

RULES OF THE CIVIL ENGINEERING TESTING ASSOCIATION NEW ZEALAND INCORPORATED

Version 1.5 (10-06-17)

(A Collaborating Technical Group of the Institution of Professional Engineers New Zealand Inc)

Section 1 Interpretation

- 1.1 The Society shall be named 'Civil Engineering Testing Association of New Zealand Incorporated', hereinafter referred to as "the Society".
- 1.2 Where the terms "the Management Committee", "Chairman", "Vice-Chairman", "Management Secretary", or "Treasurer" appear in these Rules, they shall refer to either committees or officers of the Society.
- 1.3 Where the term "Institution" appears in these Rules, it shall refer to the Institution of Professional Engineers New Zealand Incorporated.
- 1.4 Where the term "Act" appears in these Rules, it shall refer to the Associations Incorporated Societies Act 1908.
- 1.5 These Rules and Objectives must not be altered except in accordance with the Act.

Section 2 Overview of the Society

- 2.1 The Society was originally formed to represent the views and opinions of the Civil Engineering Testing Industry in a collective forum. The Society was incorporated in 2007 after discussions between participants at the 2006 Civil Engineering Laboratories Conference (CELC).
- 2.2 The Society will be closely associated with the current Australian associations and any International associations that arise in the future.
- 2.3 The Society is affiliated to the Institution as one of its Collaborating Technical Groups, providing the Institution's learned society activities in Civil Engineering Testing. The Society will have close links with the Institution and participate in its activities.
- 2.4 The Society seeks through its activities to promote its objectives.

Sections 3 Objectives

- 3.1 The objectives of the Society are:
 - a) Continuous improvement of the standard of testing in New Zealand through training and other means.
 - b) Advance the status of testing to the construction industry.
 - c) Communicate changes in standards of technology to the testing industry.
 - d) Provide a code of ethics by which members operate.
 - e) Represent the views of the New Zealand Testing Services to authorities, i.e. New Zealand Transport Agency, IANZ, Standards, IPENZ.

- f) Promote the benefits of high quality testing services to the construction industry.
- g) Assist members in the development of suitable proficiency and inter-laboratory testing programs.
- h) Conduct activities such as meetings, conferences, technical and social events for the benefit of its members.
- i) Promotion of civil engineering testing as a career.
- j) Support and promote the Laboratory Technician qualification for our industry.

Section 4 Qualification for Membership

- 4.1 Membership of the Society shall comprise Laboratory Managers, Technicians, Engineers, Scientists and others with suitable qualifications or experience who have an interest in Civil Engineering Testing.
- 4.2 Membership of the Society is also open to bona-fide full-time students of any tertiary institution in New Zealand who have an interest in the practice or application of Civil Engineering Testing.
- 4.3 Membership is in no way restricted to those eligible for membership of the Institution. The criterion for membership shall be an interest or involvement in the objectives of the Society.
- 4.4 Life Membership may be conferred as an honour for service to the Society on any person, whether or not he or she is a current member. Nominations shall be submitted to the Management Committee for consideration and the name of any Life Member circulated to members not less than fourteen days prior to the General Meeting at which such election is to take place. A Life Member shall not be required to pay subscriptions except where required for external costs.

Section 5 Application and Election to Membership

- 5.1 All applications for membership of the society shall be on an appropriate form (see appendix). Each prospective member shall on request supply details of occupation, professional qualifications, address and field of interest in Civil Engineering Testing. A candidate for admission who is not a member of the Institution must produce evidence of acceptable qualifications or experience and each case shall be treated on its merits.
- 5.2 In the case of a Student Member the application must also be countersigned by the student's Supervisor of Studies who thereby certifies that the applicant is a bona-fide full-time student of that Tertiary institution. Membership as a student will expire at the end of the financial year in which the student completes his or her studies or ceases to be a full-time student of any tertiary institution.
- 5.3 Admission to membership of the Society shall be subject to the approval of the Management Committee.

Section 6 Resignation and Re-Admission

- 6.1 Each member may, by notice in writing to the Society, resign membership after payment of all sums due in respect of subscriptions or otherwise.

- 6.2 Each person who has ceased to be a member may apply for re-admission and the Management Committee may approve such re-admission under such conditions as it may see fit to impose.

Section 7 Management of the Society

- 7.1 The affairs of the Society shall be managed by the Management Committee.
- 7.2 The Management Committee shall comprise not less than 5 and not more than 12 members of the Society. The Committee shall include the positions of Chairman, Vice-Chairman, Management Secretary, Treasurer and Immediate Past Chairman (for the year following his/her Chairmanship). The Committee may also nominate other positions in time that are required to carry out tasks in specific areas of interest. At the time of calling for nominations it shall be brought to the attention of the Society membership that the representation on the committee should be maintained as broad as possible.
- 7.3 There is no corporate membership.
- 7.4 The Chairman of the Management Committee shall be elected by and from the members of the Management Committee for a two year term. Consecutive terms beyond a four year term can be held by majority agreement committee vote.
- 7.5 The Vice-Chairman of the Management Committee shall be elected by and from the members of the Management Committee for a two year term. No person shall hold the office of vice-chairman for more than four consecutive years. The Vice-Chairman will undertake any duties normally carried out by the Chairman in their absence.
- 7.6 The Management Secretary shall be appointed by the Management Committee for a two year term and may be re-appointed for any number of consecutive years. The Management Secretary may be remunerated for services subject to an employment contract or an agreement for services.
- 7.7 Each of the elected members of the Management Committee shall be elected to serve for two years.
- 7.8 Each co-opted member of the Management Committee shall be appointed to serve for one year.
- 7.9 There is no time limit for membership on the management committee.
- 7.10 The Management Committee may fill a casual vacancy including a vacancy not filled at an election. Each member appointed to fill such vacancy shall hold office for the remainder of the term of the member of the Committee whom he or she replaces or of the term of the vacancy.
- 7.11 All members of the Management Committee shall have equal voting rights irrespective of whether the members are elected, co-opted, appointed or ex-officio.
- 7.12 Nominations in writing for elected members of the Management Committee shall be on a form supplied by the Society and must be signed by the member nominated and two other financial members. An email/postal ballot will be held where the number of nominations exceeds the number of vacancies (except conference where attendance exceeds 25% of members). The ballot shall be held prior to the Annual General Meeting.

Section 8 Powers of the Management Committee

- 8.1 The term of the Management Committee shall be from one Annual General Meeting to the second Annual General Meeting thereafter therefore on a biannual term. The Management Committee meets as often as the business of the Society may require, but not less than three times annually.
- 8.2 The quorum for the Management Committee will be two thirds for example, at least 8 of the 12 members.
- 8.3 The Management Committee shall be responsible to the members of the Society for the policy, code of ethics and administration of the Society. The Management Committee's powers shall include:
- a. Arranging conferences, seminars or symposia.
 - b. Establishing and maintaining a technical library, publishing newsletters and providing a technical forum for members and non-members.
 - c. Forming branches or specialist interest groups.
 - d. Establishing and maintaining liaisons with other organisations with similar objectives.
 - e. Appointing a Management Secretary and any other necessary staff, and deciding upon their conditions and remuneration.
 - f. Borrowing or otherwise raising money in such a manner as it thinks fit and securing repayment by the issue of debentures, mortgages or charges upon the whole or part of the assets of the Society.
 - g. Managing the financial affairs of the Society, including fixing annual subscriptions, controlling and investing Society funds and opening and operating and closing such bank accounts deemed necessary for the purposes of the Society.
 - h. Receiving, deliberating on and processing any reports of members working outside of the Code of Ethics.
- 8.4 The responsibilities and powers of the Management Secretary shall be specified by the Management Committee.
- 8.5 Members of the management committee must attend a minimum of 75% of full committee and relevant working group meetings each year. Failure to attend will result in that person automatically being stood down from the committee. If failure to attend is due to extenuating circumstances the management committee has the right to automatically vote the member back onto the committee

Section 9 Finance

- 9.1 The financial and subscription years shall be the same, commencing on 1 October and ending on 30 September in the following year.
- 9.2 Each full member of the Society, except if a Life Member, shall pay an annual subscription, the amount of which shall be determined by the Management Committee. The amount will be such that the income from subscriptions will cover:

- a) The annual contribution to the Institute for affiliation and administrative purposes.
 - b) Other normal expenses of the Society, for example the production of newsletters.
 - c) Any further affiliation fees that may be required by the Society and agreed upon by the Member.
- 9.3 The annual subscription shall be come due on 1 October for the financial year. Subscriptions are on a yearly basis only. No reduction will be given for membership for part of a year or because of changes in the nominated affiliation during the year. Unless joining in the last three months of the financial year when a \$50 membership fee will apply to cover the remainder of the years subscription.
- 9.4 Student Members will pay one third of the basic rate set for full society members. Student members will still be required to pay full affiliation rates for the Institute and any other nominated affiliations. These rates can be changed on a case-by-case basis on application to the committee. Unemployed Members can apply to the committee on the same basis as Student Members.
- 9.5 Any member whose annual subscription has not been paid by 1 April, shall be regarded as “in arrears of subscription” and the right of membership may be suspended until the arrears have been paid. If a member continues to be in arrears at the end of the financial year he or she will be automatically removed from the list of members.
- 9.6 The Treasurer shall handle all financial dealings of the Society, including the collection of subscriptions and shall keep a separate record of the accounts of the Society. At the discretion of the Management Committee, the Treasurer may utilise the services of the Institution or other suitable body to assist in handling the financial affairs of the Society and the Society shall pay any charges so arising.
- 9.7 The Management Committee shall maintain a record for each member of the Society noting in particular name, address, date of joining the Society and a record of the dates and amounts of subscriptions when these are paid. This information will be raised at each Committee meeting and minuted.
- 9.8 At the end of each financial year the Management Committee shall present an Annual Statement of accounts, which has been prepared by an independent Accountant. This shall be circulated to each member of the Society not less than 14 days before the Annual General Meeting and shall be laid before such meeting. If a minimum of 95 percent of members present and eligible to vote at the AGM agree, a resolution will be passed that the accounts for the following year do not require external audit.
- 9.9 The Management Committee shall prepare and Annual Report for the financial years, which shall be circulated to each member of the Society not less than 14 days before the Annual General Meeting and shall be laid before such meeting.
- 9.10 The Society will not make a profit with the intention of passing this profit on to some or all of the members.
- 9.11 The business activities of the Society shall be limited to within New Zealand.
- 9.12 In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Association must be disposed of in accordance with the provisions of the Act.

Section 10 Annual General Meeting

- 10.1 An Annual General Meeting of the Society shall be held once in each calendar year preferably during the month of September at such time and place as may be decided by the Management Committee. All meetings of the Committee or AGM will follow standard meeting conventions.
- 10.2 Notice of each Annual General Meeting of the Society shall be circulated to each member not less than 14 days before such meeting.
- 10.3 There shall be no quorum for the Annual General Meeting.
- 10.4 The business of the Annual General Meeting of the Society shall be to receive and consider the Annual Report and the Annual Statement of Accounts, to pass resolution whether to appoint auditors for the coming years accounts and to receive and confirm the Management Committee.
- 10.5 The meeting shall be chaired by the current Chairman or the current Chairman's appointee.

Section 11 Special General Meeting

- 11.1 A Special General Meeting of the Society may be called by the Management Committee if requisitioned by not less than ten financial members.
- 11.2 Notice of each Special General Meeting and of the nature of the business to be transacted thereat shall be circulated to each member not less than 14 days before such meeting.
- 11.3 The quorum for each Special General meeting shall be ten financial members.
- 11.4 The meeting shall be chaired by the current Chairman or the current Chairman's appointee.

Section 12 Voting at Meetings

- 12.1 Voters at Annual General Meetings or Special General Meetings shall be by financial members only and may be given in person, by proxy, or (subject to confirmation by the Management Committee) given by post. Written notice of an appointed proxy shall be prepared and signed by the appointee. Proxies may be assigned only to financial members who are qualified to vote. The proxy shall be exercised only for business or matters of which due notice has been given and shall be received by the Management Secretary prior to the commencement of the meeting. Postal votes shall only be valid if received by the Management Secretary by the date advised when calling the vote.
- 12.2 Each full or student member shall have the right to exercise one vote only on each motion before such meeting except in the case of equality of voting the Chairman may exercise a casting vote in addition to his or her deliberative vote.
- 12.3 Voting on any motion before such meeting shall be by the voices, except that any such member may require a show of hands and any ten percent of such members present may require a secret ballot.

- 12.4 A majority of the members voting shall decide any questions unless the Rules otherwise provide.

Section 13 Compliance with the Rules of the Society

- 13.1 Members of the Society shall be bound by the Rules of the Society and the form of application for membership shall contain a declaration in the following terms to be signed by each applicant:

“I believe myself to be a proper person to be a member of the Civil Engineering Testing Association of New Zealand Incorporated (CETANZ) and do hereby promise that, in the event of my admission, I will be governed by the Rules of the Society for the time being in force or as they may hereafter be amended and that I will promote the Objectives of the Society as far as may be in my power”.

Section 14 Code of Ethics of the Society

- 14.1 The integrity and serviceability of much of the civil infrastructure throughout our community is greatly influenced by the work practices of members of the association.

In order to maintain respect, recognition and trust from the various customers, authorities and the greater community, members are required to promote honourable, professional practice in application of their duties.

This requires loyalty to the community, employer, customers and relevant authority’s honesty and impartiality in professional practice constant endeavour to broaden knowledge and improve skill and expertise.

- 14.2 To these ends all members of the Association are required to give active support to the proper regulation of practice in the industry. They are also required to observe, apply, support, promote and advocate the rules of behaviour set out in the Code of Ethics and support other members in its observance. Members acting in accordance with this Code will have the support of the Association in a manner and to an extent determined by procedures and the Management Committee in each case.
- a. Members shall faithfully and diligently carry out their duties in the knowledge that their prime allegiance and duty is to the maintenance and promotion of the highest standards of practice in the geotechnical and construction materials testing industry and with the protection of the consumer being paramount.
 - b. Members shall continuously improve their knowledge of the industry by keeping informed about changes to relevant procedures, guidelines and associated

regulations and shall actively assist and encourage those under their direction to do likewise.

- c. Members shall without exception adhere to an agreed nominated job specification and associated referenced test procedures and guidelines and accept any agreed authorised interpretation of these specifications, test procedures and guidelines.
- d. Members shall conduct themselves so as to uphold the dignity and reputation of the industry and shall at all times avoid any action or situation which could impair their integrity or bring the Civil Engineering Testing Association of New Zealand Inc. into disrepute.
- e. Members shall, without fear or favour, perform all duties for which they are accountable with impartiality, honesty and practicality.
- f. Members shall maintain confidentiality with clients in the course of their business dealings and conduct all transactions in a professional and open manner.
- g. Members shall not act in any way which would injure the professional reputation of the Association or any member of the Association.
- h. Members shall at all times have proper regard for the objects of the Rules of Civil Engineering Testing Association of New Zealand Inc. and shall not take any action which does not comply with the policy of the Association or which conflicts with the Aims of the Association.
- i. Members uphold the right to a fair return for services rendered in relation to their clients, for labour and testing services provided as part of the construction materials testing industry.

Section 15 Compliance with the Code of Ethics of the Society

15.1 Members of the Society shall be bound by the Rules of the Society and the form of application for membership shall contain a declaration in the following terms to be signed by each applicant:

“I believe myself to be a proper person to be a member of the Civil Engineering Testing Association of New Zealand Incorporated (CETANZ) and do hereby promise that, in the event of my admission, I will be governed by the Code of Ethics of the Society for the time being in force or as they may hereafter be amended”.

Section 16 Compliance with the Rules of the Institution

16.1 The Society and its members shall comply with the Rules and Code of Ethics of the Institution as they exist at any time, except that where there is conflict the Society’s Rules shall take precedence.

Section 17 Alteration of Rules and Code of Ethics

- 17.1 Alteration to the Rules and Code of Ethics of the Society may be recommended by a majority vote of an Annual General Meeting, or a Special General Meeting. The notice of motion for alteration of the Rules or Code of Ethics shall be given to the Management Secretary not less than one month prior to the meeting.
- 17.2 No alteration, addition, decision or substitution which would alter the charitable nature of the Society shall be permitted.
- 17.3 No alteration, addition, decision or substitution which would conflict with the Act shall be permitted.

Section 18 Dissolution

- 18.1 The dissolution or liquidation of the Society can be accomplished only by a resolution passed by at least two thirds majority of all members of the Society.
- 18.2 On winding up, the surplus funds of the Society shall be distributed by the Management Committee for charitable purposes within New Zealand after all liabilities, debts etc have been met.

Section 19 Common Seal

- 19.1 The Society shall have a common seal, which shall be kept in the custody and control of the Management Secretary. The Society shall execute any document so required by the Act or pursuant to a resolution of the Society passed for that purpose by fixing the common seal in the presence of two members of the management committee.