

Constitution of the Meteorological Society of New Zealand Incorporated

(As amended on 27 August 1992, 14 August 1995, 26 November 1998, 19 December 2003 and 24 November 2004, 18th March 2009, 23 November 2015, 25 November 2019, 25 November 2021.)

1. Name

The name of the Society shall be the Meteorological Society of New Zealand (Incorporated).

2. Objects

The objects of the Society shall be to encourage an interest in the atmosphere, weather and climate, particularly as related to the New Zealand region and to foster the exchange of information in meteorology and climatology.

The Society shall not make any distribution whether by way of money, property or otherwise howsoever to any proprietor, member or shareholder except as a contestable grant or prize awarded on the basis of merit and eligibility.

3. Membership

Membership is open to any individual, institution or organisation who has an interest in the objects of the Society. Individuals may be members whether or not they are employed in meteorology, climatology or related fields.

Honorary membership may be awarded by a General Meeting of the Society, on the recommendation of the Executive Committee, to persons who have made an exceptional contribution to meteorology. Honorary members will be exempt from all dues and assessments.

Life-membership is available to members of the Society who: (i) are retired and are 60 years of age and older, (ii) have been a member for at least 15 years, and (iii) have paid a fee equivalent to 10 years membership

4. Election of Members

All individuals, institutions and organisations applying for membership except foundation members shall forward applications to the Secretary for consideration by the Executive Committee.

5. Termination of Membership

Membership of the Society may be terminated in each of the following ways:

Voluntary resignation by letter to the Secretary. The resignation shall take effect one month after the receipt of the letter. The Executive Committee may require the resigning member to pay any outstanding fees.

Expulsion for non-payment of fees. Any member one year in arrears with fees will forfeit membership and will be re-admitted to membership only by the procedure laid down in Section 4.

Expulsion for conduct which is a violation of the Society's constitution or is harmful or defamatory to the Society as a whole. Expulsion of a member may only be considered at an Executive Committee meeting if the member has been sent by post at least ten days before the meeting a notice of the motion of expulsion, together with a statement of the grounds on which misconduct is alleged. Expulsion shall be authorised only by a majority of at least two-thirds of the Executive Committee. A member shall have a right of appeal against expulsion before a General Meeting of the Society.

6. General Meeting of the Society

A General Meeting shall be held at least annually between 1 August and 30 November. Additional Special General Meetings may be held from time to time. All General Meetings shall be summoned by circular to all members at least 15 days prior to the meeting. A quorum at such meetings shall be the presence of at least fifteen Members of the Society. Such a general meeting shall be called by the Secretary at the request of any fifteen Members of the Society. In so far as General Meetings of the Society are concerned, each institutional and

organisational member shall be represented by one nominated person who shall have similar powers to individual members of the Society.

7. Annual General Meetings – Business

The business of Annual General Meetings shall be to:

Receive the President's report and audited balance sheet and the income and expenditure accounts for the preceding financial years.

Conduct a ballot for election of officers.

Discuss such matters as are raised by Members.

8. Election of Officers

The President, three Vice-presidents, Immediate Past President, Secretary, Treasurer, Editor, Circulation Manager, Newsletter Editor, Webmaster and up to four additional Committee Members shall comprise the Executive Committee of the Society. They shall be elected in the following manner.

Three months before an Annual General Meeting the Executive Committee shall select a Nominating Committee. (The group organising the foundation of the Society shall act as the first such Nominating Committee).

The Nominating Committee shall nominate members for the positions of President, Secretary, Treasurer, Editor, Circulation Manager, Newsletter Editor, Webmaster and for two additional Committee Member positions. (The Immediate Past President shall be a Committee member *ex officio*). The Nominating Committee shall nominate three members for the position of Vice-President, each to be from a different part of the country. All nominations shall have the approval of the persons nominated.

The above nominations of persons shall be presented at the Annual General Meeting. Additional nominations may be accepted at the meeting providing they are proposed and seconded by members present and the consent of the nominated Member is obtained.

In the event of there being more nominations than needed to complete the executive Committee election shall be by ballot among Members present. The election of President, Vice-President, Secretary, Treasurer, Editor, Circulation Manager, Newsletter Editor, Webmaster and ordinary Executive Committee Members shall proceed in the order given.

In the event of a member of the Executive Committee resigning from his membership of that Committee the remaining members shall co-opt a replacement Executive Committee Member. In the event that the President resigns his post the replacement President shall be an existing member of the Committee.

9. Voting at General Meetings

Voting at General Meetings shall be by voice or show of hands at the discretion of the Chairman except that a ballot shall be taken for the election of the Executive Committee members when there are more nominations than required. A ballot shall be taken on other matters if requested by any members. The Chairman shall have both a deliberative and a casting vote. Voting on motions shall be by simple majority except as provided in 17.

10. Executive Committee Meetings

Executive committee meetings shall be held at not greater than four-monthly intervals. A quorum for such meetings shall be at least four Executive Committee members. All members of the Executive Committee shall be advised of the main items of business expected to be discussed at the meeting and invited to submit their view in writing in the event that they are unable to attend. Such written views shall not be deemed to constitute votes. The Chairman shall at the request of Executive Committee members living at a distance from the venue of an Executive Committee meeting conduct the whole or part of such a meeting by conference telephone. Voting shall be by simple majority except as indicated in 5(3) above. The Chairman of the meeting shall have both a deliberative and casting vote. The Executive Committee may from time to time set up sub-committees for specific functions and shall reserve the right to co-opt the services from time to time to other members to serve on such

sub-committees or assist generally in the administration of the Society. In particular the Executive Committee may establish a Conference Sub-committee to manage a Conference.

11. Duties of Officers

The President shall normally be chairman at all General and Executive Committee meetings and shall present a report to the Society's Annual General Meetings.

The Past President serves on the Executive Committee to preserve some continuity between successive committees.

The Vice-president shall be responsible for maintaining interest in the society within their region and shall represent the view of members from their region.

The Secretary is responsible for the recording of minutes of all proceedings at all Meetings of the Society and its Executive Committee and for conducting the correspondence of the Society.

The Treasurer shall be responsible for keeping the accounts of the Society and to prepare balance sheets and financial statements and for banking operations and is responsible for maintaining a register of Members of the Society.

The Editor shall be responsible for the editing and production of any newsletters, journals or other publications that the Society may decide to produce. The Editor shall have the right to establish an Editorial Committee to assist in assessing the merit of material submitted for publications.

The Circulation Manager shall be responsible for distribution and promotion of publications of the Society.

The Newsletter Editor shall be responsible for the production of the Society's Newsletter.

The Webmaster shall maintain the Society's webpages.

12. Subscriptions

Annual subscriptions shall be determined from time to time by resolution of a General Meeting. There shall be three classes of membership: Ordinary Member,

Student/Retired/Unwaged Member and Institutional Member. Subscriptions for Student/Retired/Unwaged Members shall be less than that for Ordinary Members. Subscriptions for Institutional Members shall be set at 3.0 times the Ordinary Members subscription. Any member who does not pay the due subscription fee in a given year may be deprived the rights of membership until such arrears are paid.

13. Funds

Each financial period (one year) shall close on 31 July. At the close of such a period a duly audited statement of accounts and balance sheet shall be distributed to members prior to the next Annual General Meeting of the Society which will take place in the subsequent four months as provided in 6. The Society's funds shall be deposited in bank accounts opened in the name of the society and the accounts shall be operated by the signatures of any two of the President, the Secretary, the Treasurer, and the Circulation Manager.

14. Auditor/Reviewer

The Committee at the first meeting of each financial year following the Annual General Meeting shall appoint an Auditor or Reviewer for the coming year.

15. Common Seal

The common seal will be held in the custody of the Secretary. It will be affixed to documents only with the approval of the Executive Committee.

16. Affiliation

The society may seek affiliation with such other organisations as is deemed appropriate by a General Meeting. In determining whether to affiliate the decision shall be based on whether the proposed affiliation will assist in fulfilling the Society's objectives.

17. Amendments of Constitution

This constitution may be altered, added to or rescinded only at a General Meeting of the Society. Notices of motion to Change the rules must reach the Secretary at least one month from the date of a General Meeting that has already been scheduled. In the event of the Secretary receiving such notices at times when a General Meeting is not scheduled in the near future the Executive Committee shall of its discretion call such a General Meeting. All notices of motion to change the Constitution shall bear the signatures of two members. Any such notices are to be forwarded to members by the Secretary with the notice advising of a General Meeting. Modification of the Constitution will require a two-third majority of votes of members present at the meeting. No amendment shall be permitted if it in any way affects the non-profit status of the Society.

18. Disposition of Property

If any property remains after winding up or dissolution of the Society and the settlement of all the Societies debts and liabilities, that property must be given or transferred to another organisation that is charitable under New Zealand law or for some other charitable purpose recognised under New Zealand law. The recipient organisation shall be decided at the last General Meeting.

19. Code of Conduct

Our Code of Conduct applies to our Members. The Code is to support Members to follow exemplary ethical behaviour and ensure the society is a safe place for all members. The Code is a simplified form of the Royal Society Code of Professional Standards and Ethics, (<https://www.royalsociety.org.nz/who-we-are/our-rules-and-codes/code-of-professional-standards-and-ethics/>) and Complaints Procedures (<https://www.royalsociety.org.nz/who-we-are/our-rules-and-codes/procedures-for-dealing-with-issues-and-concerns-about-conduct/complaints-procedures/>). Some MetSoc Members may also be bound by the Royal Society Code. The commencement date for this version of the Code is **1 January 2022**.

Part 1: Preliminary provisions

Introduction

1.1 The object of the Meteorological Society of New Zealand (hereinafter MetSoc) is “...to encourage an interest in the atmosphere, weather and climate, particularly as related to the New Zealand region and to foster the exchange of information in meteorology and climatology”.

1.2 To support a safe environment to pursue this purpose, MetSoc has adopted selected provisions of the Royal Society Code of Professional Standards and Ethics in Science, Technology, and the Humanities and their Complaint Procedures.

Compliance with the Code

1.3. Members are required to abide by the Code as a condition of membership and agree to be subject to the complaints procedure set out in this document.

1.4. The Code does not otherwise limit Members’ rights to exercise freedom of expression and freedom of enquiry under the Bill of Rights Act 1990, or to exercise the role of critic and conscience of society under s162 of the Education Act 1989.

Part 2: Responsibilities and standards

Members have responsibilities to behave with professionalism, integrity, care and diligence; and are responsible to partners and participants in their activities and to their colleagues; Accordingly, Members are obliged:

2.1 To behave with honesty, integrity, and professionalism when undertaking matters related to MetSoc

2.2 To demonstrate and encourage ethical behaviour and high professional standards amongst Members of MetSoc

2.3 To not harass*, bully or knowingly act with malice towards individuals or groups of people

*Harassment is conduct that unjustifiably disturbs or upsets another. It is characteristically repetitive and may be physically or psychologically harmful to the victim. It is exacerbated when the consequences of not accepting the behaviour may be disadvantageous to the victim. Forms of harassment include but are not limited to: verbal comments that reinforce social structures of domination (related to gender, gender identity and expression, sexual orientation, marital and family status, disability, physical appearance, body size, culture, ethnicity, nationality, age, religion or lack thereof, beliefs or socio economic status etc.); sexual images in public spaces; deliberate intimidation, stalking, or following; harassing photography or recording; sustained disruption of talks or other events; inappropriate physical contact; unwelcome sexual attention; and advocating for or encouraging any of the above behaviour.

Part 3: Making a complaint

Any person may make a complaint to MetSoc alleging that there has been a breach by a Member of one or more of the **Responsibilities and Standards**

3.1 To be valid a complaint must contain:

- a. The name and contact details of the complainant; and
- b. The name of the Member against whom the complaint is made; and
- c. The nature of the alleged breach, including identifying those obligations the complainant considers to be breached, and if part or all of the alleged breach is of the professionalism and ethics obligation, the specific clauses of the Code alleged to be breached; and
- d. All information that the complainant considers relevant to the complaint; and
- e. A statement of agreement that the complainant will comply with these Rules.

3.2 Should MetSoc receive an intended complaint that, in the opinion of the Immediate Past President, does not contain sufficient information to be valid, or is

unsatisfactory in its form, the Immediate Past President shall request that information or the revision of the form of the complaint, and if, after thirty (30) days, the information is not received or the complaint not put into satisfactory form, the Immediate Past President shall deem the complaint to have lapsed.

3.3 The Immediate Past President may explore with the complainant the possibility of the complaint being better resolved by conciliation, mediation, arbitration, or another dispute resolution process. If a complainant is amenable to attempting resolution in such a manner, the Immediate Past President may delay taking further steps under these Rules whilst they are satisfied that there is a reasonable chance of resolution. If the Immediate Past President is satisfied that resolution has been achieved, they may deem the complaint to have lapsed.

Part 4: Initial investigation of a complaint

4.1 The Initial Investigation Panel shall be composed of two or three members of the MetSoc Committee, selected and chaired by the Immediate Past President. In the event that a member of the Panel is temporarily not available, the Immediate Past President shall, to deal with a specific complaint, appoint a substitute who shall be a member of the MetSoc Committee.

4.2 On receipt of a valid complaint the Immediate Past President must open a file on the complaint and notify the Member complained about (the “respondent”) of the nature of the complaint, and the membership of the Panel.

4.3 The Panel may invite the respondent to provide any written information that they consider relevant to the complaint, and must allow a reasonable period not exceeding thirty (30) days for the respondent to supply such information.

4.4 The Panel shall review the complaint and any information received from the respondent under Rule 4.3 and may decide no further action will be taken on the complaint if the Panel considers that, having regard to all the circumstances of the case, further action is unnecessary or inappropriate, including by reason of:

- a. there is insufficient evidence to establish that a breach has occurred or may have occurred; or
- b. any breach, alleged or proven, is insufficiently grave to warrant further pursuit, including by reference to a Complaint Determination Committee under section 5; or
- c. the complaint is frivolous or vexatious or is not made in good faith; or
- d. the complainant has not adequately complied with the provisions of these Rules; or
- e. the person alleged to be aggrieved does not wish action to be taken or continued; or
- f. an inquiry into the complaint is not practicable because the complainant has failed to provide information that would be needed for referral of the complaint to a Complaint Determination Committee; or
- g. a hearing on the complaint is no longer practicable given the time elapsed since the matter giving rise to the complaint; or
- h. the subject matter of the complaint is not materially different to a previous complaint against the same respondent, which has already been heard by the MetSoc; or
- i. the complaint is not amenable to resolution by a Complaint Determination Committee.

4.5 Before making a decision on a complaint, the Panel may explore, with the complainant and respondent, the possibility of the matter which gave rise to the complaint being referred to conciliation, mediation, arbitration, or another dispute resolution process.

4.6 If a complaint is referred to a dispute resolution process under Rule 4.5 and the complainant and respondent fail to resolve the matter within sixty (60) working days of the referral, or within any other time period that the Panel thinks fit, the Panel must make a decision on the complaint.

4.7 The intended decision of the Panel as to whether further action should be taken on the complaint and the reasons for that decision shall be notified to both the respondent and the complainant. The complainant and the respondent shall be given the opportunity to make a written submission within thirty (30) days.

4.8 The Panel shall consider any submissions received under Rule 4.7 and shall finalise its decision.

4.9 If the Panel decision is that further action shall be taken on the complaint it must identify in its decision the obligations, and if applicable the clauses in the Code, which it considers may have been breached, and if those do not correspond to the obligations and clauses alleged to be breached in the complaint, state the reasons for the difference.

4.10 The decision and the reasons for it shall be notified to the MetSoc Committee, respondent and complainant by the Immediate Past President.

4.11 Should the decision of the Panel be that no further action will be taken on the complaint, that decision is final and not subject to appeal.

Part 5: Determination of the complaint

5.1 If it is decided that further action will be taken on the complaint, the Immediate Past President shall establish a Complaint Determination Committee as follows:

- a. a convenor who is a Member of MetSoc, but must neither be the President, nor the Immediate Past President, nor a member of the Initial Investigation Panel; and
- b. one or two other Members of MetSoc but must neither be the President, nor the Immediate Past President, nor a member of the Initial Investigation Panel; and
- c. in order to ensure the inclusion of particular knowledge or experience relevant to the complaint amongst the Committee, the Immediate Past President may appoint a non-Member of MetSoc under b. provided they are

satisfied the appointee holds relevant knowledge not otherwise available in the MetSoc membership.

d. ensure that both parties have adequate opportunity to address evidence presented and arguments made by each other.

5.2 The Committee must, before making its decision on a complaint:

a. advise the complainant and the respondent of the process that the Committee intends to follow; and

b. provide the complainant with an opportunity to put all information about the complaint before the Committee; and

c. provide the complaint and all material relating to the complaint to the respondent (subject to confidentiality considerations in exceptional cases); and

d. give the respondent at least fifteen (15) working days to make submissions in writing or orally to the Committee; and

e. provide any material that the complainant has not had an opportunity to address to the complainant, and provide the complainant with an opportunity to respond.

5.3 In setting its process under Rule 5.2(a) the Committee may do any of the following:

a. make, or appoint a person to make, any enquiries it considers necessary;

b. engage counsel, who may be present at a hearing of the Committee, to advise the Committee on matters of law, procedure, and evidence;

c. request the respondent or the complainant or both to provide to the Committee, within a specified period of not less than 15 working days that the Committee thinks fit, any documents, things, or information that are in the possession or control of the person and that are relevant to the investigation;

d. take copies of any documents provided to it;

e. request that the respondent or the complainant appear before the Committee, at that person's own cost, on no less than fifteen (15) working days' notice;

- f. receive any evidence it thinks fit;
- g. request a person giving evidence to verify a statement by statutory declaration;
- h. provide information to assist the complainant and the respondent to obtain counsel or other advocacy assistance;
- i. treat a complaint as having been withdrawn if, in the opinion of the Committee, sufficient information has not been provided by the complainant within a reasonable time to allow a proper investigation to take place.

5.4 The Committee may dismiss the complaint only if any one (or more) of the grounds set out in Rule 4.4(b) to (i) apply, or if, in the opinion of the Committee a breach has not been established in respect of any of the obligations, and if applicable clauses of the Code, identified in the decision of the Panel under Rule 4.9.

5.5 The intended decision of the Committee on whether to dismiss or uphold the complaint and the reasons for that decision shall be notified to both the respondent and the complainant. The complainant and the respondent shall be given the opportunity to make a written submission within thirty (30) days.

5.6 The Committee shall consider any submissions received under Rule 5.5 and shall finalise its decision.

5.7 The Committee must make its final decision on a complaint in accordance with the following:

- a. the Committee must make its decision on the complaint as soon as practicable, but may delay making the decision until the outcome of any legal proceedings that may affect its findings is known; and
- b. if the Committee is not unanimous, the decision of the majority of the Committee is the decision of the Committee (but dissenting members may record dissenting views); and
- c. the Committee must give reasons in writing for its decision, or the decision of the majority, as the case may be.

5.8 The decision and the reasons for it shall be notified to the MetSoc Committee, respondent and complainant by the Immediate Past President.

5.9 The decision of the Committee is final and not subject to appeal.

Part 6: Determination of penalties

6.1 Should the decision of the Committee be to uphold the complaint; the Committee shall prepare its intended decision on penalties which may include one or more of:

- a. revoking the Member's Membership of MetSoc, suspending the Member's Membership for any period, or suspending the Member's Membership until a condition requiring the respondent to undertake training or professional development is met;
- b. requiring the Member to relinquish, or be suspended for any period from, any official positions within MetSoc;
- c. reprimanding or admonishing the Member;
- d. notifying all Members of MetSoc of the name of the Member concerned and the circumstances of the breach;
- e. notifying any relevant professional body of the name of the Member concerned and the circumstances of the breach;
- f. publication of the name of the Member concerned and the circumstances of the breach.

6.2 In Rule 6.1 "publication" includes but is not limited to placing a notice in electronic newsletters or other written publications of MetSoc, placing a notice in the media, for example in a newspaper, or sending a notice to regulators or other parties within whose domain of activity the subject matter of the complaint falls.

6.3 Prior to making its intended decision on penalties, the Committee may explore with the respondent and the complainant whether restorative actions satisfactory to the complainant might be agreed between the respondent and the complainant.

6.4 In determining its intended decision on penalties the Committee must take into account the gravity of the breach, any relevant mitigating factors (including whether any restorative actions have occurred or will occur), the need for protection of the public interest, and the benefit of informing other scientists of the breach, and it may also seek the advice of the MetSoc Committee.

6.5 The Committee, at its sole discretion, may allow the complainant and the respondent an opportunity, not exceeding fourteen (14) days, during which to make submissions relating to penalties.

6.6 The Committee must inform the MetSoc Committee of its intended decision on penalties, and must allow reasonable time for the MetSoc Committee to provide any advice prior to finalising its decision.

6.7 The Committee must make its decision on penalties (which may only be selected from those set out in Rule 6.1), in accordance with the following:

- a. the Committee must make its decision as soon as practicable, but may delay making the decision until the outcome of any legal proceedings that may affect its findings is known; and
- b. the Committee must have regard to any advice from the MetSoc Committee in regard to the intended penalties; and
- c. if the Committee is not unanimous, the decision of the majority of the Committee is the decision of the Committee but dissenting members may record dissenting views.

6.8 The Immediate Past President must, as soon as practicable after receiving the decision of the Committee –

- a. notify the Committee, complainant and the respondent of the decision on penalties; and
- b. implement any decision that requires action by MetSoc, but must allow at least twenty-eight (28) days after notifying the complainant and the respondent before implementing the penalties.

6.9 The decision of the Committee on penalties shall be final and not subject to appeal.

Part 7: Costs

7.1 The MetSoc is not liable for any expense by way of travelling, engagement of counsel, calling of any witness or in any other matter connected with either a Panel's or a Committee's consideration of any matter under these Rules, whether incurred by a Member whose conduct is under investigation or by any person or persons who make a complaint.

Part 8: Appointments, delegated functions and powers

8.1 A person appointed under these Rules may resign the appointment by written notice to the Immediate Past President.

8.2 Should a person appointed to a role by these Rules have a material conflict of interest, that person must resign from the role immediately the conflict is identified and the President shall appoint a substitute person to undertake or continue the role.

8.3 In the event that the Immediate Past President has a material conflict of interest, or is otherwise unavailable, the President shall appoint another Member of the MetSoc Committee to undertake the role which would otherwise have been taken by the Immediate Past President in these Rules, in regard to those complaints for which the conflict exists, or for the period of time during which the Immediate Past President is unavailable.

8.4 All decisions made by a person in accordance with these Rules prior to resigning from a role may not be changed by the substitute.

Part 9: General provisions about procedures

9.1 Every person or body appointed under these Rules must—

- a. observe the rules of natural justice; and

b. give reasons for its decisions.

9.2 Except as otherwise provided in any other rules of the MetSoc or these Rules, a person or body of persons appointed under these Rules may regulate the person's or body's own procedure as it thinks fit.

9.3 Unless the Panel or Committee otherwise decides, all draft documents and decisions issued to either the respondent or complainant under these Rules must be treated as confidential by the complainant and/or the respondent.