

**MASSEY UNIVERSITY  
COUNCIL ELECTIONS (PROFESSIONAL STAFF MEMBER) STATUTE 2023**

*Pursuant to section 276 of the Education and Training Act 2020*

1. Title and Commencement

This Statute may be cited as the Council Elections (Professional Staff Member) Statute 2023 and comes into force on the day after it is passed and this Statute repeals the Massey University Council Elections (Professional Staff Member) Statute 2019.

2. Application

This Statute applies to Professional (general) staff of the University.

3. Purpose

The purpose of this Statute is to govern the election to the Massey University Council by members of the permanent Professional staff of one member who is a permanent Professional staff member.

4. Statute

For the purposes of electing one member of the University Council being a permanent member of the professional (general) staff of Massey University pursuant to the constitution of the Council::

- Each elector will be eligible to nominate a candidate and vote; and
  - Each elector will be eligible to be nominated as a candidate
5. The date of the election will be determined by the Returning Officer and reported to Council.
6. The election shall be conducted in accordance with the provisions of the Electronic Election Statute 2019 except where a specific requirement of this statute applies. If a specific requirement of this statute applies, then that provision prevails to the extent of any conflict.
7. The nomination of Candidates for election under this Statute must:
- a. Be in the form approved by the Returning Officer; and
  - b. Be signed by not less than two voters as the nominators; and
  - c. Carry the written consent of the nominee and a declaration of eligibility (namely that the nominee is not disqualified from becoming a member of the Massey University Council under the relevant provisions of the Education and Training Act 2020); and
  - d. Contain a declaration by the nominee to abide by the Massey University Election Rules for Candidates (Schedule 1).

8. The Council's expectation is that each person elected in accordance with the provisions of this statute will hold office for a term determined by the Council. The length of term shall be advised in the Notice of Election and confirmed at the time of appointment. The term shall not exceed four years, and will cease should they resign, retire from office, or cease to be a permanent member of the professional (general) staff of the University.

9. Definitions

**'Candidate'** means a permanent member of the Professional (general) staff who is nominated by Electors in accordance with the provisions of this Statute.

**'Council'** means the Council of Massey University.

**'Election'** means an election conducted under this Statute and the Massey University Council Electronic Election Statute 2019.

**'Elector'** means a permanent member of the professional (general) staff of Massey University as deemed by the Vice-Chancellor to be those staff of the General staff payroll unless otherwise determined by the Vice-Chancellor.

**'Instructions for Voting'** means those instructions issued by the Returning Officer for the conduct of the electronic voting by means of a secure system which ensures each Elector is only able to cast one vote.

**'Nomination Day'** means the day appointed for the closing of nominations of candidates for election as members on the Council.

**'Permanent member'**, in relation to the teaching or general staff of an institution, means a member of the staff who—

- (a) is employed, on either a full-time or part-time basis, for a period ending, unless sooner terminated, on his or her resignation or retirement; or
- (b) has been employed, on either a full-time or part-time basis, whether under an employment agreement for a fixed term or otherwise, for at least 3 months; or
- (c) has been employed, on either a full-time or part-time basis, whether under an employment agreement for a fixed term or otherwise, for less than 3 months and whose employment is, in the opinion of the chief executive of the institution, likely to continue for at least 3 months from the date of commencement of that employment

**'Professional Staff Member on Council' means:** One permanent member of the Professional (general) staff of Massey University appointed by Council following an election (conducted in accordance with Statutes made by the Council) by the permanent members of that staff.

**'University'** means Massey University.

**'University Publications'** may be in hard copy or electronic form and includes but is not restricted to magazines, newsletters, email, and websites published by the University.

**'Vice-Chancellor'** means the person holding office for the time being as the Chief Executive Officer of the University; and includes any person for the time being acting in that capacity.

## **Related Documents**

- Education and Training Act 2020
- Massey University Council Electronic Election Statute 2019
- Constitution of Massey University Council (Notice 2015)
- Council Elections – Professional (General) Staff Nomination Form

## ***Document Management and Control***

*Prepared by:* Office of the Governance and Assurance Directorate  
*Owned by:* Director, Governance and Assurance  
*Approved by:* Council  
*Date Approved:* 18 May 2023

## **Schedule 1: Massey University Council Election Rules for Candidates**

### Purpose of the Rules:

1. To control the conduct of the elections; and
2. To restrict election campaigning and promotion of candidates to an Official Statement made by each candidate and as published by the University.

### Official Statement

1. Official Statement means a written statement of no more than 200 words, to which a photograph of the candidate shall be attached.
2. The Official Statement shall be given to the Returning Officer for the purposes of the election.
3. At the commencement of the election the Returning Officer will publish the Official Statement to the electorate (those eligible to vote).

### Conduct

1. Candidates are not permitted to use University resources in any way to communicate or to distribute material to campaign or promote themselves or others for the purposes of the election.
2. Candidates are not permitted to use any medium, electronic or otherwise, in any way to communicate or to distribute material to campaign or promote themselves or others for the purposes of the election.
3. Candidates are not permitted to engage or intentionally solicit the services of a third party in any way to communicate or to distribute material to campaign or promote themselves or others for the purposes of the election.

### Penalty

1. Failure to comply with these Rules may result in the Returning Officer exercising any of the powers available to him/her under the provision of the Massey University Council Electronic Election Statute 2019.