

**WESTERN INSTITUTE OF TECHNOLOGY AT TARANAKI**  
**STUDENT ASSOCIATION**  
**CONSTITUTION**

**2001**

WESTERN INSTITUTE OF TECHNOLOGY AT TARANAKI STUDENT ASSOCIATION  
INCORPORATED

CONSTITUTION 2001

1 **NAME**

The name of the Association shall be the "Western Institute of Technology at Taranaki Student Association Incorporated

2 **REGISTERED OFFICES**

The registered offices of the Association shall be within the Western Institute of Technology at Taranaki, Bell Street, New Plymouth.

3 **INTERPRETATION**

Where any difference arises as to the interpretation of this constitution or any rule thereof the ruling of the Associations' Lawyer shall be sought in writing by the committee, given in writing by him, and acted upon by the Association including all it's officers and members.

In these rules unless a contrary intention appears:

- 3.1 "Association" means the Western Institute of Technology at Taranaki Student Association Incorporated.
- 3.2 "Academic Year" means the calendar year commencing on the first day of January and terminating on the last day of December in that year.
- 3.3 "Council" means the Council of the Western Institute of Technology at Taranaki.
- 3.4 "Committee" means the Committee of the Association.
- 3.5 "Executive" means the executive committee of the Association.
- 3.6 "Financial Year" means the year commencing on the first day of January and terminating on the last day of December in that year.
- 3.7 "Institute" means the Western Institute of Technology at Taranaki.
- 3.8 "Member" means any person who is for the time being a member of the Association in accordance with the constitution.
- 3.9 "Secretary" means the employed Managing Secretary.

3.10 "Student" means a person enrolled in a course conducted by the Western Institute of Technology at Taranaki and who has paid the prescribed Student Association fee.

#### 4 **OBJECTIVES**

To promote and further the social, cultural, recreational and intellectual interests and general welfare of all members of the Association.

- 4.1 To represent and act for members on all matters in which the members as individuals, or a collective body are interested.
- 4.2 To liaise and work with the staff of the Institute to promote the welfare of the members of the Association.
- 4.3 To provide and be concerned in the provision of the facilities and amenities which will foster the social intellectual and sporting life of the Western Institute of Technology at Taranaki and promote the health and physical welfare of the members of the Association.
- 4.4 For the purposes of the Association to sell, purchase, lease, hire, take on lease or hire, erect and otherwise acquire or grant any right, privilege, licence, interest or estate in or over any real or personal property whatsoever.
- 4.5 To publish books, bulletins, papers and other printed matter of interest to members of the Association, as the Committee deem fit.
- 4.6 To contribute towards and be associated with any charitable or other worthy object to which the Committee may deem desirable.
- 4.7 To invest and reinvest in such securities and upon such terms as it shall think fit the whole or any part of the funds of the Association which shall not be required for the immediate use of the Association.
- 4.8 To join with any person, association, or corporation for the accomplishment of any of the objectives of the Association and to affiliate with any national association of any kind whatsoever having similar objectives to those of the Association.
- 4.9 To employ servants and agents for the purpose of and to do all such things as are or may be incidental or conducive to any of the objectives of the Association.
- 4.10 To make from time to time regulations and by-laws concerning the use of the Association's property and facilities and such other matters as the Association Committee shall determine.
- 4.11 To keep and preserve all records likely to prove of value or historic interest to members.

## 5 MEMBERSHIP

5.1 All Students who enrol at the Institute shall be eligible for membership of the Association, and upon payment of the membership fee shall become members of the Association.

### 5.2 Termination

Membership may be terminated for the following:

5.2.1 Upon receiving written resignation of any Member after the said member has fulfilled his/her obligations with regard to the payment of fees under sub clause 5.1 of this constitution.

5.2.2 Any Member not re enrolling as a Student at the Institute upon commencement of any new academic year shall cease to be a Member.

5.2.3 Upon the resolution of the majority of the executive that a Member has been guilty of behaviour deemed to be detrimental to the Association as provided for in subclause 5.3 of this constitution.

### 5.3 Expulsion of a Member

In the event of the Association receiving a complaint that a Member has acted in a manner prejudicial to, or so as to hinder the aims or objectives of the Association or Institute, the Executive shall;

5.3.1 Hear the complaint at the first reasonable opportunity provided that there shall be no less than five members of the Executive present at the meeting, two of whom shall be elected officers of the Association.

5.3.2 Give the said Member no less than forty-eight hours written notice of time and place fixed for the hearing of the complaint.

5.3.3 Give the said Member the opportunity to be heard in answer to the complaint, and hear other evidence that the Executive in its absolute discretion may consider relevant to the complaint or answer.

5.3.4 Give written notice to the said Member that in the event of non-attendance at the meeting without reasonable excuse the Executive may consider the complaint in his/her absence.

5.3.5 On completion of the hearing the Executive may dismiss the complaint or find the complaint proved in which case it may strike the Member off the register of

Members of the Association with withdrawal of privileges for such a period not exceeding the current year and forfeiture of Association fees.

- 5.3.6 In the event of the complaint being proved, the Executive shall notify the said member and the Chief Executive of the Institute in writing of their decision, which shall be final.

## 6 **OFFICERS**

The Officers of the Association shall be President, Vice President, Treasurer and shall be elected by the procedure set out in clause 12 of this constitution.

## 7 **CHAIRPERSON**

- 7.1 The President shall chair all meetings of the Association and of the Executive. He/She shall have both a casting and deliberative vote at all meetings.
- 7.2 When the President has advised of his absence from a validly called meeting then the Vice President shall chair the meeting and if the Vice President is also absent the Treasurer shall adopt the chair.
- 7.3 The Vice President or Treasurer when acting as chair shall have all the powers the President would have had if he/she were not absent.
- 7.4 If all three Officers of the Association are absent a member of the committee shall be elected by consensus vote of the committee present, to act as the chair with all the powers of the President.

## 8 **THE PRESIDENT**

The President shall be the official head of the Association, and as such represent the Association on both a local and national level. Without in any way restricting the duties of the President he shall further the aims of the Association and plan for the future.

## 9 **THE VICE PRESIDENT**

The Vice President shall act as the nominee of the President when required to do so and act for the President, when the President has advised of his absence from the Association due to extenuating circumstances. When acting as the Presidents nominee the Vice President shall exercise all those duties and privileges normally exercised by the President.

10 **THE TREASURER**

The Treasurer shall be responsible for all financial matters of the Association and shall ensure that an annual statement of accounts is prepared for presentation at the Annual General Meeting.

11 **THE MANAGING SECRETARY**

The Managing Secretary is an employee of the Association and does not carry any powers of Office and/or voting rights. Without in any way purporting to limit the duties of the Managing Secretary he/she shall

- 11.1 Promote the objectives of the Western Institute of Technology at Taranaki Student Association Inc. in their dealings with Students and Staff of the Western Institute of Technology at Taranaki.
- 11.2 Manage the Student Association Office.
- 11.3 Take the minutes of the Student Association meetings and send out the minutes to the committee.
- 11.4 Be the guardian of the common seal.
- 11.5 Be a representative of the Association members.
- 11.6 Shall act by appointment of the committee as the Returning Officer.

12 **ELECTIONS**

- 12.1 The Officers of the Association shall be elected at the Annual General Meeting or Special General Meeting of the Association.
- 12.2 The outgoing Executive shall appoint a Returning Officer prior to the Annual General Meeting.
- 12.3 No person accepting such an appointment or assisting the Returning Officer in the final count of votes may nominate, second or stand as a candidate in that election.
- 12.4 All nominations for the positions to be filled shall be accepted by the Returning Officer.
- 12.5 Provided that the person nominated receives a 2/3 majority by a show of hands, and only then, may the Returning Officer declare the person nominated duly appointed to the position.

- 12.6 In the event of an Officers position remaining vacant the Returning Officer may call a Special General Meeting as per sub clause 14.2 of this constitution.
- 12.7 Subject to sub clause 5.2 of this constitution, committee members shall hold their offices or positions until they cease to be eligible for membership of the Association, or resign, or die, whichever shall occur first.
- 12.8 The term of office shall be from Annual General Meeting to Annual General Meeting.
- 12.9 Non elected Officer nominees who have unsuccessfully stood for election shall be invited to join the committee by the Returning Officer before closure of the Annual General Meeting.
- 12.10 The Committee may, at it's discretion, elect members to the Committee during the year.

### 13 **VOTING**

- 13.1 Any student enrolled in a course at the Western Institute of Technology at Taranaki and who is a member of the Association may vote in any election or at any Annual or Special General Meeting of the Association unless the privileges are withdrawn under clause 5 of this constitution. Any Officer of the Association may request proof of membership as a condition of voting at any meeting.
- 13.2 Only members of the Committee of the Association may vote at a Committee meeting.
- 13.3 Voting at Committee meetings shall be in the first instances by voice. At the request of any Member present, voting may be taken by a show of hands or by secret ballot with scrutineers appointed by the meeting.
- 13.4 Proxy voting in any form is disallowed under this constitution.

### 14 **MEETINGS**

#### 14.1 **Annual General Meetings**

- 14.1.1 The Annual General Meeting of the Association shall be held as near to the first month of the academic year of the Western Institute of Technology at Taranaki as the Committee thinks practicable.
- 14.1.2 Notice and agenda of the Annual General Meeting shall be given on the Campus noticeboards not later than 10 clear office days before the proposed meeting.

14.1.3 At the Annual General Meeting the outgoing President or his\her nominee shall submit a report and the Treasurer or his\her nominee shall present a Balance Sheet and a Statement of duly audited Accounts.

14.1.4 The election of Officers of the Committee shall be carried out as per section 12 of this constitution.

14.1.5 The quorum at an Annual General Meeting shall be not less than 30 Members.

## 14.2 **Special General Meetings**

A Special General Meeting may be called at any time at the request of

The President of the Association  
Fifteen Members of the Association or  
The Returning Officer  
A quorum of the Committee

and such requisition must be accompanied by a copy of any Notice of Motion to be brought before the Meeting.

14.2.1 The Managing Secretary of the Association shall within seven days of receipt of such notice of motion place it on the notice boards normally used by the Association for exhibiting notice of Meetings. The date on which the Meeting is to be held shall be specified in the notice so affixed to the notice boards.

14.2.2 A Special General Meeting shall be held no less than seven days and no later than 21 days from the placing of such notice on the notice boards.

14.2.3 The quorum at a Special General Meeting shall be no less than 30 Members.

14.2.4 Resolutions of the Special General Meeting shall be held on a majority of votes as per clause 13 of this constitution.

## 14.3 **Executive Committee Meetings**

14.3.1 An Executive Committee shall consist of the President, Vice President, Treasurer, Managing Secretary and three Members of the Association Committee.

14.3.2 An Executive Meeting may be called by the Managing Secretary on receipt of a complaint under sub clause 5.3 of the constitution and shall be held no

less than 14 days from receipt of the complaint and no more than 21 days.

14.3.3 Voting shall be by majority as per section 13 of this constitution.

14.3.4 The quorum of an Executive Committee shall be formed with three Association Committee members and no less than two Executive Members.

#### 14.4 **Association Committee Meetings**

14.4.1 The Association Committee shall meet whenever necessary and at least once monthly during the Academic Year.

14.4.2 All Committee Members shall be responsible to the President and the Elected Officers responsible to the Members in general.

14.4.3 Decisions of the Committee shall be upon a majority of votes. Each Committee Member excluding the President/Chair shall have one vote, the Chairman shall have the casting and deliberative vote.

14.4.4 A quorum of the Committee shall be two thirds of it's current Members.

14.4.5 A Member of the Committee shall be deemed to have ceased to hold his or her office if he or she fails to attend three consecutive validly called meetings without apology.

### 15 **POWERS AND DUTIES OF THE COMMITTEE**

The Committee shall have the following powers, duties and functions:

15.1 To provide and be concerned in the provision of facilities and amenities for Members of the Association.

15.2 The Committee shall have, and is hereby given, full and complete power and control of all business, assets and activities of the Association, including the power to manage and control such building or parts of buildings or other premises and areas, as delegated to the Association by the Western Institute of Technology at Taranaki Council.

15.3 To edit and publish books, bulletins, papers and other printed matter of interest to Members of the Association as the Committee may deem fit.

15.4 To raise funds for any or all of the following purposes:

15.4.1 To further any or all of the objects of the Association.

- 15.4.2 To aid or otherwise subscribe to any charities or organisations which may be deemed by the Committee from time to time, as desirable of aid.
- 15.4.3 To arrange for the holding and conducting of activities and to make such charges in respect thereof as the Committee deems fit.
- 15.4.4 To form Sub-Committees and to create and fill such special posts that deems necessary to further the objectives of the Association and to determine the terms of reference for Sub-Committees for special posts.
- 15.4.5 To join with any other persons, Associations, organisations or corporations to accomplish any of the objects of the Association and to be associated with any Association of any kind whatsoever having similar objectives.
- 15.4.6 For the purpose of the Association to purchase, sell, lease, hire, take on lease or hire, rent and or otherwise acquire or grant any right, privilege, licence, interests or estate in or over any real or personal property whatsoever.
- 15.4.7 To employ servants and agents for the purpose of doing all such things that may be incidental or conducive to any of the objects of the Association and to pay them as the Committee desires.
- 15.4.8 To make regulations and bylaws from time to time concerning facilities and property of the Association.
- 15.4.9 To make policies and procedures for services run by the Association.
- 15.4.10 To be responsible to and follow the policies of the Association.
- 15.4.11 To send delegates to such gatherings or meetings as the Committee sees fit.

## 16 **AFFILIATED CLUBS**

Any Association member wishing to form a club or affiliate a current club may apply for affiliation to the Association. All applications must be accompanied with the rules of the applicant body signed by seven members of the applicant body.

Every affiliated body shall:

- 16.1 Have its membership open to all members of the Association, membership to the body may be open to any such persons not being members of the Association if deemed fit by the Association committee.
- 16.2 Have a President or Club Captain, a Secretary or Treasurer who together with any other members the affiliated body may appoint and form the Committee of that club.

- 16.3 Hold its Annual General Meeting no later than the last day of March and shall notify the Association Committee no later than five working days before such meeting or such proposed meeting.
- 16.4 Keep proper books of account relating to the income, expenditure, assets and liabilities. The Treasurer and/or any persons appointed by the Association shall at all times be permitted and entitled to inspect the books, papers and accounts of any affiliated body. Property supplied by the Association shall remain the property of the Association. All cash and other money received by the affiliated body shall be banked at the next available opportunity in an account in the name of the body at a bank to be approved by the Association committee.
- 16.5 The Committee shall (notwithstanding anything to the contrary contained in the constitution of any affiliated body) be the only final and absolute authority for the determination and construction of the constitution of such bodies and any decision of the Committee thereon shall bind any such body and its Members. The Committee may dissolve any affiliation granted under this constitution provided that a Special General Meeting duly convened for this purpose may disallow any such dissolution.
- 16.6 No affiliated body shall become bound to, or affiliated to, or in any other way connected with any other body than the Association without the consent of the Committee. Such consent may be given on any such terms or for any such period as the Committee may deem fit and such consent may at any time be revoked or the terms thereof, or the period thereof, altered or varied by the Committee.

## 17 **AFFILIATED BODIES**

- 17.1 If another body wishes to affiliate with the Association, or the Association wishes to affiliate with another body, the request must be accompanied with the constitution or rules, and the goals and objectives of the body. The request/wish for affiliation must go to the Committee for their recommendations.
- 17.2 The student body shall be informed of the Committees recommendations.
- 17.3 Written objections to the Committees recommendations will be received for a period of up to 20 days from posting of notice.
- 17.4 Written objections shall be considered at the next meeting of the Committee when the final decision shall be made.

## 18 **SUBSCRIPTIONS AND LEVIES**

Annual subscription fees and any other levy/levies paid by members of the Association are to be set by the Committee in consultation with the Polytechnic and shall be collected by the Western Institute of Technology at Taranaki under the direction of the Council.

## 19 **BORROWING POWERS**

The Association shall have the power to borrow or raise such sums of money in such manner and for such purposes as the Members in General Meeting may consider proper or expedient in accomplishing the objects of the Association.

## 20 **AUDITING**

An auditor who shall not be a member of the Association and shall be a qualified Accountant, and a member of the New Zealand Society of Accountants will be employed by the committee for the purpose of preparing an Annual Financial Statement of the Association accounts, for submission to the Annual General Meeting and to the Registrar of Incorporated Societies.

## 21 **SEAL**

### 21.1 Custody

The Common Seal of the Association shall be kept by the Managing Secretary in the Association office and shall only be used under the authority of a resolution by the elected officers.

### 21.2 Affixation

Every document and other instrument to which a Seal is affixed shall be signed by the President and counter-signed by one other member of the Executive and the Managing Secretary.

### 21.2 Alteration or Renewal

The seal may be altered or renewed only by resolution of a General Meeting of the Association.

## 22 **LIQUIDATION**

22.1 The dissolution of the Association may be started if a Special General Meeting is called for that purpose and a resolution to that effect is carried by a 2/3 majority of those present and entitled to vote.

22.2 Such resolution must be reaffirmed by a two thirds majority of those Members present and entitled to vote at a subsequent Special General Meeting called for that purpose. This meeting is to be called no earlier than thirty days nor later than ninety days, after the date of the first meeting resolving dissolution.

- 22.3 On confirmation of the resolution being passed at the second Special General Meeting the members of the Society shall appoint one or more liquidators to wind up the affairs of the society.
- 22.4 Upon such dissolution after the accounts have been settled, all property of the Association, both real and personal shall vest in the Council to be held in trust for any similar Association which may from time to time be formed for the benefit of students as a whole of the Western Institute of Technology at Taranaki. In no case shall the Association's property be distributed to all or any of its Members.

**24 AMENDMENTS TO THE CONSTITUTION**

- 24.1 The constitution shall not be altered, added to or rescinded except by resolution at an Annual or Special General Meeting carried by a two thirds majority of those Members present and entitled to vote. Proof of Membership may be required prior to voting.
- 24.2 The notice of proposed amendments to the constitution must be given in writing to the Managing Secretary 14 days before the Annual or Special General Meeting to which such motion is to be submitted.
- 24.3 Minor or technical changes if required by the Registrar of Incorporated Societies may be made without the need to re-submit to an Annual or Special General Meeting, provided they in no way alter the intention, spirit or substantially effect the resolutions passed at the meeting which considered the constitution.

President ..... Signature .....

Vice President ..... Signature .....

Managing Secretary ..... Signature .....