



TE TIRA AHU PAE HEI HĀPAI WHAKAMANA

Motions from July 3rd Part III Board Meeting

Motions Passed via Voting

1. Motion that the board accept the proposal for a motion to be considered at the next general meeting regarding the proposed constitutional amendment 1 - Student Attendance at General Meetings. **Passed**
2. Motion that the board accept the proposal for a motion to be considered at the next general meeting regarding the proposed constitutional amendment 2 - Voting Rights. **Passed**
3. Motion that the board accept the proposed election timeline in the spreadsheet 5.4 DRAFT Elections Timeline, sheet title Draft Election Calendar (2)*. **Passed**
4. Motion that the board release the motions passed and their accompanying documents to part I unless marked confidential. **Passed**
5. Motion that the board direct the **GM** to put the membership form on the website and start a membership registry. **Passed**
6. Motion that the board direct **MG** to write a press release regarding our noncompliance, but that this press release is not released without a resolution of the board. **Passed**
7. Motion that the board approve the membership form provided from page 12 to 14 on the Membership Feedback document from the SLT, with the amendments to allow students to choose multiple campuses/study locations and remove the question regarding whether the student considers themselves to be a 'mature student.' **Passed**

Motions Passed via Consensus

1. The discussion/motion regarding Election Manager would be postponed until further notice to allow for greater discussion with board members who were not present today. **Passed**

**This document has been exported as a PDF titled 'Elections Timeline.pdf'*



**TE TIRA AHU PAE
HEI HĀPAI WHAKAMANA**

Proposal for an Upcoming Special General Meeting and Membership Drive

Objective

To formalise the acceptance of the provided form for membership applications and provide a special general meeting that abides by our constitution and other relevant legislation.

Background

Our constitution was signed in 2022, and has not been upheld since then. We have breached it in several aspects, including our membership requirements, quorum, elections and general meetings. An underlying foundation of this constitution is membership. I would like to propose a plan for us to adhere to our constitution's membership policies, and ideally set in place the motions for us to amend it to make our association more democratic.

We have unfortunately found ourselves in a situation, where if conflicts do arise, we are unable to look to our constitution for resolution without the shadow of hypocrisy present. As a matter of not only abiding by our legal obligations, but providing clarity and security for future members, I want us to radically change how we interact with our constitution. It is a document that can be changed if it is not fit for purpose, and currently, it is not fit for purpose.

This proposal for an SGM and for membership is the first step in critically understanding the backbone of our organisation.

Membership Under Our Constitution

- As per Article 9.1a(ii) of our constitution, a general member is currently an enrolled student at Massey University and is an individual who signs an application to become a member and is admitted under rule 9.2.
- 9.2 Specifies that every individual wishing to become a member must provide written consent and sign an application form provided by the board, with admission subject to board approval.
- 9.4a Mandates the general manager to maintain an up-to-date membership register, including members' names, postal and email addresses, phone numbers, occupations, the dates each member became a member, together with the member's written consent to become a member, and whether or not the member is financial in terms of Rule 9.12.

Relevant Information from the Incorporated Societies Act 2022

- Section 76(1) states that a person must consent to become a member of a society.
- Section 79(1) states that every society must keep a registry of its members.
- Section 30(2) states every amendment to a society's constitution must be in writing; and approved at a general meeting of the society approved by a resolution passed by a relevant majority; and otherwise made in accordance with its constitution.
- Section 30(3)(a) states a relevant majority is a simple majority of votes of those members entitled to vote and voting on the question.

Relevant Information from the Education and Training Act 2020

- Section 261 states that a student or prospective student at an institution is not required to be a member of a students association.
- Section 262 states a person may not exert undue influence on any student or prospective student with the intention of making that student or prospective student become or remain a member of a students association; or cease to be a member of a students association; or not become a member of a students association.
- The Education Amendment Act of 2011 was repealed on 1 August 2020, pursuant to section 669(3)(b) of the Education and Training Act 2020.
- Section 264(6) states the council may decline a request to collect membership fees on behalf of a students association, or may withhold all or part of any membership fees collected, if the council believes that the terms of the constitution of the students association are being breached; or the accounts disclose financial irregularities.

Meeting Procedures Under Our Constitution

- 10.3 Restricts attendance at AGMs and SGMs to entitled members, the executive, and the general manager. It is important to note that staff, unless they are on the executive, an entitled member or the general manager, are not permitted to attend or participate in the AGM/SGM.
- 10.17 Any constitutional change to be considered at an AGM/SGM must be proposed by the board; or signed by at least 100 entitled members and submitted in writing to the manager at least 21 clear days before the meeting.

We must abide by the relevant legislation and our current constitution. Any change to this constitution must be done in a legal manner. The constitution currently is undemocratic, and amendments should be made, however this can only be done by abiding by its rules initially.

Other Student Associations

It is important to note that abiding by the relevant legislation is not done by all student associations. Examples have been given below:

VUWSA's constitution states all enrolled students are members, which is in breach of section 76(1) of the Incorporated Societies Act 2022 and section 261 of the Education and Training Act 2020.

OUSA's constitution states a person becomes a general member upon enrolment at the university. Again, this is in breach of section 76(1) of the Incorporated Societies Act 2022 and section 261 of the Education and Training Act 2020.

WSU's constitution states all enrolled students are eligible for full membership, however there is no mention of a members registry nor membership application.

LUSA's constitution defines a member as a currently enrolled student, or in the case of the president, was a student within the year preceding when he or she was first elected. Defining a member as a currently enrolled student breaches section 76(1) of the Incorporated Societies Act 2022 and section 261 of the Education and Training Act 2020.

I would like to see Te Tira Ahu Pae abide by our own constitution and relevant legislation. We are currently failing to do both. The conflict that I believe we have is our obligation to provide services to all Massey students and our constitution stating that our SGMs/AGMs cannot be attended by non-members.

In order to fix this, I would like to propose a plan to hold our SGM constitutionally and pass a motion to be considered at said SGM to make our organisation more accessible and democratic.

Part One

Part one of this plan involves motions that can be passed and enacted by the board:

- *I propose a motion that the board announce an SGM to be held on Thursday August 8th at midday, which falls on week 4 of semester 2.*
- *I propose a motion that the board accept the membership application form provided by the SLT.*
- *I propose a motion that the board direct the General Manager to put the membership form on the website and start a membership registry.*

Part Two

Part two involves potential motion proposals that, if the board were to pass, would be considered at the SGM. These are simply draft ideas of proposed motions, and are not to be voted on or considered in this motion. They exist for the purpose of understanding the larger pathway after completing part one of this plan.

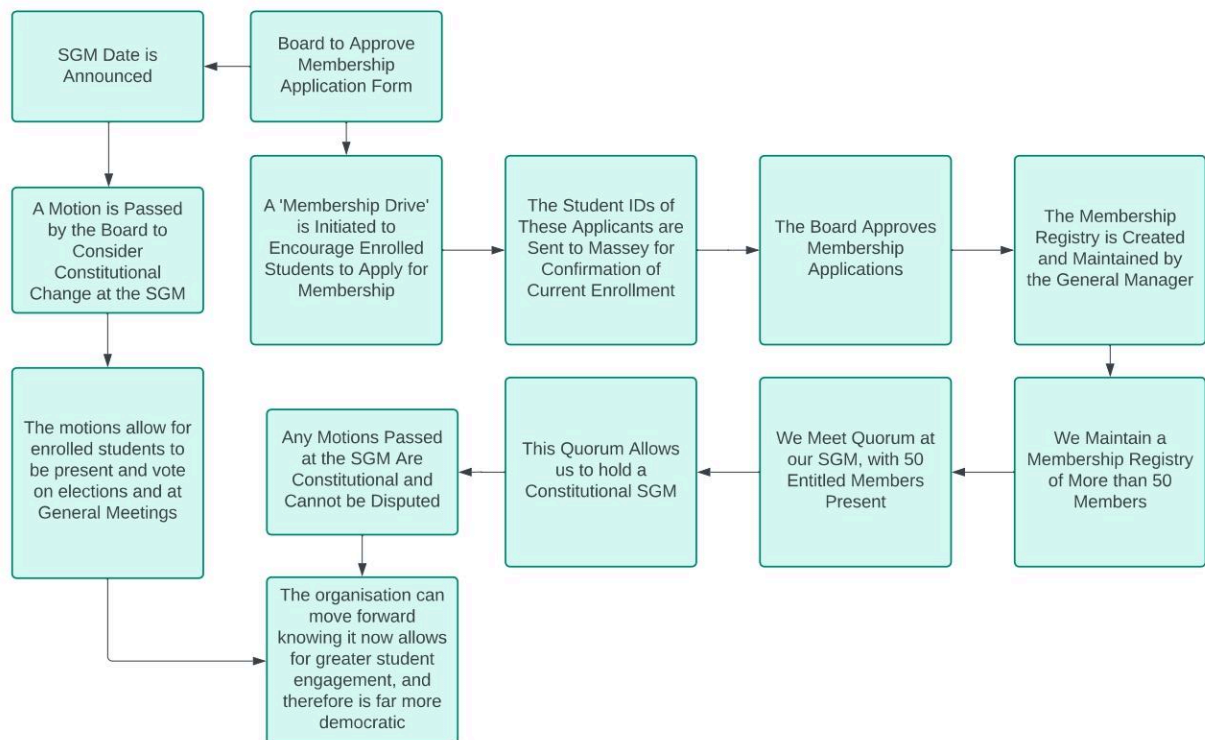
These motions would be proposed constitutional change with the following goals:

- *Allowing all enrolled students to attend and participate in AGMs/SGMs, and vote on all matters except constitutional change and the winding up of the society.*
- *Allowing only entitled members to vote on constitutional change. This abides with the Incorporated Societies Act of 2022.*
- *Allowing all enrolled students to vote and run for executive positions.*

- *Changing the required information for membership to include only the applicant's name, student ID, phone or email address, date of membership approval and signed consent to membership. This would alleviate the burden that many students might feel when providing the organisation with the currently required information such as their postal address and occupation.*

Membership should ideally be available to all enrolled students, however we can not make them members without their consent. What we can do is make membership far more accessible, and make participation in the organisation, such as attendance at general meetings more accessible. There are ways to do this and still abide by the relevant legislative frameworks, but first we must work within the current constitutional framework.

Diagram to Simplify this Pathway



Motions to be Voted on

To reiterate, the specific motions I am putting to the board this meeting are as follows:

- *I propose a motion that the board announce an SGM to be held on Thursday August 8th at midday, which falls on week 4 of semester 2.*
- *I propose a motion that the board accept the membership application form provided by the SLT.*
- *I propose a motion that the board direct the General Manager to put the membership form on the website and start a membership registry.*



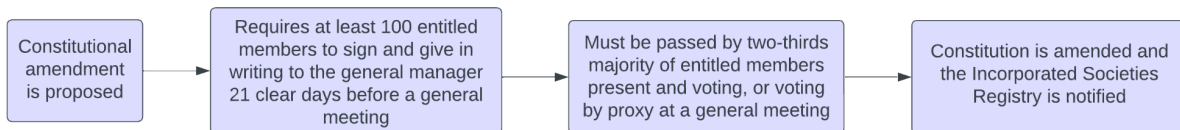
TE TIRA AHU PAE HEI HĀPAI WHAKAMANA

Proposed Constitutional Amendments

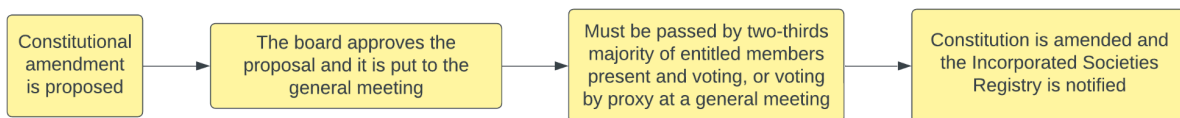
Relevant Information

There are two pathways to propose and implement constitutional amendments, which are outlined below. Due to our distinct lack of entitled members at the time being, I am putting these proposals to the board. It is important to note that the board cannot pass these proposals as constitutional amendments. The board can only pass them as motions to be considered at a general meeting.

Constitutional Change Pathway 1



Constitutional Change Pathway 2



CONSTITUTIONAL PROPOSAL 1 - STUDENT ATTENDANCE AT GENERAL MEETINGS

Rationale

Currently enrolled students who are not members are not entitled to attend general meetings. This is despite the association allowing students to attend and vote at these meetings, as evident by the AGM held both last year and this year. There is clearly an agreement amongst the executive that students should be allowed to attend and participate in the association, despite what our constitution says. This proposal would address the specific clauses that deny

non-member student engagement, allowing a greater diversity of student input and involvement in the organisation.

CONSTITUTIONAL PROPOSAL 1 (a)

Rationale:

This amendment would allow enrolled students who are not members to attend annual general meetings.

Current Constitutional Wording

Annual General Meetings

3.1 The Annual *General Meeting* (which only *Entitled Members* and *Life Members* are entitled to attend) shall be held no later than the last day of Massey University's first semester in each year (and not later than 6 months after the balance date under Rule 4.3) on a date, at a time and at venue/s fixed by the *Board* (see also Section 10.0).

Proposed Wording (Replacing the Current Clause 3.1)

3.1 The Annual *General Meeting* (which only *Entitled Members*, *Enrolled Students* and *Life Members* are entitled to attend) shall be held no later than the last day of Massey University's first semester in each year (and not later than 6 months after the balance date under Rule 4.3) on a date, at a time and at venue/s fixed by the *Board* (see also Section 10.0).

CONSTITUTIONAL PROPOSAL 1 (b)

Rationale:

This amendment would allow enrolled students who are not members to attend special general meetings.

Current Constitutional Wording

Special General Meetings

3.2 Special *General Meetings* which only *Entitled Members* and *Life Members* are entitled to attend (and see also Section 10.0) shall be called by:

- (a) The Board, or
- (b) Within 21 clear days of written requisition received by the *Manager* signed by not less than 50 *Entitled Members* and such requisition must specify the business to be considered by the *Special General Meeting*.

Proposed Wording (Replacing the Current Clause 3.2)

Special General Meetings

3.2 Special *General Meetings* which only *Entitled Members*, *Enrolled Students* and *Life Members* are entitled to attend (and see also Section 10.0) shall be called by:

- (c) The *Board*, or

- (d) Within 21 clear days of written requisition received by the *Manager* signed by not less than 50 Entitled Members and such requisition must specify the business to be considered by the Special *General Meeting*.
-

CONSTITUTIONAL PROPOSAL 1 (c)

Statement: To amend the constitution, giving definition to the introduced enrolled student terminology.

Rationale:

To add the term 'enrolled student' would alleviate any potential miscommunication over entitlements. Under section 7.1 definitions are given. This proposed definition would be added at the end of this clause.

Proposed Wording (In addition under clause 7.1)

(dd) "*Enrolled student*" means any currently enrolled student of any of the colleges, institutes, departments, and centres of Massey University.

CONSTITUTIONAL PROPOSAL 1 (d)

Rationale:

This amendment would allow enrolled students who are not members to attend annual general meetings. This also aligns the constitution with clause 3.2, for which there is a current contradiction as to how many members are needed to call a special general meeting.

Current Constitutional Wording

10.3 Special *General Meetings* (which only *Entitled Members* and *Life Members* are entitled to attend) shall be called by:

- (a) The *Board*, or
- (b) Within 21 clear days of written requisition to the *Manager* signed by not less than a quarter of the *Entitled Members* and such requisition must specify the business to be considered by the Special *General Meeting*.

Proposed Wording (Replacing the Current Clause 10.3)

10.3 Special General Meetings (which only *Entitled Members*, *Enrolled Students* and *Life Members* are entitled to attend) shall be called by:

- (a) The *Board*, or
- (b) Within 21 clear days of written requisition received by the *Manager* signed by not less than 50 Entitled Members and such requisition must specify the business to be considered by the Special *General Meeting*.

CONSTITUTIONAL PROPOSAL 1 (e)

Rationale:

This amendment would allow enrolled students who are not members to attend general meetings.

Current Constitutional Wording

10.9 *General Meetings* may be attended by all (see Rule 9.12) *Entitled Members* in person or by proxy (being a person appointed pursuant to Rule 10.11) and may not be attended by any other person other than the *Manager* or an officer of *TE TIRA AHU PAE* unless admitted by resolution of the *General Meeting*.

Proposed Wording (Replacing the Current Clause 10.9)

10.9 *General Meetings* may be attended by all (see Rule 9.12) *Entitled Members* and *Enrolled Students* in person or by proxy (being a person appointed pursuant to Rule 10.11) and may not be attended by any other person other than the *Manager* or an officer of *TE TIRA AHU PAE* unless admitted by resolution of the *General Meeting*.

CONSTITUTIONAL PROPOSAL 1 (f)

Rationale:

This amendment would allow enrolled students who are not members to attend general meetings and grant them rights at such meetings. This proposal would abide by the Incorporated Societies Act of 2022, by clarifying that enrolled students who are not entitled members are not able to vote on motions regarding constitutional change. It also abides by our constitution in regards to winding up, by not allowing enrolled students who are not entitled members to vote on the winding up of Te Tira Ahu Pae.

Proposed Wording (Adding new clause)

10.12 Subject to Rule 9.12, an *Enrolled Student* shall have the following rights at a *General Meeting*:

- (a) An individual *Enrolled Student* shall be entitled to attend, speak, and vote in person or by a signed original written proxy, and
- (b) The person authorised under Rule 10.9 by an *Enrolled Student* as its proxy shall be entitled to attend, speak and vote on behalf of that *Enrolled Student*, and no other proxy voting shall be permitted.
- (c) *Enrolled Students* who are not *Entitled Members* shall not be entitled to vote on motions regarding constitutional change or the winding up of *TE TIRA AHU PAE*.

CONSTITUTIONAL PROPOSAL 2 - VOTING RIGHTS

CONSTITUTIONAL PROPOSAL 2 (a)

Statement: To allow enrolled students to vote in our elections.

Rationale:

This would allow what we currently already do, which is enrolled students who are not members voting in our elections. This would involve no change to our procedures, but would simply be aligning our constitution with current practices.

Current Constitutional Wording

Schedule 8. Voting

(c) Method of voting: Voting will occur in accordance with the following rules:

Members each have one vote per *Executive* position and may allocate their vote towards a nominee or may vote 'no confidence' or abstain,

Proposed Wording (Replacing schedule 8 (b))

Schedule 8. Voting

(c) Method of voting: Voting will occur in accordance with the following rules:

Members and *Enrolled Students* each have one vote per *Executive* position and may allocate their vote towards a nominee or may vote 'no confidence' or abstain.

Motions to be Voted on

The specific motions I am putting to the board this meeting are as follows:

- *That the board accept the proposal for a motion to be considered at the next general meeting regarding the proposed constitutional amendment 1 - Student Attendance at General Meetings.*
- *That the board accept the proposal for a motion to be considered at the next general meeting regarding the proposed constitutional amendment 2 - Voting Rights.*



TE TIRA AHU PAE

HEI HĀPAI WHAKAMANA

Te Tira Ahu Pae (Massey University Students' Association) has been alerted to the constitutional non-compliance of students' associations across Aotearoa. The board has taken immediate steps to resolve any of these concerns within our own association.

Currently, the Incorporated Societies Act 2022 states that a person must consent to become a member of a society. Both the 1908 and 2022 Acts require incorporated societies to keep a register of its members.

Many students' associations state that all students are members, which unfortunately is not a viable legal option without the written consent of every student. In contrast, Te Tira Ahu Pae's constitution states that members must sign a membership form and be accepted by the board. To date this membership form has not been offered, meaning we have not held a membership register.

To address this issue, Te Tira Ahu Pae is launching a membership drive and will create a membership register. Additionally, a Special General Meeting (SGM) has been called for August 8th that members can attend. This SGM will facilitate a vote to ratify all board motions to date, while amending our constitution to allow enrolled students who are not members to participate in the association.

Information on this motion, alongside our constitution and other relevant documents can be accessed on our website under *Documents & Governance*.

All students are encouraged to apply for membership and join us in this important process to ensure the continuation of Massey University Students' Association as a democratic and accessible organisation for all students.

*Te Tira Ahu Pae– Massey University Students' Association Federation Ōteihā– Albany | Level 2, Student Central, Massey University
Auckland Campus, Gate 1 Manawātū– Palmerston North | Level One, Student Services Building, Massey University, Palmerston
North Pukeahu– Wellington | Level C, Student Services Building, Massey University, Wellington*

Leading Representative Contact: Manawatahi@tetiraahupae.ac.nz– Micah Geiringer
Media Liaison Contact: Manawhakahaere@tetirahupae.ac.nz– Cameron Taylor

5. Election Timeline

Main phase	Week day	<u>MONDAY</u>	<u>TUESDAY</u>	<u>WEDNESDAY</u>	<u>THURSDAY</u>	<u>FRIDAY</u>	Semester Week
	Starting Date						
TE TIRA AHU PAE AWARENESS PHASE	15-Jul	Re O-Week					1
	22-Jul				Rep info: TTAP services		2
	29-Jul						3
	5-Aug				SGM		4
	12-Aug		Rep info: nomination awareness		Rep info: Breakdown on roles' JDs		5
NOMINATION DRIVE PHASE	19-Aug	Nominations open, promos of nominee submission					6
	26-Aug	Promos of nomination period					MSB
	2-Sep	Promos of nomination period					MSB
	9-Sep	Nomination drive cont. Campaigning brief (arvo)		Nominations close		Confirm Interview times	7
ELECTION CAMPAIGNING & VOTING DRIVE PHASE	16-Sep	Nominee list announced Interviews start					8
	23-Sep	Campaigning (W1) Voting opens 9am		Debates after 2pm			9
	30-Sep	Campaigning (W2)				Campaigning closes / Voting closes 4pm	10
CELEBRATION PHASE	7-Oct	Student verification process with MU & Board to confirm interview & voting results					11
	14-Oct	2025 Student reps announced				End of Year TTAP Celebration (student reps, class reps, clubs)	12