

RULES

OF

PODIATRY NEW ZEALAND INCORPORATED

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FILED AND APPROVED AT

THE COMPANIES OFFICE

ON

25th November 2005

RULES OF THE PODIATRY NEW ZEALAND INCORPORATED

1. NAME

The name of the Society is **Podiatry New Zealand Incorporated** and throughout these Rules is hereinafter referred to as “**Podiatry New Zealand**”.

2. AFFILIATION

Podiatry New Zealand is an affiliated member body of the **Australasian Podiatry Council** (“**APodC**”). The Executive Council may at its discretion invite officer/s of the APodC to attend meetings of the Executive Council and committee meetings.

3. OBJECTS

Notwithstanding anything now or at any time contained in any part of these Rules, Podiatry New Zealand is prohibited from making any distribution, whether by way of money, property, or otherwise howsoever to any member, shareholder or proprietor of Podiatry New Zealand.

The objects for which Podiatry New Zealand is established are:

- (a) To protect, maintain and promote the general advancement of the science and practice of podiatry.
- (b) To promote conferences, lectures, meetings and other measures for the purpose and advancement of the science and practice of podiatry.
- (c) To print, publish and circulate any newspaper, journal, magazine, pamphlet or publication connected with or relating to podiatry.
- (d) To consider and deal with all questions involving or affecting the profession of podiatry in New Zealand.
- (e) To represent generally the views of the profession of podiatry in New Zealand
- (f) To uphold the rights and legal status of podiatrists. To promote legislation considered necessary by Podiatry New Zealand in the interest of podiatry and of the general public.
- (g) To promote the training of students of podiatry, to advise on it and to assist the school or schools entrusted with this task.
- (h) To keep a classified Register of Members, namely, Fellows, Members, Associate Members, Honorary Members, Life Members and Non-practising Members.
- (i) To acquire by purchase, lease, gift or otherwise or to dispose of, mortgage, lease, charge or otherwise deal with any real or personal property for any of the above-said purposes or objects.
- (j) To raise money for all or any of the aforesaid purposes or objects.

4. INTERPRETATION OF CLAUSES

Unless the context or subject matter otherwise indicates or requires:

Podiatry means the prevention and treatment for fee or reward of any condition of the human foot by any means approved by the Podiatrists Board. Podiatry shall be deemed to include Chiropody.

Podiatrist means a State Registered person who practises podiatry in New Zealand.

Society means Podiatry New Zealand Incorporated.

Fellow means Fellow of Podiatry New Zealand Incorporated.

Member means Member of Podiatry New Zealand. Member (commencing with a small **m**) means a member of Podiatry New Zealand (whether a Fellow or a Member) except when used in connection with membership of the Executive Council or any committee.

Executive Council means the President elected annually and a Council elected annually to conduct the general business of Podiatry New Zealand and comprised of members elected or appointed as provided for hereinafter in these Rules.

Regions are geographical groupings of Branches and members as determined from time to time by the Executive Council of Podiatry New Zealand.

School of Podiatry means the Podiatry School of the Auckland University of Technology or any other school or institution approved for the training of podiatrists.

Student Member means a member of Podiatry New Zealand who is undertaking an under-graduate's course of study in podiatry.

Words indicating the singular number include the plural number and vice versa.

5. ADMISSION TO MEMBERSHIP

Any person who is eligible for State Registration in New Zealand or is enrolled in a course accepted by Podiatry New Zealand and which will lead to state registration in New Zealand may be admitted to membership of Podiatry New Zealand, the final decision being made by the Executive Council of Podiatry New Zealand. No reason need be given by the Executive Council for any decision made upon any application for membership.

Persons desiring membership shall submit details of qualifications and such other information as shall be required on a prescribed form.

6. GRADE OF MEMBERSHIP

The membership of Podiatry New Zealand shall consist of various such grades as shall be determined from time to time by the Executive Council.

7. FELLOWS

No person shall be eligible for admission to Podiatry New Zealand as a Fellow unless that person:

- (a) has been a practising member of Podiatry New Zealand for the three consecutive years immediately prior to the date of application for the Fellowship, **and**
- (b) i. has submitted with the application for Fellowship an original thesis composed by the applicant of not less than 3,500 words, such thesis to become the sole property of Podiatry New Zealand, **and**
 - ii. adjudicators appointed by the Executive Council have determined that the thesis merits the award of a Fellowship in which case the decision of the said adjudicators shall be final, **and**
- (c) the applicant has been proposed by two members, **and**
- (d) the applicant has paid or agreed to pay such fees as may be due from the applicant, **and**
- (e) the applicant has satisfied the Executive Council as being in all respects a fit and proper person to be elected a Fellow, **and**
- (f) the applicant has given an undertaking in writing to comply with the terms of these Rules and by-laws while remaining a Fellow.

8. MEMBERS

No person shall be eligible for admission to membership of Podiatry New Zealand as a member unless that person:

- (a) is registered as a State Registered Podiatrist in New Zealand or is the holder of a Provisional Certificate as a Podiatrist under Section 23 of **The Medical and Dental Auxiliaries Act 1966** or any Act that may be substituted for it, **and**
- (b) shall have paid or shall have agreed to pay an entrance fee of such amount as the Executive Council may from time to time determine. The fee shall be payable on acceptance to membership.

9. ASSOCIATE MEMBERS

It shall be competent for the Executive Council to grant persons the status of Associate Member. Such Associate Member status may only be granted to persons who come into at least one of the following categories:

- (a) Members of Podiatry New Zealand who are residing outside New Zealand.
- (b) Members of health professions other than podiatry who are resident in New Zealand or overseas and who are deemed by the Executive Council to be interested in being informed of Podiatry New Zealand matters, and as to

whom the Executive Council is satisfied that it will be of benefit to Podiatry New Zealand and/or podiatry generally that such persons be informed of Podiatry New Zealand matters.

- (c) Persons (other than persons designated in paragraphs (a) and (b) above of this Rule) who are not podiatrists but as to whom (because of their involvement in education or other appropriate fields) the Executive Council is satisfied that it will be of benefit to Podiatry New Zealand and/or podiatry generally that such persons be informed of Podiatry New Zealand matters.
- (d) Associate members shall pay an annual subscription which shall be such fee, and payable in such manner, as may be decided from time to time by the Executive Council.
- (e) Associate Members may use after their names the letters AMPNZ. An Associate Member shall receive only such information and other material as the Executive council shall from time to time decide. An Associate Member shall not be entitled to vote in any Podiatry New Zealand election or other proceeding but may, at the discretion of the Executive Council, attend Podiatry New Zealand meetings or functions and be invited to speak thereat.

10. HONORARY MEMBERS

It shall be competent for the Executive Council to elect as an Honorary Member any distinguished member of any other Society of Podiatrists or of the medical profession or any other person who has rendered eminent service to podiatry. An Honorary Member shall not have any of the powers or privileges or be subject to the liabilities of a Member laid down in the Rules or the by-laws. An Honorary Member shall cease to be an Honorary Member if a resolution of the Executive Council shall be passed depriving that person of honorary membership. An Honorary Member shall not be a member of Podiatry New Zealand or be entitled to receive notice of a General Meeting of Podiatry New Zealand but may attend and speak thereat but not be entitled to vote.

11. LIFE MEMBERS

- (a) Podiatry New Zealand may at any General Meeting elect as a Life Member any member who may be considered worthy of such reward and recognition and who has been proposed by the Executive Council or a Branch of the Society.
- (b) A Life Member of Podiatry New Zealand shall not be liable to pay an Annual Subscription to Podiatry New Zealand but shall be entitled to the full privileges of membership and shall be eligible for election to the Executive Council of Podiatry New Zealand.

12. NON-PRACTISING MEMBERS

- (a) A member not actually in practice may, if the Executive Council so approve, register as non-practising and retain membership of Podiatry New Zealand on payment of an annual subscription of such amount as may be determined by the Executive Council from time to time being not more than half the subscription of a practising member, subject to such member giving an undertaking to refrain

from practising podiatry full-time or part-time and to refrain from displaying a name plate or making any public announcement announcing the practice of podiatry while so registered.

- (b) In the event of a member registered as not being in practice resuming practice, such member will be required to pay the proportion (based on the principle of one-twelfth for each month) of the balance of the full practising subscription for the remainder of the year in which the resumption of practice takes place.

13. STUDENT MEMBERS

No person shall be eligible for admission as a student member of Podiatry New Zealand **unless:**

- (i) they are enrolled in a course of training for podiatry accepted by Podiatry New Zealand and leading to state registration as a podiatrist in New Zealand, and
- (ii) they have paid or shall have agreed to pay an entrance fee of such amount as the Executive Council may from time to time determine. The fee shall be payable on acceptance to membership

14. STUDENT MEMBERS' PRIVILEGE

Students Members may attend General Meetings of Podiatry New Zealand and Branch meetings, subject to the right of members attending any such meeting to withdraw this privilege for any meeting or part of any meeting. Student members shall have no voting rights.

15. SUBSCRIPTIONS

- (a) The annual subscription shall be such fee as may be decided from time to time by the Executive Council.
- (b) Subscriptions shall be paid annually and in advance by members unless the Executive Council shall have permitted the payment of subscriptions by instalments. Save as may be otherwise permissible under such instalment scheme the due date for payment shall be the 20th August each year.
- (c) The Executive Council may at its discretion grant hardship grants to any existing member for any period no longer than the current financial year.
- (d) In addition, any member who fails to pay the subscription by due date may be liable to pay a 10% penalty.
- (e) Any person who shall cease to be a member of Podiatry New Zealand for any reason shall nevertheless remain liable for, and shall pay to Podiatry New Zealand, all monies due whether in respect of subscriptions or otherwise up till the time at which that person ceased to be a member.

16. CERTIFICATE OF MEMBERSHIP

- (a) Upon admission and the payment of the prescribed fee and subscription, members, except student members, shall be entitled to receive a Certificate of Membership.
- (b) The Certificate shall remain the property of Podiatry New Zealand.
- (c) Upon ceasing to be a member of Podiatry New Zealand the member shall return the Certificate to the Secretary.

17. RIGHTS AND RESPONSIBILITIES OF MEMBERSHIP

- (a) On attaining membership each member shall receive a copy of the Constitution of Podiatry New Zealand.
- (b) Except as in hereinafter provided regarding the President's or Chairperson's casting vote, each member shall have one vote on any matter in Podiatry New Zealand's proceedings.
- (c) The rights and privileges of each member shall be personal and shall not be transferable.
- (d) Fellows may use after their names in connection with their profession the initial letters FPNZ meaning Fellow of Podiatry New Zealand Incorporated and/or any other initials or designatory letters upon which Podiatry New Zealand may from time to time decide to denote Fellowship.
- (e) Members may use after their names in connection with their profession the initial letters MPNZ meaning Member of Podiatry New Zealand Incorporated and/or initials or designatory letters upon which the Society may from time to time decide to denote Membership.
- (f) Students may use the initials SMPNZ meaning Student Member of Podiatry New Zealand Incorporated and/or initials or designatory letters upon which the Society may from time to time decide to denote Membership.
- (g) No person shall be entitled to use the initials of Podiatry New Zealand unless such person is a member of Podiatry New Zealand.
- (h) Members shall not make use of qualifications to which they are not entitled and shall not make claims which cannot be verified or which are likely to mislead or deceive the public.
- (i) Members who change their addresses shall give notice in writing to the Secretary of Podiatry New Zealand or incur a penalty as directed by the Executive Council for failing to do so.

18. REMOVAL FROM MEMBERSHIP

Members may be removed from membership by the Executive Council or by Podiatry New Zealand in General Meeting on the following grounds:

- (a) That they have sent to Podiatry New Zealand their resignation in writing.
- (b) That they have neglected to pay any money due from them to Podiatry New Zealand on the due date for payment or within a period of three months afterwards.
- (c) That by criminal, dishonest, grossly immoral or grossly inequitable misconduct they have brought the profession of podiatry into disrepute or have misappropriated the funds of Podiatry New Zealand or have misrepresented themselves to the public or to other professional bodies.
- (d) That they have injured or damaged the property of Podiatry New Zealand or neglected to replace or pay the cost of repair of such property after a demand has been made on them by Podiatry New Zealand.
- (e) That by reason of incapacity which significantly affects his/her ability to practice, bankruptcy, neglect of duty or misconduct (being misconduct as set out in Rule 17 (c) of these Rules) they have become unfit for membership of Podiatry New Zealand.
- (f) That they are persons whose names have been removed from the Register by the Podiatrists Board.

In every case where removal is to be considered under subsections (c) (d) or (e) of this clause, the member concerned must be notified at least one month prior to the meeting at which the matter is to be considered, giving the time and place of the meeting and the section under which complaint is made and be invited to give any information which the member desires or which is required by the meeting.

In every case where removal is carried out by the Executive Council the member shall have, within one month of the date of the letter of notification of removal, the right to ask that the matter be reconsidered at a General Meeting of members and in such case shall remain a member until the time of such reconsideration. If such a meeting is called a member shall not be removed from membership unless more than half the members voting at the meeting vote in favour of the member's removal.

19. EXECUTIVE COUNCIL

- (a) The general business of Podiatry New Zealand shall be conducted by the Executive Council consisting of the President, and one member appointed from each Region.
- (b) Each Region shall appoint its own Executive Member ~~at~~ annually using a format organised by the Executive Officer of Podiatry New Zealand. The Region's Executive Member shall hold office until the next Annual Vote of the Region and shall be eligible to be re-elected.

Members elected to the Executive Council by a Region shall take office on the Executive Council once duly elected and shall hold office on the Executive

Council until removed by a duly convened Regional meeting. The Executive Officer shall ensure that the call for nominations for the places to be filled by the said ballot shall by ordinary post reach members of Podiatry New Zealand at least six weeks before the date set for the counting of the votes in the said election.

- (c) Members of the Executive Council must be financial and have been members of Podiatry New Zealand for at least two years prior to the meeting at which they are appointed.
- (d) Three shall form a quorum.
- (e) Ordinary meetings shall be held at such time and place as shall be determined by the Executive Council.
- (f) Special meetings to consider urgent business shall be held within one month of an application to the Secretary by at least three members of the Executive Council.
- (g) A resolution of the Executive Council may be passed without a formal meeting by means of a Minute signed by all members of the Executive Council in New Zealand at the time, but such Minute must be signed by not less than three members.
- (h) Each member shall have one vote provided that no member shall vote on any matter in which that member has a financial interest.
- (i) Voting at meetings of the Executive Council shall be by a show of hands.
- (j) Voting on matters raised at meetings of the Executive Council shall be determined by a simple majority. In the event of an equality of votes, the President shall have a casting as well as a deliberative vote.

20. DUTIES AND POWERS OF THE EXECUTIVE COUNCIL

Each Executive Council member shall endeavour to obtain the views of all Branch members on all issues currently under discussion.

The Executive Council shall have the power to delegate to Branches any duties which it may consider necessary in order to implement its decisions.

Without prejudice to the general powers conferred by these Rules, it is hereby expressly declared that the Executive Council shall have the follow powers:

- (a) To pay the costs, charges and to conduct the affairs of Podiatry New Zealand.
- (b) To appoint as they may from time to time think fit officers and servants for permanent, temporary or special services, to determine their duties and fix their salaries and emoluments and to require security in such instances and to such amounts as they may think fit **provided that** no member or person associated with a member shall derive any income benefit or advantage from the organisation where they can materially influence the payment of the

income, benefit or advantage **except** where that income be or advantage is derived from:

- i. professional services to the organisation rendered in the course of business and charged out at no greater rate than current market rates, or
 - ii. the interest on money lent at no greater rate than the current market rate.
- (c) To dismiss or remove or suspend any such officers or servants at their discretion.
 - (d) To insure with insurance companies for professional indemnity and any other liability.
 - (e) To amend or waive the payment of a fee or subscription or part thereof if in the opinion of the said Executive Council such action shall be deemed advisable or desirable.
 - (f) To delegate any of its powers to subcommittees consisting of such Council members as it thinks fit. Any subcommittee so formed shall in the exercise of the powers so delegated conform to any regulations that may from time to time be imposed on it by the Executive Council and shall have the power to co-opt members of Podiatry New Zealand.
 - (g) In addition to the powers and authorities expressly conferred and invested in the Executive Council by these provisions, the Executive Council may exercise all such powers and do all such acts and things as may be exercised by Podiatry New Zealand in General Meeting but subject nevertheless to the provisions of these Rules and to any regulation from time to time made by Podiatry New Zealand in General Meeting provided that no regulation so made shall invalidate any prior act of the Executive Council which would have been valid if such regulation had not been passed.
 - (h) The Executive Council can be constituted as the disciplinary body for Podiatry New Zealand.

21. RESIGNATION OR REMOVAL FROM EXECUTIVE COUNCIL

The office of Member of the Executive Council shall become vacant:

- (a) if that member accepts or holds any office or place of profit (other than that of Secretary) under Podiatry New Zealand.
- (b) if that member becomes bankrupt or suspends payment or compounds with the member's creditors.
- (c) if by notice in writing to the Secretary as hereinafter provided that member resigns the office.
- (d) if that member ceases from membership of Podiatry New Zealand or is suspended or excluded for any period from the privileges of membership.

- (e) If that member is absent from two consecutive meetings without leave of the Executive Council.

The continuing members of the Executive Council may act notwithstanding any vacancy in their body so long as there remains a quorum of three members.

22. ELECTION OF PRESIDENT

- (a) The election of the President shall be by postal or electronic ballot of all financial members.
- (b) Notification that nominations for the position are required shall be posted to all financial members prior to 15 June in each year of holding the election.
- (c) All nominations must be in the hands of the Executive Officer prior to 30 June in each year of holding elections.
- (d) The nominations must be signed by a Proposer and Seconder and the Nominee must also agree in writing to accept nomination. Proposer, seconder and nominee must all be financial members of Podiatry New Zealand.
- (e) Any nominee must have been a member of Podiatry New Zealand for at least two years prior to 30 June of the year of their nomination.
- (f) In the event that only one nomination is received, the Executive Council may declare that nominee duly elected as President without the need for a ballot of any kind.
- (g) Voting forms, whether paper or electronic, shall be posted to all financial members prior to no later than 1 September and must be returned to the Executive Officer at least seven days before the Annual General Meeting.
- (h) The Executive Council shall appoint two Scrutineers to determine the result of the election. The Executive Officer shall advise Branches of the result of the election for President as soon as is reasonably practicable. The President will take office at the close of the Annual General Meeting at which he or she was elected.
- (i) The President shall be a member of all committees ex officio.
- (j) Should the office of President become vacant through death, resignation or for any other reason the Executive Council shall appoint a suitable replacement from the Executive Council to act in that office until the next regular election of President would occur.

23. ELECTED OFFICERS OF PODIATRY NEW ZEALAND

- (a) The Secretary and Treasurer shall be appointed from time to time by the Executive Council for such term and on such conditions as the Executive Council may think fit. One person may be appointed to hold both offices and

the person or persons appointed need not be a member or members of Podiatry New Zealand.

- (b) An auditor who need not be a member of Podiatry New Zealand shall be elected at each Annual General Meeting and shall be paid such remuneration as the Executive Council may determine.
- (c) Members of the Education Advisory Committee of the Auckland University of Technology Podiatry School and/or any such other school or institution approved for the training of podiatrists shall be appointed by the Executive Council from time to time.

24. NOMINEES FOR PODIATRISTS BOARD

The Executive Council shall nominate three members of Podiatry New Zealand for approval by the Minister of Health for service on the Podiatrists Board in accordance with relevant legislation and regulations.

25. PODIATRY NEW ZEALAND'S FINANCIAL YEAR

The financial year of Podiatry New Zealand shall be 1 July to 30 June.

26. GENERAL MEETINGS

The Annual General Meeting will be held no later than three months after the end of the financial year at a place and on a date decided by the Executive Council. Seven shall form a quorum at all General Meetings.

- (a) Remits to the Annual General Meeting shall be in the hands of the Secretary no later than three calendar months prior to the meeting at which they are to be tabled.
- (b) Any person, Branch or other body or group submitting a remit to the Annual General Meeting shall submit with the remit a written explanation of the reason for the remit.
- (c) Copies of remits shall be posted by the Secretary to all members six clear weeks before the Annual General Meeting accompanied by the explanation (or a fair précis thereof).
- (d) Any person, Branch or other body or group submitting a remit to other General Meetings shall submit with the remit a written explanation of the reason for the remit. Remits, together with the required explanations shall be in the hands of the Secretary six weeks before the date of such a meeting. The Secretary shall post to members at least three clear weeks before the date of such meeting the said explanation (or a fair précis thereof) and any further information or comment which the Executive Council may consider should be made available to the members.
- (e) Unless the President decides that a postal ballot shall be held on a remit, all matters at all General Meetings shall be determined by a simple majority of the votes of those present and entitled to vote. In the event of an equality of

votes the President shall have a casting vote as well as a deliberative vote. Where a postal ballot is to be held papers shall be circulated to all members three weeks before such meetings and returned to the Secretary not later than seven days before the meeting.

- (f) All General Meetings shall be summoned by circular post or delivered to the last known address of each member at least six weeks before the meeting.
- (g) The Executive Council may convene an extraordinary General Meeting for Podiatry New Zealand. The Executive Council may convene such a meeting at request of at least two Branches and the Executive Council shall convene such a meeting at the request in writing of at least 40 members of Podiatry New Zealand.

27. ANNUAL REPORT

The President and Executive Council shall present to Podiatry New Zealand at each Annual General Meeting a report on the state and operations of Podiatry New Zealand made up to 30 June of the previous year.

28. ACCOUNTS

The Executive Council shall keep true accounts of the monies received and expended and all matters in respect of which such receipt and expenditure takes place and of all sales and purchases of goods by Podiatry New Zealand and of the assets, credits and liabilities of Podiatry New Zealand.

29. ANNUAL FINANCIAL STATEMENT

The Treasurer shall present to Podiatry New Zealand at each Annual General Meeting an audited Statement of the Income and Expenditure and a Balance Sheet containing a summary of the assets and liabilities of Podiatry New Zealand made up to 30 June of the previous year.

30. CUSTODY OF MONIES AND SECURITIES

- (a) All cheques drawn upon the bankers of Podiatry New Zealand shall be signed by two designated members of the Executive Council. The treasurer shall not be a signatory for cheques drawn upon the bankers of Podiatry New Zealand.
- (b) All monies payable to Podiatry New Zealand shall be received by the Treasurer or some other person authorised by the Executive Council and shall be paid into the banking account of Podiatry New Zealand
- (c) Any securities deposited with the bankers shall be obtained from them upon written order of at least two members of the Executive Council countersigned by the Treasurer.

31. COMMON SEAL

- (a) The seal of Podiatry New Zealand shall be kept in the custody of the Treasurer:

- (b) The seal shall not be used except by the authority of a resolution and in the presence of at least two members of the Executive Committee and the Secretary who shall sign their names to every document to which the seal is affixed.

ESTABLISHMENT OF BRANCHES

- 32. (a) The Executive Council may grant permission for the establishment of Branches of Podiatry New Zealand and Branch Committees.
 - (b) Podiatry New Zealand and the Executive Council may assist Branches in the conduct of their activities whenever the Branch seeks such assistance. If financial assistance is requested Podiatry New Zealand will decide upon the matters at a General Meeting.
 - (c) Where it considers it to be in the interests of Podiatry New Zealand, the Executive Council may take steps (including the calling of a meeting of members in an area or locality) to promote the establishing of a new Branch. And where an existing Branch has not for a significant period being operating effectively, the Executive Council may call a meeting of the Branch for the purpose of reactivating or reforming the Branch, and if such meeting is not able to reactivate or reform the Branch the Executive Council may appoint a member of Podiatry New Zealand to act as a convenor with the task of trying to secure the reactivation or reform of the Branch or the establishment of a new Branch, and such convenor shall hold office until the appointment is discontinued by the Executive Council, and shall report to and act under the supervision of the Executive Council.
33. A Branch shall have at least five active members. If at any time a Branch shall cease to have at least five active members and/or cease to have regular meetings the Branch shall automatically be suspended and shall remain suspended until either the Executive Council is satisfied that the Branch membership will on the lifting of the suspension be restored to at least five active members or the question of the future of the Branch has been dealt with as otherwise provided for in these Rules.
34. The Executive Council may cancel any permit issued for the establishment of a Branch by special resolution of the Executive Council of which not less than fourteen days' notice shall have been given to the members of the Executive Council and to the Branch in question. Prior to voting on such special resolution the Executive Council shall consider any report or submission thereon received from the Branch.
35. Each Branch shall exist by virtue of a permit issued by the Executive Council and shall consist of duly elected members of Podiatry New Zealand and shall retain such permit so long only as it remains united to Podiatry New Zealand according to these Rules.
- 36. (a) Branch Committees shall consist of a President, Vice President, Secretary, Treasurer and not less than one other committee member. Four shall form a quorum.
 - (b) Each Branch may draw up a set of by-laws for the regulation of its own activities provided that such by-laws are not inconsistent with these Rules.

Each Branch shall supply the Podiatry New Zealand Executive Officer with a copy of its rules automatically or in response to any request in writing from Podiatry New Zealand's Executive Officer within fourteen days and shall advise in writing any amendments to its rules within thirty days of their adoption. If the Branch has not provided Podiatry New Zealand with such copy then the Branch shall stand suspended until such copy shall have been provided to Podiatry New Zealand at its Registered Office.

37. No Branch shall be allowed to act under any rules other than those adopted by the Executive Council and by-laws made in conformity therewith.
38. Any Branch may with the consent of the Executive Council alter its name.
39. Every Branch shall meet at such time and place as the Branch may from time to time determine. Notice of cancellation of meetings must be given to all Branch members at least 48 hours before the due time.
40. (a) Each Branch shall hold an Annual General Meeting at least two months prior to the closing of Podiatry New Zealand books of account. Four shall form a quorum.
 (b) At that meeting the Branch shall elect from its own body officers who shall hold office until the election or appointment of their successors and consider any remits for presentation to the Annual General Meeting of Podiatry New Zealand. Such remits shall be forwarded to the Podiatry New Zealand's Registered Office.
41. (a) A notice of meeting shall be sent to each member of the Branch at least three weeks preceding a meeting and the notice shall name in such manner as may be necessary or sufficient any business or notice of motion of which written notice shall have been received by the Branch Secretary seven days before the meeting.
 (b) Meetings of Branches may, with the unanimous consent of the members present, consider a subject of which notice has not been given.
42. Minutes of each meeting of the Branch shall be taken by the Branch Secretary or, in his absence of the Branch Secretary, by a member appointed by the meeting.
43. At each meeting of the Branch shall be read:
 - (a) the Minutes of the last meeting unless they have been circulated to all Branch members.
 - (b) minutes of any special meeting or committee meeting except that by special resolution they may be taken as read.
44. The Branch Secretary shall, unless the Branch Committee otherwise directs, keep the accounts, conduct the correspondence of the Branch, arrange the business of meetings of the Branch and shall keep Minutes of the proceedings of such meetings and shall collect monies due to the Branch.

45. The Branch Secretary shall if required forward to Podiatry New Zealand's Registered Office within fourteen days of each Branch meeting a copy of the Minutes of such meeting and a report of the activities of the Branch.

46. LEVY

The Executive Council shall have the right to make a levy on each member not exceeding the year's subscription should this at any time be necessary for the purpose of keeping Podiatry New Zealand solvent. Any levy made shall be submitted for approval to a General Meeting within the financial year of the imposition of the levy.

AMENDMENT TO RULES

47. Amendments to the Rules shall be made on a referendum of members after proper notice of remits to all members in accordance with these Rules. Any person, Branch or other body or group submitting a remit proposing an amendment to the Rules shall submit with the remit a written explanation of the reason for the remit.
48. Any amendment to the Rules must, to be passed, receive the votes of at least seventy-five percent of those who do vote in the referendum and provided that no addition or alteration referred to in clauses 46-49 shall be approved if it affects the pecuniary profit clause or the winding up clause.
49. Any amendment to the rules shall be registered one month of being approved.
50. Members shall receive copies of all amendments to the Rules within ten weeks after their having been passed.

REFERENDUM

51. Except where otherwise in the Rules provided a referendum shall be held if a request in writing for such signed by not less than fifteen financial members of Podiatry New Zealand is received by the Executive Officer or if the Executive Council decides by resolution to hold such a referendum.
52. Notice of referendum shall be sent by the Executive Officer to all Branch Secretaries within two months of receipt of the request or of the resolution of the Executive Council.
53. The referendum shall be by postal ballot. Voting shall be secret.
54. Voting papers shall be posted by the Executive Officer to the members along with the explanation (or a fair précis thereof) submitted with the remit and any further information or comment which the Executive Council may consider should be made available to the members of Podiatry New Zealand.
55. Voting papers shall be returnable within a period of no more than 21 days from the date of posting.
56. Two scrutineers shall be appointed. One may be appointed by the Branch or members requesting the referendum and the other by the President of Podiatry New Zealand or the Executive Council or, if no appointment is made by the Branch or members requesting

the referendum, both shall be appointed by the President of Podiatry New Zealand or the Executive Council. Voting papers shall be destroyed after scrutiny.

57. BY-LAWS

- (a) Podiatry New Zealand may by resolution in General Meeting or by referendum of members make, amend or rescind regulations or by-laws not inconsistent with the **Incorporated Societies Act 1908** or with the Rules of the Society.
- (b) The making, amending or rescission of any such regulations or by-laws shall not be deemed an alteration of the Rules of Podiatry New Zealand.

58. DISCIPLINE

There shall be a Disciplinary Committee of Podiatry New Zealand to be appointed from time to time by Executive Council. The members of the Disciplinary Committee need not be members of the Executive Council. In the absence of specific appointees or if for any reason the Executive Council should be of the opinion that it is undesirable or impracticable to convene the Disciplinary Committee then the Executive Council shall act as the Disciplinary Committee.

The powers and functions of the Disciplinary Committee shall be as follows:

- (a) To investigate any complaint against any member of Podiatry New Zealand concerning alleged misconduct or breach of professional standards or ethics. Such complaint may be received from a member of the general public, the Executive Council, any Branch Committee or by notice in writing signed by not less than three members of Podiatry New Zealand.
- (b) To determine whether any member of Podiatry New Zealand has been guilty of such misconduct or breach of professional standards or ethics as to render that member's continued practice of podiatry harmful or prejudicial to the profession in New Zealand or to the general public or whether the actions of a member that have been the subject of a complaint by a member of the public have caused harm or unjustified suffering or loss to the complainant.
- (c) To suspend the membership of any such member referred to in paragraph (b) hereof for such period as is considered necessary.
- (d) To recommend to the Executive Council that the membership of any such member referred to in paragraph (b) hereof be terminated under these Rules.
- (e) To impose upon any member of Podiatry New Zealand whose conduct is deemed by the Disciplinary Committee to warrant it a monetary fine. But no such fine in respect of one matter or group of matters that ought to be dealt with as a group shall in total exceed an amount equal to double the amount of Podiatry New Zealand's annual subscription for a practising member for the year in which the fine is imposed. And the member in question may appeal in writing against the fine or against the amount of the fine or both to the Annual General Meeting of Podiatry New Zealand held next after the date on which the fine was imposed.

- (f) To make such report as is considered appropriate to the Podiatrists Board and in particular to recommend if necessary that the registration of a member be suspended or withdrawn.
- (g) The Executive Council shall prepare and shall distribute to members of Podiatry New Zealand and make available to the public a statement of the procedures to be followed in respect of the receipt, consideration and disposal of complaints and the procedures of Podiatry New Zealand regarding discipline generally.

59. RECIPROCAL AGREEMENTS

With a view to extending the benefits of Podiatry New Zealand communications may be opened by the Executive Council from time to time with similar societies or organisations and with members of the profession in other countries for the purpose of obtaining and communicating information on all matters connected with the profession and other proceedings of a character likely to prove an advantage.

60. WINDING UP

If upon the winding up or dissolution of Podiatry New Zealand there remains a surplus after the satisfaction of all debts and liabilities and property whatsoever the same shall not be paid to or distributed among the members of Podiatry New Zealand but shall be given or transferred to some other institution or society which having similar objects to those of Podiatry New Zealand shall be determined by the members of Podiatry New Zealand at or before the time of dissolution.

61. NOTICES

- (a) Any notice may be served by Podiatry New Zealand upon any member either personally or by sending it through the post and/or e-mail addressed to such member at their last known address/es. Any such duly served notice shall be deemed to have been served at any time when the letter containing the same would be delivered in the ordinary course of such service, and in providing such service, it shall be sufficient to prove that the letter containing the notice was properly addressed.
- (b) The isolated accidental omission to give notice of a meeting shall not invalidate the proceedings of any meeting.