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# **WAITAKERE LICENSING TRUST**

## **STANDING ORDERS**

Adopted 26 February 2019

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**INDEX**

	<b>PAGE</b>
<b>PART 1 CONSTITUTIONAL AND LEGISLATIVE MATTERS.....</b>	<b>2</b>
1 Introduction.....	3
2 First Meeting of Trust Following Election .....	3
3 Election of WATS Directors .....	3
4 President to Preside at Meetings .....	4
5 Quorum at Meetings.....	4
6 General Provisions as to Meetings .....	4
7 Special and Emergency Meetings.....	5
8 Public at Meetings, Access to Order Papers etc.....	5
9 Reasons to Exclude Public .....	6
10 Application of Standing Orders to Public Excluded Session.....	6
11 Use of Public Excluded Information .....	6
12 Amendments to Standing Orders .....	7
13 Standing Orders Issue and Availability .....	7
14 Committees .....	7
15 Delegation and Financial Authorities.....	8
16 Expenditure Authorities .....	8
<b>APPENDIX 1 .....</b>	<b>9</b>
A1 Grounds to Exclude the Public From Meetings in Terms of the Local Government Official Information and Meetings Act 1987 .....	9
<b>PART 2 MEETING PROCEDURES.....</b>	<b>10</b>
17 Application of Standing Orders .....	11
18 Suspension of Standing Orders .....	11
19 Conduct of Meetings .....	11
20 Quorum at Meetings.....	12
21 Failure of a Quorum .....	12
22 Leave of Absence and Apologies.....	12
23 Order of Business.....	13
24 Rules of Debate.....	13
25 Motions and Amendments .....	14
26 Points of Order .....	15
27 Voting .....	16
28 Minutes of Proceedings.....	17
29 Use of Common Seal .....	17
<b>APPENDIX 2 .....</b>	<b>18</b>
A2 Powers of the President .....	18
<b>APPENDIX 3 .....</b>	<b>20</b>
A3 Procedures for Public Sessions.....	20

# **PART 1**

## **CONSTITUTIONAL AND LEGISLATIVE MATTERS**

## PART 1 CONSTITUTIONAL AND LEGISLATIVE MATTERS

### 1. Introduction

#### Requirement for adoption of standing orders

##### 1.1

Every Trust shall adopt a set of standing orders for the conduct of its meetings and those of its committees. The standing orders adopted are not permitted to contravene any provisions of the Sale of Liquor Act 1989 or any other Act.

#### Alteration of standing orders

##### 1.2

After the adoption of the first standing orders of the Trust, the adoption or amendment of standing orders requires in every case a vote of three-quarters of the members present.

### 2. First Meeting of Trust Following Election

#### Meeting called by Secretary

##### 2.1

The first meeting of a Trust following a triennial general election shall be called by the Secretary as soon as practicable after the results of the election are known. Not less than five working days notice of the meeting shall be given to the persons elected to the Trust. The meeting shall be chaired by the Secretary until the President has been elected.

#### Election of President

##### 2.2

The secretary of the Trust shall preside over the election of a president. *The President shall be appointed for a three-year term.* The secretary's actions shall be limited to the scope of the meeting and that duty shall be restrained to the purpose of calling for nominations of members present for the office of president and to ensure there is some support for a nomination by way of a seconder. If there is more than one nomination for the office of president, a ballot shall be taken - decision by ballot. Every member shall vote, with no abstentions. In this voting, the secretary shall have neither a deliberate nor a casting vote. If there is an equality of votes, the secretary shall determine the election by lot in such manner as the members of the Trust decides. If there is only one nomination, or if other nominations withdraw in favour of a single nomination, the secretary shall declare nominations closed and the nominee elected to the office of president. The secretary's presiding role shall terminate with the election of a president.

#### Election of Deputy President

##### 2.3 Election of Deputy President

After the election of the president, the members of the Trust shall appoint or elect a deputy president. If there is more than one nomination, then a ballot shall be taken with the same rules for the election of president. The Deputy President shall be appointed for a three-year term.

### 3. Election of WATS Directors

#### Requirement to Elect WATS Directors

##### 3.1

As per the WATS Constitution there are two Trust appointed directors on the WATS Board. According to the MOU, Trust Directors on the WATS Board shall be appointed by the individual Trust Boards on the basis of their demonstrated suitability for the role. A Director Skills and Attributes Matrix shall be used as the basis for the selection and appointment of all Directors to the WATS Board.

## WLT STANDING ORDERS

### **4. President to Preside at Meetings**

#### **President to preside**

##### **4.1**

The President of the Trust when present shall preside at every meeting of the Trust. When the President is absent, meetings of the Trust are to be chaired by the Deputy President or, if the Deputy President is also absent, by a member elected by those present to chair the meeting.

### **5. Quorum at Meetings**

#### **Requirement for a quorum**

##### **5.1**

"A meeting shall be duly constituted if a quorum is present whether or not all of the members present are voting or entitled to vote".

#### **Quorum to be present throughout meeting**

##### **5.2**

"No business shall be transacted at any meeting unless at least a quorum of members is present during the whole of the time at which the business is transacted."

#### **Definition of quorum**

##### **5.3**

"The quorum at any meeting of a Trust shall consist of half the members (including vacancies) if the number of members is even, and a majority if the number is odd".

### **6. General Provisions as to Meetings**

#### **Meetings to be held**

##### **6.1**

The Trust shall hold such meetings as are necessary for the good government of its district.

#### **Notice to members of meetings**

##### **6.2**

The Secretary shall give notice in writing to each of the members of the time and place appointed from time to time for the holding of each ordinary meeting already scheduled and any special meetings. The fact that the meeting has been publicly notified is not deemed to be notice to members.

#### **Order paper to be sent to members**

##### **6.3**

In the case of each meeting to which Standing Order 6.1 applies, an order paper detailing the business to be brought before that meeting together with relevant attachments shall be sent to every member not less than two clear working days before the day appointed for the meeting.

#### **Meetings not invalid because notice not received**

##### **6.4**

No ordinary, special or emergency meeting of a Trust is invalid because:

- (a) Notice of that meeting was not received; or
- (b) Was not received in due time

by any member of the Trust unless it is proved that the person responsible for giving notice of the meeting acted in bad faith or without reasonable care and the other member concerned did not attend the meeting.

## WLT STANDING ORDERS

- Notices of motion to be in writing**      **6.5**
- (a) Any member wishing to raise a matter for debate within the jurisdiction of the Trust may do so by notice in writing.
  - (b) A notice of motion shall be in writing signed by the member proposing to move it, stating the meeting at which it is proposed, at least 7 working days before such meeting.

- Repeat notices of motion - First repeat where notice of motion rejected**      **6.6**
- When a motion which is the subject of a notice of motion has been considered and rejected by the Trust, no similar notice of motion which, in the opinion of the President, is substantially the same in purport and effect shall be accepted within the next six months.

### **7. Special and Emergency Meetings**

- Definition of special meetings**      **7.1**
- Special meetings may be called pursuant to:
- (a) A resolution of the Trust, or
  - (b) A requisition in writing delivered to the Secretary and signed:
    - (i) By the President, or
    - (ii) By not less than one third of the total membership of the Trust (including vacancies),

specifying the time and place at which the meeting is to be held and the general nature of the business to be brought before the meeting.  
(See Appendix 2, A2.5)

### **8. Public at Meetings, Access to Order Papers etc**

- Meetings normally to be open**      **8.1**
- All meetings of the Trust and committees shall be open to the public and news media except where otherwise provided by Part VII of the Local Government Official Information and Meetings Act.

- Information to be available to public**      **8.2**
- All information provided to members at Trust and committee meetings shall be available to the public and news media unless any item included in the agenda refers to any matter to be considered by the Trust when the meeting is not likely to be open to the public.

- Public notification about ordinary meetings**      **8.3**
- All meetings scheduled for the following month shall be publicly notified not more than 15 days and not less than five days before the end of every month, together with the dates on which and the times and places at which those meetings are to be held. Where any meeting is to be held on or after the 21<sup>st</sup> day of the month, such meetings may instead be publicly notified not more than 10 nor less than five clear working days before the day on which the meeting is to be held.

- Public notification about emergency meetings**      **8.4**
- Where any emergency meeting of a Trust is called and notice of that meeting cannot be given in the manner required or permitted by Standing Orders 8.3 as appropriate for a scheduled or special meeting, the Trust or person calling the meeting shall publicly notify the meeting and the business to be transacted at the meeting as is reasonable in the circumstances.

## WLT STANDING ORDERS

<b>Meetings not invalid because not publicly notified</b>	<b>8.5</b> No meeting of any Trust is invalid merely because that meeting was not publicly notified in accordance with Standing Orders 8.3 – 8.4.
<b>Public entitled to inspect minutes</b>	<b>8.6</b> The public are entitled without charge to inspect, take notes from, or receive copies of, minutes of any meeting or part of any meeting from which the public was not excluded.
<b>Public Session</b>	<b>8.7</b> A period of up to thirty minutes, or such longer time at the Chair's discretion will be set aside for a public session at the commencement of regular meetings of the Licensing Trust where members of the public are able to speak. Standing Orders for these public sessions are set out in Appendix Three.
<b>Recording of Proceeding</b>	<b>8.8</b> Any person who wishes to record the proceedings of a meeting must notify the Chair of their request to do so before the meeting starts, and if approval is given, shall record the meeting unobtrusively, without distracting members or other persons who may be present.

### **9. Reasons to Exclude Public**

<b>Lawful reasons to exclude public</b>	<b>9.1</b> A Trust may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the grounds specified in section 48 of the Local Government Official Information and Meetings Act 1987 (see Appendix 1).
<b>Motion to exclude public to be put with the public present</b>	<b>9.2</b> Every motion to exclude the public shall be put at a time when the meeting is open to the public, and copies of the text of that resolution shall be available to any member of the public who is present. The resolution then forms part of the minutes of the Trust.
<b>Provision for persons to remain after public excluded</b>	<b>9.3</b> A resolution in accordance with Standing Order 9.2 may provide for one or more specified persons to remain after the public has been excluded if those persons have, in the opinion of the Trust, knowledge that will assist the Trust. Any such resolution is required to state the knowledge possessed by those persons which will be of assistance in relation to the matter discussed and how it is relevant to the matter. No such resolution is necessary in respect of the attendance of the Secretary and relevant staff during a public excluded session.

### **10. Application of Standing Orders to Public Excluded Session**

<b>Standing orders to apply</b>	<b>10.1</b> Standing orders apply to meetings or parts of meetings from which the public has been excluded.
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### **11. Use of Public Excluded Information**

<b>Public excluded business not to be</b>	<b>11.1</b> Subject to the provisions of the Local Government Official Information and
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## WLT STANDING ORDERS

**disclosed** Meeting Act 1987, no trustee or officer is permitted to disclose to any person, other than a trustee or officer, any information which has been or is to be presented to any meeting from which the public is properly excluded, or where it is proposed that the public be properly excluded, nor shall any discussion, deliberations or decisions be divulged following any such meeting except by way of release of information by the Trust.

### **12. Amendments to Standing Orders**

**Amendment to Standing Orders** **12.1**  
Alterations or amendments to these Standing Orders shall be made only by resolution of the Board at a meeting of the Board to which not less than 14 days notice of any proposed amendment has been given.

**Promulgation by Board** **12.2**  
Any amendment to Standing Orders shall be promulgated by the Board.

**Matters not governed by Standing Orders** **12.3**  
Any matters not dealt with in these Standing Orders shall be governed by the customary procedure at meetings.

### **13. Standing Orders Issue and Availability**

**Issue and Availability** **13.1**  
A copy of Standing Orders shall be issued to each elected member of the Board who shall be required to surrender them to the Trust immediately he/she ceases to be a member of the Trust. An amended and up to date copy of the Standing Orders shall always be available in the Board Room. The master copy of Standing Orders shall be maintained and kept by the Secretary.

### **14. Committees** **Special Committees**

**14.1**  
The Board may from time to time, appoint Special Committees for any purposes by resolution.

**Appoint Chairman** **14.2**  
The Board will decide the members of these Committees and appoint the Chairman by resolution.

**Non members** **14.3**  
Non members may be co-opted onto a Committee. These members will have no voting rights.

**Standing Orders** **14.4**  
The Standing Orders for Committees shall be as for the Trust Board.

**Resignation** **14.5**  
Resignation from a Committee - Any member wishing to resign from a Committee shall submit his/her resignation to the Committee Chairman in writing. The Committee Chairman shall bring notice of such resignation to the Board at its next meeting and the Board may thereupon or at any time thereafter, appoint or elect any member to such Committee in the place of the retired member.

**Committee Approval** **14.6**  
No act of a Sub-Committee shall have effect until approved by the Committee. Written reports on all decisions and acts of the Committee shall be submitted to the Board's Ordinary Meetings for endorsement.

**15. Delegation and Financial Authorities**

**Financial Authorities 15.1**

That in accordance with the provisions of the West Auckland Trust Services Limited constitution and Statement of Corporate Intent, The Trust delegates to the West Auckland Trust Services Limited's officers the power to enter into contracts and to make expenditure of trust moneys to the limits as to amount specified against the respective designations and that the personnel so authorised be required in the exercise of their authorities to comply with the rules and conditions

**16. Expenditure Authorities**

**Secretary 16.1**

Secretary:

Up to \$3,000 on any single capital item providing the expenditure is reported to the next Trust meeting.

**President 16.2**

President:

16.2.1 The President is authorised to place advertisements with the media from time to time for the benefit of the Trust. Any advertisement to be reported at the next meeting of the Trust.

16.2.2 The President may authorise up to \$1,000 expenditure on local travel at any one time.

16.2.3 The President may not approve his/her own travel expenditure.

**Deputy President 16.3**

Deputy President:

16.3.1 During the absence of the President, the Deputy President is authorised to assume the expenditure authorities of the President.

## APPENDIX 1

### **A1 Grounds to Exclude the Public From Meetings in Terms of the Local Government Official Information and Meetings Act 1987**

**A1.1** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:

- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
- (b) Protect information where the making available of the information:
  - (i) Would disclose a trade secret; or
  - (ii) Would be likely to prejudice the commercial position of the person who supplied or who is the subject of the information; or
- (c) Maintain legal professional privilege; or
- (d) Enable the Trust holding the information to carry out, without prejudice or disadvantage, commercial activities.

**PART 2**

**MEETING PROCEDURES**

## PART 2 MEETING PROCEDURES

### 17. Application of Standing Orders

**All members to abide by standing orders**                      **17.1**  
These standing orders shall, so far as applicable, extend to the proceedings of all Trust meetings including all committee and subcommittee meetings of the Trust.

### 18. Suspension of Standing Orders

**Temporary suspension**                      **18.1**  
Where suspension does not contravene any lawful requirement, a Trust or committee of the Trust may temporarily suspend one or more standing orders during a meeting by vote of three-quarters of the members present and voting. The reason for the suspension and the specific orders(s) suspended shall be stated in the resolution of suspension.

### 19. Conduct of Meetings

**President to decide**                      **19.1**  
The President is to decide all questions where these standing orders make no provision or insufficient provision, and all points of order, and any member who refuses to obey any order or ruling of the President will be held guilty of contempt (see Standing Orders 17.1, 26.5 & Appendix 2, A2.1).

**President rising**                      **19.2**  
Whenever the President rises during a debate any member then speaking or offering to speak is to be seated, and members are to be silent so that the President may be heard without interruption.

**Priority of speakers**                      **19.3**  
When two or more members seek the right to speak, the President is to name the member who has the right to speak first, provided that the following members shall have precedence, where in order, when they state their intention to:

- (a) Raise a point of order (see Standing Order 26.1), 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 President.

(See Appendix 2, A2.8)

**Duration of meetings and time limits**                      **19.4**  
All ordinary or special meetings shall continue until the completion of business on the order paper for the meeting. However, where any meeting has continued for more than three hours or beyond 10.30pm, any business on the order paper not dealt with shall be adjourned to the next meeting or special meeting, unless a motion is passed to extend the meeting.

## WLT STANDING ORDERS

**Members not to be disrespectful**                    **19.5**  
No member of the Trust at any meeting may be disrespectful in speech or use offensive or malicious language, including in reference to the Trust, any other member, or any officer or employee of the Trust. In addition, no member may impute improper motives or make offensive remarks about the private affairs of any other member of the Trust or its staff.

### **20. Quorum at Meetings**

**Requirement for a quorum**                    **20.1**  
“A meeting shall be duly constituted if a quorum is present whether or not all of the members present are voting or entitled to vote”.

**Quorum to be present throughout meeting**                    **20.2**  
“No business shall be transacted at any meeting unless at least a quorum of members is present during the whole of the time at which the business is transacted.”

**Definition of quorum**                    **20.3**  
“The quorum at any meeting of a Trust shall consist of half the members (including vacancies) if the number of members is even, and a majority if the number is odd”.

### **21. Failure of a Quorum**

**Meeting lapses if no quorum**                    **21.1**  
If a meeting is short of a quorum at its commencement, or falls short of a quorum, the business is to stand suspended and, if no quorum is present within 15 minutes, the President is to vacate the chair and the meeting shall lapse.

**Minutes to record failure of quorum**                    **21.2**  
If a meeting lapses by reason of failure of a quorum, the names of the members then in attendance, and the fact of the lapse, are to be recorded by the Secretary and payment for attendance and travel shall be made.

### **22. Leave of Absence and Apologies**

**Granting leave of absence**                    **22.1**  
The Trust may grant leave of absence to a member from an ordinary meeting or other meetings of the Trust or its committees upon application by the member.

**Apologies at meetings**                    **22.2**  
If a member has not obtained leave of absence an apology may be tendered on behalf of the member and the apology may be accepted or declined by the Trust. Acceptance of the apology shall be deemed to be a granting of leave of absence for that meeting.

**Recording of apologies**                    **22.3**  
The President of each meeting will invite apologies at the beginning of each meeting, including apologies for lateness and early departure, and these and subsequent apologies during the meeting will be recorded in the minutes, including whether they were accepted or declined, and the time of arrival and departure of all members.

**Absence without leave**                    **22.4**  
An extraordinary vacancy shall be created where any member is absent without leave of the Trust from four consecutive ordinary meetings.

## WLT STANDING ORDERS

### 23. Order of Business

- Adoption of order of business**      **23.1**  
The Trust is required to adopt an order of business which shall normally apply at ordinary meetings and may vary it from time to time.
- Order paper**      **23.2**  
The Secretary is to prepare for each meeting an order paper listing and attaching information on the items of business to be brought before the meeting so far as is known. At the meeting the business is to be dealt with in the order in which it stands on the order paper unless the meeting or the President accord precedence to any business set down on the order paper for consideration.
- Confidential Items**      **23.3**  
The Secretary shall place on a confidential agenda any matters for which he/she considers the Trust or committee of the Trust is likely in his/her opinion to wish to exclude the public in terms of the Local Government Official Information and Meetings Act 1987, provided that an indication of the subject matter likely to be considered in exclusion of the public shall be placed on the order paper available to the public.

### 24. Rules of Debate

- Reserving speech**      **24.1**  
A member may second a motion or amendment without speaking to it, reserving the right to speak later in the debate.
- Irrelevant matter and needless repetition**      **24.2**  
In speaking to any motion or amendment, members are to confine their remarks strictly to such motion or amendment, and shall not introduce irrelevant matters or indulge in needless repetition. In this matter, the President's ruling is final and not open to challenge.  
(See Appendix 2, A2.6)
- Limitation on speakers**      **24.3**  
If three speakers have spoken consecutively in support of, or in opposition to a motion, the President may call for a speaker to the contrary. If no speaker is forthcoming and after the mover has had the right of reply, the motion shall be put. Members speaking shall, if so called upon by the President, announce whether they are speaking in support of, or against the motion or amendment being debated.
- Time limits on speakers**      **24.4**  
The following time limits apply to members speaking at Trust meeting, unless extended by a majority vote of members present:
- (a) Movers of motions when speaking to the motion, five minutes;
  - (b) Movers of motions, when exercising their right of reply, three minutes;
  - (c) Other members, not more than three minutes.

## WLT STANDING ORDERS

<b>Member speaking more than once</b>	<b>24.5</b> A member may not speak more than once to a motion, save that this order shall not apply to meetings of committees or subcommittees.
<b>Right of reply</b>	<b>24.6</b> The mover of an original motion (not an amendment) has a 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 and the President has initiated his/her intention to put the motion, no other member of the Trust may speak on the motion. Movers in reply are not to introduce any new matter and shall confine themselves strictly to answering previous speakers.
<b>When right of reply may be exercised</b>	<b>24.7</b> The right of reply is governed as follows:  (a) Where no amendment has been moved, the mover may reply at the conclusion of the discussion on the motion; (b) 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 exhausts their rights as mover of the original motion (see Standing Orders 24.6), provided that the mover may reserve such right of reply. The mover may however, take part in the discussion upon subsequent amendments.

NOTE – A right of reply can be exercised at either the end of the debate on an original motion or at the end of the debate on an amendment. Only the mover of an original motion has a right of reply and that right can only be used once. In addition to a right of reply, the mover of an original motion may reserve a right of reply and speak once to an original motion and once to each amendment without losing that right of reply.

## **25. Motions and Amendments**

<b>Requirement for a seconder</b>	<b>25.1</b> All motions and amendments moved in debate (including notices of motion) must be seconded, and thereupon the President shall state the matter raised and propose it for discussion.
<b>Withdrawal of motions and amendments</b>	<b>25.2</b> Once motions or amendments have been seconded and put to the meeting by the President they cannot be withdrawn without the consent of the 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 withdrawn or lost.
<b>Substituted motion by amendment</b>	<b>25.3</b> The meeting may allow a motion, which is subject to an amendment to be withdrawn and replaced by the amendment as the substituted motion, provided the mover and seconder of the original motion agree to the withdrawal of the original motion. In such circumstances, members who have spoken to the original motion may speak again to the substituted motion.
<b>Motions in writing</b>	<b>25.4</b> The President may require movers of motions or amendments to provide them in writing signed by the mover. (See Appendix 2, A2.4)

## WLT STANDING ORDERS

### **Where amendment carried**

#### **25.5**

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.

#### **25.6**

No motion to rescind any resolution carried within the preceding three months and no motion or amendment to the same effect as one which has been negated within the preceding three months shall be proposed, unless notice thereof bears the names of at least the majority of the Trust. When such motion has been disposed of it shall not be open to any member to propose a similar motion within a further period of three months. This order will not apply to motions moved in pursuance of a report or recommendation of a Trust Standing Committee.

### **Notices of motion to be in writing**

#### **25.7**

- (a) Any member wishing to raise a matter for debate within the jurisdiction of the Trust may do so by notice in writing.
- (b) A notice of motion shall be in writing signed by the member proposing to move it, stating the meeting at which it is proposed, at least 7 working days before such meeting.

### **Repeat notices of motion - First repeat where notice of motion rejected**

#### **25.8**

When a motion which is the subject of a notice of motion has been considered and rejected by the Trust, no similar notice of motion which, in the opinion of the President, is substantially the same in purport and effect shall be accepted within the next six months.

## **26. Points of Order**

### **Members rising to points of order**

#### **26.1**

Any member may rise to speak to a point of order upon any breach of these standing orders and the member previously speaking is to be seated and stop, speaking.

### **Stating subject matter of point of order**

#### **26.2**

The member rising is to state without explanation precisely the subject matter of the point of order.

### **Types of points of order**

#### **26.3**

The following are recognised as substance for points of order:

- (a) Where disorder is drawn to the attention of the President; or
- (b) Use of disrespectful, offensive or malicious language; or
- (c) Discussion or a question not before the Trust; or
- (d) Misrepresentation of any statement made by a member or by an officer or employee of the Trust; or
- (e) The breach of any standing order; or
- (f) Request that words objected to be recorded in the minutes

### **Contradiction not point of order**

#### **26.4**

Rising to express a difference of opinion or to contradict a statement of a previous speaker does not constitute a point of order.

## WLT STANDING ORDERS

### **Decision of President final**

#### **26.5**

The President may decide on any point of order immediately after it has been raised by any member, or may first hear further argument before deciding. The ruling of the President upon any point of order is not open to any discussion and shall be final. (See Appendix 2, A2.2).

### **27. Voting**

#### **Decisions to be decided by majority voting**

#### **27.1**

All acts of a Trust are to be done and all questions before the Trust are to be decided at a meeting by the majority of such members as are present and vote thereon.

#### **President has casting vote**

#### **27.2**

The President at any meeting has a deliberative vote and, in case of equality of votes, also has a casting vote. (See Appendix 2, A2.3)

#### **Voting**

#### **27.3**

27.3.1 Majority Rules - All questions before the Board shall be decided by majority vote.

27.3.2 President's Casting Vote - In an equality of voting the President shall also have a casting vote.

27.3.3 Recording Vote - Any member present at a vote conducted by a show of hands or on the voices may have the fact that she/he voted for or against the question or abstained from voting, recorded in the Minutes. A request for this to be done shall be made by the member concerned as soon as the result of the vote has been declared.

27.3.4 Decision by Ballot - When the Trust decides that on any matter a ballot shall be held, the procedure shall be as follows. Unless otherwise required by law, the scrutineers of the votes cast may comprise at least one member and the Secretary. A person standing for nomination shall not preside over an election or act as 'returning officer' or scrutineer of the votes cast on an election. If a resolution is carried on a ballot taken at a date later than the meeting at which the poll was demanded, the resolution is deemed to have been passed on the date when the result of the ballot is declared and not at an earlier date. Unless where otherwise authorised each member shall have one vote. After the result of a poll is declared, the voting papers shall be destroyed. Every question coming before the Trust shall be decided by open voting.

#### **Method of voting**

#### **27.4**

The method of voting shall be as follows:

- (a) The President in putting the motion shall call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced is questioned immediately by any member, in which event the President shall call a division.
- (b) The President or any member may call for a division instead of or after receiving opinion on the voices and taking a show of hands.

#### **Division**

#### **27.5**

When a division is called, the Secretary shall take down the names of the members voting for and against the motion and hand the list to the President who shall declare the result.

## WLT STANDING ORDERS

**Declaration of pecuniary interest**                    **27.6**  
Every member present when any matter is raised on which they directly or indirectly have a pecuniary interest, apart from any interest in common with the public, is under a duty to fully declare any such interest to the meeting. This disclosure and the subsequent abstention of such member from both discussion and voting on the item are to be recorded in the minutes.

### **28. Minutes of Proceedings**

**Minutes to be evidence of proceedings**                    **28.1**  
Every Trust shall keep minutes of all its proceedings, and minutes of proceedings duly entered and authenticated as prescribed by the Trust shall be prima facie evidence of those proceedings. (See Appendix 2, A2.9)

**Keeping of minutes**                    **28.2**  
The Secretary or his/her designated representative shall keep the minutes of meetings. The minutes shall record the date, time and venue of the meeting; the names of those members and officers present; identification of the President; apologies tendered; arrival and departure times; any failure of a quorum; (a list of speakers under public forum and the topics they cover); a list of items considered; resolutions pertaining to those items; any objections to words used; all divisions taken; names of any members voting against a motion if requested; declarations of pecuniary interest; resolutions to exclude members of the public; and the time that the meeting concludes or adjourns (see Standing Orders 9.2, 21.2, 22.3 & 27.6).

**Approval of minutes**                    **28.3**  
The minutes and proceedings of every meeting shall be circulated to members and considered at the next meeting succeeding, and, if approved by that meeting, or when amended as directed by that meeting, shall be signed by the President of such succeeding meeting.

### **29. Use of Common Seal**

**Common Seal**                    **29.1**  
The common seal of the Trust shall be held by the Secretary, and he/she shall be responsible for the custody and use of same.

## APPENDIX 2

### **A2 Powers of the President**

This Standing Order is intended to separately set out the President's powers which are contained in various parts of the Standing Orders.

The provisions in these Standing Orders are authoritative. The relevant Standing Orders are referred to in brackets.

#### **A2.1 President to decide all questions**

The President is to decide all questions where these standing orders make no provision or insufficient provision. The President's ruling is final and not open to debate.  
(see Standing Order 19.1)

#### **A2.2 President to decide points of order**

The President is to decide any point of order and may do so immediately after it has been raised or may first hear further argument before deciding. The ruling of the President upon any point of order is not open to any discussion and is final. No point of order may be raised during a division except by permission of the President.  
(See Standing Order 26.5)

#### **A2.3 President's Voting**

The President at any meeting has a deliberative vote and, in the case of equality of votes, also has a casting vote.  
(See Standing Order 27.2)

#### **A2.4 Motion in Writing**

The President may require the mover of any motion or amendment to submit it in writing signed by the mover.  
(See Standing Order 25.4)

#### **A2.5 President may call a meeting**

The President:

- (a) May call a meeting to dispose of the business to be transacted following the lapsing of a meeting due to failure of a quorum if such business cannot be delayed until the next ordinary meeting;
- (b) May requisition a special meeting to be held at a specified time and place in order to conduct specified business;
- (c) Or Secretary may also call an emergency meeting to deal with matters that require a meeting to be held at shorter notice than can be given to enable a special meeting to be held.

(See Standing Order 7.1)

#### **A2.6 Irrelevant Matter and tedious repetition**

The President's ruling preventing members when speaking to any motion or amendment from introducing irrelevant matter or indulging in needless repetition is final and not open to challenge.  
(See Standing Order 24.2)

## WLT STANDING ORDERS

### **A2.7 Explanations**

The President may permit members to make a personal explanation in addition to speaking to a motion, and members who have already spoken to explain some material part of a previous speech in the same debate.

### **A2.8 Priority of Speakers**

The President will determine the order in which members may speak when two or more members indicate their wish to speak.  
(See Standing Order 19.3)

### **A2.9 Minutes**

The President is to sign the minutes and proceedings of every meeting once confirmed. The President and Secretary are responsible for confirming the correctness of the minutes of the last meeting of a Trust prior to the next election of members.  
(See Standing Orders 28.1)

### **A2.10 Remuneration and Allowances**

President - At the final meeting prior to a triennial election, the Board shall recommend to the incoming board the remuneration to be paid to the President. The incoming board will confirm the recommendation.

Members - At the final meeting prior to a triennial election, the Board shall recommend to the incoming board the remuneration to be paid to the Members. The incoming board will confirm the recommendation.

Traveling allowances payable to members of the Trust and other persons (staff) shall be in accordance with the scales laid down in the Fees and Travelling Allowances Regulations 1952 as amended from time to time by Treasury circular.

Overseas Travel Expenses - Members overseas travel expenses will be subject to Board resolution on presentation of an itinerary approved by the Board.

## APPENDIX 3

### A3 Public Sessions

Members of the public are welcome to attend and speak in the public session of each regular Elected Member meeting (often referred to as “monthly meetings”).

These Standing Orders, in addition to those in Part Two of this document are intended to support the public’s ability to participate in the proceedings of the Licensing Trust.

#### A3.1 **Length of Speaking Time**

A period of up to 30 minutes, or such longer time as the majority of Licensing Trust Elected Members may determine at the meeting, will be set aside for a public session at the commencement of regular meetings of the Licensing Trust.

#### A3.2 **Chair of Public Session**

The President or their nominee shall chair the public session of the meeting.

#### A3.3 **Time Limits on Speakers**

In the interests of fairness, during the public session each person may speak for up to 5 minutes per speaker. In the case of a group, or multiple speakers on the same topic, the Chair may request that there be a spokesperson nominated to speak. If required, additional time will be allocated for questions to be put to members of the public.

#### A3.4 **Topics for Consideration**

Speakers should avoid topics under judicial consideration or subject to a quasi-judicial process. Some material concerning the Licensing Trust’s activities may be commercially sensitive, including under the Local Government Official Information and Meetings Act 1987 (sections 6 to 9) and may be unable to be discussed. This will be at the discretion of the chair to determine during the meeting.

Elected Members may ask questions of speakers during the public session, in order to obtain further information or clarification on matters raised by the speaker.

#### A3.5 **Speakers to Submit Specific Questions**

If a member of the public has specific questions, they are encouraged to submit them in writing to [info@thetrusts.co.nz](mailto:info@thetrusts.co.nz) at least two working days prior to the start of the meeting, directed to the President or their nominee, to help ensure accurate information is available at the meeting. Questions may be referred to management for a response, either during or after the meeting.

#### A3.6 **Audio-Visual Requirements**

Where a member of the public wishes to present a PowerPoint presentation or similar, two working days’ notice must be given to the Licensing Trust, via the President or their nominee, in order to arrange access to the appropriate technology.

#### A3.7 **Conduct of Meetings**

Meetings are typically conducted in English. Where a member of the public wishes to speak in Te Reo Māori or New Zealand Sign Language, or any other language, they are required to give notice of this requirement to the President or their nominee at least five days in advance of the meeting.

#### A3.8 **Minutes**

Matters discussed in the public session may be recorded in summary form in the meeting minutes and these are shared publicly at [www.thetrusts.co.nz](http://www.thetrusts.co.nz)