



# New Zealand Gazette

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# GOVERNMENT NOTICES

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## General Section

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### Standing Orders for Rules for the Conduct of Meetings

#### **Rules for the Conduct of Meetings of the New Zealand Fish and Game Council and Model Rules for Conduct of Regional Fish and Game Councils' Meetings**

Pursuant to section 26A(1)(d) of the Conservation Act 1987, I, the Honourable Maggie Barry, Minister of Conservation, hereby establish the standing orders set out in Schedule 1 as:

- a. the rules for the conduct of meetings of the New Zealand Fish and Game Council; and
- b. model rules for the conduct of regional Fish and Game Council meetings.

These Rules are standing orders for the purposes of clauses 27(1) and (2) of Schedule 7 of the Local Government Act 2002.

Dated at Wellington this 30th day of November 2016.

HON MAGGIE BARRY, Minister of Conservation.

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## **1. General**

### **1.1 Introduction**

#### *1.1.1 Citation of Legislation*

These standing orders cite, or in some cases paraphrase, the provisions from the following Acts:

- Conservation Act 1987 (CA);
- Local Government Official Information and Meetings Act 1987<sup>1</sup> (LGOIMA);
- Fish and Game Council Elections Regulations 1990 (FGCER);
- Local Government Act 2002<sup>2</sup> (LGA); and
- Resource Management Act 1991 (RMA).

Where direct quotations from the legislation are cited in these standing orders they are shown followed by the reference from the legislation.

#### *Requirement for Adoption of Standing Orders<sup>3</sup>*

The council must adopt a set of standing orders for the conduct of its meetings and those of its committees. The standing orders of the council must not contravene any provisions of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

[cl. 27(1) and (2), Schedule 7, Local Government Act 2002]

#### *Notes:*

1. Fish & Game Councils are listed under Schedule 2 of the Local Government Official Information and Meetings Act 1987 as local authorities to which Part 7 (meetings) of this Act apply.

2. Fish & Game Councils are not listed as authorities to which this Act applies, but Schedule 7 of the Local Government Act 2004 updates provisions in the Local Government Official Information and Meetings Act 1987.

3. Some material within this document is based on the New Zealand Standard 9202:2003 Model Standing Orders for meetings of Local Authorities and Community Boards and adapted from those used by local authorities.

These Standing Orders reflect legislative requirements in the conduct of meetings under the Local Government Official Information and Meetings Act 1987, including amendments made to this and the Local Government Act 2002 in 2004, including provisions for extraordinary meetings, voting and other minor amendments.

#### *1.1.2 Interpretation*

In these standing orders, unless inconsistent with the context:

**agenda** means the list of items for consideration at a meeting together with reports and other attachments relating to those items. An agenda can also be referred to as an "Order Paper".

**chairperson** means the chairperson of the council and where appropriate also includes any person acting as the chairperson of any committee or sub-committee of the council.

[s. 26J or 26ZC CA]

**Chief Executive** means the manager of a council appointed under section 26F(2)(b) of the Conservation Act 1987 (defined as **Director** under this Act), irrespective of their designation, and includes for the purposes of these standing orders, any other officer authorised by the council.

**committee** includes, in relation to the council a:

- committee comprising all the members of the council; and
- standing committee or special sub-committee appointed by the council.

**co-opted** means a person co-opted as a member of the council who is entitled to attend and speak at any meeting of the council, but shall not be entitled to vote on any question.

[s. 26E CA]

**council** in these standing orders means the council and/or committees of that council covered by these standing orders, being a Fish & Game Council as defined in the Conservation Act 1987.

**division** means a verification of a voice vote. It does not require a count unless the chairperson instructs names to be recorded of those voting “aye” or “nay”. Members can merely raise their hands or stand.

**lot** means in the event of a tie, the result is resolved by the candidates concerned being asked to draw their names out of a hat or by the toss of a coin.

[similar to what is specified under cl.16 FGCR]

**manager** means the manager of the Fish and Game Council, appointed under section 26T of the Conservation Act 1987, or any staff member acting in that role.

**meeting** means any first, ordinary or extraordinary meeting of a council; and any meeting of any committee or standing committee or special committee or subcommittee of the council.

Any meeting of a council or of any committee or subcommittee of a council, at which no resolutions or decisions are made, is not a meeting for the purposes of the LGOIMA. Therefore the provisions of Public Access in these standing orders need not apply.

[s. 45 LGOIMA]

**member** means any person elected or co-opted to the council or to any committee or subcommittee of the council.

[s. 2 LGOIMA]

**minutes** means the record of the proceedings of any meeting of the council and its committees.

[s. 45(1) LGOIMA]

**officer** means any Fish and Game officer specified as such in these standing orders.

**ordinary meeting** means any meeting publicly notified by the council in accordance with section 46(1) and (2) of the Local Government Official Information and Meetings Act 1987. It also means a meeting open to the public.

**public excluded information** refers to information which is currently before a public excluded session or proposed to be considered at a public excluded session, or had previously been considered at a public excluded session and not yet released as publicly available information. It includes any:

- minutes (or portions of minutes) of public excluded sessions which have not been subsequently released by the council; and
- other information which has not been released by the council as publicly available information.

**public excluded session** refers to those meetings or parts of meetings from which the public is excluded by the council as provided for in section 48 of the Local Government Official Information and Meetings Act 1987.

**publicly notified** means notified to members of the public by notice on the website of that council, or contained in some newspaper circulating in the region of the council, or by notice affixed in view of the public outside the venue to which the notice relates.

[s. 2 LGOIMA modified to include website]

**quorum** means the minimum number of members required to be present to constitute a valid meeting.

**working day** means any day of the week other than:

- Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, Sovereign's Birthday, Waitangi Day and the appropriate regional anniversary day;
- if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and
- a day in the period commencing with the 20th day of December in any year and ending with the 10th day of January in the following year.

[s. 2 LGOIMA]

**working party** means a group set up by the council to achieve a specific objective that is not a committee or subcommittee and to which these standing orders do not apply.

**workshop** means, in the context of these standing orders, a gathering of elected members that may include non-elected members and at which no decisions are made.

## **1.2 Standing Orders**

### *Adoption of Standing Orders*

1.2.1 A council must adopt a set of standing orders for the conduct of its meetings and those of its committees.

[cl. 27(1) & (2), Schedule 7, LGA]

### *Application of Standing Orders*

1.2.2 These standing orders apply to all meetings of the council and its committees unless otherwise stated. This includes meetings and sessions that the public are excluded from.

### *Members Must Obey Standing Orders*

1.2.3 A member of the council must abide by the standing orders adopted under clause 27 of Schedule 7 of the Local Government Act 2002.

[cl. 16(1), Schedule 7, LGA]

### *Alteration of Standing Orders*

1.2.4 Any amendment of these standing orders or the adoption of new standing orders must be made by the council and requires a vote of not less than 75% of its members.

### *Temporary Suspension of Standing Orders*

1.2.5 A member may move to temporarily suspend standing orders as a procedural motion. The member must name the standing order to be suspended and provide a reason for suspension. If seconded, the chairperson must put the motion without debate. At least 75% of the members must vote in favour of the suspension. The resolution must state the reason for the suspension.

1.2.6 In the event of suspension those standing orders prescribed by legislation will continue to apply.

[cl. 27(4), Schedule 7, LGA]

### *Chairperson's Ruling Final*

1.2.7 The Chairperson shall decide all questions where these standing orders make no provision or insufficient provision.

## **1.3 Meetings - Introductory Provisions**

### *Meetings are to Follow Legislative and Adopted Policy Requirements*

1.3.1 The Fish and Game Council and its committees must hold meetings for the good government of licensed freshwater sports fish anglers and game bird hunters. Meetings must be called and conducted in accordance with:

- a. Part VII of the Local Government Official Information and Meetings Act 1987;
- b. these standing orders; and
- c. governance policies adopted by the council.

1.3.2 Meetings of the New Zealand Fish and Game Council shall be held at least twice a year (section 26K of the Conservation Act 1987) and meetings of any regional Fish and Game Council shall be held on at least six occasions (section 26ZD of the Conservation Act 1987).

### *Members to Give Notice of Addresses*

1.3.3 Every member of the council must give to the Chief Executive a residential or business address together with, if desired, an electronic or other address to which notices and material relating to meetings and council business may be sent or delivered.

### *Meeting Duration*

1.3.4 A meeting must not continue more than eight hours from when it starts (including any meal breaks), or after 10.30pm, unless the meeting resolves to continue. If there is no such resolution, any business on the agenda that has not been dealt with must be adjourned, or transferred to the next meeting or to an extraordinary meeting.

1.3.5 No meeting can sit for more than three hours continuously without a refreshment break of at least ten minutes unless the meeting resolves to extend the time before a break.

### *First (Inaugural) Meeting of Council Following an Election*

1.3.6 The first meeting of the council following an election of its members must be called by the Chief Executive no later than three weeks after the date the members come into office. The Chief Executive must give elected members not less than seven days' notice of the meeting, unless in the event of an emergency, the Chief Executive (or nominee of that officer) may give notice of the meeting as soon as practicable.

[cl. 26 FGCER]

### *Business for an Inaugural Meeting*

1.3.7 The Chief Executive (or nominee of that officer) must chair the initial meeting, or any meeting where the prior chairperson's term of office has terminated until a new chairperson has been appointed by the council.

1.3.8 The business to be conducted at the inaugural meeting must include:

- a. the appointment of the chairperson;
- b. the appointment of the Executive Committee with the NZ Council chairperson as its chair;
- c. a general explanation, given or arranged by the Chief Executive (or nominee of that officer) of:
  - i. the Local Government Official Information and Meetings Act 1987; and
  - ii. other laws affecting members, including: the appropriate provisions of the Conservation Act 1987, Part 6 of the Crimes Act 1961, and the Secret Commissions Act 1910; and
- d. the fixing of the date and time of the first meeting of the council, or the adoption of a schedule of meetings.

[cl. 21 Schedule 7, LGA]

### *Appointments by the Council*

1.3.9 When appointing people to positions such as the following:

- the chairperson; or
- the appointment of members of a council committee;

the council (or a committee making the appointment) must decide by resolution to use one of the following voting systems.

#### *System A*

1.3.10 The candidate will be appointed if he or she receives the votes of a majority of the members of the council or committee who are present and voting. This system has the following characteristics:

- a. there is a first round of voting for all candidates;
- b. if no candidate is successful in the first round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- c. if no candidate is successful in the second round, there is a third round, and if necessary subsequent rounds, of voting from which, each time, the candidate with the fewest votes in the previous round is excluded.

1.3.11 In any round of voting, if two or more candidates tie for the lowest number of votes, the person to be excluded from the next round is resolved by lot.

#### *System B*

1.3.12 The candidate will be elected or appointed if he or she receives more votes than any other candidate. This system has the following characteristics:

- there is only one round of voting. If two or more candidates tie for the most votes, the tie is resolved by lot.

[cl. 25, Schedule 7, LGA]

## **1.4 Membership of Committees**

1.4.1 The members of a committee may, but need not be, elected members of the council, and a council may appoint to a committee a person who is not a member of the council if, in the opinion of the council, that person has the skills, attributes, or knowledge that will assist the work of the committee.

1.4.2 Despite 1.3.8 above, at least one member of a committee must be an elected member of the council, and an employee of a council acting in the course of his or her employment may not act as a member of any committee unless that committee is a subcommittee.

1.4.3 The minimum number of members is three for a committee and two for a subcommittee.

[cl. 31, Schedule 7, LGA]

1.4.4 The chairperson is a member of every committee of the council. Any member of the council may attend any meeting of any committee. They may put a question to the chairperson and may take part in the meeting's discussions. However, if the member of the council is not a member of the committee, they may not vote on any matter before the committee.

1.4.5 Prior committees or subcommittees are, unless the council resolves otherwise, deemed to be discharged on the coming into office of the members of the council at, or following, the triennial election of members.

### **1.5 Director-General Entitled to Attend Meetings of Fish & Game Councils**

1.5.1 Notice in writing of every meeting of a council and of the business proposed to be transacted at that meeting is to be given by the council to the Director-General of Conservation. The Director-General or the Director-General's nominee is entitled to attend and speak at any such meeting (except public excluded sessions regarding staff matters), but is not entitled to vote on any question.

[s. 26L & 26ZE CA]

### **1.6 Co-opt Members**

1.6.1 The council may co-opt for such a term as it thinks fit any suitable person or persons to be a member or members of the council.

1.6.2 A co-opted member of the council shall be entitled to attend and speak at any meeting of the council, but shall not be entitled to vote on any question.

[s. 26E & 26V CA]

### **1.7 Decision Valid Despite Irregularity in Membership**

1.7.1 A decision of a council or committee remains valid even though:

- a. there is a vacancy in the membership of the council or committee at the time of the decision; or
- b. following the decision, some defect in the election or appointment process is discovered and/or that a person on the committee at the time is found to have been ineligible of being a member.

[s. 26K(6) CA]

### **1.8 Workshops and Briefings**

1.8.1 Workshops and briefings provide opportunities for members to discuss particular matters, receive updates and provide guidance for officials. They are not meetings and cannot be used to either make decisions or come to agreements that are then confirmed without meaningful debate at a following meeting.

1.8.2 Standing orders do not apply to workshops and briefings. The chairperson or workshop organisers will decide how the workshop, briefing or working party should be conducted including whether all or part of that workshop or briefing shall be held in public excluded session.

1.8.3 The Chief Executive will give at least 24 hours' notice to every member of the council or committee of the time and place of the workshop and the matters to be discussed at it. Any notice given under this standing order must expressly:

- a. state that the meeting is a workshop;
- b. advise the date, time and place; and
- c. confirm that the meeting is primarily for the provision of information and discussion, and will not make any decisions or pass any resolutions.

### **1.9 Powers of Delegation**

1.9.1 Unless clearly stated in any other Act, a council may, for the purposes of efficiency and effectiveness, delegate to a committee, or member or officer of the Fish and Game Council, any of its responsibilities, duties, or powers except the power to:



- a. borrow money, or purchase or dispose of assets, other than in accordance with delegations;
- b. adopt a long-term Fish and Game Council management plan, operational work plan, business plan, or annual report;
- c. appoint a Chief Executive or manager;
- d. adopt policies required to be adopted and consulted on under the Conservation Act 1987 and Wildlife Act 1953; or
- e. adopt a remuneration and employment policy, other than in accordance with delegations.

1.9.2 A committee, or member or officer of the Fish and Game Council may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the Fish and Game Council or by the committee or body or person that makes the original delegation.

1.9.3 To avoid doubt, no delegation relieves the council, member, or officer of the liability or legal responsibility to perform or ensure performance of any function or duty.

[cl. 32(1)–(8), Schedule 7, LGA]

#### **1.10 List of Members to be Publicly Available**

1.10.1 Lists of members on the council and each committee shall be available at the office of the Chief Executive, on the Fish & Game website and at all meetings of the council at which members of the public are present.

#### **1.11 Quorum**

1.11.1 The quorum for a meeting of the council is where a majority of the members in office are present (half + one).

[s. 26K(3) CA]

##### *Committee and Subcommittee Meetings*

1.11.2 The council sets the quorums for its committees, either by resolution or by stating the quorum in the committee's terms of reference. Committees may set the quorums for their sub-committees, by resolution. Where a committee or sub-committee has not had a quorum set for it, then its quorum will be two members. For committees, at least one member must be a member of the council.

##### *Requirement for a Quorum*

1.11.3 A meeting is constituted where a quorum of members is present, whether or not they are all voting or entitled to vote. In order to conduct any business at a meeting, a quorum of members must be present for the whole time that the business is being considered.

##### *Meeting Lapses Where no Quorum*

1.11.4 A meeting must lapse and the chairperson vacate the chair if a quorum is not present within 30 minutes of the start of the meeting. The chairperson may extend the time that the meeting will wait for a quorum by up to 10 minutes in situations where members are known to be travelling to the meeting, but are delayed. Where a meeting lapses because there is no quorum, this will be recorded in the minutes, along with the names of the members who attended.

##### *Business from Lapsed Meetings*

1.11.5 Where a meeting lapses, the remaining business will be adjourned until the next ordinary meeting, unless the chairperson sets an earlier meeting and this is notified by the Chief Executive.

##### *Lapses After Meeting Starts*

1.11.6 Where, after a meeting starts, a member or members leave and there is no longer a quorum the business of the meeting will be suspended. If the quorum is not made up within 10 minutes, the rest of the meeting must lapse and the chairperson vacates the chair.

1.11.7 Any remaining business will be adjourned until the next ordinary meeting, unless the chairperson sets an earlier meeting and this is notified by the Chief Executive.

#### **1.12 Attendance**

##### *Leave of Absence*

1.12.1 The council may grant a member leave of absence from its meetings or those of its committees. Members must apply for such leave.

1.12.2 The council delegates this power to grant leave of absence to the chairperson, in order to protect members' privacy.

1.12.3 The chairperson will advise all members when another member has leave of absence. Meeting minutes will

record that a member has leave of absence for that meeting, but not the length of the leave.

#### *Apologies*

1.12.4 A member who does not have leave of absence may tender an apology where they will be absent from all or part of a meeting. The chairperson must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies. Where a member's apology is accepted, it will constitute a grant of leave of absence for that meeting.

#### *Recording Apologies*

1.12.5 The minutes will record any apologies tendered before or during the meeting, including whether they were accepted or declined, and the time of arrival and departure of all members.

#### *Absence Without Leave*

1.12.6 Where a member is absent, without leave of absence from four consecutive meetings of the council (other than extraordinary meetings), then the office held by the member will become vacant. A vacancy created in this way is treated as an extraordinary vacancy.

[cl. 5, Schedule 7, LGA]

### **1.13 Conflict of Interest**

1.13.1 Every member present at a meeting must declare any direct or indirect conflict of interest that they hold in any matter being discussed at the meeting, other than an interest that they hold in common with the public.

[OAG Managing conflicts of interest: Guidance for public entities, June 2007, p. 20-21]

1.13.2 When a conflict of interest arises in respect of a matter, the affected member will:

- i. not vote on issues related to the matter;
- ii. not discuss the matter with other members;
- iii. conform to the majority view of other members present as to whether to be excluded from discussions regarding the matter and/or leave the room when the matter is discussed; and
- iv. not, subject to the discretion of the Chairperson, receive further papers or other information related to the matter.

1.13.3 Where a member can be shown to have a conflict of interest or a potential conflict of interest, the council (excluding the affected member) will determine an appropriate course of action, which may include the following:

- a. applying some or all of the actions applied to a member with a conflict of interest (set out in 1.13.2 i) - iv) above); or
- b. providing a written explanation outlining why there is no legal conflict of interest that can be made available to all Fish and Game Councils, licence holders and other interested parties.

[OAG Managing conflicts of interest: Guidance for public entities, June 2007, p. 29-30]

1.13.4 The conflicted member will be given the opportunity to be heard by the council on the points raised and the member's submissions will be taken into consideration by the council.

1.13.5 The minutes must record the declaration and member's subsequent abstention from discussion and voting.

## **2. Pre-meeting**

### **2.1 Giving Notice**

#### *Notice for Members*

2.1.1 The Chief Executive must give notice in writing to each member of the council or its committees of the time and place of any meeting.

2.1.2 Notice must be given at least 14 days before the meeting, unless the council or committee has adopted a schedule of meetings, in which case notice must be given at least 14 days before the first meeting on the schedule.

#### *Meeting Schedules*

2.1.3 Where the council or committee adopts a meeting schedule:

- a. the schedule may cover any period that the council considers appropriate;
- b. the schedule may be amended; and
- c. notification of the schedule, or an amendment to it, will constitute notification of every meeting on the

schedule or the amendment.

#### *Non-receipt of Notice*

2.1.4 Where a member did not receive notice of a meeting, or did not receive it in good time, the meeting is not invalid, unless the person responsible for giving notice is proved to have acted in bad faith or without reasonable care and the member concerned did not attend the meeting.

2.1.5 A member may waive the need to be given notice of a meeting.

## **2.2 Meeting Cancellations**

2.2.1 The chairperson of a scheduled meeting may cancel the meeting, if the chairperson, in consultation with the Chief Executive, considers this is necessary.

2.2.2 The Chief Executive must make a reasonable effort to notify members and the public as soon as practicable of the cancellation, and the reasons for it.

## **2.3 Agenda**

#### *Preparation of the Agenda*

2.3.1 The Chief Executive, in consultation with the chairperson, is to prepare for each meeting an agenda listing and attaching information on the items of business to be brought before the meeting so far as is known.

2.3.2 The Chief Executive must send the agenda to every member at least eight clear working days before the day of the meeting, except where the meeting is an extraordinary meeting. The Chief Executive may send the agenda, and other materials relating to the meeting or other council business, to members by electronic means.

2.3.3 All meeting agendas are to be published on the Fish & Game website along with the notification of council meetings with commencement time and venue to be available prior to each meeting.

#### *Requests for Agenda Reports*

2.3.4 Requests for new agenda reports must be made by a resolution of the Fish and Game Council or the appropriate committee.

2.3.5 The Chief Executive may delay commissioning any reports that would involve significant cost or are beyond the scope of the committee. Instead, the Chief Executive will report back to the next meeting of the Fish and Game Council or its committee with an estimate of the cost involved and seek a direction on whether the report should still be prepared.

#### *Order of Business*

2.3.6 A meeting will deal with business in the order given on the agenda, unless the meeting or the chairperson decides to give precedence to any business.

2.3.7 Committees do not have a default order of business.

2.3.8 The usual order of business for ordinary meetings of the Fish and Game Council is as set out below:

#### *Open section*

- a. Apologies
- b. Declarations of interest
- c. Confirmation of minutes
- d. Public input
- e. Notices of motion
- f. Reports of committees
- g. Reports of the Chief Executive and staff
- h. Chairperson and councillors' reports (information)
- i. Consideration of extraordinary business items

#### *Public excluded section*

- a. Reports of committees
- b. Reports of the Chief Executive and staff
- c. Chairperson and councillors' reports (information)

2.3.9 Where there are no items of business for a particular category given in the order, it does not need to appear on the agenda. The order of business for an extraordinary meeting should be limited to items that are relevant to

the purpose of the meeting. The chairperson may allow public input that is relevant to the purpose of the meeting.

*Status of Agenda*

2.3.10 No matter on a meeting agenda may be considered council policy unless the Fish and Game Council, or a committee with the delegated power, adopts it.

*Public Excluded Items*

2.3.11 The Chief Executive must place in the public-excluded section of the agenda any items that he or she reasonably expects the meeting to consider with the public excluded. The public excluded section of the agenda must indicate the subject matter of the item and the reason the public are excluded.

[s. 46A(9), LGOIMA]

*Agenda May be Embargoed*

2.3.12 Agenda papers detailing business to be considered by a meeting may be issued to members of the news media on the basis of being embargoed until the commencement of the relevant meeting, or such earlier time as is stated in the order paper.

2.3.13 The Chief Executive shall place on a confidential agenda paper any matters for which he or she considers the council or committee of the council is likely in his or her opinion to wish to exclude the public in terms of the Local Government Official Information and Meetings Act 1987, provided that an indication of the subject matter likely to be considered in exclusion of the public shall be placed on the order paper available to the public.

2.3.14 Where copies of the agenda paper for any meeting are reproduced by any means for use by members of the council, additional copies of the agenda paper shall be available for members of the public attending that meeting and subject to a member of the public requesting a copy of the agenda paper accordingly and tendering the prescribed amount (if any) may take such agenda paper away from the meeting place.

*Items of Business Not on the Agenda (Extraordinary Business)*

2.3.15 A meeting may deal with a business item that is not on the agenda (extraordinary business) where the meeting resolves to, and the chairperson (or presiding member) explains at the beginning of the public part of the meeting the reason the:

- a. item is not on the agenda; and
- b. discussion about the item cannot be delayed until a subsequent meeting.

2.3.16 Extraordinary business may be brought before the meeting by a report from either the Chief Executive or the chairperson. Where the matter is so urgent that a written report is not practical, the report may be verbal. A member may bring to the attention of the meeting, at the chairperson's discretion, a matter which requires urgent consideration and which is not an item of business on the agenda. However, this is not a substitute for a notice of motion that is out of time.

[s. 46A(7), LGOIMA]

*Discussion on Minor Matters Not on the Agenda*

2.3.17 A meeting may discuss an item that is not on the agenda, if it is a minor matter relating to the general business of the council and the chairperson (or presiding member) explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion. Whether or not a minor matter of extraordinary business may be discussed at a meeting is at the discretion of the chairperson.

[s. 46A(7A), LGOIMA]

*Notice of Meetings*

2.3.18 All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than five days before the end of every month, together with the dates on which and the times and places at which those meetings are to be held. Where any meeting is to be held on or after the 21st day of the month, such meetings may instead be publicly notified not more than 10 nor less than five working days before the day on which the meeting is to be held.

[s. 46, LGOIMA]

*Notice of Extraordinary Meetings*

2.3.19 Where any extraordinary meeting of a council is called and notice of that meeting cannot be given in the manner consistent with these standing orders, the council shall, as soon as practicable, give public notice that the meeting has occurred and state general nature of business transacted at that meeting, along with the reasons why it was not so notified.

[s. 46(3) & (4), LGOIMA]

*Extraordinary Business*

2.3.20 A council must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting of the council unless the:

- a. resolution was passed at a meeting or part of a meeting from which the public was excluded; or
- b. extraordinary meeting was publicly notified at least five working days before the day on which the meeting was held.

[s. 51A, LGOIMA]

*Chief Executive May Make Other Arrangements*

2.3.21 The Chief Executive is to make any other arrangement for the notification of meetings, including extraordinary meetings, as the council may from time to time determine.

[s. 46(5), LGOIMA]

*Meetings Not Invalid*

2.3.22 The failure to notify a public meeting under these standing orders does not make that meeting invalid.

2.3.23 Where a council becomes aware that a meeting has not been publicly notified in accordance with these standing orders, the council shall, as soon as practicable, give public notice that the meeting was not notified, the general nature of the business transacted and the reasons why the meeting was not notified.

[s. 46(5) & (6), LGOIMA]

**2.4 Qualified Privilege**

*Qualified Privilege Relating to Agenda and Minutes*

2.4.1 Where any meeting of the council or committee is open to the public during the proceedings or any part thereof, and a member of the public is supplied with a copy of the agenda for the meeting or any part of the minutes of that meeting are provided, the publication of any defamatory matter included in the agenda or in the minutes is privileged unless the publication is proved to have been made with ill will or taking improper advantage of the publication.

[s. 52, LGOIMA]

*Qualified Privilege Relating to Oral Statements*

2.4.2 Any oral statement made at any meeting of the council or committee in accordance with the rules that have been adopted by the council for the guidance and order of its proceedings is privileged, unless the statement is proved to have been made with ill will or taking improper advantage of the publication.

[s. 53, LGOIMA]

*Qualified Privilege Additional to Any Other Provisions*

2.4.3 The privilege conferred by these standing orders is in addition to, and not in substitution for, or derogation of any other privilege, whether absolute or qualified, that applies, by virtue of any other enactment or rule of law, to the proceedings of any meeting of council or committee.

[s. 53, LGOIMA]

**2.5 Use of Recording Device**

2.5.1 No member may use, or be associated with the use of, a recording or transmitting device without the knowledge of the meeting and the consent of the chairperson.

**2.6 Electronic Attendance**

*Request to Attend by Electronic Link*

2.6.1 Where possible, a member will give the chairperson of the Fish and Game Council or its committees and the Chief Executive at least two working days' written notice where they want to attend a meeting by electronic link. Where, because of illness or emergency, this is not possible, the member may give less notice.

2.6.2 Where such a request is made, the Chief Executive must take reasonable steps to enable the member to attend by electronic link. However, the council has no obligation to make the technology for an electronic link available.

2.6.3 If the member's request cannot be accommodated, or there is a technological issue with the link, this will not invalidate any acts or proceedings of the Fish and Game Council or its committees.

*Chairperson's Duties*

2.6.4 Where a member is attending a meeting by electronic link, the chairperson must ensure that:

- a. the technology for the link is available and of suitable quality; and
- b. procedures for using the technology in the meeting will ensure that:
  - i. everyone participating in the meeting can hear each other;
  - ii. the member's attendance by electronic link does not reduce their accountability or accessibility in relation to the meeting;
  - iii. the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 are met; and
  - iv. the requirements in these standing orders are met.

[cl. 25A(3) Schedule 7, LGA] (See Appendix C of these standing orders.)

*Chairperson May Terminate Link*

2.6.5 The chairperson may direct that an electronic link should be terminated where:

- a. use of the link is increasing, or may unreasonably increase, the length of the meeting;
- b. the behaviour of the members using the link warrants it, including the style, degree and extent of interaction between them;
- c. it is distracting to the members who are physically present at the meeting; or
- d. the quality of the link is no longer suitable.

[cl. 27 Schedule 7, LGA]

*Giving or Showing a Document*

2.6.6 A person attending a meeting by electronic link may give or show a document by:

- a. transmitting it electronically;
- b. using the electronic link; and
- c. any other manner that the chairperson thinks fit.

*Link Failure*

2.6.7 Where an electronic link fails, or there are other technological issues that prevent a member who is attending by link from participating in a meeting, that member must be deemed to be no longer attending the meeting.

*Confidentiality*

2.6.8 A member who is attending a meeting by electronic link must ensure that the meeting's proceedings remain confidential during any times that the public are excluded. At such times, the chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings.

[cl. 25(A)(1) & 27(5) Schedule 7, LGA]

**2.7 Use of Teleconferencing**

*For Discussion not Decisions*

2.7.1 A council or its committee can hold discussions by teleconferencing but should not make decisions on behalf of the council or committee.

2.7.2 A meeting of the council or committee requires a quorum of members to be present at such times and places the council or chairperson appoints. The implication being it requires members to be physically present, not just by voice (unless a member has been granted dispensation by the chairperson to utilise electronic attendance).

[s. 26K(3) CA]

2.7.3 Decisions should be made in meetings open to the public where an agenda has been released in advance to allow those interested in the items to attend, and not in situations that impose unreasonable barriers to public attendance.

2.7.4 Notes from teleconferencing discussions need to be confirmed as a true and correct record with the recommendations repeated for adoption as a council or committee resolution at its next meeting.

**3. Meetings**

**3.1 Public at Meetings**

*Meetings Normally to be Open*

3.1.1 All meetings of the council and its committees shall be open to the public and news media except where otherwise provided by Part VII of the Local Government Official Information and Meetings Act 1987.

[s. 47 and 49 LGOIMA]

**3.2 Public Excluded Meetings**

*Lawful Reasons to Exclude Public*

3.2.1 The council or a committee may by resolution exclude the public from the whole or any part of the proceedings of any meeting, workshop or briefing only on one or more of the grounds specified in section 48 of the Local Government Official Information and Meetings Act 1987 (see Appendix A of these standing orders).

*Form of Resolutions to Exclude Public*

3.2.2 Any resolution to exclude the public must be in the form set out in Schedule 2A to the Local Government Official Information and Meetings Act 1987 and state the general subject of each matter to be considered while the public is excluded, the reason for passing that resolution in relation to that matter, and the grounds on which the resolution is based (see Appendix B of these standing orders).

*Motion to Exclude Public to be Put with the Public Present*

3.2.3 Every motion to exclude the public must be put at a time when the meeting is open to the public, and copies of the text of that motion must be available to any member of the public who is present. The resolution then forms part of the minutes of the meeting.

[s. 48(4) LGOIMA]

*Provision for Persons to Remain After Public Excluded*

3.2.4 A resolution may provide for one or more specified persons to remain after the public has been excluded if those persons have, in the opinion of the council or committee, knowledge that will assist the deliberation. Any such resolution is required to state the knowledge possessed by those people who will be of assistance in relation to the matter to be discussed and how it is relevant to the matter. No such resolution is necessary in respect of the attendance of the Chief Executive and relevant staff during a public excluded session.

[s. 48(5) & (6) LGOIMA]

*Release of Public Excluded Information*

3.2.5 A council may provide for the release to the public information which has been considered during the public excluded part of a meeting.

*Application of Standing Orders Apply to Any Public Excluded Session*

3.2.6 These standing orders shall apply to meetings or parts of meetings from which the public has been excluded.

**3.3 Chairperson's Role at Meetings**

*Chairperson to Preside at Meetings*

3.3.1 The chairperson of the council must act as the chairperson at council meetings unless he or she vacates the chair for a particular part, or all, of a meeting. If the chair is absent from a meeting the deputy chair must act as chairperson. If the deputy chair is also absent, or has not been appointed, the council members who are present must elect a member to be chairperson at that meeting. This person may exercise the responsibilities, duties and powers of the chair.

[Sch. 7 Cl. 26(1), (5) & (6) LGA]

[s. 26J CA]

*Chairperson of Committee to Preside*

3.3.2 The appointed chairperson of a committee must act as chairperson at all committee meetings, unless he or she vacates the chair for a particular meeting. If the chairperson is absent from a meeting, the deputy chairperson (if any) will act as chairperson. If the deputy chairperson is also absent, or has not been appointed, the committee members who are present must elect a member to act as chairperson at that meeting. That person may exercise the responsibilities, duties and powers of the chairperson.

[Sch. 7 Cl 26(2), (5) & (6) LGA]

*Addressing the Chairperson*

3.3.3 Members will address the chairperson in a way that reflects his or her statutory office.

*Chairperson's Rulings*

3.3.4 The chairperson will decide all procedural questions where these standing orders make no or insufficient



provision and all points of order. Any member who refuses to obey a chairperson's ruling or order must be held to be in contempt.

*Member's Right to Speak*

3.3.5 Members are entitled to speak in accordance with these standing orders. Members must address the chairperson when speaking. They may not leave their place while speaking, unless they have the leave of the chairperson.

*Chairperson May Prioritise Speakers*

3.3.6 When two or more members want to speak, the chairperson will name the member who may speak first, with the proviso that the other members who wanted to speak must have precedence when they intend to:

- a. raise a point of order, including a request to obtain a time extension for the previous speaker;
- b. move a motion to terminate or adjourn the debate;
- c. make a point of explanation; and/or
- d. request the chair to permit the member a special request.

*Chairperson's Report*

3.3.7 The chairperson shall, by report, have the right to direct the attention of the council to any matter or subject within the role or function of the council.

*Chairperson's Recommendations*

3.3.8 The chairperson of any meeting may include on the agenda or the draft resolutions for that meeting a chairperson's recommendation regarding any item brought before the meeting.

*Decision of Chairperson on Point of Order to be Final*

3.3.9 The chairperson may decide on any point of order immediately after it has been raised by any member, or may first hear further argument before deciding. The ruling of the chairperson upon any point of order shall not be open to any discussion and shall be final.

*Chairperson to Have Determining Vote*

3.3.10 The chairperson, or other person acting as chairperson, at any meeting shall have a deliberative vote and, in the case of equality of votes, shall also have the casting vote.

[s. 26K(5) CA]

### **3.4 Conduct of Meetings**

*Disrespect*

3.4.1 No member of the council or its committees may speak disrespectfully, or use offensive or malicious language at any meeting, including in reference to the council, a committee, any other member or a staff member. In addition, no member may impute improper motives or make offensive remarks about the private affairs of any other member of the councils or staff.

*Retractions and Apologies*

3.4.2 The chairperson may call upon a member or speaker to withdraw any offensive or malicious comments, and may require them to apologise. If the member refuses to do so, the chairperson may direct that they should leave the meeting immediately for a specified time.

*Calling to Order*

3.4.3 When the chairperson calls members to order, they must be seated and stop speaking. If the members fail to do so, the chairperson may direct that they should leave the meeting immediately for a specified time.

*Disorderly conduct*

3.4.4 The chairperson may require any member whose conduct is disorderly or who is creating a disturbance to leave the meeting immediately for a specified time.

3.4.5 If the disorder continues, the chairperson may adjourn the meeting for a specified time. At the end of this time, the meeting must resume and decide, without debate, whether the meeting should proceed or be adjourned.

3.4.6 The chairperson may also adjourn the meeting if other people cause disorder or in the event of an emergency.

*Contempt*

3.4.7 Where a meeting makes a resolution that a member is in contempt, it must be recorded in the meeting's minutes.



#### *Removal From Meeting*

3.4.8 A member of the police, or a council staff member, may, at the chairperson's request, remove or exclude a member from a meeting.

3.4.9 This standing order will apply where the chairperson has ruled that the member should leave the meeting and the member has refused or failed to do so; or has left the meeting, then attempted to re-enter it without the chairperson's permission.

[cl. 16(2), Schedule 7, LGA]

### **3.5 Points of Order**

#### *Members May Raise Points of Order*

3.5.1 Any member may raise a point of order when they believe these standing orders have been breached. When a point of order is raised, the member who was previously speaking must stop speaking and sit down (if standing).

#### *Subjects for Points of Order*

3.5.2 A member who is raising a point of order must state precisely what its subject is. Points of order may be raised for the following subjects:

- a. disorder: bringing disorder to the attention of the chairperson;
- b. language: use of disrespectful, offensive or malicious language;
- c. irrelevance: the topic being discussed is not the matter currently before the meeting;
- d. misrepresentation: misrepresentation of any statement made by a member or by an officer or council employee;
- e. breach of standing order: the breach of any standing order while also specifying which standing order is subject to the breach; and
- f. record words: a request that the minutes record the words objected to.

#### *Contradictions*

3.5.3 Expressing a difference of opinion or contradicting a statement by a previous speaker does not constitute a point of order.

#### *Point of Order During Division*

3.5.4 A member may not raise a point of order during a division, except with the permission of the chairperson.

#### *Chairperson's Decision on Points of Order*

3.5.5 The chairperson may decide a point of order immediately after it has been raised, or may choose to hear further argument about the point before deciding. The chairperson's ruling on any point of order is not open to any discussion and is final.

3.5.6 If a member questions a ruling, the chairperson is to seek advice and to refer to these standing orders on the ruling in question, but their ruling is always final.

### **3.6 Voting**

#### *Decisions to be Decided by Majority of Votes*

3.6.1 The acts of a council must be done and the questions before the council must be decided by vote and by the majority of quorum members that are present and voting.

#### *Voting by Chairperson*

3.6.2 The chairperson or other person presiding at any meeting shall have a deliberative vote and, in case of equality of votes, shall have a casting vote.

#### *Members May Abstain*

3.6.3 Any member may abstain from voting and shall have their abstention recorded in the minutes where requested.

#### *Method of Voting*

3.6.4 Two voting systems have been described under appointments by the council (see 1.3.9-13 above). The council or committee must decide to use one of these voting systems and adopt the following approach to voting at meetings:

- a. the chairperson, in putting the motion, shall call for an expression of opinion on the voices or take a show of

hands, the result of either of which, as announced by the chairperson, shall be conclusive unless it is questioned immediately, in which event the chairperson shall call a division;

- b. the chairperson or any member may call for a division instead of, or after receiving opinion on the voices and taking a show of hands;
- c. any member may alternately call for a division immediately the chairperson has declared the result of a vote on the voices or by a show of hands; and
- d. where a suitable electronic voting system is available, that system may be used instead of a show of hands, vote by voices or division, and the result displayed shall be notified to the chairperson who shall declare the result.

#### *Division*

3.6.5 When a division is called for the Chief Executive shall take down the names of the members voting “aye” and “no” respectively, and shall hand the list to the chairperson who shall declare the result. In case of confusion or error in taking the division, unless the same can be otherwise corrected, a second division should be taken.

### **3.7 Debate**

#### *Time Limits on Speakers*

3.7.1 The following time limits apply to members speaking at meetings:

- a. movers of motions when speaking to the motion: 10 minutes;
- b. movers of motions when exercising their right of reply: 5 minutes; and
- c. other members: not more than 5 minutes.

3.7.2 Time limits can be extended by a majority vote of the members present.

#### *Member May Not Speak More Than Once*

3.7.3 A member may not speak more than once to a motion at a meeting of the Fish and Game Council or committee. There is an exception to this standing order where a member is giving an explanation as follows:

- personal explanation: with the permission of the chairperson, a member who has already spoken may make a personal explanation. A personal explanation may not be debated; and
- explanation of previous speech: with the permission of the chairperson, a member who has already spoken may explain a material part of a previous speech in the same debate.

3.7.4 The member may not introduce any new matters.

#### *Limits on Number of Speakers*

3.7.5 If three speakers have spoken consecutively in support of, or in opposition to, a motion, the chairperson may call for a speaker to the contrary. If there is no speaker to the contrary, the chairperson must put the motion after the mover’s right of reply.

3.7.6 Members speaking must, if requested by the chairperson, announce whether they are speaking in support of or opposition to a motion.

#### *Seconder May Reserve Speech*

3.7.7 A member may second a motion or amendment without speaking to it, reserving the right to speak later in the debate.

#### *Reading Speeches*

3.7.8 Members must not read their speeches, except with the permission of the chairperson. They may, however, refresh their memory by referring to their notes.

#### *Speaking Only to Relevant Matters*

3.7.9 Members may speak to any matter before the meeting, or on a motion or amendment they propose, or on a point of order arising out of debate, but not otherwise. Members must confine their remarks strictly to the motion or amendment they are speaking to. They must not introduce irrelevant matters or repeat themselves needlessly.

3.7.10 The chairperson’s ruling on matters arising under this standing order is final and not open to challenge.

#### *Restating Motion*

3.7.11 A member may ask the chairperson to restate the motion and amendments for their information at any time

during the debate, but may not interrupt.

#### *Reflections on Resolutions*

3.7.12 A member speaking in a debate may not unduly criticise the validity of any resolution, except by a notice of motion to amend or revoke the resolution.

#### *Objecting to Words*

3.7.13 When a member objects to any words used by another member in a speech, and wants the minutes to record their objection, they must object when the words are used and not after any other member has spoken. The chairperson must order the minutes to record the objection.

#### *Right of Reply*

3.7.14 The mover of an original motion has a right of reply. A mover of an amendment to the original motion does not.

3.7.14 In their reply, the mover must confine themselves to answering previous speakers and not introduce any new matters.

3.7.15 A mover's right of reply can only be used once. It can be exercised either at the end of the debate on the original motion or at the end of the debate on a proposed amendment. The original mover's right of reply is then exhausted, although they may still take part in the debate on any subsequent proposed amendments. However, the original mover may reserve their right of reply and speak once to an original motion and once to each amendment without losing that right of reply.

#### *No Other Member May Speak*

3.7.16 In exercising a right of reply, no other member may speak:

- a. after the mover has started their reply;
- b. after the mover has indicated that they want to forego this right; and
- c. where the mover has spoken to an amendment to the original motion, and the chairperson has indicated that he or she intends to put the motion.

3.7.17 The carrying of any motion to adjourn a meeting shall not supersede other business before the meeting remaining to be disposed of, and such other business is to be considered at the next meeting. Business referred, or referred back, to a specified committee is to be considered at the next ordinary meeting of that committee, unless otherwise specified.

#### *Questions to Staff*

3.7.18 During a debate, members can ask staff questions about the matters being discussed. Questions must be asked through the chairperson and are at his or her discretion.

### **3.8 Notices of Motion**

#### *General Procedure for Speaking and Moving Motions*

3.8.1 In the course of a debate, each member may:

- a. speak once to the original motion or substituted motion;
- b. speak once to each amendment; and
- c. move or second one motion only.

#### *Seconding and Proposing Motions*

3.8.2 All motions and amendments moved during a debate must be seconded (including notices of motion). The chairperson will then state the motion and propose it for discussion. Amendments and motions that are not seconded are not in order and are not entered in the minutes.

#### *Procedural Motions*

3.8.3 A procedural motion to close or adjourn a debate will take precedence over other business, other than points of order. If the procedural motion is seconded, the chairperson must put it to the vote immediately, without discussion or debate.

3.8.4 Any member who has not spoken in a debate may move one of the following procedural motions to close or adjourn a debate, that the:

- a. meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place);
- b. motion under debate should now be put (a closure motion);

- c. item being discussed should be adjourned to a specified time and place;
- d. meeting should move directly to the next item, replacing the item under discussion;
- e. item being discussed should lie on the table, and not be further discussed at that meeting; or
- f. item being discussed should be referred (or referred back) to the Fish and Game Council or relevant committee.

3.8.5 A member seeking to move a procedural motion must not interrupt another member who is already speaking.

#### *Voting on Procedural Motions*

3.8.6 Procedural motions to close or adjourn debate must be decided by a majority of all members who are present and voting. If the motion is lost, no member may move a further procedural motion to close or adjourn the debate within the next 15 minutes.

#### *Debate on Adjourned Items*

3.8.7 When debate resumes on items of business that have been previously adjourned, the member who moved the adjournment may speak first in the debate. Members who have already spoken in the debate may not speak again.

#### *Remaining Business at Adjourned Meetings*

3.8.8 Where a resolution is made to adjourn a meeting, the remaining business is not replaced. Instead, it will be considered first at the next meeting.

#### *Business Referred to the Council or a Committee*

3.8.9 Where an item of business is referred (or referred back) to the council or a committee, the council or committee will consider it at its next meeting, unless the meeting resolves otherwise.

#### *Chairperson's Acceptance of Closure Motions*

3.8.10 The chairperson may only accept a closure motion where there have been at least two speakers for and two speakers against the motion that is proposed to be closed, or he or she considers it reasonable to do so.

3.8.11 However, the chairperson must put a closure motion if there are no further speakers in the debate. When the meeting is debating an amendment, the closure motion relates to the amendment.

3.8.12 If a closure motion is carried, the mover of the motion under debate has the right of reply, after which the chairperson puts the motion or amendment to the vote.

#### *Suspension of Standing Orders*

3.8.13 A member may move a motion to suspend standing orders as a procedural motion. The member must name the standing orders to be suspended and provide a reason for suspension. If seconded, the chairperson must put it without debate. At least 75% of the members present and voting must vote in favour of the suspension. The resolution must state the reason.

#### *Other Types of Procedural Motions*

3.8.14 The chairperson has discretion about whether to allow any other procedural motion that is not contained in these standing orders.

#### *Motions in Writing*

3.8.15 The chairperson may require movers of motions and amendments to provide them in writing, signed by the mover.

#### *Right of Reply*

3.8.16 The mover of an original motion (not an amendment) shall have the right of reply. Movers in reply shall not introduce any new matter and shall confine themselves strictly to answering previous speakers. Once the mover has commenced such a reply, or the chairperson has indicated the intention to put the motion, no other member can speak on the motion.

#### *Motions Expressed in Parts*

3.8.17 The chairperson or any member can require a motion that has been expressed in parts, to be decided part by part.

#### *Substituted Motion*

3.8.18 Where a motion is subject to an amendment, the meeting may substitute the motion with the amendment, provided the mover and seconder of the original motion agree to its withdrawal. All members may speak to the substituted motion.

*Amendments to Motions*

3.8.19 Only members who have not spoken to the original (or substituted) motion may move or second an amendment to it. All members may speak to the amendment.

3.8.20 The exception is where the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In these circumstances, the original mover or seconder may also propose or second the suggested amendment.

*Amendments to be Relevant and Not Direct Negatives*

3.8.21 Every proposed amendment must be relevant to the motion under discussion. Proposed amendments cannot be similar to an amendment that has already been lost. Any amendment that, if carried, would have the same effect as defeating the motion is a direct negative and is not allowed.

*Further Amendments*

3.8.22 The meeting must dispose of an amendment before any further amendments can be proposed. However, members may notify the chairperson that they intend to move further amendments and the nature of their content.

*Lost Amendments*

3.8.23 Where an amendment is lost, the meeting will resume the debate on the original (or substituted) motion. Any member who has not spoken to that motion may speak to it, and may move or second a further amendment.

*Carried Amendments*

3.8.24 Where an amendment is carried, the meeting will resume the debate on the original motion, as amended, and this will now be referred to as the substantive motion. Members who have not spoken to the original motion may speak to the substantive motion, and may move or second a further amendment to it.

*Procedure Until Resolution*

3.8.25 The procedures in these standing orders are repeated until a resolution is adopted or defeated.

*Withdrawal of Motions and Amendments*

3.8.26 Once the chairperson puts to the meeting a motion or amendment that has been seconded, the mover cannot withdraw it without the consent of the majority of the members who are present and voting.

3.8.27 The mover of an original motion, which has had an amendment moved and seconded in relation to it, cannot withdraw the original motion until the amendment has either been lost or withdrawn by agreement, as above.

*No Speakers After Reply or Motion has Been Put*

3.8.28 A member may not speak to any motion once the:

- a. mover has started their right of reply in relation to the motion; or
- b. chairperson has started putting the motion.

*When Notices of Motion Lapse*

3.8.29 Notices of motion not moved on being called for by the chairperson shall lapse.

*Repeat Notices of Motion*

3.8.30 When a motion has been considered and rejected by the council or a committee, no similar notice of motion which, in the opinion of the chairperson, is substantially the same may be accepted within the next six months, unless signed by not less than one third of all members, including vacancies.

*No Repeats Where Notice of Motion Agreed*

3.8.31 Where a notice of motion has been adopted by the council, no notice of any other motion which, in the opinion of the chairperson, has the same effect may be put while the original motion stands.

**3.9 Revocation or Alteration of Resolutions**

3.9.1 A member may give the Chief Executive a notice of motion for the revocation or alteration of all or part of a previous resolution of the council or a committee.

3.9.2 Such notice must set out the:

- a. resolution or part of the resolution which the member proposes to revoke or alter;
- b. meeting date when the resolution was passed; and
- c. motion, if any, that the member proposes to move to replace it.

*Requirement to Give Notice of Motion for Revocation or Alteration*

3.9.3 A member must give notice to the Chief Executive at least ten working days before the meeting at which it is proposed to consider such a motion and is to be signed by not less than one third of the members of the council, including vacancies.

3.9.4 Once the motion is received the Chief Executive must give members notice in writing of the intended motion at least eight clear working days' notice of the date of the meeting at which it will be considered.

3.9.5 If the notice of motion is considered and rejected, no similar notice of motion which, in the opinion of the chairperson, is substantially the same in purpose and effect may be accepted within the next six months.

*Restrictions on Actions Under the Affected Resolution*

3.9.6 Where a member has given a notice of motion to revoke or alter a previous resolution, no irreversible action may be taken under the resolution in question until the proposed notice of motion has been dealt with.

3.9.7 Exceptions are where, in the opinion of the chairperson:

- a. the practical effect of delaying actions under the resolution would be the same as if the resolution had been revoked; or
- b. by reason of repetitive notices, the effect of the notice is an attempt by a minority to frustrate the will of the council or the committee that made the previous resolution.

3.9.8 In either of these situations, action may be taken under the resolution as though no notice of motion had been given to the Chief Executive.

*Revocation or Alteration by Resolution at Same Meeting*

3.9.9 A meeting may revoke or alter a previous resolution made at the same meeting where, during the course of the meeting, it receives fresh facts or information concerning the resolution. In this situation, 75% of the members present and voting must agree to the revocation or alteration.

*Revocation or Alteration by Recommendation in Report*

3.9.10 The council or one of its committees may, on a recommendation in a report by the chairperson or Chief Executive, or the report of any committee or subcommittee, revoke or alter all or part of a resolution passed by a previous meeting. The Chief Executive must give at least eight clear working days' notice of any meeting that will consider such a proposal, accompanied by details of the proposal.

### **3.10 Questions**

*Members to Try and Obtain Information Beforehand*

3.10.1 Before putting a question to a council meeting, a member shall, in the first instance, endeavour to obtain the relevant information from the appropriate council officer or the chairperson of the committee concerned. In the event of the information sought not being forthcoming, or the member not being satisfied with the answer, the member then has the right to raise the matter by way of a question at an ordinary meeting of the council.

*Question Time at Meeting*

3.10.2 Any member of the council may at any ordinary meeting of the council, at the appointed time, put a question to the chairperson, or through the chairperson of the council, or to the chairperson of a committee, or to any officer of the council concerning any matter relevant to the role or functions of the council or any matter that does not appear on the agenda, nor arises from any report or recommendation submitted to that meeting.

*Questions May be Deferred*

3.10.3 If an answer to the question cannot be given at that meeting it shall, at the discretion of the chairperson, be placed on the order paper for the next council meeting.

*Questions to Officers During Debate*

3.10.4 In the course of any debate at any council meeting, any members may, at the chairperson's discretion, ask any question of the relevant officer on any matter under debate. Such questions shall be directed through the chair.

### **3.11 Deputations/Public Forum**

*Subject Matter and Names of Deputations to be Provided in Advance*

3.11.1 Deputations may be received by the council (or any of its committees) or public forum held before a committee provided, in the case of deputations, that a written application setting out the subject matter and names of speaking members of the deputation has been lodged with the Chief Executive at least three days before the date of the meeting concerned (unless waived under standing orders) and has been subsequently approved by the chairperson.

3.11.2 The chairperson may in his or her discretion refuse a deputation/public forum on any reasonable grounds including, but not limited to:

- a. insufficient time to hear the deputation/public forum at the meeting;
- b. the deputation/public forum would more suitably be heard at another meeting of council or before a committee;
- c. the subject matter of the deputation/public forum is offensive or repetitious or vexatious or is considered likely to be so;
- d. the subject matter is insufficiently relevant to the business of council (or a committee); and
- e. the previous disorderly or inappropriate behaviour of members of the deputation/public forum at council or committee meetings.

#### *Procedures for Deputations*

3.11.3 Except with the approval of the council (or committee) not more than two members of a deputation may address the meeting. After a deputation is received members may put to the deputation any question pertinent to the subject heard, but no member shall express an opinion upon, or discuss the subject, nor move a motion until the deputation has completed making its submissions and answering questions.

#### *Termination of Deputation if Disrespectful*

3.11.4 The chairperson may terminate a deputation in progress which is disrespectful or offensive, or where the chairperson has reason to believe statements have been made with malice.

#### *Time Limit on Deputation*

3.11.5 Unless the meeting determines otherwise, a limit of 10 minutes is placed on a speaker making a presentation, or if there are two members of the deputation addressing the meeting 10 minutes in total for the two speakers.

### **3.12 Minutes**

#### *Minutes to be Evidence of Proceedings*

3.12.1 The council or, its committees must keep minutes of their proceedings. These minutes, when duly entered and authenticated, will be prima facie evidence of those proceedings.

[cl.28, Schedule 7, LGA]

#### *Matters Recorded in Minutes*

3.12.2 The Chief Executive or his/her designated representative must keep the minutes of meetings. The minutes must record:

- a. the date, time and venue of the meeting;
- b. the names of the members present;
- c. the chairperson;
- d. any apologies tendered and accepted;
- e. the arrival and departure times of members;
- f. a list of the speakers who gave public input, and the subjects they covered;
- g. a list of the items considered;
- h. any declarations of financial or non-financial conflicts of interest with these items;
- i. the resolutions and amendments made to considered items, including those that were lost or were ruled out of order;
- j. any failure of a quorum;
- k. any objections made to words used;
- l. all divisions taken;
- m. the names of any members requesting that votes or abstentions be recorded;
- n. the contempt, censure and removal of any members;
- o. any resolutions to exclude members of the public; and
- p. the time that the meeting concludes or adjourns.

#### *Approval of Minutes*



3.12.3 The minutes and proceedings of every meeting shall be circulated to members and considered at the next meeting, and if approved by that meeting or when amended as directed by that meeting, shall be signed by the chairperson.

*No Discussion on Minutes*

3.12.4 The only topic involving the minutes that may be discussed at a subsequent meeting, is their correctness and accuracy.

*Minutes of Last Meeting Before Election*

3.12.4 The Chief Executive and the relevant chairperson must authenticate the minutes of the last meeting of the council and its committees before the next election of members.

*Minute Book Inspection*

3.12.5 The minute books in hard copy, of the council or its committees, must be kept by the Chief Executive, and be open for inspection in accordance with the Local Government Official Information and Meetings Act 1987.

[s. 51, LGOIMA]

3.12.6 The approved meeting minutes are to be published on Fish & Game's website.

*Inspection of Public Excluded Matters*

3.12.7 The Chief Executive must consider any request for the minutes of a meeting or part thereof from which the public was excluded as a request for official information in terms of the Local Government Official Information and Meetings Act 1987.

[s. 51(3)(b), LGOIMA]

**3.13 Public Access to Information**

*Public Availability of the Agenda*

3.13.1 All information provided to members at council and committee meetings must be available to the public and news media unless an item included in the agenda refers to a matter reasonably expected to be discussed with the public excluded.

[s. 5 & 49, LGOIMA]

*Public Inspection of Agenda*

3.13.2 Any member of the public may, without payment of a fee, inspect, during normal office hours, within a period of at least two working days before every meeting, all agendas and associated reports circulated to members of the council and relating to that meeting.

[s. 46A(1), LGOIMA]

3.13.3 The agenda shall be:

- a. available for inspection at the office of the council; and
- b. accompanied by either:
  - i. the associated reports; or
  - ii. a notice specifying the places at which the associated reports may be inspected.

[s.46A(2), LGOIMA]

*Information From an Extraordinary Meeting*

3.13.4 Where a meeting is an extraordinary meeting the agenda and any associated reports shall be made available as soon as is reasonable in the circumstances.

[s. 46A(6), LGOIMA]

*Release of Information From Public Excluded Session*

3.13.5 A council may provide for the release to the public of information which has been considered during the public excluded part of a meeting.

3.13.6 Each public excluded meeting shall consider what, if any, information will be released to the public. In addition, the Chief Executive may release, at his or her discretion, any information which has been considered by the council or any committee with the public excluded.

*Chief Executive to Decide on Supply of Information*

3.13.7 Public excluded information required by members in the performance of their particular duties as members shall be supplied to them by the Chief Executive. Where the Chief Executive is uncertain that public excluded information should be supplied in any particular case, the matter shall be referred to the chairperson for



direction.

*Public Excluded Business Not to be Disclosed*

3.13.8 Subject to the provisions of the Local Government Official Information and Meetings Act 1987, no member, officer or other person shall disclose to any person other than a member or officer of the council, any information:

- a. which has been presented at a time where the public is properly excluded;
- b. where it is proposed that the public be properly excluded; or
- c. including divulging or inferring discussion, deliberations or decisions following any such meeting except by way of release of information by the council.

*Rights of Members to Request and Use Information*

3.13.9 The rights of members to make separate and individual requests for information are subject to the Local Government Official Information and Meetings Act 1987. Such requests for information may include requests for information that had previously been supplied to that member as public excluded information to be released as publicly available information. Where such information is made available to that member as publicly available information the member has the right to use such information in the same way as if that member were a member of the public.

**3.14 Expenses**

*Council May Pay Expenses Incurred Attending Meetings*

3.14.1 Subject to any national policy on reimbursement levels, the council may meet reasonable travel and extraordinary accommodation expenses incurred by members attending meetings for the council, and where specifically approved by the council, attending committee meetings and on other council business.

These standing orders prepared for the New Zealand Fish and Game Council were adopted by the council at a meeting held on 23 September 2016 and apply to all meetings of the council and its committees.

LINDSAY LYONS, Chairperson.

BRYCE JOHNSON, Chief Executive.

***Appendix A - Grounds to Exclude the Public***

*From the Local Government Official Information and Meetings Act 1987*

**48 Right of local authorities to exclude public**

(1) Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds:

- a. that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist,—
  - i. where the local authority is named or specified in Schedule 1, under section 6 or section 7 (except section 7(2)(f)(i)):
  - ii. where the local authority is named or specified in Schedule 2 of this Act, under section 6 or section 7 or section 9 (except section 9(2)(g)(i)) of the Official Information Act 1982:
- b. that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information the public disclosure of which would—
  - i. be contrary to the provisions of a specified enactment; or
  - ii. constitute contempt of court or of the House of Representatives:
- c. that the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that local authority by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a local authority named or specified in Schedule 1) or under section 30(1) or section 35(2) of the Official Information Act 1982 (in the case of a local authority named or specified in Schedule 2 of this Act):
- d. that the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.

(2) Paragraph (d) of subsection (1) applies to—

- a. any proceedings before a local authority where—
  - i. a right of appeal lies to any court or tribunal against the final decision of the local authority in those proceedings; or
  - ii. the local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
- b. [Repealed]
- c. any proceedings of a local authority in relation to any application or objection under the Marine Farming Act 1971.

(3) Every resolution excluding the public from any meeting shall be in the form set out in Schedule 2A and shall state—

- a. the general subject of each matter to be considered while the public is excluded; and
- b. the reason for the passing of that resolution in relation to that matter, including, where that resolution is passed in reliance on subsection (1)(a), the particular interest or interests protected by section 6 or section 7 of this Act, or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings in public; and
- c. the grounds on which that resolution is based (being 1 or more of the grounds set out in subsection (1)).

(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof)—

- a. shall be available to any member of the public who is present; and
- b. shall form part of the minutes of the local authority.

(5) A resolution pursuant to subsection (1), may also provide for 1 or more specified persons to remain after the public has been excluded if that person, or persons, has or have, in the opinion of the local authority, knowledge that will assist the authority.

(6) Where a local authority resolves that 1 or more persons may remain after the public has been excluded, the resolution must state the knowledge possessed by that person or those persons which will be of assistance in relation to the matter to be discussed and how it is relevant to that matter.

Section 48: substituted, on 1 October 1991, by section 6(1) of the Local Government Official Information and Meetings Amendment Act 1991 (1991 No 54).

Section 48(2)(b): repealed, on 1 October 1991, by section 362 of the Resource Management Act 1991 (1991 No 69).

#### **Appendix B - Sample Resolution to Exclude the Public**

*From Sections 48(3)–(6) of the the Local Government Official Information and Meetings Act 1987*

Schedule 2A: inserted, on 1 October 1991, by section 8 of the Local Government Official Information and Meetings Amendment Act 1991 (1991 No 54).

*Section 48, Local Government Official Information and Meetings Act 1987*

I move that the public be excluded from—

- \*a. the whole of the proceedings of this meeting; or
  - \*b. the following parts of the proceedings of this meeting, namely,—
- [state agenda items]

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution

\*This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

[give particulars]

\*I also move that [*name of person or persons*] be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of [*specify*]. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because [*specify*].

Delete if inapplicable.

#### **Note**

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof)—

- a. shall be available to any member of the public who is present; and
- b. shall form part of the minutes of the local authority.”

#### ***Appendix C - Webcasting Protocols***

- The default camera shot will be on the chair or a wide-angle shot of the meeting room.
- Cameras will cover a member who is addressing the meeting. Cameras will also cover other key participants in a meeting, including staff when giving advice and members of the public when addressing the meeting during the public input time.
- Generally interjections from other members or the public are not covered. However if the chair engages with the interjector, the interjector’s reaction can be filmed.
- PowerPoint presentations, recording of votes by division and other matters displayed by overhead projector may be shown.
- Shots unrelated to the proceedings, or not in the public interest, are not permitted.
- If there is general disorder or a disturbance from the public gallery, coverage will revert to the chair.

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