominations

are to be received within one (1) month of the call for nominations. The executive board shall then conduct an election for president at the next scheduled meeting of the executive board.

(2) A person elected in accordance with this rule shall hold office for the unexpired period of the term of office of that person's predecessor and shall be eligible for re-election thereafter, for one further two (2) year term.

68. Executive board members

(1) Where an elected member of the executive board, other than the president, vacates their position on the board for any reason other than the expiry of their term on the executive board, that vacancy shall be filled in the following manner:

- a. The executive board shall within one (1) month of learning of the vacancy instruct either:
 - i. the sector committee; or
 - ii. the Committee of Te Rūnanga O Ngā Toa Āwhina; or
 - iii. the staff group

which elected the representative to hold an election for a new representative in accordance with the processes in these rules and the regulations. Such election is to be held as soon as reasonably possible. The sector committee or the Committee of Te Rūnanga O Ngā Toa Āwhina or the staff group must notify the secretariat of the results of this election and the new representative will be entitled to attend the next scheduled meeting of the executive board following this notice.

(2) A person elected in accordance with this rule shall be eligible to hold office for two (2) years from the date of this election and shall be eligible for re-election thereafter in accordance with rule 42(2).

Part 13 Removal from Office

69. Officers

(1) An officer of the PSA may at any time be removed from office by reason of:

- a. Inability to perform the requirements of the position; or
- b. Bankruptcy; or
- c. Neglect of duty; or
- d. Misconduct; or
- e. Misappropriation of PSA funds or property.

(2) The process established in this rule is the only means of removing the specified officers notwithstanding any rule relating to the disciplining of members.

(3) Any member of the executive board may give notice of intent to move a motion at the next meeting for removal of a specified officer or officers. The motion (if brought forward) shall be considered at the next meeting of the executive board. At such meeting where the notice of removal is considered the person or persons shall be invited to answer any allegations of misconduct, neglect or misappropriation.

(4) If the executive board passes this resolution, the secretariat shall:

- a. Notify the person(s) whose removal is sought of the resolution and of the process outlined in these rules to decide the matter;
- b. Call a special delegates' congress in accordance with rule 58 whose business shall be to decide on the resolution.

(5) The secretariat shall inform the person(s) whose removal is sought of the time and place of any special delegates' congress that is called to consider the matter and the person(s) shall be entitled to speak at any such meeting.

(6) Should the PSA resolve at the special delegates' congress that the person(s) should be

removed, the position(s) shall be deemed to be vacant.

70. Secretariat

The executive board shall have the power to dismiss or discipline any national secretary where that national secretary has:

- a. Committed any breach of the rules and policies of the PSA;
- b. Committed any breach of their employment agreement provided that the executive board shall make this decision in accordance with the provisions of the national secretary's employment agreement, and normal employment practices.

71. Delegates and representatives

(1) Where members lose confidence in a delegate, the delegate may be suspended or removed on the resolution of members in the workplace or enterprise concerned at a meeting of members called in accordance with rule 29 and voting in accordance with rule 10.

(2) Where members in a sector committee constituency, or members of a sector committee, lose confidence in a representative on that sector committee, the representative may be suspended or removed on the resolution of the sector committee provided that:

- a. In the case of members in a constituency losing confidence there has been a resolution from one or more enterprises in the constituency the representative represents calling for the suspension or removal of the sector committee representative;
- b. In all cases the sector committee must have used best endeavours to consult with delegates in the enterprises in the constituency the representative represents.

(3) Where members of Te Rūnanga o Ngā Toa Āwhina or the Committee of Te Rūnanga o Ngā Toa Āwhina, lose confidence in a sector māngai (being also a representative to both the relevant sector committee and the Committee of Te

Rūnanga o Ngā Toa Āwhina) the representative may be suspended by resolution of the Committee of Te Rūnanga o Ngā Toa Āwhina provided that the Committee of Te Rūnanga o Ngā Toa Āwhina shall use their best endeavours to consult with Māori members in the sector concerned.

(4) Whenever a motion of no confidence is moved under this rule:

- a. the vote must be conducted in accordance with rule 10, except that consensus does not apply and the vote must be conducted by secret ballot; and
- b. the delegate or representative who is the subject of the motion has the right to:
 - i. be notified of the motion, and the reasons that led to its being moved, in advance of it being presented to the meeting at which it is due to be put; and
 - ii. be heard by the meeting at which the motion is to be put prior to the motion being put to the vote.

72. Members

(1) It shall be an offence under these rules, subject to the disciplinary procedures set out below, for any member to:

- a. Knowingly act in a manner contrary to the rules of the PSA; and/or
- b. Knowingly act in a manner contrary to the policies of the PSA made in accordance with these rules; and/ or
- c. Wilfully assault an officer, elected representative of the PSA, delegate, member of the PSA or employee of the PSA.

(2) If a complaint is received from a member concerning the actions of a fellow member, the executive board may, in exceptional circumstances, deem it necessary to discipline the member concerned. If the executive board finds that a member has committed a breach of these rules it reserves the right to:

- a. Censure the member;

- b. Expel the member;
- c. Suspend the imposition of any penalty for a period not exceeding a year upon the member giving an undertaking to abide by these rules.

(3) No disciplinary action shall be taken until the member has had a chance to state their case either themselves or through a representative.

(4) Any person expelled, censured or suffering a suspended penalty shall be entitled to appeal to the disciplinary appeal authority against the decision of the executive board. Such appeal shall be made by giving notice in writing to the secretariat within fourteen (14) days of the notification to the member of the decision appealed against.

(5) The disciplinary appeal authority shall comprise:

- a. A member nominated by the disciplined member;
- b. A member nominated by the executive board;
- c. A mutually acceptable convenor who shall be a member of the union.

(6) No member of the disciplinary appeal authority shall have prior knowledge or personal or vested interest in the case under review.

(7) Pending the hearing of any appeal by the disciplinary appeal authority, the executive board's decision shall remain in force.

Part 14

Clusters and Networks

73. Clusters

(1) Clusters are groupings of members employed by agencies or enterprises that work in broadly the same area of business, with common interests that relate to that area of business and may cut across sectors.

(2) Delegates from these enterprises may meet in committees, with the approval of the secretariat

to enable the common interests of members to be addressed by the union.

(3) Cluster committees have no formal governance responsibilities and cannot speak on behalf of the PSA unless authorised by the executive board, but may work with PSA staff to:

- a. provide advice to the executive board, sector committees or the Committee of Te Rūnanga o Ngā Toa Āwhina;
- b. co-ordinate union activities that are consistent with union policies and strategies;
- c. facilitate information sharing among their members;
- d. submit notices of motion to the national delegates' congress;
- e. organise themselves in ways that are consistent with the policies, rules, regulations and operating manual of the PSA.

(4) Cluster committees may exist on either an ongoing or project specific basis.

- a. Before a cluster committee is established the appropriate sector committees are to be consulted;
- b. The establishment of a cluster committee on an ongoing basis requires the approval of the executive board;
- c. Once a cluster committee has been established as ongoing the regulations shall be amended to reflect this.

74. Networks

(1) Networks are groupings of members with common interests that can cut across the sectors.

(2) Networks communicate through the use of telecommunications and face to face meetings as appropriate.

(3) Networks may be either formal or informal.

(4) Formal networks have no formal governance responsibilities and cannot speak on behalf of the PSA unless authorised by the executive board, but may work with PSA staff to:

- a. provide advice to the executive board, sector committees or Te Rūnanga o Ngā Toa Āwhina;
- b. co-ordinate union activities that are consistent with union policies and strategies;
- c. enable those involved to provide each other with support including mentoring;
- d. facilitate information sharing among their members;
- e. submit notices of motion to the national delegates' congress;
- f. organise themselves in ways that are consistent with the policies, rules, regulations and operating manual of the PSA.

(5) Formal networks may be established with the approval of the executive board and may be included in the rules by decision of the national delegates' congress.

(6) Groupings recognised as formal networks under these rules are:

- a. PSA Pasefika (see rule 75);
- b. Women's network (see rule 76);
- c. PSA Youth network (PSAY) (see rule 77);
- d. Out@PSA (see rule 78).
- e. Deaf and disabled network (see rule 79).

(7) Informal networks exist primarily to:

- a. enable those involved to provide each other with support, including mentoring;
- b. facilitate information sharing among their members.

(8) Informal networks may exist under the following conditions:

- a. They have no governance or decision-making function and may not speak on behalf of the PSA;
- b. They may co-ordinate union activities that are consistent with union policies and strategies;
- c. Their activities will be consistent with the PSA policies, rules and regulations;

- d. They require secretariat approval to be recognised as PSA networks under these rules and recognition may be withdrawn if these conditions are breached.

75. PSA Pasefika

(1) In accordance with rule 74, there will be a PSA Pasefika of the PSA, which shall be subject to the rules, regulations and policies of the union.

(2) The PSA Pasefika exists to:

- a. promote the interests of Pacific peoples within the PSA;
- b. facilitate the sharing of information and experiences;
- c. encourage and support Pacific peoples' participation in the representative structures at all levels.

76. Women's Network

(1) In accordance with rule 74, there will be a Women's Network of the PSA, which shall be subject to the rules, regulations and policies of the union.

(2) The Women's Network exists to:

- a. promote the interests of women within the PSA;
- b. facilitate the sharing of information and experiences;
- c. encourage and support women's participation in the representative structures at all levels.

77. PSA Youth (PSAY)

(1) In accordance with rule 74, there will be a Youth Network of the PSA, for PSA members aged 35 and under, which shall be subject to the rules, regulations and policies of the union.

(2) The Youth Network exists to:

- a. promote the interests of young people within the PSA;
- b. facilitate the sharing of information and experiences;

- c. encourage and support young people's participation in the representative structures at all levels.

78. Out@PSA

(1) In accordance with rule 74, there will be an Out@PSA Network of the PSA, which shall be subject to the rules, regulations and policies of the union.

(2) The Out@PSA Network exists to:

- a. promote the interests of gay, lesbian, bi-sexual, transgender/transsexual and intersex members within the PSA;
- b. facilitate the sharing of information and experiences;
- c. encourage and support the participation of gay, lesbian, bi-sexual, transgender/transsexual and intersex members in the representative structures at all levels.

79. Deaf and Disabled Network

(1) In accordance with rule 74, there will be a Deaf and Disabled network of the PSA, which shall be subject to the rules, regulations and policies of the union.

(2) The Deaf and Disabled network exists to:

- a. promote the interests of Deaf and Disabled people within the PSA;
- b. facilitate the sharing of information and experiences;
- c. encourage and support Deaf and Disabled peoples' participation in the representative structures at all levels.

Part 15 Administrative Matters

80. Financial matters

(1) The PSA shall keep accounting records in accordance with current accounting practices and taxation legislation.

(2) The funds and property of the PSA shall be vested in the PSA and managed by the executive board. Accountabilities for and management of those funds shall be in accordance with these rules.

(3) All monies received shall be paid to the credit of the PSA into a bank or banks selected for that purpose by the executive board.

(4) Cheques shall be signed in accordance with authorisations as approved from time to time by the executive board.

(5) The annual income and expenditure account and annual balance sheet shall be signed in accordance with standard accounting procedure and presented by the treasurer to the annual general meeting and national delegates' congress together with the auditor's report on the accounts;

(6) The auditor shall prepare and sign a certificate in accordance with standard auditing procedures;

(7) The PSA shall furnish the Registrar of Incorporated Societies with a copy of the audited accounts in terms of the Incorporated Societies Act.

81. Seal

(1) The PSA shall have a common seal.

(2) The executive board shall have the power to alter or renew the common seal of the union.

(3) The seal shall be kept in the custody of the secretariat.

(4) The members of the secretariat and the president shall have the power to affix the seal to any document requiring the affixing of the seal.

(5) The executive board may authorise any named person or persons in addition to those above to affix the seal.

82. Winding up

(1) The PSA may be wound up in accordance with the provisions of the Incorporated Societies Act 1908 if:

- a. At either the national delegates' congress or a special delegates' congress a resolution is passed requiring the PSA to be wound up; and
- b. That resolution is confirmed at a subsequent special delegates' congress called together for that purpose and held not earlier than thirty (30) days after the date on which the resolution to wind up was passed.

(2) Where the PSA is wound up or dissolved all surplus assets after the payment of all costs, debts and liabilities shall be disposed, following the final audit, as decided at the final national delegates' congress or special delegates' congress provided that no portion of such assets and funds shall under any circumstances be distributed to any member of the PSA.

83. Indemnity cover

(1) The executive board shall be entitled to effect professional indemnity cover in respect of claims made against:

- a. The PSA; or
- b. Any officer, or delegate or employee of the PSA in his or her capacity as an officer, delegate or employee, including costs incurred in defending or settling any such claim.

84. Amendments to rules

(1) A rule amendment may be promoted by either:

- a. The executive board; or
- b. Any sector committee; or
- c. The Committee of Te Rūnanga o Ngā Toa Āwhina; or
- d. Any workplace members' meeting.

(2) Any rule amendment may be made by resolution passed by a majority of the delegates voting at a national delegates' congress or at a special delegates' congress, provided that notice of any proposed changes, and any amendments to those proposed changes, shall have been received by the secretariat and circulated according to the timetable in rule 56.

85. Transitional Arrangements

Whenever these rules are amended in accordance with rule 84, the executive board shall have the power to put in place any reasonable temporary arrangements that may be required to ensure the efficient transition to full application of the amendments, provided that the national delegates' congress or special delegates' congress is advised of the intention and scope of these arrangements at the time the amendments to the rules are being considered.

The Regulations of the New Zealand Public Service Association Te Pūkenga Here Tikanga Mahi

Part 1 - General

1. Preamble

1.1 These are the regulations of the New Zealand Public Service Association: Te Pūkenga Here Tikanga Mahi (the “PSA”), adopted by the executive board in accordance with rule 7(2) of the rules of the PSA and following consultation with the sector committees and the Committee of Te Rūnanga o Ngā Toa Āwhina.

1.2 Nothing in these regulations may be inconsistent with the rules of the PSA.

2. Application of election principles

2.1 This regulation concerns the application of rule 9 “Election Principles”.

2.2 In accordance with rule 9(1)(a) a candidate for election at any level within the PSA must be a full member and be nominated and seconded by two full members. Ideally such nomination will be in writing and in advance, but nominations may be accepted from the floor of a meeting held for the purpose of holding an election, provided that no nominations have been received by the formal closing time for nominations. If only one nomination has been received by the closing time for nominations she/he will be declared elected in accordance with rule 9(1)(f).

2.3 In accordance with rule 9(1)(b) adequate time should be allowed between the calling of the elections and the closing time for nominations. The intent of this rule is to ensure that no potential candidate should miss out on the opportunity to stand by

reason of overly strict timeframes for elections. “Adequate time” means time enough for the notice of the election to be circulated to all those entitled to vote and for those interested to get a nominator and seconder and submit a written nomination. It is dependent on the practicalities that might apply to any given election and should reflect such things as the number of workplaces in and the geographical spread of the constituency, access to e-mail and the number of those entitled to vote. As a guide this period should be not less than ten (10) working days.

2.4 In accordance with rule 9(1)(c) adequate time should be allowed between the closing date for nominations and the elections. The intent of this rule is to ensure that those entitled to vote are made aware of who the candidates are. “Adequate time” means time enough for the nominations to be advised to all those entitled to vote subject to the practical considerations set out in regulation 2.3. As a guide this period should be not less than five (5) working days.

2.5 In accordance with rule 9(1)(d) nominations need to be sent to a returning officer, or chairperson in charge of the election process, who is not a candidate in the election. Someone needs to be appointed to this role by the relevant part of the governance structure – that is, the appropriate delegate committee, the sector committee, the sector rūnanga representatives, the Committee of Te Rūnanga o Ngā Toa Āwhina or the

executive board. The person appointed must be either a member or a staff member of the PSA.

3. Decision making and meeting procedures

3.1 The intention of rule 10 on decision making and meeting procedures is to allow a degree of informality and flexibility in proceedings of PSA meetings while ensuring some minimum standards are adhered to.

3.2 Consensus requires the agreement of all those attending a meeting and entitled to vote. Guidance on how consensus decision-making should work within the PSA is contained in the operating manual. It shall be the responsibility of the chair of the meeting to ascertain whether consensus has been achieved.

3.3 A member may exercise any right to vote either by being present in person, or by proxy with the approval of the secretariat (which authority may be delegated). A proxy must be appointed by notice in writing signed by the member entitled to vote and the notice must state whether the appointment is for a particular meeting. No proxy is effective in relation to a meeting unless a copy of the notice of appointment is produced before the start of the meeting.

Part 2 Membership

4. Services to members

4.1 In accordance with rule 15(1)(a) the different categories of members of the PSA are entitled to the following services and benefits of membership, subject to any strategic, policy or operational priorities decided by the executive board or secretariat:

a. Full members – services for full members include collective and individual

representation consistent with the vision and objects of the PSA, and all the general services of the PSA.

- b. Associate members are entitled to receive the PSA Journal and any benefits provided through PSA Plus, and may receive other relevant publications of the PSA.
- c. Honorary life members are entitled to receive the PSA Journal and any benefits provided through PSA Plus, and may receive other relevant publications of the PSA.
- d. Student members are entitled to receive the PSA Journal and any benefits provided through PSA Plus, and may receive other relevant information and publications of the PSA. Advice to student members engaged in employment which is incidental to their studies may also be made available via the organising centre on terms and conditions decided by the secretariat.

5. Honorary life membership

5.1 Process for nominations

- a. Nominations for honorary life membership may be made by any member, or any formally recognised membership structure, by forwarding the nomination to the executive board according to the timeframe set out in the official notice calling for nominations and notices of motion for the national delegates' congress.
- b. The executive board will consider any nominations and, if it decides to accept a nomination, will place its recommendations on the agenda for congress.

5.2 Guidelines to assess nominations for honorary life membership

Honorary life membership is a special and therefore infrequently awarded honour. The executive board will use the following guidelines to assess nominations:

- a. Length of membership – life members should be or have been members of the PSA for an extended period, of at least ten (10) years;
- b. Nature of office held – life members should have held office in the PSA, either as an employee or as an elected official. This office will usually be at a national level, but workplace and enterprise delegates will be considered;
- c. The scope of the member’s contribution – it is expected that the contribution has had union-wide or national impact, or has been exceptional in some other way;
- d. The significance of the contribution - the contribution needs to be above and beyond the expected duties of the office. For example, demonstrated leadership during a particularly difficult time, or producing significant gains for members in the industrial, economic, political or social fields over a period of time;
- e. Honorary life membership would not ordinarily be awarded to a staff member while still in the employment of the PSA.

Part 3 Workplaces and enterprises

6. Numbers of delegates and constituencies

6.1 Under rule 24(3) an enterprise delegate committee can decide the number of delegates within an enterprise or workplace. This should be read in conjunction with rule 2(1)(b) that defines “constituency”.

6.2 In identifying the constituencies and number of delegates in an enterprise the enterprise delegate committee should ensure that:

- a. every workplace has representation

(which does not require there to be a delegate in every workplace);

- b. the needs of groups who might work across more than one workplace, such as occupational groups or managers, are accommodated;
- c. they consider the relative numbers of members in each constituency

6.3 Should the number of delegate positions created exceed the number eligible for time release, travel, or any other funding as may have been agreed by the employer, then the PSA is not obliged to provide any funding to support those delegates.

7. Election of workplace and enterprise delegates

7.1 Rule 25(2) specifies that workplace delegates shall be elected, under normal circumstances, at an annual members meeting. Where this is impracticable or where the size or complexity of an enterprise requires an election at a later date or by some other process, then elections may be conducted using the options in regulation 7.2.

7.2 Options available for workplace delegate and enterprise delegate committee elections are:

- a. election, by secret ballot, at a special meeting of members in that workplace, called for that purpose;
- b. election by secret ballot where the ballot box is circulated around workplaces;
- c. election by postal ballot, where costs involved have been approved;
- d. election by e-mail, where both access and a secret ballot can be assured;
- e. election by any other means, approved by the secretariat, where all those entitled to vote are able to vote and the ballot is secret.

7.3 Under rule 25(3), where a vacancy occurs

in the course of a two year term a by-election may be held at a meeting of members or by some other method approved by the secretariat under rule 25(2) and regulation

7.4. When only one nomination has been received at the closing date for nominations then no meeting, or other form of election, need be held and the sole candidate shall be declared elected.

8. Enterprise Delegate Committees

8.1 Enterprise delegate committees may be called by other titles appropriate to the enterprise, such as national delegates' committee or delegates committee.

8.2 The overriding principle concerning the structure of the enterprise delegate committee is that it should be appropriate for the enterprise concerned, subject to rule 27. The following is offered as guidance only.

- a. As provided in regulation 6 delegates may represent both workplaces and other groups within an enterprise. An enterprise committee should reflect the constituencies within the enterprise.
- b. The enterprise delegate committee could also provide for a range of roles to be allocated among the committee members in addition to the two provided for in rule 27(4). Examples include a secretary, a women's representative or a person responsible for equal employment opportunities.
- c. Other positions provided for in statute or under other authority could also sit as ex officio members of the enterprise delegate committee, such as health and safety officers and learning representatives.

9. Members meetings

9.1 Where no annual members' meeting is held, because an exemption has been granted by the secretariat under rule 28(1), the enterprise delegate committee should

develop other appropriate means to ensure that the functions of the annual members' meeting are fulfilled. For example, to find a way in which members can provide guidance about the strategy of the PSA in that enterprise.

Part 4 Sectors

10. Sector descriptors

10.1 Rule 31(2) establishes that the current sectors of the PSA are the public service Rātonga mahi ā te Kāwanatanga, state sector Rāngai Tūmatanui, district health boards Pōari Hauora ā Rohe, community public service Rātonga Mahi ā Hāpori and local government Kāwanatanga-ā-Rohe. For the purposes of allocating enterprises to sectors the following descriptors apply:

- a. Public Service Rātonga mahi ā te Kāwanatanga-comprising all public service and non-public service departments, and offices of parliament;
- b. State Sector Rāngai Tūmatanui - comprising: crown entities; state owned enterprises; Public Finance Act 4th Schedule organisations; any private organisation engaging in commercial activities, including those that were previously provided by the state; and any wholly or partially owned subsidiary entities or joint ventures of the above organisations;
- c. District Health Boards Pōari Hauora ā Rohe - DHBs or any publicly owned organisation established to replace the district health boards, and any wholly or partially owned subsidiary entities or joint ventures of the district health boards;
- d. Community Public Services Rātonga Mahi ā Hāpori - comprising:
 - i. non-governmental, not-for-profit, self-

governing, voluntary organisations delivering a range of services in the community, including public services funded fully or partially by the state or local government;

- ii. private, for-profit organisations delivering community-based public services funded fully or partially by the state or local government.
- e. local government Kāwanatanga-ā-Rohe - including all local authorities and council controlled organisations, and any other wholly or partially owned subsidiary entities or joint ventures of local authorities.

11. Establishment of constituencies

11.1 Rule 32(6) provides for sector committees to decide the number of representatives on the committee, and the constituencies they serve, subject to these regulations and the approval of the executive board. In deciding the number of representatives and the constituencies the committee and the executive board must consider:

- a. What communities of interest exist within the coverage of the sector and how they may be best represented at sector committee level. These communities of interest may be based on such things as geography, the business of the enterprises concerned, or a common industrial focus;
- b. The number of representatives on the sector committee relative to the number of members within the coverage of the sector;
- c. The costs associated with the number of sector representatives;
- d. The number of representatives on other sector committees relative to the number of members within the coverage of those sectors;
- e. The number of members represented by each sector representative.
- f. How rule (5) on gender equity applies to the constituencies.

11.2 The constituencies for each sector committee are identified in Schedule A to these regulations.

12. Quorum

12.1 Each sector committee shall establish a quorum sufficient to enable the committee to conduct its business in a representative manner.

12.2 The quorum for each sector committee is listed in Schedule A to these regulations.

13. Sector committee procedures

13.1 Rule 33(1)(g) gives each sector committee the power to establish its own procedures, subject to the approval of the executive board and the provisions of the regulations. These procedures should include the following points:

- a. the constituencies for the sector;
- b. the process for electing sector committee representatives, in accordance with the provisions of rules 5 and 32;
- c. the election of co-convenors in accordance with rule 33(1)(c);
- d. the process for selecting sector delegates to national delegates congress or the annual general meeting in accordance with rules 5, 49 and 59;
- e. a requirement that sector committee representatives must be workplace delegates and hold a leadership role in the PSA in their enterprise.

13.2 Sector procedures must comply with the rules and these regulations and when deciding whether or not to approve these procedures the executive board will consider the extent to which they enhance the democracy of the PSA and communication with members, and the transparency with which the business of the sectors is conducted.

13.3 The procedures for each sector committee are listed in Schedule A to these regulations.

14. Transfer of enterprises

Under rule 43(2)(i) the executive board has the authority to allocate new enterprises to sectors and to transfer an enterprise from one sector to another. In applying this power the board must take into account:

- a. The alignment between the governance arrangements for the enterprise (including the extent to which the government exercises control over it) and those of other enterprises in the relevant sectors;
- b. The alignment with the industrial strategies of the PSA;
- c. Any legislation applying to the enterprise;
- d. The opinion of members in the enterprise;
- e. The opinion of the current sector committee and the proposed sector committee;
- f. Any other matter that the board has good reason to consider as relevant to the decision to transfer.

Part 5 Te Rūnanga o Ngā Toa Āwhina

15 Māori enterprise delegate

15.1 Rule 35(3) provides for the Māori enterprise delegate to be elected by Māori members within an enterprise.

- a. The election must be held in accordance with rule 9 and regulation 2.
- b. All those within the enterprise who have identified themselves as Māori on the membership form shall be entitled to vote.
- c. The rūnanga delegate structures within an enterprise should be part of the general delegate structures within that enterprise. Accordingly they should allow for rūnanga delegates (elected by Māori

members) at all points of the structure, as appropriate. The rūnanga delegates in an enterprise will ultimately elect a Māori enterprise delegate.

- d. Given the sometimes dispersed nature of Māori membership within some enterprises, consideration should be given to using some of the alternative methods for conducting elections set out in regulation 7.2.
- e. Responsibility for ensuring there is a call for nominations for the position of Māori enterprise delegate rests with the enterprise delegate committee and the process should be conducted at the same time, wherever practicable.

16 Sector hui

16.1 The numbers attending sector hui and the practical arrangements are to be managed by the sector māngai, subject to normal budget parameters.

17 Sector rūnanga

17.1 Rule 37(1) establishes sector rūnanga and rules 37(2) and 37(3)(c) empowers the sector hui to appoint three(3) māngai for each sector, but allows the executive board to permit additional māngai to be appointed. The executive board, through these regulations, exercises this power to grant the DHB sector rūnanga (Te Rūnanga Hauora) permission to select eight māngai (Te Tira Hauora) – two from each of four(4) regions.

17.2 Rule 37(2) provides for the sector māngai to be the authorised representatives of Māori members in the sector on the Committee of Te Rūnanga o Ngā Toa Āwhina and the sector committee, provided that only two at a time can attend a meeting of those two bodies.

- a. It is the expectation that the sector māngai will decide a process for deciding who attends which meeting.
- b. In the event that a dispute may arise

about how attendance by sector māngai at meetings of the Committee of Te Rūnanga o Ngā Toa Āwhina and sector committee is organised, the matter shall be referred to the Committee of Te Rūnanga o Ngā Toa Āwhina for decision.

18 Committee of Te Rūnanga o Ngā Toa Āwhina procedures

Rule 38(6)(f) gives the Committee of Te Rūnanga o Ngā Toa Āwhina the power to establish its own procedures for the operation of the Committee, subject to the approval of the executive board and the provisions of the regulations. These procedures should include the following points:

- a. The election of sector māngai in accordance with rules 5 and 36(3)(c)
- b. The election of the convenor (tuakana) and deputy convenor (teina) in accordance with rule 38(6)(g)
- c. The process for selecting delegates for Te Rūnanga Taumata in accordance with rule 39(4)
- d. A requirement that sector māngai must be workplace delegates and hold a leadership role in the PSA in their enterprise.

Part 6 Annual general meeting and special and national delegates' congresses

19 Selection of sector representatives

19.1 Where representatives from sectors are to be selected, in accordance with rules 49 and 59, the decision will be made by the sector committee concerned according to a process agreed by each sector committee and listed in Schedule A to these regulations.

- a. Processes developed by sector committees

should ensure, as is reasonably possible, that sector delegations are reflective of the sector e.g. they reflect the constituencies of the sector and the gender make up of the sector.

- b. The process needs to be transparent and democratic, so that all those who are interested in attending have the opportunity to be considered.

20 Consideration of remits

20.1 Rule 56 sets out the timetable for national delegates' congress, including the deadlines for the circulation of remits. The executive board may consider any remits submitted in accordance with that timetable and provide a report to congress, including recommendations on whether to accept or reject the remits.

21 Ballot for president

21.1 Rule 60(4) requires that the election for president shall be conducted by an exhaustive ballot at national delegates congress. An exhaustive ballot requires that the successful candidate must receive a majority of votes cast. Accordingly:

- a. Where there are more than two candidates the candidate with the least votes on the first ballot will be eliminated from the election. This will be repeated in every subsequent ballot until there are only two candidates remaining. In the final ballot the candidate with the majority of votes cast will be declared elected.
- b. Where there are only two candidates only one ballot will be held and the candidate with the majority of votes cast will be declared elected.
- c. Where there is only one candidate she/he will be declared elected without a ballot.

Part 7

Clusters and networks

22 Clusters

22.1 The following have been established as ongoing clusters in terms of rule 73(4):

- a. The science committee, representing members employed in Crown Research Institutes;
- b. The mental health committee, representing members working in mental health services in any sector within the PSA's coverage.

SCHEDULE A SECTOR COMMITTEE PROCEDURES

Rātonga Mahi ā Hāpori Community Public Services

1. Purpose

The community public services sector committee is part of the governance structures of the PSA, responsible for representing the interests of members within their sectors in the governance of the union, and are accountable to those members in exercising the powers and functions set out in rule 32. This includes listening to those members and reporting to them on a regular basis.

2. Constituencies

2.1 The sector committee will comprise representatives elected to represent geographical constituencies plus two sector māngai elected in accordance with the procedures of Te Rūnanga o Nga Toa Āwhina.

2.2 The constituencies of the CPS sector and their representatives are:

- a. Northland/Auckland - two representatives
- b. Waikato/Bay of Plenty – two representatives
- c. Lower North Island including Nelson – two representatives
- d. Canterbury/West Coast – two representatives
- e. Lower South Island - one representative.

2.3 Regional representatives will also be considered representatives of the service area that they work in, as if they were constituencies.

2.4 It is intended that the sector committee be as representative as possible of the sector. To this end the returning officer will work with organisers and delegates in the sector to encourage members from all the main service areas (social services, home support, mental health and disability services) to stand, as well as candidates reflective of the ethnic and gender mix, consistent with Rule 5, in the sector.

3. Regional meetings

Wherever possible the sector will hold annual regional members' meetings in each of the geographical constituencies in order to elect sector committee representatives (biennially) and conduct any other business of interest to the sector.

4. Election of sector representatives

Sector committee representatives are elected by delegates within the sector in accordance with Rule 5, the election principles of Rule 9 and regulation 2. The election will normally take place at the regional delegates' meetings in each of the constituencies and follow the process below:

- a. A national returning officer will be appointed by the sector committee to manage the election. Local returning officers will be appointed at each regional meeting.
- b. Notice of the election will be circulated to delegates at least 14 days prior to the closing dates for nominations.
- c. The returning officer will encourage members from all the main service areas (social services, home support, mental health and disability services) to stand, as well as candidates reflective of the ethnic and gender mix in the sector.
- d. Constituencies with two or more representatives must elect at least one woman to comply with Rule 5.

- e. Nominations, on the recognised form, including a brief profile and/or an election statement, shall be in the hands of the national returning officer no later than seven days before the election.
- f. Details of the candidates and constituency/ sub-sector information will be circulated to delegates at least seven days prior to the election date.
- g. Delegates will distribute information about the candidates to their members in time to get feedback on their preferences.
- h. Where there is a contested election a secret ballot will be organised.
- i. If the election does not take place at a regional meeting one of the options for conducting a secret ballot under regulation 7.2 will apply.
- j. Proxy votes may be allowed by decision of the committee.
- k. It is desirable for candidates to have a leadership role within their enterprise, or within a relevant constituency or service area.
- l. If an election does not produce a gender representative outcome compliant with Rule 5, the sector committee can co-opt one additional on to the sector committee.

5. Vacancies

Should a vacancy occur in the course of a two-year term a by-election will be held as soon as practicable. The process in clause 4 of these procedures will apply except that the election will only be held at a regional meeting if one is already scheduled at a convenient time

6. Election of sector convenor

The co-convenors of the CPS Sector (at least one of whom must be a woman) are elected by sector committee representatives present at a meeting of the committee held not more

than two years following the election of the current convenor representing the sector on the executive board:

- a. The sector committee organiser will act as the independent returning officer to manage the election.
- b. Notice of the election will be circulated to sector committee representatives seven days prior to the closing date for nominations.
- c. The returning officer will encourage nominations so that there is gender balance among nominees, reflective of the sector.
- d. Nominations, on the recognised form, including a brief profile and election statement, shall be in the hands of the returning officer no later than 24 hours before the election meeting.
- e. Sector committee representatives will consult with delegates in their constituencies about which candidate to support keeping in mind the need to have cover across the various service, geographic and ethnic diversities.
- f. Where there is a contested election a secret ballot will be held.
- g. Proxy votes by email/text will be allowable on the day of the election if necessary.

7. Quorum

The quorum for the CPS sector is 50% of the members of the committee

8. Working with sector māngai

- a. The CPS sector committee is committed to the Treaty principals of partnership, protection and participation in working with the community public services sector Rūnanga and sector māngai.
- b. The CPS sector committee will assist sector māngai in the following matters:
 - i. Organisation of the sector hui.
 - ii. Encouraging Māori members and

delegates in their constituencies to register as Māori, if they have not already done so.

- iii. Working with the sector māngai on matters pertaining to Māori including but not limited to developing bargaining strategy, communication/method of consultation, reporting, delegate development, political engagement, and partnership opportunities.
- iv. Provide feedback to the committee of Te Rūnanga o Nga Toa Āwhina on the sector hui and Māori engagement.

9. Decision-making and working together

The CPS sector committee is committed to working together constructively to achieve consensus in decision making. To achieve this we will manage our meetings according to the following principles:

- Commencing and concluding our meetings with culturally appropriate rituals
- One person speaking at a time
- Listening to what the other person is saying
- Direct dealing with issues in a timely manner
- Conducting debate/discussion transparently
- Speaking in a respectful manner
- Respecting confidentiality when requested
- Working to agreed timeframes.

10. Selecting sector delegates for congress

Delegates for Congress for the CPS sector will be selected according to the following process:

- a. Following advice on the number of delegates the sector has been allocated, the number of delegates per constituency will be decided
- b. A call will be made for expressions of interest at least three months prior to Congress
- c. The selections will be made by the sector committee according to the following criteria:
 - Whether the delegates have a leadership role in their enterprise
 - The ability of the candidates as attested by sector committee representatives or others
 - The gender equity consistent with Rule 5, and worksite representation in the delegation, including the sector committee
 - The mix of experienced and new delegates (including the age representation) in the delegation
 - A cross section of enterprises/constituencies within the sector
- d. The delegation will be decided no later than two months prior to Congress

11. Special arrangements for representation

The CPS sector committee will have the ability to develop special arrangements for representation as needs are identified

Pōari Hauora ā Rohe District health boards

1. Purpose

The DHB sector committee is part of the governance structures of the PSA, responsible for representing the interests of members within their sector in the governance of

the union, and are accountable to those members in exercising the powers and functions set out in rule 33. This includes listening to those members and reporting to them on a regular basis.

2. Constituencies

2.1 The constituencies that elect the DHB sector committee are comprised of regional groupings based on the geographical areas covered by District Health Boards as follows:

- Area 1 – Waitemata, Auckland, Counties Manukau;
- Area 2 – Northland, Waikato, Bay of Plenty, Lakes, Tairāwhiti;
- Area 3 – Hawkes Bay, MidCentral, Whanganui, Taranaki, Capital and Coast, Hutt Valley, Wairarapa;
- Area 4 – Nelson Marlborough, West Coast, Canterbury, South Canterbury, Southern.

2.2 Regional sector delegate structures provide for communication between enterprise delegate committees and the sector committee. Delegates in each region determine the structure and methods of operation of the regional sector delegates committee for each area. A regional delegate meeting will be held in each region at least biennially. Enterprise delegate committees will select the attendees to the regional meetings.

3. Sector committee representatives

The DHB sector committee comprises three representatives from each of the four regions in clause 2 above and two sector māngai from Te Tira Hauora.

4. Regional delegate meetings and the election of sector committee representatives

4.1 The sector committee representatives are elected by delegates within each of

the constituencies in accordance with the election principles of rule 9 and regulation 2. In each case:

- a. Regional sector committee representatives will consider measures to encourage women, Pasefika and other under represented groups to stand for election in their region.
- b. A local organiser shall be appointed as returning officer to manage the election.
- c. The election will take place at the annual regional delegate meeting in each area.
- d. Notice of the election and a call for nominations will be circulated to delegates in the area not less than 10 working days prior to the area delegates meetings.
- e. Nominations will close no later than 5 working days prior to the area delegates meetings
- f. Candidates must be members of the enterprise delegate committee in their DHB.
- g. Candidates must attend the regional delegate meeting. Should a candidate not be able to attend she/he must advise the returning officer of the reason for not attending. A decision on whether or not to accept the reason and allow the candidate to stand will be taken by the delegates at the regional meeting.
- h. Delegates will use their best endeavours to consult with their members about which candidates to support prior to the area delegates meetings.
- i. Where there is only enough candidates for the positions available the person nominated shall be declared elected.
- j. If there are more candidates than places available, a profile of each candidate shall be sent by email to delegates 5 days before the area delegates meeting take place.
- k. Voting will be by secret ballot with each DHB having at least one vote, subject to

any conditions set out in procedure 4.2 below.

4.2 In addition the processes below apply for each of the constituencies.

a. Area 1 – The regional delegate meeting will be held in July each year. In a delegate election year the annual members meetings will be used to promote the role of regional delegate and the election.

Each DHB will have one representative on the sector committee, elected by the regional delegates from that DHB at the regional delegate meeting. Proxy votes will be accepted subject to regulation 3.3.

b. Area 2 – regional delegates attending the regional delegate meeting for area 2 will exercise the vote allocation for election of Area 2 DHB Sector Delegates as follows:

- 1 vote per enterprise for each enterprise represented with a membership of less than 50.
- 1 vote per 50 members or part thereof for all enterprises with a membership greater than 50.

c. Area 3 – Candidates will have the opportunity to make a verbal presentation to the area delegates meeting. A secret ballot will be held on the basis of one vote per DHB.

d. Area 4 - The South Island regional DHB delegates meeting is made up of: 2 delegates from Nelson/Marlborough DHB; 1 delegate from the West Coast DHB; 4 delegates from the Canterbury DHB; 1 delegates from the South Canterbury DHB; and 3 delegates from the Southern DHB (made up of 1 from the Invercargill site and 2 from the Otago site). In addition there are 2 members representing the South Island DHB rūnanga structure.

There will be one representative on the sector committee from each of the following groupings: West Coast and

Nelson-Marlborough; Canterbury and South Canterbury; and Southern DHB. The representatives will be elected by the regional delegates at the regional delegate meeting. Delegates must also give consideration to the range of occupations when voting.

e. In addition there are 2 members representing DHB rūnanga structure in each area. The rūnanga reps are elected at biennial hui attended by Māori enterprise delegates from around the region

5. Election of the DHB sector convenor

The DHB sector committee shall elect from amongst its membership a convenor who will then become a member of the executive board. A proxy representative shall also be elected in case the sector convenor is unable to attend a particular executive board meeting.

- a. The sector organiser shall act as the independent returning officer.
- b. One month prior to the meeting where the election of convenor is to be held, the sector organiser shall call for nominations for a convenor before the sector committee meeting at which this election is to be held.
- c. Nominations, supported by a mover and a seconder and endorsed by the candidate shall be in the hands of the sector organiser no later than 10 working days prior to the meeting at which the election is due to take place. The nominations must be supported by a profile of the candidate.
- d. Details of the candidates will be circulated to the enterprise delegate committees in each DHB no later than 5 working days prior to the meeting at which the election is due to take place.
- e. Sector committee representatives must use their best endeavours to consult with the enterprise delegate committees prior to the election.

- f. Where there is a contested election a secret ballot will be held.
- g. Proxy votes may be allowed by decision of the committee.
- h. Nominations for the proxy representative shall be called on the day of the sector convenor election.

6. Quorum

The quorum for the DHB sector committee to be a minimum of 50% of sector representatives entitled to attend. If there is no quorum on a teleconference call or at a face to face meeting - discussion can take place but no decisions will be recorded.

7. Working with sector māngai

- a. The DHB sector committee is committed to the Treaty principles of partnership, protection and participation in working with Te Tira Hauora and the sector māngai.
- b. The DHB sector committee will assist sector māngai in the following matters:
 - i. Organisation of the sector hui.
 - ii. Encouraging Māori members and delegates in their constituencies to register as Māori, if they have not already done so.
 - iii. working with the sector māngai on matters pertaining to Māori including but not limited to developing bargaining strategy, communication/ method of consultation, reporting, delegate development, political engagement, and partnership opportunities.
 - iv. Provide feedback to the committee of Te Rūnanga o Ngā Toa Āwhina on the sector hui and Māori engagement.

8. Decision making and working together

The DHB sector committee is committed to working together constructively to achieve consensus in decision making. To achieve

this we will manage our meetings according to the following principles:

- Commencing and concluding our meetings in a culturally appropriate manner;
- One person speaking at a time;
- Listening to what the other person is saying;
- Speaking in a respectful manner;
- Respecting confidentiality when requested;
- Working to agreed time frames.

9. Selecting delegates to congress

The DHB sector delegation to national delegates congress shall be made up of the

- a. Sector convenor.
- b. The remaining sector committee members in the first instance with any remaining places being filled by PSA delegates in the DHB sector, chosen by the sector committee according to the following process:
 - i. Following advice on the number of delegates the sector has been allocated, the number of delegates per constituency will be decided;
 - ii. A call will be made for expressions of interest at least 6 months prior to congress;
 - iii. The selection will be made by the sector committee according to the following criteria:
 - Whether delegates have previously attended regional delegate meetings
 - Whether the delegates have a leadership role in their enterprise
 - The ability of the candidates as attested by sector committee representatives or others
 - The gender equity in the delegation, including the sector committee

- The mix of experienced and new delegates (including the age representation) in the delegation
 - Each DHB will have a representative
 - Membership numbers indicate allocation of surplus vacancies
- iv. The delegation will be decided no later than 4 months prior to congress

In accordance with rule 60(2)(i) there is an expectation that congress delegates will consult with those they represent about any matter before congress, and will do so prior to the closing date for amendments (2 months before congress).

10. Occupational Panels

The DHB sector committee may, from time to time, establish occupational panels involving members and delegates from one occupation from DHBs or across sectors. The role of these panels is to advise PSA on matters particularly pertaining to one occupational group or profession. The panel may be set up by the sector committee to deal with one project or may exist on a continuing basis.

The panels exist at the discretion of the DHB sector committee, in consultation with any other affected sector committees. The DHB sector committee (in consultation with any other affected sector committees) will establish the terms of reference for an occupational panel.

The panels will mostly work by email and teleconferences. Notwithstanding the provisions of this clause, should another sector committee request it a process for establishing a cluster (incorporating members and delegates from other sectors) under rule 73 may be initiated.

Kawanatanga a Rohe Local Government Sector procedures

1. Purpose

The Kawanatanga a Rohe | local government sector committee is one part of the governance structures of the PSA. The committee is responsible for representing the interests of members via their elected delegates, within their sector in the governance of the union. The committee are accountable to those members and their elected delegates in exercising the powers and functions set out in rule 33. This includes engaging with those members and their elected delegates and keeping them updated on a regular basis.

2. Enterprises in the sector.

The sector committee may review the enterprises in the sector at any time. This will generally occur biennially at the end of the year prior to the national delegates' congress, with any recommendations for change being passed on to the executive board by 31 December.

3. Constituencies

a. The constituencies of the Kawanatanga a Rohe | Local Government sector are represented on the sector committee according to the following geographical regions:

Where a region has more than one representative, at least one will be female. The election process for this is outlined below.

- Auckland & Northland - 2 representatives
- Waikato – 1 representative
- Bay of Plenty – 1 representative
- Gisborne, Hawke Bay, Manawatu-

Wanganui & Taranaki – 1 representative

- Wellington - 1 representative
- Canterbury – 1 representative
- Otago & Southland – 1 representative
- West Coast, Tasman, Nelson & Marlborough – 1 representative
- b. Te Rūnanga o Ngā Toa Āwhina- 3 sector māngai with 2 attending any one meeting.
- c. Youth - 1 representative.
- d. Each region will develop a regional delegates' network, with the aim of including a delegate from each of the enterprises where a delegate structure exists. Each region will aspire to be reflective of the gender make up of their region.

The regional delegates' networks will allow the sector committee representative and gender equity representative if applicable to:

- Report regularly on sector committee business to members and delegates in the constituency;
- Develop and maintain a relationship with the PSA leadership in enterprises within the constituency;
- Test ideas out and stimulate issues and trends impacting on the sector and the wider union;
- Maintain current information on what is happening within the constituency and on broader union and PSA issues.
- The regional delegates' network should meet at least 3 times per year with at least one of those meetings being face to face.

4. Election of sector committee representative

Sector committee representatives are elected by delegates within the sector in accordance with rule 5, the election principles of rule 9 and 5 and regulation 2.

The election will follow the process below:

- a. An independent returning officer will be appointed by the sector committee to manage the election;
- b. Notice of the election will be circulated to delegates by email, at least ten days prior to the closing date for nominations;
- c. Nominations, on the recognised form, including a brief profile and election statement, shall be in the hands of the returning officer no later than noon on the closing day of nominations;
- d. There must be at least one female candidate standing for each region. Should no female candidates be nominated before the closing date, the closing date will be extended for 4 weeks for that region. After the 4 week period the normal election process will follow as below;
- e. Details of the candidates in each constituency will be circulated to delegates in the constituency ten days prior to the election date;
- f. Delegates will distribute information about the candidates to their members in time to get feedback on their preferences;
- g. Where there is a contested election a secret ballot will be organised as follows: An election will be run via the PSA local government website page.
- h. Candidates must be workplace delegates and in a leadership role. A "leadership role" is defined as "A delegate who is in an enterprise that is involved in an operational regional delegates' network".
- i. Constituencies with two representatives must elect at least one women as follows:
 - i. The highest polling candidate is elected (either female, male or gender diverse)
 - ii. If the highest polling candidate is not female, then the next position is given to the highest polling female candidate

- iii. If the highest polling candidate is female, then the next position is given to the next highest polling candidate (either female, male or gender diverse).
- j. Following the election, the returning officer, sector organiser and co-convenors will determine if the election outcome complies with Rule 5.
- k. In the single-representative constituencies the highest polling candidates will be declared elected, unless the election outcome for the committee does not comply with Rule 5.
- l. If the election outcome does not comply with Rule 5, the following will apply in the single-representative constituencies:
 - i. The returning officer, sector organiser (if a different person from the returning officer) and co-convenors note who the highest polling man and woman were in the single representative constituencies
 - ii. The sector committee can co-opt the next highest polling woman candidate, based on the percentage of votes they received, from within one of the single-representative constituencies
 - iii. If this results in a gender representative committee, the committee is confirmed
 - iv. If this does not result in a gender representative outcome then the returning officer, sector organiser (if a different person from the returning officer) and co-convenors would recommend which of the single representative constituencies will be represented by a man and which by a woman, drawn from a pool consisting of the highest polling man and highest polling woman in each of those constituencies.
 - v. The decision will be made against criteria, including the following:
 - The size of the gap between the highest polling woman and the highest polling man or the relative percentage of votes in each constituency
 - Which male representatives from which constituencies have stood aside in the past
 - The blend of experienced and newer delegates
 - Any other diversity or representative considerations.
 - vi. The recommendation of returning officer, sector organiser and co-convenors are subject to approval by the executive board.

5. Election of sector co-convenors

The co-convenors of the Kawanatanga a rohe | local government sector are elected by sector committee representatives present at a meeting of the committee held not more than 2 years following the election of the current sector convenor representing the sector on the board.

At least one of the co-convenors must be female.

- a. The sector committee organiser will act as the independent returning officer to manage the election;
- b. Notice of the election will be circulated to sector committee representatives five days prior to the closing date for nominations;
- c. Nominations, on the recognised form, including a brief profile and election statement, shall be in the hands of the returning officer no later than noon on the day of closing;
- d. Details of the candidates will be circulated to sector committee representatives five days prior to the closing date for the election;

- e. Sector committee representatives will consult with delegates in their constituencies about which candidate to support;
- f. Where there is a contested election a secret ballot will be held at the sector committee meeting;
- g. Proxy votes may be allowed by decision of the committee.

6. Quorum

The quorum for the Kawanatanga a Rohe | local government sector is 50% of the committee members.

7. Working with sector māngai

- a. The Kawanatanga a Rohe | local government sector committee is committed to the Te Tiriti o Waitangi principles of partnership, protection and participation in working with the Kawanatanga a Rohe | local government sector rūnanga and the sector māngai.
- b. The Kawanatanga a Rohe | local government sector committee will assist sector māngai in the following matters:
 - i. Organisation of the sector hui;
 - ii. Encouraging Māori members and delegates in their constituencies to register as Māori, if they have not already done so;
 - iii. Working with the sector māngai on matters pertaining to Māori including but not limited to developing the bargaining strategy, communication/ method of consultation, reporting, delegate development, political engagement, and partnership opportunities.
 - iv. Provide feedback to the committee of Te Rūnanga o Ngā Toa Āwhina on the sector hui and Māori engagement.

8. Decision making and working together

The Kawanatanga a Rohe | local government sector committee is committed to working together constructively to achieve consensus in decision making. To achieve this we will manage our meetings according to the following principles:

- Commencing and concluding our meetings with culturally appropriate rituals;
- One person speaking at a time;
- Listening to what the other person is saying;
- Speaking in a respectful manner;
- Respecting confidentiality when requested;
- Working to agreed time frames.

9. Selecting sector delegates for congress

Delegates for congress for the Kawanatanga a Rohe | local government sector will be selected according to the following process:

- a. Following advice on the number of delegates the sector has been allocated, the number of delegates per constituency will be decided;
- b. A call will be made for expressions of interest at least six months prior to congress;
- c. The selection will be made by the sector committee according to the following criteria:
 - i. Gender representative in accordance with Rule 5
 - ii. Whether the delegates have a leadership role in their enterprise;
 - iii. The ability of the candidates as attested by sector committee representatives or others;
 - iv. The gender equity in the delegation consistent with rule 5, including the sector committee;

- v. The mix of experienced and new delegates (including the age representation) in the delegation.
- d. The delegation will be decided no later than 4 months prior to congress.
- e. In accordance with rule 60(2)(i) there is an expectation that congress delegates will consult with those they represent about any matter before congress, and will do so prior to the closing date for amendments (2 months before congress).

Rātonga mahi ā te Kāwanatanga Public Service

1. Purpose

The Public Service sector committee is part of the governance structures of the PSA, responsible for representing the interests of members within their sectors in the governance of the union, and are accountable to those members in exercising the powers and functions set out in rule 32. This includes listening to those members and reporting to them on a regular basis.

2. Glossary

A cluster and an enterprise are both constituencies as defined in the rules.

National delegates committee has the same meaning as an enterprise delegate committee as defined in the rules.

PSALT (the PSA Leadership Team of the Ministry of Social Development) has the same meaning as an enterprise delegate committee as defined in the rules.

Enterprise means a Department, agency or ministry.

A cluster (in these procedures) means a grouping of departments, agencies or

ministries brought together for the purpose of creating a constituency.

3. Constituencies

The constituencies of the Public Service sector are represented on the sector committee as follows: one representative for each enterprise with more than 1,000 or members (clause 3a); one representative for each enterprise cluster (clause 3b); two representatives of women in the sector; and two representatives of Te Rūnanga o Nga Toa Āwhina. The identification of enterprises with more than 1,000 members and the make up of clusters will be reviewed by the sector committee biennially, prior to the due date of elections for sector representatives.

- a. The following Enterprises have a minimum of 1,000 members, as of April 2015, and shall be entitled to one representative
 - Department of Conservation
 - Department of Corrections
 - Ministry of Business, Innovation and Employment
 - Inland Revenue department
 - Ministry of Justice
 - Ministry of Social development
 - Ministry for Vulnerable Children Oranga Tamariki.
- b. Enterprise Clusters. The following enterprises form into clusters and each cluster is entitled to one representative.

Cluster One

- Department of Internal Affairs
- Ministry of Culture & Heritage
- Ministry for the Environment

Cluster Two

- Ministry for Primary Industries
- Customs
- NZ Police

Cluster Three

Ministry of Defence
NZ Defence Force
Ministry of Foreign Affairs and Trade
Government Communications Security Bureau

Cluster Four

Education Review Office
Statistics New Zealand
Land Information New Zealand
Ministry of Education

Cluster Five

Ministry of Transport
Ministry for Women
Ministry of Pacific Island Affairs
Department of Prime Minister and Cabinet
Te Puni Kōkiri
State Services Commission
Ministry of Health
Office of the Auditor General
Crown Law Office
Parliamentary Services
Office of the Clerk of the House of Representatives
The Treasury

c. Māori

In accordance with rule 36 the Sector Rūnanga have three representatives with two attending any one meeting.

d. Women

There are minimum of two representatives specifically to represent women in the sector, with two attending any one meeting.

4. Election of sector representatives

Sector committee representatives are elected by delegates within the sector in accordance with rule 5, the election principles of rule 9 and regulation 2. The election will follow the process below:

- a. An independent returning officer will be appointed by the sector committee to manage the election.
- b. Notice of the election will be circulated to delegates by the sector organiser 14 days prior to the closing date for nominations.
- c. Nominations, on the recognised form, including a brief profile and election statement, shall be in the hands of the returning officer no later than the closing date for nominations.
- d. Details of the candidates in each constituency will be circulated to delegates in the constituency 10 days prior to the election date.
- e. Delegates will distribute information about the candidates to their members in time to get feedback on their preferences.
- f. Election of enterprise representatives - a candidate for an enterprise which has a delegate by rights under clause 2(a) of these procedures would normally be a national delegate and will be elected by the national delegates in that enterprise. The Ministry of Social Development will be represented by the PSALT convenor.
- g. Election of cluster representatives
 - i. A candidate for a cluster must be from an enterprise within the cluster.
 - ii. Only one candidate per enterprise may stand.
 - iii. A candidate for a cluster would normally be a national delegate, if the enterprise has a national delegate committee, and be supported by that committee.
 - iv. For enterprises without a national delegate committee, a candidate must be supported by the other delegates within the enterprise and have union leadership experience.
 - v. The representative will be elected by a majority decision with each enterprise within a cluster having one vote.

- vi. Each enterprise national delegate committee, or enterprise delegates for those without a national delegates committee, will determine which delegate will vote on the enterprise behalf. Delegates who are exercising a vote on behalf of their enterprise in the election of a cluster representative are expected to reflect the views of their national delegate committees.
- h. Election of sector rūnanga representatives
The sector rūnanga representatives will be elected according to the procedures of Te Rūnanga o Nga Toa Āwhina.
- i. Election of the Women's Representatives
- i. Only one candidate per enterprise may stand.
 - ii. A candidate for the women's representative positions would normally be a national delegate, if the enterprise has a national delegate committee, and be supported by the women on that committee.
 - iii. For enterprises without a national delegate committee, a candidate must be supported by the other women delegates within the enterprise and have union leadership experience.
 - iv. The representative will be elected by a majority vote carried out in the following manner:
 - There will be one vote for each enterprise
 - The vote will be exercised by a woman delegate on behalf of the women in that enterprise
 - The women on each enterprise's national delegate committee, or women enterprise delegates for those without a national delegates committee will determine which delegate will vote on the enterprise behalf and how that vote will be exercised.
- j. Following the election, the returning officer, sector organiser and co-convenors will determine if the election outcome complies with rule 5.
- k. If the election outcome does not comply with rule 5, the sector committee can co-opt up to two of the unelected female candidates as follows:
 - i. Co-opt first from enterprises, in different clusters, not otherwise represented on the sector committee
 - ii. Taking account of the current membership of the committee, the criteria for co-opting are:
 - The blend of experienced and newer delegates
 - Any other diversity or representative outcomes
 - Highest polling women based on the percentage of votes they received
 - iii. If there are no unelected women candidates from which to co-opt, the committee can seek endorsed representatives from an unrepresented enterprise with the largest number of female members, and repeat until compliance with rule 5 is achieved.
 - iv. All co-optees or endorsed representatives are full members of the committee.

5. Election of the sector co-convenors

The Public Service sector committee representatives elect two co-convenors, at least one of whom shall be a woman, at a meeting of the committee held not more than two years following the election of the current sector convenor representing the sector on the executive board:

- a. The sector committee organiser will act as the independent returning officer to manage the election.

- b. Notice of the election will be circulated to sector committee representatives 14 days prior to the closing date for nominations.
- c. Nominations, on the recognised form, including a brief profile and election statement, shall be in the hands of the returning officer no later than 10 days prior to the election.
- d. Details of the candidates will be circulated to delegates in the sector five days prior to the closing date for the election.
- e. Sector committee representatives will consult with delegates in their constituencies about which candidate to support.
- f. Where there is a contested election a secret ballot will be held.

6. Quorum

- a. The quorum for the Public Services sector is a minimum of 10 Delegates. Each sector representative will have a substitute (proxy).
- b. A proxy delegate needs to have the support of the group represented.
- c. At the time of electing a sector representative, the group may determine that the proxy will be the second-highest polling candidate for the sector representative position.
- d. Proxies can attend the meetings in the absence of the sector representative with full participation and voting rights.

7. Working with sector māngai

- a. The public service sector committee is committed to the Treaty principles of partnership, protection and participation in working with the public sector Rūnanga and the sector māngai.
- b. The public service sector committee will assist sector māngai in the following matters:
 - i. Organisation of the sector hui.

- ii. Encouraging Māori members and delegates in their constituencies to register as Māori, if they have not already done so.
- iii. Working with the sector māngai on matters pertaining to Māori including but not limited to developing bargaining strategy, communication/method of consultation, reporting, delegate development, political engagement, and partnership opportunities.
- iv. Provide feedback to the committee of Te Rūnanga o Nga Toa Āwhina on the sector hui and Māori engagement.

8. Decision making and working together

The public service sector committee is committed to working together constructively to achieve consensus in decision making. To achieve this we will manage our meetings according to the following principles:

- Commencing and concluding our meetings with culturally appropriate rituals.
- One person speaking at a time.
- Listening to what the other person is saying.
- Speaking in a respectful manner.
- Respecting confidentiality when requested.
- Working to agreed timeframes.

9. Selecting sector delegates for congress

Delegates for congress for the public service sector will be selected according to the following process:

- a. Following advice on the number of delegates the sector has been allocated, the number of delegates per constituency will be decided

- b. A call will be made for expressions of interest at least six months prior to Congress
- c. The selection will be made by the sector committee according to the following criteria:
 - i. Whether the delegates have a leadership role in their enterprise
 - ii. The ability of the candidates as attested by sector committee representatives or others
 - iii. The gender equity in the delegation consistent with rule 5, including the sector committee
 - iv. The mix of experienced and new delegates (including the age representation) in the delegation
- d. The delegation will be decided no later than four months prior to Congress

In accordance with rule 59(2)(i) there is an expectation that congress delegates will consult with those they represent about any matter before congress, and will do so prior to the closing date for amendments (two months before congress).

10. Review of procedures

These procedures will be reviewed biennially by the sector committee prior to the delegate election cycle.

State Sector Rāngai Tūmatanui

1. Purpose

The state sector committee is part of the governance structures of the PSA, responsible for representing the interests of members within their sectors in the governance of the union, and are accountable to those members in exercising the powers and functions set out in rule 32. This includes

listening to those members and reporting to them on a regular basis.

2 Representation

I. The constituencies (groupings of enterprises/organisations) of the State Sector are represented on the sector committee as follows:

- Social support – organisations that provide support and trusteeship - two representatives
- Science – Crown research institutes and other science-related organisations - two representatives
- Quality – Organisations related to meat inspection and food standards- one representative
- Tertiary – Universities and other tertiary education providers - one representative
- Transport – Organisations involved in transport - one representative
- Infrastructure – Media, energy, education, services and support - three representatives
- Sector Rūnanga – Māori members in the state sector – three representatives (two of which will attend committee meetings each face to face meeting).

II. It is the intention of the committee that the election of representatives should best reflect the gender, ethnicity and age demographics of the sector. The committee will strive to advance the principles of partnership, protection and participation through its election processes. Partnership and participation of Māori by encouraging by involvement in the sector Rūnanga and with dedicated representation on the committee. It is a priority for the committee to encourage the active participation of women in the representative structures. Potential women candidates will be encouraged and supported for nomination. In the

Social Support, Science, Infrastructure, and Rūnanga constituencies a balance of male/female representatives is to be encouraged.

III. Constituency representation on the Sector Committee will be reviewed at least every four years prior to constituency representative elections. This review will also consider what representation best reflects the demographic nature of the sector such as gender, ethnicity and age.

3. Election of Committee Representatives

I. Sector committee representatives are elected by delegates in their respective constituency in accordance with rule 5, the election principles of PSA rule 9 and regulation 2. The term for sector representatives is two years until elections are due.

II. Proposed nominees should be able to undertake the expected duties of being a member of the PSA State Sector Committee, refer to the general sector job description. Nominees will need to appreciate that a representative on the State Sector Committee needs to take on a wider brief than just their enterprise, their group of enterprises, and their constituency – a whole of sector view.

III. The election will follow the process below:

- a. The sector committee is responsible for running the sector committee election process. Where there is an existing representative election procedure in a constituency group, then the election process may be delegated at the discretion of the committee.
- b. An independent returning officer (usually the sector organiser) will be appointed by the sector committee to manage the all elections, and to ensure the elections follow principles laid out in the PSA Rules.
- c. The election of sector committee

representatives shall be held within six months from 31 March in the year following a national delegates' congress.

- d. Notice of the election and Expression of Interest form will be circulated to delegates, at least 14 days prior to the closing date for nominations.
- e. Each enterprise/organisation is entitled to only one nomination (except where a Rūnanga representative may also come from an organisation).
- f. Nominations, including a brief profile and election statement, shall be in the hands of the returning officer no later than the closing date for the nominations. Candidates must be a workplace delegate with a leadership role, be seconded by another workplace delegate and with an endorsement from their Enterprise Committee/National Delegate Group (where there is one). In the event that there is more than one nomination from an enterprise with no delegate structure, the returning officer will initiate a conversation between nominees to reach an agreement as to which name goes forward. Should agreement not be reached then enterprise delegates will be polled as to which nominee will go forward for group elections.
- g. Constituencies with two or more representatives must elect at least one woman each.
- h. Following the election, the returning officer, sector organiser (if a different person from the returning officer) and co-convenors will determine if the election outcome for the committee complies with rule 5.
- i. The highest polling candidates in the single-representative constituencies will be declared elected, unless the election outcome does not comply with rule 5.

- j. If the election outcome does not comply with Rule 5, the following will apply:
 - i. The returning officer will note who the highest polling man and woman were in the single representative constituencies based on the percentage of votes they received.
 - ii. The sector committee can co-opt the next highest polling woman candidate (up to a maximum of 2), from within the single-representative constituencies.
- k. All elections will be by ballot. Where there are equal numbers of nominations for positions available then the nominees will be automatically selected without election. Where there is a contested election the nominees profile and election statement will be circulated at least 14 days prior to an election being held.

IV. Election of Sector Rūnanga representatives will follow the process as defined in the PSA procedures for the Committee of Te Rūnanga o Nga Toa Āwhina.

V. Where there is a casual vacancy on the committee this will be filled as per the process above until the usual two-yearly elections are held.

VI. In those constituencies which have a delegate structure (i.e. Quality, Science, Tertiary) a deputy representative will be elected to deputise for the committee representative in their absence (usually the second highest polling nominee).

VII. In the unlikely situation of not having candidates being nominated for election the committee reserves the right to co-opt suitable candidates into vacant position until elections can be held.

VIII Where there is an unexplained absence from attending two meetings in each year the representative position will be considered

vacant and elections will be held to fill the position.

4. Election of Committee Convener

I. The Committee will elect 2 co-convenors (at least one of whom must be a woman) in accordance with PSA rules 5 and 33(1)(c),

II. The election will be as per below:

- a. An independent returning officer will be appointed by the sector committee to manage the election (usually the sector organiser).
- b. Sector convener will be elected from the members of the committee and may hold office for two (2) years with right of re-election for a further two (2) consecutive years and may stand for such office again after a break of two (2) years.
- c. Notice of the election will be circulated to sector committee representatives at least seven (7) days prior to the closing date for nominations.
- d. Nominations, including a brief profile and election statement, shall be in the hands of the returning officer by closing date for nominations.
- e. Details of the candidates will be circulated to delegates in the sector seven (7) days prior to the election.
- f. Sector committee representatives will consult with delegates in their constituencies about which candidate to support.
- g. Where there is a contested election a secret ballot will be held.
- h. Proxy votes may be allowed by decision of the committee.

5. Decision Making

The State Sector committee is committed to working together constructively to achieve consensus in decision making. To achieve this we will manage our meetings according to the following principles:

- Commencing and concluding our meetings with culturally appropriate rituals.
- One person speaking at a time.
- Listening to what the other person is saying.
- Speaking in a respectful manner.
- Respecting confidentiality when requested.
- Working to agreed time frames.

6. Quorum

The Quorum for the State Sector Committee will be seven members

7. Sector Rūnanga

I. The State sector committee is committed to the Treaty principles of partnership, protection and participation in working with the State sector Rūnanga and sector māngai.

II. The State sector committee will assist sector māngai in the following matters:

- Organisation of the sector hui.
- Encouraging Māori members and delegates in their constituencies to register as Māori, if they have not already done so.
- Working with the sector māngai on matters pertaining to Māori including but not limited to developing bargaining strategy, communication/method of consultation, reporting, delegate development, political engagement, and partnership opportunities.
- Provide feedback to the committee of Te Rūnanga o Nga Toa Āwhina on the sector hui and Māori engagement.

8. Sector strategy/Communication with Sector

I. The committee will in conjunction with allocated assistant secretary, sector organiser, and subject to the authority of the

executive board, undertake planning specific to the state sector. This will include but is not limited to, developing bargaining strategy, communication/method of consultation, reporting, delegate development, political engagement, and partnership opportunities.

II. The committee will endeavour to engage with the sector on a regular basis, encouraging the members/delegates to actively participate in the work of the union.

III. Where an issue or resolution is raised by a group of members within the sector, the sector committee may request supporting information or ask a delegation of the members to speak to the committee.

9 Delegates Congress

I. Delegates for national delegates congress, special delegates' congresses and annual general meetings for the State sector will be selected according to the following process:

- Following Executive Board advice (usually 1 per 500 members) on the number of delegates the sector has been allocated, the number of delegates per constituency will be decided.
- A call will be made for expressions of interest at least six (6) months prior to Congress.
- The sector committee will consider the following criteria when selecting candidates:
 - Whether the delegates have a leadership role in their enterprise
 - The ability of the candidates as attested by sector committee representatives or others
 - The representation of Māori in the delegation
 - The gender equity in the delegation consistent with rule 5, including the sector committee

- v. The representation of constituencies in the delegation
 - vi. The mix of experienced and new delegates (including the age representation) in the delegation.
- d. The delegation will be decided no later than four months prior to Congress.

II. In accordance with rule 60(2)(i) there is an expectation that congress delegates will consult with those they represent about any matter before Congress, and will do so prior to the closing date for amendments (two months before Congress).

Procedures for the Committee of Te Rūnanga o Ngā Toa Āwhina

1. Purpose

The Committee of Te Rūnanga o Ngā Toa Āwhina is part of the governance structures of the PSA, responsible for providing representation and co-ordination of Māori members within the structures of the PSA and is accountable to those members in exercising the powers and functions set out in rule 38. This includes listening to those members and reporting to them on a regular basis.

2. Election of sector māngai at sector hui

2.1 Sector māngai are elected by delegates attending the sector hui in accordance with the election principles of rule 9 and regulation 2. It is the intention of the committee that the election of sector māngai should best reflect the gender and age demographics of the Māori membership. The election will follow the process below:

- a. An independent returning officer will be appointed by the Committee of Te

Rūnanga o Ngā Toa Āwhina to manage the election;

- b. Notice of the election and nomination form will be circulated to eligible delegates in writing or via email, no less than 14 days prior to the closing date for nominations;
- c. Prior to Te Rūnanga o Ngā Toa Āwhina committee elections the committee and sector māngai will consider measures to encourage women and other under represented groups to stand for election at sector hui;
- d. Nominations, on the recognised form, including a brief profile and election statement, shall be in the hands of the returning officer no later than the closing date of the nominations;
- e. Details of the candidates will be circulated to Māori enterprise and rūnanga delegates in the sector 14 days prior to the date of the sector hui;
- f. Delegates to the hui will distribute information about the candidates to their members in time to get feedback on their preferences;
- g. Where there are insufficient nominations prior to the hui, nominations may be accepted from the floor;
- h. Where there is a contested election a secret ballot will be organised as follows: A returning officer will be appointed at the Hui selected from the delegates who are not standing for election. Scrutineers will count the votes and announce results.

2.2 In order to maintain a strong connection between the Committee of Te Rūnanga o Ngā Toa Āwhina and Māori members in enterprises sector māngai should be Māori enterprise delegates. However, recognising that there may not always be sufficient Māori enterprise delegates for the available sector māngai positions, as a minimum candidates must be Māori and a delegate.

2.3 A sector Rūnanga may choose to issue an initial call for nominations to Māori enterprise delegates only, 14 days prior to the general call for nominations.

- a. If sufficient nominations are received from this initial call for nominations then no other call for nominations need be made.
- b. If there are sufficient nominations to fill only some of the positions, then those nominees will be declared elected and a second call for nominations for the remaining position(s) shall be made in accordance with 2(b) of these procedures
- c. If there are no nominations then a new call for nominations should be made in accordance with clause 2(b) of these procedures.

3. Vacancy for sector māngai

In the event of a vacancy occurring for a sector māngai in the course of a two year term a by-election will be held among the delegates who identify as Māori in the sector according to the following process:

- a. The rūnanga committee organising administrator will act as the independent returning officer to manage the election
- b. Nominations will be called for from among rūnanga delegates and Māori enterprise delegates within the sector.
- c. List of candidates is circulated and voting is held via electronic election or in writing.

4. Rotation of sector māngai

In accordance with rule 37(2) only 2 māngai may attend the sector committees and the Committee of Te Rūnanga o Ngā Toa Āwhina at any one time. The māngai within each sector will decide a process for themselves that ensures the workload is spread across the representatives. In the event of a dispute over the process, the Committee of Te Rūnanga o Ngā Toa Āwhina will decide, being guided by the need to be fair and to

maintain a balanced workload between all the sector māngai.

5. Election of convener of Te Rūnanga o Ngā Toa Āwhina

The convener of Te Rūnanga o Ngā Toa Āwhina will be elected from the members of the committee to chair the committee and represent the rūnanga on the executive board. The convener may hold office for two years with the right of re-election for further 2 consecutive years and may stand for such office again after a break of 2 years. Achieving a gender balance on the PSA executive board is a desirable goal. To this end the committee will take steps to encourage both male and female candidates to stand for election as rūnanga committee convener.

- a. Only those sector māngai rostered to attend that meeting, or their designated substitutes, may vote.
- b. The rūnanga committee organising administrator will act as the independent returning officer to manage the election.
- c. Nominations will be called from the floor at the hui.
- d. Where there is a contested election a secret ballot will be held.

The Committee of Te Rūnanga o Ngā Toa Āwhina will elect a deputy convener from among their number to deputise for the convener in their absence. The committee's preference is that the deputy should be of the opposite gender to the convener and will take steps to encourage candidates who meet that criterion to stand.

6. Quorum

The quorum for the Committee of Te Rūnanga o Ngā Toa Āwhina is 5 members representing at least 3 sectors.

7. Working with sector committees

The Committee of Te Rūnanga o Ngā Toa

Āwhina is committed to the Treaty principles of partnership, protection and participation in working with the sector committees.

The committee will assist sector rūnanga mangai in the following matters:

- Organisation of the sector hui;
- Any others matters affecting Māori members that may arise;
- Encouraging Māori members and their delegates in their constituency is to register as Māori;
- Working with sector representatives on matters pertaining to Māori including but not limited to developing bargaining strategy, communication/method of consultation, reporting, delegate development, political engagement, partnership opportunities and Māori engagement.

8. Decision making and working together

The Committee of Te Rūnanga o Ngā Toa Āwhina is committed to working together constructively to achieve consensus in decision making. To achieve this we will manage our meetings according to the following principles:

- Meetings to commence with a traditional mihi (to begin) i te timatanga and conclude (to close) me te Whakamutunga;
- Let others have a chance to speak on the same issue. Tukua mai I tētahi atu ki te korero I te tapaetanga orite;
- Listening to what the other person is saying. Whakarongo mai ki te mōhiotanga. Kaua e whakahēngia;
- Volunteer to share your views and experiences. Korerotia ōu whakaaro me ōu wheako;
- Respect the views of others. Aroha atu ki ngā tirohanga ō ētahi tangata;
- Check your understanding by asking

questions. Me patapatai ka marama ai koe;

- Respecting confidentiality when requested. Me noho matatapu I ngā take I waenganui a tātou;
- Working to agreed time frames.

9. Selection of substitute congress delegates

Te Rūnanga o Ngā Toa Āwhina delegation to congress consists of all sector māngai. When a sector māngai is unable to attend congress, the māngai for that sector may choose a substitute according to the following process:

- a. Calling for expressions of interest among Māori enterprise and rūnanga delegates within the sector, where there is time to do so;
- b. Selecting a delegate who is already either a rūnanga delegate or a Māori enterprise delegate;
- c. Selecting a delegate who will provide balance to the team attending congress, bearing in mind factors such as age and gender and representation across the sector;
- d. Where there is no time to call for expressions of interest, the sector māngai may approach a candidate who meets the criteria in (b) and (c) above.

10. Organisation of Te Rūnanga Taumata

The Committee of Te Rūnanga o Ngā Toa Āwhina is responsible for holding Te Rūnanga Taumata every two years prior to the date of the national delegates' congress. Planning for Te Rūnanga Taumata will include:

- a. Allowing sufficient time between Taumata and congress to ensure that representatives have enough lead in time to attend both wherever possible;
- b. Where timing permits, calling for expressions of interest for substitute delegates to congress and delegates to Te Rūnanga Taumata at the same time.

11. Selecting delegates for Te Rūnanga Taumata

All sector māngai are entitled to attend Te Rūnanga Taumata, with additional representatives from each sector according to the proportion of Māori members in the sector. The process for selecting delegates for Te Rūnanga Taumata is:

- a. The numbers of Māori members in each sector shall be established as at 1 March in the year in which Te Rūnanga is held;
- b. At its first meeting after the numbers are established, the Committee of Te Rūnanga o Ngā Toa Āwhina shall decide (within the allocated budget) the number of delegates entitled to attend Te Rūnanga Taumata and the numbers allocated to each sector over and above the sector māngai;
- c. The sector māngai shall call for expressions of interest from Māori enterprise and rūnanga delegates within the sector 3 weeks prior to the closing date for expressions of interest;
- d. The selection will be made by the committee of Te Rūnanga o Ngā Toa Āwhina according to the following criteria:
 - i. Whether the delegates are Māori enterprise or rūnanga delegates or have some other leadership role in their enterprise.
 - ii. The ability of the candidates as attested by sector committee representatives, sector rūnanga representatives or others.
 - iii. The gender equity in the delegation, including the sector committee.
 - iv. The mix of experienced and new delegates (including the age representation) in the delegation.

12. Sector hui review

The Committee of Te Rūnanga o Ngā Toa Āwhina will review the organisation of the

sector hui on an annual basis once all hui have been held in that year.

13 Sector māngai procedures

Sector māngai (elected delegates from the sector Rūnanga elected at sector hui) who are members of both the sector committees and the committee of Te Rūnanga o Ngā Toa Āwhina, may establish procedures for their own sector rūnanga, provided that:

- a. The procedures are consistent with the rules and regulations of the PSA (including the procedures of Te Rūnanga o Ngā Toa Āwhina);
- b. They seek the advice and endorsement of the committee of Te Rūnanga o Ngā Toa Āwhina in drafting those procedures; and
- c. The procedures have been approved by the executive board.



New Zealand Public Service Association
Te Pūkenga Here Tikanga Mahi





For a better working life

New Zealand Public Service Association
Te Pūkenga Here Tikanga Mahi

**PSA House, 11 Aurora Terrace,
PO Box 3817, Wellington.**

Phone 0508 367 772

Email enquiries@psa.org.nz

www.psa.org.nz