

Te Rūnanga Policy: Appointment of Kaiwhakahaere and Deputy Kaiwhakahaere Adoption of Process for the Future Election of the Kaiwhakahaere and Deputy Kaiwhakahaere Pursuant to Clause 6.14 of the Charter – proposed 23 January 2010

That Te Rūnanga o Ngāi Tahu (Te Rūnanga) adopt the following process for the election of the Kaiwhakahaere or Deputy Kaiwhakahaere in future:

1. Definitions:

1.1 "Request for Nomination" means written notice giving Members 30 calendar days ("the Nomination Period") to consider nominating their Rūnanga Representative (or another Rūnanga Representative) for the role(s) of Kaiwhakahaere and/or Deputy Kaiwhakahaere if the Member considers that appropriate. The Request for Nomination shall also include a timetable for the election process for the Kaiwhakahaere and/or Deputy Kaiwhakahaere and such other information as the Secretary considers appropriate.

1.2 "Nomination" means a written notice from a Member nominating their Rūnanga Representative (or another Rūnanga Representative) for the role(s) of Kaiwhakahaere and/or Deputy Kaiwhakahaere. Each Member may only submit one Nomination for Kaiwhakahaere and one Nomination for Deputy Kaiwhakahaere per election process. The Nomination must include the following:

- confirmation from the Member they are willing for their Rūnanga Representative to stand for and perform the role(s) of Kaiwhakahaere and/or Deputy Kaiwhakahaere (if the Nomination relates to their Rūnanga Representative).
- the signature of the Rūnanga Representative confirming he/she is prepared to stand for and perform the role(s) of Kaiwhakahaere and/or Deputy Kaiwhakahaere.

The Nomination may include a personal statement from the Rūnanga Representative at his/her discretion. The Secretary shall provide rules relating to the size and content of such personal statements in the Request for Nomination.

2. Secretary Initiating an election for Kaiwhakahaere and/or Deputy Kaiwhakahaere

2.1 An election for the role(s) of Kaiwhakahaere and/or Deputy Kaiwhakahaere shall take place if:

- 2.1.1 The incumbent Kaiwhakahaere and/or Deputy Kaiwhakahaere ceases to hold office as a Rūnanga Representative or his/her term as Kaiwhakahaere and/or Deputy Kaiwhakahaere is due to expire within three months;
- 2.1.2 The Secretary receives an election request signed by ten or more Rūnanga Representatives or ten or more Members ("Election Request").

- 2.2 It is the responsibility of the Secretary to make the necessary arrangements and run the election in accordance with this policy.

3. Election Process

- 3.1 Seeking Nominations for Kaiwhakahaere and/or Deputy Kaiwhakahaere**
The Secretary shall issue a Request for Nomination to all Members within 14 calendar days of either:

- 3.1.1 the incumbent Kaiwhakahaere and/or Deputy Kaiwhakahaere ceasing to hold office as a Rūnanga Representative; or
3.1.2 the date three months before the expiry of the term of the incumbent Kaiwhakahaere and/or Deputy Kaiwhakahaere; or
3.1.3 receipt of an Election Request.

- 3.2 Nominations for Kaiwhakahaere and/or Deputy Kaiwhakahaere by Papatipu Rūnanga**

If a Member so chooses they may submit a Nomination to the Secretary. No Rūnanga Representative is eligible to be elected as Kaiwhakahaere and/or Deputy Kaiwhakahaere unless they have the support of their Member by way of a valid Nomination nominating them for the role.

- 3.3 If no Nominations Received**

If the Secretary receives no valid Nominations during the Nomination Period then the Secretary shall issue a new Request for Nomination within 10 calendar days of the Nomination Period ending and the process shall be repeated until a valid Nomination is received.

- 3.4 Election Decision Paper**

Provided a valid Nomination has been received, the Secretary shall ensure that a Decision Paper is included in the next Te Rūnanga Meeting general papers (ie not In Committee papers) issued following the end of the Nomination Period that:

- 3.4.1 Proposes the following Ordinary Resolutions:

- (i) That Te Rūnanga holds an election for Kaiwhakahaere and/or Deputy Kaiwhakahaere at the Meeting and notes those Rūnanga Representative who have been nominated by their Member and accordingly are eligible to be considered for the role(s) ("the Candidates").
- (ii) That proposes the term of office for the Kaiwhakahaere and/or Deputy Kaiwhakahaere to be appointed shall be three years ("the Term"). The Term shall commence at the conclusion of the election process. If the election results in a new Kaiwhakahaere and/or Deputy Kaiwhakahaere being appointed the previous Kaiwhakahaere and/or Deputy Kaiwhakahaere's appointment(s) shall end upon the appointment of the new Kaiwhakahaere and/or Deputy Kaiwhakahaere.

- 3.4.2 Attaches all Nominations received during the Nomination Period.

3.5 Election

- 3.5.1 Provided Te Rūnanga passes the resolution detailed at 3.4.1(i) the election shall follow immediately after Te Rūnanga has confirmed the Term for the role(s).
- 3.5.2 If Te Rūnanga does not pass the resolution detailed at 3.4.1(i) then no election shall take place and that election process shall end.
- 3.5.3 The election shall be held at a Meeting which is open to members of Ngāi Tahu Whānui. The election shall be the first agenda item at the Meeting following Karakia. If there is no quorum the election shall be held at Te Rūnanga's next Meeting where there is a quorum.
- 3.5.4 Before the election vote takes place each Candidate shall korero to their nomination for such maximum period as the Secretary shall nominate. The Candidates speeches shall not be interrupted. Following korero from all the Candidates a question time shall follow where Rūnanga Representatives shall have the opportunity to ask the Candidates questions. The Secretary will set the rules relating to this question time and it is acknowledged that time and other constraints may prevent all Rūnanga Representatives being able to ask questions.
- 3.5.5 The method of voting shall be by show of hands with the order of voting being determined by the Secretary on a random basis.
- 3.5.6 Each Rūnanga Representative will be entitled to cast one vote per role.
- 3.5.7 For the avoidance of doubt:
- (i) Candidates are entitled to vote for themselves.
 - (ii) Rūnanga Representative are entitled to abstain from voting at their discretion.
 - (iii) Alternate Rūnanga Representatives are entitled to vote in the election as detailed in the Charter.
 - (iv) Proxy's are allowed as detailed in the Charter.
- 3.5.8 Immediately following the election vote, in the presence of those scruteneers that choose to be present, the Secretary shall count the votes, ascertain the result of the vote and announce the result to the Meeting. The votes of each Rūnanga Representative shall be recorded in writing by the Secretary and provided to all Members and those members of Ngāi Tahu Whānui present at the Meeting.

4. Election Result

- 4.1 A Candidate who receives more than half of the votes cast shall be declared the Kaiwhakahaere or Deputy Kaiwhakahaere for the Term.
- 4.2 If there are more than two Candidates and the voting results in no Candidate receiving more than half of the votes cast then the Candidate with the least votes will be eliminated and a fresh vote held.

- 4.3 In the event of a tie for last place (or in the event of a tie if there is only two Candidates), then:
- (i) Should the incumbent holder of the role and one other Candidate be involved in the voting tie, then the other Candidate with the same amount of votes will be eliminated from the election process;
 - (ii) Should the incumbent holder of the role not be involved in the voting tie, or should there be more than one Candidate tied with the incumbent holder of the role for last place, then the Candidate who has served the shortest period as a Rūnanga Representative shall be eliminated from the election process.
- 4.4 The voting shall continue until either:
- 4.4.1 a Candidate receives more than half of the votes cast in which case that Candidate will be duly elected as Kaiwhakahaere or Deputy Kaiwhakahaere, or
 - 4.4.2 the Secretary considers there is no reasonable likelihood that any Candidate will receive more than half of the votes cast in which case the election process will be called to an end and:
 - (i) should the incumbent holder of the office be a Candidate then he/she will be declared duly elected for the Term;
 - (ii) should the incumbent holder of the office not be be a Candidate, then the Candidate who has served longest as a Rūnanga Representative, shall be declared duly elected for the Term.

5. Further Rules

- 5.1 A Candidate may withdraw from the election process and no longer be a Candidate at any time by notifying the Secretary either verbally or in writing. The Secretary shall promptly advise all Members and Rūnanga Representatives that the Candidate has withdrawn from the election process.
- 5.2 Any Candidate will automatically be disqualified from the election if they cease to hold office as a Rūnanga Representative.
- 5.3 At all times the election shall be carried out in accordance with the Te Rūnanga o Ngāi Tahu Code of Conduct.
- 5.4 The Secretary's decision is, subject to the Act and Charter, final on all matters affecting the eligibility of Candidates, the conduct and results of an election and such other matters as may from time to time arise in relation to the election.
- 5.5 Each Candidate is entitled to appoint one scrutineer by giving the Secretary notice in writing or verbally before the day of the election.
- 5.6 The Secretary shall ensure that all Election Requests, Requests for Nomination, Nominations and the Election Decision Paper are promptly forwarded to Members and published on the Te Rūnanga o Ngāi Tahu intranet site and Te Rūnanga o Ngāi Tahu internet site available for viewing by members of the Ngāi Tahu Whānui.

Appointment of Kaiwhakahaere and/or Deputy Kaiwhakahaere

