



# The New Zealand Institute of Driver Educators Incorporated

## Memo

To: NZIDE AGM Cc: None

From: NZIDE Executive Team Date: 26 August 2022

Re: Update NZIDE Constitution – Rule 13(a)(iii) President of the Auckland District Law Society – Replace with any type of consensual dispute resolution (for example, mediation, facilitation, or a tikanga-based practice)

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The NZIDE Constitution rule 13(a)(iii) says

*The appeal board shall consist of three persons, one being nominated by the Executive and being himself/herself an Executive member, one being nominated by the appellant (such nominee being not necessarily a member of the Institute) and one being the **President of the Auckland District Law Society or his/her nominee**. The decision of the appeal board shall be final. The appeal board shall have jurisdiction to make an order as to payment of the costs of the appeal.*

Specific reference to the President of the Auckland District Law Society or his/her nominee restricts choice of the third appeal board member.

The Incorporated Societies Act 2022 Schedule 2 section 7(2)<sup>1</sup> says a society may, with the consent of all parties to a complaint, refer the complaint to any type of consensual dispute resolution (for example, mediation, facilitation, or a tikanga-based practice).

On 25 August 2022 the NZIDE Executive Committee resolved the motion below. The motion is now put to the AGM.

**Motion:** that the NZIDE Constitution rule 13(a)(iii) be changed to read

*The appeal board shall consist of three persons, one being nominated by the Executive and being himself/herself an Executive member, one being nominated by the appellant (such nominee being not necessarily a member of the Institute) and one being **a consensual dispute resolution provider (for example, mediation, facilitation, or a tikanga-based practice)**. The decision of the appeal board shall be final. The appeal board shall have jurisdiction to make an order as to payment of the costs of the appeal.*

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<sup>1</sup> [Incorporated Societies Act 2022 No 12, Public Act Schedule 2 Optional dispute resolution procedures – New Zealand Legislation](#)

### ***Mission Statement***

*To Promote and develop better driving standards among motorists and promote greater road safety by the encouragement of better driving through professional instruction.*