

RULES OF THE HEAVY VEHICLE ENGINEERS

(A Technical Group of Engineering New Zealand)

Section 1: Name

- 1.1 The Group shall be named the 'Heavy Vehicle Engineers', hereinafter referred to as 'the Group'

Section 2: Objective

- 2.1 The objective of the Group shall be the co-operative advancement, in knowledge and practice, of the science and engineering pertaining to the design and certification of heavy road transport vehicles. The Group shall represent at all times the best interests of the Group Membership, subject to accepted codes of professional conduct

Section 3: Organisation

- 3.1 The Group shall be governed by those Rules of Engineering New Zealand applicable to Technical Groups
- 3.2 The affairs of the Group shall be managed by an elected management committee, hereinafter referred to as the 'Committee'
- 3.3 The activities of the Group will be limited to within New Zealand

Section 4: Membership

- 4.1 Full Membership of the Group is for those Heavy Vehicle Specialist Certifiers (HVSCs) who currently have a Letter/Certificate of Appointment from NZTA as a Heavy Vehicle Certifying Engineer (HVCE) and/or are on one of the Competence Registers with practice area/s assigned for heavy vehicle certification categories: HVEA, HVEC, HVEK, HVEL and/or HVET. All Heavy Vehicle Certifying Engineers (HVCE), including probationary certifiers, who hold an NZTA Letter/Certificate of Appointment and/or are on a current Competence Register, may only join HVE as full Members
- 4.2 Retired Membership of the Group is for those Heavy Vehicle Specialist Certifiers (HVSCs) who have been on one of the Competence Registers with practice area/s assigned for heavy vehicle certification categories: HVEA, HVEC, HVEK, HVEL and/or HVET, and who, for reasons of retirement have resigned from the Competence Registers and/or no longer hold an NZTA Letter/Certificate of Appointment as a Heavy Vehicle Certifying Engineer (HVCE), but still have an interest/involvement in heavy vehicle engineering. Retired Members will have rights as Affiliate Members

- 4.3 Affiliate Membership of the Group is for those not on one of the Competence Registers with practice area/s assigned for heavy vehicle certification categories: HVEA, HVEC, HVEK, HVEL and/or HVET, but who have an interest in the industry, and shall include those who have not yet received NZTA Letters/Certificates of Appointment as heavy vehicle certifying engineers (HVCE), and any Member of Engineering New Zealand with an interest in heavy vehicle engineering. Such Members shall:
- Be allowed to participate in Group events, including but not limited to, conferences and mini conferences. At the discretion of the HVE Committee, Affiliate Members may be excluded from specific sessions, information or discussions by Full Members, if the HVE Committee determines it is in the best interests of the Group
 - Be allowed access to the Group's facilities such as the HVE Website and Group communications
 - By invitation be allowed to attend the Group's AGM or any SGM and may be afforded speaking rights at the discretion of the chairperson
 - Not be allowed voting rights in the Group
- 4.4 Student Membership of the Group is for those students studying towards a recognised mechanical engineering qualification in New Zealand who are interested in the heavy vehicle industry. Student Members will have the same rights as Affiliate Members

Section 5: Application for and Admission to Membership

- 5.1 Every Engineering New Zealand Member who expresses an interest in joining and who pays the relevant fees or subscription can be a Member of the Group. At the discretion of the Committee, any other person expressing an interest in the heavy vehicle certifying engineering industry, and whose inclusion adds value to the activities of the Group, may be permitted to become a Member of the Group, provided they pay the relevant subscription
- 5.2 The Committee reserves the right to refuse any application for Membership of the Group if it is deemed that approving the application may be contrary to the advancement of the objective of the Group, be prejudicial to the best interests of the wider Membership of the Group, or should present a conflict of interest, for any reason, with the objective of the Group and the best interests of the wider Membership of the Group. If refused, the applicant has the right to request a review of this decision, which shall be carried out by a panel consisting of two Members of the HVE Committee and two Engineering New Zealand representatives
- 5.3 Application for individual Membership of the Group shall be made on the appropriate downloadable hardcopy or online form. Applicants shall provide such details of their occupation, academic qualifications, experience, fields of interest, and other matters that the Committee may require
- 5.4 Members of the Group shall be bound by the Rules of the Group. The Group and its Members shall comply with the Rules of Engineering New Zealand, and in particular Rule 27: Engineering New Zealand Groups of those Rules. The Group and its Members must act professionally, and in a manner consistent with the Engineering New Zealand Code of Ethical Conduct. The form of application for Membership to

the Group shall contain a declaration to that effect, which the applicant shall sign, or acknowledge by checking the required online field

Section 6: Resignation, Re-Admission and Removal of Membership

- 6.1 Members may resign their Membership of the Group by notice in writing to Engineering New Zealand and the Chair of the HVE Committee. Such resignations will be accepted only after the payment of all the Member's outstanding subscriptions and other debts to the Group
- 6.2 Former Members of the Group may apply for re-admission. Such applications may be accepted by the HVE Committee in accordance with the objective of the Group and under such conditions as it may see fit to impose
- 6.3 The HVE Committee may, after following a fair process and in consultation with Engineering New Zealand, remove a Group Member if the Member is not acting consistent with the objective of the HVE Group or with the Engineering New Zealand Code of Ethical Conduct (as specified in Engineering NZ Rule 27).

Section 7: Management of the Group

- 7.1 The Committee shall be responsible to the Board of Engineering New Zealand
- 7.2 The Committee shall contain no less than three Ordinary Committee Members, in addition to the Chairperson, who are elected pursuant to Section 8 of these Rules. Committee Membership should reflect a fair representation of each of the categories of certification
- 7.3 At least three Committee Members shall be Members of Engineering New Zealand
- 7.4 All Committee Members shall have equal voting rights. As well as the general voting right, the Chairman can exercise an additional casting vote
- 7.5 Each Member of the Committee shall serve for one year but may be re-elected or reappointed an indefinite number of times. No Member shall hold the position of Chairman of the Group or a Sub-Group for a continuous period longer than three years
- 7.6 The Committee may fill a casual vacancy among the elected Members of the Committee, including a vacancy not filled at an election. Each Member appointed to fill such a vacancy shall hold office until the next AGM
- 7.7 The Committee may create subcommittees to address specific issues and perform particular tasks. Such subcommittees may include Members not on the Committee but must contain at least one Committee Member. The Chairperson shall be an ex-officio Member of each subcommittee
- 7.8 The Committee may suspend the privileges of Membership of any Member of the Group if the actions or behaviour of such Member is deemed to be contrary to the objective of the Group or prejudicial to the best interests of the wider Membership of the Group. The Committee may also similarly suspend any Member should that

Member have a conflict of interest, for any reason, with the objective of the Group and the best interests of the wider Membership of the Group. The Committee may take any appropriate action against any Member under the Rules of Engineering New Zealand that the Committee may deem necessary

- 7.9 The Committee shall appoint an Executive Officer who will be responsible for the administration of the Group; who will represent the Group to outside Organisations; and who will normally represent Engineering New Zealand on the Heavy Vehicle Engineering Council (HVECouncil). The Executive Officer must be a Member of the Group and a Member of Engineering New Zealand

Section 8: Election of the Management Committee

- 8.1 The Committee Members shall be elected from the Membership of the Group, either at the AGM or by postal or email ballot. The method to be used shall be decided at the preceding AGM
- 8.2 The Chairman shall be elected each year by the Members of the Group or by the Committee, in a manner to be determined by the Members at the AGM
- 8.3 Nominations for the Chairman and Committee may be made in writing, and shall bear the name of the proposer and the consent of the nominee
- 8.4 Nominations may be made in person by Members present at the AGM. Such nominations must be made with the consent of the nominee either in writing or in person by being present at the AGM
- 8.5 Nominations will be accepted up to the time of closing of nominations, unless a postal ballot is to be held, when nominations must be in the hands of the Executive Officer four weeks before the date of the AGM
- 8.6 Should the AGM decide that the voting at the following election shall be by postal or email ballot, then the procedure normally adopted by Engineering New Zealand for postal or email ballots will be followed

Section 9: Operation and Responsibilities of the Management Committee

- 9.1 For the purposes of these Rules, meetings are defined as face-to-face assemblies, telephone or Internet meetings
- 9.2 The Committee shall meet as often as the business of the Group may require
- 9.3 The Executive Officer should notify the Committee Members of the agenda of meetings prior to the meeting
- 9.4 Committee Members who are unable to attend a particular meeting may express their views on any matters in writing. These should be forwarded to the Executive Officer so as to be received before the meeting
- 9.5 The quorum for a Committee meeting shall be three

- 9.6 The Committee shall be responsible for the policy and administration of the Group. Any such activities shall be subject to the relevant Rules of Engineering New Zealand governing the activities of Technical Groups and individual Members. Subject to the broad approval of the Board of Engineering New Zealand, the powers of the Committee shall include:
- (a) The fixing of annual subscription rates to be paid by Members
 - (b) The promotion and arrangement of conferences, symposia, seminars and meetings of Members
 - (c) The development of liaisons with existing organisations, within New Zealand and overseas, with similar interests and activities
 - (d) The publication of a periodic bulletin, newsletter, or email member updates
 - (e) The promotion of technical education and research in land transport engineering. This may be, for example through discussion groups, technical publications, prizes for academic and technical achievement, and assistance to educational authorities
 - (f) Assistance with the preparation of standard specifications and contract procedures
 - (g) The preparation of public-relations material for release by Engineering New Zealand or the Group
 - (h) Discussion of matters of common interest with the New Zealand Transport Agency, the organisations represented on the HVE Council or any other body with an interest in the activities of the Group
 - (i) The right to refuse an application for membership of the group and the right to terminate membership of the Group on the grounds that such membership is contrary to the best interests of the Group
- 9.7 Subject to the Rules and overall jurisdiction of Engineering New Zealand, the decisions of the Committee on the interpretation of the Rules of the Group, and in such matters pertaining to the operation of the Group that are not covered by these Rules, shall be final and binding on all Members of the Group
- 9.8 The Committee shall prepare an Annual Report, which shall be laid before the AGM

Section 10: Financial

- 10.1 The Financial Year shall be in accordance with Engineering New Zealand requirements
- 10.2 Each Member shall pay the annual Membership subscription. The Group shall fix subscription rates annually. Retired Members will pay one-tenth of the full Membership fee, Affiliate Members will pay one-third of the full Membership fee. Student Membership is free

- 10.3 The annual Membership subscription shall be in accordance with Engineering New Zealand requirements
- 10.4 Members whose annual subscriptions have not been paid by 1 March shall be regarded as being in arrears of subscription. Members whose subscriptions are unpaid for a complete year lose their voting rights and any other rights associated with Membership of the Group. If Members leave their subscriptions unpaid for two complete years, the Committee may strike them from the Membership roll
- 10.5 The Group may not incur any liability or expend any money beyond its current funds without prior consent of the Board of Engineering New Zealand
- 10.6 The Committee may approve retrospectively any minor expenditure made on behalf of the Group by authorised Members of the Group
- 10.7 At each AGM the Executive Officer shall present a written Statement of Accounts prepared by Engineering New Zealand according to Engineering New Zealand audit requirements
- 10.8 The Committee, Executive Officer and Chairman shall be bound by the Rules of Engineering New Zealand pertaining to the handling of the assets of the Group and the incurring of liabilities by the Group
- 10.9 In the case of the winding up or dissolution of the Group, the current Engineering New Zealand Rules will apply to the distribution of the Group's funds after all liabilities have been paid
- 10.10 Any income, benefit or advantage obtained by the Group shall be applied to the charitable purposes of the Group
- 10.11 No Member of the Group or any person associated with a Member shall participate in, or materially influence, any decision made by the Group in respect of the payment to, or on behalf of that Member or associated person, of any income, benefit or advantage whatsoever
- 10.12 Any such income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value)
- 10.13 The provisions and effect of Clauses 10.9, 10.10, 10.11 and 10.12 shall not be removed from this document and shall be included and implied into any document replacing this document
- 10.14 No addition to, or alteration of the charitable objectives (10.10), the personal benefit clauses (10.11, 10.12), or the winding up clause (10.9) shall be approved without the Inland Revenue Department's approval

Section 11: Annual and Special General Meetings

- 11.1 An Annual General Meeting (AGM) of the Group shall be held once in each Financial Year at the date, time and place to be decided by the Committee

- 11.2 A Special General Meeting (SGM) may be called by the Committee at any time. The Committee shall call an SGM if requisitioned to do so by not less than 10 Financial Full Members
- 11.3 Each AGM and SGM shall have its notice and agenda circulated to all Members so as to reach each one no later than fourteen days before the date of the meeting
- 11.4 Any AGM or SGM shall be called at a location such as to minimise the travel costs for the total Group. The Committee may, at its discretion, institute a travel equalisation plan for Group Members to attend AG or SG Meetings
- 11.5 There shall be a quorum of six Financial Full Members for an AGM. The quorum for an SGM shall be ten Financial Full Members
- 11.6 Only Financial Full Members of the Group actually and rightfully present at a given meeting of the Committee or a General Meeting shall have the right to vote on any motion before that meeting
- 11.7 Each such Full Member shall have the right to exercise one vote only on each motion before such a meeting, except that in the case of equality of voting the Chairman may exercise an additional casting vote
- 11.8 Voting on any motion before a meeting shall be by voice, except that any voting Member present may require a show of hands or secret ballot
- 11.9 All motions shall be decided by the majority vote unless the Rules provide otherwise

Section 12: Changes to the Rules of the Group

- 12.1 Any proposed changes to the Rules of the Group must be submitted to a vote of the Group before they are submitted for approval of the Board of Engineering New Zealand
- 12.2 Any changes to the Rules of the Group must be passed by a majority vote at an AGM or an SGM of the Group called for that purpose
- 12.3 No alteration, addition, recession or substitution shall be permitted which would prohibit the charitable nature of the Group
- 12.4 No addition to, or alteration of the winding up Rule (14) shall be approved if it in any way affects the winding up Rule (15)
- 12.5 No addition to the alteration of the winding up Rule (14) shall be approved without the approval of the Department of Inland Revenue

Section 13: Standing Orders

- 13.1 The Standing Orders of the Group shall be as in Section V of the Engineering New Zealand Rules

Section 14: Winding Up

- 14.1 The Group may be wound up by resolution of an AGM or SGM. The voting shall be by a postal ballot of all Financial Members
- 14.2 On winding up, the assets of the Group shall be disposed in such a way that no Member of the Group gains personal benefit. The Group's assets, after all debts and liabilities have been discharged, shall be disposed of as educational grants and trusts, and/or given and transferred to some organisation(s) with a similar objective, as shall be determined by the Committee
- 14.3 Upon winding up, the funds of the Group shall be distributed for charitable purposes within New Zealand