



## **Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa (Incorporated)**

### **STANDING ORDERS**

(Approved as at June 2015) (Updated November 2016)

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Note: Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa operates under a two house Treaty Relationship Governance model. The model provides for equity of responsibility, leadership and duties and as such the term Presidents should be read as one or either of the Presidents tangata whenua and tangata tiriti at a given point in time chairing a meeting.

## 1. GENERAL CITATION OF LEGISLATION

1.1 Where relevant these Standing Orders should be read in conjunction with the following document:

Rules of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa.

## 2. INTERPRETATION

2.1 In these Standing Orders unless inconsistent with the context:

**President** means either President Tangata Whenua or President Tangata Tiriti or in the case of Presidents it refers to both who have been elected under Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa Rules 8.1, 8.2 and 8.3 or a person acting in that behalf at an Annual, or Special General Meeting of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa.

### **Chair of meetings and committees**

Also where appropriate includes any person acting as a Chairperson of any advisory committee of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa or a standing committee of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa.

**Council member or council members** means any person elected or appointed to the Council of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa, or any committee, and includes the Presidents.

**Committee** means an advisory committee of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa or a standing committee of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa.

**Delegation** means any key stakeholder including members' wishing to address council.

**Order** refers to a Standing Order contained with this document.

**Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa** means Occupational Therapy Whakaora Ngangahau Aotearoa (Incorporated).

**Meeting** means any meeting of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa or an Annual, Half-yearly or Special General meeting of

Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa, and any meeting of any committee.

**Minutes** means any minutes or other record of the proceedings of any meeting of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa, and any committee.

**Public** means people who are not members or employees of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa or any of its related entities.

**Executive Director** means the Executive Director of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa appointed under rule 9.0.

### **3. APPLICATION OF STANDING ORDERS**

- 3.1 These Standing Orders shall, or so far as applicable, extend to all meetings of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa.

### **4. SUSPENSION OF STANDING ORDERS**

- 4.1 Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa, or any committee may temporarily suspend the Standing Orders during a meeting by a vote of seventy five percent of the members present and voting. The reason for the suspension shall be stated in the resolution for the suspension.
- 4.2 Any motion to suspend one or more of the Standing Orders shall state the specific order or orders, which it proposes to suspend.

### **5. ALTERATION OF STANDING ORDERS**

- 5.1 After the adoption of the first Standing Orders the adoption or amendment of the Standing Orders shall require, in every case, a vote of seventy five percent of the Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa members present and voting at an Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa meeting.

### **6. PRESIDENTS TO PRESIDE AT MEETINGS**

- 6.1 The Presidents of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa shall preside at every meeting of Occupational Therapy New Zealand Whakaora Ngangahau at which he or she is present. In the absence of both Presidents, a council member (delegated in normal circumstances by the President/s) shall take the chair. If within 15 minutes of the time the meeting was

notified to begin a chairperson is not present, the members present and voting shall elect a Chair for that meeting.

## **7. AGENDA**

- 7.1 Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa, or any committee shall adopt an agenda, which shall normally apply at meetings. The business shall be dealt with in the order in which it stands on the agenda unless the meeting determines otherwise.

## **8. EXTRAORDINARY BUSINESS AT MEETINGS**

- 8.1 Only business on the agenda shall be transacted at any meeting unless the Presidents determine any additional business to be extraordinary or urgent. The Presidents ruling in this regard shall be final and not open to debate.

## **9. TIME LIMIT AT MEETINGS**

- 9.1 Unless pursuant to a resolution of the members present and voting at a meeting, no meeting shall sit for more than 8 hours nor beyond 10.30pm. Any business on the agenda not dealt with shall be listed for attention at the next meeting.

## **10. APOLOGIES AND LEAVE OF ABSENCE**

- 10.1 The Presidents may receive apologies at the beginning of the meeting and grant a leave of absence to any member upon application by the member. Apologies, any leave of absence as well as the arrival and departure times of members shall be recorded in the minutes.

## **11. MINUTES OF PROCEEDINGS**

- 11.1 Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa, or any committee shall cause minutes of all its proceedings to be kept and minutes of proceedings duly entered and authenticated by the Presidents shall be prima facie evidence of those proceedings.

## **12. DELEGATIONS**

- 12.1 Delegations may be received by Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa provided an outline of the presentation has been received by the Executive Director before the date of the meeting concerned and has subsequently been approved by the Presidents. The Presidents may refuse requests for delegations, which are repetitious or offensive.
- 12.2 Notwithstanding order 12.1, where in the opinion of the Presidents the matter which is the subject of a delegation is one of urgency, the Presidents may determine that

the delegation be received by Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa.

- 12.3 Except with approval of a majority of the members present and voting not more than two members of a delegation may address the meeting. After a delegation is received the Council may put to the delegation any question pertinent to the subject heard, but no Council member shall express an opinion upon, or discuss the subject, nor move a motion until the delegation has completed making its submissions and answered questions.
- 12.4 The Presidents may terminate a delegation in progress which is disrespectful or offensive, or where the Presidents have reason to believe that statements have been made with malice.
- 12.5 Unless a majority of the members present and voting determine otherwise, in any particular case a limit of 5 minutes shall be placed on each of the two members of the delegation addressing the meeting.

### **13. PROCEDURAL MOTIONS TO TERMINATE OR ADJOURN DEBATE**

- 13.1 Any member who has not spoken during the debate on any matter may move any one of the following procedural motions to terminate or adjourn debate, but not so as to interrupt a member speaking.
- a) That the meeting be adjourned to the next meeting, unless an alternative place is stated; or
  - b) That the item of business being discussed be adjourned to a time and place to be stated; or
  - c) That the motion under debate be now put (a 'closure motion'); or
  - d) That the meeting move directly to the next business, suspending the item under discussion; or
  - e) That the item of business being discussed does lie on the table, and not be further discussed at that meeting; or
  - f) That the item of business being discussed be referred (or referred back) to the relevant committee.
- 13.2 Procedural motions to terminate or adjourn debate shall take precedence over other business (other than points of order) and shall, if seconded, be put to the vote immediately.

- 13.3 All procedural motions to terminate or adjourn debate shall be determined by a majority of those members present and voting. If lost, a further procedural motion to terminate or adjourn debate may not be moved by any member within the next 45 minutes.
- 13.4 Notwithstanding order 13.3 a closure motion shall be put if there is no further speaker in the debate.
- 13.5 When an amendment to a motion is under debate, a closure motion relates to the amendment and to the motion.
- 13.6 If a closure motion is carried, the mover of the motion then under debate is entitled to a right of reply and then the motion or amendment under debate shall be put.

#### **Returning to adjourned items of business**

- 13.7 The debate on the adjourned items of business shall be resumed with the mover of such adjournment being entitled to speak first in the debate. Members who have already spoken in the debate may not speak again.
- 13.8 Adjournment items of business shall be taken first at the next meeting in the class of business to which they belong.
- 13.9 The carrying of any motion to adjourn a meeting shall not supersede other business before the meeting remaining to be disposed of, and such other business shall be considered at the next meeting.
- 13.10 Business referred or referred back, to a specified committee shall be considered at the next meeting of that committee.

#### **14. THE PRESIDENTS MAY DIRECT EXECUTIVE DIRECTOR TO REFUSE CERTAIN NOTICES OF MOTION**

- 14.1 The Presidents of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa may direct the Executive Director to refuse any notice of motion which is –
- a) Disrespectful or which contains offensive language or statements with malice; or (covered in rule 10.2.3 (b))
  - b) Not, in subject, within the scope of the role or function of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa, or any committee; or
  - c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the Executive Director may make.

d) The Presidents and Executive Director have the responsibility to contact both the mover and seconder of any motion asking for explanation or clarification, and if the motion is still not deemed acceptable that written rationale is provided why the motion has not been accepted.

14.2 No notice of motion shall proceed in the absence of the mover, unless moved by another member authorised in writing to do so.

14.3 A notice of motion may only be altered by the mover with the consent of the meeting.

14.4 Notices of motion not moved on being called for by the Presidents shall lapse.

14.5 Any notice of motion referring to any matter ordinarily dealt with by a committee may be referred by the Executive Director to that committee.

## **15. NO NOTICES OF REPEAT MOTION WITHIN NEXT 6 MONTHS**

15.1 When a motion which is the subject of a notice has been considered and rejected by Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa, or any committee, no similar notice of motion which, in the opinion of the Presidents, is substantially the same in purport and effect shall be accepted within the next 6 months unless signed by not less than twenty five percent of the members.

15.2 If such a repeat notice of motion is provided for in order 15.1 is also rejected by Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa, or any committee, no similar notice of motion which, in the opinion of the Presidents, is substantially the same in purport and effect shall be accepted within the next 6 months unless signed by a majority of the members.

15.3 Where a notice of motion has been considered and agreed to by Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa, or any committee, no notice of any other motion which is, in the opinion of the Presidents, to the same effect shall be put again whilst such original motion stands.

## **16. MOTIONS AND AMENDMENTS**

16.1 All types of motions and amendments moved in debate (including notices of motion) must be seconded, and thereupon the Presidents shall state the matter raised and propose it for discussion.

16.2 Once motions or amendments have been seconded and proposed by the Presidents for discussion they cannot be withdrawn without the consent of a majority of the members present and voting. A motion to which an amendment has been moved and seconded cannot be withdrawn until the amendment is first withdrawn or lost.



- 16.3 When a motion has been seconded and proposed by the Presidents for discussion, an amendment may be moved and seconded by any member who has not yet spoken to the motion.
- 16.4 All members may however speak to amendments moved and seconded by other members.
- 16.5 The Presidents may require the mover of any motion or amendment to submit in writing signed by the mover.
- 16.6 The Presidents or the members may require a complicated motion (whether an original motion, a substituted motion, or amendment thereto) to be divided.
- 16.7 Amendments which are proposed but not seconded shall not be entered in the minutes.
- 16.8 No further amendment shall be allowed until the first amendment is disposed of, although members may give notice to the Presidents of their intention to move further amendments and the tenor of their content.
- 16.9 Where an amendment is lost, another may be moved and seconded by any member who has spoken to the motion.
- 16.10 Where an amendment is carried, the motion as amended becomes the substantive motion, and any member, other than previous movers or seconders in the debate, may then propose a further amendment.
- 16.11 Every proposed amendment must be relevant to the motion under discussion and not be in similar terms to an amendment which has been lost.
- 16.12 No amendment which amounts to a direct negative shall be allowed which, if carried, would have the same effect as negating the motion.
- 16.13 The Presidents may, immediately prior to any decision being taken, request the Executive Director to restate the motion upon which the decision is to be taken. Once the Presidents have put the motion, no member may speak to that motion after it has been put and voted upon.
- 16.14 The procedure outlined above shall be continued until a final resolution is adopted.

### **Revoking or altering a motion**

- 16.15 All or part of the resolution that has been passed at a meeting may be revoked or altered as follows –

- a) A notice of motion for the revocation or alteration of all or part of a previous resolution shall be given to the Executive Director by the member intending to move such a motion. Such a notice shall set out –
  - i) the resolution or part thereof which is being proposed to revoke;
  - ii) the meeting date when it was passed; and
  - iii) the wording of any substitute motion (if any).

16.16 If, during the course of a meeting, fresh facts or information are received concerning a matter already passed at that meeting, the resolution may be revoked or altered by the consent of seventy five percent of the members present and voting.

16.17 On a recommendation contained in a report by the Presidents or Executive Director, or the report of any committee, the members may revoke all or part of any resolution previously passed, provided that written notification of such recommendation shall have been given to the Presidents and the members within the appropriate period of notice for that meeting.

## **17. RULES OF DEBATE**

17.1 A member may second a motion or amendment without speaking to it, reserving the right to speak later in the debate.

17.2 In speaking to any motion or amendment, members shall confine their remarks strictly to such motion or amendment, and shall not introduce any irrelevant matter or indulge in tedious repetition. In this matter, the Presidents ruling is final and not open to challenge.

17.3 If 3 speakers have spoken consecutively in support of, or in opposition to any motion the Presidents may call for a speaker to the contrary. If no such speaker is forthcoming the motion shall be put. Any member speaking shall, if called upon by the Presidents to do so, announce whether they are speaking in support of or against the motion or amendment.

17.4 When any member objects to words used and desires them to be recorded in the minutes, the Presidents may order them to be recorded provided such objection is made at the time the words were used and not after any other members have spoken.

17.5 Members shall not read their speeches, except with the permission of the Presidents, but may refresh their memory by reference to notes.

- 17.6 In speaking in any debate no member shall cast reflection on any resolution that has been passed except by a notice of motion to amend or revoke the same.

### **Debate time limits**

- 17.7 The following time limits shall apply to members speaking in meetings of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa, or any committee, unless extended by the Presidents –
- a) Movers of motions when speaking to the motion, 5 minutes;
  - b) Movers of motions, when exercising their right of reply, 3 minutes;
  - c) Other members, not more than 3 minutes
- 17.8 Except pursuant to a right of reply a member may not speak more than once to a motion.
- 17.9 Members may request the Presidents to restate the motion for their information at any time during the debate, but not so as to interrupt.

### **Right of reply**

- 17.10 The mover of an original motion shall have the right of reply. After the mover has commenced such reply, or has initiated the wish to forego this right, or having spoken to an amendment to the motion no other member shall speak on the motion. Movers in reply shall not introduce any new matter and shall confine themselves strictly to answering previous speakers.
- 17.11 Where no amendment has been moved, the mover may reply at the conclusion of the discussion on the motion.
- 17.12 If there is an amendment, the mover of the original motion may make such reply at the conclusion of the debate on such amendment, and this reply shall exhaust the right of reply.

### **Member right to speak**

- 17.13 Members may speak to any matter, motion, amendment, or upon a point of order arising out of debate.
- 17.14 Notwithstanding the right of reply members may make a personal explanation with the permission of the Presidents, but such matters may not be debated.

17.15 With the permission of the Presidents explanation of some material part of a previous speech in the same debate may be given by a member who has already spoken, but a new matter may not be introduced.

## **18. CONDUCT OF MEETINGS**

18.1 The Presidents shall decide all points of order and any member who refuses to obey any order or ruling of the Presidents shall be held guilty of contempt.

18.2 Whenever the Presidents rise during a debate any member then speaking or offering to speak shall be seated and members shall be silent so that the Presidents may be heard without interruption.

18.3 Members desiring to speak shall rise in their place and address the Presidents and shall not leave their place while speaking without the leave of the Presidents.

18.4 When 2 or more members rise to speak, the Presidents shall name the member who has the right to speak first, provided that the following members shall have precedence when they rise and state their intention to:

- a) Raise a point of order including any request to obtain a time extension for the previous speaker;
- b) Move a motion to terminate or adjourn the debate; or
- c) Make a point of explanation or request an indulgence of the Presidents.

18.5 Members called to order by the Presidents shall resume their seats and/or stop speaking, as the case may be. Should any member refuse to obey, such member may be directed by the Presidents to withdraw from the meeting. Upon such direction, any such member shall withdraw and shall not be permitted to return during the meeting, or any period thereof of that meeting that the Presidents may determine.

### **No disrespectful, offensive or malicious language**

18.6 No member shall at any meeting, be disrespectful in speech or use offensive or malicious language, including in reference to:

- a) The Council of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa or any committee; or
- b) any other member; or

- c) any officer or employee of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa and its related entities.

18.7 In addition, no matter shall impute improper motives, or make offensive remarks about the private affairs of any other member.

18.8 Any member who uses offensive or malicious language at a meeting and who does not retract the statement or apologise, may by resolution of the members present and voting at the meeting be held guilty of contempt.

#### **Member making disturbance or creating disorder can be held in contempt**

18.9 Any member making a disturbance or creating disorder whilst any other member is speaking or at any other time during a meeting and who refuses when called upon by the Presidents to desist, may by resolution of the meeting be held guilty of contempt.

#### **The Presidents can suspend meeting where there is disorder**

18.10 Where the disorder continues, the Presidents shall have the right to suspend the meeting for 15 minutes. At the end of that period the meeting shall resume and decide without debate the question as to whether the meeting shall proceed or be adjourned. The Presidents may also take such action in relation to disorder from other sources or in the event of an emergency.

#### **Member guilty of contempt can be censured or asked to leave the meeting**

18.11 Every member guilty of contempt by reason of any standing order or breach thereof shall be censured by the Presidents who may also order them to leave the meeting. Every such censure, contempt and removal shall be recorded in the minutes.

### **19. POINTS OF ORDER**

19.1 Any member may rise to speak to a point of order upon any breach of these Standing Orders and the member previously speaking shall thereupon be seated and stop speaking.

19.2 The member rising shall state without explanation precisely the subject matter of the point of order.

19.3 No point of order shall be raised except by permission of the Presidents.

19.4 The following shall be recognised as substance for points of order:

- a) Discussion of a question not on the floor; or

- b) Use of offensive or malicious language; or
  - c) The breach of any standing order; or
  - d) Misrepresentation of any statement made by a member or by an officer or employee of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa
  - e) Request that words objected to be recorded in the minutes.
- 19.5 Rising to express a difference of opinion or to contradict a statement of a speaker shall not be construed as rising to speak to a point of order.
- 19.6 The Presidents may decide on any point of order immediately after it has been raised by any member, or may first hear further explanations before reaching a decision. The ruling of the Presidents upon any point of order shall not be open to any discussion and shall be final.

## **20. QUESTIONS TO THE PRESIDENTS AT MEETING**

- 20.1 Any member may at any meeting, put a question to the Presidents, or through the Presidents of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa to the Chairperson of any committee, or to any officer of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa concerning any matter relevant to the role or functions of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa concerning any matter that does not appear on the agenda, nor arises from any report or recommendation submitted to that meeting.
- 20.2 Before putting a question, a member shall in the first instance, endeavour to obtain the relevant information from the appropriate committee or officer concerned. In the event that the information is not provided or the member is not satisfied with the answer provided, the member then has the right to raise the matter by way of question at a meeting, provided that the Presidents may refer a question to an appropriate committee or officer.
- 20.3 Whenever appropriate such questions shall be in writing and handed to the Presidents prior to the commencement of the meeting at which they are to be asked.
- 20.4 If an answer to the question cannot be given at that meeting it shall, at the discretion of the Presidents, be placed on the agenda for the next meeting.
- 20.5 Questions and answers shall be submitted as briefly and concisely as possible. No discussion shall be allowed upon any question or upon the answer.

## Questions to officers during debate

- 20.6 In the course of any debate at any meeting, any member may, at the Presidents discretion, ask any question of the relevant officer on any matter under debate. Such questions shall be directed through the Presidents.

## 21. DECLARATION AND ACCEPTANCE OF STANDING ORDERS

- 21.1 These Standing Orders were ratified at a Council meeting of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa held at the June 2015 Council meeting in Wellington and subsequently updated on 2 October 2016 and ratified.

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(place, date, and time)

The Standing Orders shall apply to all meetings of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa and any committee. In witness whereof the Common Seal was affixed in the presence of:

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(President Tangata Whenua of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa)

Date:        /        /

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(President Tangata Tiriti of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa)

Date:        /        /

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(Executive Director of Occupational Therapy New Zealand Whakaora Ngangahau Aotearoa)

Date:    /       /