



Community Patrols of New Zealand Charitable Trust.

Procedures and Rules

2012
(including 2015 Amendments)

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INTERPRETATION

Unless the context otherwise requires: –

- **‘Affiliated’** means currently financially subscribed.
- **‘Appendix’** means a document designed to enable CPNZ to operate effectively and containing a form or process prepared by or for the National Council and approved by the Trust Board.
- **‘Area Representative’** means a Patroller elected to that position at an Annual or Special General Meeting of the District where that person is a Patroller or otherwise appointed to that position in accordance with Section 16 of the CPNZ Procedures and Rules.
- **‘Chief Executive’** means a person engaged by the Trust Board to provide strategic leadership to CPNZ and to manage the National Office.
- **‘CPNZ’** means Community Patrols of New Zealand Charitable Trust.
- **‘CPNZ Financial Year’** means the period 1 July to 30 June or such other 12 month period as the Trust Board may adopt as the financial year.
- **‘CPNZ Governing Documents’** means the Trust Deed, the CPNZ Memorandum of Affiliation, the CPNZ Procedures and Rules (including the Appendices) and CPNZ policies.
- **‘CPNZ Property’** means all documents and other items bearing the CPNZ name or otherwise issued by CPNZ including, but not limited to, Identity Cards, Patrol Manuals, Magnetic Signs, Logos, CPNZ marked equipment and Intellectual Property.
- **‘Criminal Matter’** means any act or omission that has the potential to result in a criminal prosecution.
- **‘District’** means a district of CPNZ created pursuant to Section 7 of the Trust Deed.
- **‘District Committee’** means a Committee of the Trust Board with responsibility for the development of CPNZ in a District. **‘District Representative’** means a Patroller elected to that position at an Annual or Special General Meeting of the District where that person is a Patroller, or otherwise appointed to that position in accordance with Section 15 of the CPNZ Procedures and Rules.
- **‘District Trainer’** means a Patroller appointed to that position by the National Training Committee to assist in the development of the CPNZ Training programme and assist and oversee its implementation by the patrol trainers of a District.
- **‘Member Patrol’** means a Community Patrol affiliated to CPNZ.

- **‘Membership’** means any of the categories of membership set out in the Trust Deed.
- **‘Memorandum of Affiliation’** means a contract of Affiliation between an individual Patrol and CPNZ.
- **‘Memorandum of Understanding between CPNZ and New Zealand Police’** means the current signed agreement entered into between CPNZ and the Commissioner of New Zealand Police.
- **‘National Council’** means the National Council of CPNZ.
- **‘National Office’** means the nationally recognised office of CPNZ as determined from time to time by the Trust Board.
- **‘National Operations Manager’** means a person engaged by the Trust Board to manage the operations of CPNZ and, in the absence of a Chief Executive, to manage the National Office.
- **‘National Office Staff Member’** means a staff member engaged by the Trust Board to assist in the operations of the National Office.
- **‘National Training Manager’** means a person engaged by the Trust Board to develop the CPNZ Training programme and oversee its implementation.
- **‘National Training Committee’** means a committee of the Trust Board with responsibility for the oversight of training within CPNZ.
- **‘National Treasurer’** means the Treasurer of CPNZ appointed by the Trust Board in accordance with the Trust Deed.
- **‘Patroller’** means a member of a Member Patrol.
- **‘Postal’** includes e-mail and other electronic methods of written communication.
- **‘Postal Proxy Vote’** means the method of voting for non-attending Member Patrols at any CPNZ National Annual or Special General Meeting using the method and document referred to in Appendix 12.
- **‘Procedures’** means the terms of affiliation agreed to between the Trust Board and the Member Patrols.
- **‘Rules’** means the terms of delegation from the Trust Board to the National Council and each District.
- **‘Stand Down’** means the partial suspension of a Patroller or Member Patrol pursuant to which the Patroller of a Member Patrol concerned is barred from engaging in any patrolling or other public related activity, or from representing CPNZ at a local, district or national level.

- **'Suspend'** means the suspension of a Patroller or Member Patrol pursuant to which the Patroller or Member Patrol concerned is barred from engaging in any CPNZ related activity whatsoever on a local, district or national level.
- **'Trust'** means Community Patrols of New Zealand Charitable Trust.
- **'Trust Board'** means the Trust Board of Community Patrols of New Zealand Charitable Trust.
- **'Trust Deed'** means the Deed of Trust entered into by the initial members of the Trust Board on 24 March 2002 and all amendments to it.
- **'Voting Card'** means the individually named Member Patrol laminated card issued to the approved Member Patrol's representative prior to the commencement of any National Annual or Special General Meeting.

PROCEDURES

1. AFFILIATION

1.1

All Member Patrols will be affiliated to CPNZ using the processes outlined in Appendices 1 to 8.

1.2

New Patrollers joining a Member Patrol must be subject to the approved vetting procedure provided for in the Memorandum of Understanding between CPNZ and New Zealand Police.

1.3

New Patrollers joining a Member Patrol must sign the CPNZ Code of Conduct and Confidentiality Agreement provided for in the Memorandum of Understanding between CPNZ and New Zealand Police.

1.4

All affiliation forms are the property of CPNZ and are not to be altered, amended or modified in any manner or for any purpose whatsoever without the express prior written consent of the National Office.

1.5

To maintain affiliation a Member Patrol is required to:

- (1) Ensure that its membership fees are paid and up to date.
- (2) Submit a current 'Quick Reference Form' (QRF) with every annual subscription and whenever there is a change of Patrol Coordinator, Patrol Secretary, Patrol Training Officer or Police Liaison Officer.
- (3) Submit required Patrol Statistics via the recognised CPNZ Web portal.
- (4) Have the Patrol's current members recorded in the National Database and updated as membership changes occur.
- (5) Have a working relationship and regular information exchange with their District Representative and District Committees and supply updates of its activities to CPNZ (via its District Representative) for inclusion in the District Representative's reports to National Council and District Committee meetings.
- (6) Undertake on-going training as required in the Memorandum of Understanding between CPNZ and New Zealand Police.
- (7) Maintain an individual Personnel File for each Patroller who has joined the patrol containing:
 - The Patroller's Security Clearance (Vetting) Form,
 - The Patroller's application to join the patrol,
 - The Patroller's signed Code of Conduct,
 - The Patroller's signed Confidentiality Agreement,

- A copy of the Entry Form for the National Database, a copy of any document or completed training record of any course of training undertaken as a patroller, and
 - Details of any disciplinary action taken by the Member Patrol against the Patroller within the previous 7 years.
- (8) Maintain each Personnel File during the relevant Patroller's membership of that patrol and for a period of 7 years thereafter and, upon request, make that file available to any other Member Patrol to whom the patroller applies for membership.
- (9) Maintain written records of all Committee decisions.
- (10) Hold an Annual General Meeting and election of officers in accordance with Clauses 5.7 and 5.8.
- (11) Comply with:
- the provisions of the Memorandum of Understanding between CPNZ and New Zealand Police insofar as they are relevant to patrol activities or otherwise relate to patrols
 - The CPNZ Governing Documents
- (12) To assist the District Representative, the District Committee and the District Trainer to carry out their respective roles and responsibilities effectively.
- (13) To supply, upon request, current financial records to enable an audit of its finances to be undertaken by CPNZ in any case where a written complaint has been received by CPNZ in relation to the management of any Member Patrol's finances.
- (14) To participate in its District Committee activities and recognise and work with the other Member Patrols in its district.

1.6

The Trust Board may, at its discretion, wholly or partially exempt a Member Patrol from any of the requirements of clause 1.5 on a written request received from that Member Patrol.

1.7

All new patrols affiliating with CPNZ must use the words 'Community Patrol' as part of its name. All patrol names must also include an identifiable location name approved by the Trust Board. Existing patrols are also encouraged to use the words 'Community Patrol' in their name. The addition of any other words to the patrol's name must be approved by the Trust Board.

1.8

All new patrols affiliating with CPNZ must adopt the CPNZ uniform (as provided for in the CPNZ Uniform Policy) and fit out their patrollers as soon as they have the resources to do so. Existing patrols are encouraged to adopt the CPNZ uniform and fit out their patrollers as soon as they have the resources to do so. All patrols must ensure that all of their patrollers comply with the Uniform and Dress Code Policy.

1.9

All new patrols affiliating with CPNZ must adopt the approved CPNZ livery for any vehicles owned by the patrol and include the livery design on those vehicles as their vehicles are replaced (subject to their having the resources to do so). Existing patrols are encouraged to adopt the CPNZ livery and include the livery design on any vehicles owned by them as soon as they have the resources to do so.

1.10

Member Patrols may not use the words 'Police' or 'Policing' or any representation of the Police Crest or Police Logo on any identification card, letterhead, vehicle or clothing or any other item or document without the express permission of the Trust Board or the Chief Executive.

1.11

Member Patrols will not allow their patrollers to use any Identity Card other than the authorised and approved CPNZ Identity Card while engaged in community patrolling.

1.12

All CPNZ Property remains the property of CPNZ, whether the cost of it was wholly or partially paid for by CPNZ, a patrol or a Patroller and must be returned or provided to the National Office within 14 days of termination of affiliation or written request by the National Office.

1.13

To remain affiliated to CPNZ, the Annual Affiliation Fee must be paid in full no later than 60 Days after the end of the CPNZ Financial Year or 50 days after CPNZ has invoiced the Member Patrol accordingly (whichever is the latter).

1.14

Any new Member Patrol who pays an Annual Affiliation Fee to join CPNZ within 60 Days prior to the commencement of the CPNZ Financial Year will not have to pay an Annual Affiliation Fee for the following CPNZ Financial Year.

1.15

If a Member Patrol or Associate Member fails to renew their Annual Affiliation within 60 Days after the commencement of the CPNZ Financial Year, or 50 days after CPNZ has invoiced the Member Patrol accordingly, any right to the use of the words 'Community Patrols of New Zealand', the initials 'CPNZ' and any rights to display the CPNZ Logo may, at the discretion of the Trust Board, at any time thereafter be revoked and all CPNZ materials be required to be returned to the National Office.

2. CPNZ COMMITMENT OF AFFILIATION

2.1

CPNZ will provide the following services to each Member Patrol in such manner as the Trust Board considers to be necessary or desirable to enable the Member Patrol to operate effectively:

- (1) Initial guidance in the setting up and operation of the patrol using a standardised format and authorised forms.
- (2) Vetting to a national standard in accordance with the Memorandum of Understanding between CPNZ and New Zealand Police using a standardised format and the authorised Police form.
- (3) A National point of contact and support.
- (4) Operational guidelines.
- (5) Representation at a national level to Government Departments, Non-Governmental Organisations (NGO's) and groups or organisations who have similar objectives to those of CPNZ.
- (6) Support and oversight of a District Representative from the patrol's Police District to be a local point of contact with the National Council and Police District personnel.
- (7) Provision of a District Committee in the patrol's Police District to be a local point of contact with the Trust Board and senior Police District personnel and to provide support to the patrols in the District to function effectively.
- (8) Provision of a District Trainer to assist the National Training Manager to develop a national training programme and to assist patrol trainers to efficiently and effectively carry out their roles.
- (9) Training packages.
- (10) The authorised nationally approved CPNZ Identity Card.
- (11) Maintenance of the CPNZ National Database governed by appropriate protocols.
- (12) Approved promotional material, including the CPNZ Training Manual.
- (13) Dispute resolution and disciplinary processes.
- (14) Eligibility to nationally acquired funding when available.
- (15) Support of other Member Patrols in the Member Patrol's District.

3. DISCIPLINARY PROCESS

3.1

The Trust Board may convene a Disciplinary Committee to investigate any allegation of impropriety or breach of the CPNZ Governing Documents by a Member Patrol, other member of CPNZ, National Council member, District Committee member, or a member of any other CPNZ committee and make a recommendation to the Trust Board.

3.2

The Disciplinary Committee shall act in accordance with the disciplinary process in Appendix 9 of the CPNZ Procedures and Rules.

3.3

Pending the completion of the disciplinary process, the Trust Board may stand down or suspend the membership of any such Member Patrol, other member of CPNZ or National Council, District Committee or other committee member.

3.4

Following any disciplinary process, the Trust Board may, by providing 28 days written notice, terminate the membership of such Member Patrol, other member of CPNZ or National Council, District Committee or other committee member or impose such terms and conditions as it considers appropriate on their continuing membership of CPNZ or of the National Council, District Committee or other committee (as the case may be).

3.5

Upon termination of membership of CPNZ by the Trust Board the member concerned shall immediately return to CPNZ any CPNZ Property in their possession or under their control.

3.6

Each Member Patrol shall be responsible for taking such disciplinary proceedings and/or action as it considers necessary in relation to any of its Patrollers or other personnel who are the subject of a complaint.

3.7

The Trust Board, after appropriate consultation, may require a Member Patrol to 'Stand Down' or 'Suspend' a Patroller or other patrol person pending the resolution of the complaint.

3.8

The Member Patrol shall keep the Trust Board fully advised of the details and result of its investigations and any disciplinary action that it is intending to take in respect to the complaint and will provide the Trust Board with all information that is requested by it concerning the matter.

3.9

If the Trust Board considers that the outcome of the investigation warrants it, they may require the Member Patrol to terminate the membership of that Patroller or terminate their relationship with any other patrol person.

4. POLICE LIAISON OFFICERS

4.1

In accordance with the Memorandum of Understanding between CPNZ and New Zealand Police, Police are required to appoint a Police Liaison Officer to every Member Patrol.

4.2

If Police are unable, cease, or otherwise fail to provide an effective Police Liaison Officer, the Member Patrol shall bring that information to the attention of the relevant District or Area Representative to enable the District Representative to resolve the issue with the relevant New Zealand Police District Commander.

4.3

If the approach to the District or Area Commander does not result in an effective Police Liaison Officer being appointed within a reasonable time, then the District Representative should inform the National Office.

4.4

The Member Patrol shall, and the Police Liaison Officer is expected to, act in accordance with the guidelines in Appendix 10

5. MEMBER PATROL MANAGEMENT COMMITTEES

5.1

Every Member Patrol shall elect a management committee in accordance with its constitution and/or procedures. The management committee shall record in writing all decisions made by it in the management of the Member Patrol.

5.2

New patrols may operate under a Steering Committee during their formation process. The Steering Committee shall be regarded as having the same powers as a duly elected committee until such time as a formal Annual General Meeting is held to confirm or re-elect officers for that Member Patrol.

5.3

At the time of affiliation, the management committee of the Member Patrol shall comprise not less than three persons. Positions within the Member Patrol management committee must include:

- Chairperson or Coordinator
- Secretary and Treasurer (which may be separate or combined positions)
- Training officer/coordinator and Health & Safety officer/coordinator (which may be separate or combined positions).

5.4

The Treasurer shall maintain accurate and up to date accounts on behalf of the Member Patrol.

5.5

Other management committee positions may be established according to the needs of the individual Member Patrol.

5.6

All Member Patrols shall hold an Annual General Meeting. Unless the Member Patrol is a Registered Incorporated Society or Charitable Trust, and the registered rules provide for a term of office in excess of 1 year, the agenda for the Annual General Meeting shall include the election of officers to the Member Patrol management committee for the following 12 month period,

5.7

All Member Patrol management committees must ensure that their Member Patrol operates in accordance with the CPNZ Governing Documents, their Memorandum of Affiliation and any local guidelines and instructions issued by New Zealand Police.

5.8

A Member Patrol may choose to become an Incorporated Society or a Registered Charitable Trust. The Constitution or Trust Deed of a Member Patrol must not conflict with the CPNZ Governing Documents.

6. ANNUAL GENERAL MEETINGS

6.1

The purpose and function of a CPNZ National Annual General Meeting shall be to:

- (1) Receive apologies.
- (2) Approve the minutes of the previous CPNZ National Annual General Meeting, and, if appropriate, of any CPNZ National Special General Meeting held since the previous National Annual General Meeting.
- (3) Receive a report from the Trust Board.
- (4) Receive a report from the National Council.
- (5) Receive the Audited Financial Statements for the previous financial year.
- (6) Set or review the Annual Affiliation Fee for the following financial year.
- (7) Consider any formal remit submitted by Member Patrols or by the National Council.
- (8) Consider any changes to CPNZ Procedures and Rules.

6.2

Where the Trust Board has held a Special General Meeting within six months prior to the National Annual General Meeting for the purpose, among other matters, of considering any remits from Member Patrols, no remit from a Member Patrol will be considered at the National Annual General Meeting unless the Trust Board agrees to its inclusion due to the urgency and/or significance of the matter that is the subject of the remit, or for any other reason,

6.3

Formal notice of the date, time and place of the CPNZ Annual General Meeting must be given to all Member Patrols not less than 90 days prior to it occurring.

6.4

Not less than 30 days prior to the CPNZ National Annual General Meeting, CPNZ shall prepare and forward to all Member Patrols:

- (1). The agenda for the National Annual General Meeting.
- (2). The previous year's Audited Financial Statements.
- (3). Notice of all remits received that comply with clauses 6.5 to 6.7 of the CPNZ Procedures and Rules and their respective submissions.
- (4). Notice of any proposed changes to the CPNZ Procedures and Rules.
- (5). A Postal Proxy Voting Form for every agenda item that requires a vote.

6.5

Any remit brought before the CPNZ National Annual General Meeting shall either be:

- (1) Proposed by a Member Patrol and Seconded by a separate Member Patrol, AND
 - (a) formally recorded in both Member Patrol's meeting minutes, AND
 - (b) supported by a majority of Member Patrols in the proposing Member Patrol's District,
 - (c) formally recorded in the proposing Member Patrol's District AGM or SGM minutes, AND
 - (d) be of national significance

OR

- (2) Proposed by the National Council, and formally recorded in the minutes of any National Council Meeting.

6.6

All remits submitted to the CPNZ National Annual General Meeting shall include a written submission in support of the remit containing sufficient details to enable non-attending Member Patrols to exercise a Postal Proxy Vote.

6.7

A remit shall not be included on the agenda of a CPNZ National Annual General Meeting unless it has been formally received by the CPNZ National Office not less than 45 Days prior to the date of the CPNZ National Annual General Meeting.

6.8

A remit may seek to amend the Trust Deed but, as the power to make any such change lies with the Trust Board, such remit if passed shall only constitute a recommendation to the Trust Board to consider such change.

6.9

All remits received by the National Office of CPNZ shall be formally acknowledged in writing upon receipt.

6.10

The decision as to whether any Remit meets the criteria of being of national significance shall be made by the Trust Board.

6.11

In accordance with the Trust Deed, any resolution of a National Annual General Meeting to amend the CPNZ Procedures and Rules shall require the approval of the Trust Board before being implemented.

6.12

When speaking to a remit, the nominating Member Patrol's representative may only speak to the information forwarded to all Member Patrols prior to the National Annual General Meeting. Unless the Chairperson directs otherwise, no additional information by the Mover shall be accepted.

6.13

All CPNZ National Annual General Meetings shall be conducted in accordance with the Rules outlined in Appendix 16.

6.14

The quorum at a CPNZ National Annual General Meeting shall be 33% of Affiliated Member Patrols. The quorum shall comprise Member Patrols either attending in person or by participating Postal Proxy.

6.15

Voting at a CPNZ National Annual General Meeting will be on the basis of 'One vote per Affiliated Member Patrol' for each individual agenda item requiring a vote. No person may exercise a vote on behalf of more than one Member Patrol.

6.16

Every Patroller voting on behalf of a Member Patrol shall produce a 'Member Patrol Voting Authorisation Form' issued by the Member Patrol, as outlined in Appendix 11.

6.17

Member Patrols who have representatives attending the CPNZ National Annual General Meeting shall vote in person by displaying the Member Patrol Voting Card.

6.18

Any Member Patrol that is unable to attend the CPNZ National Annual General Meeting may lodge its vote on any or all of the individual agenda items by way of the Postal Proxy Vote process outlined in Appendix 12.

6.19

Any Member Patrol that submits a Postal Proxy Vote shall be ineligible to vote in person on any agenda item whether a representative of that Member Patrol is present or not. A Member Patrol may withdraw a Postal Proxy Vote by;

- passing a resolution at a Patrol Meeting that is recorded in the minutes of that meeting, and
- forwarding a copy of the minutes of that meeting, that includes the resolution, to the National Office not less than 7 days prior to the National Annual General Meeting, and
- provide the Member Patrol's representative with the 'Member Patrol Voting Authorisation Form' as outlined in Appendix 11.

6.20

To be valid, all Postal Proxy Votes must be received by the CPNZ National Office not less than 7 days prior to the CPNZ National Annual General Meeting.

6.21

Each individual agenda item to be voted on will be subject to a separate vote.

6.22

At or (if feasible) before the commencement of the National Annual General Meeting, the Member Patrols shall appoint two scrutineers to count the votes at the National Annual General Meeting.

6.23

Upon appointment, the scrutineers shall meet to open and record the Postal Proxy Votes cast in relation to the National Annual General Meeting. The scrutineers shall keep the

contents of the Postal Proxy Votes confidential until the counting of votes for the respective agenda item takes place.

6.24

A vote in relation to any other agenda item shall be indicated by the display of the Member Patrol Voting Card. Only votes cast for or against the motion shall be counted.

6.25

The final tally of the votes will include the number of displayed Member Patrol Voting Cards and the valid Postal Proxy Votes received.

6.26

All other agenda items, with the exception of items relating to CPNZ Procedures and Rules, shall require a minimum of 60% of all votes cast for the resolution in order for it to be passed.

6.27

The declaration of the Chairperson of the result of any vote, made in accordance with the advice received from the scrutineers, shall be final.

7. SPECIAL GENERAL MEETINGS

7.1

In accordance with the Trust Deed, the Trust Board will, upon the written request of the National Council or of not less than 20% of Member Patrols, and may at any other time, convene a National Special General Meeting.

7.2

Unless otherwise determined by the Trust Board, a National Special General Meeting shall only deal with the matters raised in any written request made in accordance with clause 7.1, complying remits, and other items notified by the Trust Board in the Agenda for the National Special General Meeting.

7.3

Any request by Member Patrols to convene a National Special General Meeting shall be made to the CPNZ National Office. The request will be forwarded to the Trust Board.

7.4

Any request by Member Patrols shall;

- be of national significance, and
- specify the reason for requesting the convening of a National Special General Meeting, and
- contain sufficient details or information so that any Member Patrol who cannot attend the National Special General Meeting may make an informed Postal Proxy Vote.

7.5

The decision as to whether any request for a National Special General Meeting meets the criteria of being of national significance shall be made by the Trust Board.

7.6

Clauses 6.5 to 6.12 shall apply to remits submitted to a National Special General Meeting as if the phrase 'National Annual General Meeting' read 'National Special General Meeting'.

7.7

Where the Trust Board considers that it is expedient to do so, the Trust Board may decide to hold any National Special General Meeting by way of Postal Proxy Vote only. This provision shall not apply where the National Special General Meeting is being held at the written request of Member Patrols.

7.8

CPNZ will, no less than 30 days prior to the date of the National Special General Meeting, notify all Member Patrols:

- Whether or not the National Special General Meeting is to be held in person or by Postal Proxy Voting only.
- If the National Special General Meeting is to be held in person, the time, date and location of the National Special General Meeting.
- The agenda for the National Special General Meeting.
- Sufficient details or information so that any Member Patrol who cannot attend the National Special General Meeting may make an informed Postal Proxy Vote.
- Notice of all remits received that comply with clauses 6.5 to 6.7 of the CPNZ Procedures and Rules and their respective submissions.
- Notice of any proposed changes to the CPNZ Procedures and Rules.
- A Postal Proxy Voting Form for each item that requires a vote.

7.9

All CPNZ National Special General Meetings held in person shall be conducted in accordance with the provisions of Appendix 16 except to the extent that it is inconsistent with the provisions of this Section.

7.10

The quorum for a CPNZ National Special General Meeting held in person shall be 33% of all Member Patrols voting either in person or by Postal Proxy vote.

7.11

A quorum for a CPNZ National Special General Meeting held by Postal Proxy Vote shall be 33% of all Member Patrols.

7.12

Voting at a CPNZ National Special General Meeting will be on the basis of 'One vote per Member Patrol' for each agenda item. No person may exercise a vote on behalf of more than one Member Patrol.

7.13

Member Patrols who have representatives attending the CPNZ National Special General Meeting shall vote in person by displaying the Member Patrol Voting Card.

7.14

Every Patroller voting on behalf of a Member Patrol shall produce a 'Member Patrol Voting Authorisation Form' as outlined in Appendix 11.

7.15

Any Member Patrols who are unable to attend a CPNZ National Special General Meeting held in person may lodge a vote by way of the Postal Proxy Vote as outlined in Appendix 12.

7.16

Any Member Patrol who submits a Postal Proxy Vote for a National Special General Meeting held in person shall be ineligible to vote in person whether a representative of that Member Patrol is present or not. A Member Patrol may withdraw a Postal Proxy Vote by:

- passing a resolution at a Patrol Meeting that is recorded in the minutes of that meeting, and
- forwarding a copy of the minutes of that meeting, that includes the resolution, to the National Office not less than 7 days prior to the National Special General Meeting, and
- providing the Member Patrol's representative with the 'Member Patrol Voting Authorisation Form' as outlined in Appendix 11.

7.17

To be valid, all Postal Proxy Votes shall be received at the CPNZ National Office not less than 7 days prior to any National Special General Meeting held in person.

7.18

At (or, if feasible, before) the commencement of a National Special General Meeting held in person, the Member Patrols in attendance shall appoint two scrutineers to count the votes at that meeting.

7.19

Where the National Special General Meeting is held by Postal Proxy Voting, the Trust Board shall appoint two scrutineers to count the votes.

7.20

The final tally of the votes of a National Special General Meeting held in person shall include the number of displayed Member Patrol Voting Cards and the valid Postal Proxy Votes received. Only votes cast for or against the motion shall be counted.

7.21

The final tally of the votes of a National Special General Meeting held by Postal Proxy Vote shall be advised to all Member Patrols in a format that enables them to ascertain how each Member Patrol voted.

7.22

Any vote at a National Special General Meeting, with the exception of items relating to CPNZ Procedures and Rules, shall require a minimum of 60% of all votes casts for the resolution in order for it to be passed.

7.23

The declaration of the Chairperson of the meeting (or, in the case of a Postal Proxy Vote, the Chairman of the Trust Board) of the result of any vote, made in accordance with the advice received from the scrutineers, shall be final.

7.24

A resolution may seek to amend the Trust Deed, but as the power to make any such change lies with the Trust Board, any such resolution if passed shall only constitute a recommendation to the Trust Board to consider such changes.

7.25

In accordance with the Trust Deed, any resolution of a National Special Meeting to amend the CPNZ Procedures and Rules shall require the approval of the Trust Board before being implemented.

8. FINANCIAL STATEMENTS

8.1

If the CPNZ Audited Accounts for any financial year are not expected to be presented to a National Annual General Meeting before 31 December in that year, the following provisions shall apply.

8.2

Before 31 October each year, the CPNZ Audited Accounts shall be displayed on the CPNZ website.

8.3

Between 1 November and 31 December each year, Member Patrols may ask questions in respect of the Audited Accounts by sending questions in writing to the National Office.

8.4

At the end of that time period, the National Office will arrange for all questions, and the answers to the questions, to be displayed on the CPNZ Website.

8.5

All such questions and answers shall be available for viewing by all persons authorised to access the secure section of the CPNZ website.

8.6

All questions on the Audited Accounts shall be answered by the National Treasurer as soon as practically possible. Unless the National Treasurer is unable to provide an answer in time for reasons beyond his control, (in which case the reason for the delay or inability to answer shall be stated), all questions shall be answered by the following 31 January.

8.7

The Audited Accounts shall be presented at the following National Annual General Meeting of CPNZ, as provided for in clause 6.1.

8.8

Any further questions in respect of the Audited Accounts for the previous financial year shall be forwarded in writing to the National Office no less than 45 Days prior to the National Annual General Meeting. Such questions may not cover any matters that have already been addressed in the website Question and Answer process.

8.9

The Audited Accounts together with a copy of all previous questions and answers and any supplementary written questions on the accounts shall be forwarded to all Member Patrols no less than 30 Days prior to the National Annual General Meeting.

8.10

The National Treasurer (or his or her nominee) will address all written questions as part of the presentation of the Audited Financial Accounts to the National Annual General Meeting.

RULES

9. NATIONAL COUNCIL

9.1

The National Council of CPNZ shall consist of both voting and non-voting members.

9.2

The voting members of the National Council of CPNZ shall consist of the National Council Chair, the National Council Deputy Chair and the District Representatives.

9.3

Non-voting members of the National Council of CPNZ shall consist of;

- the Chief Executive;
- the National Operations Manager;
- one or more nominated representatives of the Commissioner of Police (as from time to time agreed between CPNZ and New Zealand Police);
- official representatives of any invited strategic partner organisation; and
- any other person considered by the National Council of CPNZ to have demonstrated skills and knowledge of advantage to the organisation and invited on to the National Council as an Advisor as provided for in clause 9.6.

9.4

All non-voting members of the National Council of CPNZ shall have speaking rights at National Council meetings.

9.5

The appointment of any official representative of any strategic partner organisation other than New Zealand Police shall be made pursuant to a written agreement between the Trust Board and the strategic partner organisation.

9.6

The National Council may, after consultation with the Trust Board, co-opt any advisor to the National Council. Any such co-option shall be subject to such terms and conditions as the National Council deems appropriate.

9.7

The National Council shall elect two of its members to the positions of National Council Chairperson and National Council Deputy Chairperson at such time as the National Council shall determine but no later than at the first meeting following the National Annual General Meeting. The nominations for these positions shall be by way of the process outlined in Appendix 21 and on the form contained in Appendix 22.

9.8

If any such election occurs prior to the National Annual General Meeting then any newly appointed Chair or Deputy Chair shall take office at the conclusion of the National Annual General Meeting.

9.9

The National Council Chairperson or, in their absence the Deputy Chairperson, shall preside over all meetings of the National Council.

9.10

Where due to any circumstance neither the National Council Chairperson nor the National Council Deputy Chairperson is available to chair the National Council Meeting, the members of the National Council present shall decide who will chair the meeting.

9.11 If the National Council considers that, due to a conflict of interest or other reason relating to the independence, competence or integrity of the person chairing the meeting, another person should preside in relation to one or more agenda item, then the members of the National Council present will decide who should preside for that item or those items.

9.12

On first appointment to the National Council, every National Council member (with the exception of the Commissioners Representative/s and any official representative/s of any invited strategic partner organisation) shall sign the declaration attached to the CPNZ Code of Conduct (Appendix 13). Breach of this Code of Conduct by any National Council member shall be a disciplinary matter.

9.13

The decision of the National Council on the interpretation or application of these Rules, or any matter or thing not contained in these Rules but pertaining to CPNZ, shall be conclusive and binding on all members of CPNZ unless formally revoked at a National Annual or Special General Meeting.

10. DELEGATION OF RESPONSIBILITIES AND POWERS

10.1

The Trust Board shall, in consultation with the National Council, adopt a Strategic Plan and an Annual Budget.

10.2

The National Council shall have the responsibility to make operational decisions of the Trust that are of such national significance as to warrant the input and decision of the National Council.

10.3

The National Council Chair and the Chief Executive shall determine whether an issue qualifies for consideration by the National Council. If they cannot agree on whether an issue qualifies or not, the Trust Board shall determine the matter.

10.4

All decisions of the National Council shall be in accordance with the Strategic Plan and within the delegations given to it by the Trust Board and, unless subsequently approved by the Trust Board, any expenditure involved must have been provided for in the Annual Budget.

10.5

The Chief Executive (or, if there is no Chief Executive, the National Operations Manager) shall receive and expend the finances of the Trust in accordance with the Annual Budget, and shall account to the Trust Board and the National Council for the moneys received and expenditure incurred on a regular basis.

10.6

The Trust Board, after consultation with the National Council, may at any time (and from time to time) amend the Strategic Plan and/or the Annual Budget and shall, in any event, review the Strategic Plan at least once every two years.

10.7

For the avoidance of doubt the following matters shall be the responsibility of the Trust Board and not the National Council:

- (1) Setting the date for the end of the financial year.
- (2) Setting the date for the National Annual General Meeting and any National Special General Meeting.
- (3) Authorising the opening and closing of bank accounts and the signatories to those accounts.
- (4) Carrying out the annual audit of the Trust's accounts.

11. NATIONAL COUNCIL MEETINGS

11.1

The National Council shall meet as it considers necessary to conduct its business.

11.2

The vote for the election of the National Council Chairperson and National Council Deputy Chairperson shall be by way of secret ballot, which may be in person or by proxy. The following conditions shall also apply:

- Two non-voting members of the National Council shall be appointed scrutineers.
- The person who receives the most votes shall be declared to be elected to the position.
- If the vote is tied there shall be another ballot cast.
- In the event that the vote is tied for the second vote the successful candidate will be determined 'by lot'.
- After the vote is determined, checked and publically announced, all voting papers used for the election shall be immediately destroyed.

11.3

With the exception of any National Council Meeting called immediately following the CPNZ National Annual General Meeting, not less than 14 days' notice shall be given to National Council Members of National Council Meetings.

11.4

National Council Meetings may be held by means of audio, or audio and visual, communication by which all National Council members participating can simultaneously identify and hear each other throughout the duration of the meeting.

11.5

A quorum for a National Council Meeting shall be not less than 50% of the voting members of the National Council.

11.6

All National Council Meetings shall be conducted in accordance with the Rules outlined in Appendix 16.

11.7

Full minutes shall be kept of the proceedings of all National Council Meetings.

11.8

Every question submitted to a meeting shall be first decided by voice, and in the case of a decision being in doubt by a show of hands. Every person entitled to vote, including the Chairperson, shall have one vote either for or against the motion. National Council meetings shall not use Proxy Voting.

11.9

Unless a poll is called for by the Chairperson or demanded by one-third of the members present, a declaration by the chairperson that a resolution has been carried or not shall be final.

11.10

If a poll is demanded, it shall be taken in such a manner and at such time as the Chairperson of that meeting may direct. The demand for a poll may be withdrawn at any time.

11.11

Any vote at a National Council Meeting, with the exception of items relating to Appendices, shall require a minimum of 60% of all votes cast for the resolution in order for it to be passed.

11.12

Resolutions passed at any National Council Meeting shall be conclusive and binding on all members of CPNZ.

11.13

Any member of a Member Patrol or any other invited person may attend any National Council Meeting as an observer at the discretion of the Chairperson. Speaking rights may be granted by the Chairperson on a case-by-case basis.

12. NATIONAL OFFICE

12.1

CPNZ will establish a National Office from which the administration of CPNZ will be conducted.

12.2

Employment of a Chief Executive, National Operations Manager or any other National Office employee shall be by way of an Individual Employment Agreement between the employee and CPNZ. Each such Individual Employment Agreement shall contain a position description for the role which may be amended by agreement from time to time between the Trust Board and the employee.

13. NATIONAL DATABASE

13.1

CPNZ shall maintain a secure National Database of all CPNZ Member Patrols and Patrollers.

13.2

The National Database will be administered in accordance with the Database Protocols contained in Appendix 15.

14. CPNZ DISTRICTS

14.1

Each District Committee shall have the rights, powers and responsibilities set out in Appendix 17 together with such rights powers and responsibilities as are delegated to it by the Trust Board.

14.2

Member Patrols within each district shall annually elect a District Committee that shall;

- operate under a management structure, and
- record in writing all decisions made by it.

14.3

Each District Committee shall comprise:

- A Chairperson;
- A Secretary and Treasurer (which may be separate or combined positions)
- A District Representative;
- A District Trainer (who is appointed by the National Training Manager);
- Area Representatives (if the Member Patrols or District Committee decides to elect or appoint them);
- Any other positions that the Member Patrols consider appropriate;
- Any other persons that the Member patrols decide to elect.

14.4

District Committee meetings shall be held as often as is, in the District Committee's view, required to carry out its responsibilities effectively and efficiently and, otherwise, as and when the District Committee decides. These meetings may be held in person or by any electronic means.

14.5

All District Committees shall hold an Annual General Meeting of the District and may at any time hold a Special General Meeting of the District.

14.6

If any patrol advises the District in writing that they wish to present a remit for consideration by the District Annual General Meeting or a District Special General Meeting pursuant to clause 6.4(1)(b) and provides evidence that the remit is supported by at least one other patrol then, provided such advice is received by the District Committee in sufficient time, the District Annual General Meeting, or a District Special General Meeting, shall be held not less than 60 Days prior to the CPNZ National Annual General Meeting to consider that remit.

14.7

The agenda for the District Annual General Meeting shall include;

- the elections of the persons referred to in clause 14.3 other than the District Trainer.
- Consideration of any remits intended for a National Annual or Special General Meeting and moved by any Member Patrol in that district.
- Such other business as the District Committee may decide.

14.8

The agenda for a District Special General Meeting shall include;

- Consideration of any remits intended for a National Annual or Special General Meeting and moved by any Member Patrol in that district.
- Such other business as the District Committee may decide.

14.9

As the District Committee is a sub-committee of the Trust Board, the District Treasurer shall be responsible to the National Treasurer for the management of the district finances.

14.10

On first appointment to a District Committee, every District Committee member shall sign the declaration attached to the CPNZ Code of Conduct (Appendix 13). Breach of this Code of Conduct by any District Committee member shall be a disciplinary matter.

14.11

A District Representative shall be elected and may be removed by a majority of all Member Patrols of that District, voting on the basis of one vote per Member Patrol.

14.12

Unless:

- (1) a majority of all Member Patrols in the District are present in person or by proxy at the District Annual General Meeting, and
- (2) a majority of all patrols in the District vote in person or by proxy in favour of the candidate (or one of the candidates) for the role of District Representative at that meeting,

then the patrols not present at the meeting in person or by proxy must be polled (as provided for in Appendix 17) and the no nominee shall be declared to be elected to that role unless and until a majority of all the patrols in that District have voted in favour of that nominee's appointment.

14.13

The District Representative shall not chair any District meeting where the election of, or the performance of, the District Representative forms part of the agenda.

14.14

The National Training Committee shall appoint the District Trainer for each district in consultation with the National Training Manager and relevant District Chair, District Representative and Member Patrols.

14.15

Where any issue relating to the performance of the District Representative, District Chair, District Trainer or any other District Committee member arises in a District and cannot be resolved at District level, the following persons shall be advised in order for him or her to assist the District in resolving the matter:

- In the case of the District Representative, the National Council Chair (or, if the National Council Chair is also the District Representative, the National Council Deputy Chair).
- In the case of the District Trainer, the National Training Manager.
- In the case of the District Chair or any other District Committee Member, the Trust Board Chair.

If the matter still cannot be resolved, it may be referred by the District to the Trust Board as a disciplinary matter to be resolved in accordance with Section 3.

15. DISTRICT REPRESENTATIVES

15.1

The position of District Representative is a key position for communication within the organisation. District Representatives not only liaise with their District Member Patrols, but they are also involved in and have a responsibility as a member of the National Council in key decisions relating to both CPNZ and all Member Patrols nationwide.

15.2

To be eligible to be nominated for the position of District Representative, the person should, in the view of the nominating Member Patrol, be an 'experienced and active member' of a Member Patrol within the relevant District.

15.3

The nomination process for the election of a District Representative is contained in Appendix 18. The nomination must be made on the form contained in Appendix 19.

15.4

In the event that there are no nominations for the position of District Representative prior to the commencement of the District Special or Annual General Meeting, the National Council may call for nominations for an electronic vote for the position in accordance with Appendix 14.

15.5

In the event that there are no nominations for the position of District Representative as requested in an electronic vote, the National Council may appoint a person to fulfil the role until the following election. Any such appointment can only be for a period of 12

months or until the next District Special or Annual General Meeting (whichever first occurs).

15.6

If a vacancy for any position of District Representative arises within four (4) months after the District Special or Annual General Meeting at which the District Representative was appointed, an electronic election will take place to fill that vacancy in accordance with Appendix 14.

15.7

If a District Representative becomes a member of the Trust Board, their position as District Representative shall be deemed to be vacated.

15.8

The role and responsibilities of the District Representative are contained in Appendix 20.

16 AREA REPRESENTATIVES

16.1

If a District (at a District AGM or SGM) or a District Committee (at any other time) so decides, one or more Area Representatives may be elected or appointed (as the AGM, SGM or District Committee may decide) to assist the District Representative to carry out his or her role in a defined part of the District, whether defined geographically, in relation to certain cultural or other communities, or otherwise.

16.2

Each Area Representative shall primarily report to and shall be subject to the direction of the District Representative and shall maintain strong communication lines with the District Representative.

16.3

Subject to direction by the District Representative, the Area Representative's role shall be to carry out the functions of the District Representative within the defined part of the District allocated to the Area Representative.

16.4

Area Representatives are not members of the National Council and shall not carry out any of the functions of the District Representative that arise from the District Representative's role as member of the National Council or any committee of the National Council.

17. DISTRICT COMMITTEE CHAIRS

17.1

The District Committee Chair shall be responsible for ensuring that the District Committee fulfils its obligations as a committee of the Trust Board and shall regularly report to the Trust Board (which shall normally occur through the Chief Executive) on the performance of the District in carrying out and fulfilling the provisions of the Strategic Plan in his or her respective District and such other matters as the Trust Board may delegate to the District Committee.

GENERAL PROVISIONS

18. CHANGE OF PROCEDURES, RULES and APPENDICES

18.1

The CPNZ Procedures and Rules are to be read subject to the CPNZ Trust Deed.

18.2

The CPNZ Procedures and Rules may be added to, amended or deleted by:

- A National Special General Meeting of Member Patrols called by the Trust Board for that purpose, or
- The submission of a remit to a National Annual General Meeting or Special General Meeting in accordance with clauses 6.5 to 6.7 and its subsequent passing.

18.3

Any resolution to add to, amend or delete any of the CPNZ Procedures and Rules shall require a minimum of 75% of all votes cast for or against the resolution in order for it to be passed.

18.4

All additions, amendments or deletions are subject to the provisions of clause 6.10 of this document.

18.5

Appendices may be added, amended or deleted at any time by a resolution of the Trust Board at the request of, or following consultation with, the National Council. Any such resolution shall be advised in writing to all members of the Trust Board and National Council no less than 14 days prior to the National Council Meeting at which any such addition, amendment or deletion is to be discussed. Such notification shall include a briefing document outlining the reasons for the proposed addition, amendment or deletion.

18.6

Any resolution to add to, amend or delete any Appendix shall be passed by the National Council by a majority of 75% of National Council members voting for or against the resolution.

18.7

The National Office will advise Member Patrols of any changes approved to any Procedure, Rule or Appendix within 21 days.

18.8

Should any Member Patrol have a response to a change in the Appendices, they shall refer that response to the District Representative who may bring that matter before the following National Council Meeting.

19. ADMINISTRATIVE.

19.1

No person associated with CPNZ, including any Trust Board or other member, District Chair, District Representative, District or other committee member, Member Patrol officeholder or Patroller, shall make any public or media statement on behalf of CPNZ (or which might reasonably be construed to be on behalf of CPNZ) without the prior authority of the Chairperson of the Trust Board or the Chief Executive.

19.2

The words Community Patrols of New Zealand, CPNZ and the CPNZ Logo are registered proprietary names and are the sole property of Community Patrols of New Zealand Charitable Trust. Except as otherwise provided in the CPNZ Procedures and Rules, no use of these terms or logo by any party shall occur without the consent of the National Council Chairperson. Written consent to the use of these terms and logo is given to Member Patrols by the acceptance of the CPNZ Memorandum of Affiliation.

19.3

In the event that any Member resigns or has their membership terminated, the right to the use of the words Community Patrols of New Zealand, CPNZ and the right to display the CPNZ logo are automatically revoked, and all CPNZ materials are to be returned to the National Office within 14 days.