

HURUNUI DISTRICT COUNCIL

20
22

STANDING ORDERS

AMENDED NOVEMBER 22

Foreword

These Standing Orders were first adopted at the meeting of Hurunui District Council on 27 July 1995 (updated in 2004, 2006, 2014, 2019 and 2020). This updated version was approved at the Council meeting on 1 November 2022. These Standing Orders apply to all meetings of this local authority, its committees and subcommittees and to all meetings of the Hanmer Springs Community Board.

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1. General

1.1 Introduction

1.1.1 Citation of legislation

These standing orders cite, or in some cases paraphrase, the provisions from the following Acts:

- Local Government Act 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Local Authorities (Members' Interests) Act 1968 (LAMIA)
- Resource Management Act 1991 (RMA).

Where direct quotations from the legislation are cited in these standing orders, such quotations are adopted as part of these standing orders. All such quotations are shown in italic type and include reference from the legislation.

"A local authority must adopt a set of standing orders for the conduct of its meetings and those of its committees. The standing orders of a local authority must not contravene [any provisions of the Local Government Act 2002], the Local Government Official Information and Meetings Act 1987, or any other Act."

[cl. 27(1) & (2), Schedule 7, LGA]

1.1.2 Community boards to be bound by standing orders

A community board is not a committee of the territorial authority. However, these standing orders, and the other provisions of the Local Government Act 2002 relating to Procedural and Organisational Matters, apply to community boards as if they were a local authority and to any committees of community boards, except where clearly stated otherwise.

[ss. 51 - 54 of the LGA]

1.1.3 Interpretation

In these standing orders, unless inconsistent with the context:

Agenda means the list of items for consideration at a meeting together with reports and other attachments relating to those items.

Chairperson means the mayor of a territorial authority or chairperson of community board including any person acting as the mayor of the territorial authority or chairperson of the community board, and any person presiding at any meeting of a committee or subcommittee of a regional council, territorial authority or community board.

Chief executive means the chief executive of a local authority appointed under section 42 of the Local Government Act 2002, irrespective of their designation, and includes for the purpose of these standing orders, any other officer authorised by the local authority.

Clear working days means the number of working days prescribed in these standing orders for the giving of notice; and excluding the date of service of that notice and the date of the meeting, the subject of that notice.

Committee includes, in relation to a local authority:

- (a) A committee comprising all the members of that local authority;
- (b) A standing committee or special committee appointed by that local authority;
- (c) A joint committee appointed under clause 30 of Schedule 7 of the Local Government Act 2002; and
- (d) Any subcommittee of a committee described in items (a), (b) or (c) of this definition.

Deputation means a request from any person or interest group in the community to make a presentation to the local authority or any committee.

Extraordinary meeting has the same meaning as defined in clause 22 of Schedule 7 of the Local Government Act 2002. See also Clause 22A with respect to *Emergency meetings*.

Local authority means the local authority and/or the community boards covered by these standing orders, being a local authority or a community board as defined in section 5 of the Local Government Act 2002. Local authority also includes for the purposes of the Local Government Official Information and Meetings Act 1987, any special tribunals or any person given authority to conduct hearings under sections 33, 34, 117, 146 or 202 of the Resource Management Act 1991.

Mayor means the mayor of a territorial authority elected under the Local Electoral Act 2001.

Meeting means any first, ordinary, or extraordinary meeting of a local authority; and any meeting of any committee, standing committee, joint committee, special committee or subcommittee of the local authority. At any meeting of a local authority, or of any committee or subcommittee of a local authority, at which no resolutions or decisions are made, the provisions of these standing orders regarding public access and notification need not apply.

Member means any person elected or appointed to the local authority or to any committee or subcommittee of the local authority, and includes the mayor of a territorial authority and the chairperson of a regional council or community board, or of any committee or subcommittee of a regional council, territorial authority or community board.

Minutes means the record of the proceedings of any meeting of the local authority and its committees and subcommittees.

Ordinary meeting means any meeting publicly notified by the local authority in accordance with sections 46(1) and (2) of the Local Government Official Information and Meetings Act 1987.

Public excluded information means any information which can be excluded from the public for reasons meeting the provisions of the Local Government Official Information and Meetings Act 1987.

Public excluded session refers to those meetings or parts of meetings from which the public is excluded by the local authority as provided for in the Local Government Official Information and Meetings Act 1987.

Publicly notified means notified to members of the public by notice contained in some newspaper circulating in the district of the local authority, or where there is no such newspaper, by notice published on signboard affixed to public places in the district to which the notice relates, or by the Council's website.

Quorum means the minimum number of members needing to be present to constitute a valid meeting.

Working day means any day of the week other than:

- (a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, and Labour Day, and Matariki and
- (b) A day in the period commencing with the 25th day of December in any year and ending with the 15th day of January in the following year.

1.2 Application of standing orders

- 1.2.1 These standing orders shall, so far as applicable, extend to the proceedings of all local authority meetings and of all committees of the local authority, including public excluded sessions.
- 1.2.2 "A member of a local authority must abide by the standing orders adopted under clause 27 [of Schedule 7 of the Local Government Act]."
[cl. 16(1), Schedule 7, LGA]

1.3 Chairperson's ruling final

- 1.3.1 The Chairperson shall decide all questions where these standing orders make no provision or insufficient provision (see Standing Order [2.20.1](#) regarding mode of address of Chairperson and Standing Orders [2.1.1](#) and [2.2.1](#) regarding the Chairperson to preside at meetings).
- 1.3.2 In regard to Standing Order [1.3.1](#) the Chairperson's ruling shall be final and not open to challenge or debate (see Standing Orders [2.5.1](#), [2.20.3](#), [2.21.1](#), [2.21.5](#), [2.21.11](#), [2.22.6](#)).
- 1.3.3 Disorderly members to be excluded by Chairperson
" A member of the police, or an officer or employee of a local authority, may, at the request of the chairperson, remove or exclude a member from a meeting if that member is required to leave the meeting by a ruling made under the standing orders and that member - refuses or fails to leave the meeting; or having left the meeting, attempts to re-enter the meeting without the permission of the chairperson."
[cl. 16(2), Schedule 7, LGA], (see Standing Orders [2.21.5](#), [2.21.10](#), and [2.25.1](#))

1.4 Suspension of standing orders

- 1.4.1 "A local authority or committee may temporarily suspend standing orders during a meeting by a vote of not less than 75% of the members present and voting, and the reason for the suspension must be stated in the resolution of suspension."
[cl. 27(4), Schedule 7, LGA]
- 1.4.2 Any motion to suspend one or more standing orders shall state the specific order or orders, which it is proposed to be suspended.

1.5 Alteration of standing orders

- 1.5.1 "After the adoption of the first standing orders of the local authority, an amendment of the standing orders or the adoption of a new set of standing orders requires, in every case, a vote of not less than 75 % of the members present."
[cl. 27(3), Schedule 7, LGA]

1.6 First meeting of local authority following election

- 1.6.1 "The first meeting of a local authority following a triennial general election of members must be called by the chief executive as soon as practicable after the results of the election are known. The chief executive must give the persons elected to the local authority not less than 7 days' notice of the meeting. [However] if an emergency exists, the chief executive may give notice of the meeting as soon as practicable. The chief executive (or, in the absence of the chief executive, a nominee of that officer) must chair the meeting until the mayor or chairperson has made and attested the declaration required under clause 14 [of Schedule 7 of the Local Government Act].

The business that must be conducted at the meeting must include

- (a) *the making and attesting of the declarations required of the mayor (if any) and members under clause 14; and*
- (b) *the election of the chairperson (if any) and the making and attesting of the declaration required of the chairperson under clause 14; and*
- (c) *a general explanation, given or arranged by the chief executive, of*
 - i the Local Government Official Information and Meetings Act 1987; and*
 - ii other laws affecting members, including*
 - (A) *the appropriate provisions of the Local Authorities (Members' Interests) Act 1968; and*
 - (B) *sections 99, 105, and 105A of the Crimes Act 1961; and*
 - (C) *the Secret Commissions Act 1910; and*
 - (D) *the Financial Markets Conduct Act 2013; and*
- (d) *the fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings; and"*
- (e) the appointment of the deputy mayor by the Mayor under section 41A(3)(a) of the LGA 2002 OR if the Mayor declines to use these powers, the election of the deputy mayor in accordance with Standing Orders 1.7.4 to 1.7.6 below.

[Note that nothing limits or prevents a local authority from removing, in accordance with clause 18 of Schedule 7 LGA, a deputy mayor appointed by the Mayor under the section quoted above.]

[cl.21, Schedule 7, LGA]

- 1.6.2 Every member of a local authority shall give to the Chief Executive a residential or business address together with, if desired, an email or other address within the district or region of the local authority to which notices and material relating to meetings and local authority business may be sent or delivered.

1.7 Provisions for appointment or election of deputy mayor, chairpersons and deputy chairpersons of local authorities and committees, and representatives of the local authority.

Mayor Responsible for Certain Appointments

- 1.7.1 The Mayor has the following powers:
- (a) to appoint the deputy mayor
 - (b) to establish committees of the local authority
 - (c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, the Mayor—

- i may make the appointment before the other members of the committee are determined; and
- ii may appoint himself or herself.

1.7.2 The Mayor declines to exercise powers in Standing Order [1.7.1](#):

The Mayor may decline to appoint the deputy mayor or to establish committees or appoint chairpersons to committees. In that case the procedure to appoint a deputy mayor, committees and committee chairpersons shall follow the procedure in Standing Orders 1.7.4 to 1.7.6

1.7.3 Removal of deputy mayor, discharging or reconstituting a committee, appointing additional committees or discharging a committee chairperson by the local authority:

Nothing in LGA 41A(3) limits or prevents a local authority from:

- (a) removing, in accordance with clause 18 of Schedule 7, a deputy mayor appointed by the Mayor under subsection (3)(a); or
- (b) discharging or reconstituting, in accordance with clause 30 of Schedule 7, a committee established by the Mayor under subsection (3)(b); or
- (c) appointing, in accordance with clause 30 of Schedule 7, 1 or more committees in addition to any established by the Mayor under subsection (3)(b); or
- (d) discharging, in accordance with clause 31 of Schedule 7, a chairperson appointed by the Mayor under subsection (3).

[Refer also to Standing Order [1.8](#)]

Election of Deputy Mayor

[This clause does not apply unless the Mayor declines to exercise the power to appoint under section 41A(3)(a) of LGA 2002.]

1.7.4 At the initial meeting referred to in Standing Order [1.6](#), or at any meeting of the local authority held thereafter, the local authority shall elect a Deputy Mayor in accordance with the provisions of 21(5)(e), Schedule 7, of the Local Government Act 2002.

1.7.5 The duties and functions of the Deputy Mayor shall be in accordance with 26(1), (5) & (6), Schedule 7 of the Local Government Act 2002.

1.7.6 Provisions for election or appointment of deputy mayor, chairpersons and deputy chairpersons of local authorities and committees, and representatives of the local authority

This Standing Order applies to:

- (a) the election or appointment of the deputy mayor; and
- (b) the election or appointment of the chairperson and deputy chairperson of a committee; and
- (c) the election or appointment of a representative of a local authority.

A local authority or a committee (if the local authority has so directed) must determine by resolution that a person [to whom this Standing Order applies] be elected or appointed by using one of the following systems of voting:

- (a) the voting system described below as System A;
- (b) the voting system described below as System B.

“System A

- (a) *requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and*
- (b) *has the following characteristics:*
 - i *there is a first round of voting for all candidates; and*
 - ii *if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and*
 - iii *if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and*
 - iv *in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.*

System B

- (a) *requires that a person is elected or appointed if he or she receives more votes than any other candidate; and*
- (b) *has the following characteristics:*
 - i *there is only 1 round of voting; and*
 - ii *if 2 or more candidates tie for the most votes, the tie is resolved by lot.”*

[cl. 25, Schedule 7, LGA]

1.8 Appointment of committees and other subordinate decision-making bodies

1.8.1 The Mayor has the following powers under section 41A(3) of LGA 2002:

- (a) to establish committees of the local authority; and
- (b) to appoint the chairperson of each committee established under paragraph (a) above and for that purpose, the Mayor may make the appointment before other members of the committee are determined and may appoint himself or herself.

However, nothing in section 41A limits or prevents a local authority from discharging or reconstituting in accordance with clause 30 of Schedule 7, a committee established by the Mayor or appointing one or more committees in addition to any established by the Mayor or discharging a chairperson appointed by the Mayor.

[The Mayor may decline to use the powers in section 41A or the local authority may discharge or reconstitute a committee established by the Mayor, in which case Standing Orders 1.8.2 and 1.8.4 below apply.]

1.8.2 Ability to appoint committees, subcommittees and other decision making bodies

"A local authority may appoint-the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate... A committee may appoint the subcommittees that it considers appropriate unless it is prohibited from doing so by the local authority."

[cl. 30(1) & (2), Schedule 7, LGA]

1.8.3 Committees subject to direction of local authority

"A committee or other subordinate decision-making body is subject in all things to the control of the local authority, and must carry out all general and special directions of the local authority given in relation to the committee or other body or the affairs of the committee or other body.

A subcommittee is subject in all things to the control of the committee that appointed it, and must carry out all general and special directions of the committee given in relation to the subcommittee or its affairs...

Nothing in this [Standing Order] entitles a local authority or committee to rescind or amend a decision made under a delegation authorising the making of a decision by a committee, a subcommittee, or another subordinate decision-making body."

[cl. 30(3), (4) & (6), Schedule 7, LGA]

1.8.4 Discharge or reconstitution of committees, subcommittees and other subordinate decision making bodies

"Unless expressly provided otherwise in an Act, -

- (a) a local authority may discharge or reconstitute a committee or subcommittee or other subordinate decision-making body; and*
- (b) a committee may discharge or reconstitute a subcommittee.*

A committee, subcommittee or other subordinate decision-making body is, unless the local authority resolves otherwise, deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the triennial general election of members next after the appointment of the committee, subcommittee, or other subordinate decision-making body."

[cl. 30(5) & (7), Schedule 7, LGA]

"A joint committee is deemed to be both a committee of the local authority and a committee of the other local authority or public body (subject to the law applicable to the committees of that other local authority or public body)."

[cl.30(8), Schedule 7, LGA]

1.9 Powers of delegation

1.9.1 Delegations to committees, subcommittees, subordinate decision making bodies, community boards, members and officers

"Unless expressly provided otherwise in [the Local Government Act], or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except:

- (a) the power to make a rate; or*
- (b) the power to make a bylaw; or*
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*
- (d) the power to adopt a long-term plan, annual plan, or annual report; or*
- (e) the power to appoint a chief executive; or*
- (f) the power to adopt policies required to be adopted and consulted on under [the Local Government Act] in association with the long-term plan or developed for the purpose of the local governance statement.*

- (g) *[Repealed]*
- (h) *the power to adopt a remuneration and employment policy.*

Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise by the local authority (after consultation with the committee or body or person) or any power or duty specified in [(a) – (h) above].

A committee or other subordinate decision-making body, community board, or member or officer of the local authority may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the local authority or by the committee or body or person that makes the original delegation.”

[cl. 32(1), (2) & (3), Schedule 7, LGA]

1.9.2 Use of delegated powers

“A committee, subcommittee, other subordinate decision-making body, community board or member or officer of the local authority to which or to whom any responsibilities, powers or duties are delegated may, without confirmation by the local authority or committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.”

[cl. 32(4), Schedule 7, LGA]

1.9.3 Delegations related to bylaws and other regulatory matters

“A local authority may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing and administration related to bylaws and other regulatory matters.”

[cl. 32(5), Schedule 7, LGA]

1.9.4 Delegations of power to issue warrants to enforcement officers

A local authority may delegate to a committee or member or officer of the local authority the power to issue warrants to enforcement officers. Such a delegation may:

- (a) *limit or restrict the exercise of the power; or*
- (b) *impose conditions on the exercise of the power; or*
- (c) *prohibit, in specified circumstances, the exercise of the power,*

and the local authority must determine these matters before delegating under this clause.

[cl. 32A, Schedule 7, LGA]

Clause 32(2) to (8) of Schedule 7 of the LGA and Standing Orders 1.9.1 to 1.9.3, with all necessary modifications, apply to a delegation made under this clause.”

1.10 Membership of committees and subcommittees

1.10.1 Appointing or discharging members on committees and subcommittees

"A local authority may appoint or discharge any member of a committee. Unless directed otherwise by the local authority, a committee may appoint or discharge any member of a subcommittee appointed by the committee."

[cl. 31(1) & (2), Schedule 7, LGA]

1.10.2 Elected members on committees and subcommittees

"The members of a committee or subcommittee may, but need not be, elected members of the local authority, and a local authority or committee may appoint to a committee or subcommittee a person who is not a member of the local authority or committee if, in the opinion of the local authority, that person has the skills, attributes or knowledge that will assist the work of the committee or subcommittee., at least one member of a committee must be an elected member of the local authority; and an employee of a local authority acting in the course of his or her employment may not act as a member of any committee unless that committee is a subcommittee."

[cl. 31(3) & (4), Schedule 7, LGA]

1.10.3 Local authority may replace members if committee not discharged

"If a local authority resolves that a committee, subcommittee, or other decision-making body is not to be discharged under clause 30 (7) [of Schedule 7 of the Local Government Act], the local authority may replace the members of that committee, subcommittee or other subordinate decision-making body after the next triennial general election of members."

[cl. 31(5), Schedule 7, LGA]

1.10.4 Minimum numbers on committees and subcommittees

"The minimum number of members is three for a committee, and is two for a subcommittee."

[cl. 31(6), Schedule 7, LGA]

1.10.5 Mayor a member of committees

The Mayor is a member of each committee of the local authority.

[cl 41A(5) LGA]

1.10.6 Proceedings not invalidated by vacancies, irregularities

"An act or proceeding of a local authority or committee, or of a person acting as a member of a local authority or committee, is not invalidated by a vacancy in the membership of the local authority or committee at the time of that act or proceeding, or the subsequent discovery of some defect in the election or appointment of the person acting as a member of the local authority or committee, or that that person was or is incapable of being a member."

[cl. 29, Schedule 7, LGA]

1.11 Joint committees

1.11.1 Appointing a joint committee

"A local authority may appoint a joint committee with another local authority or other public body in accordance with clause 30A."

[cl. 30(1), Schedule 7, LGA]

"[Part 1 of Schedule 7 of the LGA] applies to a joint committee except that –

- (a) the powers to discharge any individual member and appoint another in his or her stead must be exercised by the local authority or public body that made the appointment; and*
- (b) the quorum at a meeting consists of -*
 - i half of the members if the number of members (including vacancies) is an even number; or*
 - ii a majority of members if the number of members (including vacancies) is an odd number..."*

[cl. 30A(6), Schedule 7, LGA]

- (c) "the committee may appoint and remove its own chairperson or deputy chairperson.*

For the purposes of a public body that is not a local authority, [Part 1 of Schedule 7 LGA] applies to the extent that [it is] not inconsistent with the law applicable to committees of the public body."

[cl.30(9) & (10), Schedule 7, LGA]

1.12 General provisions as to meetings

1.12.1 Holding meetings for good governance

"A local authority must hold the meetings that are necessary for the good government of its region or district."

[cl. 19(1), Schedule 7, LGA]

1.12.2 Right to attend

"A member of a local authority, or of a committee of a local authority, has, unless lawfully excluded, the right to attend any meeting of the local authority or committee."

[cl. 19(2), Schedule 7, LGA]

1.12.3 Calling, public notification and conduct of meetings

"A meeting of a local authority must be called and conducted in accordance with [Schedule 7 of the Local Government Act]; and Part VII of the Local Government Official Information and Meetings Act 1987; and the standing orders of the local authority."

[cl. 19(3), Schedule 7, LGA]

1.12.4 Minutes of proceedings

"A local authority must keep minutes of its proceedings. Minutes of proceedings duly entered and authenticated as prescribed by the local authority are prima facie evidence of those proceedings."

[cl. 28(1), (2), Schedule 7, LGA]

Attendance by audio or audiovisual link

1.12.5 Right to attend by audio or audiovisual link

Provided the conditions in these standing orders are otherwise met, members of the local authority or its committees have the right to attend meetings by means of an audio or audiovisual link, unless they have been lawfully excluded.

[cl. 25A Schedule 7, LGA]

1.12.6 Member's status: quorum

Members who attend meetings by audio or audiovisual link will not be counted as present for the purposes of a quorum.

1.12.7 Member's status: voting

Where a meeting has a quorum of members physically present, the members attending by audio or audiovisual link have full speaking and voting rights on any matters raised at the meeting.

1.12.8 Chairperson's duties

Where the technology is available and a member is attending a meeting by audio or audiovisual link, the Chairperson must ensure that:

- (a) the technology for the link is available and of suitable quality;
- (b) procedures for using the technology in the meeting will ensure that:
 - i everyone participating in the meeting can hear each other,
 - ii the member's attendance by audio or audiovisual link does not reduce their accountability or the accessibility of that person in relation to the meeting,
 - iii the requirements of Part 7 of LGOIMA are met, and
 - iv the requirements in these standing orders are met.

If the Chairperson is attending by audio or audiovisual link then chairing duties will be undertaken by the deputy chair or a member who is physically present.

1.12.9 Conditions for attending by audio or audiovisual link

The Chairperson may give approval for a member to attend meetings by audio or audiovisual link, either generally or for a specific meeting. The Council in agreeing to these provisions, makes it clear that its expectation is that members attend all meetings, unless good reason exists for them to seek to participate via audio or audiovisual link. Examples of situations where the Chairperson is satisfied that approval can be given include:

- (a) where the member is at a place that makes their physical presence at the meeting impracticable or impossible;
- (b) where travelling to the meeting is particularly difficult for the member,
- (c) where a member is unwell, quarantined or self-isolating due to potential infection, and

(d) where a member is unable to attend due to an emergency.

1.12.10 Notwithstanding clause 1.12.9 (a) to (d) above, the Council accepts there are benefits to members and to the Council in terms of potential cost savings, time savings and efficiency, for members to participate in meetings via audio or audiovisual means. Therefore a chairperson may exercise discretion in allowing members to participate by audio and audiovisual means for reasons of convenience and expediency.

1.12.11 Request to attend by audio or audiovisual link

Where possible, a member will give the Chairperson and the Chief Executive Officer as much notice as possible but at least 1 working day's notice when they want to attend a meeting by audio or audiovisual link. Should, due to illness or emergency, this not be possible the member may give less notice and approval will be at the Chairperson's discretion.

Where such a request is made and the technology is available, the Chief Executive Officer must take reasonable steps to enable the member to attend by audio or audiovisual link. However, the Council has no obligation to make the technology for an audio or audiovisual link available.

If the member's request cannot be accommodated, or there is a technological issue with the link, this will not invalidate any acts or proceedings of the local authority or its committees.

1.12.12 Chairperson may terminate link

The Chairperson may direct that an audio or audiovisual link be terminated where:

- (a) use of the link is increasing, or may unreasonably increase, the length of the meeting,
- (b) the behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members,
- (c) it is distracting to the members who are physically present at the meeting, and
- (d) the quality of the link is no longer suitable.

1.12.13 Giving or showing a document

A person attending a meeting by audio or audiovisual link may give or show a document by:

- (a) transmitting it electronically,
- (b) using the audiovisual link, or
- (c) any other manner that the Chairperson thinks fit.

1.12.14 Link failure

Where an audio or audiovisual link fails, or there are other technological issues that prevent a member who is attending by link from participating in a meeting, that member must be deemed to be no longer attending the meeting.

1.12.15 Confidentiality

A member who is attending a meeting by audio or audiovisual link must ensure that the meeting's proceedings remain confidential during any times that the public are excluded. At such times, the Chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings.

[cl. 25A, Schedule 7, LGA]

1.13 Notification of meetings to members

1.13.1 Period for notice in writing

"The chief executive must give notice in writing to each member of the time and place of a meeting:

- (a) not less than 14 days before the meeting; or*
- (b) if the local authority has adopted a schedule of meetings, not less than 14 days before the first meeting on the schedule."*

[cl. 19(5)(a), (b), Schedule 7, LGA]

1.13.2 Schedule of meetings

"If a local authority adopts a schedule of meetings, -

- (a) the schedule may cover any future period that the local authority considers appropriate and may be amended; and*
- (b) notification of the schedule or of any amendment to that schedule constitutes a notification of every meeting on the schedule or amendment."*

[cl. 19(6), Schedule 7, LGA]

1.13.3 Cancellation of scheduled meetings

If it is necessary to cancel a scheduled meeting, all reasonable effort shall be taken to notify elected members and the public as soon as practicable of the cancellation and of the reasons for the cancellation.

1.14 Extraordinary and Emergency meetings

1.14.1 Resolving or requisitioning to hold a meeting

"If a resolution or requisition specifies the time and place at which the meeting is to be held and the general nature of the business to be brought before the meeting, a meeting may be called by -

- (a) a resolution of the local authority; or*
- (b) a requisition in writing delivered to the chief executive and signed by -*
 - i the mayor or chairperson; or*
 - ii not less than one-third of the total membership of the local authority (including vacancies)..."*

[cl. 22(1), Schedule 7, LGA]

1.14.2 Notification of extraordinary meetings to members

"Notice in writing of the time and place of the meeting called under [Standing Order [1.12.13](#)] and of the general nature of business must be given by the chief executive to each member of the local authority at least three working days before the day appointed for the meeting; or if the meeting is called by a resolution, within such lesser period of notice that is specified in the resolution, being not less than 24 hours..."

[cl. 22(2), Schedule 7, LGA]

1.14.3 Calling of Emergency meetings at earlier time

"If the business to be dealt with requires a meeting to be held at a time earlier than is allowed by the notice requirements specified, a meeting may be called by the mayor or chairperson; or if the mayor or chairperson are unavailable, the chief executive."

[cl. 22A(1), Schedule 7, LGA]

1.14.4 Notification of Emergency meetings held at earlier time

"Notice of the time and place of an emergency meeting and of the matters in respect of which the emergency meeting is being called must be given by the person calling the meeting or by another person on that person's behalf, by whatever means is reasonable in the circumstances, to each member of the local authority and to the chief executive at least 24 hours before the time appointed for the meeting."

[cl. 22A(2), Schedule 7, LGA]

1.15 Agenda to be sent to members

1.15.1 In the case of each meeting to which Standing Order [1.12.1](#) applies, an agenda detailing the business to be brought before that meeting together with relevant attachments must be sent to every member not less than two clear working days before the day appointed for the meeting (in the case of extraordinary meetings standing order [1.14.1](#) applies).

1.16 Meeting not invalid because notice not received

1.16.1 *"A meeting of a local authority is not invalid if notice of that meeting was not received, or not received in due time, by a member of the local authority unless -*

- (a) it is proved that the person responsible for giving notice of the meeting acted in bad faith or without reasonable care; and*
- (b) the member concerned did not attend the meeting.*

A member of a local authority may waive any requirement regarding the giving of notice of a meeting to that member."

[cl. 20(1), (2), Schedule 7, LGA]

2. Meetings

2.1 Mayor or Chairperson of local authority to preside at meetings

2.1.1 "The mayor or chairperson of the local authority must preside at each meeting of the local authority at which he or she is present unless the mayor or chairperson vacates the chair for a particular meeting. If the mayor or chairperson of a local authority is absent from a meeting, the deputy mayor or deputy chairperson (if any) of the local authority must preside. If a deputy mayor or deputy chairperson has not been appointed, or if the deputy mayor or deputy chairperson is also absent, the members of the local authority that are present must elect one of their number to preside at that meeting, and that person may exercise at that meeting the responsibilities, duties, and powers of the mayor or chairperson."

[cl. 26(1), (5) & (6), Schedule 7, LGA]

2.2 Chairperson of committee to preside at meetings

2.2.1 "The chairperson of a committee must preside at each meeting of the local authority at which he or she is present unless the chairperson vacates the chair for a particular meeting. If the chairperson of a committee is absent from a meeting, the deputy chairperson (if any) of the committee must preside. If a deputy chairperson has not been appointed, or if the deputy chairperson is also absent, the members of the committee that are present must elect one of their number to preside at that meeting, and that person may exercise at that meeting the responsibilities, duties, and powers of the chairperson."

[cl. 26(2), (5) & (6), Schedule 7, LGA]

2.3 Order of business

2.3.1 The local authority shall adopt an order of business which shall normally apply at meetings and may vary it from time to time.

2.4 Order paper

2.4.1 Order of business

Chief Executive shall prepare for each meeting an agenda setting forth the items of business to be brought before the meeting so far as is known. At the meeting the business shall be dealt with in the order in which it stands on the said agenda unless the meeting determines otherwise.

2.4.2 Order papers and agendas may be embargoed

Order papers and agenda detailing business to be considered by a meeting may be issued to members of the news media on the basis of being embargoed until the commencement of the relevant meeting, or such earlier time as is stated in the order paper.

2.5 Chairperson's report

2.5.1 The Chairperson shall, by report, have the right to direct the attention of the local authority to any matter or subject within the role or function of the local authority.

2.6 Items not on agenda

2.6.1 Major items not on agenda may be dealt with

"An item not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and*
- (b) The presiding member explains at the meeting at a time when it is open to the public, -*
 - i the reason why the item is not on the agenda; and*
 - ii the reason why the discussion of the item cannot be delayed until a subsequent meeting."*

[s. 46A(7), LGOIMA]

2.6.2 Minor matters not on agenda may be discussed

- (B) *"Where an item is not on the agenda for a meeting, -*
- (a) *That item may be discussed at that meeting if-*
- a) *That item is a minor matter relating to the general business of the local authority; and*
 - b) *The presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but*
 - c) *No resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion."*

[s. 46A(7) & 46A(7A), LGOIMA]

Minor matters of general business that are not on the agenda may be discussed at a meeting provided the chairperson has explained at the beginning of the meeting (when open to the public) that the item will be discussed. The minor matter can only be discussed and not dealt with (by resolution decision or recommendation) under Standing Order [2.6.2](#).

2.7 Precedence of business

- 2.7.1 Notwithstanding anything to the contrary contained in these standing orders, and after the confirmation of the minutes of the previous meeting, the Chairperson as a matter of urgency or any other good reason, or the local authority on a motion duly passed without debate, may accord precedence to any business set down on the order paper for consideration.

2.8 Time limit at meetings

- 2.8.1 Unless pursuant to a resolution of the local authority to other effect, no meeting shall sit for more than six hours nor beyond 10.30 p.m. Any business on the order paper not dealt with shall be listed for attention at the next meeting or extraordinary meeting.
- 2.8.2 No meeting, including Community Board and Ward Committee meetings, shall sit for more than three hours without a refreshment break.

2.9 Quorum at meetings

- 2.9.1 This order cites clause 23(1), schedule 7 of the Local Government Act:
- "A meeting is duly constituted if a quorum is present, whether or not all of the members are voting or entitled to vote."*
- [cl. 23(1), Schedule 7, LGA]
- 2.9.2 Quorum must be present throughout meeting
- "Business may not be transacted at any meeting unless at least a quorum of members is present during the whole of the time at which the business is transacted."*
- [cl. 23(2), Schedule 7, LGA]

2.9.3 Definition of a quorum for a local authority or joint committee meetings

"The quorum at a meeting of-

- (b) *a local authority [or joint committee] consists of-*
 - i *half of the members if the number of members (including vacancies) is even; or*
 - ii *a majority of members if the number of members (including vacancies) is odd."*

In the case of a joint committee the quorum must include at least one member of a local authority.

[cl. 23(3), Schedule 7, LGA]

2.9.4 Quorum at committee meetings

"The quorum at a meeting of-

- (b) *a committee –*
 - i *is not fewer than two members of the committee (as determined by the local authority or committee that appoints the committee); and*
 - ii *in the case of a committee other than a subcommittee, must include at least one member of the local authority."*

[cl. 23(3), Schedule 7, LGA]

2.10 Failure of a quorum

2.10.1 Meeting lapses if no quorum

If a meeting is short of a quorum at its commencement, or falls short of a quorum, the business is to stand suspended and, if no quorum is present within 15 minutes, the chairperson is to vacate the chair and the meeting shall lapse.

2.10.2 Lapsed business

The business remaining to be disposed of following the lapsing of a meeting is to stand adjourned until the next meeting unless an earlier meeting is fixed by the chairperson and notified by the Chief Executive.

2.10.3 Minutes to record failure of quorum

If a meeting lapses by reason of failure of a quorum, the names of the members then in attendance, and the fact of the lapse, are to be recorded in the minutes.

The members then in attendance and the fact of the adjournment shall be recorded by the Chief Executive (see Standing Order [2.12.2](#)).

2.11 Leave of absences and apologies

2.11.1 Granting leave of absence

The local authority may grant leave of absence to a member from an Ordinary meeting or other meetings of the local authority or its committees upon application by the member.

2.11.2 Apologies at meetings

If a member has not obtained leave of absence an apology may be tendered on behalf of the member and the apology may be accepted or declined by the local

authority. Acceptance of the apology shall be deemed to be a granting of leave of absence for that meeting.

2.11.3 Recording of apologies

The Chairperson of each meeting must invite apologies at the beginning of each meeting, including apologies for lateness and early departure, and these and subsequent apologies during the meeting shall be recorded in the minutes, including whether they were accepted or declined, and the time of arrival and departure of all members.

2.11.4 Absence without leave

An extraordinary vacancy is created where any member is absent without leave of the local authority or community board from four consecutive meetings (other than extraordinary meetings) of the local authority or community board.

[cl. 5, Schedule 7, LGA]

2.11.5 Absence without leave – Committees and Subcommittees

Where any member of a Committee or Subcommittee is absent without leave of the local authority or respective committee from four consecutive meetings (other than extraordinary meetings) of the committee/subcommittee, a report shall be presented to the local authority to consider discharging that member.

2.12 Minutes of proceedings

2.12.1 Minutes to be evidence of proceedings

- (1) *"A local authority must keep minutes of its proceedings.*
- (2) *Minutes of proceedings duly entered and authenticated as prescribed by a local authority are prima facie evidence of those proceedings."*

[cl. 28, Schedule 7, LGA]

2.12.2 Keeping of minutes

The Chief Executive or his/her designated representative must keep the minutes of meetings. The minutes must record the date, time and venue of the meeting; the names of those members present; identification of the chairperson; apologies tendered and accepted; arrival and departure times of members; any failure of a quorum; a list of speakers in the public forum and the topics they cover; a list of items considered; resolutions and amendments pertaining to those items; any objections to words used; all divisions taken; names of any members requesting the recording of their abstentions or votes ; declarations of pecuniary interest; contempt, censure and removal of any members; resolutions to exclude members of the public; and the time that the meeting concludes or adjourns.

2.12.3 Approval of minutes

The minutes and proceedings of every meeting shall be circulated to members and considered at the next meeting succeeding, and, if approved by that meeting, or when amended as directed by that meeting, shall be deemed to be confirmed as the true and accurate record of the meeting.

2.12.4 No discussion on minutes

No discussion shall arise on the substance of the minutes at the succeeding meeting, except as to their correctness.

2.13 Minute books

2.13.1 Inspection of minute books/electronic records

The minute books and/or electronic record of the minutes of the local authority must be kept by the Chief Executive and be open to inspection in accordance with the Local Government Official Information and Meetings Act 1987 and the Local Government Act 2002.

[s.51, LGOIMA]

2.13.2 Minutes of last meeting before election

The chairperson and the Chief Executive shall authenticate the minutes of the last meeting of a local authority prior to the next election of members.

2.14 Requests/Deputations

2.14.1 Requests/Deputations to Council

Deputations may be received by the local authority or any of its committees provided an application for admission setting forth the subject, has been lodged with the Chief Executive at least two working days before the date of the meeting concerned, and has been subsequently approved by the chairperson. The chairperson may refuse requests for deputations which are repetitious or offensive.

2.14.2 Urgency or major public interest

Notwithstanding Standing Order [2.14.1](#), where in the opinion of the Chairperson the matter which is the subject of a deputation is one of urgency or major public interest, the Chairperson may determine that the deputation be received by the local authority.

2.14.3 Procedures regarding deputations

Except with the approval of the local authority or committee, not more than 2 members of a deputation may address the meeting. After a presentation is received, members may put to the deputation any question pertinent to the subject heard, but no member may express an opinion upon, or discuss the subject, until the deputation has completed making its submissions and answering questions (see Standing Order [2.24.1](#) regarding qualified privilege).

2.14.4 Termination of deputation if disrespectful

The Chairperson may terminate a deputation in progress which is disrespectful or offensive, or where the Chairperson has reason to believe that statements have been made with malice (see Standing Order [2.24.1](#) regarding qualified privilege).

2.14.5 Time limit on deputation

Unless the meeting determines otherwise in any particular case, a limit of 10 minutes is placed on a speaker making a presentation, or if there are 2 members of the deputation addressing the meeting 10 minutes in total for the 2 speakers.

2.15 Petitions

2.15.1 Form of petitions

Every petition presented to the local authority or to any of its committees, must comprise fewer than 50 words (not including signatories) and not be disrespectful,

nor use offensive language or include statements made with malice (see Standing Order [2.24.1](#) regarding qualified privilege).

2.15.2 Petition where presented by members

Any member of the local authority, who presents a petition on behalf of the petitioners, is to confine himself/herself to reading the petition and the statement of the parties from which it comes, and the number of signatures attached to it.

2.15.3 Petition when presented by petitioner

Where a petition is presented by a petitioner, unless the local authority determines otherwise, a limit of 5 minutes is placed on that person (see Standing Order [2.24.1](#) regarding qualified privilege). If the chairperson has reason to believe that the petitioner is disrespectful or offensive, or has made statements with malice, the chairperson shall terminate presentation of the petition.

2.16 Procedural motions to terminate or adjourn debate

2.16.1 Members who may move procedural motions to terminate or adjourn debate

Any member who has not spoken during debate on any matter may move any one of the following procedural motions to terminate or adjourn debate, but not so as to interrupt a member speaking:

- (a) That the meeting be adjourned to the next meeting, unless an alternative time and place is stated; or
- (b) That the item of business being discussed be adjourned to a time and place to be stated; or
- (c) That the motion under debate be now put (a “closure motion”); or
- (d) That the meeting move directly to the next business, superseding the item under discussion; or
- (e) That the item of business being discussed does lie on the table, and not be further discussed at that meeting; or
- (f) That the item of business being discussed be referred (or referred back) to the relevant committee of the local authority.

2.16.2 Procedural motions to terminate or adjourn debate to take precedence

Procedural motions to terminate or adjourn debate shall take precedence over other business (other than points of order), and shall, if seconded, be put to the vote immediately without discussion or debate.

2.16.3 Voting on procedural motions to terminate or adjourn debate

All procedural motions to terminate or adjourn debate shall be determined by a majority of those members present and voting. If lost, a further procedural motion to terminate or adjourn debate may not be moved by any member within a quarter of an hour thereafter.

2.16.4 Closure motion to be put if no further speaker

Notwithstanding Standing Order [2.16.3](#) a closure motion shall be put if there is no further speaker in the debate.

2.16.5 Closure motion on amendment

When an amendment to a motion is under debate, a closure motion relates to the amendment and not to the motion.

2.16.6 Right of reply following closure

If a closure motion is carried, the mover of the motion then under debate is entitled to the right of reply, and the motion or amendment under debate shall then be put.

2.16.7 Debate on items previously adjourned

The debate on adjourned items of business shall be resumed with the mover of such adjournment being entitled to speak first in the debate. Members who have already spoken in the debate may not speak again.

2.16.8 Adjourned items taken first

Adjourned items of business shall be taken first at the subsequent meeting in the class of business to which they belong.

2.16.9 Other business not superseded

The carrying motion to adjourn a meeting shall not supersede meeting in the class on business to which they belong.

2.16.10 Referral or referred back to committee

Business referred or referred back, to a specified committee shall be considered at the next meeting of that committee.

2.17 Notices of motion

2.17.1 Notices of motion to be in writing

Notices of motion shall be in writing signed by the mover, stating the meeting at which it is proposed that the notice of motion be considered, and shall be delivered to the Chief Executive at least five clear days before such meeting (see Standing Order [2.19.13](#)).

2.17.2 Refusal of notice of motion

The chairperson may direct the Chief Executive to refuse to accept any notice of motion which is;

- (a) Disrespectful or which contains offensive language or statements made with malice; or
- (b) Not, in subject, within the scope of the role or functions of the local authority; or
- (c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the Chief Executive may make.

2.17.3 Mover of notice of motion to be present

No notice of motion shall proceed in the absence of the mover, unless moved by another member authorised in writing by the mover to do so.

2.17.4 Alteration of notice of motion

A notice of motion may only be altered by the mover with the consent of the meeting.

2.17.5 When notices of motion lapse

Notices of motion not moved on being called by the Chairperson shall lapse.

2.17.6 Referral of notices of motion to committees

Any notice of motion referring to any matter ordinarily dealt with by a committee of the local authority may be referred by the Chief Executive to that committee.

2.18 Repeat notices of motion

2.18.1 First repeat where notice of motion rejected

When a motion which is the subject of a notice of motion has been considered and rejected by the local authority, no similar notice of which, in the opinion of the Chairperson, is substantially the same in purport and effect shall be accepted within the next six months unless signed by not less than one-third of the members of the local authority (including vacancies).

2.18.2 Second repeat where notice of motion rejected

If such a repeat notice of motion as provided for in Standing Order [2.18.1](#) is also rejected by the local authority, any further notice prior to the expiration of the original period of six months shall need to be signed by a majority of the members of the local authority (including vacancies).

2.18.3 No repeats where notice of motion agreed

Where a notice of motion has been considered and agreed by the local authority, no notice of any other motion which is, in the opinion of the Chairperson, to the same effect shall be put again whilst such original motion stands.

2.19 Motions and amendments

2.19.1 Requirement for a seconder

All types of motions and amendments moved in debate (including notices of motion) must be seconded, and thereupon the Chairperson shall state the matter raised and propose it for discussion (see Standing Order [2.19.7](#)).

2.19.2 Withdrawal of motions and amendments

Once motions or amendments have been seconded and proposed by the Chairperson from the chair for discussion they cannot be withdrawn without the consent of a majority of the members present and voting. A motion to which an amendment has been moved and seconded cannot be withdrawn until the amendment is first withdrawn or lost.

2.19.3 Substituted motion by amendment

The meeting may allow a motion which is subject to an amendment to be withdrawn and replaced by the said amendment as the substituted motion, provided a majority of the members present vote for the withdrawal of the original motion. In such case, members who have spoken to the original motion may speak again to the substituted motion.

2.19.4 Motions in writing

The Chairperson may require the mover of any motion or amendment to submit it in writing signed by the mover.

2.19.5 Division of motions

The Chairperson or the meeting may require a complicated motion (whether an original motion, a substituted motion, or amendment thereto) to be divided.

2.19.6 Alteration once moved

When a motion has been seconded and proposed by the Chairperson for discussion, an amendment may be moved and seconded by any members who have not yet spoken to the motion (whether an original motion or substituted motion). The mover or seconder of a motion for the adoption of the report of a committee who desires to amend any item in the report may also propose or second an amendment. (Subject to Standing Order [2.19.20](#))

2.19.7 Amendments not seconded

Amendments which are proposed but not seconded shall not be in order nor entered into the minutes.

2.19.8 Further amendments

No further amendment shall be allowed until the first amendment is disposed of, although members may give notice to the chair of their intention to move further amendments and the tenor of their content.

2.19.9 Where amendment lost

Where an amendment is lost, another may be moved and seconded by any members who have not spoken to the motion (whether an original motion or substituted motion). Movers and seconders of previous amendments which were lost shall be regarded as having spoken to the motion only and shall be entitled to speak to the new amendment, but shall not be entitled to move or second the new amendment.

(Subject to Standing Order [2.19.20](#))

2.19.10 Where amendment carried

Where an amendment is carried, the motion as amended becomes the substantive motion, and any member, other than previous movers or seconders in the debate, may then propose a further amendment.

(Subject to Standing Order [2.19.20](#))

2.19.11 Amendments relevant

Every proposed amendment must be relevant to the motion under discussion and not be in similar terms to an amendment which has been lost.

2.19.12 Direct negatives

No amendment which amounts to a direct negative shall be allowed which, if carried, would have the same effect as negating the not allowed motion.

2.19.13 Same members not to move or second further amendments

The procedure in Standing Orders [2.20.9](#) and [2.20.10](#) shall be continued until a final resolution is adopted, subject to the rule that amendments may be moved and seconded only by members who have not spoken to the motion, or who have not moved or seconded previous amendments. Such members may, however speak to amendments moved and seconded by other members.

(Subject to Standing Order [2.19.20](#))

2.19.14 Revocation or alteration of resolutions (See also SO 2.19.16 & 2.19.17 below)

All or part of a resolution agreed at a meeting of the local authority may be revoked or altered as follows:

- (a) Notice of motion for the revocation or alteration of all or part of a previous resolution shall be given to the Chief Executive by the member intending to move such a motion. Such notice shall set out:
 - i the resolution or part thereof which it is proposed to revoke;
 - ii the meeting date when it was passed;
 - iii and the motion, if any, that it is intended to move in substitution therefore;
- (b) Such notice shall be given to the Chief Executive at least five clear days before the meeting at which it is proposed to consider such motion and shall be signed by not less than one third of the members of the local authority (including vacancies);
- (c) At least two clear days' notice in writing shall then be given by the Chief Executive to the members of the intended motion and of the meeting at which it is proposed to move such motion (see (b) above and [2.19.16](#)).

2.19.15 Restriction on action to be taken on previous resolution

Where a notice of motion has been given in terms of Standing Order [2.19.14](#) no action which is irreversible shall be taken under the resolution proposed to be revoked or altered until the proposed notice of motion has been dealt with by the local authority. However, if in the opinion of the Chairperson, the practical effect of the delay so occasioned would be equivalent to a revocation of the resolution, or if, by reason of repetitive notices the effect of the notice is, in the opinion of the Chairperson, an attempt by a minority to frustrate the will of the local authority then, in either case, action may be taken as though no such notice to the Chief Executive had been given or signed.

2.19.16 Revocation or alteration of resolution at same meeting

If, during the course of a meeting of the local authority, fresh facts or information are received concerning a matter already resolved at the meeting, then such previous resolution may be revoked or altered by the consent of three-quarters of the members present and voting.

2.19.17 Local authority may revoke or alter any previous resolution

Any local authority meeting may, on a recommendation contained in a report by the Chairperson or Chief Executive, or the report of any committee, revoke or alter all or part of any resolution previously passed by the local authority or committee thereof, provided that notification of such recommendation shall have been given to the Chairperson and members at least two clear days before the meeting at which such recommendation is to be considered.

2.19.18 Restating the motion before division

The Chairperson may, immediately prior to any division being taken, request the Chief Executive to restate the motion upon which the division is to be taken. Once the Chairperson has put the motion, no member may speak to that motion after it has been put and voted upon.

2.19.19 Reflections on resolutions

In speaking in any debate no member shall cast reflection on any resolution of the local authority except by a notice of motion to amend or revoke the same (see Standing Order [2.19.13](#)).

2.19.20 Chairperson discretion

With reference to Standing Orders [2.19.6](#), [2.19.9](#), [2.19.10](#) and [2.19.13](#), the Chairperson may at their discretion allow previous movers and seconders of motions or amendments to move, second or speak to subsequent motions and amendments.

2.20 Rules of debate

2.20.1 Mode of address for Chairperson

The person in the chair shall be addressed in such terms as denotes the statutory office of that person - the choice of mode of address being as determined by that person.

2.20.2 Reserving speech

A member may second a motion or amendment without speaking to it, reserving the right to speak later in the debate.

2.20.3 Irrelevant matter and tedious repetition

In speaking to any motion or amendment, members shall confine their remarks strictly to such motion or amendment, and shall not introduce irrelevant matter or indulge in tedious repetition. In this matter, the Chairperson's ruling shall be final and not open to challenge.

2.20.4 Limitation on speakers

If three speakers have spoken consecutively in support of, or in opposition to, any motion the Chairperson may call for a speaker to the contrary. If no such speaker is forthcoming the motion shall be put. Any member speaking shall, if called upon by the Chairperson to do so, announce whether they are speaking in support of or against the motion or amendment.

2.20.5 Taking down words

When any member objects to words used and desires them to be recorded in the minutes, the Chairperson may so order them to be recorded, provided such objection be made at the time the words were used and not after any other members have spoken (see Standing Order [2.21.4](#)).

2.20.6 Reading of speeches

Members shall not read their speeches, except with the permission of the Chairperson, but may refresh their memory by reference to notes.

2.20.7 Time limits

The following time limits shall apply to members speaking at local authority meetings, unless extended by permission of the Chairperson:

- (a) Movers of motions when speaking to the motion, ten minutes;
- (b) Movers of motions, when exercising their right of reply, five minutes;
- (c) Other members, not more than five minutes.

2.20.8 Member speaking more than once

Except pursuant to Standing Orders [2.20.10](#), [2.20.13](#) and [2.20.14](#), a member may not speak more than once to a motion, unless permitted by the Chairperson. (See Standing Order [2.20.10](#) re right of reply, Standing Order [2.20.13](#) re personal explanation and Standing Order [2.20.14](#) re explanation of previous speech).

2.20.9 Restating of the motion

Members may request the Chairperson to restate the motion for their information at any time during the debate, but not so as to interrupt.

2.20.10 Right of reply

The mover of an original motion shall have the right of reply. After the mover has commenced such reply, or has intimated the wish to forego this right, or having spoken to an amendment to the motion and the Chairperson has intimated their intention to put the motion, no other member of the local authority shall speak on the motion. Movers in reply shall not introduce any new matter and shall confine themselves strictly to answering previous speakers.

2.20.11 When right of reply may be exercised

The right of reply shall be governed as follows:

- (a) Where no amendment has been moved, the mover may reply at the conclusion of the discussion on the motion;
- (b) If there is an amendment, the mover of the original motion may make such reply at the conclusion of the debate on such amendment, and this reply shall exhaust the right thereto as mover of the original motion (see Standing Order [2.20.10](#)). Provided that the mover may reserve such right of reply. The mover may, however, take part in the discussion upon subsequent amendments.

2.20.12 Speaking only to relevant matters

Members may speak to any matter before the meeting or upon a motion or amendment to be proposed by themselves, or upon a point of order arising out of debate, but not otherwise.

2.20.13 Personal explanation

Notwithstanding Standing Order [2.20.8](#), members may make a personal explanation with the permission of the Chairperson, but such matters may not be debated.

2.20.14 Explanation of previous speech

With the permission of the Chairperson, explanation of some material part of a previous speech in the same debate may be given by a member who has already spoken, but new matter may not be introduced.

2.21 Conduct of meetings

2.21.1 Chairperson to decide

The Chairperson shall decide all points of order and any member who refuses to obey any order or ruling of the Chairperson shall be held guilty of contempt (see Standing Orders [1.2.2](#), [1.3.2](#), and [2.22.6](#)).

2.21.2 Chairperson rising

Whenever the Chairperson rises during a debate any member then speaking or offering to speak shall be seated, and members shall be silent so that the Chairperson may be heard without interruption.

2.21.3 Members to speak in places

Members desiring to speak shall rise in their place and address the Chairperson, and shall not leave their place while speaking without the leave of the Chairperson.

2.21.4 Priority of speakers

When two or more members rise to speak, the Chairperson shall name the member who has the right to speak first, provided that the following members shall have precedence, where in order, when they rise and state their intention to:

- (a) Raise a point of order (see Standing Order [2.22](#)), including any request to obtain a time extension for the previous speaker;
- (b) Move a motion to terminate or adjourn the debate (see Standing Order [2.16](#)); or
- (c) Make a point of explanation or request an indulgence of the Chairperson (see Standing Orders [2.20.13](#) or [2.20.14](#)).

2.21.5 Disorderly members to withdraw

Members called to order by the Chairperson shall resume their seats and/or stop speaking, as the case may be. Should any member refuse to obey, such member may be directed by the Chairperson to withdraw from the meeting. Upon such direction, any such member shall withdraw and shall not be permitted to return during the meeting, or any period thereof of that meeting that the Chairperson may determine (see Standing Order [1.3.3](#)).

2.21.6 Members not to be disrespectful

- (a) No member of the local authority shall at any meeting, be disrespectful in speech or use offensive or malicious language, including in reference to:
 - i the local authority, or
 - ii any other member, or
 - iii any officer or employee of the local authority.
- (b) In addition, no member shall impute improper motives, or make offensive remarks about the private affairs of any other member of the local authority or its staff.

2.21.7 Retraction of or apology for offensive or malicious language

Any member having used offensive or malicious language at a meeting who does not retract or apologise, may thereupon, by resolution of the meeting, be held guilty of contempt.

2.21.8 Disorder in meeting

Any member making a disturbance or creating disorder whilst any other member is speaking or at any other time during a meeting and who refuses, when called upon by the Chairperson to desist, may thereupon by resolution of the meeting be held guilty of contempt (see Standing Order [2.21.10](#)).

2.21.9 Suspension of meeting following disorder

Should the disorder continue, the Chairperson shall have the right to suspend the meeting for fifteen minutes. At the end of that period the meeting shall resume and decide without debate the question as to whether the meeting shall proceed or be adjourned. The Chairperson may also take such action in relation to disorder from other sources or in the event of an emergency.

2.21.10 Contempt, censure and removal

Every member held guilty of contempt by reason of any standing order or breach thereof shall be censured by the Chairperson who may also order them to leave the meeting. Every such contempt, censure, and removal shall be recorded in the minutes.

2.21.11 Use of recording device

No member may use, or be associated with the use of, a recording device without the knowledge of the meeting and the consent of the Chairperson.

2.22 Points of order

2.22.1 Members rising to points of order

Any member may rise to speak to a point of order upon any breach of these standing orders and the member previously speaking shall thereupon be seated and stop speaking.

2.22.2 The member rising shall state without explanation precisely the subject matter of the point of order

2.22.3 No point of order shall be raised during a division except by permission of the Chairperson.

2.22.4 Types of points of order

The following shall be recognised as substance for points of order:

- (a) Discussion of a question not before the local authority, or
- (b) Use of offensive or malicious language, or
- (c) The breach of any standing order, or
- (d) Misrepresentation of any statement made by a member or by an officer or employee of the local authority, or
- (e) Request that words objected to be recorded in the minutes (see Standing Order [2.20.5](#)).

2.22.5 Contradiction not point of order

Rising to express a difference of opinion or to contradict a statement of a speaker shall not be construed as rising to speak to a point of order.

2.22.6 Decision of Chairperson final

The Chairperson may decide on any point of order immediately after it has been raised by any member, or may first hear further argument thereon before deciding. The ruling of the Chairperson upon any point of order shall not be open to any discussion and shall be final (see Standing Order [1.3](#)).

2.23 Voting

2.23.1 Decisions to be decided by majority of votes

This Standing Order cites clause 24(1) (a) and (b) and 24(3) of Schedule 7 of the Act

Unless otherwise provided for in the Local Government Act or in these Standing Orders, "the acts of a local authority must be done and the questions before the local authority must be decided at a meeting by vote and the majority of members that are present and voting".

[cl. 24, Schedule 7, LGA]

2.23.2 Voting by the Chairperson

“The mayor or chairperson or other person presiding at the meeting—

- (a) has a deliberative vote; and
- (b) in the case of an equality of votes, has a casting vote”.

[cl. 24(2), Schedule 7, LGA; original Council resolution 26 August 2004]

2.23.3 Open voting

"An act or question coming before the local authority must be done or decided by open voting".

[cl. 24(3), Schedule 7, LGA]

2.23.4 Members may abstain

Any member may abstain from voting and shall have their abstention recorded in the minutes where requested (see Standing Order [2.12.2](#)).

2.23.5 Method of voting

The method of voting shall be as follows:

- (a) The Chairperson in putting the motion shall call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the chairperson, shall be conclusive unless such announcement is questioned immediately by any member, in which event the chairperson shall call a division.
- (b) The Chairperson or any member may call for a division instead of or after receiving opinion on the voices and taking a show of hands.
- (c) Where a suitable electronic voting system is available, that system may be used instead of a show of hands, vote by voices or division, and the result displayed shall be notified to the chairperson who shall declare the result.

2.23.6 Division

When a division is called, the Chief Executive shall take down the names of the members voting for and against the motion and abstentions and is to hand the list to the Chairperson to declare the result. The result of the division shall be entered into the minutes.

2.23.7 Second division

The Chairperson may call a second division where there is confusion or error in the original division, unless the same can be otherwise corrected.

2.23.8 Pecuniary interest

No members may vote or take part in the discussion of any matter at any meeting where they, directly or indirectly, have any pecuniary interest as defined in law, other than an interest in common with the public.

[s. 6(1), Local Authorities (Members' Interests) Act]

2.23.9 Declaration of pecuniary interest

Every member present when any matter is raised in which they directly or indirectly have a pecuniary interest, apart from any interest in common with the public, is under a duty to fully declare any such interest to the meeting. This disclosure and

the subsequent abstention of such members from both discussion and voting on the item, is to be recorded in the minutes.

[s. 6(1), Local Authorities (Members' Interests) Act]

2.23.10 Pecuniary interest a reason for leaving room

Members who have declared a pecuniary interest in matters to be discussed under Standing Order [2.23.9](#) should consider leaving the meeting room for the full duration of discussion on such matters.

2.24 Qualified privilege

2.24.1 Qualified privilege relation to agenda

Where a meeting of any local authority is open to the public during the proceedings or any part thereof, and a member of the public is supplied with a copy of the agenda for the meeting or any part of the minutes of that meeting are provided, the publication of any defamatory matter included in the agenda or in the minutes is privileged unless the publication is proved to have been made with ill will or taking improper advantage of the publication.

[s. 52, LGOIMA]

2.24.2 Qualified privilege relating to oral statements

Any oral statement made at any meeting of a local authority in accordance with the rules that have been adopted by that local authority for the guidance and order of its proceedings, is privileged, unless the statement is proved to have been made with ill will or taking improper advantage of the publication.

[s. 53, LGOIMA]

2.24.3 Qualified privilege additional to any other provisions

The privilege conferred by Standing Order [2.24.2](#) is in addition to, and not in substitution for, or derogation of any other privilege, whether absolute or qualified, that applies, by virtue of any other enactment or rule of law, to the proceedings of any local authority.

2.25 Maintenance of public order at meetings

2.25.1 Chairperson may require members of the public to leave meeting

The Chairperson presiding at any meeting of the local authority may require any member of the public to leave the meeting if it is believed on reasonable grounds that the behaviour of that member of the public is likely to prejudice the orderly conduct of the meeting if that person is permitted to remain.

[s. 50, LGOIMA]

2.25.2 Removal of members of public

If any member of the public who is required in accordance with Standing Orders [3.3.1](#) and [3.3.2](#) to leave a meeting, refuses or fails to leave the meeting or, having left the meeting, attempts to re-enter the meeting without the permission of the Chairperson, any police officer or employee of the local authority may, at the request of the Chairperson, remove or exclude that member of the public from the meeting.

3. Public Access

3.1 Public at meetings

3.1.1 Meetings normally to be open

"Except as otherwise provided by [Part 7 of the Local Government Official Information and Meetings Act] every meeting of a local authority shall be open to the public... For the purposes of [Part 7 of the Local Government Official Information and Meetings Act] bona fide members of the news media shall be deemed to be members of the public, and shall be entitled to attend any meeting or any part of a meeting for the purpose of reporting the proceedings for any news media."

[s. 47 & 49(a), LGOIMA]

3.1.2 Information to be available to public

All information provided to members at local authority and committee meetings must be available to the public and news media unless any item included in the agenda refers to any matter reasonably expected to be discussed with the public excluded.

[s. 5 & 49, LGOIMA]

3.2 Public notification about meetings and access to order papers, agenda and minutes

3.2.1 Public notification about meetings

All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than 5 days before the end of every month, together with the dates on which and the times and places at which those meetings are to be held.

[s.46, LGOIMA]

3.2.2 Where any meeting is to be held on or after the 21st day of the month, such meetings may instead be publicly notified not more than 10 nor less than 5 working days before the day on which the meeting is to be held.

[s. 46 (2) LGOIMA]

3.2.3 Public notification about extraordinary meetings

"Where any extraordinary meeting of a local authority is called and notice of that meeting cannot be given in the manner required or permitted by [Standing Order [3.2.1](#) as appropriate], the local authority shall cause that meeting and the general nature of business to be transacted at that meeting to be publicly notified or otherwise advertised as soon as practicable before the meeting is to be held as is reasonable in the circumstances".

[s. 46(3) & (4), LGOIMA]

3.2.4 Public notification, additional requirements

The chief executive is to make any other arrangement for the notification of meetings including extraordinary meetings as the local authority may from time to time determine (see Standing Order [1.15](#) for notification to members).

"No meeting of any local authority [is] invalid merely because that meeting was not publicly notified in accordance with [Standing Orders [3.2.1](#) - [3.2.4](#)]."

[s. 46(5), LGOIMA]

3.2.5 *"A local authority must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting of the local authority unless—*

- (a) the resolution was passed at a meeting or part of a meeting from which the public was excluded; or*
- (b) the extraordinary meeting was publicly notified at least 5 working days before the day on which the meeting was held.*

For the purposes of this order, "resolution" means the resolution on the matter or matters for which the extraordinary meeting was held."

[s. 51(A), LGOIMA]

3.2.6 Availability of agendas and reports

"Any member of the public may, without payment of a fee, inspect, during normal office hours, within a period of at least 2 working days before every meeting, all agendas and associated reports circulated to members of the local authority and relating to that meeting. The agendas -

- (a) shall be available for inspection ... at the public offices of the local authority (including service delivery centres) and the public libraries under the authority's control; and*
- (b) shall be accompanied by either-*
 - i the associated reports; or*
 - ii a notice specifying the places at which the associated reports may be inspected.*

The associated reports shall be available for inspection at the public offices of the local authority. Any member of the public may take notes from any agenda or report inspected by that member of the public. Every member of the public who inspects an agenda or report made available and who requests a copy of any part of any such agenda or report and tenders the prescribed amount (if any) shall be given such a copy as soon as practicable. Where a meeting is an extraordinary meeting called pursuant to a resolution of the local authority, the agenda and any associated reports shall be made available as soon as is reasonable in the circumstances."

[s. 46A (1) - (6), LGOIMA]

3.2.7 Exclusion of reports to be discussed with public excluded

The Chief Executive may exclude from the reports made available, reports or items from reports that are reasonably expected to be discussed with the public excluded. These items are to be indicated on each agenda.

3.2.8 Availability of agendas and reports for meetings of community boards

Where agendas and associated reports are for meetings of community boards, it is sufficient for the purposes of these standing orders that they be available for public viewing at the main office of the local authority and those service delivery centres and public libraries, if any, under the control of the local authority situated within the community.

3.2.9 Agenda to be made available to public who are at meetings

Additional copies of the agenda and further particulars indicating the nature of the items to be discussed must be available at meetings in sufficient numbers to enable any spare copies to be provided for members of the public to take away with them on payment of the prescribed amount (if any).

[s. 49, LGOIMA]

3.2.10 List of committee members publicly available

The members of each committee are to be named on the relevant agenda.

3.2.11 Public entitled to inspect minutes

The public is entitled without charge to inspect, take notes from, or receive copies of, minutes of any meeting or part of any meeting from which the public was not excluded.

[s. 51, LGOIMA]

3.2.12 Requests for minutes of meetings in closed sessions

The Chief Executive must consider any request for the minutes of a meeting or part thereof from which the public was excluded as a request for official information in terms of the Local Government Official Information and Meetings Act 1987.

[s. 51, LGOIMA]

3.2.13 List of committee members publicly available

Lists of members on each committee shall be available at the office of the Chief Executive and at all meetings of the local authority at which members of the public are present.

3.3 Reasons to exclude public

3.3.1 Lawful reasons to exclude public

A local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the grounds specified in section 48 of the Local Government Official Information and Meetings Act (see Appendix A).

[s. 48, LGOIMA]

3.3.2 Further reasons to exclude public and to withhold information

The local authority may by resolution exclude the public from the whole or part of the proceedings of any meeting and withhold information from the public where disclosure would not be in the public interest. (see Annex A).

[s. 7, LGOIMA]

3.3.3 Form of resolutions to exclude public

Any resolution to exclude the public must be in the form set out in Schedule 2A to the Local Government Official Information and Meetings Act 1987 and state the general subject of each matter to be considered while the public is excluded, the reason for passing that resolution in relation to that matter, and the grounds on which the resolution is based.

3.3.4 Motion to exclude public to be put with the public present

Every motion to exclude the public must be put at a time when the meeting is open to the public, and copies of the text of that motion must be available to any member of the public who is present. The resolution then forms part of the minutes of the local authority.

[s. 48(4), LGOIMA]

3.3.5 Provision for persons to remain after public excluded

A resolution in accordance with Standing Order [3.3.4](#) may provide for one or more specified persons to remain after the public has been excluded if those persons have, in the opinion of the local authority, knowledge that will assist the authority. Any such resolution is required to state the knowledge possessed by those persons, which will be of assistance in relation to the matter to be discussed and how it is relevant to the matter. No such resolution is necessary in respect of the attendance of the chief executive and relevant staff during a public excluded session.

[s. 48(5) & (6), LGOIMA]

3.4 Application of standing orders to public excluded session

3.4.1 Standing orders apply to meetings or parts of meetings from which the public has been excluded.

3.5 Use of public excluded information

3.5.1 Public excluded business not to be disclosed

Subject to the provisions of the Local Government Official Information and Meetings Act 1987, no member or officer is permitted to disclose to any person, other than a member or officer, any information which has been or is to be presented to any meeting from which the public is properly excluded, or where it is proposed that the public be properly excluded.

4. Miscellaneous

4.1 Questions

4.1.1 Question time at meeting

Any member of the local authority may at any meeting of the local authority at the appointed time, put a question to the Chairperson, or through the Chairperson of the local authority to the Chairperson of any standing or special committee, or to the Chief Executive Officer of the local authority concerning any matter relevant to the role or functions of the local authority concerning any matter that does not appear on the order paper, nor arises from any committee report or recommendation submitted to that meeting (see Standing Order [2.24.21](#) regarding qualified privilege).

4.1.2 Members to try and obtain information beforehand

Before putting a question, a member shall, in the first instance, endeavour to obtain the relevant information from the appropriate local authority officer or the Chairperson of the committee concerned. In the event of the information sought not being forthcoming, or the member not being satisfied with the answer, the member then has the right to raise the matter by way of a question at a meeting of

the local authority, provided that the Chairperson may refer a question to an appropriate committee.

4.1.3 Questions to be in writing

Wherever applicable, such questions shall be in writing and handed to the Chairperson prior to the commencement of the meeting at which they are to be asked.

4.1.4 Questions may be deferred

If an answer to the question cannot be given at that meeting it shall, at the discretion of the Chairperson, be placed on the order paper for the next local authority meeting.

4.1.5 Questions to be concise

Questions and answers shall be submitted as briefly and concisely as possible. No discussion shall be allowed upon any question or upon the answer.

4.2 Questions to officers during debate

4.2.1 In the course of any debate at any local authority meeting, any members may, at the Chairperson's discretion, ask any question of the relevant officer on any matter under debate. Such questions shall be directed through the chair (see Standing Order [2.23.1](#) regarding qualified privilege).

4.3 Obligation to provide members with information

4.3.1 Chief Executive to decide on supply of information

Public excluded information required by members in the performance of their particular duties as members shall be supplied to them by the Chief Executive. Where the Chief Executive is uncertain that public excluded information should be supplied in any particular case, the matter shall be referred to the Chairperson for direction (see Standing Order [3.5.1](#)).

4.3.2 Information to be used properly

No information obtained by any member, including pursuant to Standing Order [4.3.1](#), shall be used for any purpose other than for the proper discharge of duties as a member.

4.3.3 Reporting of information misuse

Where the Chairperson of the local authority has reasonable grounds for believing that public excluded information provided to any member has been misused, the Chairperson may report this and any proposed action to the local authority.

4.3.4 Rights of members to request and use information

Members have the right to make separate and individual requests for information in terms of the Local Government Official Information and Meetings Act 1987. Such requests for information may include requests for information that had previously been supplied to that member as public excluded information to be released as publicly available information. Where such information is made available to that member as publicly available information the member has the right to use such information in the same way as if that member were a member of the public.

4.4 Use of common seal

4.4.1 Chief Executive Officer to hold seal

The Chief Executive shall hold the common seal of the local authority and be responsible for the use of the same.

4.4.2 Application and attesting of Council seal

All documentation pertaining to issues approved by the local authority which requires to be sealed, may be executed under seal by the Mayor or, in his/her absence the Deputy Mayor, and the Chief Executive, or, in his/her absence the acting Chief Executive.

4.4.3 Urgent case

The Chief Executive may with the consent of the Mayor affix the Seal in an urgent case, in which case such action shall be reported to the Council.

The foregoing Standing Orders were made by the Hurunui District Council at a meeting on 17 April 2014 and revoked any previous standing orders. Further amendments were made on 2 May 2019 and 25 March 2020 and those amendments re incorporated.

Annex A

Grounds to exclude the public from meetings in terms of the Local Government Official Information and Meetings Act 1987

The local authority may by resolution or upon motion being made exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds, namely:

- (1) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where such disclosure would be likely:
 - a To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
 - b To endanger the safety of any person.
- (2) That the public conduct of the whole or relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
 - a Protect the privacy of natural persons, including that of deceased natural persons; or
 - b Protect information where the making available of the information:
 - i) Would disclose a trade secret; or
 - ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or
 - c Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information:
 - iii) Would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
 - iv) Would be likely otherwise to damage the public interest; or
 - d Avoid prejudice to measures protecting the health or safety of members of the public; or
 - e Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
 - f Protect members, or officers, or employees of any local authority, or any persons to whom section 2(5) of the Local Government Official Information and Meetings Act 1987 applies, from improper pressure or harassment; or
 - g Maintain legal professional privilege; or
 - h Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or
 - i Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
 - j Prevent the disclosure or use of official information for improper gain or improper advantage.

- (3) Provided that where paragraph 2 of this Annex applies the public may be excluded, unless, in the circumstances of the particular case, the exclusion of the public is outweighed by other considerations which render it desirable, in the public interest, that the public not be excluded.
- (4) That the public conduct of the whole or relevant part of the proceedings of the meeting would be likely to result in the disclosure of information the public disclosure of which would:
 - i) Be contrary to the provisions of a specified enactment; or
 - ii) Constitute contempt of Court or of the House of Representatives.
- (5) That the purpose of the whole or relevant part of the proceedings of the meeting is to consider a recommendation made to the local authority by an Ombudsman under Section 30(1) or Section 38(3) of the Local Government Official Information and Meetings Act 1987 (in the case of a local authority named or specified in the First Schedule of this Act).
- (6) That the exclusion of the public from the whole or relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in:
 - a Any proceedings before the local authority where:
 - i) A right of appeal lies to any Court or Tribunal against the final decision of the local authority in those proceedings; or
 - ii) The local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
 - b Any proceedings of a local authority in relation to any application or objection under the Marine Farming Act 1971.
- (7) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu.