

**CONSTITUTION AND RULES OF THE NEW ZEALAND ACADEMY OF HIGHLAND  
AND NATIONAL DANCING (INCORPORATED)**

2005

**1 NAME**

The name of the Society shall be The New Zealand Academy of Highland and National Dancing Incorporated (hereinafter referred to in these Rules as "The Academy")

**2 REGISTERED OFFICE**

The registered office of the Academy shall be situated at such address, as the Academy shall from time to time determine.

**3 OBJECTS**

The objects of the Academy shall be as follows:

- 3.1 To fulfil the charitable purpose of education and advancement of Highland and National Dancing
- 3.2 To foster and encourage under the auspices of the Piping and Dancing Association of New Zealand (Inc) Highland and National Dancing in New Zealand or in such further or other place as the Academy in general meeting may from time to time determine.
- 3.3 To foster correct and recognise techniques in Highland and National Dancing
- 3.4 To procure advice upon and disseminate literature regarding Highland and National Dancing.
- 3.5 To hold examinations in the arts of Highland and National Dancing and to give recognition to those examinees attaining such standard of knowledge as is decided upon by the Academy.
- 3.6 To recognise excellence in the performing of Highland and National Dancing
- 3.7 To promote the interests of members of the Academy and to advance the art of Highland and National Dancing in its traditional form.

**4 MEMBERSHIP OF THE ASSOCIATION**

The Academy shall consist of the following classes of members

**4.1 LIFE MEMBERS**

Those members who on account of special services rendered to the Academy may be nominated by the Executive Council (either on its own initiative or after recommendation to Executive by two financial members) and then elected by a two thirds majority of members present at an Annual or Special Meeting.

**4.2 MEMBERS**

Those persons who after completing such course or courses as are from time to time stipulated by the Academy, have passed such final examinations as the Academy may require, have attained the age of 17 years and have been accepted as a member according to Rule 5.

**4.3 STUDENT MEMBERS**

Those persons who have passed such Elementary examinations as the Academy may require, and have been accepted as a member according to Rule 5

#### **4.4 JUNIOR MEMBERS**

Those persons who have entered in any Academy examination or assessment and have not yet attained any other class of membership shall be deemed to be a Junior Member.

#### **4.5 HONORARY LIFE MEMBERS**

Those persons, who on account of special services rendered to the Academy, may be nominated by Executive Council (either on its own initiative or after recommendation to Executive Council by two financial members) and then elected by a two thirds majority of members present at a Annual or Special Meeting.

#### **4.6 HONORARY MEMBERS**

Those persons who are elected from year to year by either the Academy or the Executive Council of the Academy

*4.7 Only members in Rules 4.1, 4.2 and 11.5 may exercise voting rights*

*4.8 Only members in Rules 4.1 & 4.2 are eligible for nomination for election by members to Executive Council*

### **5 ELECTION OF MEMBERS**

**5.1** Each candidate for active membership must sign a nomination paper and be proposed and seconded in writing and must be personally known to the proposer and seconder both of whom must be financial members. The proposal must contain the full name, address and occupation of the person proposed and be forwarded to the Secretary-Treasurer.

**5.2** At any meeting of the Academy or of Executive Council after the expiration of seven working days from the receipt by the Secretary-Treasurer of the nomination paper, a candidate shall be elected by a majority vote of the members present and voting shall be by ballot if so desired by any such member.

### **6 RESIGNATION**

Any member may discontinue membership upon delivering to the Academy notice in writing the intention to do so and upon paying all fees and other dues payable up to the date of such notice. Therefore such member shall cease to be a member.

### **7 EXPULSION**

The Executive Council of the Academy may expel any member of the Academy for conduct which in its sole and absolute discretion is deemed to be not in the best interests of the Academy.

### **8 PRIVILEGES**

No person shall have the right to enjoy the privileges of the Academy until all monies due to the Academy by that person have been paid.

### **9 PURGING THE ROLL**

The Roll may from time to time be purged by the Executive Council by striking off the name of any member who is in arrears in the payment of monies due to the Academy for a period of more than twelve months but the member shall not be discharged from liability for arrears due at the date of such striking off.

## **10 SUBSCRIPTIONS**

The annual subscriptions shall be due and payable on the 30th day of June in each year and shall be as determined at each Annual General Meeting.

## **11 EXECUTIVE COUNCIL**

The affairs of the Academy shall be managed by an Executive Council throughout these rules called "the Executive Council" made up as follows:

- 11.1 The President of the Academy who shall be an Academy financial member resident in any part of New Zealand
- 11.2 Two financial members of the Academy who are resident in the North Island
- 11.3 Two financial members of the Academy who are resident in the South Island
- 11.4 The Secretary/Treasurer of the Academy
- 11.5 Two (2) Councillors from the Piping and Dancing Association of New Zealand Incorporated who shall be appointed by the above mentioned Association and shall be eligible to vote at all meetings of the Academy.
- 11.6 The Director of Technical Committee. The Director of Technical Committee shall be ex officio a member of the Executive Council
- 11.7 Notwithstanding the provisions of Rule 12 the Executive Council may appoint annually up to three persons to assist Executive Council for such time as it sees fit. Such persons shall not be eligible to vote.

## **12 ELECTION OF OFFICERS**

### **12.1 PRESIDENT, SECRETARY - TREASURER AND ISLAND MEMBERS**

- a) The only members of the Executive Council to be so elected by the members of the Academy are the Present and two members in the South and North Islands respectively as referred to in Rules 11.1, 11.2 and 11.3 hereof.
- b) These five (5) members shall not be members of the Technical Committee authorised by Clause 17.1(a) of these rules and shall be elected by means of a postal ballot. In the event of an elected member of Executive Council being appointed to the Technical Committee that member may continue in office as a member of Executive Council until the expiry of the appointed term.
- c) The elected **President** will hold office for two (2) years after which he/she will retire but shall be eligible for re-election. The President of the Academy shall not be the President of the Piping and Dancing Association of New Zealand.
- d) Each **Island member** shall hold office during the ensuing two years and on the expiry of this period shall retire but shall be eligible for re-election. One member from the South Island and one member from the North Island shall be elected each year.
- e) The **Secretary - Treasurer** shall be *appointed* by the Executive Council at the first meeting of the Executive Council to be held after the Annual General Meeting of the Academy and shall hold office during the ensuing year.

## **12.2 VOTING PROCEDURES FOR ELECTED OFFICERS**

### **a) TIME LIMITS FOR NOMINATIONS**

- (i)** *Not less than six (6) weeks prior to the date of the Annual General Meeting of the Academy, the Secretary - Treasurer shall forward to each member of the Academy a notice in writing requesting nominations for the election of President and of the Island members to the Executive Council*
- (ii)** All persons so nominated shall be financial members of the Academy. *Such nominations shall be in writing and shall be signed by a proposer and seconder and be accompanied by a statement in writing by the member nominated to the effect that the nomination is accepted.*
- (iii)** The nominations must be forwarded to the Secretary - Treasurer within the period set by the Executive Council
- (iv)** At the expiration of the period set by Executive Council all nominations shall be closed and if more than one member shall have been nominated from the North Island or the South Island and for the office of President then and in such case an election shall be held in the manner *described below*

### **b) POSTAL BALLOT**

- (i)** The Secretary - Treasurer shall forward to each member of the Academy a voting paper setting out the full name and addresses of those persons nominated for the South Island and North Island and for the office of President respectively
- (ii)** *All votes shall be recorded by the member drawing a line through the names of those candidates for whom the member does not wish to vote and leaving uncancelled the name of the candidate for whom the member wishes to vote.*
- (iii)** The member exercising the vote will then seal the voting paper in an envelope marked "Ballot Paper" and legibly sign the back thereof.

### **c) FAX BALLOT**

- (i)** Members residing outside New Zealand may vote by facsimile
- (ii)** The member exercising such a vote must complete the official voting paper as explained above and legibly sign on the lower right hand corner.

### **d) VOTING**

- (i)** No member shall vote for more than one person in each Island and for one President.
- (ii)** *All completed voting papers must reach the Secretary - Treasurer on or before the date set out therein being not earlier than 14 days from the date on which the voting papers were forwarded to members.*

- e) **SCRUTINEERING**
- (i) Following the date so determined as aforesaid the Secretary in the presence of two (2) Scrutineers appointed by the Executive Council shall check the signed envelopes for financial status. The votes of all persons who are not financial members of the Academy shall forthwith be destroyed unopened.
  - (ii) All other voting papers shall be opened by the Scrutineers and those persons (being one from the North Island and one from the South Island and the President) in whose favour the largest number of valid votes is recorded shall be declared duly elected.
  - (iii) Such declarations shall be made in writing, signed by the Secretary and both scrutineers.
- f) **PUBLICATION OF RESULTS**
- (i) The Secretary - Treasurer shall forthwith notify the newly elected members of the Executive Council of their election
  - (ii) The results of votes cast and numbers obtained by each nominated person will be published to members.
- g) **ASSUMPTION OF OFFICE**
- (i) The newly elected members will assume office following the Annual General Meeting with the exception of the newly elected President who will chair the Annual General Meeting.

### **13 FORFEITURE OF OFFICE**

Any Councillor absent from three successive ordinary meetings of the Executive Council without excuse as the Executive Council may deem sufficient shall ipso facto forfeit the office.

### **14 EXTRAORDINARY VACANCIES ON EXECUTIVE COUNCIL**

Should any extraordinary vacancies occur in the Executive Council such vacancy may be temporarily filled by the Council until the next appointment by election

### **15 PRESIDENTS DUTIES**

- 15.1 The President of the Academy shall perform all the controlling supervisory duties usually pertaining to the office of the president
- 15.2 The President shall preside at all meetings of the Academy
- 15.3 In the absence of the President a member appointed as chairperson by resolution of the meeting shall preside.
- 15.4 The President or other chairperson of any meeting shall have a deliberative vote and also a casting vote in the event of a tie in the voting upon question

### **16 ANNUAL MEETING**

- 16.1 The Annual Meeting of the Academy shall be held within three months from the date of June in each year on a day to be fixed by the Executive Council.
- 16.2 Notice of the meeting shall be given to each member by a circular
- 16.3 At such meeting the President shall submit a report of the operations of the Academy during the previous year, together with statements of receipts and expenditure and balance sheet: such circular, report, statement and balance sheet shall be posted to the address of each member at least ten days prior to the date of the meeting.

## **17 TECHNICAL COMMITTEE**

### **17.1 DUTIES**

- a) There shall be a Committee hereinafter referred to as the Technical Committee appointed for the purpose of fostering correct and recognised techniques in Highland and National Dancing.
- b) The Technical Committee shall be subordinate to the Executive Council and shall carry out any duties and exercise any authorities which may, from time to time, be delegated to it by the Executive Council, subject to such duties or authorities not in any way conflicting with the objects of the Academy as set out in Rule 3 of these Rules.

### **17.2 APPOINTMENT**

- a) Members of Technical Committee shall be appointed annually by Executive Council after the Director's Report on each member has been submitted and assessed by the Executive Council. After assessment by Executive Council Technical Committee members will be advised of their appointment or non-appointment.
- b) Consideration will be given annually by Executive Council to the number of persons required for Technical Training for the Technical Committee. Applications from financial members shall be sent to Executive Council but Executive Council may invite any financial members to apply for selection. Applicants will be interviewed by Executive Council, Technical Committee and/or Advisory Council as deemed necessary by Executive Council. Appointments to the technical Committee will be made by Executive Council after which the successful candidate will be advised.
- c) Executive Council may appoint suitable persons to work with the Technical Committee for individual terms of two years or such lesser periods as may be determined by Executive Council from time to time provided that not more than two such person may hold such appointments at any one time.
- d) A Director of the Technical Committee shall be appointed annually *by the Executive Council*

### **17.3 TECHNICAL ADVISORY COUNCIL**

- a) There shall be a committee appointed by the Executive Council to be known as the Technical Advisory Council. A pre-requisite to the honour of appointment to the Technical Advisory Council will be appropriate service to the Technical Committee.
- b) Members of the Technical Committee appointed to the Technical Advisory Council will forego their membership of the Technical Committee with the exception of the Director of Technical Committee who will, ex officio, be a member of the Technical Advisory Council without voting power. The Technical Advisory Council will meet once yearly or at such times as may be determined by the Executive Council and its functions will be to rule on technical matters in the following circumstances:
  - (i) Where agreement of all members of Technical Committee on any technical matter is not reached unanimously OR
  - (ii) When any technical matter is referred to it by the Executive Council
- c) No decision of the Technical Advisory Council will be valid unless ratified by the Executive Council
- d) Any member of the Technical Advisory Council is eligible for appointment as an examiner.
- e) When the services of the Technical Advisory Council are required, travel and accommodation expenses will be paid by the Academy.
- f) The Executive Council should announce appointments to the Technical Advisory Council at least one year prior to the appointee taking up the new position.

#### **17.4 RESIGNATION**

In the event of a resignation from the Technical Committee and/or an appointment of a Technical Committee member to the Technical Advisory Council the number of members of the Technical Committee may be increased for up to one year by the number of members resigning and/or being appointed to the Technical Advisory Council. The purpose of this is to enable the members concerned to assist for one year in training new appointees to the Technical Committee

#### **17.5 FORFEITURE OF OFFICE**

Any member of the Technical Committee absent from three (3) successive ordinary meetings of the same Committee without such excuse as the Executive Council may deem sufficient shall ipso facto forfeit the office.

#### **18 FINANCIAL YEAR**

The financial year shall close on the 30th day of June in each year.

#### **19 SPECIAL MEETINGS**

A special meeting of the Academy may be called at any time by the Secretary - *Treasurer* or shall be called at any time upon a resolution of the Executive Council or upon a requisition of any ten members of the Academy addressed to the Secretary - *Treasurer*. The notice calling such a special meeting shall be given by circular to each member at least ten clear days prior to the date of the meeting and the notice shall state clearly the object of holding the meeting.

#### **20 VOTING AND QUORUM**

Each financial member of the Academy shall be entitled to one vote at all special or general meetings; the quorum of which shall be seven. Voting shall be by ballot or show of hands. Each member shall show *his/her* current membership as proof of eligibility to vote.

#### **21 SPECIAL MEETINGS OF THE EXECUTIVE COUNCIL**

*The Secretary-Treasurer on the requisition of the President or any three councillors shall call meetings of the Executive Council for special purposes.*

A circular clearly stating the object of the holding of such meeting shall be sent by the Secretary - *Treasurer* to each member of the Executive Council at least five days prior to the time set for the holding of such meeting.

#### **22 RESCINDING RESOLUTIONS**

No resolution passed at an Annual General Meeting shall be varied or rescinded unless at a special meeting of the Academy specially called for that purpose. A circular clearly stating the object of the holding of such meeting shall be sent by the Secretary - *Treasurer* to each member or officer as the case may be at least ten days prior to the time set for the holding of such meeting. The circular shall set out the resolution it is wished to vary or rescind and the motion to be moved at the meeting to effect the variation of rescission.

#### **23 PROFIT**

No member shall receive any profit or emolument from the Academy otherwise than as a paid officer.

#### **24 CONTROL AND INVESTMENT OF FUNDS**

**24.1** The Executive Council shall control and invest the funds of the Academy in such a manner, as they shall think fit.

**24.2** The surplus funds of the Academy may be invested from time to time in any manner in which trust funds may be invested according to the law of New Zealand



**25 BANK ACCOUNT**

The bankers of the Academy shall be the Bank of New Zealand Limited or such other banks as may be determined from time to time by the majority of members voting at the general meeting of the Academy *or by Executive Council*

**26 CHEQUE SIGNATORIES**

The Secretary-*Treasurer* of the Academy and any one member together or such other person or persons as a majority of the members of the Executive Council shall from time to time decide shall have the authority to sign cheques on behalf of the Academy.

**27 POWER TO PURCHASE AND LEASE PROPERTY AND TO BUILD**

*The Executive Council shall have the power to* purchase, take on lease or otherwise acquire for the purposes of the Academy any estates, lands, building, easements or other interests in real estate, and to sell, *lease*, or otherwise dispose of or grant rights over any real property belonging to the Academy and to purchase or otherwise acquire, erect, maintain, re-construct and to adapt any buildings and other things found necessary or convenient for the purposes of the Academy.

**28 CUSTODY AND USE OF THE SEAL**

The seal shall be in the custody of the Secretary - *Treasurer*. It shall not be affixed to any document unless by resolution duly passed for that purpose by the Executive Council and shall only be affixed in the presence of the President or deputy and the Secretary- *Treasurer*.

**29 ALTERATION OF THE RULES**

No alteration or addition to or rescission of the foregoing Rules or any of them shall be made unless by two thirds of such members voting at the Annual General Meeting of the Academy or at a Special Meeting of which ten clear days' notice shall be given in the manner prescribed in Rule 19 and no amendment, addition or alteration shall be made that alters the exclusively charitable nature of the Academy.

**30 WINDING UP**

In the event of the winding up of the Academy all surplus assets of the Academy after payment of all costs, debts and liabilities shall, subject to any trust affecting the same, be disposed of for a charitable purpose within New Zealand in the manner in which the majority of the members present at a meeting convened for the purpose shall direct.