



# **NEW ZEALAND SOCIETY OF DIVERSIONAL THERAPISTS INCORPORATED CONSTITUTION AND RULES**

## **1.0 NAME**

- 1.1 The name of the organisation shall be the New Zealand Society of Diversional Therapists Incorporated.

## **2.0 DEFINITIONS**

- 2.1 SOCIETY means the New Zealand Society of Diversional Therapists Incorporated.
- 2.2 ASSOCIATE MEMBER means any person accepted as a Financial Member pursuant to Article 6.2 of the Constitution who has paid his/her subscription in accordance with Article 6.2 of the Constitution.
- 2.3 CONSTITUTION means this constitution of the Society.
- 2.4 FINANCIAL MEMBER means a member of the Society who has paid his/her subscription in accordance with Article 6 of the Constitution.
- 2.5 FULL MEMBER means any person accepted as a Financial Member pursuant to Article 6.2 of the Constitution who is currently employed as a Diversional Therapist.
- 2.6 GENERAL MEETING means a Meeting held in accordance with Article 10 of the constitution.
- 2.7 EXECUTIVE means, unless the context specifically states otherwise, the Executive Committee of the Society appointed under Article 7.6 of the Constitution.
- 2.8 MEMBER means a financial member for the year in question.
- 2.9 ORDINARY RESOLUTION means a resolution passed by voice or a show of hands or by ballot if requested as the Chairperson of the Meeting called shall decide in which a simple majority of the valid votes cast is necessary for the adoption of the said resolution.
- 2.10 BADGE means The Society Registration Badge.
- 2.11 REGISTERED DIVERSIONAL THERAPIST means a Member who has obtained registration as a Diversional Therapist in accordance with the procedure set out in the Registration Handbook and who holds a current biannual registration certificate.
- 2.12 REGISTRATION HANDBOOK means Registration Details.
- 2.13 SPECIAL RESOLUTION means a resolution passed by voice or show of hands or by ballot if requested as the Chairperson of the Meeting called shall decide in which a majority of two-thirds of valid votes cast is necessary for the adoption of the said resolution.

## **3.0 AIM**

- 3.1 The aim of the Society is to advocate for Diversional Therapists nationally and in areas related to standards of practice, work conditions and education.

#### **4.0 OBJECTS**

The Society shall:

- 4.1 Develop and regularly review standards of practice for Diversional Therapists.
- 4.2 Provide mechanisms to ensure that Registered Diversional Therapists are competent and fit to practise Diversional Therapy.
- 4.3 Provide guidelines and policies for the Society.
- 4.4 Act in an advisory capacity for the terms and conditions of employment.
- 4.5 Develop an education programme and continue to review the national Certificate in Diversional Therapy.
- 4.6 Act as spokesperson for Diversional Therapists on matters pertaining to Diversional Therapy as a whole.
- 4.7 Develop and maintain the Code of Ethics for Diversional Therapists.
- 4.8 Raise Government and Community awareness of Diversional Therapy Practice.
- 4.9 Accept and honour the Treaty of Waitangi as the basis of a relationship between Maori and Non-Maori and to recognise the differing needs of all cultures.

#### **5.0 PATRON**

- 5.1 The Annual General Meeting of the Society may at any time appoint a Patron of the Society.
- 5.2 The appointed Patron shall have all the rights of a Member, other than voting rights, free of any fees.

#### **6.0 MEMBERSHIP**

- 6.1 Membership of the Society shall be open to:
  - a) Individuals currently employed in the field of Diversional Therapy. Any such person shall, if accepted as a Member pursuant to Article 6.2 be classified as a Full Member.
    - 6.1.1 Due to employment changes e.g. redundancy, (not disciplinary dismissal) there will be a six month grace period, before a member needs to update/change the existing membership status. The details of the change of circumstances will be forwarded to the Secretary, within a period of one month.
  - b) Students, volunteers, facility managers and other interested parties who wish to belong to the Society. Any such person, not currently employed as a Diversional Therapist shall, if accepted as a Member pursuant to Article 6.2, be classified as an Associate Member.
  - c) That Managers responsible for Diversional Therapy programmes, community workers, tutors, field officers and others working in the field of Diversional Therapy be classified as Full Members.
- 6.2 Any person wishing to become a Member of the Society shall apply in writing to the Secretary submitting a completed Application for Membership Form. Membership will be accepted at the discretion of the Executive and on receipt of the appropriate subscription fees and levies. The Executive's decision is final.
- 6.3 Members shall endeavour, as far as possible, to carry out their functions and activities in accordance with the objects and rules of the Society and in consultation and co-operation with it. Members shall endeavour to avoid or remove conflict between the rules of their own society or organisation and the rules of the Society.
- 6.4 Any Member wishing to resign shall give notice in writing of his/her resignation to the Secretary of the Society. On receipt of the said notice in writing, the Secretary shall remove the said Member's name from the register of Members. Notwithstanding any such resignation, the said Member shall not be released from any existing liability to the Society whether in respect of subscription fees or levies or otherwise and the Society shall not be obliged to refund any membership fees already paid by the Member.
- 6.5 The Executive may at any time, by letter, ask a Member to tender his/her resignation within such time as may be specified in the letter, on the grounds:

- a) That he/she has acted in such a manner as to bring discredit on the Society or its members.
  - b) That he/she is in breach of the rules or bylaws of the Society or
  - c) That he/she is guilty of serious misconduct at any annual General Meeting of the Society.
- 6.6 The Member shall within the time specified in the letter either tender his/her resignation or submit the question of his/her continued membership to the Executive. On receipt of such a submission from the Member, the Executive shall convene a Special Meeting of the Executive to be held within three months of the date of the said letter.
- 6.7 At any such meeting, the Member whose continued membership is under consideration shall be entitled to be present and offer verbally or in writing, an explanation of his/her conduct. The Executive shall then vote on a Special Resolution concerning whether the Member shall be expelled from membership of the Society. If such a Special Resolution expelling him/her from membership is passed by the Executive at the Special Meeting the Member shall forthwith cease to be a member of the Society, and the Secretary shall remove the said Member's name from the register of Members. The said Member shall not however be released from any existing liability to the Society whether in respect of subscription fees or levies or otherwise.
- 6.8 If the Member does not respond within the time specified in the letter, the Executive may, by resolution, remove his/her name from the register of Members and that Member shall forthwith cease to be a member of the Society (without however being released from any existing liability to the Society whether in respect of subscription fees, levies or otherwise).
- 6.9 The Executive shall have the power to appoint Honorary Life Members. Such Honorary Members shall be entitled to take part in discussion at the Annual General Meeting but shall not have any right to vote and shall not be counted towards a quorum unless they also hold financial membership in the Society. At any one time, the Society shall have no more than 6 Honorary Life Members.

## **7.0 MANAGEMENT**

- 7.1 The affairs of the Society shall be managed by an Executive which shall include the following officers ("the Officers"):
- "President"
  - "Vice President"
  - "Secretary"
  - "Treasurer"
  - "Immediate Past President"
- 7.2 The Executive shall comprise of not less than eight and not more than twelve Members including the Officers.
- 7.2.1 All candidates for NZSDT Inc Executive positions must have current membership and be qualified and registered or actively working towards registration.
- 7.3 Executive meetings for the purpose of discussing the interests and activities of the Society shall be held as often as the Executive may decide, provided that a written notice of any meeting shall be given to each Member, at least two weeks prior to the meeting.
- 7.4 Meetings of the Executive may be by means of a conference call or any other suitable communication link. Particular resolutions of the Executive may be passed orally and later confirmed. Emergency decisions may be made by joint resolution (whether written or oral) of the President, Vice President and one other committee member. Any such emergency decision shall come before the next Executive Meeting for confirmation.
- 7.5 The President shall be the convenor and Chairperson of all Executive and other Society meetings. Where the President fails to attend a convened meeting, that meeting shall be chaired by the Vice President. Where the President and the Vice-President both fail to attend a convened meeting, that meeting shall be chaired by the Secretary of the Executive.
- 7.6 (a) A new Executive shall be elected at each Annual General Meeting of the Society and shall take office at the conclusion of the Meeting.
- (b) Nominations for the Executive must be submitted in writing to the Secretary at least eight weeks prior to the date of the Annual General Meeting.

- (c) The Secretary shall circulate the list of nominees to the Members four weeks prior to the date of the Annual General Meeting.
  - (d) The Secretary must issue Voting by Proxy Forms four weeks prior to the Annual General Meeting.
  - (e) The Proxy Forms must be received by the Secretary one week prior to the Annual General Meeting where the member elects to have the chairperson vote on their behalf.
  - (f) Where a member intends to action a Proxy Form at the Annual General Meeting on behalf of another member the Secretary shall be informed of this fact one week prior to the Annual General Meeting.
  - (g) In the event that insufficient nominations are received in writing eight weeks prior to the Annual General Meeting and/or in the event that the persons nominated in writing eight weeks prior to the meeting do not receive sufficient votes to be elected, nominations may be taken from the floor.
- 7.7 At each Annual General Meeting each current Executive member shall be eligible for re election if nominated. Executive members serve a maximum of up to five years continuously.
  - 7.8 If a vacancy occurs between one Annual General Meeting and the next, the Executive shall have the power to co-opt a replacement.
  - 7.9 A quorum for a meeting of the Executive shall be a majority of members of the Executive.
  - 7.10 The Executive shall annually:
    - a) Appoint a spokesperson on National Issues from its members.
    - b) Liaise as appropriate with:
      - Chief Executive Officer of the New Zealand Qualifications Authority
      - Minister of Education
      - Executive Director of the Association of Polytechnics in New Zealand
      - Executive Director of the Association of Private Providers of Training and Education
      - Association of Universities of New Zealand
      - Industry Training Organisations
      - Ministry of Health
      - Health Funding Authorities
      - National Director Age Concern New Zealand
      - Other Professional Bodies and Institutions
    - c) Organise, compile and circulate an Agenda for a National Conference/Workshop at least once a year usually in association with the Annual General Meeting.
    - d) Circulate discussion/position papers.
    - e) Authorise such disbursements as are reasonable and necessary.
    - f) Keep proper books of accounts and review for the Annual General Meeting.
    - g) Each year draw up a statement of account and a balance sheet as at 30<sup>th</sup> June which shall be reviewed and presented to the Society's members at the Annual General Meeting.
    - h) Action such other matters as the Society determine.
    - i) Appoint an Industry training organisation spokesperson from its members who is experienced with NZQA procedure and I.T.O. terminology.

## **8.0 CODE OF ETHICS AND STANDARDS OF PRACTICE**

- 8.1 The society shall maintain a Code of Ethics and set Standards of Practice to be observed by Members. The Code of Ethics and Standards of Practice shall be published by the Executive Committee from time to time.

## **9.0 REGISTRATION**

- 9.1 The Registration Badge belongs to the Society and shall be issued when all documentation is received and approved. This badge may be recalled as a result of disciplinary action.
- 9.2 A Member may be issued with the Registration Badge only in accordance with the current policy of the Society. The Registration Badge will constitute Registration status.

- 9.3 Registration as a Qualified Diversional Therapist shall only be granted in accordance with the Policy of the Society and the Registration Handbook which may be subject to change from time to time and will be published.

## **10.0 GENERAL MEETINGS**

- 10.1 An Annual General Meeting of Members shall be held not later than 31 August each year. Members shall be given not less than eight weeks notice in writing of the date of any such Meeting and such notices shall specify the date by which Notices of Motion must be received.
- 10.2 Any Full Member of the society may submit a Notice of Motion for consideration by the Annual General Meeting. All such Notices of Motion shall be submitted to the Secretary not less than eight weeks prior to the date of the Annual General Meeting. The Secretary shall circulate copies of each Notice of Motion to the Members four weeks prior to the date of the Annual General Meeting.
- 10.3 The Secretary shall convene a Special General Meeting when directed by requisition of the Executive or five current Full Members. Every requisition shall state the objects for which the Meeting is required. A Special General Meeting shall be convened within four weeks of receipt of the requisition.
- 10.4 The Secretary shall give the Members at least two weeks written notice of all Special General Meetings and such notice shall state the nature of the business to be transacted there as well as the place, day, and hour of the Meeting.
- 10.5 The quorum for Special General Meetings shall be as decided from time to time at the Annual General Meeting. The quorum for the Annual General Meeting shall be 20 Full Members.
- 10.6 Each Full Member shall be entitled to vote at any General Meeting, in person or by proxy. Associate Members shall be entitled to attend any General Meeting, but shall not have the right to vote. The Executive shall have the power to co-opt Members with full voting rights. Subject to Article 10.3 voting at any General Meeting shall be decided by Ordinary Resolution.
- 10.7 The Constitution and Rules governing the Society may be altered, added to, or rescinded by Special Resolution at any General Meeting at which such additions and amendments are considered and of which due notice has been given provided however that no such addition, or amendment shall be permitted if it in any way affects the non-profit status of the Society.
- 10.8 The Annual General Meeting shall appoint an Accountant to review the Society's financial statement.

## **11.0 FINANCE**

- 11.1 All monies received on account of the Society shall be paid, by the Treasurer, to the Society's credit in the bank account held for that purpose.
- 11.2 The Treasurer shall advise the Executive of all financial transactions.
- 11.3 The Society's bank accounts shall be operated in such a manner and by such persons as the Executive shall from time to time decide.
- 11.4 All monies received shall be receipted by the Treasurer. All cheques and withdrawal slips drawn on an Society account shall be signed, on behalf of the Society, by any two of the following Officers:
- President  
Vice President  
Secretary  
Treasurer
- 11.5 The Treasurer may give to any Member who fails to pay his/her subscription within three (3) months of the due date, a notice in writing requiring him/her to pay the subscription within a further 14 days. If the Member fails to pay the subscription within such further period, the Executive may, by resolution, remove his/her name from the register of Members and that Member shall forthwith cease to be a Member of the Society (without however being released from any existing liability to the Society whether in respect of subscription fees, levies or otherwise).

- 11.6 The Executive may, from time to time, invest and re-invest in such securities and upon such terms as it shall think fit, the whole or any part of the funds of the Society which shall not be required for the immediate business of the Society.

## **12.0 MEMBERSHIP FEE**

- 12.1 The annual Full Membership subscription fee for the ensuing 12 month period shall be determined at the Annual General Meeting.
- 12.2 The annual Associate Membership subscription fee for the ensuing 12 month period shall be determined at the Annual General Meeting.

## **13.0 GENERAL**

- 13.1 No Member shall receive or obtain any pecuniary gain (except as a salaried officer) from the property or operations of the Society. The salary paid to any Member shall not exceed the amount the Society would pay as salary to an arms length non-member.
- 13.2 In the event of any question as to the construction or application of the Society's Constitution and Rules, or guidelines and policies of the Society, the Executive is hereby empowered to decide the same and in its unfettered discretion to, if deemed desirable in particular circumstances, depart from or amend guidelines and policies from time to time.
- 13.3 No Member or group of Members shall make any public or press statement purporting to be made by or on behalf of the Society or any section thereof.
- 13.4 The Executive may co-opt for the time being any Member of the Society or any other person not a Member who may be in a position to contribute valuable information on a subject under discussion or otherwise assist in the deliberation or affairs of the Executive.
- 13.5 If at any time a matter arises that is not provided for in these rules legal advice may be sought by the President, Vice President and Secretary.

## **14.0 COMMON SEAL**

- 14.1 The Society shall have a Common Seal which shall be kept in the custody of the Secretary.
- 14.2 The Common Seal shall be affixed, pursuant to any resolution of the Society or the Executive, in the presence of the President, and either the Vice President, Secretary or the Treasurer.

## **15.0 WINDING-UP**

- 15.1 Members present at a General Meeting of the Society, convened for the purpose, may resolve that the Society be wound up as from a date specified in the resolution provided that such a resolution is confirmed by a subsequent General Meeting called for the purpose not earlier than 30 days after the resolution so concerned is passed in the event of such winding up.
- 15.2 Subject to the provisions of the Incorporated Societies Act 1908 and its amendments, upon winding up of the Society the disposal of the assets of the Society shall be to a charitable organisation as decided upon by the members at the second General Meeting provided for by this Rule, providing no property whatsoever shall be paid to or distributed among Members of the Society.

## **SANCTIONS**

### **These Sanctions apply to members of New Zealand Society of Diversional Therapists Incorporated**

1. Any person may notify New Zealand Society of Diversional Therapist Incorporated that the Code of Ethics as incorporated into the Rules has been breached.
2. In the event of it being agreed by the Executive that the Code of Ethics has been breached two written warnings shall be issued by the National Executive Committee before expulsion of the Member is considered by New Zealand Society of Diversional Therapist Incorporated under Rule 6.5 of the Constitution.
3. Expulsion removes the Members right to use the name New Zealand Society of

Diversional Therapist Incorporated, the logo and any New Zealand Society of Diversional Therapist Incorporated information.

4. Following expulsion, New Zealand Society of Diversional Therapist Incorporated will take any steps necessary to disassociate itself from the offending Member.