

SOUTH WAIRARAPA DISTRICT COUNCIL

15 MAY 2019

AGENDA ITEM E1

REPORT FROM HER WORSHIP THE MAYOR

Purpose of Report

To update Council on activities and issues which have arisen since my last report to Council.

Recommendations

Her Worship the Mayor recommends that Council:

1. *Receives the information.*
2. *Note Harry Wilson has accepted the role of Chief Executive Officer.*
3. *Approve the attendance of councillors at the LGNZ Conference in Wellington.*
4. *Note the proposed amendments to the LGNZ rules. Discuss and consider the rule changes at a workshop of councilors prior to the June Council meeting.*

The last six weeks have been extremely busy for Council and Council Officers. The Martinborough water issues have taxed staff, elected members, businesses and residents.

Jennie Mitchell our Acting CEO has covered the latest incident in detail in her report. I want to thank the Martinborough community for the patience and understanding about the actions that have needed to be taken to ensure that the "Boil Water Notice" can be lifted.

1. CEO Appointment

Mr Harry Wilson accepted the position of Chief Executive Officer. Council is looking forward to Harry taking up the CE position. Harry comes to SWDC with extensive executive leadership experience including Chief Executive of Waikato Regional Council and in several executive roles in New Zealand Transport Agency (NZTA)

Council was very impressed with the number and calibre of candidates who applied for the job. I would like to thank the sub group, all councillors and Jackson Stone for the time and commitment they put into ensuring the appointment process was successful and seamless.

2. Acting Chief Executive Officer

On behalf of Council I want to thank Jennie Mitchell for the outstanding job she has been doing over the last six weeks as Acting Chief Executive. Jennie has handled the role in a professional and skilled manner. The recent issues with the Martinborough water have been very challenging and Jennie has certainly managed the situation impeccably.

I would also like to thank the SWDC staff and councillors for supporting Jennie in her role over this taxing time.

3. Waihinga Centre Architecture Award

The Waihinga Centre won an award for Public Architecture at the Wellington Architecture Awards last week. This is a huge pat on the back for everyone who has been involved in this project for the past eight years.

Vicky Read and Jennie Mitchell accepted the award. This acknowledges all the hard work, determination, vision and drive of all the parties involved in the project. This has been a real community led project from the vision, to fundraising which has resulted in the wonderful facility that the Martinborough Community is now enjoying.

Thanks to everyone involved.

4. LOGO Launch

The new SWDC Logo was launched on 4 April. The new Logo is now being rolled out throughout the organisation. New signs outside the entrance of the SWDC Offices in Martinborough and at the top of the Remutaka Pass have ensured the public is aware of the new branding. All staff and elected members have new business cards and the Logo is on all communications from Council. There has been a very positive response from the public to the new Logo.

I want to thank Leigh Hay for the tremendous work she has done over the past year to chair and co-ordinate the Logo Working Party which has now finished its job. The success of the project is down to Leighs drive and determination to get this project completed.

5. Featherston Land

The Subcommittee has met.

6. ANZAC Day Services

I attended the parades and services in Martinborough, Featherston and Greytown. Councillor Jephson attended on my behalf the Lake Ferry Service. I would like to thank the RSA's from all areas who organised and ran the services in conjunction with council.

The weather was wonderful, and this ensured the crowds at each service were at least as big if not bigger than last year.

7. Annual Plan Public Workshops

Meetings were held in Greytown, Featherston and Martinborough. Acting CE Jennie Mitchell presented the four consultation discussion topics and invited questions from the floor. A variety of views were expressed, and attendees were encouraged to submit their views to the Annual Plan.

8. Local Government Conference

The 2019 LGNZ Conference is being held in Wellington from 7-9 July. Council has resolved to send the Mayor, 2 councillors and the CE to each conference. I would like councillors to confirm the attendees at this meeting as Early Bird registration closes on 24 May.

The theme of the conference is "Riding the localism wave: Putting communities in charge."

9. Local Government New Zealand proposed amendments to the rules

LGNZ is proposing amendments to the LGNZ Rules that will be discussed and voted on at LGNZ's Annual General Meeting in July.

I recommend that council hold a workshop to discuss the rule changes and remits once they are received.

10. Meetings

I have attended a variety of meetings including, Civil Defence Emergency Management, Mayoral Forum, Construction Team meetings, Finance, Audit and Risk Committee, Community Boards, Maori Standing Committee, Assets and Services Committee, Planning and Regulatory Committee, Community Board Working Group, Greytown Rugby Club, Regional Transport Committee, Extraordinary and Emergency council meetings, Dog Hearing, Wairarapa Economic Development Strategy Action Plan Governance Group, Tourism, Visitor Action Group meeting, Destination Wairarapa, Wairarapa Mayoral meeting, Various meetings regarding Martinborough Water including Martinborough Winegrowers, Wellington Water workshops, Audit New Zealand, Auditor General, Greytown, Featherston and Martinborough Annual Plan Public Workshops, Greytown Trust Lands Public meeting, UCOL Mayors meeting with the UCOL Council, Meeting with Minister of Transport for Regional Mayors, Featherston Wastewater workshops.

I have had meetings with various individuals and groups.

Meeting – Date & Venue	Regional Transport Committee GWRC Offices, 15 Walter St, Wellington 9 April – 10am
Present	Wellington Regional transport Committee Members
Key issues from meeting	Six monthly progress report on the Regional Land Transport Plan Programme

	<p>Updates from NZTA and Ministry of Transport</p> <p>Approach to developing the Regional Land Transport Plan 2021.</p>
<p>Specific Items/s for Council consideration</p>	<p>Ministry of Transport – a new Road safety Framework will replace the current Safer Journey’s 2020 Programme</p> <p>Safety is one of the Governments Policy Statements priorities.</p> <p>Looking at Vision Zero from Sweden as a model for New Zealand to improve safety on the roads. A consultation document will be released in June.</p> <p>Land Transport Plan Progress- Driver shortages for buses is a national problem and is impacting on public transport operations.</p> <p>New “break” regulations for drivers come into force on 6 May 2019.</p> <p>Let’s Get Wellington Moving – engagement with central government regarding the project and investment.</p> <p>Melling interchange and Petone to Grenada – are being re-evaluated so implementation is now on hold. These are joint projects with Hutt City, GWRC and NZTA</p> <p>Featherston to Upper Hutt- no funding for this to happen</p> <p>Masterton to Carterton- funding for a business case but no funding for implementation</p> <p>Regional Land Transport Plans into the future- these will change, and there will be more consistency across the country. They are the only opportunity for members of the public to have their say on State Highways.</p> <p>NZTA Update – speed management update, Auckland, Waikato and Canterbury are the priorities</p> <p>Safety for workers on roads is a high priority</p> <p>EScooters- working being done with MoT for guidance for users</p> <p>Good progress has been made on Wellington projects. Remutaka Hill works was very successful.</p>

<p>Meeting – Date & Venue</p>	<p>Civil Defence Emergency Management</p> <p>Upper Hutt City Council Chambers</p> <p>12 December at 9am</p>
<p>Present</p>	<p>CDEM members</p>
<p>Key issues from meeting</p>	<p>Update regarding the CDEM National System Reform</p> <p>Lessons learned from the Nelson Fires</p> <p>CEG (Coordinating Executive Group) Terms of Reference Group Plan 2019-2014 Summary Update</p> <p>Iwi engagement Update</p> <p>WREMO ¼ rly report</p>
<p>Speakers</p>	<p>Roger Ball, Nelson, Tasman Districts,</p> <p>Rachel Hyde, Department Prime Minister and Cabinet</p>
<p>Specific Items/s for Council consideration</p>	<p>CDEM National System Reform – Government want a “fit for purpose” system</p> <p>Needs to work as one system</p> <p>Probably a new National Emergency Management Agency</p>

	<p>Regional Emergency management agencies involved</p> <p>The key changes are to clarify regional and national responsibility for declarations</p> <p>Speed up tsunami warnings</p> <p>Iwi/ Maori want to address representation and response and capability and capacity.</p> <p>CEG to have Iwi representation</p> <p>“Fly in teams”</p> <p>Nationally consistent regulations, best practice</p> <p>Nelson Fires – Declaration of a State of Emergency allows for all the various agencies to work together as a team with lead roles.eg Fire Service, fire management, Police evacuations, CDEM receiving people</p> <p>Having backup staff to take over the management of the operations is very important</p> <p>Communications at national, regional and local level key to getting messages into public arena.</p> <p>Normal agency operations also need to be manned as well as the emergency</p> <p>Iwi Engagement Plan – Engaging with Marae</p> <p>Aratahi have appointed 2 of the 3 representatives</p> <p>Iwi groups are to work with mana whenua and bring back findings from their consultation.</p>
--	---

Meeting- Date & Venue	<p>Mayoral Forum</p> <p>Upper Hutt City Council Chambers</p> <p>12 December at 10am</p>
Present	Regional Mayors and CE’s
Key issues from meeting	<p>Lime Scooters</p> <p>War Graves Project</p> <p>Healthy Families NZ</p> <p>Lets Get Wellington Moving</p> <p>Wellington Regional Investment Plan update</p> <p>Update from National Council</p>
Speakers	<p>Lauren Mentjox Lime Scooters, Simon Stromborn,NZ Remembrance Army Project, Hayley Buchan Healthy Families Lower Hutt, Mayor Lester, Kevin Lavery and Greg Campbell, Mayor Guppy</p>
Specific Items/s for Council consideration	<p>War Graves Project- Clean headstones or bronze plaques.</p> <p>Need positive responses from councils to allow access to the graves without having to get permission from families.</p> <p>Veteran Affairs will contribute to restore broken headstones.</p> <p>Healthy Families NZ- project could be run as Wairarapa wide project</p>

11. Events

SWDC Logo Launch, Funeral, Martinborough Golf Club, ANZAC Day Parades and Services in Martinborough, Featherston and Greytown, Chatterbox Launch, Jan Eagle Seat ribbon cutting, Simon Bridges Breakfast meeting, Driver Mentoring Programme Lunch, 50th Anniversary of the Wairarapa Spinners and Weavers Guild, Booktown Weekend, Featherston Art Exhibition opening, Featherston School Children's Stories Launch,

12. Correspondence

12.1 Inwards

Date	Inwards Correspondence	Subject
4 April 19	Mackenzie District Council	Invitation to review ideas on Dark Sky initiatives.

12.2 Outwards

Date	Outwards Correspondence	Subject
5 April 19	Jim and Marilyn Law and Kurt and Lisa Portus, Palliser Ridge	Congratulations on your success being named the Greater Wellington Region Balance Farm Environment Supreme Winner
5 April 19	Hamish Hammond & Rachel Gardner	Congratulations on your success being named the Hawkes Bay Wairarapa Share Farmer of the Year 2019.
12 April 19	Ministers of Health and Local Government	Advice regarding Martinborough Water Contamination.
1 May 19	Mark Owen, Manager, System Management Wellington, NZ Transport Agency	Thanks for the wonderful initiative to carry out maintenance on the Remutaka Pass Road during overnight road closures.
8 May 19	Featherston Heritage Museum Complex Society Inc (the Heritage Museum).	Supporting request to seek funding for repairs and maintenance.

13. Appendices

Appendix 1 – Proposed amendments to LGNZ rules

Prepared by: Her Worship the Mayor, Viv Napier

Appendix 1 – Proposed amendments to LGNZ rules

LGNZ Rules Review

Proposed amendments to the Rules

Since late 2018, LGNZ has consulted with members on options for changing the LGNZ Rules, at Zone and Sector meetings.

Attached are a number of proposed substantive and technical changes to the Rules, which are based on feedback from members. These proposed changes have been discussed with, and endorsed by, LGNZ's Governance and Strategy Advisory Group (GSAG) and National Council.

The rationale for each of the proposed changes is set out in further detail below.

These proposed changes to LGNZ's Rules will be discussed and voted on at LGNZ's Annual General Meeting (AGM) on Sunday 7 July 2019. Although LGNZ's Rules provide that LGNZ is only obliged to give members 10 working days' notice of any proposed changes to the Rules, we are providing the proposed changes to councils early so as to allow proper consideration and discussion of the proposed changes by your council, ahead of the AGM.

Proposal One – Amendments to provide Te Maruata representation on National Council (including consequential amendments)

To reflect the increasing diversity of the local government family/whanau it is proposed that the Rules be amended to provide that the Chair of Te Maruata is a member of National Council, with full voting rights.

Te Maruata Roopu Whakahaere (Te Maruata) is a subcommittee of the National Council comprised of Māori elected members. Te Maruata was established in response to a remit passed at the 2008 LGNZ AGM. Its role is to promote increased representation of Māori as elected members of local government; to enhance Māori participation in local government processes; provide support for councils in building strong relationships with iwi, hapu and Māori groups; provide Māori input on development of future policies or legislation relating to local government; and foster and support a network of Māori elected members and staff of local government for the purpose of sharing information, challenges and aspirations relevant to kaupapa Māori.

Given Te Maruata's importance, National Council resolved in 2018 that the Chair of Te Maruata would sit on National Council as a non-voting member. Feedback from members is that the time is now right for Te Maruata's Chair to sit as a full member of National Council.

This proposed amendment to the Rules reflects a drive for greater diversity on National Council, the importance of local government engaging with Māori communities and the obligations that local government has to reflect the obligations of the Treaty of Waitangi.

Proposal 1 (attached) details a number of consequential, technical changes that will need to be made to the Rules if the substantive proposal to provide a seat on National Council for Te Maruata's Chair is adopted.

Proposal Two – Amendments to give effect to Auckland Council representation on National Council (including consequential amendments)

It is proposed that the Rules be amended to provide that Auckland Council has three seats on National Council, to be held by:

- The Mayor of Auckland (or an alternate member of the Auckland Council governing body appointed by the Mayor);
- A member of the Auckland Council governing body; and
- A member of an Auckland Council local board.

These proposed amendments are designed to reflect the scale of Auckland (one-third of New Zealand's population). They are also designed to bring the LGNZ Rules into line with Auckland Council's current unique governance structure (ie a governing body and local boards). The current LGNZ Rules pre-date the establishment of Auckland Council and its current governance structures, which were introduced by legislation in 2010. LGNZ's view is that its Rules should be consistent with those changes.

Local boards are a unique governance structure, providing governance at a local level within Auckland Council and enabling democratic decision-making by and on behalf of communities within the local board area. There are 21 local boards, comprising 149 elected members in total. Local board responsibilities include adopting local board plans, agreeing annual local board agreements that set annual budgets, and agreeing and overseeing annual work programmes. Currently there is no provision for the representation of local board members on National Council. LGNZ's view is that it is important that provision is made for the representation of this group of elected members on National Council.

As a result of these proposed changes to Auckland's representation, Auckland Council would no longer be part of Zone 1; Zone 1 would be comprised of Far North region councils only. Zone 1 would be entitled to one seat on National Council.

To ensure that the representation of metropolitan New Zealand on National Council is not by Auckland Council alone, specific amendments are proposed to make it clear that three seats on National Council will be held by metropolitan councils *other than* Auckland Council.

Based on feedback from Zone meetings, it is also proposed that the Rules be amended to specifically provide that at least one of the three Metropolitan Sector representatives on National Council be from the South Island. This is designed to ensure that there is appropriate representation of metropolitan South Island on National Council.

Proposal 2 (attached) details a number of consequential, technical changes that will need to be made to the Rules if the substantive proposal to change the representation of Auckland Council on National Council is adopted.

Note that Proposals 1 and 2 will result in the membership of National Council increasing from 15 members to 18. Feedback from current National Council members is that a Council of this size for a membership based body is workable, particularly given that the Rules give National Council the power to create an executive committee, or subcommittee structures, where that is considered appropriate.

Proposal Three – Minor (administrative) substantive changes

A number of minor administrative changes to the Rules are proposed, including:

- Inclusion of community board members in the definition of Elected Member;
- The ability for National Council to appoint individuals (with full speaking rights, but no voting rights) to the National Council to provide assistance to National Council because of their training, qualifications or experience; and to ensure diversity of representation;
- Changes to the definition of a quorum for the purpose of National Council meetings; and
- The ability for National Council to pass a resolution without a meeting with the agreement of 75 per cent of all National Council members (as opposed to all National Council members, as currently required).

These proposed amendments are designed to ensure that the Rules provide for all types of elected member, are consistent with the proposed substantive changes to the Rules, and to simplify National Council's processes.

Proposal Four – Minor amendments to modernise and rationalise language

LGNZ is proposing that a number of changes be made to modernise the Rules (eg to make provision for electronic notices and voting), and rationalise the language of the Rules.

These changes are technical in nature, and do not result in any substantive changes to the Rules.

Next steps

As noted above, these proposed changes to the Rules will be discussed and voted on at LGNZ's AGM on Sunday 7 July 2019. Members will receive copies of the proposed changes to the Rules as part of the formal AGM papers.

However, LGNZ is providing copies of the proposed changes in advance so that councils have plenty of time to consider the proposed changes. LGNZ encourages members to now discuss and debate the proposed changes to the Rules, ahead of the AGM.

As per Rule K4(b), each of the four proposed sets of changes to the Rules will require the support of a two-thirds majority of LGNZ's members in order to pass. Therefore your council's vote does matter and can make a difference.

If you would like LGNZ to visit your council to discuss the proposed changes to the Rules ahead of the AGM, please contact Malcolm Alexander or Grace Hall to arrange that – see below for contact details.

For further information on the proposed changes, or if you have any questions, please contact Malcolm Alexander, Chief Executive (malcolm.alexander@lgnz.co.nz) or Grace Hall, Senior Policy Advisor (grace.hall@lgnz.co.nz).

PROPOSED AMENDMENTS TO THE RULES 2019

Proposal 1 - Minor (Administrative) Substantive Changes:

1. Rule A2: - Delete paragraph (b) of the definition of “Elected Member” and substitute:
 - “(b) A person holding office as a member of a local board within the district of a Member Authority; and**
 - (c) A person holding office as a member of a community board within the district of a Member Authority.”**

2. Rule E11A to E11C: Add the following after Rule E11:
 - “E11A From time to time, the National Council may appoint to the National Council any person whom the National Council believes will assist the National Council in its deliberations because of that person’s training, qualifications or experience. Any such person is not required to be qualified to be a National Council member or an Elected Member. The National Council may discharge any such person from the National Council in like manner.**

 - E11B From time to time, the National Council may appoint to the National Council any person whom the National Council believes will ensure diversity of representation on National Council. Any such person must be an Elected Member. The National Council may discharge any such person from the National Council in like manner.**

 - E11C Any person appointed under Rules E11A or E11B shall have full speaking rights but no voting rights at National Council meetings.”**

3. Rule E17: Delete the word “six” in both places it appears and substitute “**a quorum**”.

4. Rule E26: Delete the current wording and substitute:

“At any meeting of the National Council, a quorum consists of:

 - (a) half of the membership (President and members provided for in Rule E1) if the number of such members (including vacancies) is even; or**
 - (b) a majority of members (President and members provided for in Rule E1) if the number of such members (including vacancies) is odd.**

5. Rule E29A: Delete the current wording and substitute:

“The National Council may pass a resolution without a meeting held in accordance with Rules E20-E29, but only if the resolution is assented to by not less than 75% of the members of the National Council then in office and entitled to vote.”

Proposal 2 - Amendments to provide Te Maruata representation on the National Council (including consequential amendments):

Rule A2:

Amend the definition of "NATIONAL COUNCIL MEMBER" by deleting the words "elected or appointed" and substituting **"elected, appointed or assuming office"**.

Insert after the definition of "SECTOR GROUP" the following:

"TE MARUATA" means the committee named Te Maruata Roopu Whakahaere established in response to the remit passed at the 2008 Annual Conference and any committee in substitution for that committee."

Rule E1: Delete the opening words and paragraph (a) and substitute the following:

"E1 The National Council of LGNZ consists of the President and:

(a) The person for the time being holding office as the Chair of Te Maruata (or an alternate appointed in writing by that person);"

Rule E10: Delete the current wording and substitute:

"E10 Persons appointed to the National Council or who assume office as a member of National Council under Rules E1 to E9 assume office on the day that is eight weeks after the triennial local government elections are held, except that the person who assumes office as a member of National Council pursuant to Rule E1(a) assumes that office at such time that the Chair of Te Maruata is appointed at a hui organised by LGNZ for the purpose of Te Maruata appointment, and subject to Rules E12 to E16 all such persons serve in office until their successors have assumed office."

Rule E15: After the reference to "the President" add the words **"or the position occupied by the Chair of Te Maruata."**

Rule E15A: Add the following after Rule E15:

"E15A In the event of the position on National Council occupied by the Chair of Te Maruata becoming vacant, that position will be filled by the Deputy Chair of Te Maruata until such time that a replacement Te Maruata Chair is elected."

Rule E16: Add after the reference to "Rule E15" **", or who assumes office under Rule E15A,"**

Proposal 3 - Amendments to give effect to Auckland Council representation on the National Council (including consequential amendments):

Rule D1: Delete the second sentence and substitute the words **“Each Member Authority (except Auckland Council) shall belong to one Zone, and no Member Authority shall belong to more than one Zone.”**

Rule D2: Delete from the definition of “Zone One” in paragraph (a) the words **“and the Auckland Council”**.

Rule E1: Delete paragraphs (b) to (e) and substitute the following:

- “(b) One person elected by each of Zones One, Two, Three, Four, Five and Six;**
- (c) Three persons elected by the Metropolitan Group –**
 - (i) at least one of whom is an elected member of a South Island Member Authority; and**
 - (ii) none of whom is an elected member of Auckland Council or any of its local boards;**
- (d) Two persons elected by the Regional Group;**
- (e) One person elected by each of the Provincial and Rural Groups;**
- (f) The Mayor of Auckland (or an alternate member of the Auckland Council governing body appointed in writing by the Mayor); and**
- (g) Two persons to represent Auckland as set out in Rule E1A.”**

Add after Rule E1 the following:

“E1A AUCKLAND REPRESENTATION

The appointments referred to in Rule E1(g) must be:

- (a) one person appointed by the Auckland Council, from members of the governing body (not being the Mayor, or the Mayor’s alternate under Rule E1(f)); and**
- (b) one person appointed by Auckland Council local boards, from elected members of the local boards.”**

Proposal 4 – Minor Amendments to Modernise (e.g. electronic notices and voting) and rationalise language.

Please refer to the attached version of the Rules (Appendix X) with all proposed amendments shown in red.

RULES

of

**NEW ZEALAND LOCAL
GOVERNMENT ASSOCIATION
INC**

**(TRADING AS *Local
Government New Zealand or
LGNZ*)**

(adopted at the Annual General Meeting on
18 July 2001
and amended at the Special General Meeting
on 11 March 2005, and at the Annual
General Meeting on 27 July 2005,
28 July 2010, 15 July 2012), and Special
General Meeting 13 March 2014

~~**TRACKED CHANGES ARE THOSE ADOPTED
BY RESOLUTIONS AT THE SGM OF
13 MARCH 2014**~~

CONTENTS

Page

A	Name and Interpretation	7
B	Objects and Powers	11
C	Membership	16
	Members.....	16
	Associate Members	16
	Termination of Membership.....	17
	Life Membership.....	18
	Transitional Membership.....	20
D	Zones and Sector Groups	21
	Zones.....	21
	Zone Functions.....	24
	Sector Groups	24
	Sector Group Functions	26
	Zone and Sector Group Meetings.....	27
E	National Council	29
	Composition of National Council	29
	Qualification and Voting	29
	Sector Group Appointments.....	30
	Zone Appointments	32
	Appointments Generally.....	33
	Vacancies	35
	Powers of National Council.....	37
	National Council Meetings And Procedures.....	37
	National Council Committees	39
F	President and Vice President	43
	Election of President.....	43
	Confidence in President.....	48
	Election of Vice-President.....	49

	Vacancy in The Office of President	50
	Acting President.....	52
	Vacancy in the Office of Vice-President	54
G	Annual and Special Meetings	56
	Annual General Meeting.....	56
	Special General Meeting.....	57
	Delegates	59
	Proxies.....	61
	Chair	63
	Quorum.....	63
	Conduct of Meetings	64
H	Voting and Elections	65
	Voting.....	65
	Conduct of Elections	67
I	Management	71
J	Financial Management	73
	Financial Year	73
	Subscriptions.....	73
	Control and Use of Funds	73
	Income and Property	74
	Auditor	75
K	Alteration of the Rules.....	76
L	Miscellaneous.....	77
	Common Seal	77
	Notice.....	77
	Dissolution	78
	Disposition of Surplus Assets on Dissolution	78

A NAME AND INTERPRETATION

A1. The name of the Society is the NEW ZEALAND LOCAL GOVERNMENT ASSOCIATION INC (trading as "*Local Government New Zealand*" and referred to as *LGNZ* in these Rules).

A2. In these Rules unless the context requires a different interpretation:

'ANNUAL GENERAL MEETING' means the Annual General Meeting of [Member Authorities](#) held in accordance with Part G.

'APPOINTED' means appointed to office whether by election or otherwise and "appointment" has a corresponding meaning.

'CHIEF EXECUTIVE' means the Chief Executive of *LGNZ* appointed under rule 11, and includes an Acting Chief Executive appointed under Rules [14 and 15](#) when acting during the absence of the Chief Executive or a vacancy in that office.

'ELECTED MEMBER' means an elected member of a [Member Authority](#) and includes –

- (a) A person holding office as Chairperson, Mayor, or Councillor of a [Member Authority](#);
- (b) A person holding office as a member of a local board or governing body established under section 10 of the Local Government (Auckland Council) Act 2009.

'LOCAL AUTHORITY' means a Regional Council, Unitary Authority, or Territorial Authority, or any statutory body being the successor of such local authority, but does not include the Minister of Local Government.

'MEMBER AUTHORITY' means a Local Authority for the time being admitted to membership of *LGNZ* in accordance with Part C.

'NATIONAL COUNCIL' means the governing body of *LGNZ* constituted in accordance with Part E.

'NATIONAL COUNCIL MEMBER' means a member of the National Council elected or appointed from time to time in accordance with Rule E1, and includes the President.

'REGIONAL COUNCIL', 'UNITARY AUTHORITY' and 'TERRITORIAL AUTHORITY' have the same meaning as in the Local Government Act 2002 except that they do not include the Minister of Local Government.

'SECTOR GROUP' means a sector based grouping of Member Authorities as provided for in Part D.

'ZONE' means a geographical grouping of Member Authorities as provided for in Part D.

- A3.** The definitions contained in Section 2 of the Local Government Act 2002, unless the context otherwise requires, apply to any term not expressly defined in these Rules.

- A4.** Subject to Rule A5, for all purposes under these Rules, the population of a [Member Authority](#) is its census night population as determined in the most recent census.
- A5.** On application by a [Member Authority](#), the Annual General Meeting may by resolution determine that the population of the [Member Authority](#) for the purpose of one or more of these Rules is as determined by any more recent estimate issued by the Department of Statistics.
- A6.** Where any Rule provides that a person assumes office on a specified day, that person shall assume office at the commencement of that day, that is, immediately after midnight of the preceding day, [unless otherwise specified](#).
- A7.** Subject to Rule A6, where any matter or thing is required or authorised by these Rules to be done on or not later than a specified date or day, that matter or thing may be done at any time up to midnight on that day, [unless otherwise specified](#).

B OBJECTS AND POWERS

B1. The objects of LGNZ are:

- (a) To promote the national interests of local government through the promotion of *LGNZ's* vision as approved by the National Council from time to time;
- (b) To advocate on matters affecting the national interests of local government and the communities that it represents;
- (c) To constructively promote and facilitate regular dialogue with Government, Parliamentarians, and the agencies of Government on matters of national interest to local government with a view to enhancing and ensuring a long-term commitment to partnership between central and local government in New Zealand;
- (d) To provide full, accurate and timely information to ~~Member~~ Authorities and associate members on matters affecting local government and LGNZ;
- (e) To research, survey, and investigate those matters in which LGNZ has an interest or a responsibility on behalf of its ~~Member~~ Authorities;
- (f) To provide advice and to deliver education and training opportunities for ~~Member~~

Formatted: Font: Italic

~~A~~authorities and others on the role and practices of local government, sound governance and management practices, best practice operational matters, ~~and~~ the laws affecting local government, and other matters relevant to local government;

- (g) To hold such conferences and forums as required for the advancement of its objects;
- (h) Generally to do all such other things as may be incidental or conducive to attaining~~the attainment of any of~~ the above objects ~~or any of them~~.

B2. For the purpose of carrying out all or any of its objects *LGNZ* has the following powers:

- (a) To purchase, take on lease or exchange, hire or otherwise acquire any real or personal property and any rights or privileges which *LGNZ* thinks necessary or expedient;
- (b) To fund its activities by subscriptions, fees, income, or payments from ~~M~~member ~~A~~authorities and associate members, sponsorships and other activities and to grant any rights and privileges to ~~M~~member ~~A~~authorities and associate members;

- (bb) To engage in any activities that advance the objects of *LGNZ* including activities that raise money for that purpose;
- (c) To borrow, raise or secure the payment of money (with or without security) in such manner as *LGNZ*, in its discretion, thinks fit;
- (d) To invest, lend, advance and deal with the moneys of *LGNZ* in such a manner as *LGNZ*, in its discretion, thinks fit;
- (e) To appoint, remunerate, remove or suspend any employee of *LGNZ*;
- (f) To make, adopt, vary and publish rules dealing with any of the matters in the objects set out in Part B and take all steps that are necessary or advisable for applying the *Rules*;
- (g) To receive and take any gifts or donations of money or property for any of the objects of *LGNZ* whether subject to any special trusts or not, and whether as sole trustee or not, but the National Council may decline to accept any gift or donations or take over or hold any property which has annexed to it any condition or obligation not approved by the National Council;

Formatted: Font: Italic

- (h) To make, draw, accept, discount and execute any promissory notes, bills of exchange, debentures or other negotiable instruments;
- (i) To subscribe to, become a member of, or co-operate with, any other society whether incorporated or not whose objects are altogether or in part similar to those of *LGNZ*. To procure from and communicate to that society any information that is likely to advance the objects of *LGNZ*;
- (j) To provide services for and assistance to any other society whether incorporated or not whose objects are in full or in part similar to those of *LGNZ*;
- (jj) To provide services for and assistance to any member of *LGNZ*;
- (k) To acquire or subscribe for shares or other equity securities in any company or other incorporated body;
- (l) To enter into any contract, make any arrangements or undertake any activity for the financial or other benefit of *LGNZ*;
- (m) To prepare and implement a business plan;

- (n) To do all other acts and things for the purpose of attaining any of the objects of *LGNZ*.

C MEMBERSHIP

MEMBERS

- C1. Subject to Rules C4 and C5 a Local Authority becomes a Member Authority upon payment of the annual subscription.

ASSOCIATE MEMBERS

- C2. Subject to Rules C4 and C5 any other person or organisation that is approved as an associate member of *LGNZ* by the National Council, becomes an associate member of *LGNZ* on payment of the appropriate annual subscription.

- C3. The National Council may from time to time by resolution -

- (a) Create amend or delete any category or categories of associate members; and
- (b) Determine the extent of the rights and privileges of associate members as members of *LGNZ* (which must not include voting rights as members of *LGNZ*).

- C3A. Without limiting the categories of persons or organisations that may become associate members, the National Council may make provision for an associate membership category or categories for council organisations, council-controlled organisations, council-controlled trading organisations and exempted organisations (as those terms are defined in the Local Government Act

Formatted: Font: Italic

2002, but without the exclusions provided in section 6(4) of that Act).

TERMINATION OF MEMBERSHIP

- C4.** Any ~~M~~member ~~A~~authority or associate member may resign from membership by giving to *LGNZ* notice in writing, and every notice, unless otherwise expressed, takes effect one month after the giving of that notice but does not in any case release the ~~M~~member ~~A~~authority or associate member from payment of any subscription, fees or other payments owing to *LGNZ* at the time of resignation.
- C5.** The National Council has the power, by resolution, to terminate, or suspend for any specified period, the membership of any ~~M~~member ~~A~~authority or associate member for whatever reasons, in its discretion, it thinks fit.
- C6.** Any ~~M~~member ~~A~~authority or associate member whose membership has been terminated or suspended is entitled to table a motion before an Annual General Meeting seeking the revocation of the termination or suspension, and notwithstanding any provisions of these Rules to the contrary (including any procedural requirement for a seconder to a motion), the motion shall be put to that Annual General Meeting.
- C7.** If any motion referred to in Rule C6 is passed, the termination or suspension shall be deemed to have no effect.

LIFE MEMBERSHIP

- C8.** Notwithstanding anything to the contrary in these Rules, the Annual General Meeting or a Special General Meeting may by resolution, upon the recommendation of the National Council, elect to life membership any person who has given outstanding service to *LGNZ* or to local government generally.
- C9.** A life member may attend any Annual General Meeting or Special General Meeting of *LGNZ* without paying a fee, and has such speaking rights as the Chair of the meeting allows but a life member is not entitled to exercise any other rights conferred by or under these Rules upon ~~M~~member ~~A~~authorities or associate members.

TRANSITIONAL MEMBERSHIP

- C10.** Notwithstanding anything to the contrary in these Rules but subject to Rule C11, any Local Authority, which pursuant to a final reorganisation scheme or other final scheme whether implemented under the Local Government Act 2002 or otherwise, succeeds to the functions of a regional council, unitary authority or territorial authority, any one or more of which were separately Member Authorities of LGNZ, becomes a Member Authority of LGNZ entitled to all the rights and privileges of that status.
- C11.** The National Council may require payment by a Local Authority whose predecessors were not all Member Authorities ~~or were not all financial member authorities,~~ of such additional sum as it considers necessary to fairly equate, in respect of the balance of the current financial year, with the subscription which would otherwise have been payable had the Local Authority been a Member Authority at the commencement of that financial year.

D ZONES AND SECTOR GROUPS

ZONES

- D1.** There shall be six geographical groupings of ~~M~~member ~~A~~authorities to be known as ~~Z~~zones. Each ~~M~~member ~~A~~authority shall belong to a zone and no member authority shall belong to more than one zone.
- D2.** Subject to paragraph D5, the membership of the six ~~Z~~zones is as follows:
- (a) Zone One – All ~~M~~member ~~A~~authorities within the area bounded by the Northland Regional Council and the Auckland Council.
 - (b) Zone Two - All ~~M~~member ~~A~~authorities within the area bounded by the Waikato and Bay of Plenty Regional Councils and the Gisborne District Council and those parts of the Waitomo and Taupo District Councils situated in any other Regions.
 - (c) Zone Three - All ~~M~~member ~~A~~authorities within the area bounded by the Taranaki, Hawke's Bay, and Manawatu-Wanganui Regional Councils and that part of the Tararua District situated in the Wellington Region but excluding any parts of the Taupo and Waitomo District Councils.

(d) Zone Four - All ~~M~~member ~~A~~authorities within the area bounded by the Wellington Regional Council including that Council but excluding any part of the Tararua District.

(e) Zone Five - All ~~M~~member ~~A~~authorities within the area bounded by the Canterbury and West Coast Regional Councils, the Tasman and Marlborough District Councils, the Nelson City Council, and the Chatham Islands ~~County~~ Council but excluding any part of the Waitaki District.

(f) Zone Six - All ~~M~~member ~~A~~authorities within the area bounded by the Otago and Southland Regional Councils and that part of the Waitaki District Council included in the Canterbury Region.

D3. For the purposes of Rule D2, membership of the six ~~Z~~ones is to be determined by the boundaries specified in Rule D2 even though all or any of the ~~L~~ocal ~~A~~authorities may be abolished or their boundaries altered by any final reorganisation scheme or other final scheme whether implemented under the Local Government Act 2002 or otherwise.

D4. In the event that the district of a ~~m~~Member ~~a~~Authority is or becomes located in more than one ~~Z~~one, or if for any other reason it is unclear to which ~~Z~~one a ~~M~~member ~~A~~authority belongs, the

matter must be ~~conclusively~~ determined by resolution of the National Council.

- D5.** The National Council may redefine the membership of any ~~Z~~zone after consultation with all affected members. Upon making any change the National Council will notify all members of its decision and of the date on which it becomes effective.

ZONE FUNCTIONS

- D6.** In addition to making appointments to the National Council, Zones may:
- (a) Provide information and advice on issues and concerns affecting members to the National Council and the Chief Executive, and receive and disseminate information to their members; and
 - (b) Assist the National Council and the Chief Executive in dealing with national issues and in otherwise furthering the objects of LGNZ.

SECTOR GROUPS

- D7.** There shall be four sector based groupings of Member Authorities known as Sector Groups made up as follows:
- (a) Metropolitan Group - All territorial authorities and unitary authorities having populations of 90,000 or over;
 - (b) Provincial Group - All territorial authorities and unitary authorities having populations of 20,000 or over and less than 90,000;
 - (c) Rural Group - All territorial authorities and unitary authorities having populations of less than 20,000; and

(d) Regional Group - All regional councils and unitary authorities.

D8. Subject to Rule D9, each ~~M~~Member ~~A~~Authority, by virtue of its membership of LGNZ belongs to a ~~S~~sector ~~G~~Group specified in Rule D7.

D9. Any ~~M~~Member ~~A~~Authority, may apply to the Chair of the ~~S~~sector ~~G~~Group to which it would prefer to belong and may belong to a ~~S~~sector ~~G~~Group different from that specified in Rule D7 if:

(a) The Chair of the ~~S~~sector ~~G~~Group to which it applies agrees in writing; and

(b) The decision of the Chair is confirmed by National Council.

D10. For the purpose of making any appointment under paragraphs (c) or (d) or (e) of Rule E1:

(a) No ~~M~~Member ~~A~~Authority may vote in respect of more than one ~~S~~sector ~~G~~Group; and

(b) A ~~M~~Member ~~A~~Authority which is a unitary authority may vote either as a territorial authority or as a member of the Regional Group but not both.

D11. For any purpose other than ~~for the purpose of~~ making an appointment under paragraphs (c) or (d) or (e) of Rule E1:

(a) No member is bound to any ~~S~~sector ~~G~~Group; and

- (b) Any ~~M~~member ~~A~~authority may attend meetings of any ~~S~~sector ~~G~~group and be treated, subject to the following paragraph (c), as a member of that ~~S~~sector ~~G~~group; and
- (c) Member ~~A~~authorities who are described as belonging to a particular ~~S~~sector ~~G~~group in Rule D7 may determine from time to time whether other ~~m~~Member ~~A~~authorities who attend meetings of their ~~S~~sector ~~G~~group have voting rights, either generally or in regard to any particular case.

SECTOR GROUP FUNCTIONS

D14. In addition to making appointments to the National Council, ~~S~~sector ~~G~~groups may:

- (a) Provide information and advice on issues and concerns affecting members to the National Council and the Chief Executive, and receive and disseminate information to their members; and
- (b) Assist the National Council and the Chief Executive in dealing with national issues and in otherwise furthering the objects of LGNZ.

ZONE AND SECTOR GROUP MEETINGS

D15. Each ~~Z~~zone and each ~~S~~sector ~~G~~group must comply with any directions of the National Council as to:

- (a) The making of appointments;
- (b) The conduct of meetings; or
- (c) The conduct of its affairs generally.

D16. Each Zzone and each Ssector Ggroup must meet or conduct ballots at such time or times to enable appointments to the National Council to be made in accordance with these Rules.

D17. Subject to the preceding provisions of these Rules, each Zzone and each Ssector Ggroup may conduct meetings at such times and places, and in such manner as it ~~may itself~~ determines.

D18. No Zzone or Ssector Ggroup meeting may be held unless *LGNZ* and all Mmember Aauthorities within the Zzone or Ssector Ggroup concerned have been given not less than 5 working days' notice of the meeting, venue and the business to be considered.

D19. The President and Chief Executive (or their nominees) are entitled to be notified of, attend, and have speaking rights at all Zzone and Ssector Ggroup meetings.

D20. A record must be kept of all Zzone and Ssector Ggroup meetings and a copy of the record forwarded to *LGNZ*.

D21. Subject to any directions by the National Council, each Zzone or Ssector Ggroup is responsible for determining the manner of administering and funding its activities but

the cost of any services to be provided by LGNZ must first be agreed with the National Council.

- D22.** At all times each Zone and Sector Group must have a person designated as its Chair.

E NATIONAL COUNCIL

COMPOSITION OF NATIONAL COUNCIL

- E1.** The National Council of LGNZ consists of the President and 14 members appointed as follows:
- (a) Two persons appointed by Zone One;
 - (b) One person appointed by each of Zones Two, Three, Four, Five and Six;
 - (c) Three persons appointed by the Metropolitan Group;
 - (d) Two persons appointed by the Regional Group;
 - (e) One person appointed by each of the Provincial and Rural Groups.

QUALIFICATION AND VOTING

- E2.** Every person who holds office as an ~~e~~lected ~~m~~Member is qualified to be appointed to or assume office as a member of~~appointed to~~ the National Council as the case may be.
- E3.** No ~~L~~ocal ~~A~~uthority or any representative of a ~~L~~ocal ~~A~~uthority is entitled to make an appointment or to vote in the making of appointments pursuant to Rule E1 unless the ~~L~~ocal ~~A~~uthority is a ~~m~~Member ~~a~~uthority.
- E4.** Subject to the determination referred to in Rule E6, no ~~M~~ember ~~A~~uthority is entitled to exercise more than one vote for

any candidate for appointment under Rules E1(c) or (d) or (e).

- E5.** Subject to these Rules, each Zzone and each Ssector Ggroup is entitled to determine the manner in which its appointments will be made.

SECTOR GROUP APPOINTMENTS

- E6.** Appointments of National Council members by Ssector GGroups must be made in the following manner:

- (a) Elections in each Ssector Ggroup must be held within eight weeks after the triennial local government elections are held;
- (b) Elections are to be conducted under the supervision of the Chief Executive by way of secret ballot and may be carried out by postal vote or electronic voting;
- (c) Each Mmember Aauthority in a Ssector Ggroup has a single vote for the purpose of the elections;
- (d) If any matter arises in the conduct of the elections which is not expressly provided for in these Rules, the Chief Executive must determine the matter in his or her absolute discretion but may be guided by the provisions of the Local Electoral Act 2001;
- (e) As soon as practicable after the closing of voting the Chief

Executive must declare the result of the election;

- (f) If, on any count, two or more candidates have an equal number of votes and one or more of them has to be excluded, the candidate or candidates to be excluded must be decided by the drawing of lots under a procedure supervised by the Chief Executive.

E7. Appointments of National Council members by sector Groups are for a period of three years except where Rule E16 applies.

ZONE APPOINTMENTS

E8. Appointments of National Council members by Zones must be made in the following manner:

- (a) Elections in each Zone must be held within eight weeks after the triennial local government elections are held;
- (b) Elections are to be conducted under the supervision of the Chief Executive by way of secret ballot and may be carried out by postal vote or electronic voting;
- (c) Each Member Authority in a Zone has the votes allocated to it as determined under Rule H1;
- (d) If any matter arises in the conduct of the elections which is not expressly provided for in these Rules, the Chief Executive must determine the matter in his or her absolute discretion but may be guided by the provisions of the Local Electoral Act 2001;
- (e) As soon as practicable after the closing of voting the Chief Executive must declare the result of the election;
- (f) If, on any count, two or more candidates have an equal number of votes and one or more of them has to be excluded, the candidate or candidates to be excluded

must be decided by the drawing of lots under a procedure supervised by the Chief Executive.

- E9.** Appointments of National Council members by ~~Z~~ones are for a period of three years, except where Rule E16 applies. Once notified, the persons appointed are not able, while holding office on the National Council, to also hold appointment under Rules E1(c) to (e).

APPOINTMENTS GENERALLY

- E109.** Persons appointed to the National Council under Rules E1 to E98 assume office on the day that is eight weeks after the triennial local government elections are held, and subject to Rules E12 to E16 serve in office until their successors have assumed office.

- E110.** In the event that any appointment required to be made in terms of these Rules is not made, a vacancy shall be deemed to result ~~forthwith~~. The vacancy must be filled by appointment by the National Council as soon as practicable.

VACANCIES

- E12.** If any National Council member (other than the President):

- (a) Resigns from the National Council by giving written notice to that effect to the Chief Executive; or

(b) Subject to Rule E13, ceases to hold office as an Elected Member; or

(c) Is elected to the office of President;

then that person's position as a National Council member immediately becomes vacant.

E13. If a National Council member ceases to hold office as an Elected Member by not standing for election, or failing to win election, at a triennial local government election, the person continues to hold office as a National Council member until his or her successor assumes office under Rule E109.

E14. If any National Council member is absent for two consecutive meetings of the National Council, without leave of absence granted by, or an apology satisfactory to, the National Council, then that person's position may be declared vacant by the National Council.

E15. Subject to Rules E1 to E144, in the event of any position on the National Council (other than the office of the President) becoming vacant, the Chief Executive must immediately give written notice to all Member Authorities entitled to have appointed that member, and the relevant Zone or Sector Group may appoint a replacement person to the vacant position. If within two months after the giving of such notice, the vacancy has not been filled, the National Council has the power to fill the vacancy by appointment.

E16. Any person appointed under Rule E15 holds office only for the unexpired portion of the term of office of that person's predecessor.

E17. The National Council may continue to act with a vacancy in its numbers, but if, and so long as, its numbers are reduced below six—, the continuing members of the National Council may only act for the purposes of increasing the number of members of the National Council to six or more or for exercising any powers under Part G vested in the National Council.

POWERS OF NATIONAL COUNCIL

E18. The National Council has and may exercise the sole control, discretion and governance of *LGNZ* subject only to any limitations imposed by these Rules or directions given by the Annual General Meeting or any Special General Meeting.

NATIONAL COUNCIL MEETINGS AND PROCEDURES

E19. Meetings of the National Council must be held in accordance with Rules E20 to E29.

E20. Meetings of the National Council must be held at the times and places as are fixed by the National Council, or as requisitioned by written notice to the Chief Executive signed by the President or any three National Council members.

E21. Subject to Rule E23, the Chief Executive must give each National Council member at least 5 working days' notice of a meeting of the National Council and must,

before each meeting, forward to each National Council member details of the [venue and](#) business to be transacted at the meeting.

- E22.** Despite Rule E21, the National Council may deal with other business at the meeting only if [a majority](#)~~every member~~ of the National Council agrees.
- E23.** In circumstances in which the President or Chief Executive determine that business has arisen requiring urgent attention by the National Council, a meeting must be held on not less than 48 hours' notice being given by the Chief Executive, (or shorter notice if every member of the National Council agrees) and only the business notified may be transacted at that meeting.
- E24.** The President shall preside at all National Council meetings but if the President is absent, the meeting must appoint a Chair.
- E25.** Each National Council member present at any meeting of the National Council is entitled to one vote, and in the event of an equality of votes, the Chair of the meeting is entitled to exercise a second or casting vote. Proxy voting is not permitted.
- E26.** At any meeting of the National Council, a quorum exists when not less than eight of the total number of National Council members then in office are present.
- E27.** If a quorum is not present within one hour of the time fixed for a National Council meeting, the meeting shall lapse. If the meeting ceases to have a quorum for any

period, no business may be conducted during that time.

E28. For the purposes of Rules E26 and E27, a quorum exists at a meeting when sufficient persons to make up the quorum are:

- (a) Assembled together at the place fixed for the meeting; or
- (b) Are linked by means of audio or audio and visual communication and can simultaneously hear each other; or
- (c) Any combination of paragraphs (a) and (b).

E29. Subject to Rules E19 to E29A, the National Council may regulate its own procedures.

E29A. The National Council may pass a resolution without a meeting, but only if the resolution is assented to by every member of the National Council.

NATIONAL COUNCIL COMMITTEES

E30. The National Council may appoint committees for general or special purposes and may delegate any of its powers to such committees except the powers in Rules C5, E110, E14, and E15.

E31. The National Council must appoint the Chair of each committee who shall preside at all meetings of the committee, but if that person is absent, the meeting must

appoint a member of the committee to preside at that meeting.

- E32.** From time to time, the National Council may appoint to any committee appointed under Rule E30, any person whom the National Council believes will assist the committee in its deliberations because of that person's training, qualifications or experience. Any such person is not required to be qualified to be a National Council member or an elected member. The National Council may discharge any such person from a committee in like manner.
- E33.** Every committee appointed under Rule E30 must report to the National Council, and its report must be adopted by the National Council before any action is taken in respect of the matter, unless the committee has been appointed with specific authority to act, [as set out in that committee's terms of reference](#).
- E34.** The Chair of any committee may arrange for the attendance of any person at a committee meeting and that person has full speaking rights at that meeting. The President and the Chief Executive have the right to be notified of, attend, and have speaking rights at any committee meeting.
- E35.** Where there is urgent business to be transacted by any committee, the Chair of that committee or the Chief Executive may convene a meeting on such notice as can conveniently be given; otherwise committee meetings must be convened at such times and on such notice as the committee so determines.

- E36.** Each committee member present at any meeting of a committee is entitled to one vote, and in the event of an equality of votes, the Chair of the meeting is entitled to exercise a second or casting vote.
- E37.** At any meeting of a committee, a quorum exists when not less than one third of the total number of members of the committee are present.
- E38.** If a quorum is not present within one hour of the time fixed for a committee meeting, it shall lapse. If the meeting ceases to have a quorum for any period, no business may be conducted during that time.
- E39.** For the purposes of Rules E37 and E38 a quorum exists at a meeting when sufficient persons to make up the quorum are:
- (a) Assembled together at the place fixed for the meeting; or
 - (b) Are linked by means of audio or audio and visual communication and can simultaneously hear each other; or
 - (c) Any combination of paragraphs (a) and (b).
- E40.** Subject to these Rules, and any directions from the National Council each committee may regulate its own procedures, including the ability to create working groups reporting to it on such issues as are necessary to advance the purposes of the committee.

F PRESIDENT AND VICE PRESIDENT

ELECTION OF PRESIDENT

- F1.** The President must be elected by ballot of ~~M~~member ~~A~~authorities in accordance with these Rules at the Annual General Meeting in the year following the year in which triennial local government elections are held.
- F2.** Any person who is an ~~E~~lected ~~M~~member at the close of nominations for the role of President, is qualified to be elected to the office of President and holds the office in accordance with these Rules.
- F3.** The election for President must be conducted in accordance with the ~~following~~ Preferential Voting System set out in these Rules.
- F4.** For the purpose of the Preferential Voting System set out in these Rules,

ABSOLUTE MAJORITY OF VOTES, in relation to a candidate, is the number of votes which is greater than one-half of the total number of votes other than non-transferable and informal votes.

NON-TRANSFERABLE VOTE means a voting ~~form~~paper on which no second or consecutive preference is recorded for an unexcluded candidate, and non-transferable has a corresponding meaning.

- F5.** Each ~~M~~member ~~A~~authority has the number of votes as set out in Rule H1. Each vote is transferable.

F6. Each Member Authority exercises its vote:

(a) By marking on the voting formpaper the number "1" in the box next to the name of the candidate who is the Member Authority's first preference; and

(b) By marking on the voting formpaper further consecutive numbers in descending order of preference in any or all of the remaining boxes next to the names of the remaining candidates (for example, "2" for the Member Authority's second preference, and "3" for the Member Authority's third preference and so on).

F7. The number of first preferences recorded for each candidate must be counted and all informal voting formpapers must be rejected.

F8. The candidate who obtains an absolute majority of votes is elected.

F9. If no candidate has an absolute majority of votes, the candidate who has the fewest votes is to be excluded and each voting formpaper counted to that candidate, unless non-transferable, must be counted to the unexcluded candidates next in the order of the Member Authority's preference.

- F10.** The process in Rule F9 must be repeated until one candidate has an absolute majority of votes.
- F11.** In this Preferential Voting System, a vote must be set aside as informal if:
- (a) The figure "1" standing alone is not placed so as to indicate a first preference for a candidate; or
 - (b) At the point at which (and not before) the same preference is set opposite the name of more than one candidate; or
 - (c) Rule H20 applies; or
 - (d) The voting [formpaper](#) is unmarked or void for uncertainty.
- F12.** For the purpose of these Rules,
- (a) Every voting [formpaper](#) not rejected as informal must be counted in every count until it becomes non-transferable when it must be rejected in all further counts; and
 - ~~(b)~~ — If a candidate is excluded, any voting [formpaper](#) counted to the candidate is non-transferable if there is not indicated on it a consecutive preference for 1 or more unexcluded candidates.

F12A. For the avoidance of doubt, for the purposes of Rules F4 – F12, a voting form includes any electronic means of casting a vote.

- F13.** If, on any count, two or more candidates have an equal number of votes and one or more of them has to be excluded, the candidate or candidates to be excluded must be decided by the drawing of lots under a procedure supervised by the Chief Executive.
- F14.** A person elected to the office of President in accordance with Rules F1 to F16 assumes office immediately upon the declaration of the closure of the Annual General Meeting at which that person is elected, and subject to Rules F20, and F27 to F32 holds office until a successor assumes office.
- F15.** No person may hold office as President for more than three consecutive terms, provided that any person who holds office as President by virtue of an appointment in accordance with Rules F27 to F32 is eligible for re-election at the end of the unexpired term of office of that person's predecessor. For the avoidance of doubt, a term under this Rule does not include any period of office held by a President by virtue of an appointment in accordance with Rules F27 to F32.
- F16.** The President is a National Council member solely by right of holding the office of President. Where the person elected is already a National Council member, the vacancy that is created must be filled in accordance with Rules E12 to E17.

CONFIDENCE IN PRESIDENT

- F17.** A motion that the President must vacate office may be moved only at:
- (a) A Special General Meeting called in accordance with Rule G7, for the purpose of moving that motion; or
 - (b) An Annual General Meeting where the requirements of Rules F18 and F19 have been met.
- F18.** Member [A](#) authorities may petition the Chief Executive to include in the business of the Annual General Meeting a motion that the President must vacate office. Rules G9 to G11 apply to the petition. The Chief Executive must receive the petition at least 21 days before the date of the Annual General Meeting.
- F19.** If the requirements of Rule F18 have been met, the Chief Executive must ensure that the motion is included on the [A](#) agenda of the Annual General Meeting. Notice of the motion must be included in the notice of business that must be given to each member authority under Rule G5.
- F20.** At the Special General Meeting or the Annual General Meeting, the motion that the President must vacate office will be carried if there is simple majority of votes cast in favour of the motion. On the declaration that the motion is carried:
- (a) The President is deemed to have resigned immediately on that declaration; and

- (b) Rules F28 and F29 apply as if there were a vacancy in the office of President.

ELECTION OF VICE-PRESIDENT

- F21.** The Vice-President must be elected by ballot of Mmember Authorities in accordance with these Rules at the Annual General Meeting in the year following the year in which triennial local government elections are held.
- F22.** Any person (other than the President) holding office as a National Council member at the time at which the election for Vice-President is held, is qualified to be elected to the office of Vice-President.
- F23.** The election for Vice-President must be conducted in accordance with the Preferential Voting System used for the election of the President as set out in Rules F4 to F13.
- F24.** A person elected as Vice-President in accordance with Rules F21 to F23 assumes office immediately upon the declaration of the closure of the Annual General Meeting at which that person is elected, and, subject to Rules F37 to F41, holds office until a successor assumes office.
- F25.** Subject to Rules E12 to E17 and F37 to F41, any person elected to the office of Vice-President continues to hold office as a National Council member representing the Zone or Sector Group by which that person was appointed.

F26. Any person may hold office as Vice-President for as many consecutive terms as that person may be elected to the National Council.

VACANCY IN THE OFFICE OF PRESIDENT

F27. If any person holding office as President:

- (a) Resigns from that office by giving written notice to that effect to the Chief Executive; or
- (b) Ceases to hold office as an elected member for any reason;

the office immediately becomes vacant except that a President who ceases to be an Elected Member by not standing for election, or failing to win election, at a triennial local government election continues to hold office as President as provided in Rule F14 until the new President assumes office under Rule F14.

F28. In the event of a vacancy occurring in the office of President within 24 months after the person assumed that office in terms of Rule F14,

- (a) Rule F34 applies; and
- (b) A ~~postal~~ ballot must be held, subject to Rule F30, as soon as practicable to elect an Elected Member to the vacant office of President.

F29. In the event of a vacancy occurring in the office of President in any other case, Rule F35 applies.

F30. All the provisions of Rules F1 to F16 apply, with any necessary modifications, to any ~~postal~~ ballot held under Rule F28, subject to the following:

- (a) The close of nominations is at a date and time nominated by the Chief Executive being not less than four weeks nor more than six weeks after the vacancy arises; and
- (b) Any person who is an ~~E~~lected ~~M~~member at the close of nominations is qualified to be elected to the office of President; and
- (c) No voting ~~form~~paper is valid unless signed by the Mayor or Chairperson of the Member Authority, or in that person's absence by the Deputy Mayor or Deputy Chairperson, or in that person's absence by the chief executive ~~of the member authority~~ provided that no person (other than the Mayor or Chairperson) may sign the voting paper unless authorised to do so by the Mayor or Chairperson or by a resolution of the Member Authority;
- (d) Completed voting ~~form~~papers must be returned to the Chief Executive not later than a date and time determined by the Chief Executive being not less than four weeks and not more than six

weeks after the close of nominations; and

- (e) The person elected assumes office immediately on the declaration of the result of the election.

F30A [For the avoidance of doubt, for the purposes of Rule F30, a voting form includes any electronic means of casting a vote.](#)

F31. Where the filling of any vacancy in the office of President creates a vacancy on the National Council, that vacancy must be filled in accordance with Rules E12 to E17.

F32. Any person elected under Rule F28 holds office only for the unexpired portion of the term of office of that person's predecessor.

ACTING PRESIDENT

F33. The Vice-President is the Acting President for any period during which the President:

- (a) Is overseas; or
- (b) Is unable to undertake the duties of office; or
- (c) Is on leave approved by the National Council.

F34. In the event of a vacancy occurring in the office of President within 24 months after the person assumed that office in terms of Rule F14, the Vice-President is the Acting President until a ~~postal~~ ballot is held as set out in Rule F28 and a new President has

assumed office in accordance with Rule F30(e).

- F35.** In the event of a vacancy occurring in the office of President in any other case, the Vice-President is the Acting President until a new President is elected in accordance with Rules F1 to F16.
- F36.** If there is, at the same time, a vacancy in the office of President and a vacancy in the office of Vice-President within 24 months of the President and Vice-President assuming office in terms of Rule F14 and Rule F24, the National Council must appoint a National Council member to be Acting President until a ~~postal~~-ballot is held as set out in Rule F28 and a new President has assumed office in accordance with Rule F30(e).
- F37.** No vacancy occurs on the National Council by reason of the Vice-President being the Acting President, or by reason of a National Council member being the Acting President in accordance with Rule F36.-

VACANCY IN THE OFFICE OF VICE-PRESIDENT

F37. If any person holding office as Vice-President -

- (a) Resigns from the National Council or from the office of Vice-President by giving written notice to that effect to the Chief Executive; or
- (b) Ceases to hold office as an elected member;

the office immediately becomes vacant.

F38. In the event of a vacancy occurring in the office of Vice-President within 24 months after the person assumed that office in terms of Rule F24, a ~~postal~~ ballot must be held, subject to Rule F40, as soon as practicable to elect a National Council member to the vacant office of Vice-President.

F39. In the event of a vacancy occurring in the office of Vice-President in any other case, the National Council must appoint a National Council member to the vacant office of Vice-President.

F40. Rule F23 applies, to any ~~postal~~ ballot held under Rule F38, subject to the following:

- (a) The close of nominations is at a date and time nominated by the Chief Executive being not less than four weeks nor more than six weeks after the vacancy arises;

- (b) Completed voting ~~forms~~~~papers~~ must be returned to the Chief Executive not later than a date and time determined by the Chief Executive being not less than four weeks and not more than six weeks after the close of nominations; and
- (c) No voting ~~form~~~~paper~~ is valid unless signed by the Mayor or Chairperson of the ~~M~~member ~~A~~authority, or in that person's absence by the Deputy Mayor or Deputy Chairperson, or in that person's absence by the ~~chief executive~~~~principal administrative officer~~ provided that no person (other than the Mayor or Chairperson) may sign the voting paper unless authorised to do so by the Mayor or Chairperson or by a resolution of the ~~M~~member ~~A~~authority; and
- (d) The person elected assumes office immediately on the declaration of the result of the election.

F40A. For the avoidance of doubt, for the purpose of Rule F40, a voting form includes any electronic means of casting a vote.

F41. Any person elected under Rule F38 or appointed under Rule F39 holds office only for the unexpired portion of the term of office of that person's predecessor.

G ANNUAL AND SPECIAL GENERAL MEETINGS

ANNUAL GENERAL MEETING

- G1.** An Annual General Meeting of Mmember Aauthorities must be held on or before the 31st day of July in each year at such time and place that is fixed by *LGNZ*.
- G2.** The following business is to be conducted at the Annual General Meeting, but in such order as is determined by the National Council or the President:
- (a) President's Report and Annual Report;
 - (b) Financial Statements and Annual Statement of Accounts;
 - (c) Subject to Rule G3, remits or reports from Zones or Sector Groups or Mmember Aauthorities;
 - (ca) Fixing honoraria, if any, for the President, Vice-President, and National Council members;
 - (d) Date and venue of next Annual General Meeting and any future Special General Meetings that may have been determined by the National Council;
 - (e) Any notice or notices of motion to alter, add to, rescind or otherwise amend the Rules of *LGNZ*;
 - (f) Any other business that the National Council or the Annual

General Meeting resolves to be considered.

- G3.** Where any ~~Z~~one or ~~S~~ector ~~G~~roup or ~~M~~ember ~~A~~uthority wishes to bring any remit or report before the Annual General Meeting for discussion, the remit or report must be forwarded to the Chief Executive not less than two months before the date of the meeting; ~~however provided that~~ the National Council has a discretion to accept late remits or reports if received less than two months before the date of the meeting.
- G4.** Remits, reports and other matters approved by the National Council for consideration at the Annual General Meeting must be placed on the meeting ~~agenda order paper~~.
- G5.** Not later than 10 working days before the date of the Annual General Meeting, notice of the business to be considered together with all reports and statements referred to in Rule G2 must be ~~provided given~~ to each ~~M~~ember ~~A~~uthority.
- G6.** A report of the proceedings of the Annual General Meeting must be ~~provided printed and a copy forwarded~~ to each ~~M~~ember ~~A~~uthority.

SPECIAL GENERAL MEETING

- G7.** A Special General Meeting of LGNZ to discuss any issue of relevance to members may be called:

(a) By the National Council under Rule G8; or

(b) By the Chief Executive under Rule G12.

G8. The National Council may call a Special General Meeting of LGNZ at any time. However, any such Special General Meeting may only be held when notice of the meeting, the venue and the business to be considered has been given to each member authority at least five working days before the date of the meeting.

G9. Member Authorities may petition the Chief Executive to call a Special General Meeting of LGNZ. The petition must:

(a) Subject to Rules G10 and H4, be signed by Member Authorities representing one third or more of the voting entitlement of all Member Authorities as set out in Rule H1; and

(b) State the issue or issues to be addressed at the Special General Meeting.

G10. No Member Authority may sign the petition unless it has passed a resolution to that effect. A copy of the resolution must be sent to the Chief Executive with the petition. The Member Authorities petitioning the Special General Meeting must be from more than one Sector Group and from more than one Zone.

G11. On receiving the petition, the Chief Executive must give written notice to all

Member Authorities that he or she has received the petition together with a copy of the petition.

- G12.** If the Chief Executive is satisfied that the requirements of Rules G9 and G10 have been met, the Chief Executive must:
- (a) Call a Special General Meeting to be held within 4 weeks after the date on which the Chief Executive received the petition; and
 - (b) Determine the time and venue of the meeting; and
 - (c) Give notice of the meeting, the venue, and the business to be considered to each Member Authority at least five working days before the date of the meeting.

DELEGATES

- G13.** At the Annual General Meeting and Special General Meetings, Member Authorities admitted to membership under Rule C1 are entitled to representation as follows:
- (a) Member Authorities (other than Regional Councils) having populations of 50,000 or over - not more than 4 delegates;
 - (b) Member Authorities (other than Regional Councils) having populations of 10,000 or over and less than 50,000 - not more than 3 delegates;

- (c) Member ~~A~~authorities (other than Regional Councils) having populations of less than 10,000 - not more than 2 delegates;
- (d) Regional Councils having populations of 250,000 or over - not more than 4 delegates;
- (e) Regional Councils having populations of 100,000 or over and less than 250,000 - not more than 3 delegates;
- (f) Regional Councils having populations of less than 100,000 - not more than 2 delegates.

G14. At the Annual General Meeting and Special General Meetings, associate members ~~member—authorities~~ admitted to membership under Rule C2 are entitled to be represented by not more than 2 delegates, unless otherwise determined by the National Council under Rule C3**(b)**.

G15. Every ~~M~~member ~~A~~authority must appoint one of its delegates as its presiding delegate and may appoint one or more alternate delegates; provided that the number of alternate delegates does not exceed the number of delegates appointed.

G16. The chief executive, Mayor or Chairperson of each ~~M~~member ~~A~~authority, shall forward to the Chief Executive the name and official position of the presiding delegate, other delegates and all persons appointed by that ~~M~~member ~~A~~authority as

an alternate for any delegate who may be absent from the floor of the meeting.

G17. In Rules G13 to G16 the term "delegate" includes both an [Elected Member](#) and an officer of a [Member Authority](#) and may include members of the National Council.

[G17A. For the avoidance of doubt, for the purpose of Rules G13 to G17, the names of delegates may be provided to the Chief Executive in electronic form.](#)

PROXIES

G18. At any Annual General Meeting or Special General Meeting, the votes provided for in Part H may be exercised by a [Member Authority](#) by proxy in accordance with this Rule.

G19. The provisions of Part H apply, with any necessary modifications, to any person who is a proxy of a [Member Authority](#) as though that person was a delegate of the [Member Authority](#).

G20. Proxies must be appointed in writing in this form or a similar form [\(which for the purposes of this Rule includes any electronic form\)](#):

**NEW ZEALAND LOCAL GOVERNMENT
ASSOCIATION INCORPORATED**

The _____ Council, a member
authority of *Local Government New
Zealand*, appoints _____ of

or failing him/her
of _____
as its proxy to vote on its behalf at the
Annual General Meeting or Special General
Meeting of *Local Government New
Zealand*, to be held on the _____ day
of 2019 and at any
adjournment thereof.

SIGNED this _____ day of

by _____
2019

Signature

Name

Designation

who, by signing this proxy confirms that he
or she is entitled to do so.

G21. Any instrument appointing a proxy
appearing to be executed in accordance
with these Rules, including any electronic
instrument, must, in the absence of
evidence to the contrary, be treated as
valid.

G22. No instrument creating a proxy is valid
unless:

(a) It is provided to deposited at
LGNZ's registered office at least

48 hours before the time at which the Annual General Meeting or Special General Meeting is to commence, or

- (b) A motion is passed at the meeting to accept it.

CHAIR

G23. The President shall preside at the Annual General Meeting and any Special General Meeting. If the President is absent then the meeting must, by resolution, appoint a Chair, and the Chief Executive or the Chief Executive's nominee must preside at the meeting for the purposes of making such appointment.

G24. The President, ~~or the President's nominee~~ or the Chair of the meeting has the power to propose or second any motion even though the President, ~~the President's nominee~~ or the Chair, may not be a delegate of a ~~Member~~ Authority.

QUORUM

G25. Subject to Rule G23, at the Annual General Meeting, a Special General Meeting or at a Zone or Sector Group meeting, a quorum consists of one half the total number of ~~Member~~ Authorities entitled to be represented and vote when that number is even, and a majority of such ~~Member~~ Authorities when the number is odd.

G26. If a quorum is not present within one hour of the time fixed for the meeting, the meeting will lapse. If the meeting ceases

to have a quorum for any period, no business may be conducted during that time.

G27. For the purpose of calculating whether or not a quorum is present at any [Annual General Meeting or Special General Meeting](#), member authorities whose voting at the meeting will be by proxy are to be treated as being present.

~~**G28.** No business may be conducted at a meeting unless a quorum is present.~~

CONDUCT OF MEETINGS

G29. Subject to the requirements of these Rules, the Annual General Meeting or any Special General Meeting or [Zone](#) or [Sector Group](#) meeting may by resolution fix rules of debate and rules for the conduct of the meeting. Subject to any such resolution, a ruling of the President or Chair (as the case may be) on any point of order is final and conclusive.

H VOTING AND ELECTIONS

VOTING

- H1.** Subject to Rules H3 to H5, at the Annual General Meeting, and any Special General Meeting, or ~~Z~~one or ~~S~~ector ~~G~~roup meeting, or for the purposes of any petition under Rule G9, ~~M~~ember ~~A~~uthorities admitted to membership under Rule C1 are entitled to vote as follows:
- (a) Member ~~A~~uthorities having an annual subscription of \$100,000 or over – 6 votes plus 1 ~~v~~otes for every \$20,000 increment (in whole) in excess of \$100,000:
 - (b) Member ~~A~~uthorities having an annual subscription of \$80,000 to \$99,999– 6 votes:
 - (c) Member ~~A~~uthorities having an annual subscription of \$50,000 to \$79,999 – 5 votes:
 - (d) Member ~~A~~uthorities having an annual subscription of \$30,000 to \$49,999 – 3 votes:
 - (e) Member ~~A~~uthorities having an annual subscription of \$20,000 to \$29,999 – 2 votes:
 - (f) Member ~~A~~uthorities having an annual subscription of less than \$20,000– 1 vote."
- H2.** At the Annual General Meeting, any Special General Meeting, or any ~~Z~~one or

~~S~~ector ~~G~~roup meeting, persons or organisations admitted to associate membership under Rule C2 are not entitled to vote.

H3. No ~~M~~ember ~~A~~uthority whose annual subscription is in arrears is entitled to vote at any Annual General Meeting or Special General Meeting or at any Zone or Sector Group meeting or by ~~postal~~ ballot involving elections to the National Council, ~~or any zone or sector group meeting~~, until the arrears are paid.

H4. With respect to a petition under Rule G9:

(a) No associate member admitted to membership under Rule C2 is entitled to sign the petition unless the National Council has determined, in accordance with Rule C3 that associate members of that kind may sign the petition; ~~and~~

(b) No ~~M~~ember ~~A~~uthority, or associate member whose annual subscription is in arrears is entitled to sign the petition.

H5. Subject to Part K, at any Annual General Meeting, Special General Meeting or ~~Z~~zone or ~~S~~ector ~~G~~roup meeting resolutions are carried by a simple majority of votes.

H6. At any Annual General Meeting, Special General Meeting, or ~~Z~~zone or ~~S~~ector ~~G~~roup meeting, in the event of an equality of voting (whether on a poll or otherwise), the President, or Chair as the case may be, has the casting vote.

H7. At any Annual General Meeting, Special General Meeting, or Zone or Sector Group meeting, the manner of voting on any issue is determined by the Chair, provided that the Chair, any delegate or Member Authority may demand a poll and on the taking of a poll, each Member Authority present is entitled to vote in accordance with Rule H1.

H8. If a poll is taken at any Annual General Meeting, Special General Meeting, or Zone or Sector Group meeting each Member Authority must be provided with one voting formpaper which must indicate the number of votes the Member Authority receiving it is entitled to exercise, and no Member Authority is entitled to divide its votes for and against the motion. No voting formpaper is valid unless signed by the presiding delegate or notified alternate.

H9. A demand for a poll does not prevent the continuance of any Annual General Meeting or meeting for the transaction of any business, other than in respect of the question upon which the poll is demanded.

CONDUCT OF ELECTIONS – PRESIDENT AND VICE-PRESIDENT

H10. The ballots referred to in Part F must be conducted in accordance with Rules H11 to H24.

H11. The Chief Executive must act as Returning Officer and is responsible for the conduct

of the elections in accordance with these Rules.

H12. Should any matter arise in the conduct of the elections which is not expressly provided for in these Rules, the Chief Executive must determine the matter in his or her absolute discretion, but may be guided by the provisions of the Local Electoral Act 2001.

H13. All nominations must be in writing signed by the Mayor, Chairperson, Deputy Mayor, Deputy Chairperson, or Chief Executive of a [Member Authority](#) and must be seconded in writing on the same or another document by one of those office holders of another [Member Authority](#).

H14. Nomination and seconding [forms](#) must be received by the Chief Executive not later than 31 May in the year in which the election is to be held.

H15. Any nomination signed in accordance with, and otherwise appearing to comply with these Rules is deemed to be valid for all purposes and LGNZ is not required to inquire into its validity for any purpose whatsoever.

[H15A.](#) [Subject to the requirements of Rules H13 to H15, for the avoidance of doubt, nomination and seconding forms may be provided in electronic form.](#)

H16. If only one nomination is received for the office of President by the time nominations close, the person nominated is immediately deemed to be elected and must be declared President-elect by the

Chief Executive. If no nominations are received by the date nominations close, then the National Council must meet as soon as practicable to determine how the office may be filled and has full power to decide on the procedures to apply to ensure that the office of President is filled.

H17. If only one nomination is received for the office of Vice-President by the time nominations close, the person nominated is immediately deemed to be elected and must be declared Vice-President elect by the Chief Executive. If no nominations are received by the date nominations close, then the National Council has the power to fill the vacancy on the next occasion it meets after the vacancy has occurred.

H18. On the close of nominations the Chief Executive must prepare, for each member authority, voting [formpapers](#) listing the validly nominated candidates to be distributed at the Annual General Meeting. A list of the validly nominated candidates for each office and any biographical material (which may include a photograph and not more than 150 words) provided by the candidates for distribution must be distributed with the Annual General Meeting papers.

H19. At any Annual General Meeting at which the election of the President is to occur, voting [formpapers](#) for the election of the Vice-President may not be issued and that election may not take place until the result of the election of the President has been declared.

H20. No voting [formpaper](#) is valid unless signed by the presiding delegate or notified alternate.

H21. ~~The Chief Executive must determine the date and time of the close of voting.~~

H22. Duly completed voting [formpapers](#) must be returned to the Chief Executive, or to any scrutineers appointed by the Chief Executive at the Annual General Meeting, not later than the close of voting.

H23. As soon as practicable after the close of voting the Chief Executive must declare the result of the election to the Annual General Meeting.

H24. As soon as practicable after any election, the Chief Executive must on the motion of the Annual General Meeting or the National Council destroy the voting [formpapers](#).

H25. For the avoidance of doubt, for the purposes of Rules H18 to H24 any reference to voting form includes any electronic means of voting.

I MANAGEMENT

11. The National Council shall appoint a Chief Executive for such remuneration and on such terms and conditions as it thinks fit, and may terminate or suspend the ~~appoint~~employment of any Chief Executive so appointed by it, subject to the law and any conditions agreed to in the Chief Executive's employment ~~agreement~~contract.
12. The Chief Executive is responsible to the National Council for employing, on its behalf, the staff of LGNZ and negotiating the terms of their appointment and may, subject to the law and any conditions in an employment ~~agreement~~ contract applying to an employee, remove or suspend any employee from his or her employment.
13. The Chief Executive is responsible to the National Council for the administration of the affairs of LGNZ in accordance with policies or directions resolved from time to time by LGNZ or the National Council.
14. The Chief Executive has such additional specific powers and authorities as are delegated by the National Council from time to time, including the power to subdelegate. The Chief Executive may also delegate to any officer or employee of LGNZ any of the powers, functions and duties conferred upon the Chief Executive under these Rules, including from time to time appointing an Acting Chief Executive for such period and on such terms as it thinks fit, to carry out the powers, functions and duties of the Chief Executive during any absence of the Chief Executive.

15. The National Council may, from time to time, appoint an Acting Chief Executive for such period and on such terms as it thinks fit, to carry out the powers, functions and duties of the Chief Executive during any ~~absence of the Chief Executive or a~~ vacancy in that office.

J FINANCIAL MANAGEMENT

FINANCIAL YEAR

- J1.** The financial year of *LGNZ* commences on the first day of April in each year and closes on the following 31st day of March.

SUBSCRIPTIONS

- J2.** From time to time, the National Council may by resolution, prescribe the subscriptions, fees or other payments, annual or otherwise, to be paid by Mmember Aauthorities and associate members, and, subject to Rule J4, the time and manner of payment of any such subscriptions, fees, or payments.
- J3.** Any resolution may prescribe different subscriptions, fees or other payments for different Mmember Aauthorities or associate members, or classes of Mmember Aauthorities, or associate members and provide for exemptions of any subscription, fee or other payment.
- J4.** The annual subscription is payable in the month of April in the financial year to which it relates.

CONTROL AND USE OF FUNDS

- J5.** All moneys received by or on behalf of *LGNZ* must be banked immediately in suitable bank accounts in the name of *LGNZ* (or in the case of a trust account, in such name as clearly identifies the trust) and all cheques or other payment on such accounts must be signed by not less than two signatories from a list of signatories

approved by the National Council (or by the trustees) and must be passed for payment or confirmed by the National Council (or as the case may be by the trustees).

INCOME AND PROPERTY

J6. Subject to Rules L9 to L11, the income and property of *LGNZ* must be applied towards the promotion of its objects, and no portion may be paid or transferred directly or indirectly to any ~~M~~member ~~A~~authority or associate member; provided that *LGNZ* may in good faith, pay to a National Council member, other member or officer of a ~~M~~member ~~A~~authority or associate member, or any other body, corporation or person, any or all of the following as may be decided, by the National Council or, acting under delegation, by the Chief Executive:

- (a) Remuneration for services rendered or payment for goods supplied;
- (b) Honoraria, except for the President, Vice-President and National Council members, and annual, daily, and incidental allowances and out of pocket expenses (including travel and accommodation allowances) incurred in any manner in the reasonable and proper conduct of the affairs of *LGNZ*.

AUDITOR

- J7.** In accordance with the Public Audit Act 2001, the auditor of *LGNZ* is the Auditor-General and the provisions of the Public Audit Act 2001 apply to the audit of the financial statements of *LGNZ*.

K ALTERATION OF THE RULES

- K1.** A change to these Rules may be initiated by-
- (a) A resolution of the National Council; or
 - (b) A ~~M~~member ~~A~~uthority giving more than one month's notice to LGNZ before the Annual General Meeting or any Special General Meeting [called for the purpose of discussing changes to the Rules.](#)
- K2.** In all cases, written notice of the proposal to change the Rules must be given to every ~~M~~member ~~A~~uthority at least 10 working days before the Annual General Meeting or the Special General Meeting.
- K3.** Every proposal to change the Rules must clearly identify the words to be deleted from the Rules and any words to be added to the Rules.
- K4.** At a meeting at which the motion to change the Rules is considered-
- (a) Any motion to amend a motion to change the Rules may be passed by a simple majority; but
 - (b) Any motion to change the Rules must be passed by resolution of a two-thirds majority of the valid votes cast.

L MISCELLANEOUS

COMMON SEAL

- L1 LGNZ must adopt a Common Seal which must be kept under the control and in the custody of the Chief Executive.
- L2. Any two of the President, Vice President or Chief Executive, must attest the execution under seal of documents to be executed by LGNZ.
- L3. The Common Seal must only be affixed pursuant to a resolution of the National Council or [an Annual General Meeting or Special General Meeting of LGNZ](#).

NOTICE

- L4. Any notice to be given to, or any document to be deposited with LGNZ or the Chief Executive, is to be regarded as given or deposited when received at the registered office of LGNZ; or if posted then three days after being posted to the usual postal address of LGNZ, [or if sent electronically at the time that the notice arrives in the inbox of the Chief Executive's email address](#).
- L5. Any notice to a Member Authority or associate member is to be regarded as given when received at the principal office of the Member Authority or associate member or three days after being posted to the usual postal address of the member authority or associate member [or if sent electronically at the time that the notice arrives in the inbox of an appropriate](#)

[email address for the Member Authority or associate member.](#)

- L6.** In Rules L4 and L5 "received" includes received by facsimile or electronic means during ordinary business hours or if received outside those hours then at 9:00am on the next business day.
- L7.** No notice is to be regarded as having been given or received if in accordance with the usual protocols of that kind of notice, the sender has been notified of a failure of delivery.
- L8.** An inadvertent, unintentional, failure to give any notice required by these Rules to be given to a [Mmember Authority](#), associate member, the Chief Executive, or any other person does not invalidate the doing of any thing or the election of any person in respect of which the notice was required.

DISSOLUTION

- L9.** *LGNZ* may be voluntarily wound up in accordance with section 24 of the Incorporated Societies Act 1908.

DISPOSITION OF SURPLUS ASSETS ON DISSOLUTION

- L10.** In the event of *LGNZ* being wound up at an Annual General Meeting or a Special General Meeting without having passed a resolution directing the disposing of the assets then the assets, after the payment of *LGNZ's* liabilities and expenses of winding up, must be divided between the [Mmember Authorities](#) in proportion to the subscriptions paid by the [Mmember](#)

Authorities immediately prior to the winding up.

- L11.** Any meeting called for the purpose of considering a winding up resolution pursuant to section 24 of the Incorporated Societies Act 1908 (or any statutory provision passed in amendment or substitution for that provision) must have placed before it any proposal or recommendation of the National Council relating to the disposition of the surplus assets of *LGNZ*.
- L12.** A meeting called for the purpose of considering a winding up resolution may, despite anything contained in these Rules (including any requirement for notice of the business to be conducted at such meeting) after considering any proposal or recommendation of the National Council, by resolution direct the disposal of the assets of *LGNZ* in such manner as the meeting thinks fit.

~~We, the local authorities named below, being members of the New Zealand Local Government Association Incorporated ("LGNZ"), confirm that the rules of LGNZ were amended in the manner set out in this document and that the amendments were made in accordance with Part K of the Rules of LGNZ at a Special General Meeting held on 13 March 2014.~~

~~The COMMON SEAL of _____
HASTINGS DISTRICT _____
COUNCIL _____
was affixed in the presence of _____~~

The COMMON SEAL of _____)
HOROWHENUA DISTRICT _____)
COUNCIL _____)
was affixed in the presence of _____)

.....

.....

The COMMON SEAL of _____)
OPOTIKI DISTRICT _____)
COUNCIL _____)
was affixed in the presence of _____)

.....

.....

Formatted: Subscript