



**NEW ZEALAND CHRISTIAN  
COUNSELLORS ASSOCIATION**

# **RULES OF THE ASSOCIATION**

*REVISED: March 2011*



## NEW ZEALAND CHRISTIAN COUNSELLORS ASSOCIATION

### RULES OF THE ASSOCIATION

As amended on 18 March 2011

1. THE New Zealand Christian Counsellors Association is a Society incorporated under the Charitable Trusts Act 1957 (as amended from time to time).

#### NAME

2. THE name of the Society is "New Zealand Christian Counsellors Association" (herein referred to as "the Association").

#### REGISTERED OFFICE

3. THE registered office of the Association shall be situated at such place as the Executive Committee (hereinafter referred to as the Executive, or the Committee) may from time to time determine and notify to the Registrar.

#### OBJECTS

4. THE objects for which the Association is established are to be exclusively charitable and shall be carried on only in New Zealand. They are:
  - (i) (a) To build upon the foundational beliefs of the Christian faith in God, whose triune nature is relationship and community; and who, in the ministry, death and resurrection of Jesus Christ, has acted to bring wholeness and healing, now realised in human experience through the presence and work of the Holy Spirit, the giver of life.
  - (b) To be an effective influence on the therapeutic professions whilst at all times seeking to ensure that such activities are respectful of individual rights of choice and belief.
  - (c) To serve the whole body of Christ and the wider community by encouraging members to share their gifts and be open to the giftedness of others.
  - (d) To encourage members to be role models in their personal and professional lives through seeking to know, love and serve Jesus and one another.
  - (e) To promote the professional training of members and affiliates.

- (ii) THE Association will give practical expression to the aims in clause 4(i) by providing a national focus through the following:
  - (a) being a recognised accrediting body for counsellors.
  - (b) encouraging and providing standards of training and developing ethical guidelines for counselling within a Christian ethos.
  - (c) maintaining a register of membered Christian Counsellors (hereinafter referred to as "counsellors") and establish links with similar organisations nationally and internationally.
  - (d) establishing an educational resource for Christian counsellors and encouraging research, professional interaction and fellowship.
  
- (iii) To establish services to the community required by the objects and to contract with Government or other organisations or fund providers to establish such services.
  
- (iv) TREATY OF WAITANGI
  - (a) THE Association regards the Treaty of Waitangi as a fundamental document in the establishment of an equitable society in Aotearoa, New Zealand.
  - (b) The Association is committed to ensuring members are aware of, and sensitive to bicultural issues and have attended Treaty of Waitangi bi-cultural workshops.
  - (c) The Association is committed to developing relationships with Tangata Whenua.

## MEMBERSHIP

- 5.(i) THE Association shall consist of such members interested or engaged in the furtherance of the objects of the Association, who are qualified to become a member, or provisional member as defined in clause 7 and who agree to abide by the "Code of Practice and Ethics" of the Association currently in force and admitted to membership as herein provided.
  
- (ii) Any person wishing to be a member of the Association shall make written application. Such application shall be considered and determined by the Committee which may accept any such application or may decline any such application. The Committee reserves the right to conduct an interview as part of the application process for which a fee will be charged.
  
- (iii) Membership of the Association shall not entitle the members as such to any right, title or interest in the property of the Association.

- (iv) No member of the Association shall have the power to commit the Association in any way whatsoever. Any member so doing will be held fully and personally liable for such actions unless duly authorised by the Committee in writing to so commit the Association.
- (v) No liability shall be or is imposed on the members of the Association in respect of any contract, debt or other obligation duly incurred by the Association.
- (vi) The rights and privileges of any member of the Association shall be personal and shall not be transferable by his or her own act.
- (vii) The Executive Committee or the Association may create different classes or types of membership and set the criteria or qualifications for each class or type of membership.
- (viii) A frameable A5 sized Certificate of Membership will be issued on acceptance as a Full Member of the Association. Full members will also receive an A5 sized frameable 'Annual Certificate of Practice' once they have met the annual requirements for membership. This certificate is valid for the current membership year.

When using the NZCCA credentials Provisional members must specify the category of membership they hold, ie NZCCA (provisional). Provisional members will receive an A5 sized frameable 'Provisional Membership Certificate', This certificate is valid for the current membership year and will be renewed once the annual membership requirements are met.

#### REGISTER OF MEMBERS, STUDENT ASSOCIATES AND AFFILIATES

- 6.(i) THE Secretary, or other appointed officer, of the Association shall keep a register of members, student associates and affiliates which shall record the full names, telephone numbers and addresses of all members, student associates and affiliates.
- (ii) The Membership Sub-committee will present names of applicants they approve for various levels of membership to the executive who will then formally accept them, note in the minutes and place their names on membership lists. New and upgraded members names to be published in the following newsletter.
- (iii) A current list of members is published on the Association website.

## LEVELS OF PARTICIPATION

- 7 (i) Affiliate Subscriber: Person of good character who is a counsellor or who is interested in counselling but does not meet the criteria for any level of membership. Those counselling are strongly encouraged to be under regular and ongoing professional supervision. Affiliates are encouraged to be familiar with but are not required to sign the Rules and Code of Practice & Ethics of the New Zealand Christian Counsellors Association. Affiliates are not members and may not identify themselves as members. They do not have voting rights. Being accepted as an Affiliate, or remaining on the Register of Affiliates shall be at the discretion of the Executive Committee.
- (ii) Student Associate Subscriber: Person of good character who is currently enrolled in an NZQA approved or university based counselling training programme in New Zealand. Student Associates are encouraged to be familiar with but are not required to sign the Rules and Code of Practice & Ethics of the New Zealand Christian Counsellors Association. Student Associates are not members and may not identify themselves as members. Student Associates may only identify themselves as Student Associates of NZCCA. Student Associates will not have voting rights. Being accepted as a Student Associate, or remaining on the Register of Student Associates shall be at the discretion of the Executive Committee.
- (iii) Provisional Member: Person of good character who accepts and agrees to abide by the Rules and Code of Practice and Ethics of the New Zealand Christian Counsellors Association and who has successfully completed or who are in their final year of training and have completed 100 supervised practicum hours towards an NZQA approved or a university based counselling training programme in New Zealand, and who fulfils any additional criteria as specified by the Committee. Provisional member status may only apply for three (3) years. Any extension of this time period needs to be negotiated with the Association. Provisional members can only identify themselves as MNZCCA (Provisional). Provisional Members possess full voting rights. Provisional Members who are students must present evidence of completing their training prior to 30 June of the year following completion. Students not complying with this will have their membership suspended.
- (iv) Member: Person of good character who accepts and agrees to abide by the Rules and the Code of Practice and Ethics, and who can provide evidence of counselling training which is acceptable to the New Zealand Christian Counsellors Association, and who has completed two hundred (200) hours of supervised post graduate face to face counselling and who fulfil any

additional criteria as specified by the Committee Members. Members possess full voting rights.

- (v) Membership on Hold. A member who ceases practice for a period between six (6) months and three (3) years may place their membership on hold by notifying the Association in writing prior to commencement thereby maintaining their relationship with the Association. For an annual fee equivalent to the Affiliate Subscription rate they may receive the same information and discounts available to an Affiliate. To reinstate their membership with the Association they will submit a completed membership reinstatement form.
  
- (vi) Exceptional Circumstances Clause: Persons of good character may be accepted as members by the Committee who demonstrate competency to at least regular membership level and who:
  - (a) Have been in practice for at least eight years.
  - (b) Have conducted at least 2000 hours of supervised counselling practice.
  - (c) Have received at least 50 hours of supervision from a supervisor who has a professional membership recognised by the Committee
  - (d) Accept and agree to abide by the Rules, and the Code of Practice & Ethics of the New Zealand Christian Counsellors Association.
  - (e) Fulfill any additional criteria as specified by the Committee.

**Note:** Applicants to be advised that assessing tapes and transcripts is a lengthy process and depending on the number of people applying for membership under these criteria applicants may be charged a fee for the process.

- (vii) Life Member: In exceptional cases a person may be awarded Life Membership by the executive. This person will be someone who has made a considerable contribution to counselling within the Christian community.

(viii) Annual Practice Competence

- a) Whilst the Association is not a statutory body, we are charged with being able to vouch for the acceptable standards of practice of our members. To that end we have been and will continue to be proactive in assisting our members to
  - (i) Annually review their practice; and
  - (ii) Complete documentation that can be held for a period of five years both by members and the Association as a record that a review process has been undertaken & completed in the event of an external inquiry being made.
- b) The Association will continue to define practice competence and evolve quality assurance programmes
- c) Members must submit an annual practice review that shows evidence of meeting the supervision and professional development requirements for continued membership of the Association.

CESSATION OF MEMBERSHIP, STUDENT ASSOCIATE OR AFFILIATE STATUS

8. MEMBERSHIP, STUDENT ASSOCIATE OR AFFILIATE STATUS shall cease:

- (i) for Members by written resignation delivered by a member to the Secretary, or other appointed officer, such resignation to take effect from the next succeeding meeting of the Committee at which the secretary shall present the resignation.
- (ii) for Student Associates or Affiliates upon the Committee receiving a written request to this effect from the Student Associate or Affiliate.
- (iii) Where a Member, Student Associate or Affiliate fails to pay the annual subscription (if any) thirty (30) days after being notified by the Treasurer or other officer of the Association that they are past due, and the Committee shall after such period have passed a resolution confirming that such membership, student associate or affiliate status shall cease (the Committee not being obliged to give any further notice to the member, student associate or affiliate other than that given by the Officer of the Association). Notification under this clause is deemed to have been sent to the member, student associate or affiliate if posted to the last recorded address in the register of members, student associates or affiliates.
- (iv) By the Disciplinary Committee appointed by the Executive Committee resolving that the conduct of a member according to the Code of Ethics is or has been such that the member's membership is no longer desirable or that the continued membership of a member is injurious to the welfare or character of the Association according to the Complaints Procedure. Should

the Disciplinary Committee resolve to expel a member then the member shall forfeit all rights and interests in the property of the Association but shall continue to be liable for any unpaid subscriptions or moneys owing by them to the Association at the date of expulsion.

- (v) Where a member fails to meet the criteria or qualifications for members (either as a "member" or "provisional member" as defined in clause 7) in which case membership shall cease as from the date of the next Annual General Meeting. The Committee shall have power to refuse to renew any membership of a member who is no longer qualified. Any such member shall be entitled (subject to meeting criteria) to become an Affiliate.
- (vi) Where a member fails to give evidence of competency by submitting a satisfactorily completed Annual Practice Review Summary form by 30 June each year.

#### OFFICERS AND COMMITTEE OF MANAGEMENT

9. THE affairs of the business, administration and management of the Association shall be vested in an Executive Committee of Management (called "the Committee"). The Committee shall be made up as follows:
- (i) By a minimum of 9 and maximum of 12 named people who shall be fully paid up members of the Association for at least 12 months on or before the date of appointment.
  - (ii) Each committee member shall be elected at an Annual General Meeting by majority vote. Voting shall be by secret ballot.
  - (iii) Each Committee member shall be elected for a period of three years.
  - (iv) Members retiring from the Committee shall be eligible for re-election for a further term subject to subclause (ix).
  - (v) The Committee may co-opt and appoint up to three additional members (who may or may not be members of the Association) but who shall not have voting rights.
  - (vi) At the first meeting of the Committee following the Annual General Meeting the Committee shall appoint from the Committee a Chairperson. If such person is not an elected Committee member then such person shall have the right to attend all meetings of the Committee and take part in all deliberations but shall not have a vote at such meetings. The Committee shall

regulate its own proceedings but shall meet at least four times a year on designated dates agreed to.

- (vii) The Executive Officer shall have the right to attend all meetings of the Committee and take part in all deliberations but shall not have a vote at such meetings.
- (viii) Any five voting members of the Committee shall constitute a quorum. Voting may be carried out by postal ballot in accordance with Rule 16.
- (ix) Any Committee member who has served two consecutive terms shall only be eligible for re-election by a vote of 75% of those present at the Annual General Meeting.
- (x) The Committee's vote or poll on any resolution shall be recorded by the Executive Officer in the minutes.
- (xi) Subject to subclause (xiv) the Committee may on any committee member retiring before the expiry of his or her term co-opt and appoint a substitute member. The substitute member shall have full voting rights and shall continue in office until the next Annual General Meeting. If elected the member shall complete the term of the retired member.
- (xii) Subject to subclause (xiv) if less than 9 members are elected then the Committee may co-opt and appoint members (who are members of the Association) to the Committee to fill any vacancy. They shall have full voting rights. The term of the appointment is until the next Annual General Meeting.
- (xiii) The Committee will ensure that the Association is constituted as a legal entity under the appropriate Act.
- (xiv) The power of the Committee shall be restricted to filling in no more than three vacancies. In the event of there being more than three vacancies the Committee shall call a special meeting to elect further members.
- (xv) Sub-Committee reports be regularly tabled at Executive Committee meetings. These reports to be circulated with the agenda prior to the meeting.

## POWERS

10. THE Association shall in addition to the powers implied by the general law of New Zealand or contained in any statute also have power:
- (i) To purchase, take on, lease or exchange, hire or otherwise acquire lands, buildings and any real and personal estate or other property or any interest in the same.
  - (ii) To improve, manage, contract or engage agents and appoint representatives to execute the duties of the association pursuant to its aims and objectives, work, develop and maintain or sell, lease, let, under-let, exchange, surrender, borrow money on mortgage, charge, dispose of, or otherwise deal with and turn to account all or any of the property for the time being of the Association or in which the Association has an interest; to lend, invest or deposit money on mortgage or any security or without security and to erect, construct, alter and maintain any buildings or chattels.
  - (iii) To receive any gift of money or property for any of the purposes and objects in these Rules whether subject to any special trust or not so that the Association may nevertheless decline to accept any gift or donation or to take over any property which has annexed to it any condition or obligation not approved by the Association.
  - (iv) To carry on any business relevant to the aims of the Association.

## INCOME

- 11.(i) It is declared that in the carrying on of any relevant business under these Rules and in the exercise of any power authorising the remuneration of members no benefit or any income of any kind shall be afforded to, or received, gained, achieved or derived by any of the persons specified in paragraphs (a) to (d) of the second proviso to section 61(27) of the Income Tax Act 1976, or any enactment in amendment thereof or in substitution therefore, where that person is able, by virtue of that capacity as such person specified therein, in any way (whether directly or indirectly) to determine, or to materially influence in any way the determination of, the nature or the amount of that benefit or advantage or that income or the circumstances in which it is or is to be so received, gained, achieved, afforded, or derived, except as specifically exempted by that section.

- (ii) Any income, benefit or advantage shall be applied to the charitable purposes of the Association.
- (iii) No member or person associated with a member of the Association shall derive any income, benefit or advantage from the organisation where they can materially influence the payment of the income, benefit or advantage. Except where that income, benefit or advantage is derived from:
  - (a) Professional services to the organisation rendered in the course of business charged at no greater rate than current market rates; or
  - (b) Interest on money lent at no greater rate than current market rates.
- (iv) The provisions and effect of this clause shall not be removed from these Rules and shall be included and implied into any document replacing these Rules.

#### SUBSCRIPTIONS

- 12(i) THE annual fees for Members, and subscriptions for Student Associates and Affiliates shall be determined by the Committee. All monies shall be payable in advance within 30 days after the beginning of the next financial year. Notice of the annual fees and subscriptions shall be sent by the Executive Officer three (3) months prior to the expiry of the current financial year.
- (ii) Members and Affiliates may choose to pay their fees and subscriptions by automatic payment over 3 or 6 months. There will be an administration charge for those choosing this option.
- (iii) Members: Payment of fees alone does not constitute the renewal of membership for a subsequent year.

### DISCIPLINARY COMMITTEE

13. THE Disciplinary Committee shall consist of a minimum of three (3) persons appointed by the Executive Committee and one of whose members is an elected member of the Executive Committee. The Disciplinary Committee shall have the power and authority to act in the following matters:
- (i) To investigate and adjudicate on all disputes and allegations involving provisional and regular members who have allegedly contravened the Code of Practice and Ethics. The Disciplinary Committee will convene and determine its own procedure in each case in accordance with the Complaints Procedure.

### MEMBERSHIP COMMITTEE

14. The Membership Committee shall consist of a minimum of three (3) NZCCA members appointed by the Executive Committee and one of whose members is an elected member of the Executive Committee. The Membership Committee shall have the power and authority to act in the following matters:
- (i) Determine membership and annual review process
  - (ii) Process and approve or decline membership applications
  - (iii) Process annual membership renewals

### ALTERATIONS TO RULES

- 15.(i) THESE Rules may be altered, added to or rescinded at an Annual General Meeting or Special General Meeting of the Association of which written notice has been given in the same manner provided for the holding of General Meetings stating the nature of the proposed alteration addition or rescission to the Rules. The notices may be combined into the one notice.
- (ii) A resolution to an Annual General Meeting or Special General Meeting of the Association as to the alteration, addition or rescission of the Rules shall be passed by a two thirds majority of the members present at the Meeting.

- (iii) The Committee may from time to time make, repeal and amend all such by-laws and regulations (not inconsistent with these rules) as they shall think expedient for the internal management and well-being of the Association. All such by-laws and regulations shall be binding upon the members until repealed by the Committee or set aside by a resolution of a general meeting of the Association. A register of such by-laws shall be kept by the Secretary.
- (iv) No alteration, addition or rescission of these Rules may be made:
  - (a) Which would permit any part of the property or assets of the Association to be applied to purposes which are not exclusively charitable purposes within the Law of New Zealand.
  - (b) To rules 11 and 21 unless it is first approved in writing by the Department of Inland Revenue.

#### GENERAL MEETINGS

- 16.(i) An Annual General Meeting for members of the Association shall be held at the discretion of the Committee. A minimum of 14 days written notice of the date and place of the holding of such an Annual General Meeting or of any Special General Meetings shall be given in writing to all paid up members.
- (ii) At the Annual General Meeting of the Association the membership shall:
  - (a) Consider and if thought fit adopt the minutes of the last Annual General Meeting.
  - (b) Consider and adopt if thought fit the Annual Report and Balance Sheet.
  - (c) Elect Committee members for the ensuing year under Clause 9.
  - (d) Consider and discuss such other business as may be brought forward in accordance with the Rules.
  - (e) Appoint an auditor for the next year.
- (iii) A member wishing to bring any motion before the Annual General Meeting shall give written notice thereof to the Secretary of the Association on or before five days immediately preceding the date of the meeting and no motion shall come before the meeting unless notice thereof has been so given. The Chairperson must be advised prior to the meeting of any other business to be discussed at the meeting. Furthermore, business raised during the meeting may be allowed for discussion (a) at the discretion of Chairperson, or (b) if majority of members deem it urgent.

- (iv) Special general meeting. The Committee may at any time for any special purpose call a special general meeting and they shall do so forthwith upon the requisition in writing of any 15% of paid up members stating the purposes for which the meeting is required.
- (v) Voting at all General meetings shall be by a show of hands or as otherwise directed by the Chairperson. In the event of equality the Chairperson shall have a second or casting vote. Save where otherwise provided in these Rules any motion submitted to a Meeting shall be deemed to be carried if the majority of the numbers present and entitled to vote, vote in favour thereof.
- (vi) Quorum. The quorum at all general meetings shall be as follows:
  - (a) For motions proposing any repeal or amendment of the rules – a quorum to be no less than 20 members.
  - (b) For the repeal of any bylaws – a quorum to be no less than 20 members.
  - (c) For all other business – a quorum to be no less than 20 members.
- (vii) A member may in writing appoint any other member as their proxy to vote on their behalf at any meeting of the Association. A call includes the proxies.

#### POSTAL VOTES

- 17.(i) A member may exercise the right to vote at a meeting by casting a postal vote in accordance with the provisions of this clause.
- (ii) A member may cast a postal vote on all or any of the matters to be voted on at the meeting by sending a notice of the manner in which he or she votes to the chairperson of the Committee. The notice must reach that person not less than 48 hours before the start of the meeting.
- (iii) If a vote is taken at a meeting on a resolution on which postal votes have been cast, the chairperson of the meeting must:
  - (a) on a vote by show of hands, count each member who has submitted a postal vote for or against the resolution.
  - (b) on a poll, count the votes cast by each member who has submitted a postal vote for or against the resolution.

- (iv) The chairperson of a meeting must call for a poll on a resolution on which the chairperson holds sufficient postal votes that if a poll were taken the result could differ from that obtained on a show of hands.
- (v) The chairperson of a meeting must ensure that a certificate of postal votes held by the chairperson is annexed to the minutes of the meeting.

## FINANCE

18. THE Association shall collect all fees and subscriptions for members and shall be entitled to retain the money obtained from such fees and subscriptions for use at its discretion for the promotion of the objects of the Association. It may also retain and use at its discretion any moneys it may raise by its own special efforts PROVIDED THAT all such usage shall be in accordance with the objects of the Association.
- (i) THE Association in furtherance of its objects shall have full power to borrow or raise money and to secure payment of the same, or the satisfaction or performance of any obligation or liability to be undertaken or incurred by the Association and in particular by mortgage upon the whole or any part of the Association's property or assets whatever, whether present or future, and to pay interest on any borrowed moneys PROVIDED HOWEVER that no lender proposing to take a mortgage or to advance money on mortgage charge or take up debentures or any form of security shall be concerned to see to the application of the money secured or lent or to enquire into the propriety of the giving of any mortgage charge or the issuing of any debenture or the regularity of any meeting or other acts of the Committee or Association preliminary to or on the occasion of the giving of any mortgage charge or the issue of any debentures.
  - (ii) All funds of the Association shall be paid into a Bank account to the credit of the Association within seven (7) days of receipt of the same. The accounts shall be subject to the direction of and shall be operated by the Executive Officer and any two (2) members of the Executive Committee. A monthly financial summary will be provided to the Executive Committee.
  - (iii) The financial year of the Association shall end on the 30<sup>th</sup> of June of each year.
  - (iv) Each year the accounts shall be audited by an auditor appointed at the preceding Annual General Meeting.

- (v) Surplus funds of the Association shall be devoted in all cases to the furtherance of the objects of the Association as set out in these Rules. Pending the utilisation of these funds they may be deposited with any savings bank or trading bank operating in New Zealand.

#### COMMON SEAL

19.(i) THE Common seal of the Association shall be kept in the custody of the Executive Officer and under the control of the Executive Officer.

(ii) The common seal shall not be affixed to any document except by resolution of the Executive Committee, and in the presence of at least two members of the Committee who shall affix their signature to every document so sealed.

#### INDEMNITY

20. EVERY member of the Committee and of the Disciplinary Committee, and every officer, and servant of the Association shall be indemnified by the Association from and against all losses and expenses incurred by them by reason of any contract entered into or action, or deed done by them as such officer, member or servant in or about the discharge of their duties, except such as happened from their own wilful act or omission.

#### WINDING UP

21. THE Association may be wound up voluntarily or in any other manner provided for by the Charitable Trusts Act 1957 and the regulations thereunder or any act or regulations made in substitution therefore. Upon such winding up the surplus assets remaining after payment of all costs debts and liabilities of the Association shall be applied to such exclusively charitable organisation in New Zealand as the Committee may decide and whose objects are similar to those of the Association. If the Committee is unable to make a decision the assets shall be disposed of in accordance with the directions of the High Court pursuant to Section 27 of the Charitable Trusts Act 1957.

## GENERAL

- 22.(i) THE Committee shall have full power to adjudicate upon any relevant matter not covered by the existing Rules.
- (ii) The Committee's decision is final in all matters regarding interpretation of the Code of Ethics and Practice, and shall not be subject to review.

## ADVERTISING AND PROMOTION

23. Advertising in the newsletter will be accepted from individuals and organisations with following conditions:

That NZCCA Executive has the right to decline any advertising. Individuals and groups may advertise on a fair price basis with an extra charge for mailing out brochures and flyers with the Association's newsletter.

## REGIONAL GROUPS – FINANCIAL MANAGEMENT

- 24.(i) Regional groups may choose to set up their own system of financial management and administer their own finances including auditing and meeting statutory requirements. The national executive office will take no responsibility for the financial management of these groups.
- (ii) Alternatively, the national office will open a bank account for a region and payments and receipts for that region will be administered through the national office and reported as part of the national audited accounts.
- (iii) Donations given to the association for general use will be received by the national office and disbursed in accordance with the donor's wishes to the region concerned. Hence donors will receive a valid tax receipt for that donation from the national executive charitable trust.