University of Waikato Council
Appointments Statute

1. Title
This is the University of Waikato Council Appointments Statute 2015.

2. Date of effect
(1) This statute comes into effect on 19 August 2015.

(2) This statute supersedes the Election of Members of the Council Statute 2012.

3. Definitions
In this statute:
Academic Board means the Academic Board of the University of Waikato
Council means the Council of the University of Waikato
staff member means a general or academic staff member employed in a continuing position on at least a 0.5 FTE basis
student means a person enrolled in one or more University of Waikato credit-bearing papers.

4. Membership
The Council comprises 12 members as follows:
(a) Four members appointed by the Minister responsible for Part 13 of the Education Act 1989
(b) The Vice-Chancellor of the University of Waikato
(c) One member appointed by the Council after consultation with Te Rōpū Manukura
(d) One member appointed by the Council after consultation with Te Arikinui
(e) One staff member appointed by the Council on the nomination of the Academic Board
(f) One student member appointed by the Council following an election by the students
(g) Three members appointed directly by the Council, chosen by the Council.

5. Criteria for appointments
In making appointments, the Council will have regard to the provisions under s.171B of the Education Act 1989, namely that:
(1) it is desirable that the Council should, so far as is reasonably practicable, reflect
   (a) the ethnic and socio-economic diversity of the communities served by the University, and
   (b) the fact that approximately half the population of New Zealand is male and half the population is female.

(2) the Minister or the Council must have regard to subsection (1), but
   (a) must ensure that at least one member of the Council is Māori, and
   (b) must appoint people who (in the Minister’s or the Council’s opinion)
      (i) have relevant knowledge, skills, or experience, and
      (ii) are likely to be able to fulfil their individual duties to the Council, and
      (iii) together with the other members of the Council, are capable of undertaking its responsibilities, duties, and functions.
6. **Duties of members of the Council**
The individual duties of members of the Council are as set out in s.176A of the Education Act 1989.

7. **One member appointed by the Council after consultation with Te Rōpū Manukura**
   (1) As soon as practicable before membership is to be effective, the Secretary to Council will consult with Te Rōpū Manukura about the nomination of one of its members for appointment to the Council.

   (2) Once the nomination has been received, the Secretary to Council will refer it to the next meeting of the Council with a recommendation for appointment.

   (3) If, at any time, the appointee ceases to be a member of Te Rōpū Manukura, he or she must notify the Council immediately and may be requested to vacate the position on the Council.

8. **One member appointed by the Council after consultation with Te Arikinui**
   (1) As soon as practicable before membership is to be effective, the Secretary to Council will consult with Te Arikinui about the nomination of a person for appointment to the Council.

   (2) Once the nomination has been received, the Secretary to Council will refer it to the next meeting of the Council with a recommendation for appointment.

9. **One staff member appointed by the Council on the nomination of the Academic Board**
   (1) As soon as practicable before membership is to be effective, the Secretary to Council will initiate a process seeking applications for nomination by the Academic Board.

   (2) The Secretary to Council will determine the closing date for applications and will call for applications not more than four weeks and not less than one week prior to the closing date.

   (3) Applications will be called for by notices posted in the University’s Official Circular and emailed to eligible staff members.

   (4) The notices calling for applications will make explicit that general staff members as well as academic staff members (as defined in section 3 of this statute) are eligible for nomination to Council under this provision.

   (5) The notices will state the date and time for the closing of applications and will also include an outline of the criteria for appointment as set out in section 5 of this statute and the duties of Council members referred to in section 6 of this statute.

   (6) Applications must be submitted in writing to the Secretary to Council on the prescribed form and must include a statement of no more than one A4 page setting out:

       (a) the applicant’s position at the University, and

       (b) other relevant information, especially in relation to the criteria for appointment set out in section 5 of this statute.

   (7) The Secretary to Council will verify the eligibility of the applicants for nomination and will refer all eligible applications, in full, to the Academic Board.

   (8) Members of the Academic Board will be notified of the time and place of the meeting to select a nomination at least two weeks before the relevant meeting; the
timing of the item to select a nomination will also be formally notified in the agenda of the relevant meeting.

(9) The selection of a nomination for appointment by the Council will be by a simple majority of votes of the members present.

(10) Each member of the Academic Board will have one vote only. Voting will be on the voices unless there is a request for a show of hands, or, if the meeting so agrees, by secret ballot.

(11) The Chairperson of the Academic Board has the authority to determine whether proxy votes may be submitted in writing before the meeting. If proxy votes are accepted, the Chairperson will be responsible for the process by which account of the proxy votes is taken.

(12) Once a nomination has been selected by the Academic Board, the Secretary to Council will refer it to the next meeting of the Council with a recommendation for appointment.

(13) The Academic Board may resolve that none of the applicants is suitable for nomination to the Council; in such cases the Academic Board may request the Secretary to Council to initiate a further nomination process.

(14) If, at any time, the appointee ceases to be a staff member, he or she must notify the Council immediately and may be requested to vacate the position on the Council.

10. One student member appointed by the Council following an election by the students

(1) The Council will appoint either

(a) provided that subsection (2) applies, the person elected as the President of the Waikato Students’ Union, by virtue of holding that office, or

(b) provided that subsection (2) does not apply, the student elected following the election process outlined in subsection (3).

(2) Subsection (1)(a) applies only if

(a) all students were eligible to be elected and to vote in the election of the President of the Waikato Students’ Union, and

(b) the term of office for which the person was elected as the President of the Waikato Students’ Union coincides with the timing of the associated vacancy on Council and Council’s timeframe for the appointment of a student member to fill the vacancy.

(3) The process for the election of a student under subsection (1)(b) will be as follows:

(a) As soon as practicable before membership is to be effective, the Secretary to Council will initiate a process seeking nominations for election.

(b) The Secretary to Council will determine the closing date for nominations and will call for nominations not more than four weeks and not less than one week prior to the closing date.

(c) Nominations will be called for by notices posted on the University’s website and through relevant social media.

(d) The notices will state the date and time for the closing of nominations and will also include an outline of the criteria for appointment as set out in section 5 of
this statute and the duties of Council members referred to in section 6 of this statute.

(e) Nominations must be submitted in writing to the Secretary to Council on the prescribed form and must include a statement of no more than one A4 page setting out:
   (i) the nominee’s Faculty and programme of study, and
   (ii) other relevant information, especially in relation to the criteria for appointment set out in section 5 of this statute.

(f) Nominees must not be staff members of the University (as defined in section 3 of this statute).

(g) The Secretary to Council will verify the eligibility of the nominees as candidates for the election.

(h) If only one eligible person is nominated, the Secretary to Council will declare the candidate duly elected.

(i) If more than one eligible person is nominated, the electors will be notified and an online election will be conducted.

(j) Candidates are responsible for any costs associated with any individual campaigns.

(k) The election will close not more than four weeks and not less than one week after notification of the election has been sent to electors.

(l) The full names of the candidates will be published on the University’s website in alphabetical order of family names, along with the statements provided by the candidates, instructions for voting, and the date and time for the closing of the election.

(m) Where an elector submits more than one vote, only the last vote submitted by the closing date and time will be counted.

(n) After the election closes, the results will be counted and the majority of votes will decide the election. The Secretary to Council will supervise the counting of the votes.

(o) In the case of an equality of votes, the election will be determined by lot by the Secretary to Council, in the presence of the Chancellor or nominee.

(p) The Secretary to Council will publish the results of the election and refer the name of the elected student to the next meeting of the Council with a recommendation for appointment.

(q) If, at any time, the appointee ceases to be a student, he or she must notify the Council immediately and may be requested to vacate the position on the Council.

(r) The Secretary to Council is responsible for the implementation and interpretation of the provisions of this statute and determines conclusively all questions of detail concerning this election.
(s) The Council may at its absolute discretion, in exceptional circumstances, vary the procedures for the conduct of a particular election.

11. Three members appointed directly by the Council, chosen by the Council
   (1) The Council may determine its own selection and appointment process under this provision.
   (2) Staff members may be appointed under this provision.
   (3) In considering appointments under this provision, the Council will give particular attention to any gaps in the current membership with reference to the criteria for appointment set out in section 5 of this statute.

12. Terms
   (1) The Council
       (a) may appoint a member for any period of not more than four years, and
       (b) must state in the resolution appointing the member the day on which his or her appointment takes effect, and the term for which he or she is appointed.
   (2) If the term of office of a member of the Council expires before a successor is appointed, he or she continues in office until his or her successor’s appointment takes effect.

13. Maximum number of occasions on which a person may serve as a member of Council
   (1) The maximum number of occasions on which a person may serve as a member of the Council is
       (a) the number that ensures that the total period for which that person is a member of the Council does not exceed 16 years (consecutive or otherwise), or
       (b) in the case of a person appointed by virtue of holding a stated office, any number of terms or years while he or she continues in that office.

14. Vacation of office
The provisions governing vacation of office are as set out in s.174 of the Education Act 1989.

15. Casual vacancies
The provisions governing casual vacancies are as set out in s.176 of the Education Act 1989.

16. Removal of members
The provisions governing removal of members are as set out in s.176C of the Education Act 1989.

Approved
Council, 19 August 2015