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Nelson Marlborough

Health

# Standing Orders

**(July 2018)**

Nelson  
Marlborough  
District Health  
Board

Nelson  
New Zealand

**These Standing Orders were agreed at the meeting of the Nelson Marlborough District Health Board on 24 July 2018 and apply to its meetings including any committee or subcommittee meeting.**

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## 1.0 GENERAL

### 1.1 Interpretation

In these standing orders, unless inconsistent with the context:

**Act** means the New Zealand Public Health and Disability Act 2000. All references to “schedules” or “clauses” refer to this Act.

**Board** means Nelson Marlborough District Health Board.

**Chairperson** means the Chairperson of the DHB and also includes any person acting as the Chairperson of any committee or subcommittee of the DHB.

**Chief Executive Officer** means the Board Secretary of the DHB and includes for the purpose of these standing orders any other officer authorized by the DHB for such purpose.

**Committee** includes, in relation to the DHB:

- (a) Any committee comprising all the members of the DHB; and
- (b) Any statutory, standing or special committee appointed by the DHB; and
- (c) Any subcommittee of a committee described in paragraph (a) or paragraph (b) of this definition.

**Meeting** means any first, annual, ordinary, special or emergency meeting of the DHB; and any meeting of any committee or standing committee or special committee or subcommittee of the DHB.

**Member** means any person elected or appointed to the DHB or to any committee or subcommittee of the DHB.

**Minutes** means any minutes or other record of the proceedings of any such meeting of the DHB and its committees.

**Ordinary Meeting** means any meeting publicly notified by the DHB in accordance with Clause 16 of Schedule 3 of the Act.

**Board Secretary** means the Board Secretary of the DHB and includes for the purposes of these standing orders any other officer authorised by the DHB and its committees,

**Public excluded information** includes:

- (a) Information which:
  - (i) Is currently before a public excluded session; or
  - (ii) Is proposed to be considered at a public excluded session; or
  - (iii) Had previously been considered at a public excluded session (other than information subsequently released by the DHB as publicly available information); and
- (b) Any minutes (or portions of minutes thereof) of public excluded sessions (other than those subsequently released by the DHB as publicly available information); and
- (c) Any other information which has not been released by the DHB as publicly available information.

**Public excluded session** refers to those meetings or parts of meetings from which the public is excluded by the DHB as provided for in the New Zealand Public Health and Disability Act 2000.

**Publicly notified** means notified to members of the public by notice contained in some newspaper circulating in the district of the DHB, or, where there is no such newspaper in general circulation, means notified on printed placards affixed to public places in the district.

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

- (a) Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's Birthday, and Waitangi Day; and
- (b) A day in the period commencing with the 25th day of December in any year and ending with the 15th day of January in the following year.

## 1.2 Application of Standing Orders

1.2.1 These standing orders shall, so far as applicable, extend to the proceedings of all Board meetings and of all Committees of the Board, including public excluded sessions.

1.2.2 All members of the Board and its Committees shall abide by these standing orders.

## 1.3 Chairperson's Ruling Final

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

1.3.2 In regard to order 1.3.1 the Chairperson's ruling shall be final and not open to debate.

1.3.3 If any member who is required, pursuant to a ruling under standing orders, to leave a meeting:

- (a) Refuses or fails to leave the meeting; or
- (b) Having left the meeting, attempts to re-enter the meeting without the permission of the Chairperson, any officer or employee of the DHB or member of the Police, may, at the request of the Chairperson, remove or, as the case may require, exclude that member from the meeting.

## 1.4 Suspension of Standing Orders

1.4.1 These standing orders are deemed to be suspended in respect of all meetings of the Board and its Committees, until any member of the Board or its Committees request that they be implemented for that meeting. During the suspension of these standing orders, meetings of the Board and its Committees shall be conducted in accordance with the requirements of the Act and with the general rules of meetings.

1.4.2 The Board or a Committee may temporarily suspend standing orders during a meeting by a vote of three-quarters of the members present and voting and the reason for the suspension shall be stated in the resolution of suspension.

1.4.3 Any motion to suspend one or more standing orders shall specify the specific order or orders which it is proposed to be suspended.

## 1.5 Alteration of Standing Orders

1.5.1 After the adoption of the first standing orders of the Board, the adoption or amendment of standing orders shall require, in every case, a vote of three-quarters of the members present.

## 1.6 First meeting of DHB following election or appointment

1.6.1 The first meeting of a District Health Board following a triennial general election shall be called by the Board Secretary as soon as practicable after the elected members have taken office on the 58th day after polling day.

1.6.2 The Board Secretary shall give the persons elected to the Board not less than 10 working days notice of the meeting.

1.6.3 The meeting shall be chaired by the Chairperson appointed by the Minister under Clause 10 of Schedule 3 of the Act. If they are not available the provisions of Clause 2.1 of these Standing Orders shall apply.

- 1.6.4 The business to be conducted at the meeting, and the order in which that business is to be conducted, shall be as follows:
- (a) A general explanation (to be given or arranged by the principal administrative officer) of:
    - (i) The Official Information Act; and
    - (ii) Other laws affecting members including the appropriate provisions of the Act, sections 99, 105, and 105A of the Crimes Act 1961, and the Secret Commissions Act 1910:
  - (b) The fixing of the date and time of the first ordinary meeting of the authority, or the adoption of a schedule of ordinary meetings;
  - (c) Items of general business, if any.
- 1.6.5 Every member of the Board shall give to the Chief Executive Officer or his representative a residential or business address (together with, if desired, a facsimile, Email or other address) to which notices and material relating to meetings and business of the DHB may be sent or delivered.

## **1.7 Voting systems for certain appointments**

- 1.7.1 For the purposes of the election or appointment of a representative of a Board for any purpose; the Board or (except where the Board has otherwise directed) the Committee may, by resolution determine that the person be elected or appointed by a system of voting that requires that, except as provided in subsection (2) of this section, the person to be elected or appointed receives the votes of a majority of the membership of the Board or Committee present and voting, and that requires that, where more than one round of voting is required, the least successful candidate in a round of voting shall not be a candidate in the next round of voting.
- 1.7.2 Where the system of voting described in subsection (1) of this section is adopted, every equality of votes that is not to be determined by a further round of voting shall be determined by lot in such manner as the Board or the Committee determines.

## **1.8 Appointment of Committees**

- 1.8.1 The Board may appoint such Committees for a particular purpose or purposes as it considers appropriate.
- 1.8.2 A Committee may only appoint such subcommittees as it considers appropriate, with the prior approval of the Board.
- 1.8.3 Every Committee shall be subject in all things to the control of the Board, and shall carry out all directions, general or special given in relation to the Committee or Board or its affairs.
- 1.8.4 Every subcommittee shall be subject in all things to the control of the Committee that appointed it, and shall carry out all directions, general or special, of the Committee given in relation to the subcommittee or its affairs.
- 1.8.5 Subject to any provision to the contrary in the Act or any other Act, the Board, or a Committee with respect to a subcommittee appointed by that Committee, may at any time and from time to time discharge or reconstitute any Committee or subcommittee.

## **1.9 Powers of Delegation**

- 1.9.1 Except as otherwise provided in any Act, the Board may delegate in writing to any Committee any of its functions, duties, or powers.
- 1.9.2 Every Committee to which any powers or duties are delegated may, without confirmation by the Board, exercise or perform the same in like manner and with the same effect as the Board could itself have exercised or performed the same.
- 1.9.3 Any Committee may, with the consent of the Board, delegate any of the functions, duties or powers of the committee to any subcommittee appointed by the Committee.

## **1.10 Proceedings not invalidated by vacancies or irregularities**

1.10.1 No act or proceedings of the Board or of any person acting as a member of the Board shall be invalidated in consequence of there being any vacancy in the membership of the Board or 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.

## **1.11 Membership of committees and subcommittees**

1.11.1 The Board may at any time and from time to time appoint or discharge any member of a Committee (other than a subcommittee) except where the Committee is a Statutory Committee the Board must exercise the power of discharge only if it has first consulted the member and Committee about the removal (Clause 9 Schedule 4).

1.11.2 Unless directed otherwise by the Board, a Committee may at any time and from time to time appoint or discharge any member of a subcommittee appointed by the Committee.

1.11.3 Board members who are members of Committees shall be deemed to be discharged from that Committee if they are no longer a Board member, elected or appointed, as the case may be, following the coming into office of the new Board after an election.

1.11.4 The Board or Committee may appoint to any Committee or subcommittee, as the case may be, any person who is not a member of the Board, or Committee, if, in the opinion of the Board, that person has knowledge that will assist the work of the Committee or subcommittee.

1.11.5 Notwithstanding subsection (4) of this section, no employee of a DHB acting in the course of his or her employment may act as a member of any Committee unless that Committee is a subcommittee.

1.11.6 At least one member of every Committee, other than a subcommittee, shall be an elected member of the Board.

1.11.7 The minimum number of members of a Committee shall be three, and the minimum number of members of a subcommittee shall be two.

1.11.8 The Chairperson and Deputy Chairperson of the Board shall be, at their option, an ex-officio member of any Committee.

## **1.12 Joint Committees**

1.12.1 The Board may unite with any one or more DHBs to appoint a joint standing Committee or Joint Special Committee for any purpose in which the DHBs are jointly interested.

1.12.2 The Board may agree with the other DHBs participating in the joint Committee on the number of members to be appointed by each participating DHB.

1.12.3 Any Committee appointed under this section shall be deemed to be both a Committee of the Board and (subject to the law for the time being applicable to Committees of any other participating DHB) a Committee of any other DHB.

1.12.4 The power to discharge any individual member and appoint another in his or her stead shall be exercisable by the Board that made the appointment.

## **1.13 General provisions as to meetings**

1.13.1 The Board shall hold such meetings as are necessary for carrying out its responsibilities and functions under the Act.

1.13.2 Every member of the Board or of any Committee of the Board shall, unless lawfully excluded, have the right to attend any public meeting of the DHB or Committee.

1.13.3 Every meeting of the DHB shall be called, publicly notified, and conducted in accordance with:

- (a) The Act; and
- (b) The standing orders of the DHB.

## 1.14 Ordinary meetings

- 1.14.1 The DHB shall hold ordinary meetings at such times and at such places as it from time to time appoints.
- 1.14.2 The Principle Board Secretary shall give notice in writing to each of the members of the time and place of the meeting:
- (a) Not less than 10 working days before the meeting; or
  - (b) Where the Board has adopted a schedule of ordinary meetings, not less than 10 days before the first meeting on the schedule.
- 1.14.3 Where the Board adopts a schedule of ordinary meetings:
- (a) The schedule may cover such future period as the Board 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 on the schedule or its amendment.

## 1.15 Special and emergency meetings

### Special meetings

- 1.15.1 The Board may hold special meetings.
- 1.15.2 A 'special meeting' means a meeting called pursuant to:
- (a) A resolution of the Board; or
  - (b) A requisition in writing delivered to the Chief Executive Officer and signed by:
    - (i) The Chairperson; or
    - (ii) The majority of the total membership of the Board (including vacancies); which resolution or requisition shall specify the time and place at which the meeting is to be held and the general nature of the business to be brought before the meeting.
- 1.15.3 Notice in writing of the time and place of a special meeting, and of the general nature of business, shall be given by the Board Secretary to every member of the Board:
- (a) At least 3 working days before the day appointed for the meeting; or
  - (b) Where the meeting is called pursuant to a resolution of the Board, within such lesser period of notice, being not less than 24 hours, as is specified in the resolution.

### Emergency meetings

- 1.15.4 The Board may hold emergency meetings.
- 1.15.5 An 'emergency meeting' means a meeting called by:
- (a) The Chairperson; or
  - (b) If the Chairperson is unavailable, the Deputy Chairperson, to deal with matters specified by the Chairperson or Principal Administrative Officer, being matters that require a meeting to be held at shorter notice than can be given under order 1.14.1 or 1.15.1.
- 1.15.6 Notice of the time and place of the emergency meeting and of the matters in respect of which the meeting is being called shall be given, by whatever means is reasonable in the circumstances, to every member of the Board and to the Board Secretary at least 24 hours before the time appointed for the meeting.
- 1.15.7 The person calling the emergency meeting shall give, or shall cause some other person to give, the notice required by order 1.15.6.
- 1.15.8 Where any resolution is passed at an emergency meeting of the Board, the Board shall cause the resolution to be publicly notified as soon as practicable, unless the resolution was passed at a meeting or part of a meeting from which the public was excluded. (Schedule 3, Clause 22).

#### **1.16 Notices to members of meetings**

1.16.1 The Board Secretary shall give notice in writing (by delivery or electronic transmission) to members of the time and place appointed from time to time for holding each ordinary meeting already scheduled and any special meetings, and the members shall attend such meetings without further notice.

1.16.2 In the case of each meeting to which order 1.16.1 applies, an agenda detailing the business to be brought before that meeting, together with relevant agenda papers and associated reports, shall be sent to every member not less than two working days before the day appointed for the meeting.

#### **1.17 Meetings not invalid because notice not received**

1.17.1 No ordinary meeting, special meeting, or emergency meeting of a Board shall be invalid because notice of that meeting was not received or was not received in due time by any member if the Chairperson made all reasonable efforts to ensure each member was given notice. (Clause 18 Schedule 3)

## **2.0 MEETINGS**

### **2.1 Chairperson to preside at meetings**

- 2.1.1 The Chairperson of the Board shall preside at every meeting of the Board at which he or she is present.
- 2.1.2 The Chairperson of any Committee shall preside at every meeting of the Committee at which he or she is present.
- 2.1.3 The Board must appoint a member of a Committee to be the Chairperson of that Committee; and may appoint another member of the Committee as Deputy Chairperson of the Committee. Where the Board has not appointed a Chairperson, power may be exercised by the Committee to appoint a member to act in the position of Chairperson until the Board appoints a Chairperson. Any Committee may from time to time appoint a Deputy Chairperson to act in the absence of the Chairperson.
- 2.1.4 If at any meeting the Chairperson is absent, the Deputy Chairperson shall preside at the meeting but if the Deputy Chairperson is also absent, or there is no Deputy Chairperson, the members present shall appoint one of their number to preside at that meeting. The Deputy Chairperson or person so appointed shall have and may exercise in any such case all the powers and functions of the Chairperson for the purposes of the meeting.

### **2.2 Order of Business**

- 2.2.1 The Board shall adopt an order of business which shall normally apply at ordinary meetings and may vary it from time to time.

### **2.3 Agenda**

- 2.3.1 The Board Secretary shall prepare for each meeting an agenda setting forth the items of business to be brought before the meeting so far as is known. At the meeting the business shall be dealt with in the order in which it stands on the agenda unless the meeting determines otherwise (see 2.6.1). The Principal Board Secretary shall place on a public excluded agenda paper any matters which he/she reasonably expects the Board or Committee to discuss with the public excluded.
- 2.3.2 An agenda detailing business to be considered by a meeting may be issued to members of the news media on the basis of being embargoed until the commencement of the relevant meeting, or such earlier time as is stated in the agenda.

### **2.4 Chairpersons report**

- 2.4.1 The Chairperson shall have the right to direct the attention of the Board by report to any matter or subject within the role or function of the Board.

### **2.5 Extraordinary business at ordinary meetings**

- 2.5.1 Only business on the agenda shall be transacted at any meeting unless the Chairperson determines additional business to be extraordinary or urgent. The Chairperson's ruling in this regard shall be final and not open to debate. (See also 3.2.9 (5) & (6).

### **2.6 Precedence of business**

- 2.6.1 Despite 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 on a motion duly passed without debate, may accord precedence to any business set down on the agenda for consideration.

## 2.7 Time limit at meetings

- 2.7.1 Unless pursuant to a resolution of the Board to other effect, no meeting shall sit for more than six hours nor beyond 10.30 p.m. Any business on the agenda not dealt with shall be listed for attention at the next ordinary meeting or special meeting.

## 2.8 Quorum at meetings

- 2.8.1 A meeting shall be duly constituted if a quorum is present whether or not all of the members present are voting.
- 2.8.2 No business shall be transacted at any meeting unless at least a quorum of members is present during the whole of the time at which the business is transacted.
- 2.8.3 The quorum at any meeting of a Board or Committee shall consist of half the members (including vacancies) if the number of members is even, and a majority if the number is odd.
- 2.8.4 The Minister may, by written notice to all members of the Board given before a certain meeting or meetings of the Board, or before any meeting within a certain period set a quorum other than 2.8.1(3) if a member of the Board gives the Minister a written statement of the reasons why the Minister should do so and the Minister considers that these reasons are good reasons and do exist in fact. (Clause 25 Schedule 3).
- 2.8.5 The quorum at any meeting of any other Committee:
- (a) Shall be not less than two members of the Committee, as determined by the Board or Committee that makes appointments to the Committee; and
  - (b) In the case of a Committee (other than a subcommittee), shall include at least one member of the Board.
- 2.8.6 A Board member who has declared an interest in relation to a transaction must not be counted in the quorum, unless the Minister has waived or modified the application of the clause. (Clause 26 Schedule 3)
- 2.8.7 A Committee member who has declared an interest in relation to a transaction must not be counted in the quorum unless the Board has waived or modified the application of the clause. (Clause 27 Schedule 4).
- 2.8.8 The Board may, by written notice to all members of a Committee given before a certain meeting or meetings of the Committee, or before any meetings of the Committee within a certain time period set a quorum other than 2.8.1(3) if a member of the Committee gives the Board a written statement of reasons why the Board should do so and the Board considers those reasons are good reasons and do exist in fact. (Clause 26 Schedule 4).

## 2.9 Failure of a quorum

- 2.9.1 If a meeting is short of a quorum at its commencement, or falls short of a quorum, the business shall stand suspended and, if no quorum is present within ten minutes, the Chairperson shall vacate the chair and the meeting shall lapse. Members present may remain and discuss matters on the agenda but no decisions can be taken.
- 2.9.2 The business remaining to be disposed of following the lapsing of a meeting shall stand adjourned until the next ordinary meeting unless an earlier meeting is fixed by the Chairperson and notified by the principal administrative officer.
- 2.9.3 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 shall be recorded by the principal administrative officer.

## 2.10 Leave of absence and apologies

- 2.10.1 The Board may grant leave of absence to a member from an ordinary meeting or other meetings of the Board or its Committees upon application by the member.

2.10.2 If a member has not obtained leave of absence an apology may be tendered on behalf of the member and the apology may be accepted or declined by the Board. Acceptance of the apology shall be deemed to be a granting of leave of absence for that meeting.

2.10.3 The Chairperson of each meeting shall invite apologies at the beginning of each meeting, including apologies for lateness and early departure, and these and subsequent apologies during the meeting shall be recorded in the minutes, including whether they were accepted or declined.

## 2.11 Minutes of Meetings

2.11.1 The Board Secretary shall keep the minutes of meetings. The minutes shall record:

- (a) The date time and venue of the meeting;
- (b) The names of members attending each meeting and management present;
- (c) Identification of the Chairperson;
- (d) Apologies tendered, including arrival and departure times and absences during the meeting;
- (e) Declarations of interest;
- (f) A list of items considered at the meeting;
- (g) Resolutions pertaining to those items;
- (h) The names of those voting if a Division is called;
- (i) The time the meeting concludes or adjourns.

2.11.2 The minutes and proceedings of every meeting shall be circulated to members and considered at the next ordinary 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 as a correct record of proceedings.

2.11.3 No discussion shall arise on the substance of the minutes at the succeeding meeting, except as to their correctness.

## 2.12 Minutes

2.12.1 The minutes of the Board and its Committees shall be kept by the Board Secretary and shall be open to inspection in accordance with Clause 21, Schedule 3 and Clause 22, Schedule 4 of the Act.

2.12.2 The Chairperson and the Board Secretary shall be responsible for confirming the correctness of the minutes of the last meeting of the Board election prior to the next election or appointment of members.

## 2.13 Deputations

2.13.1 Deputations may be received by the Board or any of its Committees provided an application for admission setting forth the subject has been lodged with the Board Secretary not later than 10 working days before the relevant meeting and has been subsequently approved by the Chairperson. The Chairperson may refuse requests for deputations which are repetitious or offensive.

2.13.2 Notwithstanding 2.13.1, where in the opinion of the Chairperson the matter which is subject of a deputation is one of urgency or major public interest, the Chairperson may determine that the deputation be received by the Board.

2.13.3 Deputations may be received by Committees provided an application for admission setting forth the subject has been lodged with the Board Secretary at least ten clear working days before the date of the meeting concerned and has been subsequently approved by the Chairperson of the Committee. The Chairperson may refuse requests for deputations which are repetitive or offensive.

2.13.4 Notwithstanding 2.13.3, where in the opinion of the Chairperson of the Committee 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 Committee.

2.13.5 Except with the approval of the Board (or Committee thereof) 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 (see 2.25.1 and 2.25.2 regarding qualified privilege).

2.13.6 The 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 predominantly motivated by ill will or are taking improper advantage of the occasion of publication.

2.13.7 Unless the meeting determines otherwise in any particular case, a limit of five minutes shall be placed on each of the two members of the deputation addressing the meeting.

## 2.14 Petitions

2.14.1 Every petition presented to the Board (or to any Committee thereof) shall comprise less than 500 words and shall not be disrespectful, nor use offensive language or make statements predominantly motivated by ill will.

2.14.2 Any member of the Board who presents a petition on behalf of the petitioners, shall confine themselves to the reading of the petition and the statement of the parties from which it comes, and the number of signatures attached to it.

2.14.3 Where a petition is presented by a petitioner, unless the Board determines otherwise, a limit of five minutes shall be placed on that person (see 2.25.1 and 2.25.2 regarding qualified privilege). If the Chairperson has reason to believe that the petitioner is disrespectful or offensive, or has made statements predominantly motivated by ill will or is taking improper advantage of the occasion of publication the Chairperson will terminate presentation of the petition.

## 2.15 Procedural motions to terminate or adjourn debate

2.15.1 Any member who has not spoken during debate on any matter may move any one of the following procedural motions to terminate or adjourn debate, but not so as to interrupt a member speaking:

- (a) That the meeting be adjourned to the next ordinary meeting, unless an alternative time and place is stated; or
- (b) That the item of business being discussed be adjourned to a time and place to be stated; or
- (c) That the motion under debate be now put (a "closure motion"); or
- (d) That the meeting move directly to the next business, superseding the item under discussion; or
- (e) That the item of business being discussed lies on the table, and not be further discussed at that meeting; or
- (f) That the item of business being discussed be referred (or referred back) to the relevant Committee of the Board.

2.15.2 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.

2.15.3 Procedural motions to terminate or adjourn debate shall take precedence over other business (other than points of order), and shall, if seconded, be put to the vote immediately without discussion or debate.

2.15.4 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 or adjourn debate may not be moved by any member within the next 15 minutes.

2.15.5 Notwithstanding order 2.15.4 a closure motion shall be put if there is no further speaker in the debate.

2.15.6 When an amendment to a motion is under debate, a closure motion relates to the amendment and not to the motion.

2.15.7 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 shall then be put.

2.15.8 The debate on adjourned items of business shall 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.

2.15.9 Adjourned items of business shall be taken first at the subsequent meeting in the class of business to which they belong.

2.15.10 The carrying of any motion to adjourn a meeting shall not supersede other business before the meeting remaining to be disposed of, and such other business shall be considered at the next meeting.

2.15.12 Business referred, or referred back, to a specified committee shall be considered at the next ordinary meeting of that committee.

## **2.16 Notices of Motion**

2.16.1 Notices 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 the Board Secretary at least 5 working days before such meeting.

2.16.2 The Chairperson may direct the Board Secretary to refuse to accept any notice of motion which is:

- (a) Disrespectful or which contains offensive language or statements made with malice; or
- (b) Not within the scope of the role or functions of the Board; or
- (c) 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 the Board Secretary may make;
- (d) Is concerned with matters, which are already the subject of reports or recommendations from a Committee to the meeting concerned.

2.16.3 No notice of motion shall proceed in the absence of the mover, unless moved by another member authorised in writing by the mover to do so.

2.16.4 A notice of motion may only be altered by the mover with the consent of the meeting.

2.16.5 Notices of motion not moved on being called for by the Chairperson shall lapse.

2.16.6 Any notice of motion referring to any matter ordinarily dealt with by a Committee of the Board may be referred by the Board Secretary to that committee.

## **2.17 Repeat notices of motion**

2.17.1 When a motion which is the subject of a notice of motion has been considered and rejected by the Board, 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 the members of the Board (including vacancies).

2.17.2 If such a repeat notice of motion as provided for in order 2.17.1 is also rejected by the Board, any further notice prior to the expiration of the original period of six months shall need to be signed by a majority of the members of the Board (including vacancies).

2.17.3 Where a notice of motion has been considered and agreed by the Board, no notice of any other motion which is, in the opinion of the Chairperson, to the same effect shall be put again whilst such original motion stands.

## **2.18 Motions**

2.18.1 All types of motions and amendments moved in debate (including notices of motion) must be seconded, and thereupon the Chairperson shall state the matter raised and propose it for discussion.

2.18.2 Once motions or amendments have been seconded and put to the meeting by the Chairperson they cannot be withdrawn without the consent of a majority of the members present and voting. A motion to which an amendment has been moved and seconded cannot be withdrawn until the amendment is withdrawn or lost.

2.18.3 The meeting may allow a motion which is subject to an amendment to be withdrawn and replaced by the said amendment as the substituted motion, provided a majority of the members present vote for the withdrawal of the original motion. In such case, members who have spoken to the original motion may speak again to the substituted motion.

- 2.18.4 The Chairperson may require the mover of any motion or amendment to submit it in writing signed by the mover.
- 2.18.5 The Chairperson or the meeting may require a complicated motion (whether an original motion, a substituted motion, or amendment thereto) to be divided.
- 2.18.6 The Chairperson may, immediately prior to any division being taken, request the Board Secretary to restate the motion upon which the division is to be taken. Once the Chairperson has put the motion, no member may speak to that motion after it has been put and voted upon.
- 2.18.7 In speaking in any debate no member shall cast reflection on any resolution of the Board except by a notice of motion to amend or revoke the same.

## 2.19 Amendments

- 2.19.1 When a motion has been seconded and proposed by the Chairperson for discussion, an amendment may be moved and seconded by any members who have not yet spoken to the motion: Provided that the mover or seconder of a motion for the adoption of the report of a committee, and who desires to amend any item in the report, may also propose or second an amendment.
- 2.19.2 Amendments which are proposed but not seconded shall not be in order nor entered in the minutes.
- 2.19.3 Every proposed amendment must be relevant to the motion under discussion and not be in similar terms to an amendment which has been lost.
- 2.19.4 No amendment which amounts to a direct negative shall be allowed which, if carried, would have the same effect as negating the motion.
- 2.19.5 No further amendment shall be allowed until the first amendment is disposed of, although members may give notice to the Chair of their intention to move further amendments and the nature of their content.
- 2.19.6 Where an amendment is lost, another may be moved and seconded by any members who have not spoken to the motion (whether an original motion or substituted motion). Movers and seconders of previous amendments which were lost shall be regarded as having spoken to the motion only and shall be entitled to speak to the new amendment, but shall not be entitled to move or second the new amendment.
- 2.19.7 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.

## 2.20 Revocation or Alteration of Resolution

- 2.20.1 All or part of a resolution agreed at a meeting of the Board may be revoked or altered as follows:
- Notice of motion for the revocation or alteration of all or part of a previous resolution shall be given to the Board Secretary by the member intending to move such a motion. Such notice shall set out:
    - The resolution or part thereof which it is proposed to revoke;
    - The meeting date when it was passed;
    - And the motion, if any, that it is intended to move in substitution therefore.
  - Such notice shall be given to the Board Secretary at least 5 working days before the meeting at which it is proposed to consider such motion and shall be signed by not less than one third of the members of the Board (including vacancies);
  - At least 2 working days' notice in writing shall then be given by the Board Secretary to the members of the intended motion and of the meeting at which it is proposed to move such motion (see (b) above and 2.22.4).
- 2.20.2 Where a notice of motion has been given in terms of order 2.16.1, no action which is irreversible shall be taken under the resolution proposed to be revoked or altered until the proposed notice of motion has been dealt with by the Board. However, if in the opinion of the Chairperson, the practical effect of the delay so occasioned would be equivalent to a revocation of the resolution, or if, by reason of repetitive notices the effect of the notice is, in the opinion of the Chairperson, an attempt by a minority to frustrate

the will of the DHB then, in either case, action may be taken as though no such notice to the Board Secretary had been given or signed.

2.20.3 If, during the course of a meeting of the Board, fresh facts or information are received concerning a matter already resolved at the meeting, then such previous resolution may be revoked or altered by the consent of three quarters of the members present and voting.

2.20.4 Any Board meeting may, on a recommendation contained in a report by the Chairperson or Principal Administrative Officer, or the report of any Committee, revoke or alter all or part of any resolution previously passed by the Board or Committee thereof. The notification of such recommendation shall have been given to the Chairperson and members at least 2 clear days before the meeting at which such recommendation is to be considered.

## **2.21 Rules of debate**

2.21.1 The person in the chair shall be addressed in such terms as denotes the office of that person with the choice of mode of address being as determined by that person.

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

2.21.3 In speaking to any motion or amendment, members shall 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 shall be final and not open to challenge.

2.21.4 If three speakers have spoken consecutively in support of, or in opposition to, any motion the Chairperson may call for a speaker to the contrary. If no such speaker is forthcoming the motion shall be put. Any member speaking shall, if called upon by the Chairperson to do so, announce whether they are speaking in support of or against the motion or amendment.

2.21.5 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.

2.21.6 Members shall not read their speeches, except with the permission of the Chairperson, but may refresh their memory by reference to notes.

2.21.7 The following time limits shall apply to members speaking at Board meetings, unless extended by a majority vote of members present:

- (a) Movers of motions when speaking to the motion, 5 minutes;
- (b) Movers of motions, when exercising their right of reply, 3 minutes;
- (c) Other members, not more than 4 minutes.

2.21.8 Except pursuant to orders 2.21.10, 2.21.13 and 2.21.14 a member may not speak more than once to a motion.

2.21.9 Members may request the Chairperson to restate the motion for their information at any time during the debate, but not so as to interrupt.

2.21.10 The mover of an original motion shall have the right of reply. After the mover has commenced such reply, or has intimated the wish to forego this right, or the Chairperson has intimated his intention to put the motion, no other member shall speak on the motion. Movers in reply shall not introduce any new matter and shall confine themselves strictly to answering previous speakers.

2.21.11 The right of reply shall be governed as follows:

- (a) Where no amendment has been moved, the mover may reply at the conclusion of the discussion on the motion; or
- (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 shall exhaust the right thereto as mover of the original motion (see 2.21.10). The mover may, however, take part in the discussion upon subsequent amendments.

- 2.21.12 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.
- 2.21.13 Notwithstanding order 2.21.8, members may make a personal explanation with the permission of the Chairperson, but such matters may not be debated.
- 2.21.14 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.

## **2.22 Conduct of meetings**

- 2.22.1 The Chairperson shall decide all questions where these Standing Orders make no provision or insufficient provision points of order and any member who refuses to obey any order or ruling of the Chairperson shall be held guilty of contempt.
- 2.22.2 Whenever the Chairperson rises or raises a hand during a debate any member then speaking or offering to speak shall be seated, and members shall be silent so that the Chairperson may be heard without interruption.
- 2.22.3 Members desiring to speak shall raise a hand and address the Chairperson, and shall not leave their place while speaking without the leave of the Chairperson. Unless required to do so by the Chair, members may remain seated while speaking.
- 2.22.4 When two or more members raise a hand the Chairperson shall name the member who has the right to speak first, provided that the following members shall have precedence, where in order, when they state their intention to:
  - (a) Raise a point of order (2.23), including any request to obtain a time extension for the previous speaker;
  - (b) Move a motion to terminate or adjourn the debate (see 2.15); or
  - (c) Make a point of explanation or request an indulgence of the Chairperson (see 2.19.11 or 2.19.12).
- 2.22.5 Members called to order by the Chairperson shall 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 shall withdraw and shall not be permitted to return during the meeting, or any period thereof of that meeting that the Chairperson may determine.
- 2.22.6 (a) No member of the Board shall at any meeting, be disrespectful in speech or use offensive or malicious language, including in reference to:
  - (i) The Board, or
  - (ii) Any other member, or
  - (iii) Any officer or employee of the DHB.(b) In addition, no member shall impute improper motives, or make offensive remarks about the private affairs of any other member of the Board or its staff.
- 2.22.7 The Chairperson may call upon any member to withdraw any offensive or malicious expression and require the member to apologise for the expression. The Chairperson may require any member, who refuses to withdraw the expression and/or apologise, to withdraw from the meeting for a time specified by the Chairperson.
- 2.22.8 The Chairperson may require a member to withdraw immediately, from the meeting if their conduct is, in the opinion of the Chairperson, disorderly or creating a nuisance.
- 2.22.9 No member, or member of the public, may use, or be associated with the use of, a recording or filming device without the knowledge of the meeting and the prior consent of the Chairperson.

## **2.23 Points of Order**

- 2.23.1 Any member may rise to speak to a point of order upon any breach of these standing orders and the member previously speaking shall thereupon be seated and stop speaking.
- 2.23.2 The member rising shall state without explanation precisely the subject matter of the point of order.

2.23.3 No point of order shall be raised during a division except by permission of the Chairperson.

2.23.4 The following shall be recognized as substance for points of order:

- (a) Discussion of a question not before the Board; or
- (b) Use of offensive or malicious language; or
- (c) The breach of any standing order; or
- (d) Misrepresentation of any statement made by a member or by an officer or employee of the DHB; or
- (e) Request that words objected to be recorded in the minutes (see 2.21.5); or
- (f) Disorder.

2.23.5 Rising to express a difference of opinion or to contradict a statement of a speaker shall not be construed as rising to speak to a point of order.

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

## 2.24 Voting

2.24.1 All actions of the Board and all questions before the Board shall be decided at a meeting by the majority of such members as are present and vote except as provided for in the Act or in these Standing Orders.

2.24.2 If a vote is tied, the Chairperson has no second or casting vote, and the question or action is negated. (Schedule 3, Clause 29, Schedule 4, Clause 31).

2.24.3 Every question coming before a Board shall be decided by open voting.

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

2.24.5 The method of voting at meetings of the Board and its Committees 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, as announced by the Chairperson, shall be conclusive unless such announcement is questioned immediately, in which event the Chairperson shall call a division;
- (b) The Chairperson may call for a division instead of, or after receiving opinion on the voices and taking a show of hands;
- (c) Any member may alternately call for a division immediately the Chairperson has declared the result of a vote on the voices or by a show of hands.

2.24.6 When a division is called for the Board Secretary shall take down the names of the members voting "yes" and "no" respectively, and shall hand the list to the Chairperson who shall declare the result.

2.24.7 In case of confusion or error in taking the division, unless the same can be otherwise corrected, a second division shall be taken.

2.24.8 No member of the Board shall vote nor take part in the discussion of any matter at any meeting where they are interested in a transaction unless the Minister waives or modifies the application of Clause 38 Schedule 3 by written notice to the Board. No member of a Committee shall vote nor take part in a discussion of any matter at any meeting where they are interested in a transaction unless the Board waives or modifies the application in Clause 39 of Schedule 4 of the Act.

2.24.9 Every member present when any matter is raised where they are interested in a transaction, shall be under a duty to fully declare any such interest to the meeting. Members who have declared an interest in matters to be discussed should leave the meeting room for the full duration of discussion on such matters. This declaration and the subsequent withdrawal of such member from both discussion and voting on the item shall be recorded in the minutes.

2.24.10 Notwithstanding 2.24.8 and 2.24.9, members who have declared an interest may be involved in a discussion on such matters if a motion to this effect including reasons is passed by a majority of other members of the Board. If such a motion is passed the Board Secretary shall record in the minutes what the member says in any discussion of the Board relating to the transaction.

## **2.25 Qualified privilege**

2.25.1 Where a meeting or any part of a meeting of the Board or Committee is open to the public during the proceedings and:

- (a) There is supplied to a member of the public a copy of the agenda for the meeting with or without further statements or particulars for the purpose of indicating the nature of any item included in the agenda; or
- (b) The minutes of that meeting or part of that meeting are produced for inspection by any member of the public or a copy thereof is given to any member of the public;

The publication of any defamatory matter included in the agenda or in the further statements or particulars or in the minutes shall be privileged unless the plaintiff proves that in publishing the matter the defendant was predominantly motivated by ill will or otherwise and took improper advantage of the occasion of publication. (Schedule 3, Clause 23).

## **2.26 Maintenance of public order at meetings**

2.26.1 The person presiding at any meeting of the Board, if that person believes on reasonable grounds, that the behaviour of any member of the public attending that meeting is likely to prejudice, or to continue to prejudice the orderly conduct of that meeting if that member of the public is permitted to remain in that meeting, may require that member of the public to leave the meeting.

2.26.2 If any member of the public who is required, pursuant to subsection (1) of this section, to leave a meeting of the Board:

- (a) Refuses or fails to leave the meeting; or
- (b) Having left the meeting, attempts to re-enter the meeting without the permission of the person presiding at the meeting;

Any security officer, or any officer or employee of the DHB, may, at the request of the person presiding at the meeting, remove or, as the case may require, exclude that member of the public from the meeting.

## 3.0 PUBLIC ACCESS

### 3.1 Public at meetings

- 3.1.1 All meetings of the Board and its Committees shall be open to the public and news media except where otherwise provided by provided by Clause 34 Schedule 3, Clause 35 Schedule 4, Clause 33 Schedule 3, Clause 39 Schedule 3 and Clause 34 Schedule 4 of the Act.

### 3.2 Public notification of meetings and access to documents

- 3.2.1 The agenda and associated reports circulated to members of the Board or Committee shall be available to the public and news media within 2 working days before a meeting (unless the Board Secretary excludes material from reports he/she reasonably expect the meeting to discuss with the public excluded) (see also 3.2.9). (Schedule 3, Clause 19 & Schedule 4 Clause 20).
- 3.2.2 All meetings scheduled for the following month except where provided for in order 3.2.3, shall be publicly notified not more than 14 days and not less than five days before the end of every month, together with the dates on which and the times and places at which those meetings are to be held. (Schedule 3, Clause 16(1) & Schedule 4, Clause 17(1)).
- 3.2.3 Where any meeting is to be held on or after the 21st day of the month, such meetings may, instead of being notified in accordance with order 3.2.2, be publicly notified not more than ten nor less than five working days before the day on which the meeting is to be held. (Schedule 3, Clause 16(2) & Schedule 4, Clause 17(2)).
- 3.2.4 Where any special meeting of the Board or Committee is called and notice of that meeting cannot be given in the manner required or meetings permitted by order 3.2.2-3.2.3 as appropriate, the Board and Committee shall cause that meeting and the general nature of business to be transacted at that meeting to be publicly notified or otherwise advertised as soon as practicable before the meeting is to be held. (Schedule 3, Clause 16(3) & Schedule 4, Clause 17(3)).
- 3.2.5 Where any emergency meeting of the Board or Committee is called and notice of that meeting cannot be given in the manner required or permitted by order 3.2.1 – 3.2.2 as appropriate for an ordinance or special meeting, the Board or person calling the meeting shall cause to be given such public notice of the meeting and the business to be transacted at the meeting as is reasonable in the circumstances. (Schedule 3, Clause 16(4) & Schedule 4, Clause 17(4)).
- 3.2.6 The Board Secretary shall make any other additional arrangement for the notification of meetings including special meetings as the Board may from time to time determine.
- 3.2.7 No meeting of the Board or a Committee shall be invalid merely because that meeting was not publicly notified in accordance with orders 3.2.2, 3.2.3, 3.2.4 or 3.2.5. (Schedule 3, Clause 17(1) & Schedule 4, Clause 18(1)).
- 3.2.8 Where the Board or a Committee becomes aware that any meeting has not been publicly notified in accordance with orders 3.2.2, 3.2.3, 3.2.4 or 3.2.5, the Board or Committee shall, as soon as practicable, give public notice that the meeting was not so notified, and shall in that notice, -
- (a) State the general nature of the business transacted at that meeting; and
  - (b) Give the reasons why that meeting was not so notified. (Schedule 3, Clause 17(2) & Schedule 4, Clause 18(2)).
- 3.2.9 Any member of the public may, without payment of a fee, inspect during normal office hours, within a period of at least two working days before every meeting, all agendas and associated reports circulated to members of the Board and relating to that meeting.
- (1) The agendas shall be available for inspection at the public offices of the DHB and must be accompanied by either:
    - (a) The associated reports; or
    - (b) A notice specifying the places at which the associated reports may be inspected.
  - (2) Any member of the public may take notes from any agenda or report inspected by that member of the public.

- (3) Every member of the public who inspects an agenda or report made available under subsection (1) of this section and who requests a copy of any part of any such agenda or report and tenders the prescribed amount (if any) shall be given such a copy as soon as practicable.
- (4) Where a meeting is an emergency meeting or a special meeting called pursuant to a resolution of the Board or Committee, the agenda and any associated reports shall be made available as soon as is reasonable in the circumstances (Schedule 3, Clause 20 & Schedule 4, Clause 22).
- (5) Where an item is not on the agenda for a Board or Committee meeting, that item may be dealt with at that meeting if:
  - (a) The Board or 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 later meeting (Schedule 3, Clause 28 & Schedule 4, Clause 29)
- (6) The Board or Committee may also deal with an item not on an agenda if the item is a minor matter relating to the general business of the Board or Committee and 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.
- (7) The Board Secretary may exclude from the reports made available reports or items from reports that he or she reasonably expects the meeting to discuss with the public excluded.
- (8) The Board Secretary shall indicate on each agenda the items that he or she reasonably expects the meeting to discuss with the public excluded.

3.2.10 The public shall be entitled without charge to copies of the agenda (including copies of any documents deemed part of the agenda) to be considered at that part of the meeting which is to be open to them. The part of the agenda which relates to the resolution or motion to exclude the public (see 3.3) shall also be available to the public. The necessary quantity of copies shall be made available.

3.2.11 The public shall be entitled without charge to inspect, take notes from, or receive copies of, minutes of any meeting or part of any meeting from which the public was not excluded (see 2.12.1).

3.2.12 Where a member of the public makes a request for the minutes of a meeting or part thereof from which the public were excluded, that request shall be considered by the Board Secretary as follows:

- (a) If it is made by or on behalf of a natural person, and is for access to any personal information that is about that person, as if it were a request made under subclause (1)(b) of principle 6 of the Privacy Act 1993;
- (b) In any other case, as if it were a request for access to official information made under the Official Information Act 1982.

3.2.13 Lists of members on each Committee shall be available at the office of the Board Secretary and at all meetings of the Board at which members of the public are present.

### **3.3 Reasons to exclude the public**

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

- (a) That the public conduct of the whole or relevant part of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under any of sections 6, 7 or 9 (except 9(2)(g)) of the Official Information Act 1982.
- (b) That the public conduct of the whole or the relevant part of the meeting would be likely to result in the disclosure of information the public disclosure of which would:
  - (i) Be contrary to the provisions of a specified enactment; or
  - (ii) Constitute contempt of court or of the House of Representatives:

- (c) That the purpose of the whole or the relevant part of the meeting is to consider a recommendation of an Ombudsman made under section 30(1) or section 35(2) of the Official Information Act 1982 to the DHB:
- (d) That the purpose of the whole or the relevant part of the meeting is to consider a communication from the Privacy Commissioner arising out of an investigation under Part VIII of the Privacy Act 1993:
- (e) That the exclusion of the public from the whole or the relevant part of the meeting is necessary to enable the board to deliberate in private on a decision or recommendation as to whether any of the grounds in paragraphs (a) to (d) are established in relation to all or any part of any meeting of the DHB.

3.3.2 Where so empowered, the meeting may by resolution exclude the public from the whole or any part of their proceedings. Any such resolution shall 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, including the particular interests protected by Section 6, 7 or 9 of the Official Information Act 1982 which would be prejudiced by holding the whole or relevant part of the meeting in public or the other reasons as set out in Schedule 3, Clause 34 or Schedule 4, Clause 35.

3.3.3 Every resolution or motion 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 motion (or copies thereof):

- (a) Shall be available to any member of the public who is present; and
- (b) Shall form part of the minutes of the Board meeting.

3.3.4 A resolution pursuant to order 3.3.2 may also provide for one or more specified persons to remain after the public has been excluded if that person, or persons, has or have in the opinion of the Board or Committee, knowledge that will assist the meeting (Schedule 3, Clause 35.3 & Schedule 4, Clause 36.3).

3.3.5 Where the Board or Committee resolves that one or more persons may remain after the public has been excluded, the resolution must state the knowledge possessed by that person or those persons which will be of assistance in relation to the matter to be discussed and how it is relevant to the matter (Schedule 3, Clause 35.4 & Schedule 4 Clause 36.4).

### **3.4 Application of standing orders to public excluded sessions**

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

### **3.5 Use of public excluded information**

3.5.1 Subject to the provisions of the Official Information Act 1992, as applicable, no member, officer or other person shall disclose to any person other than a member or officer, any information which has been presented to, or is to be presented to any

meeting

## **4.0 MISCELLANEOUS**

### **4.1 Questions**

- 4.1.1 Any member of the Board may at any ordinary meeting of the Board at the appointed time, put a question to the Chairperson, or through the Chairperson of the Board to the Chairperson of any standing or special committee, or to any officer of the Board concerning any matter relevant to the role or functions of the DHB concerning any matter that does not appear on the order paper, nor arises from any committee report or recommendation submitted to that meeting.
- 4.1.2 Before putting a question, a member shall, in the first instance, endeavour to obtain the relevant information, through the office of the Chairperson, from the appropriate officer of the DHB or the Chairperson of the Committee concerned. In the event of the information sought not being forthcoming, or the member not being satisfied with the answer, the member then has the right to raise the matter by way of a question at an ordinary meeting of the Board, provided that the Chairperson may refer a question to an appropriate Committee.
- 4.1.3 Wherever applicable, such questions shall be in writing and handed to the Chairperson prior to the commencement of the meeting at which they are to be asked.
- 4.1.4 If an answer to the question cannot be given at that meeting it shall, at the discretion of the Chairperson, be placed on the order paper for the next Board meeting.
- 4.1.5 Questions and answers shall be submitted as briefly and concisely as possible. No discussion shall be allowed upon any question or upon the answer.

### **4.2 Questions to officers during the debate**

- 4.2.1 In the course of any debate at any Board meeting, any members may, at the Chairperson's discretion, ask any question of the relevant officer on any matter under debate. Such questions shall be sought through the Chair.

### **4.3 Obligation to provide members with information**

- 4.3.1 Public excluded information required by members in the performance of their particular duties as members shall be supplied to them by the principal administrative officer. Where the Chief Executive Officer is uncertain that public excluded information should be supplied in any particular case, the matter shall be referred to the Chairperson for direction.
- 4.3.2 No information obtained by any member pursuant to 4.3.1 shall be used for any purpose other than for the proper discharge of duties as a member.
- 4.3.3 Where the Chairperson of the Board has reasonable grounds for believing that public excluded information provided to any member has been misused, the Chairperson may report this and any proposed action to the Board.
- 4.3.4 The requirements of 4.3.1 are in addition to the rights of members to make separate and individual requests for information in terms of the Official Information Act 1982, as applicable. Such requests for information may include requests for information that had previously been supplied to that member as public excluded information to be released as publicly available information. Where such information is made available to that member as publicly available information the member has the right to use such information in the same way as if that member were a member of the public.

The foregoing Standing Orders were approved by the Nelson Marlborough District Health Board at their meeting on 24 July 2018 and revoke any previous standing orders.

.....  
Chairperson

.....  
Chief Executive Officer