

Name of Paper	Changes to Association constitution
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Change 1: Clause 5

Create a new membership category called “Associate.” This creates a membership category for architects/other associations/other businesses not explicitly working in any our existing sector categories. It is proposed that the membership fees for this new category be set at the same rate as individual and 1-3 staff, ie currently \$650 + GST.

New Clause 5C. Existing clause 5C (application for membership) renamed 5D

5C Associate

An Associate membership is reserved for businesses and Associations who have an interest in the New Zealand Glass and/or Window Industry and do not qualify for membership under any other category, and both their admittance to membership, and their continuing membership, is always at the discretion of the Board. Associate Members shall not enjoy the voting and representation rights of ordinary members, and they may be involved in the activities of any sub group only upon the express invitation of that sub group.

Change 2: Clause 5A e.

Add the words ***Members are required to notify the Board of any change to the sector(s) they operate within:***

e. An Association member may belong to more than one Association sector group without additional payment except for charges or levies that the subgroup may impose upon its own members for specific purposes. ***Members are required to notify the Board of any change to the sector(s) they operate within.*** Membership of additional subgroups requires both the agreement of that subgroup and approval by the Board.

Change 3: Clause 5C b

Application for membership: Currently new members pay a full years fee and at the start of the following calendar year they receive an invoice for a pro-rated amount calculated on the remaining months. A simpler process would be for the initial fee to be calculated on a pro-rated basis for that financial/calendar year calculated from the date of the next Board meeting to the end of that year.

Tidy up by removing the words “The subscription fee and joining fee will be banked for safe keeping upon receipt by the Association” to recognise payment by Internet Banking.”

Delete sentence “Where appropriate, the Association will automatically pro-rata the subscription charged for the following year to compensate for any initial over payment.”

New clause:

a. All applications must be accompanied by the appropriate joining fee and a subscription fee for current year. All fees will be promptly refunded in full if the application is not successful. Receipt of the payment does not confirm or infer acceptance into the membership of the Association. The applicant has no rights of membership until formally admitted to the Association and advised of this in writing by the CEO.

The initial subscription fee is calculated on a pro-rated from the date of the next Board meeting to the end of the year.

Change 4: Clause 7 – update code of ethics

New

All members must support and comply with this Code, which provides the minimum standards of competence and conduct required of them in promoting the Window & Glass Association’s Mission of creating a better, safer and healthier built environment for New Zealanders

Integrity

Members shall maintain a high standard of integrity and professionalism and apply honesty, objectivity and fair dealing in all aspects of their operations

Accountability

Members must deliver what is agreed under their contract with the client and meet all guarantee and warranty terms. Where there is a dispute they must ensure that the appropriate dispute process is followed

Environment

Members shall adopt positive environmental practices in respect of premises, equipment, operations and consumption of resources. They will actively minimise any negative environmental outcomes and have systems and programmes in place to achieve this

Good Faith

Members shall work with their staff, subcontractors, customers and other people with whom they come into contact, with dignity and respect, deal with them in good faith, and treat them with equality and without discrimination

Health and Safety

Members must at all times actively manage the health and safety of their staff, customers, subcontractors and the general public and take all reasonable steps in their work practice to keep people safe from injury or harm. Members shall have a health & Safety management plan which complies with legislation.

Competence

Members must follow recognised best practice and provide products and services that meet or exceed the minimum performance requirements of the relevant New Zealand Codes and/or Standards

Professional Development

Members are encouraged to continuously develop their knowledge, skills and expertise, through participation in education, training and technical workshops, seminars, conferences, and contribute to the collective wisdom and body of knowledge of the profession.

OLD

All members shall comply with the provisions of the Association Code of Ethics as set out below. Explanatory guidelines, which do not form part of the Code of Ethics are available to any member on request to the Association office.

- i. Members shall take all reasonable steps to safeguard the health and safety of staff, customers, and the general public.
- ii. Members shall ensure that they adopt good environmental practices in respect of premises, equipment, and consumption of resources.
- iii. Members shall abide by the disciplinary procedures set out in the Association's Constitution and Rules.
- iv. All members shall support this Code, and shall accept it to the extent that its terms are applicable to the product or services provided by them to other members of the Association.
- v. Members shall manage their operations with integrity.
- vi. Members shall aim to achieve adequate levels of competence, and recognize that their fundamental objective is to satisfy the agreed requirements of their customers.
- vii. Members shall ensure that their responsibilities under guarantees are clearly recorded, and are fulfilled promptly in response to justified claims.

Change 5: Clause 10

Add the words "as per a process agreed by the Board" to recognise there is an agreed process which can be modified by the Board over time as necessary.

10. COMPLAINTS

The Association receives, and at its discretion acts upon complaints brought against members, **as per a process agreed by the Board**. The role of the Association is one of facilitating resolution between the parties, offering appropriate assistance if required, and monitoring the process. Each member's continuing membership of the Association is conditional upon reasonable conduct and discharging of obligations in respect to all complaints they are responsible for. A review panel set up for that purpose at the instruction of the Board shall determine and recommend to the Board the appropriate action to be taken with respect to that member/s. Members may be tutored, censured, suspended, or terminated as the Board decides. Termination will be in accordance with the termination provisions in these Constitution and Rules.

Change 6: Clause 11

Include a new sentence stating the use of the Association logo and name is subject to CEO approval and signing of separate agreement.

11. USE OF THE ASSOCIATION LOGO AND NAMES

All members are entitled to use the Association logo in a manner approved by the Board and which fairly represents their bonafide status as a member of the Association. **Application to use the Association logos should confirm when/where they are to be used and requires CEO approval and agreement with the Trademark Licence.** Members of IGUMA

may additionally use the logo and name of that sector group as permitted by that Sector Group's rules and minuted decisions. The decision regarding the right to claim such Sector Group membership rests with the Association Board, who, after considering the recommendation of the Sector Group concerned, will approve or decline the member's affiliation to that sector group.

Examples of a breach of this rule would be for a Glass Merchant to claim membership of the IGUMA, or a Proprietary System Window Manufacturer claiming to be a Surface Finisher. Note:

No entity who is not a bonafide member of the Association may use the Association logo(s) and/or Association name(s). For example Proprietary System Window Manufacturer of member Proprietary System Suppliers who are not themselves Proprietary System Window Manufacturer members of the Association may not use the Association logo or purport to be members of the Association. Such non members may cause legal action under the Fair Trading provisions of the Commerce Act by using brand names which are promoted as members of the Association but non members cannot deliver the consumer benefits that bona fide members of the Association can. This impacts on window labels, brand promotion, Association disciplinary procedures, and the NZS 4211 promotional material.

Change 7: Clause 21. ALTERNATES

Board members unable to attend a particular meeting may arrange for an alternate to attend in their place.

Recommendation – remove sentence “The Sector Group who nominated the Board member also nominates the alternate.”