



**Grey Power
New Zealand
Federation
Incorporated**

By-Laws

Revised 12 February 2024 – Version 10

Grey Power New Zealand Federation Inc. By-Laws

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Grey Power New Zealand Federation Inc. By-Laws

Introduction

- a) This document sets out the By-Laws that govern the operational management of Grey Power New Zealand Federation Inc.
- b) The authorities stated are those as defined in the Grey Power New Zealand Federation Inc registered Constitution.
- c) These By-Laws can be amended by a motion of the Grey Power New Zealand Federation Board.

1 Objectives

- a) The objective of this document is to give structure and authority to the By-Laws referred to in the Grey Power New Zealand Federation Inc. Constitution.
- b) These By-Laws are used in the operational management of Grey Power New Zealand Federation Inc.
- c) To support the interpretation of the Grey Power New Zealand Federation Inc. registered Constitution.
- d) To provide a mechanism where the Grey Power New Zealand Federation Inc elected Board in full session can:
 - i. Act on a By-Law
 - ii. Enforce a By-Law
 - iii. Amend a By-Law
 - iv. Delete a By-Law
 - v. Introduce a new By-Law

2 Interpretation of By-Laws

- a) The sole arbiter of these By-laws is the elected Board of Grey Power New Zealand Federation Inc.
- b) Associations affiliated to the Grey Power New Zealand Federation Inc wishing to make amendments, additions or deletions to any By-Law may do so with a Notice of Motion to the Board of Grey Power New Zealand Federation Inc.
- c) A submission in writing by “Notice of Motion” addressed to the Secretary of Grey Power New Zealand Federation Inc must be signed by two financial members of the submitting Association’s elected committee.
- d) The notice of motion must be accompanied by a copy of the resolution(s) minutes from the submitting association’s meeting when the notice of motion was proposed and passed.

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- e) The Board in full session may accept or reject the notice of motion.
- f) No By-Law can be contrary to any clause in the Grey Power New Zealand Federation Inc Constitution.

3 Authority

- a) These By-Laws are to be read in conjunction with the Grey Power New Zealand Federation Inc. Constitution.

4 Definitions

- a) Where required additional definitions are stated in the appropriate By-Law
- b) The word “Board” where used means the Elected Board of Grey Power New Zealand Federation Inc.

5 The By-Laws as Listed

1. Associations and Zones
2. Zone Boundaries and Maps
3. Proxy Votes
4. Contract of Observance
5. Nominations for Office Holders
6. Remits Code of Practice
7. Branding use of Trademark
8. Code of Conduct
9. Federation Office Manager
10. The Business of the Grey Power Federation
11. Complaints & Dispute Resolution Procedures

Grey Power New Zealand Federation Inc. By-Laws

By-Law 1 Associations and Zones

- a) Grey Power New Zealand Federation Inc is comprised of affiliated associations divided in to seven zones as detailed in this section

Note: The number shown after the association name (00) is that used by the Grey Power Federation Inc database.

1.1 Zone One

Grey Power Far North Association Incorporated (62)
Kaipara Grey Power Incorporated (33)
Mid North Grey Power Association Incorporated (231)
Grey Power Otamatea Incorporated (232)
Grey Power Whangarei Incorporated (43)

1.2 Zone Two

Auckland Greypower Association Incorporated (40)
Counties Manukau Grey Power Association Incorporated (320)
Hibiscus Coast Grey Power Association Incorporated (28)
Grey Power Howick Pakuranga & Districts Association Incorporated (47)
Grey Power North Shore Incorporated (38)
Grey Power Waiheke & Gulf Islands Association Incorporated (68)
Waitakere Grey Power Association Incorporated (39)

1.3 Zone Three

Grey Power Cambridge Incorporated (25)
Grey Power - Coromandel Incorporated (15)
Grey Power Gisborne Incorporated (20)
Hamilton Grey Power Incorporated (05)
Kawerau & Districts Grey Power Association Incorporated (80)
The King Country Grey Power Association Incorporated (64)
Matamata Grey Power Incorporated (08)
Grey Power Mercury Bay Incorporated (34)
Morrinsville Grey Power Association Incorporated (09)
Opotiki District Grey Power Association Incorporated (14)
Grey Power Paeroa Incorporated (07)
Grey Power Papamoa and Districts Association Incorporated (380)
Grey Power Rotorua Incorporated (12)
Grey Power South Waikato Incorporated (37)
Grey Power Taupo Incorporated (13)
Grey Power Te Aroha, Incorporated (27)
Te Awamutu Greypower Incorporated (51)
Grey Power Thames Association Incorporated (233)
Grey Power, Waihi, Incorporated (141)
Tauranga & Western Bay Of Plenty Grey Power Association Incorporated (140)
Whakatane District Grey Power Association Incorporated (42)
Grey Power Whangamata Incorporated (32)

1.4 Zone Four

Central Hawke's Bay Grey Power Incorporated (70)
Grey Power Dannevirke and District Association Incorporated (95)
Grey Power Hastings and Districts Association Incorporated (71)
Horowhenua Grey Power Association Incorporated (65)

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Grey Power, Hutt City, Association, Incorporated (57)
Kapiti Coast Grey Power Association Incorporated (66)
Mana-Tawa Grey Power Association Incorporated (60)
Grey Power Manawatu Incorporated (21)
Grey Power Napier and Districts Incorporated (10)
Grey Power New Plymouth Association Incorporated (18)
Grey Power Rangitikei Incorporated (91)
Grey Power South Taranaki Association Incorporated (06)
Stratford and District Grey Power Incorporated (44)
Grey Power Upper Hutt Association Incorporated (61)
Grey Power Wainuiomata Association Incorporated (262)
Grey Power Wairoa & District Association Incorporated (19)
Grey Power Wanganui Incorporated (22)
Wellington Central Grey Power Incorporated (59)
Wellington South East Superannuitants Association Incorporated (58)

1.5 Zone Five

Buller Area Grey Power Association Incorporated (45)
Grey Power Golden Bay Incorporated (17)
Grey Power - Greymouth Incorporated (35)
Hokitika Grey Power Incorporated (56)
Grey Power Marlborough Incorporated (30)
Grey Power Motueka Association Incorporated (63)
Nelson Greypower Association Incorporated (11)

1.6 Zone Six

Grey Power Ashburton Incorporated (29)
Greypower Christchurch Superannuitants Association (03)
Greypower North Canterbury Incorporated (46)
Temuka Grey Power Association Incorporated (152)
Grey Power Timaru Incorporated (150)
Waimate Grey Power Association Incorporated (151)

1.7 Zone Seven

Grey Power (Otago) Incorporated (04)
Grey Power Central Otago Association Incorporated (261)
Grey Power Eastern Southland Association Incorporated (251)
Grey Power North Otago Incorporated (24)
Queenstown Grey Power Incorporated (260)
Grey Power Southland Association Incorporated (250)
Grey Power South Otago Incorporated (67)

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By-Law 2 Zone Boundaries

- a) The seven zones as defined in By-Law 1 physical boundaries are set as follows.

Definitions Used in this By-law

“Associated Island” means any island forming part of New Zealand other than the North or South Island.

“The Map” means the map appearing at the end of this By-Law.

Zone One comprising:

That part of the North Island which lies North of the boundary line shown as A-B on the map and which is marked “One” on the map; and any Associated Islands which are closer to Zone One than to Zone Two.

Zone Two comprising:

That part of the North Island which lies South of the boundary line shown as A-B on the map and North of the boundary line shown as C-D on the map and which is marked “Two” on the map; and any Associated Islands which are not part of either Zone One or Zone Three.

Zone Three comprising:

That part of the North Island which lies South of the boundary line shown as C-D on the map and North of the boundary E-F, which is marked “Three” on the map; and any Associated Islands which are not part of either Zone Two or Zone Four.

Zone Four comprising:

That part of the North Island which lies South of the boundary line shown as E-F on the map and which is marked “Four” on the map; and any Associated Islands which are not part of either Zone Three or Zone Five.

Zone Five comprising:

That part of the South Island which lies North of the boundary line shown G-H on the map and which is marked “Five” on the map; and any Associated Islands that are not part of either Zone Four, Zone Six or Zone Seven.

Zone Six comprising:

That part of the South Island which lies to the East of the boundary line shown G-H and North of the boundary line J-K on the map and which is marked “Six” on the map; and any Associated Islands that are not part of either Zone Five or Zone Seven.

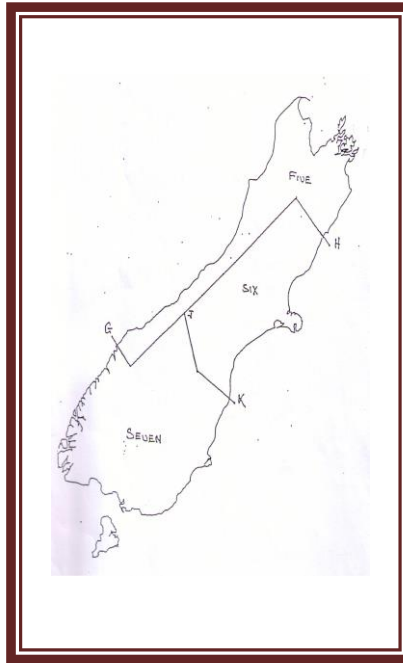
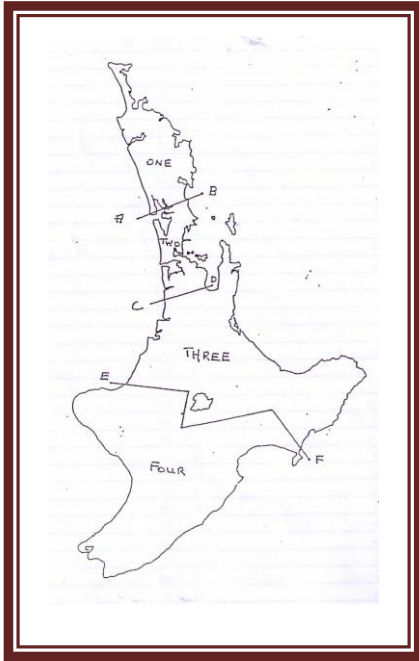
Zone Seven comprising:

That part of the South Island which lies South of the boundary line shown G-J-K on the map and which is marked “Seven” on the map; and any Associated Islands that are not part of either Zone Five or Zone Six.

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Maps

NB. The maps appended to this document are schematic and may vary from actual boundaries in some measure. But it is assumed that Associations will know into which zone they actually fall. In cases of doubt, guidance may be sought from Federation.



By-Law 3 Proxy Votes

1. Where an Association, for whatever reason, is unable to attend a special or annual general meeting the said association may choose to exercise a proxy vote as allowed.
2. Clause 6.5 of the Grey Power New Zealand Federation Inc constitution allows for Associations unable to attend a lawfully constituted special (SGM) or annual (AGM) general meeting to exercise their voting rights by proxy.
3. The association assigning their proxy votes on notices of motion or remits may choose either of two options:
 - (i) Instruct their nominated proxy holder to vote for or against a remit, or abstain
 - (ii) Authorise the person holding the proxy to vote how they so choose
4. Election of office holders by proxy (paper ballot)
 - (i) As instructed on the Proxy Form
5. Form **3B Page 1 only must be forwarded to the Federation Secretary** (as the Federation Secretary does not need to know how an Association is voting)
6. Form **3B Page 2 must be retained by the Attending Association** for voting purposes

Definition of a Proxy Vote

Proxy voting is a form of voting whereby some members of a decision-making body may delegate their voting power to other members of the same body to vote in their absence, and/or to select additional representatives. A person so designated is called a "proxy" and the person designating him or her is called a "principal".

Source: Riddick & Butcher (1985). Riddick's Rules of Procedure, p. 155–156

Guide Lines

- a) Associations taking the option to assign their proxy vote should choose an association whom they feel will exercise their trust with diligence.
- b) The constitution clause 6.5 states that an association may only hold the proxy vote for one association.
- c) If an association in assigning their proxy wishes the proxy holder to vote in a particular way they must state so on the form 3B page 2.
- d) Should the instruction of the assigning association not be clear then the proxy holder should seek clarification from the nominating association.

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Instrument for Recording Proxy Vote

Form 3B Page 1

We, (Name of Absentee Association) _____ being an affiliated Association of Grey Power New Zealand Federation Inc hereinafter referred to as “Absentee Association”, do hereby assign our allotted two (2) votes for the (Special/Annual) General meeting to be held on ____/____/____ at (Location) _____ and at any adjournment of that meeting.

To (Name of Attending Association) _____

being an affiliated Association of Grey Power NZ Federation Inc hereinafter referred to as the “Attending Association”.

The Absentee Association must list the voting requirement for each resolution on Form 3B Page 2.

Signed and dated this _____ day of _____ 20____.

Absentee Association President

Attending Association President

Absentee Association Officer

Attending Association Officer

By-Law 4 Contract of Observance

- a) All associations when affiliating to the Grey Power New Zealand Federation Inc will sign a Contract of Observance (Form 4B).
- b) The Contract of Observance of Grey Power New Zealand Federation By-Laws means that all associations are collectively bound to honour in deed and spirit the aims and objectives of Grey Power.

Purpose

- a) The purpose of this By-Law is to ensure that any Grey Power Association affiliated to Grey Power New Zealand Federation Inc complies with and understands the obligations of such affiliation.
- b) The Contract is between the Federation and the applicant association.
- c) The applicant association's registered constitution should not contradict or exclude any clause of the registered constitution of Grey Power New Zealand Federation Inc

Compliance

- a) Associations in compliance with this By-Law are Federated members of Grey Power New Zealand Federation Inc

Definition

Federation Grey Power New Zealand Federation Inc

Rules Individual Constitutions of both parties

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Contract of Observance of Federation Rules and By-Laws Form 4B

BETWEEN GREY POWER NEW ZEALAND FEDERATION INCORPORATED

Background:

1. _____ has applied to join the Federation as a Member Association.
2. The Rules of the Applicant have been perused by the Federation and approved as consistent with the Constitution of the Federation (hereinafter referred to as "The Rules").

The Parties Agree:

- (i) That the Applicant has been provided with a current copy of the Rules.
- (ii) That the Rules may from time to time be amended by the Federation in accordance with the Incorporated Societies Act 1908.
- (iii) That the Applicant agrees to abide by the Rules of the Federation as they are stated at any particular time, and that in any conflict arising between a Rule, or an interpretation of a Rule of the Applicant and a Rule of the Federation, then the Rules of the Applicant will be subject to the Rules of the Federation.
- (iv) In signing this schedule we the undersigned fully understand the said set of rules.

Dated this _____ day of _____ 20 ____

(**"The Federation"**)

and *Name of Association* _____

(**"The Applicant"**)

SIGNED: _____

President of Applicant Association

SIGNED: _____

President of Federation

Signature of Witness _____

Signature of Witness _____

Name _____

Name _____

Association _____

Association _____

By-Law 5 Nominations for Federation Office Holders

- a) Nominees and endorsees must be a financial member of an Association and a financial member of Grey Power New Zealand Federation on the Federation database at the time and date of nominations closing in accordance with clause 4.4 (a) of the Constitution.

The National Secretary shall ensure to the best of his/her ability that any and all nominations for Office Holder positions are valid by the closing date of nominations.
(June 2022 Federation Board meeting resolution)

- b) Office holders Positions

President (elected at large from the membership of any Association every two years in a year with an even number (e.g. 2016) in accordance with provisions of clause 4.2 (b).

Vice President (elected at large from the membership of any Association every two years in a year with an uneven number (e.g. 2017) in accordance with the provisions of clause 4.2 (b) of the Constitution.

Secretary (elected at large from the membership of any Association every two years in a year with an uneven number (e.g. 2017) in accordance with the provisions in clause 4.2 (b) of the Constitution.

Treasurer (elected at large from the membership of any Association every two years in a year with an even number (e.g. 2016) in accordance with the provisions of clause 4.2 (b) of the Constitution.

- c) A copy of each position's "Job Description" is available on request from Grey Power Federation Office
- d) Applicants for President, Vice President, Secretary and Treasurer must use form 5B
- e) Attach CV for Nominee to form 5B
- f) Nominee may attach a photo to form 5B
- g) Please photo copy and use form 5B

Zone Representatives (one elected from each Zone who must be a financial Association member of that Zone, registered on the Federation database and resident in that Zone. The elections will be in accordance with the provisions of clauses 4.2 (b) and 4.2 (d) (ii) A. of the Constitution and in alternate years – Zones 1, 3, 5 and 7 in years with an uneven number (e.g. 2017) and Zones 2, 4, 6 in years with an even number (e.g. 2016).

NB: Sub-clauses d), e), f), g) do not apply to Zone Representatives

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Nomination for Position as Office Holder On Federation Board Form 5B

Nominees and endorsees must be financial members of an Association and a financial member of Grey Power New Zealand Federation on the Federation database at the time and date of nominations closing in accordance with clause 4.4 (a) of the Constitution.

The National Secretary shall ensure to the best of his/her ability that any and all nominations for Office Holder positions are valid by the closing date of nominations.
(June 2022 Federation Board meeting resolution)

TO: The Secretary

Grey Power NZ Federation Inc
PO Box 2721719
PAPAKURA

Date:

We, the undersigned, hereby nominate (*name of nominee*)

Of Association

for the position of (*office holder's position*)on the Grey Power NZ

Federation Inc Board for the year 20__ and 20__

Nominated by: (Name)

who is a financial member ofAssociation

Signature of Nominator:

Seconded by: (Name)

who is a financial member of Association

Signature of Seconder:

Endorsed by (*Name of nominee's Association*):

Signature: Name:

Committee Position:

AND

Signature: Name:

Committee Position:

Nominee's signature confirming acceptance of nomination:

By-Law 6 Code of Practice for Remits at General Meetings

- a) Any part of the constitution or established Grey Power New Zealand Federation Inc. policy that requires amendment, addition or deletion can only be enacted through a remit to a general meeting.
- b) Remits will be submitted to the delegates at the next general meeting for acceptance or rejection in accordance with the Constitution and this Code of Practice.
- c) All Constitutional Remits should ideally be submitted by December 31 of the year prior to the meeting. This will allow time for the remit to be returned to the Association proposer or Zone Director for suggested corrections, if considered necessary, and returned to Federation Office prior to the last date for submitting correct remits.
- d) All remits must be submitted in hard copy together with an electronic copy addressed to the chair of the Legal, Regulations and Remits Standing Committee and be sent to Federation Office in an envelope marked "Remits".
- e) The Rules are:
 1. All Remits must be concise, grammatically correct and always accompanied by an explanation, as background to the remit, so that the remit and explanation are able to stand alone.
 2. Whilst Associations are entitled to submit remits directly to the Federation for inclusion at a General Meeting, it is preferred that remits are submitted, having been endorsed at a Zone Meeting. This means that they initially have reasonable support when presented to the general meeting for discussion and decision. All remits directly from Associations, not Zone endorsed, must also be signed by either the Association President / Chairperson or Secretary confirming that the remit was passed and recorded in the minutes of their Association Committee. Remits put before a Zone for endorsement must have one Association as the mover and another Association as the seconder.
 3. Any remit that has failed to achieve success at a general meeting must be approved and endorsed by a Zone before being re-submitted to any future general meeting in identical or differing form that has the same intentions as any previously submitted remit. If a remit has been previously submitted, a period of at least two years must elapse before being re-submitted, and re-submission must be through a Zone decision only.
 4. Any constitutional remit that alters the constitution must:
 - i) Be submitted in a form acceptable to the Registrar of Incorporated Societies. It is not the duty of, nor to be expected that the Legal, Regulations and Remits Standing Committee change /rewrite the wording of any remit but only make alternative suggestions to the proposer.
 - ii) Be submitted within the time frame as required in the constitution.
 - iii) Be checked against the constitution to ensure that it fully meets all legal requirements without any contradictions.
 - iv) Any clause existing in the constitution which conflicts with the submitted remit must be noted on the submission form 6B

The responsibility for ensuring all of the above is solely those proposing and seconding the remit.

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5. All remits must clearly nominate the action required. The Board will ensure remits carried by the required majority at a general meeting are put into effect as instructed by the remit. Subject to acceptance by the Registrar of Incorporated Societies.
6. Remits that are merely an expression of opinion will be rejected by the Legal and Regulations Committee.
7. All remits endorsed by a Zone must be moved by the originating Association and or their proxy at both Zone and general meetings, and be seconded by a Delegate other than from the originating Association prior to discussion. The proposer always has right of reply.
8. All remits approved at a Zone meeting shall carry an endorsement "Zone approved". The date of the Zone meeting that the resolution was passed shall also be entered as will the signature of the Chairperson of that meeting. It must be in the hands of Federation Office no later than 70 days prior to the date of the Annual General meeting. Remits received after that date will not be accepted.
9. An Association submitting a Remit, not Zone endorsed must be in the hands of the Federation Office no later than 60 days prior to the date of the Annual General meeting. Remits received after that date will not be accepted.

Important Notes:

1. Remits may be sent to Federation Office at any time for forwarding to the Legal, Regulations and Remits Standing Committee.
2. To ensure sufficient time for remits to be considered and if necessary corrected by the proposers, they should be in the hands of the Legal, Regulations and Remits Standing Committee via Federation Office by 31 December of the year preceding the Annual General Meeting.
3. The Legal, Regulations and Remits Standing Committee may if time permits return a remit to the originating Association or the Zone Director for clarification or rewording.
4. It is not the Legal, Regulations and Remits Standing Committee's role to reword remits; it is beyond their powers.

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Grey Power NZ Federation Inc Remit Submission Form.

Form 6B

(Only one remit per form)

To be used when submitting a Remit to Grey Power NZ Federation's Annual General Meeting 20__

Association Remit:-

Moved by.....Association

Mover Name (Print) Seconder Name (Print).....

Mover Signature Seconder Signature.....

Chairman name (Print).....Chairman Signature.....

Date of Association meeting Remit Passed.....

Zone Remit:-

Endorsed by Zone: 1, 2, 3, 4, 5, 6, 7. {Circle which Zone}

Moved by..... Association

Secondered by Association (must be different to Moving Assn)

Mover President/Delegate name Signature.....

Seconder President/Delegate name Signature.....

Zone Director to sign:Date of Zone meeting Remit passed.....

Remit Wording:

(If insufficient room please complete on separate page and attach to this form)

Remit Explanation:

(If insufficient room please complete on separate page and attach to this form)

Please follow instructions of By-Law 6. [Especially clauses 4 [iii] & [iv].

Post to: Grey Power New Zealand Federation Inc, P O Box 272-1719, Papakura, 2244 and endorse envelope "Remit for AGM"

By-Law 7 Trademark

Any Association affiliated to Grey Power New Zealand Federation Inc may use the registered trademark, logo, owl or other Grey Power device without permission from the Grey Power Board. Provided that the logo and owl are used as defined in the document.

- a) If reproduced in colour the colour green pantone 3292 must be used.
- b) The Grey Power New Zealand Federation Inc is a registered Trade Mark.¹



a) ¹ The 2011 AGM carried that the board put into a by-law the official logo and colour for the Federation and Associations. [Official colour green pantone 3292].

By-Law 8 Code of Conduct

Grey Power New Zealand Federation Incorporated (referred to as "the Federation") Code of Conduct.

Application of the Code

This Code of Conduct is binding on Federation Board members, delegates at Federation Annual or Special General Meetings or any Grey Power member representing the Federation Board in any capacity.

Exclusions:

1. Not applicable to employees of the Federation who will have a standard Code of Conduct incorporated in their Employment Contracts.
2. Not applicable to Code of Conduct issues within a Grey Power Association as the associations are governed by their own individual constitutions.

8.1 Objectives

- To protect the reputation of the Federation by enabling any person representing the Federation in any capacity to identify and avoid unacceptable or unethical behaviour
- To ensure that the Federation embraces and encourages diversity.
- To ensure that members treat others in the way in which they would wish to be treated.
- To ensure members feel able to speak out if they see unethical or unacceptable behaviour within the Federation.

8.2 Definitions

Unacceptable or unethical behaviour is defined as any behaviour that would be considered as such in wider contemporary NZ society. It includes, but is not limited to:

- Physical, verbal or written abuse
- Acting in an intimidating, bullying, or belittling manner.
- Discrimination on any basis but especially on the basis of race, gender, colour or class.
- Misuse of a position for personal gain.
- Publicly opposing established Federation policy, aims or objectives.

By-Law 9 Federation Office Manager

At the discretion of the Chair, the Federation Office Manager is permitted to attend all Grey Power NZ Federation Inc. Meetings with full speaking rights.²

² **Authority** The authority to create the By-Law rests in clause 1 d) v. of this document, and the Motion carried unanimously at the September 2013 Federation Board Meeting.

By-Law 10 The Business of the Grey Power Federation

Purpose: to provide guidance for the interpretation of Grey Power's constitution Part 2. 'Objects and Powers' and to supply certainty when assessing all advocacy issues including remits.

- a) The business of the Grey Power Federation New Zealand Inc. is to adhere to the above constitutional clauses including advocating primarily on issues which are likely to affect older people more than others in the population.
- b) The business of Grey Power must be carried out primarily for the benefit of its financial members.
- c) The Grey Power Federation New Zealand Inc. Board may, between annual general meetings, advance any issue arising from government and other entities' actions which requires a timely response and which fall within existing general policy and philosophies of the Federation or has the potential for negative impact on members' interests.
- d) Grey Power Federation New Zealand Inc. member associations may only instruct the Federation Board in the establishment of new policy via annual general meeting remits. Other remits or submissions which fall within existing general policies and philosophies of the Federation may be received at any time, directly to the Board or through Zone representatives and National Advisory Group chairs.
- e) Instructions as received in the manner described in d) will be carried out by the Federation Board as it sees fit but the Federation Board cannot be further directed in operational matters, the expenditure of monies or the employment and deployment of employees, contractors or advisors.

By-Law 11 Complaints & Dispute Resolution Procedures

1. Making a Complaint

Any member of the Federation or one of its Associations, or any member of the public may make a complaint if they think a member of the Federation has not met the standards of behaviour expected under the Code of Conduct.

- A complaint must be made in writing, and
- Identify the member and the specific conduct thought to be inconsistent with the Code of Conduct, and
- Explain why the complainant believes the conduct is inconsistent with the Code of Conduct principles, and
- Forward the complaint to the Federation Disputes Resolution Committee (Committee), preferably within 30 days of the alleged incident.

Any person who makes a complaint must include their name and contact details on the complaint. They may request that their name is held in confidence. However, it remains the discretion of the Committee as to whether any name will be withheld.

Exclusions:

1. Not applicable to employees of the Federation who will have a standard Code of Conduct incorporated in their Employment Contracts.
2. Not applicable to Code of Conduct issues within a Grey Power Association as the associations are governed by their own individual constitutions.

2. Initial Considerations

The Committee must act independently of the Grey Power Federation Board in performing their functions and duties and exercising their powers under this protocol and take into account the Federation Constitution and By-Laws.

On receipt of a complaint under the Code, the Committee will first determine if the complaint:

- Should be dismissed as trivial and vexatious,
- Is serious enough to warrant referring the matter to the police,
- Was lodged in a reasonable timeframe.

In considering the last point, the Committee must take into account:

- the seriousness of the matters raised by the complainant.
- the potential impact on the complainant of the alleged behaviour.

Once this is done, the Committee will notify the complainant that the matter will proceed, or the reason for its rejection.

If the Committee decides that consideration of the complaint should go ahead, it will inform the person accused, requesting their response to the complaint within 14 days (The Committee may agree with the person accused a different period of response.)

On receipt of the defendant's response the Committee will determine whether the complaint should be dismissed; proceed to mediation or proceed to a hearing.

3. When Mediation is to be Considered

Once a response has been received from the person subject to the complaint, the Committee will determine if mediation between the parties would be appropriate.

If mediation is considered to be appropriate both parties will be invited to proceed to mediation, ensuring they understand that this precludes any consideration of fault or penalty, and that failure of mediation will terminate the matter.

If mediation is agreed to by both parties, the matter will be referred to an independent mediator.

If mediation is declined, or the Committee considers that it would be inappropriate, it will then conduct an inquiry.

4. Conducting the Inquiry

The following procedures shall be observed within fourteen (14) days of receipt of the defendant's response: -

- Persons who are considered affected by the complaint to be notified in writing at least fourteen (14) days prior to any hearing.
- The defendant will be made aware of Committee's right to discipline them where appropriate.
- Both parties will be offered the opportunity to attend a meeting of the Committee, either in person or via video link, to offer an oral explanation.
- Both parties may have a "support" person accompany them, however the support person will not have any speaking rights at the meeting, except at the Committee's discretion.
- If necessary, further enquiries may be made by or on behalf of the Committee, the results of which will be made available to both the complainant and defendant for their response(s) where appropriate.

In conducting the inquiry, the Committee must (above other considerations) observe the principles of natural justice.

Their decisions may include dismissal of the complaint, sanctions on either party, including censure, written apology, or other actions they consider appropriate.

The decision of the Committee upon any complaint shall be final and binding on the complainant and the defendant, and will not be subject to any review, appeal, or challenge.

5. Committee Access to Specialist Advice and Support

The Committee may obtain expert advice and assistance if they consider it necessary.

Before obtaining such advice or assistance, the Committee must consult with the Board regarding the funding required and reporting arrangements for its expenditure.

6. Reporting on the Investigation

At the conclusion of their inquiry, the Committee must convey the result of the inquiry to all parties involved, explaining the basis of their thinking.

The Committee will also provide a report to the board that summarises their findings and sanctions, if any.

7. Confidentiality of Information

All material relating to the Committee's consideration of a complaint is considered confidential, except that the Committee may, at its discretion, disclose in an open report to the board any or all of the following information:

- the name of the member subject to the complaint:
- the date on which the complaint was received:
- a summary of the complaint:
- the outcome of the inquiry.

All information disclosed to the Committee during its investigation is confidential and must be returned by the Committee when the information is no longer required for the purposes of the inquiry.

8. Exposure of Serious and/or Systemic Problems

Systemic problems

If the Committee discovers systemic problems relating to the operation or culture of the Federation, it may bring these matters to the Board's attention in an open report. Such a report should be limited to identifying the systemic problems and must not include the specific details of the current complaint.

Serious problems

If the Committee discovers conduct that it considers warrants immediate attention, it should, with the agreement of the complainant, report the matter directly to the President or Vice President.

Any report by the Committee under either of these headings must be considered by the Board in open session.

9. Annual Report

As soon as practical after the end of each calendar year, the Committee will prepare an annual report on their activities, including Nil returns.

Without limiting generality, the annual report must include, in relation to the year in question

- the number of complaints received,
- the number of complaints declined or referred to mediation,
- the number of investigations completed, noting the numbers upheld and rejected;
- the number of complaints withdrawn by the complainant and the stage at which they were withdrawn.

The Committee may also include in the report recommendations relating to changes to the Code of Conduct or the operation of the Committee.

10. Structure and Appointment of the Committee

The Committee is independent of the Grey Power Federation.

The Committee consists of one person. No person who is, or has previously been, a member of the Federation, or a member of a constituent Association may be appointed to the Committee.

The Committee member is appointed by the Federation Board. The appointee requires at least two-thirds (2/3) endorsement by Board members and is appointed for a renewable 3-year term.

The purpose of the Committee is to inquire into, and if possible, facilitate the resolution of, complaints about members' conduct that are alleged to be inconsistent with the principles set out in the Federation Code of Conduct (the Code).

The Committee has the following functions:

- to receive and assess complaints made under the Code;
- to gather information in relation to the complaint;
- to make factual findings and, if appropriate, recommendations and rulings in relation to the complaint;
- to provide a report to involved parties including the determined outcome, the basis of their findings and any recommended sanctions.

The decisions of the Committee are to be final and binding.

The Committee has the additional function of reporting to the Board on matters that come to its attention while carrying out its consideration of complaints and that—

- in respect of a specific complaint, raise concerns that are sufficiently serious that these should be brought to the attention of the Board, or
- show patterns of complaints, or evidence of systemic issues that should be resolved by the Board.

The Federation Board must ensure that the Committee is adequately funded to carry out their responsibilities with a specific allocation in each Annual Budget.