



Constitution

of

Tranzaction NZ

2018

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Table of Contents

MISSION STATEMENT	3
Interpretation of TRANSGENDER.	4
1) Name.....	5
2) Office and Registration.....	5
3) Objectives	5
4) Mandate	5
5) Branches and Affiliated Groups	6
6) Membership.....	6
7) Members Liability	7
8) Private Pecuniary Profit.....	7
9) Behaviour and Discipline of Members	8
10) Expulsion.....	8
11) Effect of ceasing to be a Member	8
12) Subscription and Fees:.....	8
13) Alteration of Rules.....	9
14) Officers	9
15) Volunteers and/or Employees.....	9
16) Notice of Annual General Meeting.....	9
17) Annual General Meeting	9
18) Special General Meeting	10
19) Chair and Voting	10
20) Proxy Votes	10
21) Quorum.....	10
22) Voting.....	10
23) National Committee.....	10
24) National Committee Duties	11
25) Minutes	11
26) Financial Arrangements.....	11
27) Common Seal	12
28) Rules	12
29) By Laws.....	12
30) Delegations	12
31) Notices	12
32) Matters Not Provided For	13
33) Liquidation of Society	13
34) Auditor.....	13
35) Social Committee	13
Proxy Voting Form	14



MISSION STATEMENT

The Mission Statement of Tranzaction NZ:

- *Tranzaction New Zealand is dedicated to fostering, protecting, expressing and allowing the human right of gender expression and supporting in any way possible those expressing their gender identity:*
 - *IN recognition that all human beings are born free and equal in dignity and rights.*
 - *AND that all human beings are endowed with the right to enjoy equal legal rights, equal opportunity, and legal protection from discrimination.*
 - *AND that the opportunity to fully express human gender in all of its forms and to the greatest extent desired, is also an inalienable human right.*
 - *THAT in expressing their gender identity, no matter how it is defined, all human beings shall still enjoy equal legal rights, equal opportunity, and legal protection from discrimination.*
 - *THAT given that freedom of gender expression is an inalienable human right, no impediment social, legal, economic, medical or legal shall be allowed to impede those rights.*
- *To help the transgender person and partner/supporter come to terms with their transgender identity*
- *To promote the emotional and social well-being of its members and transgender people in general.*
- *To provide a safe venue for transgender people and families/supporters to meet together socially to share information and ideas.*
- *To educate the general public about transgender issues and work to create a more accepting society.*
- *To foster acceptance of all forms of gender expression.*
- *To provide friendship with other like-minded people.*
- *To provide space for personal growth, development and education.*

The National Committee will require that this “Mission Statement” is accepted by all of its members, including partners/supporters, otherwise their membership may be terminated

Interpretation of TRANSGENDER.

Tranzaction NZ uses the internationally recognized term “Transgender” as an umbrella term for the myriad of self-identifications within the gender spectrum.

For the purpose of the rules of Tranzaction NZ the term Transgender shall be used when no other terminology is appropriate.

Members shall also use this terminology when speaking of the actual membership of Tranzaction NZ.

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1) Name

- a) The name of the Society shall be Tranzaction NZ and hence thereafter to be referred to as the Society.
- b) The Society is the National Organization of all Tranzaction NZ Branches.
- c) The Society is a support and education group for all transgender people.
- d) The Society will not discriminate against any LGBTI+ Organization and welcomes all such organizations to cooperate or partner with the Society.
- e) The Society will at all times respect people of all diversities and cultures.

2) Office and Registration

- a) The office of the Society shall be at a place as determined by the elected National Committee.
- b) If the Society decides to register with the Charities Commission they will comply with all the necessary requirements deemed for society registration, which includes supplying the following.
 - i) After AGM, the legal names of the National Committee.
 - ii) Yearly audited accounts.
 - iii) The Society shall provide the names and contact information to other Charitable Organizations when required to by law.

3) Objectives

- a) The Society is dedicated to fostering, protecting, expressing and allowing the human right of gender expression and supporting in any way possible those expressing their gender identity.
- b) To help the member and partner/supporters come to terms with being transgender in a positive way.
- c) To promote the emotional and social well-being of its members and transgender people in general.
- d) To provide a means whereby members and partners/supporters may meet for mutual support, assistance and exchange of information within a safe and non-threatening environment, including the following.
 - i) To promote knowledge and understanding of the nature of being transgender in the wider community so as to foster the acceptance of transgender people as people entitled to tolerance and common respect.
 - ii) To provide support for all members of the transgender community, their partners/supporters, families and friends to enable them to safely live fuller, healthier lives whilst contributing to the wider community.
- e) To advocate nationwide for the rights and needs of the transgender community, as a whole.
- f) To provide support, education, advocacy, and research on issues of gender expressions, gender identity, sexual orientation and human rights.
- g) To promote and develop the interests of the Society.

4) Mandate

The mandate of the society is to manage the society according to this constitution for the members, partners/supporters and the LGBTI+ community.

- a) To provide facilities and support for the work of the Society and the Transgender Community.
- b) To purchase, lease or exchange, hire or otherwise acquire, hold or dispose of any society property which the Society may consider necessary or beneficial for the purposes of accomplishing the goals of the Society
- c) To consider and notify any appropriately constituted authority of any matter which may be considered to affect the welfare or the interest of members or the delivery of the objectives of this Society and the LGBTI+ Community
- d) To resolve all the issues necessary, that are beneficial for the success of this Society's objectives and beliefs within the LGBTI+ Community.
- e) The authority also includes the organising of any necessary cooperation with any other LGBTI+ Organisation in a professional manner. Any cooperation is not to undermine the society's core values.

Note;

The National Committee reserves the right to seek the mandate from its members, if the Committee is divided, in its view on matters affecting the importance of the society by way of a referendum seeking guidance from the membership.

This does not have to be decided or left to an AGM or SGM for clarification.

5) Branches and Affiliated Groups

- a) The Society shall encourage and support the establishment of “Branches” as required to meet the needs of members in a region or of a particular group of transgender people.
- b) Branches established by the Society shall, whilst having autonomy in the day to day running of their own affairs, will conduct all their affairs in accordance with the Constitution and Rules, of the Society.
- c) Branches shall not by implication or act, do or condone any act by themselves or by any member of a Branch that may, in the opinion of the National Committee bring the Society and or its objectives into disrepute.
- d) All branches can apply for funding from funding organisations and must comply with all auditing stipulations as determined by funding organisations in conjunction with the National Committee.
- e) All branches will agree to pay annual membership for each member of the branch to the Society as stipulated by the Society.
- f) Branches may formulate their own by-laws in such a way as to ensure the democratic conduct of the branch.
- g) By-laws of the branch must be approved and noted by the National Committee.
- h) A branch may be disestablished at any time by the National body:
 - i) If in the opinion of the National Committee the Branch fails or refuses to follow the overall policies of the Society;
 - ii) Does anything which in the opinion of the National Committee may bring the whole Society into disrepute, or
 - iii) The branch membership falls below five current members.
- i) Disestablished branches forfeit the right to use the name Tranzaction NZ and the use of property of the Society.
- j) Where a branch is disestablished by the Society, the Tranzaction NZ members of the disestablished branch may appeal the decision of the National Committee by written notice to the committee within a three month period of the closure of the branch.
- k) Groups currently registered under the Charities Act 2005 (or any amendments thereof) may apply to the National Committee to have branch status in the Society and such status may be granted where such groups accept the Constitution of the Society.
- l) The National Committee may grant affiliate status to groups, supportive of the Society, registered under the Charities Act 2005 (or any amendments thereof), and whose constitution and rules are in accordance with the overall policy and direction of the Society.
- m) The National Committee may terminate the affiliation of any group which in the opinion of the National Committee, no longer meets the rules for affiliation.

6) Membership

- a) A register of all members will be maintained securely at the Society’s Office
- b) Membership shall be open to all LGBTI+ people, their relatives and friends, and supporters who accept the objectives, rules and principles of this Society
- c) Membership of the Society shall be at the discretion of the local branch and the National Committee of the Society shall be notified of the member’s application.
- d) Applications for membership must be accompanied by a fully complete application form
- e) All people accepted by a branch for membership shall become members of the Society on payment of the fees appropriate to the class of membership desired or required,
- f) A branch may collect membership fees for Existing & New members and shall forward the fees onto the National Society.
- g) Subject to these rules the members of any group amalgamating with the Society who are current financial members will continue their membership status after the amalgamation.

- h) Membership fees for all classes of membership shall be set at the AGM of the Society. -
- i) Membership fees shall fall due on the first day of each financial year of the Society, which is the 1st April to the last day in March in each year, or such other period determined by the National Committee.
- j) Lifetime membership can only be granted to an existing member of the Society, for their dedication and commitment to the Transgender Community and or the Society.
 - i) This membership shall only be granted on a majority (75%) of those present at any General Meeting.
 - ii) The person who is nominated for Lifetime membership shall withdraw from the meeting while the motion for Lifetime Membership is discussed and voted upon.
- k) Classes of membership shall be as follows:
 - i) Full Membership: Is open to all transgender people, their partners, families and friends and other individuals who the committee approves who accept the principles and objectives of the Society.
 - ii) Partner/Supporter: Membership is open to Partners, Parent's, Family members, and Supporters of a full financial member, thus giving full membership status on payment of membership fees.
 - iii) Associate/Supporter: Membership is open to individuals who are supportive of the Society but do not wish to have full membership.
 - iv) Out of Town Membership" applies whenever a member lives in an area where there is no Society group currently operating.
 - v) Honorary Membership, which may be full or associate, may be granted to members and others on the recommendation of the National Committee, or by nomination from a member, by resolution at a General Meeting of the Society.
 - vi) Life membership may be granted to a member in recognition of their services, dedication and commitment to the Society on the recommendation of the National Committee, or by nomination from a member by resolution at a General Meeting of the Society.
- l) Membership except for life members must be renewed each financial year.
- m) Membership of the Society shall lapse if the fee appropriate to the class of membership is not paid within three months of the beginning of the financial year.
- n) Lapsed members may be reinstated at the discretion of the National Committee on payment of such fees as the National Committee may require.
- o) The benefits and fees of membership shall be as determined by the National Committee from time to time and as agreed by a simple majority at the Society Annual General Meeting.
- p) Members may resign from the Society by giving written notice to the Society.
- q) Membership of the Society may be suspended or be cancelled by the National Committee at any time, with or without the forfeiture of any subscription moneys or fees which may have been paid.
- r) Any member whose membership may have been suspended or cancelled shall have the right of appeal in writing to the National Committee within a three month period where at least two thirds of the National Committees must agree for the decision to be reversed.

7) Members Liability

The members of the Society shall have no liability to contribute towards the payment of any debts or liabilities of the Society or the costs, charges and expenses of winding up of the Society except to the amount of any unpaid membership fees.

8) Private Pecuniary Profit

- a) Any income, benefit or donation must be used for the charitable principles of the Society.
- b) No member of the Society (outside of the National Committee), or anyone associated with a member of the Society, is allowed to take part in, or influence any decision made by the Society in respect of payments to, or on behalf of, the member or associated personal of any income, benefit or advantage.
- c) Any payments made to a member, or a person associated with a member of this Society, must be made for goods or services that benefit the charitable purpose of this society.

They must be of a reasonable nature, and relative to a payment that would have been made between two unrelated parties of the society, and be accompanied by GST receipts for amounts over \$20.00.

9) Behaviour and Discipline of Members

- a) Members of the Society shall behave with respect towards other members, the Society and all other LGBTI+ Groups.
- b) Members shall not hold themselves out to be representatives of the Society without the express permission of the National Committee. Except as required by the terms of their election or appointment as officers of the Society.
- c) A member shall not without specific and express permission of another member attempt to do anything which will identify the other member to anyone else by way of name, address, occupation.
- d) Similarly, any statements made by a member shall be considered confidential, unless stated otherwise or express permission given.
- e) Each member shall be responsible for the conduct of any guest that a member shall introduce to any function of the Society and shall ensure that any such guest shall have full knowledge of and shall have agreed to abide by the terms of this clause of these Rules.
- f) No member shall bring the society into disrepute.

10) Expulsion

- a) At any one time if the branch shall be of an opinion that the interests of the Society are not being met by a member or members, then the branch is required to write them a letter, inviting the member or the members to resign from the Society within a time specified in such letter.
- b) If said member refuses to submit a letter of resignation the question of their expulsion shall be submitted to the National Committee, and a committee meeting held within three weeks after the date specified in the resignation letter.
- c) The date specified is the required date, by which they have been invited to resign.
- d) The member whose expulsion is sought shall have notice of such meeting and of the grounds on which it is sought to expel them.
- e) At an expulsion meeting the member whose expulsion is under consideration shall be allowed to offer an explanation of their conduct verbally or in writing.
- f) If two-thirds of the members present shall vote for their expulsion they shall thereupon cease to be a member of the Society.
- g) At an expulsion committee meeting, the voting shall be by secret ballot and with no less than five committee members present, or the entire committee if that consists of 5 or fewer members.
The Secretary of the committee will write to the member outlining the results of the ballot.
- h) Once notice of expulsion has been served, the member is excluded from all society functions and will be prevented from re-applying for membership for a period of 2 years from the date of expulsion.

11) Effect of ceasing to be a Member

Any member wishing to cease to be a member of this society shall forfeit all right to and claim upon the society, its property and any funds.

12) Subscription and Fees:

All subscription fees are to be set annually at the Society's AGM or SGM whichever is applicable.

- a) However, each regional branch can have additional fees for its local members which are not set by the National Committee and these can be used for activities within their region, and have no bearing on the fees set at an AGM or SGM.
- b) The amount of subscriptions fees is determined by the AGM or a SGM of the Society after notifying all the members, in advance of the meeting.
- c) Fees to be set are for the following types of membership fees.
 - i) Full membership.
 - ii) Partner/Supporter membership.

- iii) An associate membership.
- iv) Out of town membership.
- v) Honorary member
- vi) Life membership.
- d) The Society's National Committee has the discretion and the authority to waive or reduce the payment of subscriptions and fees on the grounds of hardship.
- e) Membership fees may be paid monthly, quarterly or annually.

13) Alteration of Rules

Subject to Section 21 of the Charities Act, these rules or any part of them can be altered, added to or rescinded by a resolution, passed by a majority of not less than 75% of the members, who are present or have supplied a vote by proxy, who are entitled to vote at a General Meeting of which a Notice specifying the intention of the proposed resolution(s) has been duly given, beforehand.

The provisions and effect of this clause shall not be removed from this document and shall be included and implied into any document replacing this document.

14) Officers

- a) The officers of the Society shall be the Chairperson, Secretary, and the Treasurer plus the maximum of four other members, who shall be referred to as the National Committee.
- b) The Chairperson, Secretary and the Treasurer and the additional committee shall be elected by the members at the AGM.
- c) No one member may hold two positions at any one time within the National Committee.
- d) The National Committee has the right to invite any members to become committee members with full committee status.

15) Volunteers and/or Employees

- a) The National Committee may appoint one or more staff as required for the Society's work.
- b) Such appointees shall report to and be responsible to the National Committee for their work or as directed by a representative of the National Committee.
- c) The National Committee may appoint other volunteers, or employees, as required for the work of the Society.
- d) Job descriptions for Officers of the Society, staff, volunteers and/or employees shall be approved by the National Committee.
- e) Any Employment Agreements and terms of remuneration must follow New Zealand's current Employment Agreements and all dealings must be approved by the National Committee.
- f) The National Committee shall have the power to terminate any appointment, volunteer or employee positions, subject to the terms of any appointment, volunteer or employment job description, contract or agreement.
- g) All employment contracts should be reviewed by a lawyer.

16) Notice of Annual General Meeting

- a) The Secretary shall, no later than five weeks prior to the AGM or SGM give written notice to all current members of the date, time and place of the meeting, and shall call for nominations of Officers, Remits and Notices of Motion.
- b) Any member wishing to bring forward any business, motions or nominations must notify the Secretary in writing, no later than three weeks before the AGM or SGM.
- c) At least fourteen days before the AGM or any SGM, notification of such meeting, indicating the business to be transacted, shall be sent to every current member and no other business other than that indicated shall be brought forward at the meeting.

17) Annual General Meeting

The AGM of the Society shall be held within four months of the end of the financial year for the purpose of.

- a) Receiving the minutes of the previous AGM and of any other General Meeting held since the previous AGM.
- b) Receiving the Chairperson's Annual Report.

- c) Receiving the Treasurer's Report, Annual Statement of Accounts and the Auditor's or Financial Reviewer's report.
- d) Election of the Officers and National Committee of the Society.
- e) Considering and, if necessary, taking action in connection with any business, remit or motion of which due notice has been given, and discussing the general business of the Society.

18) Special General Meeting

- a) SGM's may be convened from time to time in consultation with all current members, as the National Committee may see fit or on a request in writing from not less than eight or 10% of the total current members (whichever is the greater), stating particulars of the business to be brought forward.
- b) The meeting shall be called within five weeks of the receipt of such request from members.
- c) Written notice of a SGM shall be given by the Secretary to all financial members four weeks prior to the General Meeting advising the date, time and place of the meeting and the business to be conducted at the meeting.
- d) At any SGM the business for the consideration of, and all the action points, regarding the matters for discussion, shall be notified by the National Committee in advance of the meeting.

19) Chair and Voting

Every member present is entitled to one vote, each member shall have one vote upon every motion and in the case of equality of votes the nominated Chairperson shall have a casting vote.

20) Proxy Votes

- a) Prior to all General Meetings of the Society, all Proxy Votes must be checked to see if they are legal and comply with the Society rules.
- b) The Secretary must record who is holding those votes.
- c) See proxy voting form in appendix.

21) Quorum

The quorum of all General Meetings shall be three members personally present at the beginning of and throughout the meeting. If there is no "Quorum" then the meeting cannot proceed.

22) Voting

- a) Votes may be recorded personally or by using a proxy voting form (see appendix for the proxy voting form).
- b) The form of proxy must be in the hands of the Secretary before the start of the meeting.

23) National Committee

- a) The National Committee of the Society shall consist of the elected Officers, elected by the members of the Society at the Annual General Meeting.
 - i) Chairperson.
 - ii) Secretary.
 - iii) Treasurer.
 - iv) Up to four additional committee members.
- b) Nominations by current members to fill the positions of officers together with acceptance thereof shall be submitted in writing to the Secretary not later than three weeks prior to the date of the holding of the AGM or SGM of the Society.
- c) Any casual vacancy occurring in the National Committee may be filled by a member appointed by the Committee.
- d) The National Committee is allowed to co-opt any current member onto the National Committee who shall have the same rights as other members of the National Committee.
- e) The Chairperson, Secretary and Treasurer shall be elected at each AGM and shall respectively hold office until the next succeeding AGM when they shall retire from office but will be eligible for re-election.

- f) In the event of insufficient prior written nominations being received for positions on the National Committee, further nominations may be called for from the floor, at the AGM or SGM.
- g) In the event of more than one nomination being received for any position on the National Committee, a vote shall be taken by means of a ballot of current members present and of proxy votes lodged by full current members at the AGM.
- h) National Committee shall meet immediately after the AGM and set the time and place for the Committee's regular meetings. Committee meetings may be held via video or telephone conference or other formats as the Committee may decide.
- i) The National Committee shall meet to conduct the business of the Society, at least once a month. Physical attendance at a particular venue is not required for Committee Members.
- j) The Committee may function, provided its number is not reduced below the quorum of three, and should the Committee numbers fall below the quorum the remaining Committee members may act only to appoint new Committee Members.
- k) The old National Committee and the new National Committee should meet immediately after the AGM has finished to hand over the audited books and any other matters that they were dealing with before the AGM.
- l) Questions arising at any meeting of the Committee shall be decided by a majority vote of those present. In the case of a split vote the person appointed to chair the meeting shall have a casting vote.
- m) Any changes to the arrangements, date, place or time of the National Committee meetings shall be notified to all National Committee members no later than three days prior to the meeting.
- n) Additional meetings of the Committee may be convened by the Chairperson, Secretary, or any two members of the National committee.
- o) Sub-committees shall meet as and when required and report regularly to the National Committee.

24) National Committee Duties

- a) All monies received by the Society are to be paid into an account in the Society's name.
- b) Payment shall be made through a petty cash system or by cheque or Internet Banking signed/authorised by two members of the Committee, one of whom must be the Chairperson, Treasurer or Secretary.
- c) Unusual expenditures shall be authorised in advanced by the Committee or a General Meeting.
- d) The Treasurer shall ensure that correct books and accounts are kept showing the financial affairs of the Society.
- e) These records shall be available for inspection by any member or funding organisation and shall be held in the custody of the Treasurer.
- f) Appointment of an auditor or financial reviewer of the society's account shall be appointed no later than two months before the AGM

25) Minutes

- a) The National Committee shall keep and retain accurate minutes in a form able to be accessed by members of the Society.
Such minutes shall record:
 - i) The appointments of all Officers and members of the National Committee.
 - ii) The appointment of all people appointed to the National Committee and Sub Committees.
 - iii) The names of members of the National Committee and numbers present at all meetings.
 - iv) Details of all resolutions and proceedings of all general meetings and meetings of the National Committee and Sub-Committees.
 - v) A record of all financial accounts and receipts.
- b) The minutes shall be available on request for inspection by any current member of the Society, or funding organizations.

26) Financial Arrangements

- a) The financial year of the Society shall be from the first day of April to the last day of March in the succeeding year.

- b) All funds paid to the Treasurer shall be receipted on request and banked forthwith at the bank named by the National Committee, and shall be disposed of for the purposes of the Society as the National Committee may direct.
- c) The Treasurer will ensure that accurate accounts are kept of all funds received and expended by the Society and report regularly to the National Committee.
- d) All cheques, and Online payments, shall be signed or approved by two members of the National Committee.
- e) All accounts paid are subject to ratification by the National Committee.
- f) Annual Accounts shall be prepared by the Treasurer, ratified by the National Committee, and audited by a qualified person prior to the AGM.

27) Common Seal

- a) The Society's Common Seal shall be held at the office of the Society.
- b) The Society's Common Seal shall be affixed to such documents as required by resolution of the Society's National Committee in the presence of the Society's Chairperson or Secretary and at least one other National Committee member.
- c) Where it is acceptable for commercial and legal purposes the Society shall execute any document pursuant to a resolution of the National Committee passed for that purpose by the signature of two members of the National Committee, one of whom must be an Officer of the Society.

28) Rules

- a) The Secretary shall make available to any member a copy of these Rules when requested to do so.
- b) These Rules shall not be amended, added to, or rescinded, except by a resolution at a General Meeting, provided that three weeks written notice of such proposed amendment shall be posted to all members prior to such a meeting.
- c) No change to Rules 33a, 33b or 33c Winding Up shall be approved without the prior approval of the Charities Commission.

29) By Laws

- a) The National Committee shall have the power to make, alter and repeal such by-laws, costs and fees (excluding membership fees) as it may from time to time consider necessary or proper for the well-being of the Society and its members.
- b) Any by-laws created must not contradict any existing rule in the Society's Constitution.

30) Delegations

This is a reminder, even though it is written elsewhere in these rules of what Delegation means in reference to the National Committee.

- a) The National Committee can if it chooses to appoint sub-committees consisting of members of the Society, who need not be members of the National Committee, for any purpose within the powers of the National Committee.
- b) The National Committee shall appoint all delegates and representatives to represent the Society to any group or organisation, and may appoint and dismiss officers or officials to control any section of the Society's affairs.
- c) The National Committee shall determine the conditions and terms of appointment and reference of such officers and officials.

31) Notices

- a) Any notice required to be given under these Rules shall be in written form to the National Committee.'
- b) Notices may be served either personally, via E-Mail or by posting in a prepaid letter addressed to the member at the address last notified by them to the Society's Office.
- c) If given via E-Mail or by post, it shall be deemed to have been given at the time when the letter containing the notice was sent or posted in the ordinary course of events.

32) Matters Not Provided For

- a) If any matter arising which is not, or in the opinion of the National Committee are not provided for under these current rules, the matter shall be decided by the National Committee in such a manner as they shall be deemed fit and proper.
- b) If such a decision has been made, it shall be binding upon the Society and its members unless or until set aside by a resolution at the next AGM or General Meeting.

33) Liquidation of Society

- a) The Society may be wound up and a liquidator appointed if at a General Meeting called for specifically for this purpose.
- b) There has to be a majority (75%) of current members present to resolve the resolution of liquidation of the society.
- c) If confirmed at the first meeting there shall be a second meeting to be held not more than 6 weeks following, to confirming the liquidation of the society.
- d) The winding up or dissolution of the Society, must be confirmed by 75% of the current members.
- e) If there remains after the satisfaction of all its debts and liabilities any property whatsoever, the Society may proceed to donate any property.
- f) The society must offer any remaining donated money back to the donator or funding organisation.
- g) Any balance shall be transferred to another registered charity involved with gender identity or sexual orientation issues or welfare issues at the discretion of the final meeting of the Society.

34) Auditor

At every AGM a new person may be elected to be Treasurer, that is if the incumbent Treasurer, is stepping down, then the Treasurer has to, within two months, notify the National Committee, that an independent person who may or may not be a member of the society has been selected to serve as an auditor for the following year.

All costs for the work undertaken by the auditor for the society are to be paid for by the society.

35) Social Committee

A Social Committee, whose duty it shall be to see that members and visitors are appropriately catered for, may be appointed by the National Committee.

Proxy Voting Form

I

Being a member of Tranzaction NZ Hereby appoint

.....

As my proxy vote for me at the Annual/ Special General Meeting of the

Society to be held on theday of20..... or at

any adjournment thereof.

My proxy may vote for me (tick is required) as they think, or (alternatively)

.....

.....

.....

Signed:.....

Date:.....

Membership Number:

Tranzaction (NZ)

Notes