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General Interpretation

Act means the New Zealand Public Health and Disability Act 2000.

Advisory Committee means a Committee established as such pursuant to the Act.

Agenda means the document listing the items for consideration at a Board or Board Committee meeting.

Board means the Board of the DHB which is established pursuant to the Act.

Board Committee means:

- (a) The three advisory Committees established pursuant to the Act; and
- (b) Committees appointed by the Board under Clause 39, Schedule 3 of the Act.

Chairperson means:

- (a) In the case of the Board, the person appointed by the Minister of Health pursuant to the Act: or
- (b) In the case of Board Committees, the person appointed by the Board pursuant to the Act.

Clear working days mean:

- (a) The number of working days prescribed in these Standing Orders for the giving of a notice; and
- (b) Excluding the date of service of that notice and the date of the meeting the subject of that notice.

Deputation means a request from any interest group in the community to make a presentation to the Board or Board Committee.

Deputy Chairperson means:

- (a) In the case of the Board, the person appointed by the Minister of Health pursuant to the Act: or
- (b) In the case of the Board Committees, the person appointed by the Board pursuant to the Act.

DHB means Counties Manukau District Health Board (“Counties Manukau Health”) established pursuant to the Act and responsible for delivering health and disability services to a specified geographical area.

Emergency meeting means a meeting called by the Chairperson or, if the Chairperson is unavailable, a person authorised by the Board, to deal with matters specified by the Chairperson or a person authorised by the Board, being matters that require a meeting to be held at shorter notice than can be given under the Act which relates to special meetings.

Meeting means any first, scheduled, special or emergency meeting of a Board or Board Committee. At any meeting of the Board or Board Committee at which no resolutions or decisions are made, the provisions of these Standing orders regarding public access and notification need not apply.

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Member means any person elected or appointed to the Board or Board Committee and includes any appointed Chairperson or Deputy Chairperson.

Minister means the Minister of Health.

Minutes means any Minutes or other record of the proceedings of any meeting of the Board or Board Committee.

Scheduled meeting means any meeting publicly notified by the Board or Board Committee in accordance with the Act.

Presiding Member means:

- (a) At each meeting of the Board or Board Committee the Chairperson of the Board or Board Committee presides, if he or she is present and willing to do so.
- (b) If the Chairperson of the Board or Board Committee is not present or willing to preside at a meeting of the Board or Board Committee, the Deputy Chairperson of the Board or Board Committee presides, if he or she is present and willing to do so.
- (c) If neither the Chairperson nor the Deputy Chairperson of a Board or Board Committee is present and willing to preside at a meeting of the Board or Board Committee, the members present must elect a member who is present to preside at the meeting.

Public excluded information includes:

- (a) Information, which is currently before a public excluded session, is proposed to be considered at a public excluded session, or had previously been considered at a public excluded session (other than information subsequently released by the Board or Board Committee as publicly available information);

Public excluded session refers to those meetings or parts of meetings from which the public is excluded by the Board or Board Committee provided for in the Act.

Publicly notified means to give the resident population of the DHB notice by advertisements in one or more newspapers circulating in the district of the DHB, or by advertisement of that kind and any one more of the following means:

- (a) Printed placards affixed to public places in that district;
- (b) Radio or television broadcasts;
- (c) Notices available on the Internet, or given by any other electronic means.

Quorum at any meeting of the Board or Board Committee means half the members (including vacancies) if the number of members is even, and a majority if the number is odd.

Special meeting means a meeting called pursuant to a resolution of the Board or Board Committee or a requisition in writing delivered to a person authorised by the Board and signed by the Chairperson.

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Working day means any day of the week other than:

- (a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, the Sovereign's Birthday, and Labour Day, and
- (b) A day in the period commencing with the 25th day of December in any year and ending with the 2nd day of January in the following year; and
- (c) If 1 January falls on a Friday, the following Monday; and
- (d) If 1 January falls on a Saturday or a Sunday, the following Monday and Tuesday.

1. Introduction

- 1.1 The DHB Board shall adopt a set of Standing Orders for the conduct of its meetings and those of its Board Committees. The Standing Orders adopted are not permitted to contravene any provisions of the New Zealand Public Health and Disability Act 2000 ("the Act").
- 1.2 After the adoption of the first Standing Orders, the adoption or amendment of Standing Orders requires in every case a vote of three quarters of the members present.

2. Application of Standing Orders

- 2.1 These Standing Orders shall, so far as applicable, extend to the proceedings of the Board, and the Board Committees. These Standing Orders are made pursuant to clauses 30 and 39(3), Schedule 3 of the Act.
- 2.2 Any meeting which has been properly constituted as a meeting at which no resolutions or decisions are made or passed shall not need to apply any provision of these Standing Orders relating to the making of decisions and the passing of resolutions.

3. First Meeting

- 3.1 The first meeting shall be called by a person authorised by the Board as soon as practicable. This meeting is chaired by a person authorised by the Board.
- 3.2 At the first meeting, the Board shall provide members with information and training, pursuant to the Act, on:
 - (a) The New Zealand Public Health and Disability Act 2000;
 - (b) Meeting procedures and Standing Orders;
 - (c) Obligations and duties of members;
 - (d) Health profile – deprivation within Counties Manukau DHB including Maori Health and Pacific Health issues;
 - (e) Treaty of Waitangi issues;
 - (f) Maori groups and organisations in the district of the Counties Manukau DHB;
 - (g) Pacific groups and organisations in the district of the Counties Manukau DHB; and
 - (h) Other laws affecting members.
- 3.3 A person authorised by the Board may arrange further training for members if required and must ensure an up to date Interests Register is maintained to record all disclosures of interest.
- 3.4 Every member shall give to a person authorised by the Board a residential or business address together with, if desired, a facsimile,

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email or other address to which notices and materials relating to meetings and DHB business may be sent or delivered.

4. Presiding Member

- 4.1 All appointed Chairpersons shall preside at every meeting if they are present and willing to do so. If the Chairperson is not present or willing to preside at a meeting the Deputy Chairperson shall preside if he or she is present and willing to do so. If neither the Chairperson nor the Deputy Chairperson is present and willing to preside at a meeting, the members present at the meeting must elect a member who is present to preside at the meeting.
- 4.2 The person in the Chair is to be addressed in such terms as denotes the statutory office of that person, the choice of mode of address being as determined by that person.

5. Board Committees

- 5.1 The Board may appoint Board Committees according to clause 39, schedule 3 of the Act.
- 5.2 The Board may appoint a Chairperson and Deputy Chairperson to any Board Committees it establishes.
- 5.3 Every Board Committee is subject in all things to the control of the Board and is required to carry out all directions of the Board given in relation to the committee or its affairs. However, nothing in this Standing Order entitles the Board to rescind or amend a decision made by a Board Committee in accordance with a delegation authorising the making of the decision.

6. Advisory Committees

- 6.1 The Board must appoint three advisory committees pursuant to the Act:
- (a) The Community and Public Health Advisory Committee;
 - (b) The Disability Support Advisory Committee; and
 - (c) The Hospital Advisory Committee.
- 6.2 The Board must appoint a member of each advisory committee as Chairperson of each committee.
- 6.3 The Board may appoint another member of each advisory committee as Deputy Chairperson of each committee.

7. Powers of Delegation

- 7.11 The Board may delegate to a Board Committee, a member or employee of the Board, or person or class approved by the Minister, any of the functions, duties, or powers of the Board or DHB, according to clause 40, schedule 3 of the Act.
- 7.2 The Board must formulate a policy for the exercise of its powers of delegation under clause 40 of Schedule 3 of the Act. The policy must be regularly reviewed. The policy and any amendments must be approved by the Minister before they come into force. The policy must be made available to the public.
- 7.3 Any delegation made under clause 40 of Schedule 3 of the Act must comply with the delegation policy.
- 7.4 The delegate to which any powers or duties are delegated may, unless the delegation provides otherwise, exercise the power in the same

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manner, subject to the same restrictions, and with the same effect as if the delegate was the Board.

- 7.5 The delegate must not delegate the function, duty or power except in accordance with the provisions of the delegation or with the written consent of the Board.
- 7.6 The delegation is revocable at will and does not prevent the Board or DHB from performing the function or duty, or exercising the power.
- 7.7 A delegate under clause 7.1 who is interested in a transaction of the DHB may not perform a function or duty, or exercise a power, under the delegation, if the function, duty or power relates to the transaction, unless prior written consent is received from the Board.
- 7.8 Every Board Committee shall, unless sooner discharged, be deemed to be discharged on the coming into office of the members of the Board following the next triennial election.

8. Proceedings not invalidated by vacancies or irregularities

- 8.1 No act or proceedings of a Board or Board Committee are invalidated in consequence of there being any vacancy in the membership of the Board or Board Committee at the time of that act or proceeding, or of the subsequent discovery that there was some defect in the election or appointment of any person so acting, or that he or she was or is incapable of being a member.

9. Notification of Meetings to Board and Board Committee Members

- 9.1 A person authorised by the Board shall give written notice to each member of the time and place of the meeting of the Board or Board Committee that they are a member of, as soon as practicable before the meeting is to be held.
- 9.2 No scheduled, special or emergency meeting is invalid because:
- (a) notice of that meeting was not received; or
 - (b) was not received in due time;
- by any member unless it is proved that the person responsible for giving notice of the meeting acting in bad faith or without reasonable care and the member concerned did not attend the meeting. Any member may waive any requirement regarding the giving of notice of a meeting to that member.
- 9.3 Where a Board or Board Committees adopts a schedule of meetings:
- (a) The schedule may cover such future period as the Board or Board Committee considers appropriate and may be amended from time to time, and
 - (b) Notification of the schedule or any amendment shall constitute notification of every meeting or amendment.

10. Notification of Meetings to the Public

- 10.1 The public shall be notified of meetings of the Board and Board Committee pursuant to the Act.
- 10.2 No meeting of the Board or Board Committee shall be invalid just because it was not publicly notified according to the Act.
- 10.3 If it is necessary to cancel a scheduled meeting, all reasonable effort will be taken to notify members and the public.

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11. Special and Emergency Meetings

- 11.1 The Board and Board Committees may hold Special meetings:
- (a) By passing a resolution; or
 - (b) By a requisition in writing delivered to a person authorised by the Board, specifying the time and place at which the meeting is to be held and the business to be brought before the meeting, and signed:
 - i. by the Chairperson; or
 - ii. by not less than one third of the total membership of the Board or Board Committee (including vacancies),
- 11.2 Emergency meetings of a Board or Board Committee may be called by the Chairperson, or if the Chairperson is unavailable by a person authorised by the Board, to deal with matters specified by the Chairperson or a person authorised by the Board, which require shorter notice than required by Clause 16 Schedule 3 of the Act.
- 11.3 Notice of the time and place of the Special or Emergency meetings and of the matters in respect of the meeting which is being called is to be given, by whatever means is reasonable in the circumstances, to every member of the Board or Board Committee and to a person authorised by the Board as soon as practicable before the meeting is held.
- 11.4 If a resolution is passed at an emergency meeting of the Board, the Board must publicly notify the resolution as soon as practicable, unless it was passed at a meeting or part of a meeting from which the public was excluded.

12. Agenda and Reports

- 12.1 A person authorised by the Board shall send Agendas and relevant reports to members of the Board or Board Committee as soon as practicable before the meeting.
- 12.2 Agendas and reports shall be made available to the public and the news media at least two working days before every meeting.

13. Admission of Public

- 13.1 All meetings shall be open to the public except where otherwise provided by the Act.
- 13.2 All information provided to members shall be available to the public unless a specific provision of the Act applies.

14. Minutes

- 14.1 Every Board or Board Committee shall keep Minutes of its proceedings, and Minutes of proceedings duly entered and authenticated as prescribed by the Board or Board Committees and shall be prima facie evidence of those proceedings.
- 14.2 A person authorised by the Board shall keep the Minutes of meetings. The Minutes shall record the date, time and venue of the meeting; the names of those members and DHB employees present; identification of the Chairperson, apologies tendered including arrival and departure times; any failure of a quorum; a list of speakers under public comment and the topics they cover; a list of items considered; resolutions pertaining to those items; any objections to the words used; all divisions

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taken; names of any members abstaining from voting; declarations of interest; contempt; censure and removal of any members; resolutions to exclude members of the public; and the time that the meeting concludes or adjourns.

- 14.3 The Minutes and proceedings of every meeting shall be circulated to members and considered at the next meeting succeeding, and, if approved by that meeting, or when amended as directed by that meeting, shall be signed by the Chairperson of such succeeding meeting.
- 14.4 No decision shall arise on the substance of the Minutes at the succeeding meeting, except as to their correctness.
- 14.5 The minute books of the Board and Board Committees shall be kept by a person authorised by the Board. The Minutes of the meetings shall be made available to the public according to the Act.
- 14.6 The Chairperson shall be responsible for confirming the correctness of the Minutes of the last meeting of the Board and Board Committees prior to the next election of members.
- 14.7 A person authorised by the Board shall 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 either the Official Information Act 1982 or clause (1) (b) of principle 6 of the Privacy Act 1993.

15. Reasons to Exclude Public

- 15.1 A Board or Board Committee may by resolution exclude the public from the whole or part of the proceedings of any meeting only on one or more of the grounds specified in the Act (Appendix 1)
- 15.2 Any resolution to exclude the public shall be in the form prescribed in Appendix 2 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.
- 15.3 Every motion to exclude the public shall be put at a time when the meeting is open to the public, and copies of the text of that resolution shall be available to any member of the public who is present. The resolution then forms part of the Minutes of the Board or Board Committee.
- 15.4 A resolution in accordance with Standing Order 15.3 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 Board or Board Committee, knowledge that will assist the Board or Board Committee. Any such resolution is required to state the knowledge possessed by those persons which 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 a person authorised by the Board and their nominee/s during a public excluded session.

16. Application of Standing Orders to Public Excluded Session

- 16.1 Standing orders apply to meetings or parts of meetings from which the public has been excluded.

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17. Use of Public Excluded Information

17.1 Subject to the provisions of the Official Information Act 1982 and the Act, no member, officer or other person is permitted to disclose to any person, other than a member or officer, any information which has been or is to be presented to any meeting from which the public is properly excluded, or where it is proposed that the public be properly excluded. No discussion, deliberations or decisions are to be divulged following any such meeting except by way of release of information by the Board or Board Committee.

18. Suspension of Standing Orders

18.1 The Board or Board Committee may temporarily suspend Standing Orders during a meeting by a vote of three quarters of the members present and voting. The reason for the suspension and the specific orders(s) suspended shall be stated in the resolution of suspension.

19. Conduct of Meetings

19.1 The Chairperson is to decide all questions where these Standing Orders make no provision or insufficient provision, and all points of order and any member who refuses to obey any order or ruling of the Chairperson will be held guilty of contempt.

19.2 Whenever the Chairperson rises during a debate any member then speaking or offering to speak is to be seated, and members are to be silent so that the Chairperson may be heard without interruption.

19.3 Members desiring to speak at scheduled meetings are to rise in their place and address the Chairperson, and may not leave their place while speaking without the leave of the Chairperson. Members may remain seated when speaking at Special meetings and at Board Committee meetings.

19.4 When two or more members rise to speak, the Chairperson is to name the member who has the right to speak first, provided that the following members all have precedence, where in order, when they rise and state their intention to:

- (a) Raise a point of order, including any request to obtain a time extension for the previous speaker;
- (b) Move a motion to terminate or adjourn the debate; or
- (c) Make a point of explanation or request an indulgency of the Chairperson.

19.5 A member may address the Chairperson in English or Maori. The Chairperson may order that a speech be translated and printed in another language.

19.6 Where any meeting has sat for more than six hours or beyond 10.30pm it may be resolved that the meeting shall terminate within 30 minutes of the time of the passing of any resolution and, in either case, any business on the Agenda not dealt with shall be listed for attention at the next scheduled meeting or special meeting; provided always that no motion to terminate any meeting within 30 minutes is to be moved earlier than 30 minutes after any previous motion to that effect has failed.

19.7 Representatives of news media are entitled to attend any meeting or any part of the meeting where the public is not excluded for the purpose

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of reporting it for any news media. News media are asked to notify their presence to the Chairperson prior to the commencement of the meeting as a courtesy. No recording by television or video or audio or photography may occur unless approved by the Chairperson prior to the commencement of the meeting.

- 19.8 Members called to order by the Chairperson are to resume their seats and/or stop speaking, as the case may be. Should any member refuse to obey, such member may be directed by the Chairperson to withdraw from the meeting. Upon such direction, any such member is to withdraw and shall not be permitted to return during the meeting, or any period of that meeting that the Chairperson may determine.
- 19.9 No member of the Board or Board Committee at any meeting may be disrespectful in speech or use offensive or malicious language, including in reference to the DHB, any other member, or any officer or employee of the DHB. In addition, no member may impute improper motives or make offensive remarks about the private affairs of any other member of the Board or Board Committee or DHB employees.
- 19.10 The Chairperson may call upon any member to withdraw any offensive or malicious expression and may require the member to apologise for the expression.
- 19.11 Any member who refuses to withdraw the expression or apologise, if required by the Chairperson, can be directed to withdraw from the meeting for a time specified by the Chairperson.
- 19.12 The Chairperson may require any member whose conduct is disorderly or who is creating a disturbance to withdraw immediately from the meeting for a time specified by the Chairperson.
- 19.13 The Chairperson may ask the meeting to hold in contempt any member whose conduct is grossly disorderly.
- 19.14 Where the meeting resolves to find the member in contempt that resolution shall be recorded in the Minutes.
- 19.15 If any member who is required in accordance with a Chairperson's requirement to leave the meeting refuses or fails to do so or having left the meeting attempts to re-enter without the permission of the Chairperson, any constable or employee of the DHB may, at the Chairperson's request, remove or exclude the member from the meeting.

20. Disclosure of Member's Interest

- 20.1 A member of the Board who is interested in a transaction of the DHB must, as soon as practicable after the relevant facts have come to the member's knowledge, disclose the nature of the interest to the Board.
- 20.2 A member of the Board who makes a disclosure must not (unless Standing Order 20.4 applies, or the Minister, by waiver or modification of the application of clause 38A of the Act):
- (a) take part, after the disclosure in any deliberation or decision of the board relating to the transaction; or
 - (b) be included in the quorum for any such deliberation or decision
- 20.3 A disclosure under this clause must be recorded in the Minutes of the next meeting of the Board concerned and entered in a separate Interests Register maintained for the purpose.

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- 20.4 However, a member who makes a disclosure under Schedule 3 Clause 38 of the Act may take part in any deliberation (but not any decision) of the Board or Board Committee relating to the transaction concerned if a majority of the other members of the Board or Board Committee permits the member to do so.
- 20.5 If Standing Order 20.4 applies, the Board or Board Committee must record in the Minutes of its next meeting:
- (a) the statement completed by the member under section 36 (6) or clause 6 of Schedule 2 of the Act is incorporated in the Interests Register maintained under Standing Order 20.3; and
 - (b) any relevant change in the members' circumstances affecting a matter disclosed in that statement is entered in that register as soon as practicable after the change occurs.

21. Quorum

- 21.1 No authority, power, or discretion of a Board or Board Committee can be exercised, and no business of a Board or Board Committee can be transacted, at any meeting of the Board or Board Committee, unless the quorum of members of the Board or Board Committee is present at the meeting.
- 21.2 Unless altered by the Minister, the quorum of members of a Board or Board Committee is:
- (a) if the total number of members of the Board or Board Committee is an even number, half that number: but
 - (b) if the total number of members of the Board or Board Committee is an odd number, a majority of the members.
- 21.3 A member who has declared an interest under clause 38 of Schedule 3 of the Act in relation to a transaction must not, for the purposes of that transaction, be counted for the purposes of the quorum unless the Minister has waived or modified the application of clause 38.
- 21.4 Vacancies in the appointed membership of the Board or Board Committee must not be counted. Vacancies in the elected membership of the Board or Board Committee after any election of members of a Board or Board Committee must not be counted.

22. Failure of a Quorum

- 22.1 If a meeting is short of a quorum at its commencement, or falls short of a quorum, the business is to stand suspended and, if no quorum is present within 20 minutes, the Chairperson is to vacate the chair and the meeting shall lapse.
- 22.2 The business remaining to be disposed of following the lapsing of a meeting is to stand adjourned until the next scheduled meeting unless an earlier meeting is fixed by the Chairperson and notified by a person authorised by the Board.
- 22.3 If a meeting lapses by reason of failure of a quorum, the names of the members then in attendance, and the fact of the adjournment is to be recorded by a person authorised by the Board.

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23. Order of Business

- 23.1 Notwithstanding anything to the contrary contained in these Standing Orders, and after the confirmation of the Minutes of the previous meeting, the Chairperson as a matter of urgency, or the Board or Board Committee on a motion duly passed without debate, may accord precedence to any business set down on the Agenda for consideration.
- 23.2 Board and Board Committee meetings shall proceed according to the sequence on the Agenda unless a resolution is passed altering the order of items.
- 23.3 A person authorised by the Board shall indicate on the Agenda any matters for which they consider the Board or Board Committee is likely in their opinion to wish to exclude the public in terms of the Act. The reports or papers associated with matters excluding the public shall only be distributed to the Board or Committee members and will not be made available to the public with the other information relating to the meeting.
- 23.4 Only business on the Agenda may be transacted at any meeting. Where an item is not on the Agenda for a meeting, that item may be dealt with at that meeting if:
- (a) The Board or Board Committee by resolution so decides; and
 - (b) The presiding member explains at the meeting at a time when it is open to the public:
 - (i) the reason why the item is not on the Agenda; and
 - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.
- 23.5 Where an item is not on the Agenda for a meeting:
- (a) That item may be discussed at that meeting if:
 - (i) That item is a minor matter relating to the general business of the Board or Board Committee; and
 - (ii) The presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
 - (b) No resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the Board or Board Committee for further discussion.
- 23.6 All scheduled or Special Meetings of the Board or Board Committee shall continue until the completion of business on the Agenda for the meeting provided, however, that where any meeting has continue for more than six hours or beyond 10.30pm, the Board or Board Committee may resolve that any business on the order paper and not dealt with shall be adjourned to the next scheduled meeting or special meeting.

24. Rules of Debate

- 24.1 A member may second a motion or amendment without speaking to it; reserving the right to speak later in the debate.
- 24.2 In speaking to any motion or amendment, members are to confine their remarks strictly to such motion or amendment, and shall not introduce irrelevant matter or indulge in tedious repetition. In this matter, the Chairperson's ruling is final and not open to challenge.

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- 24.3 If three speakers have spoken consecutively in support of, or in opposition to a question, the Chairperson shall call for a speaker to the contrary. If no such speaker is forthcoming and after the mover has had the right of reply, the question shall be put. Members speaking shall, if so called upon by the Chairperson, announce whether they are speaking in support of or against the motion or amendment being debated.
- 24.4 When any member objects to words used and desires them to be recorded in the Minutes, the Chairperson may so order them to be recorded, provided such objection be made at the time the words were used and not after any other members have spoken.
- 24.5 Members may read their speeches with the permission of the Chairperson.
- 24.6 The following time limits apply to members speaking at Board or Board Committee meetings, unless extended by a majority vote of members present:
- (a) Movers of motions when speaking to the motion, ten minutes;
 - (b) Movers of motions, when exercising their right of reply, five minutes;
 - (c) Other members, not more than five minutes.
- 24.7 Except in accordance with Standing Orders 24.9 (right of reply), 24.12 (personal explanation) and 24.13 (explanation of previous speech), a member is not permitted to speak more than once to a motion.
- 24.8 Members may request the Chairperson to restate the motion for their information at any time during the debate, but not so as to interrupt.
- 24.9 The mover of an original motion (not an amendment) has a right of reply. After the mover has commenced such reply, or has intimated the wish to forego this right, or having spoken to an amendment to the motion and the Chairperson has intimated his intention to put the motion, no other member may speak on the motion. Movers in reply are not to introduce any new matter and shall confine themselves strictly to answering previous speakers.
- 24.10 The right of reply is governed as follows:
- (a) Where no amendment has been moved, the mover may reply at the conclusion of the discussion on the motion;
 - (b) If there is an amendment, the mover of the original motion may make such reply at the conclusion of the debate on such amendment, and this reply exhausts their rights as mover of the original motion (see Standing Order 23.9), provided that the mover may reserve such right of reply. The mover may, however, take part in the discussion upon subsequent amendments.
- (NOTE: A right of reply can be exercised at either the end of the debate on an original motion or at the end of the debate on an amendment. Only the mover of an original motion has a right of reply and that right can only be used once. In addition to a right of reply, the mover of an original motion may reserve a right of reply and speak once to an original motion and once to each amendment without losing that right of reply.)*
- 24.11 Members may speak to any matter before the meeting or upon a motion or amendment to be proposed by themselves, or upon a point of order arising out of debate, but not otherwise.

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- 24.12 Notwithstanding Standing order 24.7, members may make a personal explanation with the permission of the Chairperson, but such matters may not be debated.
- 24.13 With the permission of the Chairperson, explanation of some material part of a previous speech in the same debate may be given by a member who has already spoken, but new matter may not be introduced.

25. Motions and Amendments

- 25.1 All motions or amendments moved at Board or Board Committee meetings must be seconded, following which the Chairperson will state the matter raised and propose it for discussion.
- 25.2 Once motions or amendments have been seconded and put to the meeting by the Chairperson they cannot be withdrawn without the consent of the majority of the members present and voting. A motion to which an amendment has been moved or seconded cannot be withdrawn until the amendment is withdrawn or lost.
- 25.3 The meeting may allow a motion, which is subject to an amendment to be withdrawn and replaced by the amendment as the substituted motion, provided the mover and seconder of the original motion agree to the withdrawal of the original motion. In such circumstances, members who have spoken to the original motion may speak again to the substituted motion.
- 25.4 The Chairperson may require movers of motions or amendments to provide them in writing signed by the mover.
- 25.5 The Chairperson or any member may require a motion expressed in parts to be decided part by part.
- 25.6 When a motion has been seconded and proposed by the Chairperson for discussion, an amendment may be moved and seconded by any member who has not spoken to the motion, whether an original motion or a substituted motion. The mover or seconder of a motion for the adoption of the report of a Board Committee who desires to amend any item in the report may also propose or second an amendment.
- 25.7 Amendments which are proposed but not seconded are not in order and are not entered in the Minutes.
- 25.8 No further amendments shall be allowed until the first amendment is disposed of, although members may give notice to the Chairperson of their intention to move further amendments and the tenor of their content.
- 25.9 Where an amendment is lost, another may be moved and seconded by any members who have not spoken to the motion, whether any original motion or substituted motion. Movers and seconders of previous amendments which were lost are regarded as having spoken to the motion only and are entitled to speak to the new amendment, but are not entitled to move or second the new amendment.
- 25.10 Where an amendment is carried, the motion as amended becomes the substantive motion, and any member, other than previous movers or seconders in the debate, may then propose a further amendment.
- 25.11 Every proposed amendment must be relevant to the motion under discussion and not be in similar terms to an amendment which has been lost.

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- 25.12 No amendment which amounts to a direct negative is to be allowed which, if carried, would have the same effect as negating the motion.
- 25.13 Members moving or seconding amendments shall be regarded as speaking to the original motion and may not, after their amendment has been disposed of, move or second further amendments. They may speak to other amendments.
- 25.14 The procedures in Standing Orders 25.6 and 25.8 shall be repeated until a resolution is adopted.
- 25.15 If three speakers have spoken consecutively in support of or in opposition to a question, the Chairperson shall call for a speaker to the contrary. If no such speaker is forthcoming, and after the mover has had the right of reply, the question shall be put. Members speaking shall, if so called upon by the Chairperson, announce whether they are speaking in support of or against the motion or amendment being debated.
- 25.16 A flow chart illustrating the process regarding motions and amendments is included as Appendix 4.
- 25.17 A notice of motion for the revocation or alteration of all or part of a previous resolution of the Board or Board Committee is to be given to a person authorised by the Board by the member intending to move such a motion.
- (a) Such notice is to set out:
 - (i) The Resolution or part thereof which it is proposed to revoke or alter;
 - (ii) The meeting date when it is passed; and
 - (iii) The motion, if any, that is intended to be moved in substitution thereof.
 - (b) Such notice is to be given to a person authorised by the Board at least five clear working days before the meeting at which it is proposed to consider such a motion and is to be signed by no less than one third of the members of the Board or Board Committee, including vacancies.
 - (c) A person authorised by the Board shall then give members at least two clear working days' notice in writing of the intended motion and of the meeting at which it is proposed to move such.
- 25.18 Where a notice of motion has been given in terms of Standing Order 25.17 no action which is irreversible shall be taken under the resolution which is proposed for revocation or alteration until the proposed notice of motion has been dealt with by the Board or Board Committee, provided that if, in the opinion of the Chairperson:
- (a) the practical effect of the delay would be equivalent to a revocation of the resolution, or if;
 - (b) by reason of repetitive notices the effect of the notice is an attempt by a minority to frustrate the will of the Board or Board Committee;
- then, in either case, action may be taken as though no such notice to a person authorised by the Board had been given or signed.
- 25.19 If, during the course of a meeting of the Board or Board Committee, fresh facts or information are received concerning a matter already resolved at the meeting, the previous resolution may be revoked or altered by the consent of three quarters of the members then present and voting.

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- 25.20 A Board or Board Committee meeting may, on a recommendation contained in a report by the Chairperson or a person authorised by the Board, or the report of any Board Committee, revoke or alter all or part of resolutions previously passed at meetings. At least two clear working days' notice of any meeting to consider such a proposal shall be given to members, accompanied by details of the proposal to be considered.
- 25.21 The Chairperson may, immediately prior to any division being taken, request a person authorised by the Board to restate the motion upon which the division is to be taken.
- 25.22 Members shall not speak on any motion once the mover has commenced replying or where the Chairperson has commenced putting the question.
- 25.23 In speaking in any debate no member is to cast reflection on any resolution of the Board or Board Committee except by a notice of motion to amend or revoke the same.

26. Notices of Motion

- 26.1 Notice of motion shall be in writing signed by the mover, stating the meeting at which it is proposed that the notice of motion be considered, and shall be delivered to a person authorised by the Board at least five clear working days before such meeting, unless the Chairperson decides less notice would be reasonable after having regard to the nature of the motion.
- 26.2 The Chairperson may direct a person authorised by the Board to refuse to accept any notice of motion which:
- is disrespectful or which contains offensive language or statements made with malice; or
 - is not related to the role or functions of the Board or Board Committee; or
 - contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as a person authorised by the Board may make; or
 - is concerned with matters which are already subject of report or recommendations from a Board Committee to the meeting concerned.
- 26.3 Notices of motion shall not proceed in the absence of the mover, unless moved by another member authorised in writing by the mover to do so.
- 26.4 A notice of motion may be altered only by the mover with the consent of the meeting. No member authorised in writing by the mover to do so.
- 26.5 Notices of motion not moved on being called for by the Chairperson will lapse.
- 26.6 Any notice of motion referring to any matter ordinarily dealt with by a Board Committee may be referred to that Board Committee by a person authorised by the Board. Where such notices are so referred, the mover of the motion shall, if not a member of that Board Committee, have the right to move that motion, and of reply, as if a Board Committee member.

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27. Repeat Notices of Motion

- 27.1 When a motion which is the subject of a notice of motion has been considered and rejected by the Board or Board Committee, no similar notice of motion which, in the opinion of the Chairperson, is substantially the same in purport and effect shall be accepted within the next six months unless signed by not less than one third of all members, including vacancies.
- 27.2 If such a repeat notice of motion as provided for in Standing order 27.1 is also rejected by the Board or Board Committee, any further notice prior to the expiration of the original period of six months needs to be signed by a majority of all members, including vacancies.
- 27.3 Where a notice of motion has been considered and agreed by the Board or Board Committee, no notice of any other motion which is, in the opinion of the Chairperson, to the same effect may be put again whilst such original motion stands.

28. Procedural Motions to Terminate or Adjourn Debate

- 28.1 Any member who has not spoken on the matter under debate may move any one of the following procedural motions to terminate or adjourn debate, but not so as to interrupt a member speaking:
- That the meeting be adjourned to the next scheduled meeting, unless an alternative time and place is stated; or
 - That the item of business being discussed be adjourned to a time and place to be stated; or
 - That the motion under debate be now put (a “closure motion”); or
 - That the meeting move directly to the next business, superseding the item under discussion; or
 - That the item of business being discussed does lie on the table, and not be further discussed at that meeting; or
 - That the item of business being discussed be referred (or referred back) to the relevant Board Committee.
- 28.2 The Chairperson may accept a closure motion if there have been not less than two speakers for and two speakers against the motion, or, if there are no such speakers, in the Chairperson’s opinion, it is reasonable to do so.
- 28.3 Procedural motions to terminate or adjourn debate shall be determined by a majority of those members present and voting. If lost, a further procedural motion to terminate or adjourn debate may not be moved by any member within the next 15 minutes.
- 28.4 All procedural motions to terminate or adjourn debate shall be determined by a majority of those members present and voting. If lost, a further procedural motion to terminate of adjourn debate may not be moved by any member within the next 15 minutes.
- 28.5 Notwithstanding Standing Order 28.4 a closure motion shall be put if there is no further speaker in the debate.
- 28.6 When an amendment to a motion is under debate, a closure motion relates to the amendment and not to the motion.
- 28.7 If a closure motion is carried, the mover of the motion then under debate is entitled to the right of reply, and the motion or amendment under debate is then to be put.

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- 28.8 The debate on adjourned items of business is to be resumed with the mover of such adjournment being entitled to speak first in the debate. Members who have already spoken in the debate may not speak again.
- 28.9 Adjourned items of business are to be taken first at the subsequent meeting in the class of business to which they belong.
- 28.10 The carrying of any motion to adjourn a meeting will not supersede other business before the meeting remaining to be disposed of, and such other business is to be considered at the next meeting.
- 28.11 Business referred, or referred back, to a specified Board Committee is to be considered at the next scheduled meeting of that Board Committee.
- 28.12 A table of procedural motions is included as Appendix 5.

29. Points of Order

- 29.1 Any member may rise to speak to a point of order upon any breach of these Standing Orders and the member previously speaking is to be seated and stop speaking.
- 29.2 The member rising is to state with explanation precisely the subject matter of the point of order.
- 29.3 No point of order shall be raised during a division except by the permission of the Chairperson.
- 29.4 The following are recognised as substance for points of order:
- (a) Where disorder is drawn to the attention of the Chairperson; or
 - (b) Use of disrespectful, offensive or malicious language; or
 - (c) Discussion of a question not before the Board or Board Committee; or
 - (d) Misrepresentation of any statement made by a Board member or Board Committee member or by an officer or employee of the DHB; or
 - (e) Breach of any Standing Order; or
 - (f) Request that words objected to be recorded in the Minutes.
- 29.5 Rising to express a difference of opinion or to contradict a statement of a previous speaker does not constitute a point of order.
- 29.6 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 is not open to any discussion and shall be final.

30. Voting

- 30.1 All questions arising at any meeting of a Board or Board Committee must be decided by a majority of the votes cast by the members present.
- 30.2 If a vote is tied, the presiding member at the meeting has no second or casting vote, and the question is negative.
- 30.3 Every question coming before the Board or Board Committee shall be decided by open voting.
- 30.4 Any member may abstain from voting and have their abstention recorded in the Minutes where requested.
- 30.5 The method of voting shall be as follows:
- (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 is announced by the Chairperson, shall be

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conclusive unless such announcement is questioned immediately by any member, in which even the Chairperson shall call a division.

- (b) Chairperson or any member may call for a division instead of or after receiving opinion on the voices and taking a show of hands.
- 30.6 When a division is called, a person authorised by the Board shall take down the names of the members voting for and against the motion and is to hand the list to the Chairperson who shall declare the result.
- 30.7 The Chairperson may call a second division where there is confusion or error in the original division, unless the same can be otherwise corrected.
- 30.8 No members shall vote or take part in the discussion of any matter at any meeting where they, directly or indirectly, have any interest as defined in the Act, other than interest in common with the public.
- 30.9 Every member present when any matter is raised on which they directly or indirectly have an interest, apart from any interest in common with the public, is under a duty to fully declare any such interest to the meeting according to the Act. This disclosure and the subsequent abstention of such member from both discussion and voting on the item is to be recorded in the Minutes. (Refer Standing Order 20 – Disclosure of Members’ interests).

31. Defamatory Matters/Qualified Privilege

- 31.1 Where a meeting of any Board or Board 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 shall be privileged unless the publication is proved to be made with ill will or taking advantage of the publication.
- 31.2 Any oral statement made at any Board or Board Committee meeting in accordance with Standing Orders shall be privileged, unless the statement is proved to be made with ill will or taking improper advantage of the publication.
- 31.3 Privilege conferred by Standing Order 31.2 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 meetings of any Board or Board Committee.

32. Maintenance of Public Order at Meetings

- 32.1 Chairperson presiding at any meeting may require any member of the public to leave the meeting if it is believed on reasonable grounds that the behaviour of any member of the public is likely to prejudice the orderly conduct of the meeting if that person is permitted to remain.
- 32.2 If any member of the public who is required in accordance with Standing Order 32.1 to leave a meeting refuses or fails to leave the meeting or, having left the meeting, attempts to re-enter the meeting without the permission of the Chairperson, any police officer, officer or employee of the DHB may, at the request of the Chairperson, remove or exclude that member of the public from the meeting.

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33. Deputations and Presentations

- 33.1 Deputations may be received from any interest group in the community wishing to make a presentation, provided an application for admission setting forth the subject has been lodged with the Chief Executive Officer at least 10 clear working days before the date of the meeting concerned and has been subsequently approved by the Chairperson. The Chairperson may refuse requests for deputations which are repetitious or offensive.
- 33.2 Notwithstanding Standing Order 33.1, where in the opinion of the Chairperson the matter which is the subject of a deputation is one of urgency or major public interest, the Chairperson may determine that the deputation be received by the Board or Board Committee.
- 33.3 Except with the approval of the Board or Board 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.
- 33.4 Chairperson may terminate a deputation in progress which is disrespectful or offensive, or where the Chairperson has reason to believe that statements have been made with malice.
- 33.5 Unless the meeting determines otherwise in any particular case, a limit of ten minutes is placed on a speaker making a deputation, or five minutes each if there are two members of the deputation addressing the meeting.

34. General Business

- 34.1 Any member may, at any scheduled meeting, put a matter on the Agenda under the General Business section of the Agenda concerning any matter relevant to the role or functions of the DHB, its Board or Board Committees, concerning any matter that does not appear on the Agenda, nor arises from any Board Committee report or recommendation submitted to that meeting.
- 34.2 Before putting a matter on the Agenda, a member shall, in the first instance, endeavour to obtain the relevant information from the appropriate officer or the Chairperson of the Board 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 the General Business section of the Agenda at a scheduled meeting of the Board or Board Committee, provided that the person may refer a question to an appropriate Board Committee.
- 34.3 Wherever applicable, such matters are to be in writing and handed to the Chairperson prior to the commencement of the meeting at which they are to be discussed.
- 34.4 If the matter cannot be resolved at that meeting it will, at the discretion of the Chairperson, be placed on the Agenda for the next meeting.
- 34.5 Matters for inclusion under the General Business section of a scheduled meeting are to be submitted as briefly and concisely as possible. No discussion is allowed upon any question or upon the answer.

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- 34.6 In the course of any debate at any meeting, any member may at the Chairperson's discretion, ask any question of the relevant officer on any matter under debate. Such questions are to be directed through the Chair.

Scope

This policy is applicable to all Counties Manukau District Health Board, Policy for Board Committees established under the New Zealand Public Health and Disability Act (2000)

Associated Documents

Other documents relevant to this policy are listed below:

NZ Legislation	<ul style="list-style-type: none"> • New Zealand Public Health and Disability Act 2000 • Official Information Act 1982
CMDHB Policies and Procedures	<ul style="list-style-type: none"> • CMDHB Conflict of Interest Policy • CMDHB Conflict of Interest, gifts and Hospitality – Board Members Policy • Code of Conduct Board and Committee Members
Other related documents	<ul style="list-style-type: none"> • Managing Conflicts of Interest • Guidance for Public Entities – Office of the Auditor General Guideline • State Sector Code of Conduct

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Appendix 1

GROUND TO EXCLUDE THE PUBLIC FROM MEETINGS IN TERMS OF THE NEW ZEALAND PUBLIC HEALTH AND DISABILITY ACT 2000 AND THE OFFICIAL INFORMATION ACT 1982

A Board or Board Committee may by resolution exclude the public from the whole or any part of the proceedings of any meeting only one or more of the following grounds:

1. **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 where such disclosure would be likely:

- (a) To prejudice the maintenance of the law, including the prevention, investigation and detection of offences, and the right to a fair trial; or
- (b) To endanger the safety of any person.

2. **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 where the withholding of the information is necessary to:

- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
- (b) Protect information where the making available of the information:
 - (i) Would disclose a trade secret; or
 - (ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or
- (c) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information:
 - (i) Would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
 - (ii) Would be likely otherwise to damage the public interest; or
- (d) Avoid prejudice to measures protecting the health or safety of members of the public; or
- (e) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
- (f) Maintain legal professional privilege; or
- (g) Enable the DHB, Board or Board Committee holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- (h) Prevent the disclosure or use of official information for improper gain or improper advantage.

Provided that where paragraph 2 of this Appendix applies the public may be excluded, unless, in the circumstances of the particular case, the exclusion of the public is outweighed by other considerations which render it desirable, in the public interest, that the public not be excluded.

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3. 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.

4. THAT the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to the Board by an ombudsman under section 30(1) or section 35(2) of the Official Information Act 1982.

5. THAT the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Board or Board Committee to deliberate in private on its decision or recommendation as to whether any of the grounds for excluding the public exist.

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Appendix 2

RESOLUTION TO EXCLUDE THE PUBLIC

Schedule 3, Sections 32 and 33, New Zealand Public Health and Disability Act 2000.

I have moved 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 Schedule 3, Sections 32 and 33 of the New Zealand Public Health and Disability Act 2000 for the passing of this resolution are as follow:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Schedule 3 sections 32 and 33 for the passing of this resolution

*This resolution is made in reliance on Schedule 3, sections 32 and 34 of the New Zealand Public Health and Disability Act 2000 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 This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because

** Delete if inapplicable*

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NOTE

Section 33(2), Schedule 3 of the New Zealand Public Health and Disability Act 2000 provides as follows:

“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 of it) must –

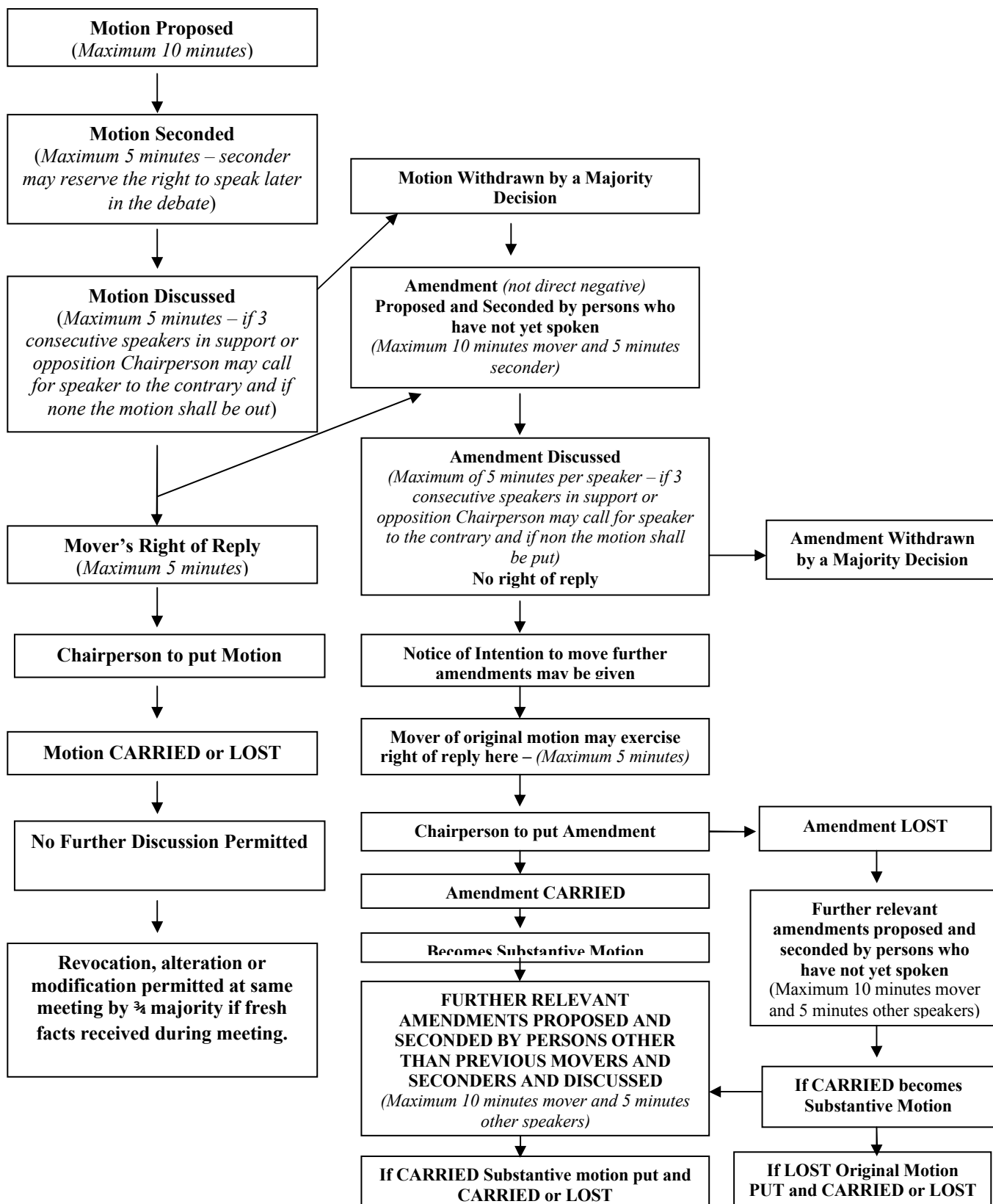
- “(a) Be available to any member of the public who is present; and
- “(b) Form part of the Minutes of the Board

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Appendix 3

MOTIONS WITHOUT AMENDMENTS

MOTIONS WITH AMENDMENTS



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Appendix 4

TABLE OF PROCEDURE MOTIONS

	Motion	Has the Chair discretion to refuse this motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of Procedural Motion Entitled reply?	Are previous Participants in debate entitled to move this motion?	Can the speaker be interrupted by a mover on this motion?	If lost, can a motion be moved after an interval?	Position if an Amendment is already before the Chair.	Position if a Procedural motion is already before the Chair	Remarks
(a)	“That the meeting be adjourned to the next schedule meeting, or to a stated time and place.”	No	Yes	No	As to time and date only	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned	On resumption of debate, the mover of the adjournment speaks first. Members who have already spoken in the debate may not speak again
(b)	“That the item of business being discussed be adjourned to a stated time and place.”	No	Yes	No	As to time and date only.	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned.	
(c)	That the motion under debate be now put (closure motion).”	Yes	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, only the amendment is put.	If carried, only the procedural motion is put.	The mover of the motion under debate is entitled to exercise a right of reply before the motion or

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												amendment under debate is put.
(d)	“That the meeting move directly to the next business, superseding the item under discussion.”	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned.	
(e)	“That the item of business being discussed does lie on the table and not be further discussed at this meeting.”	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, the original motion and amendment are both laid on the table.	Motion not in order.	
(f)	“That the item of business being discussed be referred to the relevant committee.”	No	Yes	No	As to committee, time for reporting back etc only.	No	No	No	Yes – 15 minutes	If carried, the original motion and all amendments are referred to the committee.	If carried, the procedural motion is deemed disposed of.	
(g)	Point of order	No – but may rule against.	No	Yes – at discretion of Chair	No	No	Yes	Yes	No	Point of order takes precedence	Point of order takes precedence.	

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Appendix 5

POWERS OF THE CHAIRPERSON / PRESIDING MEMBER

This appendix is a summary of the Chairperson / presiding Member's powers which are contained in various parts of the Standing Orders. The provisions in the Standing Orders shall be authoritative.

1. CHAIRPERSON / PRESIDING MEMBER TO DECIDE ALL QUESTIONS

The Chairperson/presiding Member is to decide all questions where the Standing Orders make no provision or insufficient provision. The Chairperson/presiding Member's ruling is final and not open to debate.

2. CHAIRPERSON / PRESIDING MEMBER TO DECIDE POINTS OF ORDER

The Chairperson/presiding Member is to decide all points of order and may do so immediately after it has been raised or may first hear further argument before deciding. The ruling of the Chairperson/presiding Member upon any point of order is not open to any discussion and is final. No point of order may be raised during a division except by permission of the Chairperson/Presiding Member.

3. CHAIRPERSON / PRESIDING MEMBER MAY ACCORD PRECEDENCE TO BUSINESS

The Chairperson/presiding Member may accord precedence to any business set down on the Agenda for consideration, after the confirmation of Minutes of the previous meeting where applicable.

4. EXTRA SCHEDULED BUSINESS

If the Chairperson/presiding Member determines business additional to that listed on the Agenda to be extra scheduled or urgent, the matter may be dealt with at that meeting if so resolved by the Board or Board Committee and the Chairperson/presiding Member explains at the meeting at a time when it is open to the public the reason why the time was not listed on the Agenda and the reason why discussion of the item cannot be delayed until a subsequent meeting.

5. CHAIRPERSON PRESIDING MEMBER'S REPORT

The Chairperson/Presiding Member, by report, has the right to direct the attention of the Board or Board Committee to any matter or subject within the role of function of the DHB Board or Board Committee.

6. CHAIRPERSON/PRESIDING MEMBER'S RECOMMENDATION

The Chairperson/presiding Member may include on the Agenda for that meeting a Chairperson/Presiding Member's Recommendation regarding any item brought before the meeting. The purpose of such a recommendation is to focus debate on a suggested motion, and the Chairperson/Presiding Member has the right to move such motion as the first item of business in relation to each matter, except where a Notice of Motion relates to the same item of business, in which case that will take precedence.

7. MOTION IN WRITING

The Chairperson/presiding Member may require the mover of any motion or amendment to submit it in writing signed by the mover.

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8. MOTION IN PARTS

The chairperson/presiding Member may direct a person authorised by the Board to refuse to accept any notice of motion which is:

- (a) disrespectful; or
- (b) contains offensive language or statements made with malice; or
- (c) not within the scope of the role or functions of the Board or Board Committee; or
- (d) contains an ambiguity or statement of fact or opinion which cannot properly form part of an effective resolution; and the mover has declined to comply with such requirements as a person authorised by the Board may have made; or
- (e) is concerned with matters which are already the subject of reports or recommendations from a Board Committee to the meeting concerned.

A notice of motion has been considered and agreed by the Board or Board Committee any other motion which is, in the opinion of the Chairperson/Presiding Member, to the same effect may be put again whilst such original motion stands.

10. ACTION ON PREVIOUS RESOLUTIONS

If in the opinion of the Chairperson/presiding Member the practical effect of a delay in taking action on a resolution which is subject to a notice of motion, until the proposed notice of motion has been dealt with by the Board or Board Committee, would be equivalent to revocation of the resolution, or if repetitive notices of motion are considered by the Chairperson/presiding Member to be an attempt by a minority to frustrate the will of the Board or Board Committee, action may be taken as though no such notice had been given.

11. CHAIRPERSON / PRESIDING MEMBER MAY CALL A MEETING

- 11.1 The chairperson/Presiding Member may call a meeting to dispose of the business to be transacted following the lapsing of a meeting due to failure of a quorum if such business cannot be delayed until the next scheduled meeting.
- 11.2 The Chairperson/Presiding Member may requisition a special meeting to be held at a specified time and place in order to conduct specified business.
- 11.3 The chairperson/presiding Member or a person authorised by the Board may also call an emergency meeting to deal with matters that require a meeting to be held at shorter notice than can be given to enable a special meeting to be held.

12. REPEAT NOTICE OF MOTION

The opinion of the Chairperson/presiding Member, a notice of motion is substantially the same in purport and effect to any previous notice of motion which has been considered and rejected by the Board or Board Committee, no such notice of motion may be accepted within six months of consideration of the first notice of motion unless signed by not less than one third of the members of the Board or Board Committee, including vacancies.

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13. REVOCATION OR ALTERATION OF PREVIOUS RESOLUTION

A Chairperson/Presiding Member may recommend in a report to the Board or Board Committee the revocation or alteration for all or part of any resolution previously passed, and the Board or Board Committee meeting may act on such recommendation.

14. IRRELEVANT MATTER AND TEDIOUS REPETITION

The Chairperson/presiding Member's ruling preventing members when speaking to any motion or amendment from introducing irrelevant matter or indulging in tedious repetition is final and not open to challenge.

15. TAKING DOWN WORDS

The Chairperson/Presiding Member may order words used and objected to by any member to be recorded in the Minutes, provided such objection is made at the time the words are used and not after any other members have spoken.

16. READING OF SPEECHES

The Chairperson/Presiding Member may permit members who request permission to do so to read their speeches.

17. EXPLANATIONS

The Chairperson/Presiding Member may permit members to make a personal explanation in addition to speaking to a motion, and members who have already spoken to explain some material part of a previous speech in the same debate.

18. CHAIRPERSON/PRESIDING MEMBER RISING

Whenever the Chairperson/Presiding Member rises during a debate any member then speaking or offering to speak is to be seated and members are to be silent so that the Chairperson/Presiding Member may be heard without interruption.

19. MEMBERS MAY LEAVE PLACES

The Chairperson/Presiding Member may permit members to leave their place while speaking.

20. PRIORITY OF SPEAKERS

The Chairperson/Presiding Member will determine the order in which members may speak when two or more members indicate their wish to speak.

21. PUBLIC EXCLUDED INFORMATION

Where the Chairperson/Presiding Member has reasonable grounds for believing that public excluded information provided to any member has been misused, the Chairperson/Presiding Member may report this and any proposed action to the Board or Board Committee.

22. MINUTES

The Chairperson/Presiding Member is to sign the Minutes and proceedings of every meeting once confirmed. The Chairperson/Presiding Member and a person authorised by the Board are responsible for confirming the correctness

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of the Minutes of the last meeting of a Board or Board Committee prior to the next election of members.

23. QUESTIONS OF SPEAKERS

The Chairperson/Presiding Member may permit members to ask questions of speakers under public comment for the purpose of obtaining information or clarification on matters raised by the speaker.

24. WITHDRAWAL OF OFFENSIVE OR MALICIOUS EXPRESSIONS

24.1 The Chairperson/Presiding Member may call upon any member to withdraw any offensive or malicious expression and may require the member to apologise for the expression.

24.2 Any member who refuses to withdraw the expression or apologise, if required by the Chairperson/Presiding Member, can be directed to withdraw from the meeting for a time specified by the Chairperson/Presiding Member.

25. CHAIRPERSON/PRESIDING MEMBER'S RULINGS

Any member who refuses to accept a ruling of the Chairperson/Presiding Member may be required by the Chairperson to withdraw from the meeting for a specified time.

26. DISORDERLY BEHAVIOUR

26.1 The Chairperson/Presiding Member may require any member or member of the public whose conduct is disorderly or who is creating a disturbance to withdraw immediately from the meeting for a time specified by the Chairperson/Presiding Member.

26.2 The Chairperson/Presiding Member may ask the meeting to hold in contempt any member whose conduct is grossly disorderly.

26.3 Where the meeting resolves to find the member in contempt that resolution shall be recorded in the Minutes.

27. FAILURE TO LEAVE MEETING

If a member or member of the public who is required in accordance with a Chairperson/Presiding Member's requirement to leave the meeting refuses or fails to do so, or having left the meeting attempts to re-enter without the permission of the Chairperson/Presiding Member, any police officer, officer or employee of the DHB may, at the Chairperson/Presiding Member's request, remove or exclude the member from the meeting.

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