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## South Pacific Educators in Vision Impairment (NEW ZEALAND)

CONSTITUTION

## Amended September 2019

Website: <http://www.spevi.net>

**SOUTH PACIFIC EDUCATORS IN VISION IMPAIRMENT**

**(NEW ZEALAND)**

1. **Name:**

The name of SPEVI NZ shall be the South Pacific Educators in Vision Impairment (New Zealand).

1. **Aims:**

The aim of SPEVI NZ shall be:

* 1. To be recognised as the professional body in matters pertaining to the education of persons who have vision impairment in New Zealand.
  2. To stimulate research and to encourage highest standards in the education of persons who have vision impairment in New Zealand.
  3. To promote general and special training of educators of persons who have vision impairment.
  4. To promote and facilitate interchange of information among parents, educators, consumers, other professional groups and the community concerning education and equal opportunity for persons who have vision impairment.
  5. To promote and facilitate co-operation in fully utilising services and equipment.
  6. To promote and participate in the circulation of literature and other information relating to the education of persons who have vision impairment.
  7. To collaborate with organisations whose objectives are similar to those of SPEVI NZ.
  8. To use all the resources to further the objectives of SPEVI NZ.
  9. To promote collaboration and co-operation among service providers.
  10. To evaluate and encourage the use of appropriate up to date materials, including

technical equipment, in the education of persons who have vision impairment, and to

advocate and support in-depth teacher education programmes in the use of new techniques and technology.

* 1. To work in close partnership with SPEVI Australia as agreed in the Memorandum of Understanding ratified in Sydney on Friday 21st January 2011. (This Memorandum of Understanding was established to ensure that the key aims of the SPEVI organisation are maintained). No legal obligations between either parties are implied.

1. **Registered Office:**

The Registered Office of SPEVI NZ shall be at such a place as SPEVI NZ Executive shall from time to time determine.

1. **Definitions:**

In the interpretation of these rules (unless the context requires a different construction)

* 1. “SPEVI NZ” shall refer to the South Pacific Educators in Vision Impairment (NZ).
  2. “SPEVI NZ Executive” shall mean SPEVI NZ Executive for the time being of SPEVI NZ constituted under rule 13 of these rules.
  3. Words recording the singular number include the plural number and vice versa. Words of one gender shall include the other.

1. **Objects:**

SPEVI NZ is established for charitable, educational and research objectives and to this end shall have the power to:

* 1. Seek, accept and receive donations, subsidies, grants, endowments and sponsorships for SPEVI NZ.
  2. Enter into contracts or agreements of whatsoever nature and type as may be necessary to run SPEVI NZ.
  3. Do all such things as are necessary to achieve the aims and objects of SPEVI NZ.

1. **Membership:**
   1. Members will be people interested in the education of persons who have vision impairment who agree to abide by this constitution and rules. Membership will be granted to such individuals upon completion of a membership application form and payment of a set fee.
   2. Applications for membership shall be in writing as prescribed by the SPEVI NZ Executive.
   3. Membership shall be approved by the SPEVI NZ Executive in accordance with 6.1 of the Constitution.
   4. An applicant shall become a member upon approval by SPEVI NZ Executive and upon payment of the membership fee to the Treasurer.
   5. A member may resign from SPEVI NZ by notifying the Secretary of SPEVI NZ in writing, whereupon membership shall cease. The member shall remain liable for any outstanding subscriptions which shall be recoverable as a debt due to SPEVI NZ.
   6. Honorary Life Membership.
2. The Annual General Meeting may confer honorary life membership on any member who has made significant contribution to the education of persons who have vision impairment through their association and contribution to SPEVI.
3. No more than three (3) honorary life memberships shall be conferred at an Annual General Meeting.
4. The number of Honorary life members of SPEVI NZ at any one time shall not exceed three (3).
5. Honorary life members shall not be required to pay SPEVI membership or SPEVI conference registration fees.
6. Honorary life members shall have full membership rights and privileges.
7. **Financial:**

The financial year of SPEVI NZ shall be from the 1st day of April to the 31st March in a year or as may be determined by SPEVI NZ Executive from time to time.

* 1. Funds source

1. The funds of SPEVI NZ are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by SPEVI NZ in General Meetings, such other sources as the SPEVI NZ Executive determines.
2. All monies received by SPEVI NZ must be deposited as soon as practicable

and without deduction to the credit of SPEVI NZ’s bank account.

1. SPEVI NZ must, as soon as practicable after receiving any money, provide acknowledgement of payment.
   1. Funds Management
2. Subject to any resolution passed by SPEVI NZ, funds are to be used in pursuance of the objectives of SPEVI NZ in such a way that the Executive determines.
3. All cheques, drafts, bills of exchange, promissory notes and other negotiable

instruments must be signed by two members of the Executive who are recorded as the current legal signatories.

* 1. Protocol for Responding to Requests for Money or Grants

When a request is received for money or a grant to be paid out from SPEVI NZ funds, other than incidental reimbursements under $200, such requests can only be approved at an official SPEVI NZ Executive meeting.

1. **Annual General Meeting:**
   1. An Annual General Meeting of SPEVI NZ shall be held at times and places fixed by the

Executive and notice shall be given to members of the time and place of such meeting at least 21 days before the date of the meeting.

* 1. In the event of a calendar year elapsing without the holding of a general meeting, any three

Members may, by notice in writing, call a meeting at a place and at a time chosen by them but shall give at least 21 days’ notice of such Annual General Meeting to all members of SPEVI NZ. Any such meeting so called shall be the Annual General Meeting in respect of the immediately preceding calendar year.

1. **Proceedings of the Annual General Meeting:**
   1. The quorum for the Annual General Meeting shall be at least one third of the members of SPEVI NZ, which may include members of SPEVI NZ Executive.
   2. The following business shall be transacted at any Annual General Meeting:
2. Receive and consider the annual report of the Executive and any other duly constituted committee.
3. Receive and consider the annual financial statement from the Treasurer.
4. Elect an Executive as set out in Clause 13 hereof.
5. Elect an Auditor if appropriate.
6. Consider such other business as may be accepted by permission of the majority of members present with power to vote at such meetings.

* 1. No person shall be elected to office pursuant to this rule unless that person is present at the Annual General Meeting at which he/she is elected or has previously signified in writing his/her willingness to accept nomination.

1. **Special General Meeting:**
   1. A Special General Meeting of SPEVI NZ may be held at any time which SPEVI NZ Executive

may appoint and shall be called on the signed request of not less than ten (10) members of SPEVI NZ. Such a request should clearly state the reason for calling the meeting. Such a meeting must be called within 14 days of the receipt of such a request and due notice of such a meeting must be sent to all members at their last known address by posting, faxing or sending by electronic mail such a notice at least 21 days before the date of the meeting.

* 1. No business shall be transacted at any Special General Meeting except that which shall be

specified in the notice calling the meeting.

* 1. The quorum at a Special General Meeting shall consist of one third of the members of SPEVI NZ.

1. **Voting at Annual, Special and General Meetings:**
   1. The President of SPEVI NZ Executive or in the absence of the President, the Treasurershall be the Chairperson of any General Meeting. In the absence of both the President and the Treasurer, the meeting shall elect a Chairperson for that meeting.
   2. Voting shall be on the voices unless a show of hands or a poll is called for. The Chairperson shall have a second or casting vote in addition to a deliberative vote.
   3. Resolutions passed at any general meeting shall be conclusive and binding on all members

of SPEVI NZ whether present at the meeting or not.

* 1. (a) At any meeting of SPEVI NZ, a financial member is entitled to only one vote.

1. All votes must be given personally or by proxy, but no member may hold more than five (5) proxies.
   1. Appointment of Proxies
2. Each member is entitled to appoint another member as proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
3. The notice appointing the proxy is to be in the form set out in Appendix 1 to these rules.
4. **Financial Statements:**

Every year a financial statement shall be prepared showing the receipts and expenditure of SPEVI NZ since the preceding statement and a general statement of funds and effects and liabilities and assets of SPEVI NZ and such statement should be signed by the President and Treasurer certified by the Auditor, if required, and laid before the annual meeting.

1. **SPEVI NZ Executive:**

13.1 SPEVI NZ Executive of SPEVI NZ shall be the governing body of SPEVI NZ and shall consist of a President, Secretary, Treasurer and up to three (3) Executive members elected at the Annual General Meeting of SPEVI NZ or any Special General Meeting held for that purpose.

13.2 The term of office for members of SPEVI NZ Executive shall be two years and each member shall be eligible for re-election for further terms.

13.3 The number of Executive members as provided in Clause 13.1 may be varied at the next Annual General Meeting or a Special Meeting called for that purpose.

13.4 SPEVI NZ Executive shall have the right to establish sub-committees for the purpose of promoting SPEVI NZ’s objectives. The Chairperson of such sub-committees shall report to SPEVI NZ Executive through the Secretary.

13.5 SPEVI NZ Executive shall meet immediately prior to the Annual General Meeting and at such other times as the President or SPEVI NZ Executive shall require.

13.6 The quorum for meetings of SPEVI NZ Executive shall be at least three (3) of SPEVI NZ Executors.

13.7 Each member of SPEVI NZ Executive shall have one vote at SPEVI NZ Executive meetings with the exception of the Chairperson who shall have a second or casting vote in addition to a deliberate vote.

13.8 SPEVI NZ Executive shall have the power to fill any casual vacancy in its elected members and

the persons so appointed shall retire at the next Annual General Meeting of SPEVI NZ but shall be eligible for election.

13.9 All reasonable travelling and accommodation expenses incurred by members of the Executive attending meetings of SPEVI NZ Executive shall be borne by SPEVI NZ.

**14 Tenure of office of SPEVI NZ Executive:**

14.1 The tenure of office for members of SPEVI NZ Executive shall terminate on the appointment of their successor.

14.2 Any member of SPEVI NZ Executive being absent for three consecutive meetings without leave of absence shall unless otherwise resolved by a majority of SPEVI NZ Executive cease to be a member of SPEVI NZ Executive.

**15** **Operation of SPEVI NZ Executive:**

15.1The Secretary may, by notice, call meetings of SPEVI NZ Executive at any time and shall do so on the request from any two Executors or from the President alone. The President, or in his/her absence, the Secretary shall take the chair at Executive meetings but if both shall be absent than

SPEVI NZ Executive meeting may be chaired by whomsoever SPEVI NZ Executive shall appoint as its Chairperson.

15.2 If the President or the Secretary is or for any reason incapable of acting or has or have involuntarily retired, SPEVI NZ Executive may appoint any of its members to perform the duties of the office or offices in question until the next Annual General Meeting.

15.3 Subject to the rules and to the resolutions of Annual General Meeting the SPEVI NZ Executive shall have the general conduct and supervision of the affairs of SPEVI NZ and without prejudice to such general powers it is entrusted with and may exercise or perform any of the following powers and duties:

1. To purchase or acquire for SPEVI NZ any personal property or any rights or privileges at such consideration or generally upon such terms and conditions as it thinks fit.
2. To enter into all negotiations, contracts and agreements in the name or on behalf of

SPEVI NZ as it may consider expedient for its purpose that such negotiations

contracts and agreements are not in conflict with its objectives.

1. To make provision for the signing or endorsing of cheques or other negotiable

instruments on behalf of SPEVI NZ and to open such accounts as the SPEVI NZ Executive

may think fit.

1. To receive and give receipts and execute discharges for all donations, subsidies,

sponsorships or other monies received for any of the objects of SPEVI NZ or for

the purpose of furthering any such objects.

1. To invest the funds of SPEVI NZ in such securities which shall be suitable

investments of trust funds in New Zealand.

1. To engage such employees or agents as is necessary to carry out SPEVI NZ’s

aims and objects.

1. To borrow or raise money for the purpose of SPEVI NZ on the security of any of such monies in such manner and upon such terms and conditions as it shall think fit.
2. To make donations or grants for any charitable, scientific or educational purpose.

**16. Subscriptions:**

16.1 The annual subscription is such sum as determined from time to time at the Annual General Meeting.

16.2 Subscriptions are due on the first day of April in each year.

**17. Indemnity:**

The officers of SPEVI NZ shall be indemnified by SPEVI NZ against any losses and expenses incurred by them in the discharge of their respective duties except where itresults from their own wilful default or negligence.

**18.**  **Alteration to Rules:**

18.1 Any addition to or alteration, amendment or rescission of these rules shall be made only by a resolution passed by a majority of members present and voting in the manner in Rule 9 at the Annual General Meeting of SPEVI NZ or pursuant to Rule 10 at any Special General Meeting called for the purpose.

18.2 Notice of motion for addition, alteration, amendment or rescission shall be given to the Secretary not less than one calendar month prior to the Annual or Special General Meeting as the case may be.

18.3 No addition to or alteration, amendment or rescission of these rules shall be made that in any way detracts from the purposes of SPEVI NZ.

**19. Cessation of Membership:**

19.1 If a member shall be in default of payment of their subscription for a period of three calendar months after the payment shall become due they shall be nonfinancial and unable to vote or enjoy the privileges or benefits of membership. After a further nine months if the subscription has not been paid their membership may be terminated by resolution of SPEVI NZ Executive. The Secretary shall notify such defaulting member of such resolution and they shall thereupon cease to be a member of SPEVI NZ.

19.2 Any member wishing to resign from SPEVI NZ, providing such member is not in default of payment of their subscription, may at any time lodge their resignation with the Secretary and such resignation shall become effective as from the date it is lodged.

19.3 No member who shall cease to be a member of SPEVI NZ for any reason shall be entitled to a refund of any money paid by them to SPEVI NZ whether by way of subscription or otherwise.

19.4 If in the opinion of a majority of members attending the Annual General Meeting or a Special General Meeting it shall be considered that any member is or has been acting in a manner contrary to the interests of SPEVI NZ, then and in such event the Annual General Meeting or the Special General Meeting at which such member must be invited to attend and be permitted to speak, may, after hearing all the evidence expel such member from SPEVI NZ. Upon passing of a motion to that effect such member shall cease to be a member of SPEVI NZ. The Annual General Meeting shall have the power to delegate the aforesaid powers of expulsion to SPEVI NZ Executive and in such event the SPEVI NZ Executive shall exercise the power of expulsion on a simple majority vote.

**20. Dissolution:**

20.1 SPEVI NZ may be wound up by resolution of a Special General Meeting called for that purpose. Prior notice of the meeting shall be given to members as provided in Rule 10 here except that at least thirty days notice shall be given.

* 1. At such meeting a quorum shall consist of at least 50% of the total membership of SPEVI NZ.

20.3 At such Special General Meeting a resolution requiring SPEVI NZ to be wound up must be passed by a simple majority of such special meeting.

20.4 Such Special General Meeting may in addition consider the disposal of the assets of SPEVI NZ in accordance with Rule 21 hereof.

20.5 The resolution passed at that Special General Meeting shall be confirmed subsequently at a

General Meeting of SPEVI NZ of which prior notice shall be given to members as provided in Rule 10 hereof except that at least 30 days notice shall be given.

**21. Disposal of Surplus Funds on Dissolution:**

If upon the winding up or dissolution of SPEVI NZ there remains after satisfaction of all its liabilities any property of any kind the same shall be paid to some other body, chosen at the absolute discretion of SPEVI NZ Executive.

**Appendix 1**

**SPEVI Logo
The title - SPEVI South Pacific Educators in Vision Impairment is written in blue and orange to the right of an orange circle surrounded by blue and orange half circles swirling around the central dot. **

**APPOINTMENT OF PROXY**

I …………………………………………….……………………………….……. (full name)

being a member of SPEVI NZ hereby appoint

………………………………………………………………………...... (full name of proxy)

being a member of that association, as my proxy to vote for me on my behalf at the Annual General Meeting of SPEVI NZ.