

Standing Orders for Rakiura Maori Land Trust

The Rakiura Maori Lands Trusts shall observe the following standing orders at its Annual General Meeting, and any General Meetings of the Trust, unless the meeting agrees by adoption of formal motion to suspend either in part, or full, these standing orders of the meeting. The chairperson shall have the ability to suspend the standing orders for the purpose of a general discussion on any matter being considered by meeting. If the Chairperson suspends the standing orders a time limit is to be put on such discussion, an extension to this time should come from the adoption of a formal motion from the meeting to extend the discussion further.

Definitions: The following definitions shall form part of these standing orders and shall confirm the meaning of the following words as they apply to these standing orders.

Annual General Meeting: Refers to the Annual General Meeting of the Rakiura Maori Land Trust held once every year for all sections of the Trust for the purpose of reporting to the owners on the previous years activities and the intended future direction.

Meeting: Refers to either the Annual General or General meeting being conducted at the time.

Owners: The owners are those beneficial owners of Land covered by the Rakiura Maori Land Trust that have successfully succeeded as a beneficial owner that has further been formally confined and recorded in writing by the Maori Land Court as a beneficial owner, and subsequently provided to the Trust.

Trustees: The Trustees are the Trustees of the Rakiura Maori Lands Trust appointed by the Maori Land Court for the time being.

Guests: The Guests of the meeting shall be those people who have been officially invited to the meeting by the Trustees for a specific purpose. The right to speak or contribute in anyway shall be at the sole discretion of the Chairperson. Guests shall not be able to participate in any aspect of the formal meeting process.

Participants: The participants of the meeting shall be the Owners and the Trustees as defined above.

Trust: Refers to the Rakiura Maori Lands trust unless otherwise specified.

Original Motion: Means the first motion that has been put to the meeting on any topic prior to the alteration of such motion by successful amendment.

Mover: Any participant from the meeting who asks for support from the meeting, by way of obtaining a seconder, to have the business item they described in their motion or amendment considered by the meeting.

Seconder: Any participant from the meeting who provides support to the mover to have the movers business item considered by the meeting.

(1) Business of the meeting

The business of the meeting shall be restricted to those matters that have been placed on the Agenda. No matters shall be added to the agenda on the day of the meeting.

(2) Order of Business

The order of business shall be covered by the agenda of the meeting. The chairperson shall have the right, with the agreement of the meeting, to alter the agenda to provide for more efficient use of the meetings available time.

(3) Motions & Amendments

- (i) A motion is a formal proposal by a trustee or owner for some act to take place, which is to be consideration by the meeting, no business shall be dealt with unless a motion on the subject has been moved and seconded by the meeting.
- (ii) A motion must be in relation to a procedural process of the current meeting or one of the specific agenda for items for that meeting.
- (iii) A trustee or owner having moved a motion may, with the consent of the seconder and the meeting, withdraw the motion without further discussion, or without vote being taken on the motion that is being withdrawn.
- (iv) A trustee or owner may move an amendment to a motion being considered by the meeting. Amendments to a motion shall be taken and decided upon one at a time. Should any amendment be carried it becomes the substantive motion subject to further amendments, one at a time, which may be proposed and decided upon until the matter under consideration is finally disposed of. If an amendment is lost, other amendments may follow.
- (v) Every such amendment shall be either,
 - a) To strike out words in the original/substantive motion; or
 - b) To add words to the original/substantive motion; or
 - c) To replace words in the original/substantive motion; or
 - d) To change a value contained in the original/substantive motion.
- (vi) The amendment must deal with the same subject matter as the original motion and if it has the effect of substituting something completely different from the substance of the original motion it is out of order and the Chairperson shall not accept it.
- (vii) No amendment, which is a negative to the intent of the original motion, shall be accepted. In the case where a negative amendment is sort the original motion must be defeated or withdrawn and a new motion then put before the meeting.
- (viii) The Chairperson of the current meeting shall accept no motion, if the substance of the motion has the effect of dealing with business of the meeting for a second time.

(4) Conduct of Debate

- (i) Trustees or owners wishing to speak at the meeting shall raise their hand and wait for the Chairperson to acknowledge their right to speak. The chairperson shall have the right to determine the order of speakers with the exception of the mover who has the right to speak first and the seconder who has the option to speak second or at a later stage in the debate. The mover shall have the right to close the debate prior to the putting of the motion or amendment.
- (ii) The chairperson shall confine each speaker to the subject under debate.
- (iii) All speakers shall have the right to speak without interruption unless the Chairperson allows an interruption through the chair from a participant at the meeting.
- (iv) Each Trustee or owner shall only have the right to speak once on the matter under consideration by the meeting at that time. The chairperson with the consent of the meeting may allow all speakers to have a further opportunity to speak on the matter under consideration. If authority for a further opportunity is given then all speakers from the current round of speakers must be completed first. Any Trustee or owner who chooses not to speak in the current or previous rounds shall not have the right to speak more than once in the next or subsequent rounds of speakers. The mover shall have the right to close the debate prior to the putting of the motion or amendment.
- (v) The mover of the original motion shall have no more than Five minutes to introduce the motion and given three minutes to reply prior to putting of the motion. No other participant shall be permitted to speak for more than three minutes at any one time. These time limits may only be extended by adoption of a motion from the meeting.

(5) Conduct during Meetings

All participants at meetings shall observe the following conduct requirements,

- (i) To work in a positive manner to assist the meeting to achieve its objectives, and
- (ii) To respect the officers of the meeting and abide by the rulings of the Chairperson, and
- (iii) To respect the rights of other participants of the meeting and their points of view, and
- (iv) To refrain from the use of indecent or threatening language and the use of personal acts, and
- (v) To address all comments, remarks, statements and questions through the chairperson of the meeting.
- (vi) To provide translation in pākehā for presentations in Te Reo Maori.

Misconduct and or failure to comply with the standing orders of the meeting may result in expulsion from the meeting by the Chairperson, after an initial warning has been given.

(6) Points of Order

- (i) A point of order is bringing to the attention of the Chairperson, something that a participant raising the point considers being a possible breach of the Standing Orders. Any official participant of the meeting may raise a Point of Order.
- (ii) The chairperson must deal with the matter immediately and ask the participant raising the point, in a few short words, state clearly and distinctly the bases of the Point of Order and its reference to the standing orders of the meeting.
- (iii) The chairperson shall upon hearing the participant's point decide the matter promptly without discussion from the meeting.
- (iv) The chairperson's ruling shall be final unless challenged by a formal motion submitted by the meeting.
- (v) When a point of order is raised the business of the meeting shall be suspended until the point has been disposed of.

(7) Points of Explanation

- (i) A participant may, despite standing orders, raise with the Chairperson a point of explanation. This shall be permitted at any time to explain or correct some matter raised through the then debate or discussion.
- (ii) A point of explanation shall be at the discretion of the Chairperson, to provide for a brief explanation or interpretation. This opportunity shall not be used as an excuse to obtain further speaking rights or influence the direction of the debate.

(8) Voting

- (i) Subject to any Legal requirements, voting shall be by voice called by the Chairperson for those voting for or against the motion. The order of calling for the vote, for or against, shall be at the Chairperson's discretion.
- (ii) Any Trustee, Owner, or the Chairperson at the meeting may call for a show of hands to confirm the result where there is uncertainty to the result.
- (iii) A written ballot may only be used by the adoption of a formal motion from the meeting. In the case of a written ballot the Chairperson shall appoint a teller to count the votes, who should where possible, be a non-voting participant or neutral party at the meeting.
- (iv) The Chairperson shall not have a casting vote, in the case of a tied vote, the Status Quo shall remain and meeting may decide to reconsider the matter at a future meeting in the normal course of business. The matter may not be reconsidered during the then meeting.
- (v) Postal Voting shall be permitted on those Agenda items that have been identified as supporting postal voting in the notification of the meeting. Postal voting shall observe the following requirements,
 - a. Postal voting shall be on the postal voting form, or forms approved by the Trustees prior to the meeting.
 - b. The postal voting form shall provide for a vote for or against the agenda item to which they are able to use a postal vote. The postal vote shall relate to the motion determining the outcome of agenda item only. In the case of an election of officials the vote shall be registered for the person/s of choice.

- c. The postal voting forms shall be available upon request and shall be returned to the Secretary at the addressed notified no less than 48hrs prior to the starting time of the meeting.
- d. The secretary shall hold the postal votes unopened until the meeting is called to order at which time the postal votes shall be sorted and counted for each appropriate agenda item. Notice shall be given to the meeting at the start of each item of business indicating the number of postal votes that have been received for that item. The direction of these votes shall not be supplied but included in the official vote of the meeting. The vote shall be recorded as those for in person and by postal, and those against in person and postal.
- e. Postal votes may not be used for procedural matters, or amendments.
- f. Validation of postal votes maybe requested by a majority of meeting trustees and owners present providing the invalidation of 50% postal votes would alter the outcome of the meeting. This shall involve confirming, by an independent party decided by the meeting, that the postal voting complied with the standing orders, and was cast by legal owner or trustee entitled to vote on the Agenda Item.
- g. If the validation of postal votes is requested by the meeting the final result of the vote shall be held over until the validation has been completed. The vote shall then be confirmed at the next trustees meeting by the trustees with the result notified to owners at the next general circulation of information to them. No further validation shall be possible under the rules.
- h. Alternatives, any owner may arrange for an alternative person to represent them at any meeting of the trust by completing the Alternate Form approved by the Trustees from time to time. An alternate may represent and have the same rights as the owner for the duration of the meeting for which the form has been completed. The Alternate may represent only one owner and if the Alternate is an owner in their own right they must take only one role in the meeting, either owner or alternative.
- i. Proxy voting be permitted under the terms and conditions provided on a Proxy Voting form adopted and approved by the Trustees for the purpose of allowing beneficial owners not present at the meeting to vote on business items at the meeting.

(9). Notice of Motion

A notice of motion is a notice given by a participant at the meeting who wishes to have a motion placed on a future agenda for consideration by the meeting. The chairperson shall accept the motion and place it on the agenda of a future meeting subject to receipt of a written paper covering the motion along with, its relevance and background, from the participant proposing the motion. The order of placement on the Agenda of future meetings of any notice of motion shall be the responsibility of the Trustees, however consideration should be given to the order of receipt of such motions.

(10) General Rules of Procedure

- (i) Business superseded; any item of business may be superseded by adoption of a motion from the meeting requiring that the, " That the matter be put without discussion ". or " That the motion or meeting be adjourned until a future time and that the next order of business now be proceeded with ". Such motions shall be put without discussion.
- (ii) Closure; Any Trustee or owner may, in the course of the debate, move; " That the question now be put ", the meeting shall then vote on this motion without further discussion, If this procedural motion is carried then the mover of the business motion under discussion shall have the right of reply before the motion is put.
- (iii) Questioning the Chairman's Rulings; the ruling of the Chairperson in any matter shall be final and may only be challenged by the adoption of a formal motion from the floor to that effect. Should such motion be adopted, the Chairperson shall vacate the chair in favour of the Vice-Chairperson or an elected participant of the meeting in the absence of the Vice-Chairperson. The acting chairperson shall then ask the challenging participant to state their case and the grounds for the challenge; on completion of this the Chairperson shall explain the basis of the ruling under challenge. The Acting Chairperson shall allow no further discussion and shall then put the motion " That the Chairpersons ruling be upheld ", if the motion is won then the chairperson resumes the chair and proceeds from the point of the ruling. If the motion is lost then the Chairperson resumes the chair and the meeting continues from the point prior to the challenged ruling.
- (iv) Suspension of Standing Orders; The Standing Orders of the meeting may be suspended at any time by the adoption of a motion to that effect from the meeting.
- (v) Matters not provided for; should any question arise in connection with the conduct of a meeting that is not provided for in the Rules of the Rakiura Maori Lands Trusts or the Standing Orders the Chairperson without challenge shall decide the matter.

Richard Manning
Secretary Rakiura Maori Land Trust