

Item	<b>ElANZ Current Rules - <a href="#">LINK</a></b> <b>(RED DENOTES DELETED TEXT)</b>	<b>Proposed amended Rules</b> <b>(GREEN DENOTES INSERTED TEXT)</b>	<b>Explanation for amendment</b> <b>All changes reviewed and approved by Counsel Assisting</b>
	<b>Part 1 – PRELIMINARY</b>		
1.	<b>Rule 2. Purposes (2)</b>  To convene and hold <del>seminars, lecture and conferences</del> in relation to professional environmental practice;	<b>2. Purposes</b> 2(a) "facilitate the organisation of the environment profession "  (2) (c) To convene and hold <b>professional development activities</b> in relation to professional environmental practice;	Adding in our coordinating role, which covers certification and accreditation activities.  "Professional development" covers all the events we convene, whereas the current list is not exhaustive
2.	<b>Rule 4. Definitions</b> <b>Accredited degree</b> means a degree awarded by an accredited tertiary institution and related to the Purposes of the Association;  <b>the Registrar</b> means the Registrar of Incorporated Associations.  <b>Chairperson</b> , of a general meeting or Board meeting, means the person chairing the meeting as required under rule 43;	Remove <b>Accredited degree</b> definition and clarify within the document (see Rule 8 below)  Remove  <b>Chair</b> , of a general meeting or Board meeting, means the person chairing the meeting as required under rule 43;  Add: <b>Voting member</b> is as defined in rule 11 (2)  Add: <b>Accredited Tertiary Institution</b> means a tertiary education institution accredited by the education regulator relevant to the jurisdiction.  Add: <b>Signed</b> means a signature has been applied either physically or electronically	Avoids confusion with QAS accredited degree programs  Changed to <i>appropriate authority</i> throughout the Rules. Can't change the definition as the definition is in the act.  Changed to update language. Each instance of the word <b>Chairperson</b> will be change to <b>Chair</b>  To make the definition easier to find



Part 3 - CODE OF ETHICS AND PROFESSIONAL CONDUCT, MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES			
Division 1 - Membership			
3.	<b>Rule 8 Eligibility and application for Membership (2) (a)</b> an accredited degree, higher degree, or graduate diploma has been successfully completed, and they have a minimum of two (2) years' experience in one or more of the functional areas of environmental practice;	<b>Rule 8 Eligibility and application for Membership (2) (a)</b> a degree, graduate certificate, graduate diploma, or higher degree, related to the Purposes of the Association and provided by an Accredited Tertiary Institution has been successfully completed, and they have a minimum of two (2) years' experience in one or more of the functional areas of environmental practice;	Clarifies the definition of accredited to mean the awarding institution rather than under the QAS program Adds in the qualification must be related to the purposes of the association, as per the current Rule 9a Change to the recognised order of the qualifications
4.	<b>Rule 8 Eligibility and application for Membership (3)</b> Subject to sub-rule (4), a natural person who is a Member and has applied and been approved for Fellow membership as provided in these Rules is eligible to be a Fellow of the Association on payment of the annual subscription payable under these Rules.	<b>Rule 8 Eligibility and application for Membership (3)</b> Subject to sub-rule (4), a natural person who is a Member and has been appointed as a Fellow as provided in these Rules is eligible remain a Fellow of the Association on payment of the annual membership fee payable under these Rules.	Allows for nomination of a member without their knowledge  Annual subscription changed to annual membership fee throughout the Rules as this is more accurate.
5.	<b>Rule 8 Eligibility and application for Membership (6) (b)</b> ... annual subscription.	<b>Rule 8 Eligibility and application for Membership (6) (b)</b> ... annual membership fee.	As per previous
6.	<b>Rule 8 Eligibility and application for Membership (7) (b)</b> ... annual subscription.	<b>Rule 8 Eligibility and application for Membership (7) (b)</b> ... annual membership fee. Member is not required to pay an annual membership fee	As per previous
7.	<b>Rule 8 Eligibility and application for Membership (9) (a)</b> who has completed a certificate or diploma in one or more of the functional areas of environmental practice; or	<b>Rule 8 Eligibility and application for Membership (9) (a)</b> Removed	Combined with (9) (b)



8.	<b>Rule 8 Eligibility and application for Membership</b> (9) (b) who has completed an <b>accredited</b> degree, higher degree, or graduate diploma but does not have a minimum of two (2) years' experience in one or more of the functional areas of environmental practice; or	<b>Rule 8 Eligibility and application for Membership</b> (9) (b) who has completed a <b>certificate, diploma, degree, graduate certificate, graduate diploma, or</b> , higher degree, , <b>related to the Purposes of the Association and provided by an Accredited Tertiary Institution</b> but does not have a minimum of two (2) years' experience in one or more of the functional areas of environmental practice; or	Combined with (9) (a) and Clarifies the definition of accredited to mean the awarding institution rather than under the QAS program Changed to the recognised order of qualifications
9.	<b>Rule 8 Eligibility and application for Membership</b> (9) (b) who can produce evidence to <b>the satisfaction of the Board</b> that they have an interest in the functional areas of environmental practice and the purposes of the Association but do not otherwise qualify for membership of the Association in any of the defined membership categories; or	<b>Rule 8 Eligibility and application for Membership</b> (9) (b) who can produce evidence to the <b>extent required under Association policies</b> that they have an interest in the functional areas of environmental practice and the purposes of the Association but do not otherwise qualify for membership of the Association in any of the defined membership categories; or	The Board no longer approves applications, it is delegated to staff using a Board-approved operating procedure
10.	<b>Rule 8 Eligibility and application for Membership</b> (10) ... annual <b>subscription</b> ...	<b>Rule 8 Eligibility and application for Membership</b> (10) ... annual <b>membership fee</b> ...	As per previous
11.	<b>Rule 8 Eligibility and application for Membership</b> (11) A natural person shall be eligible to be considered as a Student Member of the Association if they are a person who is undertaking study for a certificate, diploma, degree, <b>accredited degree</b> , graduate certificate, graduate diploma, or higher degree qualification in one or more of the functional areas of environmental practice.	<b>Rule 8 Eligibility and application for Membership</b> (11) A natural person shall be eligible to be considered as a Student Member of the Association if they are a person who is undertaking study for a certificate, diploma, degree, graduate certificate, graduate diploma, or higher degree qualification <b>with an Accredited Tertiary Institution</b> in one or more of the functional areas of environmental practice.	Clarifies the definition of accredited to mean the awarding institution rather than under the QAS program
12.	<b>Rule 9 Annual subscription and fee on joining</b>	<b>Rule 9 Fees</b>	Simplifying the heading and removing "subscription"
13.	<b>Rule 9 Annual subscription and fee on joining</b> (1) (a) annual <b>subscription</b>	<b>Rule 9 Fees</b> (1) (a) annual <b>membership fee</b>	As per previous



14.	<b>Rule 9 Annual subscription and fee on joining</b> (1) (b) <b>date</b> for payment	<b>Rule 9 Fees</b> (1) (b) <b>terms</b> for payment	"Terms" includes date as well as any other requirements such as method of payment
15.	<b>Rule 9 Annual subscription and fee on joining</b> (1) (c) application processing fee – for each category of membership, shall be determined annually by the Board not less than two (2) months before the commencement of the financial year in which the annual <b>subscription</b> and application processing fee is payable.	<b>Rule 9 Annual subscription and fee on joining</b> (1) (c) application processing fee – for each category of membership, shall be determined annually by the Board not less than two (2) months before the commencement of the financial year in which the annual <b>membership fee</b> and application processing fee is payable.	As per previous
16.	<b>Rule 9 Annual subscription and fee on joining</b> (2) <b>The Board may determine that any new member who joins after the start of a financial year, must for that financial year, pay a fee equal to-</b> (a) The full annual subscription; or (b) A pro rata annual subscription based on the remaining part of the financial year; or (c) A fixed amount determined from time to time by the Board.	<b>Rule 9 Fees</b> (2)  Remove	Annual membership renewals are now on a rolling date basis rather than fixed at the start of each financial year.
17.	<b>Rule 9 Annual subscription and fee on joining</b> (3) The rights of a member (including the right to vote) who has not paid the annual <b>subscription</b> by the due date are suspended until the subscription is paid.	<b>Rule 9 Fees</b> (3)  The rights of a member (including the right to vote) who has not paid the annual <b>membership fee</b> by the due date are suspended until the fee is paid.	As per previous
	<b>Division 2 –Effect of Membership</b>		
18.	<b>Rule 11 General rights of members</b> (1) (f) to inspect the register of members	<b>Rule 11 General rights of members</b> (1) (f) to inspect the register of members <b>as provided under Rule 83.</b>	Rule 83(2) states: <i>The Board may refuse to permit a member to inspect records of the Association that relate to <u>confidential, personal, employment, commercial or legal matters</u> or where to do so may be prejudicial to the interests of the Association.</i>



19.	<b>Rule 11 General rights of members</b> (4) Membership of the Association entitles a Fellow Member or an Honorary Fellow Member to use after their name, the following abbreviated designation: FEIANZ or HFEIANZ.	<b>Rule 11 General rights of members</b> (4) Membership of the Association entitles a Fellow Member, an Honorary Fellow Member, <b>or an Honorary Life Member</b> to use after their name, the following abbreviated designation: FEIANZ, or HFEIANZ or <b>HLMEIANZ respectively.</b>	Correcting to include all post nominals
20.	<b>Rule 14 Resigning as a member</b> (2) <b>A member is taken to have resigned if:</b> <b>(a) the member's annual subscription is more than twelve (12) months in arrears; or</b> <b>(b) where no annual subscription is payable:</b> <b>(i) the Secretary has made a written request to the member to confirm that the person wishes to remain a member; and</b> <b>(ii) the member has not, within three (3) months after receiving that request, confirmed in writing that they wish to remain a member.</b>	<b>Rule 14 Resigning as a member</b> (2) Remove	Members who have not paid membership fees are considered expired rather than resigned. Resignation covered in Rule 14 (1)
21.	<b>Rule 15 Register of members</b> (2) Any member may, at a reasonable time and free of charge, inspect the register of members.	<b>Rule 15 Register of members</b> (2) Remove	This is a duplicate of Rule 11 (1) (f)
22.	<b>Rule 15 Register of members</b> (3) The Board may provide members in each category of membership with a Certificate of Membership which shall remain the property of the Association <b>and which shall be returned forthwith by any person who has resigned or whose name has been removed from the Register.</b>	<b>Rule 15 Register of members</b> (3) The Board may provide members in each category of membership with a Certificate of Membership which shall remain the property of the Association.	Certificates of Membership are provided electronically and cannot practicably be returned.



	Division 3 –Disciplinary <b>Action</b>	Division 3 –Disciplinary <b>Investigations</b>	Changed throughout based on the fact that the Association is launching an investigation from which action may result after the person has had the opportunity to be heard.
23.	<p><b>Rule 16 Grounds for <b>taking disciplinary action</b> (1)</b></p> <p>The Board may initiate disciplinary <b>action</b> against a member or Certified Environmental Practitioner in accordance with this Division if, based on <b>a written complaint or allegation, whether anonymously made or otherwise, and which, in the reasonable opinion of the Board, is not frivolous, vexatious, or without substance, the member or Certified Environmental Practitioner:</b></p> <ul style="list-style-type: none"> <li>(a) <b>is alleged to</b> have breached or otherwise failed to comply with these Rules or any By-law; or</li> <li>(b) <b>is alleged to</b> have breached or otherwise failed to comply with the Code of Ethics and Professional Conduct; or</li> <li>(c) <b>in the reasonable opinion of the Board,</b> no longer supports the Purposes of the Association; or</li> <li>(d) <b>is</b> found guilty of a criminal offence; or</li> <li>(e) otherwise <b>has</b> engaged in conduct prejudicial to the Association.</li> </ul>	<p><b>Rule 16 Grounds for <b>initiating a disciplinary investigation</b> (1)</b></p> <p>The Board may initiate <b>a</b> disciplinary <b>investigation</b> against a member or Certified Environmental Practitioner in accordance with this Division if, based on <b>credible information, including a report or complaint, the Board forms the reasonable opinion that a member or Certified Environmental Practitioner:</b></p> <ul style="list-style-type: none"> <li>(a) <b>may</b> have breached or otherwise failed to comply with these Rules or any By-law; or</li> <li>(b) <b>may</b> have breached or otherwise failed to comply with the Code of Ethics and Professional Conduct; or</li> <li>(c) no longer supports the Purposes of the Association; or</li> <li>(d) <b>has engaged in criminal conduct or has been charged with or</b> found guilty of a criminal offence; or</li> <li>(e) <b>has</b> otherwise engaged in conduct prejudicial to the Association.</li> </ul>	<p>Changing disciplinary action to disciplinary investigation and clarifying the valid reasons for initiating an investigation.</p>



24.	<b>Rule 16 Grounds for taking disciplinary action (2)</b> If the Board is satisfied that there are grounds for initiating disciplinary <b>action</b> against a member or Certified Environmental Practitioner, the Board must refer the matter to a Disciplinary Committee to <b>hear</b> it and determine what action, if any, to take against the individual.	<b>Rule 16 Grounds for initiating a disciplinary investigation (2)</b> If the Board is satisfied that there are grounds for initiating <b>a</b> disciplinary <b>investigation</b> against a member or Certified Environmental Practitioner, the Board must refer the matter to a Disciplinary Committee to <b>consider</b> it and determine what action, if any, to take against the individual.	Division 16 has been changed throughout to be clear about the presumption of innocence until the Disciplinary Committee has reached a decision. Words have been adjusted for clarity: The Disciplinary Committee initially meets to 'consider' the matter before proceeding to hear the matter in a 'Disciplinary meeting' out of which a 'disciplinary action' might be taken.
25.	<b>Rule 16 Grounds for taking disciplinary action (3)</b> A Disciplinary Committee may, after hearing a matter, take disciplinary action against a member or Certified Environmental Practitioner in accordance with this Division.	<b>Rule 16 Grounds for initiating a disciplinary investigation (3)</b> A Disciplinary Committee may, after hearing a matter ( <b>the 'Disciplinary meeting'</b> ), take disciplinary action against a member or Certified Environmental Practitioner in accordance with this Division.	Clarifying language to be clear of a presumption of innocence. "Disciplinary action' is the action the committee takes after hearing a matter. The hearing process is referred to as 'a disciplinary investigation'
26.		<b>Rule 17 Disciplinary committee Addition</b> <b>The Board may appoint independent legal, technical or administrative support to assist in its conduct of a disciplinary investigation.</b>	Addition to provide for assistance with legal counsel, technical expertise or administrative support which is not provided by staff.
27.	<b>Rule 18 Notice to Member (1)</b> Before <b>disciplinary action is taken against</b> an individual, the Secretary must give written notice to the individual: (a) stating that the <b>Board</b> proposes to <b>take</b> disciplinary <b>action against</b> the individual; and (b) stating the grounds for the <b>proposed</b> disciplinary <b>action</b> ; and (c) specifying the date, place and time of the meeting <b>at</b> which the <b>Disciplinary Committee intends to consider the</b> disciplinary action ( <b>the disciplinary meeting</b> );	<b>Rule 18 Notice to Member (1)</b> Before <b>a disciplinary meeting involving</b> an individual <b>is conducted</b> , the Secretary must give written notice to the individual: (a) stating that the <b>Association</b> proposes to <b>hold a</b> disciplinary <b>meeting involving</b> the individual; and (b) stating the grounds <b>for the</b> disciplinary <b>meeting</b> ; and (c) specifying the date, place and time of the meeting, <b>after</b> which disciplinary action <b>may be taken</b> .	As per above changes to be clear of presumption of innocence



28.	<b>Rule 18 Notice to Member (2)</b> The notice must be given no earlier than <b>twenty-eight (28) days</b> , and no later than <b>fourteen (14) days</b> , before the disciplinary meeting is held.	<b>Rule 18 Notice to Member (2)</b> The notice must be given no earlier than <b>forty-two (42) days</b> , and no later than <b>twenty-eight (28) days</b> , before the disciplinary meeting is held.	This rule is about when notice is given to a person that proceedings are being brought against them. Checked with Counsel Assisting on timings against legal norms.
29.		<b>Rule 19 Decision of Disciplinary Committee (2)</b> (b) Addition <b>notify interested parties of any change in status of the person's membership or certification, and any conditions placed on the person's continuation of membership or certification.</b>	This addition provides the opportunity to notify interested parties despite the chance of appeal. We cannot say the grounds, only the outcome that has occurred. This protects us from libel. Checked with Counsel Assisting.
30.	<b>Rule 20 Appeal rights (2)</b> The notice must be in writing and given: <b>(a) to the Disciplinary Committee immediately after it makes its decision; or</b> <b>(b) to the Secretary not later than seven (7) days</b> after the decision.	<b>Rule 20 Appeal rights (2)</b> The notice must be in writing, <b>including any ground(s) for appeal</b> , and given to the Secretary not later than <b>forty-two (42) days</b> after <b>notification of the decision</b> .  <b>The notice of appeal must not exceed six (6) pages and must be confined to clearly identifying substantive and material errors of fact or law that are said to have been made by the Committee in its determination.</b>	Including guidance as to what is included in appeal notice eg the grounds for appeal. Also 7 days is not adequate for this to be prepared so changing to 42 days. Lastly, changing the timing to start from the notification of the decision to allow Board time to review without disadvantage. Checked with Counsel Assisting on timings against legal norms.
31.	<b>Rule 20 Appeal rights (3)</b> If a person has given notice under sub-rule (2): <b>(a) an Appeal Committee shall be appointed by the Board within seven (7) days of receipt of the notice; and</b> <b>(b) a disciplinary appeal meeting must be convened by the Board as soon as practicable, but in any event not later than twenty-one (21) days</b> , after the notice is received.	<b>Rule 20 Appeal rights (3)</b> If a person has given notice under sub-rule (2) a disciplinary appeal meeting must be convened by the Board as soon as practicable, but in any event not later than <b>forty-two (42) days</b> , after the notice is received.	The timing of the appointment of the appeal committee is not relevant so long as it happens in the period before the appeal is heard. Changing 21 days to 42 to align with legal expectations – it allows time for more complicated cases than may have been predicted when the Rules were established. Checked with Counsel Assisting on timings against legal norms.





32.	<b>Rule 20 Appeal rights (4)</b> Notice of the disciplinary appeal meeting must be given to the person <b>who the</b> about whom a Disciplinary Committee has made a decision: <b>(a)</b> specifying the date, time and place of the meeting; and <b>(b)</b> stating the grounds for taking that action;	<b>Rule 20 Appeal rights (4)</b> Notice specifying the date, time, and place of the disciplinary appeal meeting must be given to the person about whom a Disciplinary Committee has made a decision.	Correcting a typo and The grounds for the appeal meeting are that the person has lodged the appeal, the grounds doesn't come from the committee. If the intention of this Rule is to enable the committee to limit the appeal grounds they will consider, this is now covered by our newly proposed <b>20 (6)</b> below.
33.		<b>Rule 20 Appeal rights (6)</b> <b>Addition</b> The Appeal Committee is not bound to consider proposed grounds of appeal that are frivolous, irrelevant, immaterial, or devoid of merit.	The need for this change became evident in a previous case. Added to allow the committee to confine the appeal process to only addressing any concerns that are material to the case.
34.		<b>Rule 21 (4) 21. Conduct of disciplinary appeal meeting</b> <b>Addition</b> Once a disciplinary appeal meeting has concluded, or the time for giving notice of a proposed appeal has expired, the Association may publish the results of the disciplinary process including any written reasons of the disciplinary committee and/or the appeal committee.	Addition that, coupled with Rule 19 Decision of Disciplinary Committee (2) (b) (viii) above, allows us to tell anyone the outcome and findings (at our discretion), limiting us to after any chance for appeal. Limiting it to the reasons for the decision also provides protection from libel. Checked with Counsel Assisting.
	<b>Division 4 – Grievance Procedure</b>		
35.	<b>Rule 22 – Application (2)</b> A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary <b>procedure</b> under Division 3 of these Rules <b>until the disciplinary procedure has been completed.</b>	<b>Rule 22 – Application (2)</b> A member must not initiate a grievance procedure in relation to a matter that is <b>or has been</b> the subject of a disciplinary <b>investigation</b> under Division 3 of these Rules.	Without this addition this clause is in effect a mechanism for a second appeal to a disciplinary matter unless the ruling is to cease membership.



36.	<b>Rule 24 Appointment of a mediator (5)</b> A mediator appointed by the Board <b>may be a member or former member of the Association but in any case</b> must not be a person who has a personal or pecuniary interest in the dispute.	<b>Rule 24 Appointment of a mediator (5)</b> A mediator appointed by the Board must not be a person who has a personal or pecuniary interest in the dispute.	Clarity. No need to state member or non-member.
37.		<b>Rule 24 Appointment of a mediator Addition</b> Any costs of mediation are to be paid by agreement between the parties.	Addition to align with the intent of changes to the Model Rules from November 2023
<b>Part 4 - GENERAL MEETINGS OF THE ASSOCIATION</b>			
38.	<b>Rule 27 Annual general meetings (3) (b) (ii)</b> from the Returning Officer the declaration of the results of the election of the Board	<b>Rule 27 Annual general meetings (3) (b) (ii)</b> the declaration from the Returning Officer of the results of <b>any</b> election of the Board	Clarity. There is not an election result to be declared at every AGM
39.	<b>Rule 29 Notice of general meetings (2)</b> <b>This rule does not apply to a disciplinary appeal meeting.</b>	Remove the sub-rule	A disciplinary appeal meeting is not a general meeting, so its inclusion here is confusing
40.	<b>Rule 30 Proxies (6)</b> <b>A form appointing a proxy must be given to the Chairperson of the meeting before or at the commencement of the meeting.</b>	Remove and include with (7) See below	Clarity. The intent is that the Association receive the proxy 24 hours before the meeting and the Chair receive it before the meeting starts.
41.	<b>Rule 30 Proxies (7)</b> A form appointing a proxy <b>sent by post or electronically is of no effect unless</b> it is received by the Association no later than twenty-four (24) hours before the commencement of the meeting.	<b>Rule 30 Proxies (7)</b> A form appointing a proxy <b>takes effect if</b> it is received <b>electronically or by post</b> by the Association no later than twenty-four (24) hours before the commencement of the meeting <b>or physically handed to the Chair of the meeting before or at the commencement of the meeting.</b>	Clarity. See above



42.	<b>Rule 36 Determining whether resolution carried (1)</b> Subject to sub-rule (2) the Chairperson of a general meeting may, on the basis of a show of hands, declare that a resolution has been: (a) carried; or (b) carried unanimously; or (c) carried by a particular majority; or (d) lost: and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.	<b>Rule 36 Determining whether resolution carried (1)</b> The Chair of a general meeting may, on the basis of a show of hands, or other reliable means, declare that a resolution has been: (a) carried; or (b) carried unanimously; or (c) carried by a particular majority; or (d) lost: and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.	Allows for other means in a meeting held online where a show of hands is more difficult to count and reliable electronic methods are available.
43.	<b>Rule 36 Determining whether resolution carried (2)</b> If a poll (where votes are cast in writing) is demanded by three (3) or more members on any question: (a) the poll must be taken at the meeting in accordance with rule 37; and (b) the Chairperson must declare the result of the resolution on the basis of the poll.	<b>Rule 36 Determining whether resolution carried (2)</b> If a poll is demanded by three (3) or more members on any question: (a) the poll must be taken at the meeting in accordance with rule 37; and (b) the Chair must declare the result of the resolution on the basis of the poll.	Removing the need to perform a poll in writing, to allow for virtual attendance
44.	<b>Rule 36 Determining whether resolution carried (3) and (4)</b> (3) A poll demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately. (4) A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.	Remove	Repetition – already specified in Rule 37 (1) and (2)
45.	<b>Rule 37 Polling or Secret Ballots (3)</b> Where a poll or secret ballot has been called or demanded, the meeting shall appoint two scrutineers who shall count the votes and report to the meeting through the Chairperson the result of the poll.	<b>Rule 37 Polling (3)</b> Where a poll has been called or demanded, the meeting shall appoint two scrutineers who shall count the votes and report to the meeting through the Chairperson the result of the poll.	'Secret ballot' is not referred to elsewhere in the Rules and is not possible to do online when proxies are included



	<b>Part 5 - BOARD</b>		
	<b>Division 1 – Powers of Board</b>		
46.		<b>Rule 39 Role and powers Addition</b> The President of the Association, or a delegate appointed by the Board, may attend any meeting of an association Committee or subsidiary Board, including in-camera sessions, without prior notice. However, they do not have voting rights at these meetings.	Insertion to clarify the relationship between the Board and Committees/subsidiary Boards
	<b>Division 2 – Composition of the Board and duties of members</b>		
47.	<b>Rule 41 Composition of the Board (1)</b> The Board consists of: (a) the Executive Officers; and (b) two (2) ordinary members.	<b>Rule 41 Composition of the Board (1)</b> The Board consists of: (a) the President; (b) the Vice-President (Australia); (c) the Vice-President (New-Zealand); (d) the Treasurer; and (e) the Secretary; and (f) two (2) other Board members.	Clarity. Define the Board here in full and remove the separate description of Executive Officers. Also removes the word "ordinary" for the other Board members
48.	<b>Rule 41 Composition of the Board (2)</b> The Executive Officers of the Association are as follows: (a) the President; (b) the Vice-President (Australia); (c) the Vice-President (New-Zealand); (d) the Treasurer; and (e) the Secretary.	Remove	As per above
49.	<b>Rule 44 Secretary (3)</b> The Secretary must give to the Registrar notice of their appointment within fourteen (14) days after the appointment.	<b>Rule 44 Secretary (3)</b> The Secretary must cause to give to the appropriate authority notice of the changes to the office holders of the association within the timeline stated by the authority.	Removing the "Registrar" and changing the timing to be as per the authority's requirements at the time.



50.	<b>Rule 45 Treasurer (1) (c)</b> all cheques are signed and all other payments approved <b>by either:</b> (i) two (2) members of the Board; or (ii) one (1) member of the Board and one (1) permanent employee of the Association; or (iii) as determined by the Board;	<b>Rule 45 Treasurer (1) (c)</b> all cheques are signed and all other payments approved <b>and/or confirmed in accordance with the Rules, By-laws and delegation authority policy of the a\Association.</b>	Rule 77 (4) provides approval / confirmation requirements
<b>Division 3 – Election of Board members and tenure of office</b>			
51.	<b>Rule 47 – Election of Board members (3)</b> If insufficient nominations are received to fill all positions on the Board, further nominations shall be received at the annual general meeting for the vacancies not filled. Such further nominations shall be voted <b>upon</b> by those eligible voters present <b>in person</b> .	<b>Rule 47 – Election of Board members (3)</b> If insufficient nominations are received to fill all positions on the Board, further nominations shall be received at the annual general meeting for the vacancies not filled. Such further nominations shall <b>need to be seconded by another voting member and shall be considered elected if voted on by a simple majority of those eligible voters present.</b>	Move to after point (6) of Rule 47 for clarity.  Changed to ensure rigorous nomination process.
52.		<b>Rule 47 – Election of Board members (new)</b> <b>The Returning Officer may declare the outcome of the election for a position as soon as practical.</b>	The current requirement is to declare the result at the AGM, which may imply the results are secret until that point. As the new Board takes responsibility at the conclusion of that AGM, that is not practical.
53.	<b>Rule 48 Ballot (3) (a)</b> Send to all voting members ballot papers	<b>Rule 48 Ballot (3) (a)</b> <b>Cause to</b> send to all voting members <b>physical or electronic</b> ballot papers	Ballot is contracted out to a third-party election company, done electronically
54.	<b>Rule 48 Ballot (4)</b> The Returning Officer must <b>receive and keep secure</b> all voting forms received from members in respect of a Ballot.	<b>Rule 48 Ballot (4)</b> The Returning Officer must <b>ensure</b> all voting forms received from members in respect of a Ballot <b>are kept secure.</b>	Ballot is contracted out to a third-party election company
55.	<b>Rule 48 Ballot (5)</b> Any voting form received by the Returning Officer after 5:00pm on the closing date of a Ballot is deemed invalid and not counted.	<b>Rule 48 Ballot (5)</b> Any voting form received <b>in the manner determined by the Returning Officer</b> after 5:00pm on the closing date of a Ballot is deemed invalid and not counted.	Ballot is contracted out to a third-party election company



56.	<b>Rule 59 Conflict of interest (4)</b> Any member of the Board who has a material personal or pecuniary interest in a matter being considered at a Board meeting must disclose the nature and extent of that interest to the Board.	<b>Rule 59 Conflict of interest (4)</b> The Board may develop policy to clarify appropriate actions to manage circumstances in which a conflict of interest may arise, such as distinguishing between perceived and actual conflicts of interest, and how standing conflicts of interest are to be managed within the confines of this Rule.	Included a provision for the Board to develop a policy around conflicts, particularly standing conflicts
<b>Part 6 – STRUCTURE OF THE ASSOCIATION</b>			
<b>Division 1 – Advisory Council</b>			
57.	<b>Rule 62 Functions of Advisory Council (5)</b> The Advisory Council must consider and provide its advice in writing to the Board within fifty-six (56) days of receiving any request from the Board under sub-rule (4).	<b>Rule 62 Functions of Advisory Council (5)</b> The Advisory Council must consider and provide its advice in writing to the Board after receiving any request from the Board under sub-rule (4).	The time constraint considered unnecessary and varies with each request.
58.	<b>Rule 62 Functions of Advisory Council (6)</b> The Board must acknowledge receipt of advice within seven (7) days and respond in writing to the Advisory Council advising how it considered and acted on any advice received from the Advisory Council within fifty-six (56) days of receiving such advice.	<b>Rule 62 Functions of Advisory Council (6)</b> The Board must acknowledge receipt of advice and respond in writing to the Advisory Council advising how it considered and acted on any advice received from the Advisory Council.	Time constraints are impractical. Good communication between Board and Advisory Council ensures timely responses and actions where necessary.
59.	<b>Rule 64 Meetings of Advisory Council (2)</b> The Chairperson of the Advisory Council and a deputy Chairperson shall be determined every two (2) years by the members of the Advisory Council.	<b>Rule 64 Meetings of Advisory Council (2)</b> The Chair(s) of the Advisory Council and any deputy Chair(s) shall be determined by the members of the Advisory Council.	Updating language and allowing for more flexibility.
60.	<b>Rule 65 Notice of meetings (1)</b> Notice of each Advisory Council meeting must be given to each member of the Advisory Council and the Board no later than fourteen (14) days before the date of the meeting.	<b>Rule 65 Notice of meetings (1)</b> Notice of each Advisory Council meeting must be given to each member of the Advisory Council and the Board no later than seven (7) days before the date of the meeting.	Rule 65 changed to reflect the same requirements as those for Board meetings
61.	<b>Rule 65 Notice of meetings (2)</b> Notice may be given of more than one (1) Council meeting at the same time.	<b>Rule 65 Notice of meetings (2)</b> Notice may be given of more than one (1) Advisory Council meeting at the same time.	Clarity



62.	<b>Rule 65 Notice of meetings</b> (3) The notice must state <b>the business to be conducted</b> , and the date, time and place of the meeting.	<b>Rule 65 Notice of meetings</b> (3) The notice must state the date, time and place of the meeting.	Rules 65 changed to reflect the same requirements as those for Board meetings
63.		<b>Rule 65 Notice of meetings</b> (4) The only business that may be conducted at the meeting is the business for which the meeting is convened, unless otherwise agreed by an absolute majority of the Advisory Council.	Addition to reflect the same requirements as those for Board meetings
64.	<b>Rule 66 Procedure and order of business</b> (1) The procedure to be followed at an Advisory Council meeting shall be determined from time to time by the Advisory Council. (2) The order of business may be determined by the members present at the meeting.	Remove	The Advisory Council can run their meetings as they see fit. This Rule is redundant.
65.	<b>Rule 70 Decision Making</b> (1) Any question arising at an Advisory Council meeting shall be determined <b>by consensus on the voices or as confirmed by a show of hands of each member of</b> the Advisory Council present at the meeting.	<b>Rule 70 Decision Making</b> (1) Any question arising at an Advisory Council meeting shall be determined by <b>a majority</b> of the Advisory Council present at the meeting.	Clarity – Simplifying the language
<b>Division 2 – Chapters and Divisions</b>			
66.		<b>Rule 74 – Divisions</b> (8) Each Division may create Branches to service local areas within that Division. The affairs of a Division's Branches shall be managed by that Division.	Included to reflect practices in NZ as well as to allow for growth into regional areas.



	<b>Division 3 – Special Interest Sections</b>		
67.	<b>Rule 75 Special Interest Sections (3)</b> A member of a Special Interest Section must be a <b>Full Member, Fellow Member, Associate Member or Student Member</b> of the Association, or such other classes of persons who are non-members as <b>may be prescribed in the By-laws, and must satisfy any additional condition of membership for the Special Interest Section specified in the By-laws and pay any additional levy that may be determined for membership of the Section.</b>	<b>Rule 75 Special Interest Sections (3)</b> A member of a Special Interest Section must be a Member of the Association, or such other classes of persons who are non-members as <b>determined by the Board.</b>	Clarity and simplification.
68.	<b>Division 4 – Certified Environmental Practitioner Scheme</b>	<b>Division 4 – Certification and Accreditation Schemes</b>	
69.	<b>Rule 75A Certified Environmental Practitioner Scheme</b>  (1) The Association has established a scheme for the certification of the proficiency of environmental practitioners known as the Certified Environmental Practitioner Scheme.  (2) The Certified Environmental Practitioner Scheme shall offer general certification of environmental practitioners, and specialist certification.  (3) The Certified Environmental Practitioner Scheme shall be open to application by persons who may or may not be members of the Association.	<b>Rule 75A Certification and Accreditation Schemes</b>  (1) The Board may prescribe By-Laws that establish Certification and Accreditation Schemes that support the purposes of the Association.  (move to end and amended – point (8))  (moved to end and amended– point (8))  (moved to end – point (9))	Broadens from just the CEnvP scheme to enable other schemes, eg the Qualification Accreditation Scheme.





<p>(4) <b>Certified Environmental Practitioners</b> shall be bound by the Association's Code of Ethics and Professional Conduct, and subject to the disciplinary and grievance procedures set out in Part 3, Division 3 and Division 4.</p> <p>(5) <b>The Certified Environmental Practitioner Scheme</b> shall be administered by a <b>Certification Board</b>, consisting of no less than five (5) and not more than seven (7) suitably qualified and experienced persons, appointed by the Board.</p> <p>(6) <b>The Certification Board</b> shall make decisions independently of the Board regarding <b>certification of applicants; and subject to Rule 75A(9), the general administration of the scheme.</b></p> <p>(7) The financial operations of <b>the Certified Environmental Practitioner Scheme</b> shall be identified and operated separately from the general funds of the Association; reported not less frequently than quarterly to the Board, as part of the consolidated operations of the Association; and an annual financial statement for the Scheme prepared as part of the independently audited consolidated annual financial statement of the Association.</p> <p>(8) <b>The Certification Board</b> shall report regularly to the Board on the general performance of the <b>Certified Environmental Practitioner Scheme</b>; and the <b>Certification Board</b> and the Board shall consult regularly on matters which may affect <b>the Scheme</b>.</p> <p>(9) The Board shall prescribe in the By-laws, the minimum requirements for <b>certification</b>, the</p>	<p>(2) <b>Persons recognised under such Schemes</b> shall be bound by the Association's Code of Ethics and Professional Conduct, and subject to the disciplinary and grievance procedures set out in Part 3, Division 3 and Division 4.</p> <p>(3) <b>Such Schemes</b> shall be administered by <b>independent subsidiary Boards</b> consisting of no less than five (5) and not more than seven (7) suitably qualified and experienced persons, appointed by the Board.</p> <p>(4) <b>Subsidiary Boards</b> shall make decisions independently of the Board regarding <b>recognition of individuals, organisations or programs.</b></p> <p>(5) The financial operations of <b>such Schemes</b> shall be identified and operated separately from the general funds of the Association; reported not less frequently than quarterly to the Board, as part of the consolidated operations of the Association; and an annual financial statement for the Scheme prepared as part of the independently audited consolidated annual financial statement of the Association.</p> <p>(6) <b>Each subsidiary Board</b> shall report regularly to the Board on the general performance of the <b>relevant Scheme</b>; and <b>each subsidiary Board</b> and the Board shall consult regularly on matters which may affect <b>that Scheme</b>.</p> <p>(7) The Board shall prescribe in the By-laws, the minimum requirements for <b>the granting of</b></p>	
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	administrative, organisational and financial arrangements for the operation of <b>the Certified Environmental Practitioner</b> Scheme, and such other matters as are necessary for the good governance of <b>the</b> scheme.	<p><b>status under that Scheme</b>, the administrative, organisational and financial arrangements for the operation of <b>each</b> Scheme, and such other matters as are necessary for the good governance of <b>each</b> Scheme.</p> <p>(8) The Association has established the Certified Environmental Practitioner Scheme to offer general certification of environmental practitioners, and specialist certification.</p> <p>(9) The Certified Environmental Practitioner Scheme shall be open to application by persons who may or may not be members of the Association.</p> <p>(10) The Association has established the Qualifications Accreditation Scheme to encourage the development, delivery and recognition of a diverse range of quality qualifications in environmental science, environmental management, environmental sustainability and such other fields that contribute to environmental practice.</p>	
	<b>Part 7 – FINANCIAL MATTERS</b>		
70.	<b>Rule 76 Source of funds</b> The funds of the Association may be derived from <b>joining fees, annual subscriptions, donations, fund-raising activities, grants, interest and any other</b> sources approved by the Board.	<b>Rule 76 Source of funds</b> The funds of the Association may be derived from any sources approved by the Board	Conciseness. The rule already allowed for “any other sources approved by the Board”
71.	<b>Rule 77 Management of funds (2)</b> <b>Subject to any restrictions imposed by a general meeting of the Association</b> , the Board may invest funds and approve expenditure on behalf of the Association.	<b>Rule 77 Management of funds (2)</b> The Board may <b>on behalf of the Association</b> invest funds, <b>expend funds by any means, maintain a cash float, and establish banking and credit or debit facilities to be used by identified permanent employees with its approval.</b>	Clarification as recommended by legal advice.



72.	<b>Rule 77 Management of funds (3)</b> The Board may authorise the Treasurer to expend funds on behalf of the Association (including by electronic funds transfer) up to a specified limit without requiring approval from the Board for each item on which the funds are expended.	Remove	Partially rolled into the change to Rule 77(2). All else covered in delegation authority, covered in Rule 40.
73.	<b>Rule 77 Management of funds (4)</b> All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by either: (a) two (2) members of the Board; or (b) one (1) member of the Board and one permanent employee of the Association as the Board resolves.	<b>Rule 77 Management of funds (4)</b> All payments must be approved and/or confirmed by either: (a) two (2) permanent employees of the Association (b) one (1) member of the Board and one permanent employee of the Association as the Board resolves via by-laws and financial delegation authority policy.	Two to approve / confirm electronically, done by staff. Note that for debit card transactions, multiple signatories are required for the establishment of the card and multiple approvals are required for the transfer of funds onto the card. Additionally, a second staff member tacitly approves all expenditure retrospectively through the reconciliation process.
74.	<b>Rule 77 Management of funds (6)</b> With the approval of the Board, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction and reconciled on a regular basis as the Board determines.	Remove	Covered by changes to Rule 77 (2)
75.	<b>Rule 77 Management of funds (7)</b> With the approval of the Board, the Treasurer may establish credit/debit card facilities for use by permanent employees of the Association for the payment of accounts rendered and official expenses, provided that all payments are accurately recorded at the time of the transaction and reconciled on a regular basis as the Board determines.	Remove	Covered by changes to Rule 77 (2)



76.	<b>Rule 78 Financial records (3)</b> The Treasurer must keep <b>in their custody, or</b> under <b>their</b> control: (a) the financial records for the current financial year; and (b) any other financial records as authorised by the Board.	<b>Rule 78 Financial records (3)</b> The Treasurer must <b>cause the association to</b> keep under control: (a) the financial records for the current financial year; and (b) any other financial records as authorised by the Board.	Modernisation, the Treasurer doesn't personally keep records
77.	<b>Rule 79 Financial statements (2) (e)</b> the lodgement with the <b>Registrar</b> of the financial statements and accompanying reports, certificates, statements and fee.	<b>Rule 79 Financial statements (2) (e)</b> the lodgement with the <b>appropriate authority</b> of the financial statements and accompanying reports, certificates, statements and fee.	EIANZ no longer reports to the registrar of incorporated associations. Reporting is to ACNC.
	<b>Part 8 – GENERAL MATTERS</b>		
78.	<b>Rule 79 Common Seal (2) (b)</b> a document may only be sealed with the common seal by the authority of the Board and the sealing must be witnessed by the signatures of two (2) Board members;	<b>Rule 79 Common Seal (2) (b)</b> a document may only be sealed with the common seal by the authority of the Board and the sealing must be witnessed by the signatures, <b>or electronic signatures</b> , of two (2) Board members;	Allowing for electronic signing
79.	<b>Rule 79 Common Seal (2) (c)</b> <b>the common seal must be kept in the custody of the Secretary.</b>	<b>Rule 79 Common Seal (2) (c)</b> Remove	The common seal is kept at the location of Central Office
80.	<b>Rule 82 Notice requirements (1) (c)</b> by email <b>or facsimile transmission</b>	<b>Rule 82 Notice requirements (1) (c)</b> by email	Obsolete
81.	<b>Rule 82 Notice requirements (3) (d)</b> if the Board determines that it is appropriate in the circumstances: (i) by email to the email address of the Association or the Secretary; <b>or (ii) by facsimile transmission to the facsimile number of the Association.</b>	<b>Rule 82 Notice requirements (3) (d)</b> if the Board determines that it is appropriate in the circumstances by email to the email address of the Association or the Secretary.	Reference to facsimile is obsolete

