



**CONSTITUTION OF THE NEW ZEALAND COUNCIL
OF HOMEOPATHS INCORPORATED 2012**

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CONSTITUTION OF THE NEW ZEALAND COUNCIL OF HOMEOPATHS INCORPORATED 2012

1. **THE NAME OF THE INCORPORATED SOCIETY** shall be “The New Zealand Council of Homeopaths Incorporated”, hereinafter called “NZCH”.
2. **THE PRIMARY PURPOSES OF NZCH** are as follows:
 - 2.1 To further the education of the public about homeopathy and homeopathic remedies by way of meetings, exhibitions, displays, seminars, lectures, films, video recordings, publications, and other forms of instruction and publication.
 - 2.2 To promote research into all aspects of homeopathy and dissemination of the knowledge gained from that research.
 - 2.3 To develop and maintain for public use, a register of homeopaths, who practise to the standards required by NZCH and abide by NZCH’s Rules of Practice and Code of Ethics.
 - 2.4 To supervise for the protection and benefit of the public and practitioners the ethical behaviour of those persons on the register and maintain discipline among those persons.
 - 2.5 To be committed to uphold the principles of the Treaty of Waitangi.
3. **THE ANCILLARY PURPOSES OF THE NZCH** are as follows:
 - 3.1 To develop and maintain high standards for the practice of homeopathy in New Zealand.
 - 3.2 To promote and encourage the establishment of an internationally recognized standard of training in homeopathy in New Zealand.
 - 3.3 To endeavour to protect the public’s freedom to have homeopathic treatment, now and in the future.
 - 3.4 To affiliate with organizations with similar aims and objectives and to co-operate with persons or corporate bodies in New Zealand or elsewhere for the purposes of promoting the charitable aims of the NZCH.
 - 3.5 To engage in such commercial and other activities as may be required to carry out the above charitable aims.
4. **DEFINITIONS**
 - 4.1 Homeopathy is that healing art and science of medicine which has been clinically developed from the principles discovered by Samuel Hahnemann and described in his treatise “The Organon of Medicine”.
 - 4.2 The practice of homeopathy involves the selection and prescription of a single remedy which, through prior testing on healthy people, known as a proving, and from clinical experience, is known to produce a similar symptom picture to that of the client. The remedy is prescribed in the minimum dosage required to bring about healing.

- 4.3 A homeopathic remedy is that substance which, through prior testing on healthy people and from clinical experience is known to produce a similar symptom picture to that of the patient. This is termed a proving.
- 4.4 The majority of remedies are prescribed in a potentised form produced by a standardized process of trituration, serial dilution and succussion known as potentisation. Potentisation increases the therapeutic action of remedies.
- 4.5 A remedy is homeopathic only by virtue of its ability to produce similar symptoms in the healthy to that of the patient for whom it is prescribed and is termed the simillimum.

5. MEMBERSHIP. There shall be seven classes of membership:

5.1 Full Membership

- 5.1.1 Full Membership is automatically conferred on those practitioners who have met the NZCH's requirements for membership before the date of its formation in 1999. After this date, membership is conferred through the entry criteria specified in the NZCH Membership Pathway.
- 5.1.2 Full members must be financial members of the NZCH.
- 5.1.3 Full members must be signatories to the NZCH Rules of Practice and Code of Ethics.
- 5.1.4 Full members shall be qualified to a standard determined by the NZCH.
- 5.1.5 Full members shall receive an Annual Practising Certificate.

5.2 Sabbatical Membership

- 5.2.1 Sabbatical membership is for those full members who wish to suspend their full membership for any reason.
- 5.2.2 Members seeking to have sabbatical membership must apply to the NZCH Secretary in writing and complete the NZCH sabbatical leave form.
- 5.2.3 Sabbatical members must continue to be a financial member of the NZCH.
- 5.2.4 Sabbatical membership may be maintained for up to three years with a possibility of a further extension at the discretion of the NZCH Executive Committee.
- 5.2.5 Sabbatical members must not be in practice and are not entitled to hold office on the NZCH Executive.
- 5.2.6 Sabbatical members are not eligible to vote or receive an Annual Practising Certificate, but must be signatories to and observe the NZCH's Rules of Practice and Code of Ethics.

5.3 Associate Membership

- 5.3.1 Associate membership is available to people who have completed satisfactorily the NZCH entry criteria, but who have not yet had sufficient time or practical experience to apply for intern membership.
- 5.3.2 Associate membership is available where in addition members are involved in an allied health profession or an educational environment where work commitments make it difficult to fulfill the criteria to full membership within the timeframe under the intern membership pathway but where the member is practising homeopathy intermittently.
- 5.3.3 Associate membership is available where in addition the member may be involved in research which would assist in the recognition of homeopathy as a mainstream health option rather than being in clinical practice.
- 5.3.4 Associate members will need to complete a minimum of 10 (ten) hours Continuing Professional Development every two years to illustrate commitment to homeopathy and to reapply every four years to extend their associate membership.
- 5.3.5 Associate members can progress to intern membership on application to the NZCH.
- 5.3.6 Associate members are not entitled to hold office on the NZCH Executive Committee or to vote. Associate members must be signatories to and observe the NZCH's Rules of Practice and Code of Ethics.

5.4 Intern Membership

- 5.4.1 Intern membership is available to people who have completed satisfactorily the NZCH entry criteria, but who have not yet had sufficient time or practical experience to be able to compile the cases for presentation as documented in the entry criteria specified in the NZCH Membership Pathway.
- 5.4.2 Intern members may need to complete other educational requirements for membership or provide an attestation in recognition of prior learning when applying for membership.
- 5.4.3 Intern membership will be for a period of two years with a possibility of a further extension at the discretion of the NZCH Executive Committee. Extensions are to be submitted in writing and considered on a case by case basis.
- 5.4.4 Intern members experiencing difficulty in completing all their requirements for membership can request from the NZCH, a mentor, who shall be an experienced RCHom.
- 5.4.5 Intern members are not entitled to hold office on the NZCH Executive Committee or to vote. Intern members must be signatories to and observe the NZCH's Rules of Practice and Code of Ethics.

5.5 Student Membership.

- 5.5.1 Student membership is available to those who can provide evidence of studying homeopathy at a recognized homeopathic training establishment and who wish to have the benefits of membership.
- 5.5.2 Students are not entitled to hold office on the NZCH Executive Committee or to vote or receive an Annual Practising Certificate. Students must be signatories to and observe the NZCH's Rules of Practice and Code of Ethics. Students must also be signatories to and observe their educational provider's "Student Code of Ethics."
- 5.5.3 Upon proof of completion of study, students will be eligible to apply for Intern membership.

6. Animal Health Register.

- 5.6.1 Membership on the Animal Health Register is conferred through the entry criteria specified in the NZCH Membership Entry Pathway for the Animal Register.
- 5.6.2 Members on the Animal Register must be signatories to and observe the NZCH's Rules of Practice and Code of Ethics.

5.7 Life Membership

- 5.7.1 Life membership will be awarded to current NZCH members who have been nominated for "Life Membership" to honour their meritorious service to the homeopathic profession and/or to the NZCH.
- 5.7.2 Nomination(s) will be considered and Life Membership awarded at the discretion of the NZCH Executive Committee.
- 5.7.3 Meritorious service will refer to such conduct by a member that deserves reward or honour due to long-standing commitment to homeopathy and/or the NZCH and will be determined by the criteria described in the Membership Entry Pathway (clause 13 or clause 10 for Animal Register).
- 5.7.4 Life members will be exempt from paying the annual membership fee while continuing to benefit from all the rights and privileges of full membership for as long as they continue to meet the full NZCH membership criteria while in practice.
- 5.7.5 Life membership will continue for a non-practising member after their retirement from practice.

5.8 Special Category – Emeritus Membership

- 5.8 Full members of the NZCH wishing to retire from practice may apply for the Emeritus membership category.
- 5.8.1 Retiring members must give notice to the NZCH Secretary in writing and complete the NZCH Emeritus Membership application form.

- 5.8.2 Retiring members must continue to be a financial member of the NZCH.
- 5.8.3 Retiring members must not be in practice and are not entitled to hold office on the NZCH Executive but are eligible to be a member of a NZCH sub-committee.
- 5.8.4 Retiring members are not eligible to vote or receive an Annual Practising Certificate, but are subject to observing NZCH's Rules of Practice and Code of Ethics (excluding CPD).

6. CESSATION OF MEMBERSHIP

- 6.1 Members of the register wishing to cease membership must give notice in writing to the NZCH.
- 6.2 Members not having paid their subscription within three calendar months of the due date shall be deemed to have ceased membership. Any notice or reminder shall be deemed to have been received by the member if posted to the member's last known postal address.
- 6.3 If a member has ceased to be a member as a result of any event occurring in 6.1 and 6.2 then any such member may apply to the NZCH to be readmitted as a member and the NZCH Executive Committee may at their discretion waive some or all of the entry criteria for membership provided any overdue fees have been paid and the proposed member is able to provide evidence of Continuing Professional Development.
- 6.4 A decision to suspend or expel a member of the NZCH shall be made in accordance with the provisions of the NZCH Procedures for Investigation of Professional Conduct (2011).
 - 6.4.1 If a member has been found to be in breach of the NZCH Rules of Practice and Code of Ethics following an investigation in accordance with the provisions of the NZCH Procedures for Investigation (2011), their membership may be suspended by resolution of the NZCH Executive Committee. Any such member may after the suspended time is completed apply to the NZCH to be readmitted as a member as per 6.3 above.
 - 6.4.2 If any investigations in accordance with the provisions of the NZCH Procedures for Investigation (2011) into the conduct of a member results in notification to relevant legal authorities or is proven to have breached HDC regulations, the NZCH Executive Committee may by resolution cancel the membership with no conditions for resumption of the membership.

7. REPRESENTATION AND ELECTION OF OFFICERS

- 7.1 Every two years, the members shall, by postal voting, e mail voting or by ballot at the AGM, elect an Executive Committee on the following terms:
 - a) President who must be a full member of the NZCH - or
 - b) Co-Presidents who must be full members of the NZCH - and
 - c) Vice-President who must be a full member of the NZCH.
 - d) Secretary who may or may not be a member.
 - e) Treasurer who may or may not be a member.
 - f) Executive Committee members who must be full members of the NZCH
- 7.1.1 The Executive Committee shall consist of a minimum of five (5) and a maximum of seven (7) members including President or Co-Presidents and Vice President who all must all be full (RCHom) financial members at the time of nomination.
- 7.1.2 The President, or *Co-Presidents*, *Vice President* and Executive Committee shall be elected for a two-year term.
- 7.1.3 Any outgoing member may make themselves available for re-election for the Presidency, Co-Presidency, Vice-Presidency or the Executive at the end of each two-year period, for a period of three terms. They may seek re-election after a period of one year. Exceptions in certain circumstances, where a longer or shorter term occur, will be considered on a case by case basis.
- 2. The President shall conduct the business of general meetings, meetings of the Executive Committee and generally oversee the business and policy of the NZCH.

- 2.1. In the President's or Co-Presidents' absence the Vice-President shall conduct the business of general meetings, meetings of the Executive Committee and generally oversee the business and policy of the NZCH.
- 2.2. In the absence of the President, Co-Presidents and Vice-President, one other Executive Committee Member shall be elected to chair any NZCH meetings.
- 7.3 The Secretary shall be responsible to the NZCH Executive Committee for dealing with all business between the NZCH and its members and the NZCH and outside bodies.
- 7.4 The Treasurer shall be responsible for the preparation of accounts for the financial year and the presentation of audited accounts at the annual general meeting, the custody of the NZCH's funds and the transaction of financial business.
- 7.5 The Executive Committee shall appoint replacement officers should a vacancy occur. The term of office of a person so elected shall be the unexpired period of office of the person whose office he or she has been elected to fill.
- 7.6 In any matter for which a vote is to be taken a simple majority shall decide the issue by voice or show of hands or by secret ballot at the request of any one member.
- 7.7 The quorum for an Executive Committee meeting shall be 4 (four) members entitled to vote.
- 7.8 A written agenda shall be circulated to the President, Vice President, Secretary /Treasurer and the Executive Committee seven (7) days prior to an Executive meeting.
- 7.9 At an Executive Committee meeting if a situation arises where there is not a majority vote, the matter shall be deferred.
- 7.10 If any member of the NZCH Executive Committee member is absent from two consecutive meetings without leave of absence the President may declare that member's position to be vacant following discussion and resolution of the Executive Committee Members present.

8. GENERAL MEETINGS

8.1 Annual General Meetings

An Annual General Meeting shall be held once a year before the end of the membership year to:

- a) Elect the NZCH officers;
- b) Elect the NZCH Executive Committee;
- c) Receive the accounts for the previous year;
- d) Agree on the rate of subscription for the forthcoming year;
- e) Receive reports from the committee and any sub-committee on business transacted during the year;
- f) Receive reports from any member on any subject relevant to the primary and ancillary purposes of the NZCH;
- g) Consider any motion by any member on any subject relevant to the primary and ancillary purposes of the NZCH provided that notice has been given to the secretary at least 21 days before the meeting;
- h) Formulate in general terms the NZCH policy for the next year.

8.2 Special General Meetings

- 8.2.1 Special General Meetings of members may be convened by the NZCH Executive Committee following a request by no fewer than 3 (three) members or 10% of full members, whichever is the greater. Any request so made shall be in writing, addressed to the NZCH secretary, and express the objective of the meeting proposed to be called.
- 8.2.2 The prescribed notice calling each such meeting shall specify in general terms the business for which the meeting is called, and only the business so specified shall be discussed at such meeting.
- 8.2.3 Postal or e mail voting on motions notified as above shall be circulated to all members.

8.3 Procedure for calling General Meetings

- 8.3.1 Notice of each General Meeting shall be given at least 6 (six) weeks (excluding statutory holidays and the three weeks of the Christmas period) prior to the date appointed for the meeting. The

giving of such notice shall be in writing to each member at his/her last known postal address or by e mail.

- 8.3.2 Such notice shall state that the meeting is to be the Annual General Meeting, or Special General Meeting, as the case may be, and shall specify the place, date and time at which the meeting is to be held.
- 8.3.3 Any motions notified under 8.1(g) shall be circulated so as to be received by members at least 7 (seven) days before the meeting.
- 8.3.4 Forms to enable members to vote shall be enclosed by post or attached by e mail with the notices of motion circulated as described in 8.3.3.
- 8.4. **Representation and Voting at General Meetings.** Anyone is entitled to attend General Meetings, but only full members may vote at such meetings. Each full member may only cast one vote. Postal and e mail votes shall be counted as if the member casting the vote were present.
- 8.5 **Quorum at General Meetings.** A quorum for a General Meeting shall be 10 (ten) full members.
- 8.6 **Proxy Voting.** Any member may appoint any other member to attend any general meeting of the NZCH and vote on that member's behalf. The proxy shall be in writing and shall be in the hands of the Secretary no later than forty-eight hours prior to the meeting.
- 8.7 **Postal Voting.** Any matter that requires the approval of the members of the NZCH including Annual General Meetings and Special General Meetings may be conducted by way of postal voting. Any matter to be dealt with by way of postal voting shall be sent to each member no later than seven days prior to the matter being considered at a General Meeting or by the NZCH Executive Committee. Members may vote by ballot at the AGM if they have not already submitted a postal vote. (Refer 7.1)
- 8.8 **E mail Voting.** Any matter that requires the approval of NZCH members including Annual General Meetings and Special General Meetings may be conducted by way of e mail as an alternative to postal voting. Any matter to be dealt with by way of e mail voting shall be attached by e mail to each member no later than seven days prior to the matter being considered at a General Meeting or by the NZCH Executive Committee. Members may vote by ballot at the AGM if they have not already submitted an e mail vote. (Refer 7.1).

9. EXECUTIVE COMMITTEE MEETINGS

The Executive Committee may hold meetings at not less than an interval of three months at any convenient time and place it appoints. Members unable to be present who have heard all discussion of business by telephone or similar means may cast votes as if they were present.

10. CHANGE OF CONSTITUTION

This constitution may be altered at any General Meeting of the NZCH by a two thirds majority vote in favour, subject to notice having been given in accordance with 8.3.3 provided that no alteration, addition, rescission or amendment to the Constitution may be made if it affects the charitable objects outlined in clause 2, the restriction on personal benefit contained in clauses 13.6 and 13.7 upon winding up contained in clause 17.1 and 17.2.

11. MEMBERSHIP FEES

- 11.1 The rate of subscription payable by each member and time of payment shall be determined each year at the committee meeting just prior to the Annual General Meeting and shall be confirmed at the Annual General Meeting.
- 11.2 Notice of change of fees shall be circulated at least 21 (twenty-one) days prior to meeting in accordance with 8.3.3.

12. DISPUTES AND COMPLAINTS

- 12.1 Any person or body may make a complaint about a registered practitioner to the NZCH. This shall be done in writing to the NZCH secretary, who shall action the complaint in accordance with the provisions of the NZCH Procedures for Investigation of Professional Conduct (2011).
- 12.2 Where a NZCH member has good reason to believe there are grounds for complaint regarding a fellow NZCH member, they are advised as a first step, to discuss the matter with the homeopath concerned. Alternatively or subsequently they may contact a member of the NZCH Executive Committee to help resolve the matter. Where these approaches have proved unsuccessful, the member may contact the Secretary who shall action the complaint in accordance with the provisions of the NZCH Procedures for Investigation of Professional Conduct (2011).

13. FINANCE

- 13.1 The NZCH Secretary shall be paid an hourly rate for hours worked per week as set by the NZCH Executive Committee for the forthcoming year and as agreed to at each Annual General Meeting.
- 13.2 The NZCH Treasurer shall be paid an hourly rate for hours worked per week as set by the NZCH Executive Committee for the forthcoming year and as agreed to at each Annual General Meeting.
- 13.3 The NZCH President shall be paid an annual fee for the forthcoming year as agreed to at each Annual General Meeting.
- 13.4 Any NZCH appointed officer or NZCH member who works on behalf of or represents the NZCH on any committee and/or working party approved or appointed by the NZCH Executive Committee shall be paid a fee for any approved meetings as agreed to at each Annual General Meeting.
- 13.5 All payments due from clauses 13.1 to 13.4 shall be made by cheque within 21 working days of the Secretary receiving the current invoice from the NZCH appointed officer and/or NZCH member.
- 13.6 Any income, property, benefit or advantage of the NZCH, however derived, shall be applied solely towards the promotion of the NZCH's primary or ancillary purposes as contained in clauses 2 and 3. No portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise, to the NZCH officers or any NZCH members other than what is contained in clauses 13.1 to 13.4.
- 13.7 No NZCH officer or other NZCH member, or any person associated with an officer or member shall participate in or materially influence any decision made by the NZCH in respect of the payment to or on behalf of that officer or member or associated person of any income, benefit or advantage whatsoever.
- 13.8 The NZCH Secretary and/or Treasurer shall receive all monies paid to the NZCH and deposit it at a bank decided by the NZCH Executive Committee. All cheques drawn from such bank shall be signed by the Secretary and/or Treasurer and one other person, as nominated by the NZCH Executive Committee at its first meeting following the Annual General Meeting.
- 13.9 Receipts shall be issued for financial transactions upon request.
- 13.10 The Treasurer shall prepare such financial statements as are required from time to time, including an annual financial statement which shall be audited by a person approved by the NZCH and sent to the Registrar of Incorporated Societies after presentation to and approval by NZCH members at the Annual General Meeting.
- 13.11 The NZCH may raise and borrow such money as may be necessary, with or without security, for such matters as are compatible with the primary and ancillary purposes of the NZCH, as authorized by resolution passed at any General Meeting.
- 13.12 Such funds as are not immediately required may be invested in any way determined by any resolution of the NZCH Executive Committee.

14. USE OF NZCH NAME AND LOGO

The NZCH's name and logo can only be used by NZCH financial members (RCHom, Intern NZCH, Associate, Life) with prior permission of the NZCH.

15. COMMON SEAL

The NZCH Secretary shall have custody of the NZCH's "common seal". The common seal shall only be used with the authority of the NZCH. When a document is executed by the NZCH under seal, it shall be affixed in the presence of three NZCH members as decided at that time by resolution.

16. INCORPORATION

The members may at any time incorporate the NZCH as a Board under the provisions of Part II of the Charitable Trusts Act 1957.

17. WINDING UP

- 17.1 The NZCH may be wound up voluntarily if at a NZCH General Meeting a resolution to do so is passed and the resolution is confirmed at a subsequent meeting called for that purpose and held not earlier than 30 (thirty) days after the date of the first resolution.
- 17.2 Upon a winding up at any time for any reason the surplus assets and funds of the NZCH after payment of all liabilities shall be applied towards the charitable purposes of the NZCH or such other charitable purposes in New Zealand consistent with the purposes of the NZCH as may be determined by the members or in default of such determination as may be directed by the High Court of New Zealand.

18. REGISTERED OFFICE

- 1. The NZCH Registered Office location shall be determined by the NZCH Executive Committee and documented in the NZCH Strategic and Business Plan.
- 18.1.2 From time to time the NZCH Secretary shall notify the Registrar of Incorporated Societies of these details.