

**CONSTITUTION AND RULES OF
THE NEW ZEALAND ASSOCIATION OF PROFESSIONAL HYPNOTHERAPISTS INC.**

1 NAME: THE NEW ZEALAND ASSOCIATION OF PROFESSIONAL HYPNOTHERAPISTS INCORPORATED (hereinafter referred to as the Association)

2 OBJECTS:

- (a) To establish standards by which member Hypnotherapists may guide their professional conduct.
- (b) To promote and encourage proper conduct among Hypnotherapists.
- (c) To cultivate and promote legal, honourable, ethical and proper practices by Hypnotherapists.
- (d) To preserve and maintain the integrity and status of Hypnotherapy.
- (e) To increase members' knowledge in related areas of specialisation.
- (f) To promote the interests of Hypnotherapists and the interests of the public in relation to matters of Hypnotherapy and the acceptance of therapeutic hypnosis.
- (g) To provide members with Continuing-Education Programmes in hypnosis, Hypnotherapy and related topics.
- (h) To aid and encourage research and publication in the field of Hypnotherapy by donation or any other means.
- (i) To provide the means for amicable settlement of professional differences between Hypnotherapists.
- (j) To co-operate with other professional societies that share mutual goals, ethics and interests.
- (k) To provide members with useful group benefits.
- (l) To assist members in the marketing of their services.
- (m) To purchase, take on lease, or otherwise acquire lands, buildings and premises for the furtherance of the objects of the Association.
- (n) To erect and maintain, alter and repair any buildings and erections or other property that may be required for the purpose of the Association.
- (o) To buy or otherwise acquire chattels of all descriptions, books, papers, machines, apparatus and other items required in connection with the affairs of the Association.
- (p) To manage, let, sell, exchange or otherwise deal with the property of the Association in such manner as the Association shall deem fit.
- (q) To enter into any arrangement with any person, firm, company, general Government, Municipal or other local authority, or other Association which may seem conducive to the Association's objects, or any of them, and to obtain from any such person, firm, company, Government or other authority or Association any right, privilege or concession which the Association may think desirable to obtain and to carry out exercise and comply with any such arrangement, right, privilege or concession.
- (r) To apply for, promote and obtain any provisional order or Act of Parliament, leave, right or authority to enable the Association to carry out its objects and to obtain for the Association or its members any additional powers or protection or for any purpose which may appear to the Association to be expedient in the interests of the Association or its members, and to oppose any bills, proceedings, acts or applications, which may seem to the Association likely to prejudice the interests of the Association or its members, directly or indirectly.
- (s) To do all such lawful acts and things as are incidental or conducive to the attainment of the above mentioned objects or any of them.

3. MEMBERSHIP:

- (a) A Register of Members shall be kept and maintained by the Secretary showing in respect of each member, relevant details including their full name, address, status and category of membership, qualifications and the date of commencement of membership. Members changing their address and/or phone number shall forthwith notify the Secretary who shall amend and correct the register from time to time as occasion may require.
- (b) A full up to date copy of the register is to be available at every Annual General Meeting, Special General Meeting and Management Committee Meeting.
- (c) Membership shall be of the following categories:

- Non Practicing members
- Provisional Members
- Professional Members
- Registered Professional Members
- Honorary Members
- Honorary Life Members

- (d) Eligibility for Membership

Any person shall be eligible for Membership of the Association who has satisfied the Management Committee:

- 1 That he/she is of a good character and reputation.
 - 2 That he/she in application for membership declares all criminal convictions within New Zealand or any other country.
 - 3 That he/she agrees to observe the Code of Ethics and Constitution of the New Zealand Association of Professional Hypnoterapists.
 - 4 That he/she has each year completed a renewal of membership application and payed the required fee. Members who have not renewed their membership, in the required form, within ninety days of the start of the new financial year shall be deemed to have resigned.
- (e) Applications for Membership shall be made in writing, on our prescribed form, signed by the applicant, and shall be of such detail and contain such requirements as the Management Committee may from time to time prescribe.
 - (f) As soon as practicable after the receipt of an application for membership it shall be considered by the Management Committee who shall thereupon process the application and advise the applicant accordingly.
 - (g) The amount of the first annual subscription & entrance fee shall be determined in accordance with Section 28.
 - (h) Foundation members

Foundation members of the NZAPH shall be those members who join this association in its first six months of existence and, at the time of joining are financial members, in good standing, of the NZHA or the NZGH. Foundation members shall be permitted to join this association at membership levels equivalent to their standing in NZHA or NZGH without further examination or assessment, provided that all other requirements of section 3 (Membership) of this constitution are met.

(i) Membership levels

Non Practicing Members

Non Practicing Members shall be individuals of good repute and standing in the community and who are in sympathy with the objects of the Association as set out in Rule 2 and meet the requirements of Rule 3(d) 1, 2 3 & 4 and any other requirements set by the Management Committee in accordance with these rules. Non Practicing Members may not practice as hypnotherapists or hold themselves out to be hypnotherapists nor claim or represent themselves as having professional membership of the Association.

Provisional Members

Provisional Members shall be individuals of good repute and standing in the community and who are in sympathy with the objects of the Association as set out in Rule 2 and meet the requirements of Rule 3(d) 1, 2 3, & 4 agree to continuing education requirements as stipulated from time to time, and any other requirements set by the Management Committee in accordance with these rules. Provisional Members may practice as hypnotherapists but may not claim or represent themselves as having professional membership of the Association.

Professional Members

A Professional Member shall be an individual who has completed training in hypnotherapy to the satisfaction of the Management Committee and is able to demonstrate to the satisfaction of the Examination Committee that he or she has been practising Hypnotherapy professionally for a period of not less than 12 months, having completed at least 150 hours of professional practise. The Professional member agrees to continuing education as stipulated from time to time, has fulfilled any other requirements set by the Management Committee, is over twenty-one years of age and meets the requirements of Rule 3(d) 1, 2 3, &4. A statutory Declaration that continuing education requirements have been met will be accepted as prima facie evidence of fulfilment of these requirements.

Registered Professional Members

A Registered Professional Member shall be an individual who meets the requirements of a Professional Member plus

- Maintains a police check
- Holds full indemnity and liability insurance
- Holds an up to date first aid certificate
- Undertakes at least six hours of clinical supervision per year, one on one.

Eligibility for Honorary Membership

Any person who has rendered such service to The New Zealand Association of Professional Hypnotherapists or to the field of Hypnotherapy as would in the opinion of the Management Committee entitle him/her to the distinction of Honorary Membership or Life Membership may be admitted by invitation of the Management Committee as an Honorary Member or Life Member.

Honorary Member

An individual, not a Member of The New Zealand Association of Professional Hypnotherapists granted to Membership by special invitation by the Management Committee, to be reviewed annually. An Honorary Member will not be required to pay annual fees, will have speaking rights at meetings but will have no voting rights.

Honorary Life Member

A Member of the Association admitted to Life Membership by special invitation by the Management Committee. An Honorary Life Member will not be required to pay annual fees, and will have speaking and voting rights. Where the Honorary Life Member is a practicing hypnotherapist the provisions under "Professional Member" shall also apply.

(j) Ongoing Training & Supervision

That a minimum of 15 hours ongoing study/training over a one year period is required to maintain Professional Member status. Failure to comply within three months from the due date (end of the financial year) may cause the status of membership to be reduced to Non Practicing Member.

Supervision at Professional level will be undertaken regularly for a minimum duration as set from time to time by the Management Committee. A report shall be given to the Association as requested stating supervision time and competency.

4 RESIGNATION OF MEMBERS

Any member may resign his/her membership by giving to the Secretary written notice to that effect and paying to the Association all fees, subscriptions, levies, penalties and other monies theretofore due to the Association by such member, provided that such member is not the subject of any disciplinary action, in which case his/her resignation shall not take effect until the conclusion of the investigation or disciplinary action. The resigning member shall return certificates, and all other property belonging to the Association. Any member who remains un-financial three months after the end of a financial year will be deemed to have resigned unless adequate explanation has been received by the Management Committee.

5 DISCIPLINE ARBITRATION

- (a) A Disciplinary Committee shall be formed as required to deal with disputes, complaints, discipline, suspension and expulsion. The Disciplinary Committee will consist of five members from the Management Committee, two of whom shall be either the President, Vice-President, Secretary or Treasurer. The Disciplinary Committee at the direction of the Management Committee on behalf of its members, shall have power to deal with the matter in such manner as it may deem advisable in the circumstances of the particular case.
- (b) Any member subject of a complaint shall be given a copy of the complaint and be given notice that the complaint is before the Disciplinary Committee.
- (c) The Disciplinary Committee shall require that the member who is subject of the complaint responds to the complaint in writing.
- (d) The Disciplinary Committee may require that the complainant and/or the member provide it with further information in relation to the complaint, and may also require that it be supplied with documents or other evidence relating to the complaint.
- (e) The Disciplinary Committee has the power to:
 - (i) Adopt an inquisitorial process;
 - (ii) Draw on its own knowledge and expertise;
 - (iii) Require the attendance of any member to give evidence or to assist the Committee in its' determination.
- (f) The Disciplinary Committee shall make its' findings according to considerations of general justice and fairness.
- (g) The Disciplinary Committee shall regulate its' own procedure and in particular may determine the complaint without hearing further from the complainant and may dismiss any complaint without further inquiry.
- (h) The Disciplinary Committee may:
 - (i) Dismiss the complaint;
 - (ii) Admonish the member;
 - (iii) Require the member to take certain action;
 - (iv) Fine the member
 - (v) Suspend the member
 - (vi) Expel the member from the Association.

- (vii) Advertise in the Public Notices of appropriate newspapers and other publications and to other professional groups and interested parties that an expelled member is no longer a member of the Association.
- (i) A member shall within twenty one (21) days of being convicted of a criminal offence within New Zealand or any other country, notify the Association in writing so that the matter can be considered by the Disciplinary Committee as to whether the member should retain their membership.
- (j) Failure to disclose, or giving false information on the membership application form, shall be sufficient cause for expulsion.
- (k) Failure to provide information to the Disciplinary Committee, in the form required by the committee, and in accordance with the Privacy Act of 1993, by those involved in an investigation shall be deemed sufficient reason for expulsion.
- (l) While suspended or expelled the member shall forfeit all rights and claims upon the Association and its property and funds and the member shall not be entitled to hold or display the Certificate of Membership with the Association or to use the association's letters or initials in any advertising or correspondence. Such certificate shall forthwith be returned, together with any other membership cards, etc. to the Association.
- (m) A report from the Disciplinary Committee will be made to the Management Committee noting the charge, findings and action taken. The Chairman of the Disciplinary Committee shall release sufficient information as may be required by the Management Committee.

6 EXECUTIVE OFFICERS

- (a) Executive Officers shall include the President, Vice President, Treasurer, Secretary and shall be decided by the Members at the Annual General Meeting. The Management Committee shall consist of the Executive Officers plus a maximum of six other members.
- (b) All Executive Officers are elected for the term of one year but may stand for re-election in that position.
- (c) President

The President of the Association shall be charged with the duties usually entrusted to a President of an Incorporated Society including the Chair and control of all general and committee meetings unless otherwise delegated, be spokesperson for the Association in accordance with Rule 34. having automatic right to attend any and all sub-committee meetings or any other meetings held in the name of the Association and must be notified of the date, time and place of all such meetings.

- (d) Vice-President

The Vice-President of the Association shall be charged with the duties usually entrusted to a Vice-President of an Incorporated Society including: The Chair and control of all general and committee meetings in the absence of the President unless otherwise delegated; Becoming familiar with the Constitution, Rules and Ethics of the Association and the procedure and application of the Constitution, Rules and Ethics of the Association and bringing these to the attention of the Chairperson as necessary; Overseeing of Sub-committees and their assigned tasks.

- (e) Secretary

The Secretary of the Association shall be charged with the duties usually entrusted to a Secretary of an Incorporated Society, including the keeping of minutes, the conduct of correspondence and filing of all records of the Association other than books of account unless the position be Secretary/Treasurer.

- (f) Treasurer

The Treasurer of the Association shall be charged with the duties usually entrusted to a Treasurer of an Incorporated Society, including the receipt and disbursement of all monies and keeping of proper books of account and preparation of balance sheets, and it shall be the duty of the Treasurer to submit the financial position and accounts of the Association for the preceding financial year to 31st of March.

7 MANAGEMENT COMMITTEE

- (a) The Management of the Association shall be vested in the Management Committee.
- (b) The Management Committee shall include the Executive Officers plus a maximum of six other members.
- (c) The Management Committee shall include not less than 6 Professional Members of the Association.
- (d) The Members of the Management Committee shall be elected annually at the Annual General Meeting.
- (f) In the event of their being insufficient Management Committee members elected at the Annual General Meeting, or, should a vacancy occur throughout the year for any reason what so ever, to comply with rule 7 (b)(c)(d) those members so elected shall have the authority to appoint suitably qualified members who agree to fill any vacancy, and the members so appointed shall hold office until the next AGM or until vacation of office as per rule 11(a).

8 POWERS OF THE MANAGEMENT COMMITTEE:

- (a) To exercise the powers vested in it by the Constitution and Rules.
- (b) To take any steps that it may deem fit for the purpose of promoting any of the Objects of the Association.
- (c) To establish, maintain and extend a library of books, works, journals, videos, films, cassettes and manuscripts on Hypnotherapy and allied subjects.
- (d) To appoint to any casual vacancy occurring amongst the Executive Officers from the Management Committee. The member so appointed shall hold the office for the unexpired term of the member so replaced.
- (e) To convene conferences for any purpose within the Objects of the Association.
- (f) To enter into any arrangements with any authorities, which may seem conducive to the attainment of any of the Association Objects, and to attain from any authority any rights, privileges or concessions.
- (g) To prepare, edit, print, publish, sell, circulate, lend, issue and distribute, gratuitously or otherwise any papers, treatises, books, pamphlets, videos, cassettes, films, newsletters or documents relating to Hypnotherapy and allied subjects.
- (h) To appoint, remove and suspend contractors and/or employees, determine their powers and duties, and to make such arrangements with them as the Management Committee sees fit.
- (i) To oversee the control and use of funds or other negotiable instruments.
- (j) To form Sub Committees and to co-opt Members to any such Committee.

9 NOMINATIONS FOR THE ELECTION OF MANAGEMENT COMMITTEE:

- (a) At each Annual General Meeting all Members of the Management Committee shall retire and elections shall be held at the meeting to fill such positions.
- (b) Any Member may in writing nominate another Member(s) for a position(s) of the Management Committee. Such nominations must be signed by both nominator and the nominee who must indicate his/her willingness to stand for election. The signed document must be in the hands of the Secretary at least thirty (30) days prior to the Annual General Meeting. Only those positions having less than 2 nominations received 30 days prior, may be received from the floor.

- (c) In the event of insufficient nominations being received 30 days prior to the Annual General Meeting, any Member may nominate another Member to the Management Committee at the Annual General Meeting provided that the Member so nominated is present at the Meeting and accepts the nomination.
- (d) All candidates for all positions shall have the opportunity to address the members, prior to the election, on what they have to offer and why they would like to receive votes to the position.
- (e) In the event that a nomination to an Executive position is not forthcoming at the Annual General Meeting the position shall remain vacant and the Management Committee will at its first meeting appoint someone to the position from within those elected.

10 PROCEEDINGS OF THE MANAGEMENT COMMITTEE

- (a) The management of the Association shall be vested in the Management Committee.
- (b) The Management Committee shall meet as it deems necessary but not less than four times per year. The Management Committee may meet for the dispatch of business, adjourn or otherwise appoint and regulate its meetings as it thinks fit.
- (c) The President may at any time, and the Secretary at the request of any two Members of the Management Committee, summon a meeting of the Management Committee.
- (d) Questions arising at any meeting of the Management Committee shall be decided by a majority vote of those present. A determination of the majority of Members shall for all purposes be a determination of the Management Committee.
- (e) In the case of an equality of votes the President or Chairperson shall have a second or casting vote.
- (f) The continuing Management Committee may act notwithstanding any vacancy in the Management Committee so long as their number remains equal to or above that fixed as the quorum in Section 12(b).
- (g) The continuing Management Committee, so long as their number falls below that fixed as the quorum in Section 12(b), may act only for the purposes of increasing the number of Members of the Management Committee from amongst the Members of the Association which they are hereby empowered to do, or of summoning a Special General Meeting of the Association, but for no other purposes.
- (h) Minutes of all meetings of the Association shall be kept and shall be open for inspection by any Financial Member of the Association in accordance with Rule 19(a).
- (i) The Management Committee may from time to time, for such purposes as it may deem fit, appoint one or more persons as a Sub-Committee.
- (j) Financial members of the Association may sit in as observers at any meeting of the Management Committee unless the Management Committee goes "into Committee".

Member(s) may speak at Management meetings if and when recognised by the Chair but will have no voting rights.

- (k) Any member or members of the Management Committee who have any personal interest either financially, professionally or socially, must declare the interest and must disqualify themselves from being able to cast any vote in respect of the interest declared.

11 VACATION OF OFFICE OF THE MANAGEMENT COMMITTEE

- (a) The office of a member of the Management Committee shall become vacant:
 - i Upon the Member's decease.
 - ii If the Member becomes bankrupt.
 - iii If the Member is convicted of any criminal offence in New Zealand or any other country. This being at the discretion of the Management Committee.

- iv If the Member becomes subject to a reception order under the Mental Health Act (1969) or a protection order under the Aged and Infirm Persons Act (1912).
- v If the Member resigned his/her office by notice in writing to the Secretary.
- vi If any Member of the Management Committee does not attend three (3) consecutive monthly meetings without good cause, ceases to be a member of that Management Committee.
- vii If the Member ceases to be a Member of the Association.
- viii If the Member has a direct or indirect interest in any contract or proposed contract with the Association without prior notice to the Management Committee.

12 QUORUM

- (a) At Annual General and Special General Meetings a quorum shall consist of six (6) Financial Members.
- (b) At meetings of the Management Committee a quorum shall consist of not less than five (5) members, two (2) of whom must be either the President, Vice President, Secretary or Treasurer.
- (c) Should within half an hour after the time set down for a meeting to commence a quorum not be present, then the meeting shall be adjourned to a place and time within thirty (30) days of the date of such meeting to be determined thereat.
- (d) If at such adjourned meeting a quorum not be present, then those Members attending shall be deemed a quorum, provided the number of such Members is not less than three (3)

13 ANNUAL GENERAL MEETING

- (a) The Annual General Meeting of the members of the Association shall be held within ninety (90) days from the end of the Financial Year on such date, at such place and at such time as the Management Committee shall appoint. At least fourteen (14) days notice in writing of such a meeting shall be given to all Financial Members.
- (b) Notices of Motion for Annual General Meeting:

Any member desiring to move at the Annual General Meeting any motion on any matter shall notify the Secretary in writing at least thirty (30) days before the date of the Annual General Meeting. The Secretary shall, within not less than fourteen (14) days, include any such notice on the Agenda to each member.

- (c) At the Annual General Meeting a Balance Sheet compiled by a suitably qualified person, showing the financial position of the Association for the preceding financial year to 31st March and a report of the President shall be submitted. The Solicitor, a suitably qualified person, preferably a Member of the New Zealand Institute of Chartered Accountants and the Management Committee Members shall be elected at each Annual General Meeting.
- (d) Unspecified Business:

Any general business, in addition to that which is on the Agenda not specified on the notice calling an Annual General Meeting, of which notice has not been given under Rule 13(b) must be transacted by permission of the Chairman if not opposed by a majority of the members present.

14 ALTERATION OF CONSTITUTION AND RULES OR CODE OF ETHICS / RESOLUTIONS BINDING

The Constitution and Rules, or the Code of Ethics of the Association may be altered, added to, or rescinded by a resolution supported by at least two thirds of the members voting (either attending or submitting proxy or postal votes) or voting by a ballot taken at an Annual General Meeting or Special General Meeting and shall be binding on all members whether they are present at the meeting or not, provided said meeting be properly called and constituted in terms of these rules, and that notice of the proposed alterations be given in writing to members not less than fourteen (14) days prior to the date of the Annual General Meeting or Special General Meeting. A declaration by the Chairman of the meeting that a resolution has been carried, or lost, together with an entry in the minute book of the Association shall be conclusive evidence of the fact.

No addition to or alteration of the objects, personal benefit clause or the winding up clause shall be made which affect the not-for-profit status. The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.

15 SPECIAL GENERAL MEETING

- (a) A Special General Meeting of the Association shall be convened by the Secretary on written request by any three (3) members of the Management Committee or upon written request of not less than nine (9) in number of the members of the Association. The Special General Meeting shall be held within a period of forty-two (42) days from the date of receipt of the request. The requisition shall state the purpose for which the meeting is to be called and no other subject shall be discussed at the meeting.

16 CONVENING MEETINGS / NOTICE OF MEETINGS

The Secretary shall give at least fourteen (14) days' notice in writing of all Special General Meetings to the Members of the Association. Therein shall be specified the place, the day and the hour of the meeting and the general nature of the business to be dealt with thereat. Only business of which notice has been given shall be conducted at such meetings.

17 PROCEEDINGS AT GENERAL MEETINGS

- (a) The President or Vice President shall preside as Chairman at every general meeting of the Association, but if he/she is not present within fifteen (15) minutes after the time appointed for the commencement of the meeting, or if he/she is unwilling to act, then the Members present shall elect one of their number to be Chairman of the meeting, a simple majority sufficing.
- (b) The Chairman may, with the majority vote of any meeting at which a quorum is present, and shall if so directed by the meeting, adjourn the meeting from time to time and from place to place. No business shall be transacted at the reconvened meeting other than the business unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid, it shall not be necessary to give any notice of an adjournment or of the business transacted at an adjourned meeting.

18 VOTING

Only financial members shall be entitled to vote.

- (a) Mode of Voting:
 - i The mode of voting on all questions (other than elections) at general meetings shall be by a show of hands or, if the Chairman or any three members require, by a secret ballot.
 - ii The mode of voting on all elections at the Annual General Meetings shall be by a secret ballot.
 - iii When a secret ballot is required two scrutineers shall be appointed at the meeting.
 - iv The vote will be determined by the majority of voters.
- (b) In the case of an equality of votes, whether on a show of hands or on a poll, the Chairman of the meeting shall be entitled to a second or casting vote.

(c) Proxy Votes

Proxy votes may be recorded personally or as hereinafter provided by proxy to any financial member of this Association.

- i A proxy vote shall be recorded as a valid vote in respect of any resolution, item, remit or business as may be eligible.

- ii The form of proxy must be in the hands of the Secretary of the Association before the meeting at which it is proposed to be used. An instrument appointing a proxy shall be signed by the member making the appointment and shall be in the following form or in such other form as the Association shall approve:-

I

of

being a member of The New Zealand Association of Professional Hypnotherapists

Incorporated hereby appoint

of as my proxy to vote for me and on my behalf at the

General meeting of the Association to be held on the.....day of 20..

and at any adjourned meeting thereof.

Signed this.....day of.....20

(e) Postal Votes

Wherever possible postal votes are available to all members and are acceptable on any motion providing the vote is:

- i Received by the returning officer
- ii Received at least three (3) working days prior to the meeting
- iii The vote to be on the prescribed form or the vote will be deemed to be void.

19 MINUTES

- (a) The Management Committee shall cause minutes to be made of all proceedings at all meetings of the Association and of the Management Committee including date, place, time and those in attendance. Records created by the Disciplinary Committee and when the Management Committee goes "into Committee", shall be confidential and available only to the Management Committee.
- (b) All minutes shall be signed by the Chairman of the succeeding meeting and noted that following a vote, the minutes are a true and correct record.

20 ACCOUNTS

The Treasurer shall keep books of accounts and shall report to each Management Committee Meeting and shall submit to each Annual General Meeting a statement compiled by a suitably qualified person of the Association's assets, liabilities, income and expenditure for the preceding year.

21 PECUNIARY GAIN

No member shall receive or obtain any pecuniary gain from the property or operations of the association, except as a salaried officer or for out of pocket expenses approved by the Management Committee. This section shall not apply to the salary or honorarium of the Secretary or the Treasurer of the Association.

No part of the funds of the promoter is used or be available to be used for the private pecuniary profit of any member, proprietor, shareholder, beneficiary, or associate of any of them.

No member of the organisation or any person associated with a member, shall participate in or materially influence any decision made by the organisation, in respect of the payment to or on behalf of that member or associated person of any income, benefit, or advantage whatsoever. Any such income shall be reasonable and relative to that which would be paid in an arm's length transaction (being open market value).

22 HONORARIUM

Honorariums are to be set at the Annual General Meeting for the year just ended.

23 BOARD OF EXAMINERS

- (a) The Management Committee at its first meeting after the Annual General Meeting shall appoint the Board of Examiners which shall consist of a minimum of 3 and a maximum of 5 Professional Members to act as the Board of Examiners of the Association.
- (b) The Board of Examiners shall prepare a list of subjects and set the necessary questions and format in which the candidates are to be examined.
- (c) The Board of Examiners shall make the necessary arrangements for examinations to be conducted in such places in New Zealand as it shall appoint for the purposes of determining the fitness and qualifications of candidates for Membership of the Association in accordance with Rule 3.
- (d) Written notice of the intention of the candidate to sit for the examination shall be given to the Secretary and shall be accompanied by such fee as the Management Committee shall from time to time fix.
- (e) The Management Committee, after consideration of the Board of Examiners' Recommendations, shall make its decision and the Secretary will notify the applicant accordingly.

24 INCOME

The income and property of the Association shall be applied solely towards the promotion of the Objects of the Association, as set out in Section 2 hereof, and no portion thereof shall be paid or transferred directly or indirectly to a Member or Members of the Association except as in Rules 21, 22 and 25.

25 CONTROL AND USE OF FUNDS

- (a) All monies received by or on behalf of the Association shall forthwith be paid to the credit of the Association in an account with a bank or other financial institutions from time to time to be fixed by the Management Committee.
- (b) The working and current expenses of the Association, shall be paid from time to time by the Treasurer on the direction of the Management Committee. All payments by the Association shall be made on the signature of any two (2) jointly of the President, Secretary, Vice President, and/or Treasurer.
- (c) The Management Committee may, from time to time, invest and reinvest in such securities and upon such terms as it shall think fit, the whole or any part of its monies which shall not be required for immediate business of the Association, as would be required by a trustee in terms of the Trustee Act of 1956.
- (d) Any member of the Association who by the authority of the Management Committee accepts or incurs pecuniary liability on behalf of the Association shall be held indemnified by the Association against any personal loss in respect of such liability.
- (e) Authorisation of Accounts and Expenditure:

All accounts shall be presented to and passed for payment at a meeting of the Management Committee or may be paid in advance provided that payment is ratified at the next meeting of the Management Committee so that the delay in payment shall not incur any additional financial expense in terms of late fees or penalties. Full details of all such approvals shall be entered in the minute book.
- (f) The Management Committee shall not create an overdraft without having it approved at an Annual General Meeting or Special General Meeting.

26 FINANCIAL YEAR

The financial year of the Association shall begin on the 1st day of April and end on the 31st day of March of the following year.

27 ENTRANCE FEE

- (a) The entrance fee shall be such sum as determined from time to time by the Management Committee.
- (b) The entrance fee shall be paid together with the first annual subscription, as determined by the Management Committee in accordance with Section 30 hereof.
- (c) Any group who arranges 5-9 people joining at any one time there be a reduction of 50% and 10 or more join a reduction of 80% per person in respect of the entrance fee.

28 ANNUAL FEES AND LEVIES

- (a) Annual membership fees payable by members of the Association shall be determined by the Management Committee and approved by a majority at the Annual General Meeting or a Special General Meeting.
- (b) Annual membership fees are due and payable by members of the Association on the 1st day of April of each year.
- (c) The Management Committee may impose upon any member whose membership fee or levy is in arrears and unpaid after the due date thereof a penalty not exceeding ten (10%) percent of the amount of such arrears.
- (d) The Management Committee may recommend a levy on members, over and above the Annual Membership Fee to meet any outstanding expense of the Association. Such levy to be approved by a majority at an Annual General Meeting or Special General Meeting.
- (e) The amount of the first annual subscription for persons elected to membership shall be determined on a pro rata basis by the Management Committee.
- (f) The Management Committee on receiving a written request shall have the power to waive or reduce the annual fee in exceptional circumstances. Fee reduction, other than in the case of leave of absence shall be for that financial year only, but maybe re-applied for in succeeding years.

29 ARREARS

If a member fails to pay an annual subscription for any year on or before the first day of June in that year after a final reminder notice, that membership shall immediately lapse and benefits of membership shall cease in accordance with Rule 4.

30 REINSTATEMENT

If within a period of fourteen (14) days an individual, whose membership has been cancelled in accordance with Section 29, gives to the Management Committee a satisfactory explanation for the non-payment of arrears, the Management Committee shall reinstate him/her as a Member without payment of an entrance fee.

31 SUITABLY QUALIFIED PERSON

- (a) A suitably qualified person shall compile the Association's accounts and prepare a report thereon for presentation to the Members at the Annual General Meeting.
- (b) The suitably qualified person shall preferably be a Member of the New Zealand Society of Accountants.
- (c) The suitably qualified person shall hold office for one year and may be re-elected for a further term and shall be paid whatever remuneration the Management Committee determines.
- (d) A person is "suitably qualified" if that person holds a certificate, degree, diploma, registration, or similar qualification, whether obtained in New Zealand or elsewhere, that is relevant to the practices of accounting and auditing; as defined in the Institute of Chartered Accountants of New Zealand Act 1996, section 15 (2).

32 BORROWING POWERS

The Management Committee, having been authorised at a general meeting, shall have power to borrow or raise money from time to time by the issue of debentures, bonds, mortgages or other security founded or based on all or any of the property of the Association, or without any such security and upon such terms as to priority or otherwise as shall deem fit to the Management Committee, who shall also be entitled to exercise such power or raise money.

33 DEEDS

The Association Solicitor shall be responsible for all original deeds and documents of title relating to the said property of whatever kind belonging to the Association.

34 PUBLICITY

No member, other than the President or a member nominated to do so by the Management Committee, shall purport to speak for and represent the views of the Association as a whole.

35 ADVERTISING

All advertisements that include the Association letters and/or logo in publications, pamphlets, posters and flyers shall clearly identify the member by name.

36 USE OF ASSOCIATION NAME AND INITIALS

The Association's name and abbreviations may be used only by those classes of membership identified hereunder and only in the exact forms specified for those classes.

- i Current Professional and Honorary Life Members may use Member NZAPH or the abbreviation M.N.Z.A.P.H. or MNZAPH.

37 REGISTER OF MEMBERS

- (a) The name and address of every member shall be entered in a book to be kept by the Secretary, to be called the Register of Members. At any meeting of the Association the Register shall be deemed prima facie, a correct and complete list of the members of the Association, stating their membership status.
- (b) Every member changing his/her address/phone number, shall within fourteen (14) days notify the Secretary who shall make the necessary alterations in the Register.
- (c) It shall be the duty of the Secretary to produce such Register at all meetings of the Association and if there be present at any such meeting any member who has not paid his annual membership fees or any former fees or any fine or any penalty or any contribution or levy made upon members in accordance with these rules, to call the attention of the Chairman to the fact, and thereupon such member shall not be entitled to take any part in the proceedings of the meeting.

38 NOTICES

- (a) Any notice to a member of the Association may be served upon that member either personally or by sending it prepaid through the post addressed to that member's last known address.
- (b) Any notice served by post shall be considered served on the fifth day following posting.

39 ASSOCIATION REGISTERED OFFICE

The Registered Offices of the Association shall be located at The Office of the elected Solicitor.

40 LIQUIDATION

The Association may be liquidated in terms of Section 24 of the Incorporated Societies Act 1908.

41 DISPOSAL OF SURPLUS ASSETS

Upon the dissolution or winding up of the Association, the surplus assets thereof (after payment of liabilities) shall be distributed to a society with similar objects and activities, or to a charity or charities, of the financial member's choice Such choice to be decided by a simple majority of financial members voting at the general meeting at which the resolution for liquidation is confirmed.


If upon winding up or dissolution of the organisation there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid or distributed among the members of the organisation but shall be given or transferred to some other organisation or body with similar objects to the first organisation or for some other charitable purpose, within New Zealand.


42 COMMON SEAL


- (a) The Common Seal of the Association shall not be affixed to any document or other instrument, except pursuant to the President and the Secretary. The Secretary shall be responsible for the safe custody and control of the said seal.
- (b) Whenever the Common Seal of the Association is required to be affixed to any deed, document, writing or other instrument, the Seal shall be affixed thereto pursuant to a resolution of the Management Committee and in the presence of two Executive Officers, who shall sign the document or instrument to which the Seal is so affixed.

43 INTERPRETATION

- (a) In these rules, unless inconsistent with the content, words importing the singular number only shall include the plural number, and words importing the masculine gender only shall include the feminine gender.

SIGNED:  DATE: 26 June 2022
 President: Pamela Millage

SIGNED:  DATE: 26 June 2022
 Vice President: Richard Hall

SIGNED:  DATE: 26 June 2022
 Membership Secretary: Terry Keillor

THE NEW ZEALAND ASSOCIATION of PROFESSIONAL HYPNOTHERAPISTS INCORPORATED

- 1 Members are expected to conduct themselves in a responsible and professional manner at all times and abide by the Code of Ethics, Rules and Constitution of the Association. Failure to do so shall result in disciplinary action.
- 2 Members shall recognise an obligation toward the client at all times, and shall practice their profession to the best of their ability for the benefit of the client. The client's comfort, welfare and future health must always have priority.
- 3 Members shall recognise their level of competence and shall refer clients to a specialist or another member competent to deal with any presenting symptom or problem beyond their capability.
- 4 Members shall keep in confidence all information derived from a client, or from a colleague, regarding a client and, except where the law requires otherwise, divulge the information only with the express permission of the client, or where failure to take action would constitute a menace or danger to the client or another member of the community.
- 5 Members shall give due respect to fellow members of the Association at all times so as to avoid any action which may lead to a dispute or difference or controversy. Should any dispute or difference arise, members concerned shall make a determined endeavour to settle it between themselves. Should agreement not be reached they shall submit it for settlement in accordance with the rules of the Association.
- 6 Members shall not make any claims to secret techniques, nor offer guarantees regarding the results of any services, or exploit a client for financial gain through inferences or misrepresentation.
- 7 Members' premises shall be maintained in a professional, safe and hygienic manner.
- 8 Members shall not knowingly interfere with any on-going treatment instigated by another practitioner whilst the client is under that practitioner's care.
- 9 Members must ensure that advertisements and other public announcements are such as will not bring the Association into disrepute.
- 10 Members shall display current Practising Certificates and Code of Ethics in a prominent position in their premises within easy viewing of the client.