



The New Zealand Tertiary Education Union Te Hautū Kahurangi o Aotearoa Incorporated

Constitution 2026

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CONSTITUTION OF THE NEW ZEALAND TERTIARY EDUCATION UNION TE HAUTŪ KAHURANGI O AOTEAROA INCORPORATED

1 Name and Commencement

- 1.1 The name of the society is *The New Zealand Tertiary Education Union Te Hautū Kahurangi o Aotearoa Incorporated* (in this **Constitution** referred to as the '**Union**').
- 1.2 This **Constitution** will take effect as the Constitution of the Union from the date they are registered by the Registrar of Incorporated Societies.

2 Whāinga

- 2.1 The Union's whāinga will be:
 - 2.1.1 Tū kotahi, tū kaha: We are strong and unified; we are committed to actions which will leave no-one behind; we create spaces where all people can fully participate, are fairly represented, and that foster good relationships between people.
 - 2.1.2 Ngā piki, ngā heke: We endure through good times and bad; we work to minimise our impact on the environment; we foster ahikā – the interrelationship of people and the land, including supporting tūrangawaewae – a place where each has the right to stand and belong.
 - 2.1.3 Awhi atu, awhi mai: We take actions that seek to improve the lives of the most vulnerable; we give and receive, acknowledging that reciprocity is fundamental to strong and equitable relationships; and we work to advance approaches that ensure quality public tertiary education for all.
 - 2.1.4 Tātou, tātou e: We reach our Goals through our collective strength and shared sense of purpose, which are supported through participatory democratic decision-making processes and structures.

3 Definitions

- 3.1 Refer to Schedule One for the meaning of words and phrases used in this Constitution.

PURPOSES AND PRINCIPLES

4 Purposes | Mātāpono

- 4.1 The purposes of the Union will be:

4.1.1 *Mana Tiriti*

The Union will advance a shared kaupapa and a collective tikanga to ensure strong relationships between Māori and Tāngata Tiriti members. This Constitution will be interpreted and applied having regard to this tikanga/culture and the articles of Te Tiriti o Waitangi which will be implemented in the policies and practices of the Union.

4.1.2 *Mana Mahi*

The Union will advance the industrial and professional needs of Members by; negotiating collective agreements with employers on pay and conditions; advocating for democratic rights in all workplaces and advocating for academic freedom in the tertiary education sector. The Union will promote and protect the interests of the members in appropriate cases through taking personal grievances and/or collective action.

4.1.3 *Mana Taurite*

The Union will promote equity in all parts of the tertiary education sector, and work to ensure equal employment opportunities for all workers.

4.1.4 *Mana Mātauranga*

The Union will protect and enhance the provision of quality tertiary education in Aotearoa New Zealand as a public good that is publicly funded, publicly controlled, and publicly governed in the interests of all who live in Aotearoa New Zealand. The Union will advocate for the empowerment of staff in decision-making and academic freedom in the tertiary education sector. The Union will advocate for a tertiary education system that is accessible to all; acknowledges, values, and validates Mātauranga Māori and cultural provision; and which advances life-long learning for Māori and Tāngata Tiriti.

4.1.5 *Mana Taiao*

The Union will work to foster ahikā – the interrelationship of people and the land, including supporting a sense of tūrangawaewae for all which fosters a sense of belonging. The Union will take action to transform the relationship of the Union and the tertiary education sector with Te Taiao (Papatūānuku and Ranginui) by supporting climate justice, just transitions and kaitiakitanga of the natural environment, in relationship with mana whenua and mana Tāngata.

4.1.6 Such other purposes as are ancillary or related to the purposes stated above.

5 Powers, Act and Regulations

- 5.1 The Union will have the statutory powers given to it under the Act and the powers of a natural person to carry out its activities.
- 5.2 Nothing in this Constitution authorises the Union to do anything which contravenes or is inconsistent with the Act, any regulations made under the Act, or any other legislation.

6 Registered Office

- 6.1 The Registered Office of the Union will be at such place in Aotearoa New Zealand as the Council from time to time determines.
- 6.2 Any changes to the Registered Office will be notified to the Registrar of Incorporated Societies in a form and as required by the Act.

7 Contact Person

- 7.1 The Council will appoint at least one (1), usually Te Pou Ahurei | The National Secretary, and no more than three (3) individuals as the Contact Person for the purposes of the Act.
- 7.2 The Contact Person must be at least 18 years of age and ordinarily resident in Aotearoa New Zealand.
- 7.3 The Contact Person or People will be the person (or people) whom the Registrar can contact when needed.
- 7.4 The position of Contact Person may be held separately or in conjunction with any office in the Union.

MEMBERSHIP

8 Membership

- 8.1 The Union will consist of three classes of membership, being Members, Associate Members, Postgraduate Members and Life Members/Honorary Life Members.
- 8.2 Membership of the Union will be open to anyone directly employed in the tertiary education sector, except that no employer of staff in the tertiary education sector (chief executives, vice chancellors, or equivalent positions) will be eligible for membership.
- 8.3 Member: A Member is an individual admitted to membership by Council under this Constitution and who pays a subscription set by the National Conference. Members of the Union are entitled to participate in democratic decision-making, stand for election in accordance with this Constitution, request support, and seek advice.
- 8.4 Associate Member: An Associate Member is an individual who has ceased to be a Member because they are no longer an employee in the tertiary education sector, who is admitted to Associate membership by Council under this Constitution, and who pays a reduced subscription set by Council. Associate Members will not have the right to stand for office, vote, or seek representation.
- 8.5 Life Member/Honorary Life Member: A Life Member/Honorary Life Member is an individual appointed to Life/Honorary Life membership by Council under this Constitution and who does not pay a subscription or other fee for membership. Life Members/Honorary Life Members will not have the right to stand for office, vote, or seek representation.
- 8.6 Postgraduate Member: A Postgraduate Member is an individual who is a current postgraduate student in the New Zealand tertiary education sector and who is not employed in the New Zealand Tertiary Education Sector, who is admitted to Postgraduate membership by Council under this Constitution, and who pays a reduced subscription set by Council. Postgraduate Members will not have the right to stand for office, vote, or seek representation.
- 8.7 For the purposes of the following Constitution, Member refers only to Member as defined in Rule 8.3.

9 Applications

- 9.1 People wishing to become a Member of the Union must make an application in the form required by the Union from time to time, and will sign a declaration agreeing:
- 9.1.1 To promote the interests and purposes of the Union, and to abide by the Constitution and policies of the Union;
 - 9.1.2 That the Union is not obligated to act on their behalf in any matter which arose prior to their membership application;
 - 9.1.3 That the Union's authorised representatives (the paid Staff of the Union) are to act as their sole representative in respect of their current and future collective employment agreement, to settle, subject to ratification, the terms of any applicable collective employment agreement through negotiation with the relevant employer;
 - 9.1.4 That the Union's authorised representatives (the paid Staff of the Union) are to act as their sole representative in exercising any of the rights and powers given to them under the Employment Relations Act 2000 or otherwise;
 - 9.1.5 That their rights and obligations in respect of negotiations under the Employment Relations Act 2000, the Privacy Act 2020, or otherwise, in relation to their employment will be in accordance with the Constitution and policies of the Union; and,
 - 9.1.6 That the above authorities will continue until they withdraw them in writing or cease to be Members of the Union.
- 9.2 People wishing to become an Associate Member or Postgraduate Member must make an application in the form required by the Union from time to time, and will sign a declaration agreeing to promote the interests and purposes of the Union and to abide by the Constitution and policies of the Union.
- 9.3 Submitting an application to become a Member or Associate Member or Postgraduate Member in accordance with Rule 9.1 or 9.2 as applicable will be deemed to constitute consent to becoming a Member or Associate Member.
- 9.4 Following receipt of an application for membership as referred to in Rule 9.1 or 9.2 above, the Council will consider and advise the applicant whether their application has been successful. The Council is not required to provide its reasoning for approving or not approving an application. An appeal can be made in writing to the Appeals Subcommittee.
- 9.5 Membership begins from the point at which the applicant is advised that their application has been successful.

10 Obligations and Rights of Members

- 10.1 Members, Associate Members, Postgraduate Members and Life Members/Honorary Life Members of the Union will have the rights, privileges and responsibilities set out in the Constitution.

- 10.2 Every Member, Associate Member, Postgraduate Member and Life Member/Honorary Life Member will provide the Te Pou Ahurei | The National Secretary with their full contact details in accordance with Rule 69.1 and promptly advise the National Secretary of any changes to those details.
- 10.3 Membership does not confer on any Member, Associate Member, Postgraduate Member or Life Member/Honorary Life Member any right, title, or interest (legal or equitable) in the property of the Union.
- 10.4 A Member, Associate Member, Postgraduate Member and Life Member/Honorary Life Member is only entitled to exercise the rights of membership afforded to their category of membership as set out in the Constitution 8.3, 8.4, and 8.5 and 8.6 including attending National General and National Special General Meetings, if all applicable subscriptions and any other fees have been paid to the Union by the due date, but no Member, Associate Member, or Life Member/Honorary Life Member is liable for an obligation of the Union by reason only of being a member of the Union.
- 10.5 The Council may decide what access or use Members, Associate Members, Postgraduate Member and Life Members/Honorary Life Members may have of or to any premises, facilities, equipment, or other property owned, occupied or otherwise used by the Union, including any conditions of and for such access or use.

11 Subscriptions and Fees

- 11.1 The annual subscriptions and any other fees for membership to the category of Member for the then current financial year will be set by the National Conference. Any change in subscriptions will take effect from the beginning of the Union's following financial year.
- 11.2 Annual subscriptions may be paid by salary deduction, or by automatic bank payment or direct debit to the Union's national bank accounts on an agreed basis.
- 11.3 The Council may, at its discretion, waive or reduce the subscription of any individual or group of members of the Union.
- 11.4 Any Member or Associate Member or Postgraduate Member failing to pay an annual subscription or any other fees for membership for a period of two (2) calendar months will (without being released from the obligation of payment) have no membership rights and will not be entitled to participate in any Union activity until all the arrears are paid and ongoing payments reinstated. If such arrears are not paid within three months from the time the payment ceased, the Union will terminate the membership (without being required to give prior notice to that Member or Associate Member) in accordance with Rule 12.1.3.

12 Ceasing to be a Member

- 12.1 A Member, Associate Member, Postgraduate Member or Life Member/Honorary Life Member ceases to be a Member:
- 12.1.1 on death;

- 12.1.2 by giving written notice of their resignation to Te Pou Ahurei | The National Secretary of the Union which, unless otherwise expressed, will take effect 14 days after written resignation;
- 12.1.3 if that Member or Associate Member fails to pay any annual subscription or other fee for membership three (3) months after it has become due, in which case that Member or Associate Member Postgraduate Member will be deemed to have resigned their membership;
- 12.1.4 when they cease to be an employee in the tertiary education sector (in which case they may apply to become an Associate Member in accordance with the Constitution); if they were previously a Member) or
- 12.1.5 upon termination of their membership following a dispute resolution process in accordance with the Constitution, with effect from the date of receipt by the Contact Person, or any subsequent date stated in the notice of resignation or notice of termination of membership.

13 Obligations on ceasing of Membership

- 13.1 A Member, Associate Member, Postgraduate Member or Life Member/Honorary Life Member who resigns or whose membership is terminated under the Constitution:
 - 13.1.1 must, if applicable, notify their employer to stop any payroll deductions for payment of subscriptions or fees. If subscriptions or fees are paid by automatic bank payment or direct debit to the Union's national bank accounts, the Member/Associate Member/Postgraduate Member is responsible for stopping payments.
 - 13.1.2 remains liable to pay all applicable subscriptions or fees to the Union's next balance date;
 - 13.1.3 will cease to be entitled to any of the rights of membership; and
 - 13.1.4 will immediately return any property, including intellectual property, of the Union held by that person at the time of termination.
- 13.2 Ceasing to be a Member, Associate Member, or Life Member/Honorary Life Member will not exempt a person from liability in respect of any act or omission while that person was a Member, Associate Member, Postgraduate Member or Life Member/Honorary Life Member.

14 Membership Awards

- 14.1 The Council may confer the following National Awards on Members:
 - 14.1.1 Life Membership;
 - 14.1.2 Meritorious service to the Union;

14.1.3 Awards of excellence in the following categories:

- (a) Supporting teaching and research;
- (b) Academic freedom
- (c) Professional integrity;
- (d) Student learning and participation; and
- (e) other professional achievements.

14.2 The Council may confer Honorary Life Membership on individuals who are not Members.

14.3 Nominations for National Awards can be made by:

14.3.1 the Council

14.3.2 any National Committee or Branch Committee; and

14.3.3 any National Network.

14.4 National Award nominations:

14.4.1 will be called for by Te Pou Ahurei | The National Secretary no less than eight (8) weeks prior to the National Conference; and

14.4.2 must be received by Te Pou Ahurei | The National Secretary no less than six (6) weeks prior to the National Conference.

14.5 A Branch Committee may confer a Service Award to Members of that Branch Committee to recognise periods of 10, 20 or 30 years of continuous membership.

GOVERNANCE

COUNCIL

15 Function of the Council

15.1 The Union will be governed by the Council which must adhere to the Constitution and Goals set by National Conference.

16 Role of the Council

16.1 The role of the Council is to:

16.1.1 be accountable to the Union for the advancement of the Union's purposes and the implementation of resolutions approved by any General Meeting;

16.1.2 deal with the finances of the Union, including the control, acquisition and disposal of property, the investment of funds, adopting a budget for the following year and the borrowing of funds;

- 16.1.3 review and develop the Constitution for presenting to the National Conference;
 - 16.1.4 review, develop and adopt the professional and industrial policies of the Union;
 - 16.1.5 monitor risks and set the strategic direction of the Union;
 - 16.1.6 employ Te Pou Ahurei | The National Secretary;
 - 16.1.7 receive and approve reports from Te Pou Ahurei | The National Secretary relating to the Union's finances, activities and staffing;
 - 16.1.8 receive and approve reports from the Council Committees, National Committees, Branch Committees, National Networks and any other sub-committees of the Union;
 - 16.1.9 delegate to the Council Committees, National Committees, Branch Committees, National Networks and any other subcommittees of the Union such functions and powers as the Council may from time to time decide; and
 - 16.1.10 do all other things necessary to carry out the operations and affairs of the Union in order to achieve the Purposes.
- 16.2 Council will set a strategic plan and priorities based on the Constitution and Goals set by National Conference, with input from the Council Subcommittees, National Committees, Branch Committees, National Networks, and Members of the Union.

17 Council representation requirements

- 17.1 The Council will comprise equal representation of Tāngata Māori and Tāngata Tiriti, as follows:

Two Kāhui Kaumātua	
<i>Tāngata Māori – Te Toi Ahurangi</i>	<i>Tāngata Tiriti</i>
President Māori	President Tiriti
Vice President (NWC) Māori	Vice President (NWC) Tiriti
Vice President (IPC) Māori	Vice President (IPC) Tiriti
U35 Māori	U35 Tiriti
University academic Māori	University academic Tiriti
University general staff Māori	University general staff Tiriti
ITP academic Māori	ITP academic Tiriti
ITP allied staff Māori	ITP allied staff Tiriti
Wānanga Māori	Wānanga Tiriti
Te Tumu Āwhina	Pasifika Tiriti
Te Tumu Āwhina	Pasifika Tiriti

Private, REAP, Research, Independent, Statutory, Miscellaneous (PRRISM) Māori	Private, REAP, Research, Independent, Statutory, Miscellaneous (PRRISM) Tiriti
Takatāpui Māori	Queer Tiriti

18 Election of Council Members

- 18.1 Nominations for all Council Member positions, excluding the National Officers, are called for every two (2) years before the end of September by the designated Returning Officer(s) allowing for a two-week nomination period, and if an election is required a three-week electioneering period and a one-week period to hold a ballot.
- 18.2 If the number of nominations for Council Member positions exceeds the required number to fill vacant positions, national elections will be run by the designated Returning Officer(s).
- 18.3 If no nominations have been received by the end of the nominations period of Council Member positions, a second call for nominations will be made by the designated Returning Officer(s) and the election process conducted in accordance with this Constitution.
- 18.4 Any remaining vacancies for Council Member positions after a second call for nominations will be appointed by the Council.
- 18.5 No more than three members from any group of Members covered by a Branch Committee will be elected to Council or each National Committee excluding Ngā Tumu Whakarae | The National Presidents.
- 18.6 Members cannot hold positions on both a National Committee and Council (excluding the National Officers).

19 Term of Position

- 19.1 The term of office for Council Members will be two (2) years, beginning on 1 February of the year in which that term commences.
- 19.2 Council Members will serve no more than three (3) consecutive terms.

20 Cessation of Office

- 20.1 A National Officer or Council Member shall be deemed to have ceased to be an Officer if that Officer:
 - 20.1.1 dies;
 - 20.1.2 is not re-appointed for a consecutive term or has held office for three (3) consecutive terms;
 - 20.1.3 resigns by delivering a written Notice of resignation to the National Secretary;
 - 20.1.4 is absent without leave for three (3) consecutive meetings of the Council;

- 20.1.5 is the subject of a dispute or complaint (as defined in section 38 of the Act) made about the Officer and, following the carrying out of the dispute resolution process in this Constitution, a direction is made that the Officer's term is to cease;
- 20.1.6 becomes disqualified from being an Officer under the Act
- 20.1.7 is removed pursuant to one of the grounds for removal under Rule 20 by a resolution of the National Council passed by a two thirds majority.
- 20.2 For the purposes of this Rule 20:
 - 20.2.1 a dispute or complaint (as defined in Section 38 of the Act) is made about the Officer and, following the carrying out of the dispute resolution process in this Constitution, a finding or direction is made about the Officer such that the Council reasonably considers that the Officer is not suitable to continue to hold office or that it is not appropriate for the Officer to continue to hold office;
 - 20.2.2 an Officer's failure to comply with this Constitution, the Act or any of the Union's policies or standards;
- 20.3 Each Officer shall within 21 days of submitting a Notice of resignation or ceasing to hold office deliver to the National Secretary all books, papers, and other property of the Union held by such former Officer.

21 Vacancies in Council

- 21.1 In the event of a Council Member vacancy during a term, the Council will fill the vacancy by appointment or some other process determined by the National Officers of the Union.

22 Fees

- 22.1 The Union may pay fees and/or honoraria to Council Members as agreed from time to time by the Council.

23 Council Subcommittees

- 23.1 Council will in every two-year term constitute the following subcommittees (each will have no fewer than three (3) members and no more than six (6)):
 - 23.1.1 Awards Subcommittee;
 - 23.1.2 Finance Subcommittee;
 - 23.1.3 Disputes Resolution Subcommittee;
 - 23.1.4 Remits Subcommittee; and
 - 23.1.5 Appeals Subcommittee.
- 23.2 The functions of Council subcommittees will be as set by the Council from time to time.
- 23.3 Council subcommittees will meet as and when necessary.

- 23.4 Council subcommittees will act in an advisory capacity and make recommendations to Council, where the latter will determine the outcome of all matters except in the case of the Appeals Subcommittee in which case the dispute resolution provisions of this Constitution will apply.

NATIONAL COMMITTEES

24 Function of National Committees

- 24.1 There will be two National Committees to provide advice to National Conference and Council. These will be the Industrial and Professional Committee, and Te Kahurangi Māreikura | The National Women's Committee.
- 24.2 The National Committees are advisory only; they do not hold any governance responsibilities or decision-making powers.

25 Industrial and Professional Committee

- 25.1 The Industrial and Professional Committee will comprise:

Te Tumu Arataki IPC Māori National Vice President IPC Māori
Te Tumu Arataki IPC Tiriti National Vice President Tiriti
Ngā Tumu Whakarae The National Presidents
Two general staff university
Two allied staff ITP
Two academic staff university
Two academic staff ITP
Two Māori representatives
Two women's representatives
Two U35 representatives
One wānanga representative
One PRRISM representative
One Takatāpui Māori representative
One Queer Tiriti representative
Two Pasifika Representatives

- 25.2 The two Vice Presidents, one Tāngata Māori and one Tāngata Tiriti, will chair the meetings of the Industrial and Professional Committee.

26 Te Kahurangi Māreikura | The National Women's Committee

- 26.1 Te Kahurangi Māreikura | The National Women's Committee will comprise:

Te Tumu Arataki NWC Māori National Vice President NWC Māori
Te Tumu Arataki NWC Tiriti National Vice President NWC Tiriti
Ngā Tumu Whakarae The National Presidents
A Māori women's representative
A Pasifika women's representative
A U35 women's representative
Four women representatives of the academic staff members of the Union
Four women representatives of the general/allied staff members of the Union
One Takatāpui Māori women's representative
One Queer Tiriti women's representative

- 26.2 The two Vice Presidents, one Tāngata Māori and one Tāngata Tiriti, will chair the meetings of Te Kahurangi Māreikura | The National Women's Committee.

27 Election of National Committee Members

- 27.1 Nominations for all National Committee positions are called for every two years before the end of September by the designated Returning Officer(s) allowing for a two-week nomination period, and where an election is necessary a three-week electioneering period and a one-week period to hold a ballot.
- 27.2 If the number of nominations for National Committee positions exceeds the required number to fill vacant positions, national elections will be run by the designated Returning Officer(s).
- 27.3 If no nominations have been received by the end of the nominations period of National Committee positions, a second call for nominations will be made by the designated Returning Officer(s) and the election process conducted in accordance with this Constitution.
- 27.4 Any remaining vacancies for National Committee positions after a second call for nominations will be appointed by the Council.

28 Term of Position

- 28.1 The term of office for National Committee Members will be two (2) years, beginning on 1 February of the year in which that term commences.
- 28.2 National Committee Members will serve no more than three (3) consecutive terms.

29 Vacancies in National Committees

- 29.1 In the event of a National Committee Member vacancy during a term:

29.1.1 with less than 12 months of that term remaining, the Council will fill the vacancy by appointment; or

29.1.2 with 12 months or longer of that term remaining, the vacancy shall be filled through by-election in accordance with Rule 28.

30 National Committee Meetings

30.1 National Committees will meet at least three (3) times per calendar year.

NATIONAL OFFICERS

31 National Officers

31.1 The National Officers of the Union will be Ngā Tumu Whakarae | The National Presidents and the Ngā Tumu Arataki | The National Vice Presidents.

31.2 Ngā Tumu Whakarae | The National Presidents will:

31.2.1 chair National and Special General Meetings and National Conferences;

31.2.2 chair Council;

31.2.3 make public statements on behalf of the Union; and

31.2.4 lead Council's oversight of the development and implementation of the Constitution, Policies and Goals of the Union.

31.3 In the event that one of Ngā Tumu Whakarae | The National Presidents is unable to perform their duties, the Council will appoint one of Ngā Tumu Arataki | The National Vice Presidents to be Acting Te Tumu Whakarae | National President.

31.4 In the event that a Te Tumu Whakarae | National President is made redundant from their employment in the tertiary sector during the course of their presidency, they will be entitled to see out the term of their presidency.

31.5 Ngā Tumu Whakarae | National Presidents cannot concurrently hold an elected position in their Branch.

32 Election of National Officers

32.1 Nominations for all National Officer positions are called for every two years before the end of September by the designated Returning Officer(s) allowing for a two-week nomination period, and if an election is required a three-week electioneering period and a one-week period to hold a ballot.

32.2 If the number of nominations for National Officer positions exceeds the required number to fill vacant positions, national elections will be run by the designated Returning Officer(s).

- 32.3 If no nominations have been received by the end of the nominations period of National Officer positions, a second call for nominations will be made by the designated Returning Officer(s) and the election process conducted in accordance with this Constitution.
- 32.4 Any remaining vacancies for National Officer positions after a second call for nominations will be appointed by the Council.

33 Term of Position

- 33.1 The term of office for National Officers will be two (2) years, beginning on 1 February of the year in which that term commences.
- 33.2 Ngā Tumu Whakarae | The National Presidents will serve no more than two (2) consecutive terms and all other National Officers will serve no more than three (3) consecutive terms.

34 Vacancies in National Officer Roles

- 34.1 If within the first eighteen months of the term Te Tumu Whakarae | National President vacates their role, an election will be triggered. For all other National Officers, in the event of a National Officer vacancy during a term, the Council will fill the vacancy by appointment.

35 Officer Duties

- 35.1 At all times each Officer of the Union:
- 35.1.1 will act in good faith and in what they believe to be the best interests of the Union;
 - 35.1.2 must exercise all powers for a proper purpose;
 - 35.1.3 must not act, or agree to the Union acting, in a manner that contravenes the Act or this Constitution;
 - 35.1.4 when exercising powers or performing duties as an Officer must exercise the care and diligence that a reasonable person with the same responsibilities would exercise in the same circumstances taking into account, but without limitation, the nature of the Union, the nature of the decision, the position of the Officer, and the nature of the responsibilities undertaken by them;
 - 35.1.5 must not agree to the activities of the Union being carried on in a manner likely to create a substantial risk of serious loss to the Union or to the Union's creditors, or cause or allow the activities of the Union to be carried on in a manner likely to create a substantial risk of serious loss to the Union or to the Union's creditors; and
 - 35.1.6 must not agree to the Union incurring an obligation unless they believe at that time on reasonable grounds that the Union will be able to perform the obligation when it is required to do so.

36 Indemnity

- 36.1 The Union indemnifies each Officer against all losses and expenses incurred by them in carrying out their duties in relation to the Union except insofar as they contravene the Officer's duties under the Act or this Constitution.

REPRESENTATIVE GROUPS

37 Representative structures

- 37.1 There will be representative structures feeding into the governance bodies of the Union.
- 37.2 The representative structures comprise Branch Committees, National Networks, and Sector Groups.

BRANCH COMMITTEES

38 Formation of Branch Committees

- 38.1 A Branch Committee may be formed by application to the Council where there are 25 or more Members of the Union who are employed at a Worksite/Worksites with a common employer and who wish to apply to the Council to form a Branch Committee.
- 38.2 Council and National Committee Members have a right to sit ex officio on the Branch Committee covering their Worksite.
- 38.3 A current list of approved Branch Committees and the membership represented by each Branch Committee will be published on the Union's website from time to time.
- 38.4 Where membership at a worksite/s covered by an approved Branch Committee falls below 25 Members of the Union, Council may review that Branch Committee to determine if there remains a legitimate basis for the existence of that Branch Committee in accordance with this Constitution, and may at its discretion disestablish any Branch Committee in accordance with this Rule 38.4

39 Function of Branch Committees

- 39.1 The functions of a Branch Committee will be to:
- 39.1.1 run local activities;
 - 39.1.2 work with paid Staff of the Union to support Members covered by that Branch Committee;
 - 39.1.3 engage in national and sector hui to ensure the voice of the local membership is represented in decision-making processes; and
 - 39.1.4 meet regularly throughout the year to advance the purposes of the Union.
- 39.2 The quorum for Branch Committee meetings will be fifty percent (50%) plus one of those elected to the Branch Committee.

- 39.3 Each Branch Committee will provide Council a report ten days before the first Council meeting each year setting out the membership of the Branch Committee and the activities overseen by it in the previous calendar year.
- 39.4 For the purposes of Collective Agreement negotiations, Members will be united into negotiating units under their relevant employer. All Branch Committees covered by an employer will work with the advocate (who is a paid Union staff member) to set up negotiation processes and select an appropriate negotiating team in accordance with the National Industrial Strategy.
- 39.5 For the purposes of all other processes conducted by an employer under employment legislation or a Collective Agreement, such as change management processes and institutional policy changes, all Members will be united into a single unit under the relevant employer and all Branch Committees covered by an employer will work with the paid Staff of the Union to coordinate the Union's response.

40 Branch Committee Representatives and Conference Delegates

- 40.1 At the National Conference and National General Meeting (including any National Special General Meeting), each Branch is entitled to one (1) vote per one hundred (100) Members or part thereof belonging to the worksite/s covered by an approved Branch Committee as at 30 June of the previous year.
- 40.2 For the purposes of voting at the National Conference and National General Meeting (including special general meetings), conference delegates appointed to attend by each Branch Committee will decide collectively on how to distribute the vote entitlement of that Branch.
- 40.3 Each Branch Committee will appoint conference delegates to attend National Conference and National General meetings as representatives of the Branch. The number of permitted branch delegates will be calculated on the number of members at a worksite/s as at 30 June the previous year on the following basis:

Branch membership numbers	Branch Representative entitlement at National Conference
Up to 300	2 Delegates
Between 301 and 600	3 Delegates
Between 601 and 900	4 Delegates
Between 901 and 1200	5
1201 and over	6 Delegates

- 40.4 The election of Branch Committee Delegates and Branch Committee Representatives will, as far as possible, reflect the Union's commitment to Te Tiriti o Waitangi.

41 Workplace Delegates

- 41.1 Any worksite covered by the Union may choose to adopt a structure of elected Delegates. Where implemented, the Workplace Delegate structure will be established by and be accountable to Members enrolled at the worksite.
- 41.2 The Delegate structure is not a subcommittee or subsidiary of any Branch Committee.
- 41.3 A Member may hold both a Delegate position and a Branch Committee position concurrently only if elected to each separately and independently.
- 41.4 The purpose of Workplace Delegates is to:
 - 41.4.1 build the collective strength and organising capacity of the Union at the worksite level, consistent with the Union's whāinga of *Tātou, tātou e*;
 - 41.4.2 be the first point of contact and support for Members in their immediate work area;
 - 41.4.3 actively recruit new Members and support member engagement in Union activities;
 - 41.4.4 work alongside the paid Staff of the Union in communicating with Members and mobilising collective action
 - 41.4.5 enable strong member representation across campuses and worksites represented by a single branch
- 41.5 Delegates will be elected directly by the Members in the work area, department, faculty, or team they will represent. The number of Delegate positions in any workplace will be determined by Members in that workplace, with guidance from the paid Staff of the Union.
- 41.6 Elections for Workplace Delegate positions will be held every two (2) years in February or March. Elections must be held regardless of whether an incumbent Workplace Delegate wishes to stand again, no Delegate may be returned to their position without standing for election in accordance with this Rule.
- 41.7 Nominations for Delegate positions will be called by the designated Returning Officer no less than two (2) weeks before the scheduled election, allowing a one-week nomination period followed by a one-week ballot period where more than one nomination is received for a position.
- 41.8 Delegates can be elected in between formal election cycles where there are vacancies or increased demand. All nominations must be accompanied by a completed nomination form with a nominator and seconder who are current financial members of TEU.
- 41.9 Elections for Workplace Delegate positions will be conducted in accordance with the general election's provisions of this Constitution (Rule 62) as far as they apply.
- 41.10 Delegates who were trained and operating as delegates prior to commencement of this section are accepted as elected until such time as a formal election occurs at their workplace. At this time if they wish to continue as a delegate, they must seek election.

- 41.11 Where only one nomination is received for a Delegate position, the nominee will be declared elected unopposed by the Returning Officer. Where no nominations are received, the paid Staff of the Union will work with Members in that work area to encourage nominations and may call a second nominations round before the position is left vacant.
- 41.12 Delegates will meet collectively in their region at least once per year to advance the organising work of the Union and to share learning and strategy across workplaces. These meetings will be supported by the paid Staff of the Union.
- 41.13 Members elected as Workplace Delegates are not empowered to act as Delegates until they have received formal Delegate training.

42 Funding of Branch Committee Activity

- 42.1 Each Branch Committee will receive a capitation levy of one week's subscription at the standard maximum subscription for each Member represented by that Branch Committee as at 30 June of the previous year, and calculated at the rate of the subscription for that year.
- 42.2 This capitation levy will be reserved for each Branch Committee in February of the following year for use for local Union activities approved by the Branch General Meeting and Branch Committee.
- 42.3 The use of capitation levy funds by Branch Committees will be in accordance with the authority delegated to them by the Council from time to time, in accordance with Rule 73.3.

43 Election of Branch Committee Positions

- 43.1 Members covered by a Branch Committee will elect a Branch Te Uepū Representative and a Branch President/ Co-Presidents who will collectively lead the Branch Committee. Members elected within these roles will collectively be known as the Branch Leadership.
- 43.2 Nominations for Branch Committee positions will be called five weeks before a Branch General Meeting allowing for a two-week nomination period, a three-week electioneering period where necessary, with the election held at the Branch General Meeting.
- 43.3 If the number of nominations for Branch Committee positions exceeds the required number to fill vacant positions, the Returning Officer(s) will run a secret ballot of all Members attending the Branch General Meeting and eligible to vote.
- 43.4 If no nominations have been received prior to the Branch General Meeting, nominations may be called for the vacant positions at the meeting by the designated Returning Officer(s) and the election process run in accordance with this Constitution.
- 43.5 Branch Committee positions that remain vacant at the close of the Branch General Meeting can be filled by the Branch Committee by appointment or some other process determined by the Branch Committee.

44 Term of Position

- 44.1 The term of office for Branch Committee Members will be one (1) or two (2) years as determined by the Branch General Meeting from time to time, beginning no sooner than four (4) weeks after the Branch General Meeting at which they are elected, and no later than 1 February in the year after their election.
- 44.2 In the event of a Branch Committee Member vacancy during a term, the Branch Committee will fill the vacancy by appointment, or some other process determined by the Branch Committee.

45 Branch General and Special General Meetings

- 45.1 **Branch General Meeting:** There will be Branch General Meeting held every year in September or October and open to all Members covered by a Branch Committee.
- 45.2 The business of a Branch General Meeting will be to elect the Branch Committee (where it is an election year in accordance with Rule 45.1), approve a budget for expenditure of capitation, and review the previous years' capitation expenditure.
- 45.3 The quorum for a Branch General Meeting will be:

Members represented by Branch	Quorum
25 – 80	10% or 5, whichever is lower
81 – 300	10% or 15, whichever is lower
301 – 900	10% or 25, whichever is lower
900+	10% or 50, whichever is lower

- 45.4 The minutes of the Branch General Meetings will be made available to Members covered by that Branch Committee and forwarded to Te Pou Ahurei | The National Secretary of the Union not later than 28 days after the date of the meeting.
- 45.5 **Branch Special General Meeting:** A Branch Special General Meeting may be called at any time by the Branch Committee:
- 45.5.1 by notice specifying the date and place of the meeting and the subject matter intended to be submitted to the meeting; or
- 45.5.2 if the Branch Committee receives a written request to call a Branch Special General Meeting (including electronic) signed by at least 10 Members represented by that Branch Committee, which must state the business and any proposed resolutions of the meeting.
- 45.6 A Branch Special General Meeting will only consider and deal with the business specified in the Branch Committee's notice or the written request by Members for the Branch Special General Meeting.

NATIONAL NETWORKS

46 Formation of National Networks

- 46.1 National Networks are established to represent national groups of Members who share:
 - 46.1.1 an identity; and/or
 - 46.1.2 an interest in a specific issue.
- 46.2 Council and National Committee Members have the right to sit ex officio on any National Network of which they are a constituent Member.
- 46.3 Applications to establish or disestablish a National Network are made to Council.
- 46.4 A current list of approved National Networks will be published on the Union's website from time to time.

47 Function of National Networks

- 47.1 The functions of National Networks are to:
 - 47.1.1 ensure matters raised by constituent Members are represented to National Conference and Council;
 - 47.1.2 work with the paid Staff of the Union to address matters affecting constituent Members; and
 - 47.1.3 assist in responding to government policy and legislative changes, as well as institutional policy changes, that affect the constituency of the National Network.

48 National Networks at National Conference and National General Meetings

- 48.1 At the National Conference and National General Meeting (including any National Special General Meeting), each National Network is entitled to two (2) votes.
- 48.2 For the purposes of voting at the National Conference and National General Meeting, each National Network will appoint a National Network Delegate to carry the vote of the National Network.

49 National Network Meetings

- 49.1 Each National Network will at least every two years hold an online hui open to all Members eligible, or who have signed up, to be part of that National Network to approve the workplan of the National Network and appoint a Network Advisory Group of no fewer than five and no more than twelve Members.
- 49.2 Where a National Network is supported by a National Committee, there will be no Network Advisory Group and the workplan is approved by the National Committee.
- 49.3 Each Network Advisory Group will meet online at least three (3) times a year to advance the National Network's agreed workplan and will provide advice to National Conference and Council.

- 49.4 Council will authorise no more than three (3) face-to-face National Network hui each calendar year. Priority for face-to-face hui will be given to National Networks which represent shared minority identities (as defined in 45.1.1). The delegates to the National Network face-to-face hui will be one (1) representative from each Branch Committee who are members of the relevant National Network, and the Network Advisory Group or representatives from the relevant National Committee.

SECTOR GROUPS

50 Formation of Sector Groups

- 50.1 The Union will include the following Sector Groups:

50.1.1 ITP Sector Group;

50.1.2 University Sector Group;

50.1.3 Wānanga Sector Group; and

50.1.4 PRRISM Sector Group.

- 50.2 Each Branch Committee will appoint at least one (1) and no more than three (3) representatives to sit on the relevant Sector Groups.

51 Function of Sector Groups

- 51.1 The functions of the Sector Groups include to:

51.1.1 ensure matters raised by Members relating to their Sector are represented to National Conference and Council;

51.1.2 work with the paid Staff of the Union to address sector-wide employment and institutional policy changes;

51.1.3 determine strategies for the sector, including any response to government policy and legislative change; and

51.1.4 to ensure collective strength and a shared sense of purpose across their respective sectors.

- 51.2 The Sector Groups may have such other functions as are stipulated by Council from time to time.

- 51.3 Sector Groups do not hold any voting or decision-making rights.

- 51.4 Sector Groups will meet at least three (3) times a year.

PARTICIPATION HUI

52 Hui of Branch Committee Presidents and Branch Committee Te Uepū Representatives

52.1 A meeting of Branch Committee Presidents and Branch Committee Te Uepū representatives will be held at least every two (2) years and will comprise:

52.1.1 the President/s and Te Uepū Representative from each Branch Committee; and

52.1.2 Ngā Tumu Whakarae | The National Presidents, who will chair the meeting.

53 Hui-ā-motu

53.1 A hui-ā-motu will be held at least every two (2) years and will comprise:

53.1.1 Te Tumu Whakarae Māori | The National President Māori, who will chair the meeting;

53.1.2 Te Toi Ahurangi – (the Māori Council Members);

53.1.3 Te Kāhui Kaumātua;

53.1.4 Māori members on National Committees elected to represent Māori;

53.1.5 five Taitamariki Māori; and

53.1.6 one Māori member from each Branch Committee.

53.2 Te Tumu Whakarae Tiriti | The National President Tiriti attends in a non-voting capacity.

54 Hui-ā-Te Uepū

54.1 Te Uepū will meet the day prior to a National Conference considering the Constitution and policy Remits and will comprise:

54.1.1 Te Tumu Whakarae Māori | The National President Māori, who will chair the meeting;

54.1.2 Te Toi Ahurangi – (the Māori Council Members);

54.1.3 Te Kāhui Kaumātua;

54.1.4 Māori Members on National Committees elected to represent Māori;

54.1.5 five Taitamariki Māori; and

54.1.6 one Māori Member from each Branch Committee.

54.2 Te Tumu Whakarae Tiriti | The National President Tiriti attends in a non-voting capacity.

MEETINGS OF THE UNION

55 Meetings Generally

- 55.1 The business of every meeting of Members will be conducted to advance the Purposes of the Union and in accordance with the Act and this Constitution.
- 55.2 Meetings may be held at one or more venues using any real-time, audio and visual, or other electronic communication that gives each Member attending a reasonable opportunity to participate.
- 55.3 Other than as prescribed by the Act and this Constitution, Council will regulate proceedings as they think fit through a Standing Orders Policy.
- 55.4 All decision-making (except that for Ratification Ballots and Strike Ballots in Collective Agreement negotiations) will operate on the same basis: following a process of seeking consensus; moving, if necessary, to a show of hands; and then to a secret ballot (in accordance with the process at Rule 64 below).
- 55.5 In meetings, Members will act in accordance with the Union's whāinga, including the demonstration of awahi and manaakitanga.
- 55.6 Any procedural disagreement between Tāngata Māori and Tāngata Tiriti Members at a meeting of the Union will be resolved by good faith negotiation between an equal number of representatives of Māori and Tāngata Tiriti. If that does not resolve the procedural disagreement, or if the disagreement is not of a procedural nature, the dispute resolution provisions in this Constitution will apply.

56 Chairing a meeting

- 56.1 Any person chairing a meeting in accordance with this Constitution may:
 - 56.1.1 direct that any person not entitled to be present at the meeting will be removed from the meeting; and
 - 56.1.2 in the absence of a quorum or in the case of emergency, adjourn the meeting or declare it closed.
- 56.2 Any procedural matter not provided for by the Act or this Constitution may be determined by the chairperson of a meeting.
- 56.3 The chair of any meeting of the Union in which there is an equality of voices will not have a casting vote.

57 National Conference

- 57.1 National Conference is the body which sets the Constitution and Goals of the Union.
- 57.2 A National Conference will be held:
 - 57.2.1 at least every two (2) years at a date and location to be determined by Council; and

- 57.2.2 in accordance with any requirements in the Act and this Constitution.
- 57.3 The business of a National Conference will be to:
- 57.3.1 Amend or adopt the Constitution and Policies of the Union put forward by way of Remits;
 - 57.3.2 Develop and approve the Goals of the Union;
 - 57.3.3 Note the budget for the current financial year;
 - 57.3.4 Set membership subscriptions; and
 - 57.3.5 Consider any other general business of the Union of which due notice has been given.
- 57.4 Attendance at National Conference will comprise:
- 57.4.1 The Council;
 - 57.4.2 National Committee Members;
 - 57.4.3 Branch Committee Delegates and Branch Committee Representatives; and
 - 57.4.4 National Network Delegates.
- 57.5 Remits may be proposed by the Council, National Committees, Branch Committees, and National Networks. Remits must be received by Te Pou Ahurei | The National Secretary not less than six (6) weeks before the National Conference, where they will be given consideration by the Remits Subcommittee.
- 57.6 Late business may only be introduced to the National Conference if approved by two-thirds of the Members present at the National Conference.
- 57.7 That council be able to approve consequential amendments to the constitution occurring in relation to a rule change made at National Conference. All consequential amendments will be notified at the following National General Meeting.

58 National General Meeting

- 58.1 A National General Meeting will be held:
- 58.1.1 no later than 30 June each year on a date and at a location determined by the Council; and
 - 58.1.2 in accordance with any requirements in the Act and this Constitution.
- 58.2 The business of a National General Meeting will be to:
- 58.2.1 Confirm the minutes of the previous National General Meeting;
 - 58.2.2 Receive and adopt the National Report;

- 58.2.3 Receive a presentation of the audited accounts of the Union;
 - 58.2.4 Propose any Constitution and Policy or amendments for advancement at either National Conference or Council; and
 - 58.2.5 consider any other general business of the Union.
 - 58.3 Late business may only be introduced to the National General Meeting if approved by two-thirds of the Members present at the National General Meeting.
 - 58.4 For the purposes of the quorum set out in Rule 61.1, those who attend and vote at a National General Meeting shall comprise:
 - 58.4.1 The Council;
 - 58.4.2 National Committee Members;
 - 58.4.3 Branch Committee Delegates; and
 - 58.4.4 National Network Delegates.
 - 58.5 Members may attend a National General Meeting but shall not be counted for the purposes of the quorum.
- 59 National Special General Meeting**
- 59.1 A National Special General Meeting may be called at any time by the Council:
 - 59.1.1 by notice specifying the date and place of the meeting and the subject matter intended to be submitted to the meeting; or
 - 59.1.2 if the Council receives a written request to call a National Special General Meeting (including electronic) signed on behalf of no less than ten percent (10%) of Members, which must state the business and any proposed resolutions of the meeting.
 - 59.2 A National Special General Meeting will only consider and deal with the business specified in the Council's notice or the written request by Members for the National Special General Meeting.
 - 59.3 For the purposes of the quorum set out in Rule 59.1, those who attend and vote at a National Special General Meeting shall comprise:
 - 59.3.1 The Council;
 - 59.3.2 National Committee Members;
 - 59.3.3 Branch Committee Delegates; and
 - 59.3.4 National Network Delegates.
 - 59.4 Members may attend a National Special General Meeting but shall not be counted for the purposes of the quorum.

60 Notice

- 60.1 **National Conference:** Not less than eight (8) weeks' notice will be given in writing to Members of the dates of National Conference.
- 60.2 Notice of all business to be conducted at National Conference will be given to all Registered Delegates not less than four (4) weeks before the date of the meeting.
- 60.3 **National General Meeting:** Not less than eight (8) weeks' notice will be given in writing to Members of the date of the National General Meeting.
- 60.4 Notice of all business of a National General Meeting will be given to all Members not less than four (4) weeks before the date of the meeting.
- 60.5 **National Special General Meeting:** The Council will give all Members at least five (5) days' Notice of a Special General Meeting.
- 60.6 The Notice of a General Meeting (National and National Special) must also include:
 - 60.6.1 the nature of the business to be transacted at the meeting in sufficient detail to enable a Member to form a reasoned judgment in relation to it;
 - 60.6.2 the text of any resolution or matter of business to be submitted to the meeting; and
 - 60.6.3 the time and date and manner of the meeting.
- 60.7 A National Conference, National General Meeting, or National Special General Meeting and its business will not be invalidated simply because one or more Members do not receive the notice.

61 Quorum

- 61.1 The quorum for National Conference, National General Meetings, and National Special General Meetings will be fifty percent (50%) plus one of those entitled to attend and vote.

62 Non-Members

- 62.1 The Council may extend an invitation to attend a Union meeting to observers (Members with no voting rights) and non-Members, at Council's discretion. Any such attendees may be granted an opportunity to speak at the invitation of the Chairperson or any other person presiding over the meeting, but will not be entitled to vote on any question.

ELECTIONS

63 Elections generally

- 63.1 Candidates for any position, all nominators, and all voters must be Members of the Union.
- 63.2 Only Members of relevant constituencies will be eligible to stand as a representative candidate for a constituency and to vote for the relevant representative positions, as set out in this Constitution.

- 63.3 All nominations for representative positions must be nominated and seconded by the members of the relevant constituency, where available, and must have written consent of the nominee. At National level these must be accompanied by a signed biography of up to 500 words in either Te Reo Māori or English (any translations will not contribute to the word count).
- 63.4 All nominees in elections and appointments will affirm at the time of standing or being appointed their commitment to advancing the purpose of the Union and to adhering to the Constitution of the Union.
- 63.5 In all elections, if the number of nominations does not exceed the required number to fill the relevant vacant positions, the candidates will be declared elected unopposed by the relevant Returning Officer(s).
- 63.6 Any candidate will be permitted to put forward a Scrutineer to attend the counting of any relevant election or ballot.
- 63.7 In all elections, candidates are permitted to run election campaigns but may not use the Union's resources or paid Staff of the Union's assistance in electioneering.
- 63.8 The failure for any reason of any Member to receive a notice of an election or ballot will not invalidate that election or ballot.

BALLOTS

64 Secret Ballots

- 64.1 Where a secret ballot of Members or a group of Members is required by legislation, except for strike ballots and those held during a National Conference, the Members concerned will be given at least three (3) calendar days' notice of the issue to be voted on, the name of the Returning Officer, and the date and time of the opening and closing of the Secret Ballot.
- 64.2 **Ratification Ballots:** All Members covered by the Collective Agreement to be ratified will be given at least three (3) calendar days' notice of the intention to hold the Secret Ballot.
- 64.3 **Strike Ballots:** Ballots for strike action can be called by Te Pou Ahurei | The National Secretary or their nominee with regard to any Collective Agreement negotiations in consultation with the relevant advocate and negotiation team. There is no requirement to give notice for a Strike Ballot.
- 64.4 Strike Ballots and Ratification Ballots will be decided by a simple majority of those Members bound by the Collective Agreement or Strike Ballot, and who are entitled to vote and do vote.
- 64.5 Members will be advised whether or not a Collective Agreement is ratified as a result of the Ratification Ballot.
- 64.6 Members will be advised whether a Strike Ballot is decided in favour of strike action or not.

RETURNING OFFICER

65 Returning Officer

- 65.1 Te Pou Ahurei | The National Secretary will nominate Returning Officer(s), who may be the paid Staff of the Union, for all ballots and elections provided for by this Constitution on a two-yearly cycle and have these approved by Council.
- 65.2 The Returning Officer(s) will be responsible for actioning and notifying Members of all voting processes. This includes notifying Members of the relevant ballot and election process and ensuring that no expression of an individual's opinion will be included on or with the voting papers distributed to Members, except for candidate biographies in the case of elections.
- 65.3 For matters other than elections, legitimately reached recommendations on the resolution being voted which has been reached by a democratic decision of National Conference, Council, National and Branch Committees, or National Networks, as well as any advice on operational implications from Te Pou Ahurei | The National Secretary, may be included material accompanying the voting papers.
- 65.4 As soon as possible after the conclusion of an election or ballot, the Returning Officer(s) will count the votes which will then be checked by any appointed Scrutineer and the Returning Officer(s) will then declare the result of the election or ballot.

66 Documentation

- 66.1 The Returning Officer(s) will take all reasonable steps to ensure that all documents from elections or ballots are preserved in the national office of the Union after the election or ballot. Te Pou Ahurei | The National Secretary will ensure that all such documents are kept at the national office for at least one year after the completion of the ballot or election or, where an inquiry is instituted in relation to a Secret Ballot or election, until at least two months after the determination of the inquiry.
- 66.2 Where an inquiry is instituted in relation to a Secret Ballot or election, excluding ratification and strike ballot documents, must be kept at least two months after the determination of the inquiry.

67 Inquiry

- 67.1 A call for an inquiry into a Secret Ballot or election result, excluding ratification and strike ballots, can be made to the Appeals Subcommittee within 14 days of the declaration of the result of a ballot or election. The Appeals Subcommittee will investigate and if a claim is found to be valid, remedies may include recounting the votes, declaring the Ballot to be void, declaring a candidate not to have been elected, or declaring a new Ballot.

CONFLICTS OF INTEREST

68 Conflicts of interest

- 68.1 An Officer (as defined in this Constitution) is interested in a Matter if that person:
- 68.1.1 may obtain a financial benefit from the Matter; or

- 68.1.2 is a relation of or close personal acquaintance of a person who may obtain a financial benefit from the Matter; or
 - 68.1.3 may have a financial interest in a person to whom the Matter relates; or
 - 68.1.4 is a partner, director, member of the board and/or committee, board member, or trustee of a person who may have a financial interest in a person to whom the Matter relates.
- 68.2 However, an Officer is not interested in a Matter:
- 68.2.1 merely because that person receives an indemnity, insurance cover, remuneration, or other benefits authorised under the Act; or
 - 68.2.2 if that person's interest is the same or substantially the same as the benefit or interest of all or most other Members due to the membership of those Members; or
 - 68.2.3 if that person's interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence that person in carrying out their responsibilities under the Act or this Constitution; or
 - 68.2.4 if that person is a member of a union and that person's interest is merely as an employee that will benefit from the union acting in the ordinary course of promoting its members' collective employment interests.
- 68.3 An Officer who is interested in a Matter relating to the Union must disclose details of the nature and extent of the interest (including any monetary value of the interest if it can be quantified);
- (a) to the Council; and
 - (b) in a Register of Interests kept by Te Pou Ahurei | The National Secretary as referred to in Rule 71 below.
- 68.4 Disclosure must be made as soon as practicable after that Officer becomes aware that they are interested in the Matter.
- 68.5 Subject to the Act and any regulations made under the Act, an Officer who is interested in a Matter:
- 68.5.1 must not vote or take part in the decision of the Council relating to the Matter; and
 - 68.5.2 must not sign any document relating to the entry into a transaction or the initiation of the Matter; but
 - 68.5.3 may take part in any discussion of the Council and/or committee relating to the Matter and be present at the time of the decision of the Council (unless the Council decides otherwise).

- 68.6 If 50% or more of the Council are prevented from voting on the Matter under Rule 68.5, a National Special General Meeting must be called to consider and determine the matter.

RECORDS

69 Register of Members

- 69.1 Te Pou Ahurei | The National Secretary will keep an up-to-date Register of Members, Associate Members, and Life Members/Honorary Life Members, recording each Member, Associate Member, Postgraduate Member or Life Member/Honorary Life Member's name, contact details, the date they became a Member, Associate Member, or Life Member/Honorary Life Member, and any other information required by this Constitution or the Act.

70 Contents of Register of Members

- 70.1 The information contained in the Register of Members will include each Member, Associate Member, Postgraduate Member and Life Member/Honorary Life Member's:

70.1.1 legal and preferred names;

70.1.2 physical and mailing addresses;

70.1.3 phone number (landline and/or mobile);

70.1.4 email address;

70.1.5 the date that person became a Member, Associate Member, Postgraduate Member or Life Member/Honorary Life Member; and

70.1.6 any other information prescribed by regulations (if any).

- 70.2 Every Member, Associate Member, Postgraduate Member and Life Member/Honorary Life Member will promptly advise Te Pou Ahurei | The National Secretary of any change of their contact details.

71 Register of Interests

- 71.1 Te Pou Ahurei | The National Secretary will at all times maintain an up-to-date Register of Interests disclosed by Officers.

72 Information for Members

- 72.1 The Union will ensure that all Members, Associate Members, Postgraduate Member and Life Members/Honorary Life Members can access the following materials:

72.1.1 The current Constitution of the Union;

72.1.2 The minutes of General Meetings, National Conferences, and Council meetings; and

72.1.3 The annual accounts and Auditor's report.

FINANCES

73 Control and Management

- 73.1 The funds and property of the Union will be:
- 73.1.1 controlled, invested and disposed of by the Council, subject to this Constitution; and
 - 73.1.2 devoted solely to the promotion of the Purposes of the Union.
- 73.2 All moneys received by or on behalf of the Union are to be paid to the credit of the Union's account at one of the registered banks in Aotearoa New Zealand.
- 73.3 All payments made by the Union will be authorised in accordance with delegated authorities that have been endorsed by the Council.
- 73.4 The Union's bank accounts will be operated upon by Te Pou Ahurei | The National Secretary, the Assistant National Secretaries, and the Finance Officer, or otherwise as determined by the Council from time to time.

74 Accounts and Audit

- 74.1 Te Pou Ahurei | The National Secretary will keep accounting records which will be set out, in such manner as to enable them to be conveniently and properly audited.
- 74.2 The Finance Officer of the Union will prepare an annual income and expenditure account and an annual balance sheet.
- 74.3 If required by the Act or otherwise by law or if the Council determines it desirable, the Council will as soon as practicable after the end of the financial year of the Union cause the accounts of the Union to be audited by a chartered accountant appointed at the National general Meeting for that purpose (Auditor).
- 74.4 Every annual income and expenditure account and balance sheet will be signed by Te Pou Ahurei | The National Secretary and will, together with the Auditor's report on the accounts, be presented to the next Council meeting and the National General Meeting held after the date of the report.
- 74.5 A record of capitation expenditure will be provided by the Finance Officer to each Branch Committee for presentation at Branch General Meetings.
- 74.6 The Finance Officer will, after the end of the financial year, ensure that the Union complies with its reporting obligations, including to the Registrar of Incorporated Societies.

75 Balance Date

- 75.1 The Union's financial year will commence on 1 January of each year and end on 31 December (the latter date being the Union's balance date).
- 75.2

76 Staff of the Union

- 76.1 The Council will appoint one employee, that being Te Pou Ahurei | The National Secretary.
- 76.2 Te Pou Ahurei | The National Secretary will be responsible for all other employees employed by the Union.
- 76.3 All meetings of the Union will have paid Staff of the Union in attendance to provide advice and support. They will not have any voting rights.
- 76.4 One Tāngata Māori and one Tāngata Tiriti paid Staff of the Union chosen by the paid Staff of the Union will sit in attendance at Council meetings to provide a voice of paid Staff of the Union to Council. They will not have any voting rights.

77 Execution of documents

- 77.1 Formal documents will be executed by Te Tumu Whakarae | The National President and Te Pou Ahurei | The National Secretary and any such execution will be reported to the Council.

DISPUTE RESOLUTION

78 How a Complaint is Made

- 78.1 A Member (which for the purposes of the Constitution 78 to 87 will include an Associate Member, Postgraduate Member and/or a Life Member/Honorary Life Member) or an Officer may make a complaint by giving to the Council written notice that:
 - 78.1.1 states the Member or Officer is starting a procedure for resolving a dispute in accordance with this Rule 78;
 - 78.1.2 sets out the allegation to which the dispute relates and whom the allegation is against; and
 - 78.1.3 sets out any other information reasonably required by the Union.
- 78.2 A complaint made in accordance with this Constitution must relate to the Business of the Union.
- 78.3 The Council may make a complaint involving an allegation against a Member or an Officer by giving the Member or Officer a Notice in writing that:
 - 78.3.1 states that the Council is starting a procedure for resolving a dispute in accordance with this Rule 78; and
 - 78.3.2 sets out the allegation to which the dispute relates.
- 78.4 The information given under Rule 78.1.3 and 78.3.2 must be enough to ensure that a person against whom an allegation is made is fairly advised of the allegation concerning them, with sufficient details given to enable them to prepare a response.

79 Costs of Complaint

- 79.1 Without limiting Rule 86.1.4, a complainant will be required to meet their own costs of making a complaint.

80 Person Who Makes Complaint Has Right To Be Heard

- 80.1 A Member or an Officer who makes a complaint has a right to be heard before the complaint is resolved or any outcome is determined.
- 80.2 If the Council makes a complaint:
- 80.2.1 the Council has a right to be heard before the complaint is resolved or any outcome is determined; and
 - 80.2.2 an Officer may exercise that right on behalf of the Council.
- 80.3 Without limiting the manner in which the Member, Officer, or Council may be given the right to be heard, they must be taken to have been given the right if:
- 80.3.1 they have a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
 - 80.3.2 an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
 - 80.3.3 an oral hearing (if any) is held before the decision maker; and
 - 80.3.4 the Member's, Officer's, or Council's written statement or submissions (if any) are considered by the decision maker.
- 80.4 If both the person making the complaint and the person who is subject of the complaint are willing and able, those parties, together with the decision maker, may seek (and are encouraged to seek) to resolve the dispute in a face-to-face meeting abiding by the whāinga of the Union. The parties involved may seek support from Ngā Tumu Whakarae | The National Presidents to arrange a facilitator for such a meeting.

81 Person Who Is Subject of Complaint Has Right to Be Heard

- 81.1 This Rule applies if a complaint involves an allegation that a Member, an Officer or the Council (the **Respondent**):
- 81.1.1 has engaged in misconduct;
 - 81.1.2 has breached, or is likely to breach, a duty under this Constitution or the Act; or
 - 81.1.3 has damaged the rights or interests of a Member or the rights or interests of Members generally.
- 81.2 The Respondent has a right to be heard before the complaint is resolved or any outcome is determined.

- 81.3 If the Respondent is the Council, an Officer may exercise the right on behalf of the Council.
- 81.4 Without limiting the manner in which a Respondent may be given a right to be heard, a Respondent must be taken to have been given the right if:
- 81.4.1 the Respondent is fairly advised of all allegations concerning the Respondent, with sufficient details and time given to enable the Respondent to prepare a response;
 - 81.4.2 the Respondent has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held);
 - 81.4.3 an oral hearing is held if the decision-maker considers that an oral hearing is needed to ensure an adequate hearing;
 - 81.4.4 an oral hearing (if any) is held before the decision-maker; and
 - 81.4.5 the Respondent's written statement or submissions (if any) are considered by the decision-maker.
- 81.5 If both the person making the complaint and the person who is subject of the complaint are willing and able, those parties, together with the decision maker, may seek (and are encouraged to seek) to resolve the dispute in a face-to-face meeting abiding by the whāinga of the Union. The parties involved may seek support from Ngā Tumu Whakarae | the National Presidents to arrange a facilitator for such a meeting.

82 Investigating and Determining Dispute

- 82.1 The Council must, as soon as reasonably practicable after receiving or becoming aware of a complaint made in accordance with this Constitution, ensure that the complaint is investigated and determined, including by convening the Dispute Resolution Subcommittee as required.
- 82.2 Disputes must be dealt with under this Constitution in a fair, efficient, and effective manner, with minimum disruption to the Union's activities.

83 Council May Decide Not to Proceed Further with Complaint

- 83.1 Despite Rule 82.1, the Council (or Dispute Resolution Subcommittee) may decide not to proceed further with a complaint if, they determine that:
- 83.1.1 the complaint is trivial;
 - 83.1.2 the complaint does not appear to disclose or involve any allegation of the following kind:
 - (a) that a Member or an Officer has engaged in material misconduct;
 - (b) that a Member or an Officer, or the Union has materially breached, or is likely to materially breach, a duty under this Constitution or the Act; or

- (c) that a Member's rights or interests or Members' rights or interests generally have been materially damaged.

83.1.3 the complaint appears to be without foundation or there is no apparent evidence to support it;

83.1.4 the person who made the complaint has an insignificant interest in the matter;

83.1.5 the conduct, incident, event or issue giving rise to the complaint has already been investigated and dealt with under this Constitution; or

83.1.6 there has been an undue delay in making the complaint.

84 Council may refer complaint

84.1 Despite Rule 82.1 the Council may refer a complaint to:

84.1.1 the Dispute Resolution Subcommittee or an external person to investigate and report; or

84.1.2 the Dispute Resolution Subcommittee, an arbitral tribunal or an external person to investigate and make a decision.

84.2 The Council may, with the consent of all parties to a complaint, refer the complaint to any type of consensual dispute resolution (for example mediation, facilitation or a tikanga based practice).

84.3 For the avoidance of doubt, if other legislation requires the dispute to be dealt with in a different manner, the Constitution that relate to disputes in this Constitution will have no effect to the extent that they contravene, or are inconsistent with, that other legislation.

85 Decision-makers

85.1 A person may not act as a decision-maker in relation to a complaint if two (2) or more members of the Council or Dispute Resolution Subcommittee consider there are reasonable grounds to believe that the person may not be:

(a) impartial; or

(b) able to consider the matter without a pre-determined view.

85.2 Where a complaint made under clause 78 relates to Tāngata Māori and Tāngata Tiriti relations, the Council must ensure the decision-maker is made up of equal numbers of Tāngata Māori and Tāngata Tiriti.

86 Resolving Disputes

86.1 The decision-maker may, among other things:

86.1.1 dismiss a complaint in accordance with Rule 83;

86.1.2 make such directions as the decision-maker thinks appropriate (with which the Union and Members will comply), including but not limited to:

- (a) requiring the parties to go into a facilitated process to resolve and/or reconcile;
- (b) censuring a Member;
- (c) setting up training, mentoring or supervision for the Member concerned; and/or

86.1.3 uphold a complaint; and

- (a) reprimand or admonish the Member; and/or
- (b) suspend the Member from any office they hold for a specified period; and or
- (c) determine the Member can no longer hold office or stand for office; and/or
- (d) suspend the Member from membership for a specified period; and/or
- (e) expel the Member; and/or

86.1.4 order the complainant (if a Member) or the Member complained against, to meet any of the Union's reasonable costs in dealing with a complaint.

87 Appeals

- 87.1 Persons who make a complaint, and/or who are the subject of a complaint (and/or any other Members who are materially and substantially involved in a complaint) will be entitled to appeal any decision made in relation to that complaint if there were procedural improprieties, or mistakes of fact or application of this Constitution, in the dispute resolution process.
- 87.2 Appeals will be made to the Appeals Subcommittee convened in accordance with Rule 23.
- 87.3 The Appeals Subcommittee will be made up of three (3) to six (6) Council Members who:
- 87.3.1 will be impartial and able to consider the matter without a pre-determined view;
 - 87.3.2 will be appointed to act as part of an Appeals Subcommittee on an 'as needed' basis in response to any appeal; and
 - 87.3.3 will consider the appeal in any way that they see fit, but always in accordance with the principles of natural justice and the Union's purposes/whāinga.

FINANCIAL GAIN

88 No Financial Gain

- 88.1 The Union will not be carried on for the financial gain of any of its Members, provided that:

- 88.1.1 A Member may receive a fee and/or honorarium in accordance with Rule 22.1 or otherwise where authorised by Council in accordance with Rule 73.3; and
- 88.1.2 a Member, Associate Member, Postgraduate Member and Life Member/Honorary Life Member may receive reimbursement for reasonable expenses legitimately incurred when attending Union meetings and activities; and
- 88.1.3 a Member, Associate Member, Postgraduate Member and Life Member/Honorary Life Member may receive incidental benefits (such as trophies, prizes, koha, or discounts on products or services) in accordance with the Union's Purposes.

AMALGAMATION

89 Process

- 89.1 The Union may be amalgamated in accordance with the provisions of the Act.
- 89.2 Any amalgamation proposal (as defined in the Act) must be approved by a resolution agreed to by a two-third majority of all Members entitled to vote and voting on the question. This clause 89.2 modifies section 194(2)(a) of the Act.

WINDING UP

90 Process

- 90.1 The Union may be wound up, liquidated, or removed from the Register of Incorporated Societies in accordance with the provisions of the Act.
- 90.2 Te Pou Ahurei | The National Secretary will give Notice to all Members of the proposed motion to wind up the Union, or remove it from the Register of Incorporated Societies and such Notice will include:
 - 90.2.1 details of the National Conference, National General Meeting, or National Special General Meeting at which any such proposal is to be considered;
 - 90.2.2 the reasons for the proposal; and
 - 90.2.3 any recommendations from the Council in respect to such notice of motion.
- 90.3 Any resolution to wind up the Union or remove it from the Register of Incorporated Societies must be passed by a 75% majority of the Members present and voting.

91 Surplus assets

- 91.1 If the Union is wound up, or liquidated, or removed from the Register of Incorporated Societies, no distribution will be made to any Member, and if any property remains after the settlement of the Union's debts and liabilities, that property must be given or transferred to another Not-For-Profit Entity as determined at a National Conference, National General Meeting, or National Special General Meeting.

ALTERATIONS TO THE CONSTITUTION

92 Amending this Constitution

- 92.1 The Constitution of the Union may be amended by a Remit properly notified to Members not less than four (4) weeks before the date of a National Conference.
- 92.2 A Rule amendment Remit tabled during a National Conference must receive a two-thirds majority before being put to the meeting.
- 92.3 Any resolution to amend or replace this Constitution at a National Conference must be passed by at least a two-third majority of the Members present and voting.
- 92.4 When a Rule amendment is approved by National Conference it will be notified to the Registrar of Incorporated Societies in the form and manner specified in the Act for registration and will take effect from the date of registration.

Schedule One: Definitions

In this Constitution, unless the context requires otherwise, the following words and phrases have the following meanings:

- 1 **Act** means the Incorporated Societies Act 2022 or any Act which replaces the Act (including amendments to it from time to time), and any regulations made under the Act or under any Act which replaces it.
- 2 **Ahikā** – means the interrelationship of people and the land.
- 3 **Aotearoa** means the Māori name for New Zealand.
- 4 **Associate Member** means those who are admitted to the Union on application. Associate Members do not have the right to stand for office or vote, or to seek representation, as set out in the Rule 8.4.
- 5 **Awahi** means to help or assist.
- 6 **Awahi atu** means assist you.
- 7 **Awahi mai** means assist me.
- 8 **Ballots** means voting by secret ballot as set out in this Constitution, in particular Rule 64.
- 9 **Branch Committee** means a Committee elected to represent all members at an agreed Worksite/s, as set out in the Constitution 38 to 43. Where there is more than one Branch Committee for a single employer they will collectivise for all employment relationship matters.
- 10 **Branch Committee President (or Co-Presidents** if applicable) means a Member(s) elected to co-lead a Branch Committee alongside the Branch Te Uepū representative, in accordance with Rule 3.1.
- 11 **Branch Te Uepū Representative** means a Māori member elected Māori members to co-lead a Branch Committee alongside the Branch President (or Co-Presidents), in accordance with Rule 43.1.
- 12 **Branch General Meeting** means a meeting where members at an agreed Worksite/s elect their committee and where they have oversight of the work of that committee and expenditure of capitation, as set out in Rule 45.
- 13 **Branch Leadership** refers to the members elected on the Branch Committee as Te Uepū Representative, President, and/or Co-Presidents.
- 14 **Business of the Union** as referred to in Rule 78.2 means any act or omission by the Union, or its Officers or Members in their capacity as an Officer or Member of the Union, relating to the Union as an incorporated society, whether or not carried out in accordance with this Constitution, the Act, or any bylaws or regulations relating to the Union or to incorporated societies generally.
- 15 **Calendar Days** means every day on the calendar including weekends and public holidays.
- 16 **Climate Justice** means a term that acknowledges climate change can have differing social, economic, public health, and other adverse impacts on underprivileged populations. It is a concept that addresses the just division, fair sharing, and equitable distribution of the burdens of climate change and its mitigation and responsibilities to deal with climate change. This entails ensuring representation, inclusion, and protection of the rights of those most vulnerable to the effects of climate change.
- 17 **Collective Agreement** means the agreements between employers and registered unions that cover employees in the employer's workplace.
- 18 **Constituency** means a term to describe a group within the Union for purpose of voting, attendance at hui, and engagement in union activity related to that constituency. There are two types of constituency memberships – one is constituencies based on identity and the second is constituencies brought together around issues that fit under the Union's Purposes. Council determines the formal constituency networks and members will be asked to identify in the membership database which of the constituencies they are a part of. For example – all members who identify as women will be part of the women's constituency; all members who are under 35 will be part of the U35 constituency; all general, allied, and professional members will be part of the general staff constituency.
- 19 **Contact Person** means the contact person or persons appointed pursuant to Rule 7.
- 20 **Council** means the Union's governing body elected and appointed in accordance with the Constitution 15 to 23, being a committee for the purposes of the Act.
- 21 **Council Member** means a member of the Council elected in accordance with Rule 18.

Collectively, they can be referred to as Branch Leaders.

- 22 **Ex officio** means any member of Council or the National Committees. They are able to sit on the Branch Committee of their relevant Worksite and also any Network advisory group that they identify with as of right.
- 23 **Goals** means statements setting out what the Union will work to achieve in the coming year/years. The Goals must accord with the Purposes set out in this Constitution.
- 24 **Hui** means meeting(s) and gathering(s).
- 25 **Hui-ā-Motu** means the national Hui for Te Uepū representatives from Branch Committees, and Māori members of Council and National Committees, as set out in Rule 52. The purpose of Hui-ā-Motu is to contribute to the development of the Goals and strategy of the Union.
- 26 **IPC** means the Industrial and Professional Committee established in accordance with this Constitution.
- 27 **ITP means** the Institutes of technology and Polytechnics (ITPs) that provide public vocational education and training in Aotearoa New Zealand, excluding universities and wānanga.
- 28 **Just Transitions** means a framework developed by the international trade union movement to encompass a range of social interventions needed to secure workers' rights and livelihoods when economies are shifting to sustainable production, primarily combating climate change and protecting biodiversity. A Just Transition means greening the economy in a way that is as fair and inclusive as possible to everyone concerned, creating decent work opportunities and leaving no one behind. The process for achieving this vision should be a fair one that should not cost workers their health, environment, jobs, or economic assets. Any losses should be fairly compensated.
- 29 **Kaitiakitanga** means guardianship and protection.
- 30 **Life Member/Honorary Life Member** means a person awarded this honour by Council in accordance with this Constitution, as set out in Rule 8.5. A Life Member/Honorary Life Member will not have the right to stand for office or vote, or to seek representation.
- 31 **Manaakitanga** means actions that create a safe and hospitable environment for all members to ensure honest kōrero and respectful debate.
- 32 **Mana Tāngata** means the mana, or authority, of people.
- 33 **Mana whenua** means iwi and hapū Māori who have historic and territorial rights over land.
- 34 **Māori** means Indigenous person/people of Aotearoa New Zealand.
- 35 **Mātāpono** means principles and are the Purposes of the Union. The Union has five key mātāpono: **Mana Tiriti, Mana Taurite** – Equity; **Mana Mātauranga** – Education is a public good; **Mana Mahi** – Workers' rights and decent work; **Mana Taiao** – Sustainable planet.
- 36 **Mātauranga Māori** means Māori knowledge – the body of knowledge originating from Māori ancestors, including the Māori world view and perspectives.
- 37 **Matter** means the Union's performance of its activities or exercise of its powers pursuant to this Constitution, including any arrangement, agreement, or contract made or entered into, or proposed to be entered into, by the Union.
- 38 **Member** means a person who has been admitted to membership and who pays a subscription set by the National Conference, as set out in Rule 8.3. Members of the Union are entitled to participate in democratic decision-making, stand for election for relevant positions, request support, and seek advice.
- 39 **National Committee** means an elected national body whose function is to advise Council and National Conference on matters of national importance in order that Council and National Conference can make informed decisions, as set out in Rule 24.
- 40 **National Committee Members** means those elected to sit on the National Committee as set out in Rule 27.
- 41 **National Conference** means a Hui held at least every two years to pass the Constitution, Policies, and set the Goals of the Union.
- 42 **National General Meeting** means a meeting open to all Members held annually to receive the National Report and audited accounts in order to hold the Officers accountable for the work completed, as set out in Rule 57.
- 43 **National Industrial Strategy** sets the strategic industrial Goals of the Union and lays out the core conditions and national priorities in the industrial work of the Union.

- 44 **National Networks** means networks approved by the Council of the Union to advance matters of concern to groups of members based on identities or issues, as set out in Rule 46. The Networks provide places to collectivise, strategise, and provide advice to National Council and National Conference consistent to with the Purposes of the Union.
- 45 **National Network Delegate** means the delegate appointed by each National Network to carry the vote of that National Network at National Conference, in accordance with Rule 47.2.
- 46 **National Officers** means Te Tumu Whakarae | The National Presidents and the Ngā Tumu Arataki | The National Vice Presidents, as set out in Rule 31.
- 47 **National Report** means the report to Members that outlines the activities of the Union and expenditure of resources from the past calendar year, and the Goals set for the calendar year in which the report is presented.
- 48 **National Special General Meeting** means a meeting of the Members, other than a National General Meeting, called for a specific purpose or purposes, as set out at Rule 58.
- 49 **National Vice Presidents** means Members elected nationally to lead the Union's National Committees and to act as National Officers of the Union, in accordance with the Constitution 31 and 32.
- 50 **Network Advisory Group** means an advisory group formed from the Members of a National Network in accordance with Rule 49.1.
- 51 **Ngā heke** means we endure through the lows.
- 52 **Ngā piki** means we endure through the highs.
- 53 **Ngā Tumu Āwhina** means two Māori representatives on Council who provide dedicated support to Te Tumu Whakarae | The National President Māori and Ngā Tumu Arataki Māori | The National Vice Presidents Māori. Tumu is a post where canoes are tied up but when used in reference to people it can mean the support person, founder, or expert. Āwhina is to assist or help, subsequently ngā Tumu Āwhina refers to the support person(s) to the Māori National President (NB the title, Tumu Āwhina, can be prefixed by either te (singular) or ngā (plural) depending on the context.
- 54 **Not-For-Profit Entity** has the meaning given to that term in section 5(3) of the Incorporated Societies Act 2022.
- 55 **Notice means** any notice given by post, courier or email or any additional transmission method approved by the Council and for clarity includes transmission of a link to a notice.
- 56 **Officer** means a Council Member, National Officer, National Secretary, and the two Assistant National Secretaries, and any class or classes of natural persons that are declared by regulations to be officers for the purposes of the Act.
- 57 **Pasifika is a transliteration of the term** Pacific, and refers to people who identify as indigenous to a Pacific nation from the Melanesian, Micronesian, and Polynesian cultures within the Oceanic geographic region.
- 58 **Policy** has two meanings - operational policies and aspirational policies. The first set out procedures such as travel and accommodation; the second provides detail which enable the Union to advance the Mātāpono, for example a fixed term agreement policy would advance Mana Mahi.
- 59 **PRRISM** means Private, REAP, Research, Independent, Statutory, and Miscellaneous tertiary education organisations – that is all tertiary education organisations who are not part of the public tertiary education sector.
- 60 **Purposes** means the purposes of the Union as set out in Rule 4.
- 61 **Ratification Ballot** means a ballot of a group of members covered by a Collective Agreement, on whether they agree to the proposed terms of settlement.
- 62 **Register of Interests** means the register of interests kept under this Constitution.
- 63 **Register of Members** means the register of Members kept under this Constitution.
- 64 **Registered Delegate** means Branch Committee Delegates, Branch Committee Representatives, National Network Delegates, Council Members, and National Committee Members who are entitled and have registered to attend National Conference.
- 65 **Registered Office** means the registered office of the Union described in the New Zealand Register of Incorporated Societies, as updated from time to time.
- 66 **Registrar means** the Registrar of Incorporated Societies appointed in accordance with the Act.
- 67 **Remits** means a method by which matters can be raised to National Conference. There are two form of remits: Rule Remits (which exist to add, alter, or

- amend to the Constitution of the union) and Policy Remits (which set out the operational and aspirational policies of the Union). Remits to Conference can be raised by Council, National Committees, National Networks, and Branch Committees
- 68 **Returning Officer** means a person/s appointed by Council to run elections and ballots. They may be Staff of the Union.
- 69 **Constitution** means this document as amended or replaced from time to time, which is a constitution for the purposes of the Act.
- 70 **Scrutineer** means a person approved to oversee ballot processes to ensure the outcome declared is accurate. They must be a Member, and may be Staff of the Union.
- 71 **Secret Ballot** means a ballot of all or groups of members on matters determined by this Constitution.
- 72 **Sector Groups** means groups established to cover each of the major sectors of tertiary education – universities, vocational, education and training, wānanga, and community and private sector providers known as PRRISM (Private, REAP, Research, Independent, Statutory, and Miscellaneous tertiary education organisations), as set out in the Constitution 50 and 51. The Sector Groups provide places to collectivise, strategise, and provide advice to National Council and National Conference.
- 73 **Simple majority** means 50% plus one of those eligible and present to vote.
- 74 **Standing Orders Policy** means a policy developed from time to time by Council which sets out the rights and responsibilities of Members and the paid Staff of the Union during a Union meeting.
- 75 **Staff of the Union** means those who are employed to advance the Purposes and Goals of the Union. The Council directly employs the National Secretary, who is the employer of all other staff.
- 76 **Strike Ballot** means a ballot of groups of members as defined in the relevant employment legislation.
- 77 **Taiao** means all things to do with Papatūānuku – both nature and the physical environment.
- 78 **Taitamariki** means a young person (non gender specific), youth. The dialect variation to ‘rangatahi’. In the Union’s context taitamariki aligns with the definition as being under 35 years of age on 1 February.
- 79 **Tāngata Māori** is taken directly from usage in the original Te Tiriti o Waitangi document to mean Māori rangatira and hapū.
- 80 **Tāngata Tiriti** means the name for ‘People of the Treaty’ and refers to all non-Māori citizens and residents of Aotearoa New Zealand.
- 81 **Tātou, tātou e** means stronger together.
- 82 **Te Hautū Kahurangi o Aotearoa** is the Māori name for the New Zealand Tertiary Education Union. Hau refers to wind, air, breath, and vitality (of human life). Hautū means to guide or lead and when prefixed with the word kai i.e. kaihautū it refers to the person who gives and keeps the timing for the paddlers on a waka. Tū means to stand, set in place, or establish. In this way, hautū refers to the union, its members and staff, and how they stand strong and unified to protect one another in the face of the four winds and whatever they carry e.g. vice-chancellors, CEOs, HR managers, etc. Kahurangi is a term given to something precious, honourable, or distinguished. It can also mean treasured possession, chieftain, and a translucent highly valued variety of greenstone without flaws or spots. Given the multiple meanings of these terms, Te Hautū Kahurangi o Aotearoa can mean “The distinguished leaders (TEU members and staff) positioned and cloaked in the TEU korowai guiding and protecting against the elements (employers, government, work colleagues)”.
- 83 **Te Kahui Kaumātua** means the constellation of Māori elders of the Union. The Kaumātua from ASTE Te Hau Takitini o Aotearoa and AUS merged to form Te Kāhui Kaumātua for the Union. Kāhui meaning assembly, alliance, constellation of Kaumātua. The individual titles of Kaumātua within the kāhui may differ according to their iwi affiliation or personal preference e.g. tauheke, kui, kuia (NB. the term Kaumātua is non-gender specific and both singular and plural). Combining these terms into a single title we get a constellation of Māori elders, in this way Te Kāhui Kaumātua is a very befitting name for the Kaumātua Māori of the Union.
- 84 **Te Kahurangi Māreikura | The National Women’s Committee** is the Māori name for the **National Women’s Committee**. Kahurangi is a term given to something precious, honourable, or distinguished. It can also mean treasured possession, chieftain, and a translucent highly valued variety of greenstone without flaws or spots. Māreikura refers to a nobly born female, a sacred energy, and term of endearment. Given the multiple meanings of these terms, Te Kahurangi Māreikura can mean “The distinguished and chieftain women”.

- 85 **Te Pou Ahurei | The National Secretary** is the person employed by the Council to act as the chief executive and oversee the daily implementation of the Goals of the Union, as set out in Rule 76. Ahurei means chief, in the workplace this can be used as Chief Executive Officer.
- 86 **Te Pou Ahurei Takirua (Ahumahi)** is the Māori name for the **Assistant National Secretary (Industrial)**, Ahurei means chief, in the workplace this can be used as Chief Executive Officer. Takirua refers to a pair, duo, couple, and duet. Ahumahi is a term commonly used to refer industrial. Accordingly, Te Pou Ahurei Takirua (Ahumahi) is the title for Assistant National Secretary (Industrial).
- 87 **Te Pou Ahurei Takirua (Hakarite)** is the Māori name for the **Assistant National Secretary (Operations)**. Ahurei means chief, in the workplace this can be used as Chief Executive Officer. Takirua refers to a pair, duo, couple, and duet. Hakarite means to adjust, arrange, and put in order. Accordingly, Te Pou Ahurei Takirua (Hakarite) is the title for Assistant National Secretary (Operations).
- 88 **Te Tiriti o Waitangi** means the Māori text of the Treaty of Waitangi, 1840.
- 89 **Te Toi Ahurangi** means the collective name for the Māori members of Council. Toi refers to the point or summit and also relates to the arts, knowledge, origin/source of humankind, and indigenous or aboriginal. Ahu means to move in a certain direction, face towards, and extend. Ahurangi refers to and has a connection with the sun. Accordingly, Te Toi Ahurangi can mean “Striving for excellence in the tertiary sector through the Union”.
- 90 **Te Tumu Arataki | The National Vice President** means each of the **National Vice Presidents**. Tumu is a post where canoes are tied up but when used in reference to people it can mean the support person, founder, or expert. Ara is the course or passage taken when journeying and taki means to lead, entice, or challenge. Combining the terms into, arataki, means to lead and guide. Also, the term acknowledges some of the union's history as the title was used by ASTE Te Hau Takitini o Aotearoa for their Māori vice-president.
- 91 **Te Tumu Whakarae Māori | The National President Māori** means the Māori name for the National President Māori. Tumu is a post where canoes are tied up but when used in reference to people it can mean the support person, founder, or expert. Whakarae means to stand out, be prominent. Combining these terms into a single title refers to a chief of the highest rank, in this way Te Tumu Whakarae is a befitting name for the Union's national president. Māori refers to the representation as the Māori national co-president.
- 92 **Te Tumu Whakarae Tiriti | The National President Tiriti** means the Māori name for the National President Tiriti. Tumu is a post where canoes are tied up but when used in reference to people it can mean the support person, founder, or expert. Whakarae means to stand out, be prominent. Combining these terms into a single title refers to a chief of the highest rank, in this way Te Tumu Whakarae is a befitting name for the TEU national president. Tiriti refers to the representation as the non-Māori national co-president.
- 93 **Te Uepū** has three meanings within the union:
- Māori member(s) of the Union;
 - Branch Committee Māori representative(s); and
 - National Network of all Māori members.
- The term acknowledges some of the union's history as the title was formerly used by ASTE Te Hau Takitini o Aotearoa for their Māori members at large. Accordingly, Te Uepū was adopted to (a) differentiate between the Māori members on Council and National Committees (Te Toi Ahurangi) and Māori members at large; and (b) honour the late Toby Rikihana who gifted this name to ASTE Te Hau Takitini o Aotearoa Māori members.
- 94 **Tertiary Education Sector** means all organisations and institutions in which workers are responsible for the oversight and provision of post compulsory education and training, and for research. This includes public and private organisations.
- 95 **Tiakina Te Taiao** means the Māori name for the climate action National Network. Tiakina means to care, conserve, guard, protect, and save. Taiao is all things to do with Papatūānuku – both nature and physical environment. Utilising these concepts, Tiakina Te Taiao refers to the individual responsibility and collective actions needed in the duty of care for our natural and physical environment.
- 96 **Tikanga/kawa** means Māori customs/protocols, procedures, lore, methods, practices, and conventions.
- 97 **Tū kaha** means we stand strong.
- 98 **Tū kotahi** means we stand unified.
- 99 **Tūrangawaewae** means a place where each have a right to stand and belong.

- 100 **U35** means any member of the Union who is under 35 years of age on 1 February.
- 101 **Whāinga** means values. The Union whāinga guide our relationships and behaviours, setting our vision of how we intend to work together: Tū kotahi, tū kaha; Awhi atu, awhi mai; Ngā piki, ngā heke, and Tātou, tātou e.
- 102 **Whanaungatanga** means to build positive and enduring relationships with each other. One way in which this manifests is by establishing a tuākana-tēina system operating on a philosophy where tuākana (usually more experienced union members) awhi, tautoko, and manaaki their tēina (sometimes less experienced or new union members).
- 103 **Workplace Delegate:** means a Member elected directly by Members in a defined workplace to represent and organise those Members in accordance with Rule 41. A Delegate is accountable to the Members who elected them and operates both independently and in collaboration with the Branch Committee.
- 104 **Worksite** means a place of employment which may cover several physical locations (worksites – this includes campuses, hubs, mobile working environments, online working, offices) but where there is a common employer.

SIGNATURES OF THREE MEMBERS OF OUR SOCIETY:

Garrick Cooper - National President Māori



Name

Signature

Ti Lamusse - National President Tiriti



Name

Signature