nzmsa

New Zealand Medical Students' Association

The New Zealand Medical Students' Association Incorporated Constitution

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www.nzmsa.org.nz

ARTICLES

1. Name
2. Objects
3. The Powers and Duties of the Association
4. Interpretation and Definitions
5. Membership
6. Termination of Membership
7. Executive
8. NZMSA Representatives
9. Steering Committee
10. Directors and Officers
11. Working Groups
12. Equity Advisory Board and Equity Representatives
13. General Meetings of the Association
14. Meetings of the Executive, Steering Committee, Working Groups and Equity Advisory Board
15. Formal Voting Structure
16. Financial Affairs
17. The Power to Delegate
18. Mediation and Arbitration
19. Indemnification of Executive Members
20. Common Seal
21. Winding Up
22. Amendments to the Constitution
23. Registered Office
24. Substantial Compliance Sufficient
25. Income Benefit of Advantage to be Applied to Objects

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1. NAME

1.1. There shall be in New Zealand an Association known as "THE NEW ZEALAND MEDICAL STUDENTS' ASSOCIATION INCORPORATED". Hereinafter referred to as either "the Association" or "NZMSA" respectively.

2. OBJECTS

2.1. The objects of the Association shall be:

2.1.1. To proactively identify and advocate on issues of importance to medical students;

2.1.2. To be an agency for communication and representation of New Zealand medical students domestically and internationally to key stakeholders;

2.1.3. To ensure and enable effective networking, connection, and communication with and between regional medical student Associations.

2.1.4. To research medical education and advocate for educational best practice;

2.1.5. To inform and interact with medical students on issues of importance in the health sector;

2.1.6. To organise and provide activities and services for members of the Association;

2.1.7. To promote and maintain the cultural, social and physical activities and welfare of all medical students;

2.1.8. To be open to communication and interaction with other groups who have a wider interest in health and education.

3. THE POWERS AND DUTIES OF THE ASSOCIATION

The Association through its Voting Personnel may exercise the following powers:

3.1. To permit, withdraw, suspend or terminate membership;

3.2. To lend, invest, borrow, raise or secure the payment of money in such manner as the Voting Personnel thinks fit;

3.3. To comment on issues of importance to New Zealand medical students;

3.4. To raise funds by subscriptions, levies, donations and other means;

3.5. To enter into contracts with employees, members, sponsors, media and other persons, companies, agencies or organisations;

3.6. To acquire by purchase, lease or grant, any property, and to manage, let, sell, exchange or otherwise deal with property owned or used by the Association;

3.7. To publish books, journals, papers or other printed or otherwise publishable matter;

3.8. To appoint individuals and establish sub-committees to undertake specific tasks as required;

3.9. To make policies or bylaws for the good running of the affairs of the Association and its members including the establishment and maintenance of an up to date register of members of the Association;

3.10. To engage legal counsel and take legal action in matters affecting the Association, as approved by the Voting Personnel;

3.11. To sign, execute and deliver any deed or document relating to the business of the Association as approved by the Voting Personnel;

3.12. To meet the expenses of any member of the Voting Personnel or person acting on its behalf;

3.13. To hold meetings of members;

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3.14. To remove office holders;
3.15. To create and confer such awards and/or honours as the Voting Personnel thinks fit;
3.16. To regulate all proceedings at its meetings in such a manner as it may think fit;
3.17. To conduct its meetings in person, by teleconference or video link.

4. INTERPRETATION AND DEFINITIONS

4.1. In these Constitutional Rules the words and expressions following have the meanings hereinafter assigned to them respectively:

4.1.1. "Association" means the Association registered in New Zealand as the New Zealand Medical Students Association Incorporated (NZMSA);
4.1.2. "AUMSA" means the Auckland University Medical Students' Association;
4.1.3. "CMSA" means the Christchurch Medical Students' Association;
4.1.4. "Executive" means the Executive of the Association, and comprises of the NZMSA Directors, NZMSA Officers, the NZMSA Representatives, and the Equity Representatives;
4.1.5. "Executive meeting" means meeting of the executive as described in section 14 below
4.1.6. "Equity Representatives" refers to the Auckland Pacific Students Representative, Otago Pacific Students Representative, Auckland Rainbow Students Representative, Otago Rainbow Students Representative, Auckland International Students Representative, Otago International Students Representative, Auckland Rural Students Representative, Otago Rural Students Representative, Auckland Students of Low SES Representative, Otago Students of Low SES Representative, Auckland Students with Disabilities Representative, Otago Students with Disabilities Representative, Auckland Students with Dependents Representative, Otago Students with Dependents Representative, and any other representatives established in article 12.5.7;
4.1.7. "Equity Advisory Board" refers to the Vice President Advocacy, Te Oranga Māngai, and Equity Representatives;
4.1.8. "General Meeting" means a meeting of all the Members of the Association duly called and constituted and any adjourned meeting thereof. It includes the Annual General Meeting ("AGM") and Special General Meeting ("SGM");
4.1.9. "Member" means a member of the Association;
4.1.10. "NZMSA" means the New Zealand Medical Students' Association and/or "the Association";
4.1.11. "OUMSA" means the Otago University Medical Students' Association;
4.1.12. "RMSA" means the Regional Medical Students' Association;
4.1.13. "Seal" means the Common Seal of the Association;
4.1.14. "WHPSA" means the Wellington Health Professional Students' Association;
4.1.15. "Region" means one of the four main campuses (i.e. Wellington, Auckland, Christchurch and Dunedin)
4.1.16. "Te Oranga" refers to the peak representative body for Māori medical students;
4.1.17. "NZMSA Directors" refers to the NZMSA President, and the three Vice Presidents (Advocacy, Engagement, Workforce);

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4.1.18. "NZMSA Officers" refers to the Treasurer, Secretary, Communications and Partnerships Officers;

4.1.19. "Steering Committee Representatives" refers to the appointed leaders of the RMSAs and Te Oranga as outlined in Appendix 2.

4.1.20. "Steering Committee" refers to the NZMSA Directors, and the Steering Committee Representatives;

4.1.21. "NZMSA Representatives" refers to the representatives elected by each RMSA and Te Oranga to sit on the NZMSA Executive;

4.1.22. "Voting Personnel" refers to the Steering Committee Representatives, the NZMSA Representatives, and the Equity Representatives;

4.1.23. "DMSAA" refers to the Dunedin Medical Students' Association for ALM, an organisation within OUMSA representing its clinical students

4.2. The Interpretation Act, 1999, shall, save insofar as it is inconsistent with the provisions of these Constitutional Rules, apply for the purposes of the interpretation of these Constitutional Rules as it applies for the purpose of the interpretation of an Act of Parliament.

5. MEMBERSHIP

5.1. The following students are eligible for NZMSA membership:

5.1.1. Students studying towards an MBChB at a New Zealand Medical School;

5.1.2. Students who are on a period of approved academic leave from the MBChB programme.

5.2. Eligible students may become members on payment of the prescribed membership fee.

5.2.1. The following RMSAs shall act as collection agents for the NZMSA membership fees: OUMSA, CMSA, WHPSA and AUMSA.

5.2.2. Any eligible individual may also join NZMSA at any stage by paying the NZMSA Treasurer the nominated membership fee.

5.2.3. Payment of this fee confers membership until the student no longer meets the criteria for eligibility set out in article 5.1

5.3. The membership fee shall be determined annually by the Executive at the AGM.

5.4. The Secretary shall maintain a register of members of the Association in accordance with the provisions of the Incorporated Societies Act 1908.

5.5. All medical students who are studying towards MBChB in a New Zealand medical school, or are on a period of approved academic leave from the MBChB program, regardless of membership status, will have access to NZMSA advocacy services and NZMSA-related events.

6. TERMINATION OF MEMBERSHIP

6.1. Membership may be terminated:

6.1.1. For non payment of subscription;

6.1.2. By resignation provided in writing to the Secretary;

6.1.3. On ceasing to meet the eligibility criteria set out in article 5.1;

6.1.4. As a result of a decision by a two thirds majority of members at a general meeting or by proxy to expel the member.

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6.2. In respect of non payment of subscription, membership shall be terminated automatically if the period of default for payment of subscriptions exceeds 12 months.

6.3. A member may be expelled if the member:

6.3.1. Fails to comply with any of the provisions of these Rules; or

6.3.2. Acts in a manner considered to be injurious or prejudicial to the character or interests of the Association.

6.4. Any person or organisation may make a written complaint to the President that the conduct of a member of the Association is or has been injurious to the character of the Association.

6.5. If the provisions of article 6.3 or 6.4 apply and the Voting Personnel considers that the member ought to be expelled, then the Voting Personnel shall refer the matter to a general meeting of the Association for determination and shall invite the Member to attend.

6.6. The Member concerned must receive at least 14 days notice of the meeting at which the complaint shall be heard, and shall have the right to be present at, and address the meeting. The rules of natural justice shall be observed.

6.7. The Chair of the General Meeting shall inform the member that if the General Meeting is not satisfied with the member's explanation the Association may decide to expel the member.

6.8. If the General Meeting decides by a two thirds majority of those present or by proxy to expel the member from the Association the member shall cease to be a member of the Association on receipt of written notice in accordance with article.

6.9. Within 14 days of the resolution to expel the member being passed, the Association shall give the member written notification of the resolution. For the purposes of these Rules notice is deemed to have been delivered in one of the following ways:

6.9.1. by handing the notification directly to the member; or

6.9.2. by causing the notification to be placed in the member's sight; or

6.9.3. three working days after mailing the notification by ordinary post to the member's last known place of business; or

6.9.4. by email to the member.

6.10. The expelled member has the right to challenge the expulsion if they believe the decision was procedurally or substantively unfair by giving written notice to the Association within 14 days of receipt of the notification of expulsion. The matter shall then be referred to mediation or arbitration in accordance with article 13.

6.11. An expelled member shall, not withstanding that they have ceased to be a member, be liable to pay all sums due by them to the Association at the time of their expulsion, including sums disbursed on their behalf at their direction.

7. EXECUTIVE

7.1. The day-to-day running of the Association shall be by an Executive consisting of NZMSA Representatives from each medical school (Auckland (4), Dunedin (1 ELM, 1 ALM), Christchurch (1), Wellington (1)) and Te Oranga (4), NZMSA Equity Representatives, NZMSA Directors, NZMSA Officers and any ex-officio officers the Voting Personnel may choose to appoint.

7.2. Ex Officio officers shall include the NZMSA Conference Convenor(s), and others at the discretion of the Executive.

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8. NZMSA REPRESENTATIVES

8.1. Election of NZMSA Representatives shall be determined by the relevant RMSA or Te Oranga in accordance with their election protocols.

8.2. Elected NZMSA Representatives will hold office for a one-year term.

8.3. NZMSA Representatives shall retire at the end of their term but shall be eligible for re-election.

8.4. All NZMSA Representatives must be members of the Association and; currently studying towards an MBChB at a New Zealand Medical School or; students who are on a period of approved academic leave from the MBChB programme.

8.5. NZMSA Representatives may resign their position by providing one month written notice to the President of the Association and to the President of their RMSA or the Tumuaki of Te Oranga in the case of the Te Oranga representatives.

8.6. If an NZMSA Representative is leaving New Zealand for more than 16 consecutive weeks, then they must receive endorsement from their RMSA in order to continue in their role as a regional representative. If they do not receive this endorsement, they must resign from the executive.

8.7. Removal of NZMSA Representatives:

8.7.1. NZMSA Representatives may be removed from their Executive position by

8.7.1.1. following a motion of no confidence by any member of the NZMSA Executive or the Steering Committee. The motion must be passed by a 2/3 majority at an Executive meeting by the NZMSA Representatives and Equity Representatives, provided that 14 days notice of such intention has been given; or

8.7.1.2. by a decision of a 2/3 majority of members at any General Meeting present or by proxy, provided that 14 days notice of such intention has been given, or, so determines; or

8.7.1.3. the NZMSA Representative fails to attend three Executive meetings in one year. Should this occur an automatic motion of no confidence will be proposed by the chair and must be passed by a 2/3 majority at an Executive meeting by the NZMSA Representatives and Equity Representatives.

8.7.2. Following the passing of a motion of no confidence, the member shall be deemed to have resigned from their Executive role but shall remain a member of the Association unless subject to separate expulsion in article 6.

8.8. If any NZMSA Representative position falls vacant during the term of office the RMSA President shall either appoint a replacement until regional elections can be practicably held OR the position shall be held open until regional elections can be practicably held.

8.9. Ex Officio officers are to be considered Executive members without voting privileges and exempt from article 8.7.1 and 8.7.2.

9. STEERING COMMITTEE REPRESENTATIVES

9.1. The Steering Committee shall be comprised of the Steering Committee Representatives and the NZMSA Directors as outlined in Appendix 2.

9.1.1. The NZMSA portion of the Steering Committee shall comprise of the NZMSA Directors.

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9.1.2. University of Otago portion of the Steering Committee shall comprise of each of the four RMSA Presidents (WHPSA, CMSA, OUMSA ELM and DSMAA).

9.1.3. The University of Auckland portion of the Steering Committee shall comprise of the AUMSA President, the AUMSA VPE, and two others from the AUMSA Executive at AUMSA's discretion.

9.1.4. The Te Oranga portion of the Steering Committee shall comprise of the Tumuaki, Tumuaki Tuarua, Māngai, and one other from the Te Oranga Executive at Te Oranga's discretion.

9.2. The aim of the Steering Committee is to set the direction that NZMSA will take each year, mostly with regards to advocacy projects. It will direct the vision and culture of NZMSA.

9.3. Steering Committee Representatives

9.3.1. Steering Committee Representatives are the appointed leaders of the RMSAs and Te Oranga as outlined in Appendix 2.

9.3.1.1. In the event that the President of an RMSA is not an enrolled medical student, the RMSA shall appoint an additional representative of the RMSA on their behalf.

9.3.2. All Steering Committee Representatives must be members of the Association and; currently studying towards an MBChB at a New Zealand Medical School or; students who are on a period of approved academic leave from the MBChB programme.

9.3.3. Steering Committee Representatives may resign their position by providing one month written notice to the Steering Committee.

9.3.4. If a Steering Committee Representative is leaving New Zealand for more than 16 consecutive weeks, then they must receive endorsement from their RMSA, or Te Oranga, in order to continue in their role. If they do not receive this endorsement, they must resign from the Steering Committee.

9.3.5. If any Steering Committee Representative position falls vacant during the term of office the RMSA President, or Te Oranga Tumuaki, shall appoint a replacement from their executive.

9.4. Removal of Steering Committee Representatives:

9.4.1. Steering Committee Representatives may be removed from their Steering Committee position by

9.4.1.1. following a motion of no confidence by any member of the NZMSA Executive or the Steering Committee. The motion must be passed by a 2/3 majority at an Executive meeting with the Steering Committee in attendance, provided that 14 days notice of such intention has been given; or

9.4.1.2. by a decision of a 2/3 majority at any General Meeting present or by proxy, provided that 14 days notice of such intention has been given, or, so determines; or

9.4.1.3. the Steering Committee Representative fails to attend two Steering Committee meetings. Should this occur an automatic motion of no confidence will be proposed by the chair and must be passed by a 2/3 majority at an Executive meeting with the Steering Committee in attendance.

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9.4.2. Following the passing of a motion of no confidence, the member shall be deemed to have resigned from their Steering Committee role but shall remain a member of the Association unless subject to separate expulsion in article 6.

10. DIRECTORS AND OFFICERS

10.1. The Directors Officers of the Association shall be the President, and the three Vice Presidents (Advocacy, Engagement, Workforce).

10.2. The Officers of the Association shall be the Secretary, Treasurer, Communications, and Partnerships Officers or any other officers that the Voting Personnel wishes to appoint.

10.3. The portfolios of the Directors and Officers is outlined in Appendix 4.

10.4. The Officers and Directors shall be elected at the Annual General Meeting by the Voting Personnel.

10.4.1. Any member of the Association is eligible to stand for Officer and/or Director roles.

10.4.2. Nominations for Officers and Directors should be invited at least two weeks prior to the annual general meeting.

10.4.3. Anyone seeking the position of Officer and/or Director may nominate themselves and shall submit a CV and a cover letter. The nomination must be received by the Secretary of the Association at least five days prior to the AGM.

10.4.4. Voting for Officers and Directors shall be by ballot on anonymised form using the Formal Voting Structure outlined in Article 15.

10.4.5. The numerical results shall be counted by an Officer or Director who is not applying for a role in the election.

10.4.5.1. Any physical voting slips will be signed by the voters and photographed. These photographs will be kept in a dedicated restricted-access folder on the NZMSA Google Master Drive or;

10.4.5.2. Any electronic voting forms will be kept in a dedicated restricted-access folder on the NZMSA Google Master Drive;

10.4.5.3. And the contents of this folder will be managed by the Secretary;

10.4.5.4. And the contents of this folder will be deleted prior to the next AGM by the Secretary.

10.4.5.5. Any member of the Association may ask for votes to be subject to a second independent recount.

10.4.6. In the instance that an Officer, Director or member of the Voting Personnel is applying for an Officer or Director position, they cannot be involved in the presentations by other candidates for the position that they are applying for, or any discussion about candidates for the role that they are applying for.

10.4.7. The Officers and Directors shall hold office from announcement of the election outcome at the annual general meeting, to the next election outcome announcement at an annual general meeting, unless another arrangement is negotiated between the Officers/Directors incumbent and the Officer/Directors-Elect.

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10.4.8. The position of Officers and Directors of the Association are not regional representative positions. Should a current Voting Personnel member be elected an Officer or Director they shall be deemed to have resigned from their representative role at the time of taking office and the vacancy shall be dealt with in accordance with article 8.8.

10.5. Removal of Officers and Directors:

10.5.1. Officers and Directors may be removed from their position by

10.5.1.1. following a motion of no confidence by any member of the NZMSA Executive or the Steering Committee. The motion must be passed by a 2/3 majority at an Executive meeting by the NZMSA Representatives and Equity Representatives, provided that 14 days notice of such intention has been given; or

10.5.1.2. by a decision of a 2/3 majority of members at any General Meeting present or by proxy, provided that 14 days notice of such intention has been given, or, so determines; or

10.5.1.3. the Officer or Director fails to attend three Executive meetings in one year. Should this occur an automatic motion of no confidence will be proposed by the chair and must be passed by a 2/3 majority at an Executive meeting by the NZMSA Representatives and Equity Representatives.

10.5.2. Following the passing of a motion of no confidence, the Officer or Director shall be deemed to have resigned from their role but shall remain a member of the Association unless subject to separate expulsion in article 6.

10.6. All Officers and Directors must be members of the Association and; currently studying towards an MBChB at a New Zealand Medical School or; students who are on a period of approved academic leave from the MBChB programme.

11. WORKING GROUPS

11.1. Each year there will be three core NZMSA Working groups (Advocacy Working Group, Engagement Working Group, Workforce Working Group).

11.2. The Advocacy Working Group shall be chaired by the Vice President Advocacy. The Engagement Working Group shall be chaired by the Vice President Engagement. The Workforce Working Group shall be chaired by the Vice President Workforce.

11.3. All NZMSA Representatives will be allocated to one of the three core NZMSA Working Groups by the Directors. These representatives may rank their preferred Working Groups, which will be taken into consideration by the Directors. The Directors have the final say over who is allocated to which working group.

11.4. Should an Officer wish to be part of a Working Group in addition to their Officer workload, they shall be allocated as outlined in 11.3.

11.5. All Equity Representatives will be allocated to the Advocacy Working Group.

11.6. The number of representatives on each Working Group is flexible pending the workload each year. The following numbers are recommendations, and can be amended. An effort should be made to ensure equal representation from the respective Universities and Te Oranga in each Working Group.

11.6.1. The Workforce Working Group shall aim to have three to four representatives.

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11.6.2. The Advocacy Working Group shall aim to have sixteen representatives.

11.6.3. The Engagement Working Group shall aim to have six representatives.

11.7. If the need for an additional Working Group arises, it can be proposed by a Director or a member of the Steering Committee. It will then be at the discretion of the Directors to decide which NZMSA Representatives will sit on the additional Working Group.

11.7.1. The addition of a Working Group shall not take away from the core NZMSA Working Groups. With the addition of a Working Group, NZMSA Representatives may need to sit on two Working Groups, a core Working Group and the additional Working Group.

11.8. An effort must be made to balance the distribution of events organised on behalf of NZMSA amongst the University of Auckland and University of Otago catchment areas to ensure equity between the universities and access for all members. It is recommended that CLF rotate between a UoA territory and a UoO territory annually.

12. EQUITY ADVISORY BOARD AND EQUITY REPRESENTATIVES

12.1. The Equity Advisory Board shall be comprised of the Equity Representatives, Te Oranga Māngai, and the Vice President Advocacy. The Vice President Advocacy shall serve as chair on the Equity Advisory Board.

12.2. The aim of the Equity Advisory Board is to provide feedback and advice to improve the equity of NZMSA activities and initiatives; facilitate communication between NZMSA and the communities represented by the Board; and provide a mechanism through which medical students may report concerns to the Board for discussion and appropriate action.

12.3. The Equity Advisory Board shall produce an Annual Equity Report that will be received at the AGM.

12.4. The Equity Advisory Board shall retain an independent advisory function and may meet separately from the Executive to discuss matters affecting the equity communities it represents. Any advice provided by the Board to the Executive must be considered by the Executive.

12.5. Each Equity Representative portfolio shall have two representatives, with one representative from the University of Auckland and one representative from the University of Otago. The portfolios shall be the:

12.5.1. Pacific Students Representative;

12.5.2. Rainbow Students Representative;

12.5.3. International Students Representative;

12.5.4. Rural Students Representative;

12.5.5. Students of Low SES Representative;

12.5.6. Students with Disabilities Representative; and

12.5.7. Students with Dependents Representative.

12.5.8. Additional Equity Representative portfolios may be established by resolution of the Association at a General Meeting or by constitutional amendment where required. Any such position shall have the same rights, responsibilities, and term of office as the Equity Representatives established under this article, unless otherwise specified.

12.6. The functions and responsibilities of the Equity Representatives are outlined in Appendix 4.

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12.7. All Equity Representatives must be members of the Association and; currently studying towards an MBChB at a New Zealand Medical School or; students who are on a period of approved academic leave from the MBChB programme.

12.8. The Equity Representatives shall be elected by the Voting Personnel at the Annual General Meeting, subject to provisions of 12.12.

12.8.1. Any member of the Association is eligible to stand for Equity Representative roles.

12.8.2. Anyone seeking the position of an Equity Representative must be representative of the community which they are wishing to represent.

12.8.3. Nominations for Equity Representatives shall be invited at least two weeks prior to the Annual General Meeting.

12.8.4. Anyone seeking the position of Equity Representative may nominate themselves and shall submit a CV and a cover letter. The nomination must be received by the Secretary of the Association at least five days prior to the AGM.

12.8.5. Voting for Equity Representatives shall be by ballot on anonymised form using the Formal Voting Structure outlined in article 15.

12.8.6. The numerical results shall be counted by an Officer or Director who is not applying for a role in the election.

12.8.6.1. Any physical voting slips will be signed by the voters and photographed. These photographs will be kept in a dedicated restricted-access folder on the NZMSA Google Master Drive or;

12.8.6.2. Any electronic voting forms will be kept in a dedicated restricted-access folder on the NZMSA Google Master Drive;

12.8.6.3. And the contents of this folder will be managed by the Secretary;

12.8.6.4. And the contents of this folder will be deleted prior to the next AGM by the Secretary.

12.8.6.5. Any member of the Association may ask for votes to be subject to a second independent recount.

12.8.7. In the instance that an Officer, Director, or member of the Voting Personnel is applying for an Equity Representative position, they cannot be involved in any discussion about candidates for the position that they are applying for.

12.8.8. The Equity Representatives shall hold office from announcement of the election outcome at the Annual General Meeting, unless another arrangement is negotiated between the Equity Representatives incumbent and the Equity Representatives-Elect.

12.9. Removal of Equity Representatives:

12.9.1. Equity Representatives may be removed from their position by

12.9.1.1. following a motion of no confidence by any member of the NZMSA Executive or the Steering Committee. The motion must be passed by a 2/3 majority at an Executive meeting by the NZMSA Representatives and Equity Representatives, provided that 14 days notice of such intention has been given; or

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12.9.1.2. by a decision of a 2/3 majority of members at any General Meeting present or by proxy, provided that 14 days written notice of such intention has been given; or

12.9.1.3. the Equity Representative fails to attend three Executive meetings in one year. Should this occur an automatic motion of no confidence will be proposed by the chair and must be passed by a 2/3 majority at an Executive meeting by the NZMSA Representatives and Equity Representatives.

12.9.2. Following the passing of a motion of no confidence, the member shall be deemed to have resigned from their Executive and Equity Advisory Board role but shall remain a member of the Association unless subject to separate expulsion in article 6.

12.10. Equity Representatives may resign their position by providing one month written notice to the President of the Association.

12.11. If an Equity Representative is leaving New Zealand for more than 16 consecutive weeks, then they must receive endorsement from the majority of Directors in order to continue in their role. If they do not receive this endorsement, they must resign from the Equity Advisory Board and Executive.

12.12. If any Equity Representative position becomes vacant during the term of office:

12.12.1. The vacancy shall be filled by election in accordance with article 12.8 at a Special General Meeting held as soon as practicable, unless an Annual General Meeting is scheduled to occur within one month of the vacancy, in which case the vacancy may be filled at the Annual General Meeting.

12.12.2. Where the vacancy is for an Equity Representative for the University of Auckland or the University of Otago, the replacement representative must be a student from the same university.

12.12.3. An Equity Representative elected to fill a vacancy shall hold office until the announcement of the election outcome at the next Annual General Meeting.

12.13. Further details about the Equity Advisory Board are written in the Equity Advisory Board Terms of Reference in Appendix 5.

13. GENERAL MEETINGS OF THE ASSOCIATION

13.1. Any member of the Association shall be allowed to address a meeting on any motion or question before the caucus.

13.2. Any member shall be allowed to vote on any matter.

13.3. If a tie in the voting occurs the President shall have the casting vote.

13.4. Annual General Meeting

13.4.1. The AGM shall occur annually in August, September, October or November.

13.4.2. The AGM must be held either in person or by teleconference and shall be open to all members of the Association.

13.4.3. Members of the Association must be notified of the AGM at least one month in advance of the meeting and a call made for agenda items.

13.4.4. The quorum for the AGM shall be 20 members, including at least 7 Voting Personnel, of the Association either in person, by telephone or by proxy.

13.4.5. The AGM shall be chaired by the current NZMSA President.

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13.4.6. The order of business for the AGM shall include the following: receive the minutes of the previous AGM; receive from the President a report speaking to the activities for the year and proposals for the following year; receive from the Treasurer the balance sheet and statement of income and expenditure for the past year; set the membership levies for the following year; receive from the Equity Advisory Board the Annual Equity Report; announce the results of the NZMSA Director and Officer election, and the Equity Representatives election; any other business added to the agenda by any member.

13.5. Special General Meetings

13.5.1. An SGM shall be held in the follow circumstances; (a) The request of the majority of the Voting Personnel. (b) The written request of 20 members of the Association.

13.5.2. The SGM must be held in person or by teleconference within one calendar month of the request.

13.5.3. Members of the Association must be notified of the SGM at least 14 days in advance of the meeting.

13.5.4. The quorum for an SGM shall be 20 members, including at least 7 members of the Voting Personnel, of the Association either in person, by telephone or by proxy.

14. MEETINGS OF THE EXECUTIVE, STEERING COMMITTEE, WORKING GROUPS, AND EQUITY ADVISORY BOARD

14.1. Meetings of the Executive

14.1.1. Notification of meetings of the Executive and a call for agenda items must be made to all Executive members no less than one week prior to the meeting by the Secretary.

14.1.2. The Executive will have no less than five meetings yearly.

14.1.3. A quorum shall include 7 Executive members provided that there is at least one NZMSA Representative from each region, at least one representative from Te Oranga, and at least one Equity Representative for each portfolio.

14.1.4. Meetings of the Executive may occur in person or via video link or teleconference.

14.1.5. Minutes of Executive meetings will be taken by the Secretary.

14.1.6. Meetings of the Executive shall be chaired by the NZMSA President. If the President is unable to attend, this may be delegated to one of the Vice Presidents.

14.2. Meetings of the Steering Committee

14.2.1. Notification of meetings of the Steering Committee and a call for agenda items must be made to all Steering Committee members no less than one week prior to the meeting by the Secretary.

14.2.2. The Steering Committee will have no less than three meetings during the course of their tenure. Their first meeting shall occur in November, December or January.

14.2.3. The Steering Committee shall then meet sporadically throughout the year to touch base, assess progress or discuss any directional changes.

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14.2.4. In the event of a Steering Committee Representative being unable to attend a given Steering Committee meeting, or an NZMSA meeting requiring Steering Committee attendance, an effort must be made to delegate a member of their RMSA Executive, or Te Oranga, to attend in their place.

14.2.5. Meetings of the Steering Committee may occur in person or via video link or teleconference.

14.2.6. Steering Committee meeting minutes will be taken by the Secretary.

14.2.7. Meetings of the Steering Committee shall be chaired by the NZMSA President. If the President is unable to attend, this may be delegated to one of the Vice Presidents.

14.3. Meetings of the Working Groups

14.3.1. Notification of meetings of the Working Groups must be made to all respective Working Group members no less than one week prior to the meeting by the Working Group Chair.

14.3.2. Working Groups shall meet regularly throughout the year, ideally every 3 weeks.

14.3.3. Meetings of the Working Groups may occur in person or via video link or teleconference.

14.3.4. A member of the Working Group shall take minutes of the meeting.

14.4. Meetings of the full NZMSA (combined Steering Committee and Executive)

14.4.1. Meetings with all of the NZMSA team shall be requested by a member of the Executive or the Steering Committee. A notification of such a meeting and a call for agenda items shall be made no less than one week prior to the meeting by the Secretary.

14.4.2. These meetings may occur in person or via video link or teleconference.

14.4.3. The Secretary shall take the minutes at these meetings.

14.4.4. The NZMSA President shall chair these meetings. If the President is unable to attend, this may be delegated to one of the Vice Presidents.

14.5. Meetings of the Equity Advisory Board

14.5.1. Notification of meetings of the Equity Advisory Board must be made to all respective members no less than one week prior to the meeting by the Vice President Advocacy.

14.5.2. Vice President Advocacy shall chair Equity Advisory Board meetings.

15. FORMAL VOTING STRUCTURE

15.1. The NZMSA Representatives, Steering Committee Representatives, and Equity Representatives are the Voting Personnel of NZMSA as outlined in Appendix 3A.

15.2. Each individual member of the Voting Personnel shall have one (1) vote.

15.3. Each member of the Voting Personnel shall individually decide how to cast their vote, and must ensure that the vote cast is representative of the students that they represent, and is impartial to personal beliefs.

15.4. The Formal Voting Structure shall be used for, but is not limited to, election of the NZMSA Directors and Officers, election of the Equity Representatives, election of the successful NZMSA Conference Bid for the following year, and for endorsement of support for the work of groups external to NZMSA. Other decisions affecting NZMSA as a whole may be requested to be voted on formally using the Formal Voting

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Structure at the discretion of the Steering Committee, and this may override voting on internally drafted documents as per 15.5.

15.5. The Formal Voting Structure will not be required for the decision to publish internally produced documents that are in line with the direction and vision outlined by the Steering Committee at the start of each term.

15.6. In the event that an NZMSA Representative has a conflict of interest on a voting matter, their vote shall be proxied to their RMSA President or the Te Oranga Tumuaki. If the RMSA President or Te Oranga Tumuaki also has a conflict, that vote shall then subsequently be proxied as per 15.9.

15.7. In the event that a member of the Steering Committee Representatives, not including the RMSA Presidents or Te Oranga Tumuaki, has a conflict of interest on a voting matter, their vote shall be proxied to their RMSA President or the Te Oranga Tumuaki. If the RMSA President or Te Oranga Tumuaki also has a conflict, that vote shall then subsequently be proxied as per 15.9.

15.8. In the event that an Equity Representative has a conflict of interest on a voting matter, their vote shall be proxied to their portfolio counterpart. If the portfolio counterpart also has a conflict of interest, that vote shall then subsequently be proxied to the Vice President Advocacy. In the event the Vice President Advocacy also has a conflict of interest, that vote shall be proxied to the President.

15.9. In the event that an RMSA President or the Te Oranga Tumuaki has a conflict of interest on a voting matter, their vote shall be proxied to the highest ranking member of their respective RMSA Executive or Te Oranga Executive who does not have a conflict of interest and is not already part of the NZMSA Voting Personnel.

15.10. In the event that there are two or more conflicts of interests within a respective association, the two or more votes are to be proxied the highest ranking members of the respective RMSA Executive or Te Oranga Executive who do not have a conflict of interest and are not already part of the NZMSA Voting Personnel.

15.11. Appointing the successful NZMSA Conference Bid Team as outlined in Appendix 3B

15.11.1. This shall be done in accordance with the Formal Voting Process.

15.11.2. In this instance the outgoing NZMSA Conference Team shall have four (4) votes to use as a collective.

15.11.3. In the event that a member of the outgoing NZMSA Conference Team has a conflict of interest, that individual member shall not be involved in the voting process.

15.12. In the event of a tie when the Formal Voting Process is used, the NZMSA President shall cast the tie break vote.

15.13. In the event that the NZMSA President has a conflict of interest on a tie break vote, their vote shall be proxied to the three Vice Presidents who shall collectively decide on the tie break vote. If a Vice President(s) has a conflict of interest, they shall not be involved in said voting decision.

15.14. In the event that all of the NZMSA Directors have a conflict of interest, the tie break vote shall be proxied to the NZMSA Officers who shall collectively decide on the tie break vote. If an NZMSA Officer(s) has a conflict of interest, they shall not be involved in said voting decision.

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16. FINANCIAL AFFAIRS

16.1. The financial year of the Association shall be from 1st January to 31st December of that year.

16.2. The funds of the Association shall be in the control of the Voting Personnel and shall be kept in such Bank or Banks as the Voting Personnel may determine.

16.3. The Treasurer and Secretary of the Association will have dual authority for the bank account and transactions.

16.4. The Voting Personnel shall determine whether it is necessary to have the Association's accounts for any financial year audited. Should the Voting Personnel decide that it is appropriate, the Steering Committee shall appoint a Chartered Accountant (who shall be independent of the Association) to perform the audit.

16.5. The bank accounts of NZMSA shall have the Secretary and Treasurer as signatories on the accounts.

16.6. Members of the NZMSA Steering Committee, Executive, or Conference Committee who make payments on behalf of NZMSA, must seek reimbursement by completing the official reimbursement form held in the shared NZMSA Google Drive and provide a valid GST receipt. The reimbursement will be authorised at the discretion of the treasurer. If there is a conflict between the treasurer and the person seeking reimbursement, a final decision on whether a reimbursement is granted will be at the discretion of the directors (with a majority vote).

16.7. The President shall have up to $500 available for their travel and travel related expenses when completing duties related to NZMSA, providing such funds are deemed available by the treasurer.

16.8. The Directors shall have the authority to authorise funding of up to $500 to be allocated to any Executive or Steering Committee member for an event or cause of necessity to NZMSA, providing such funds are deemed available by the treasurer.

16.8.1. The event or cause of necessity must be beyond the expected day-to-day events (such as NZMSA Conference, Clinical Leadership Forum, Medical Education Summit, or other NZMSA event) and requirements of NZMSA.

16.8.2. Where there is a disagreement amongst the Directors on whether funding should be approved, a majority vote is required to authorise the funding (majority meaning three or more of four Directors), of which any Director(s) with a conflict of interest cannot cast a vote (in which case two or more of three Directors would need to provide approval).

16.8.3. The amount authorised, the person to whom it was authorised for, and the reason for authorisation must be documented by the Directors on the Shared Google Drive and this information must be freely accessible to all Steering Committee and Executive members.

16.9. In the event of an NZMSA Executive or Steering Committee member needing to pay for a large NZMSA related expense, they can request a pre-emptive reimbursement from the treasurer. The treasurer must discuss with the person requesting the money how much they require, and then the treasurer must request approval from the NZMSA directors. Once the payment is made, the person who requested the money must provide a GST receipt(s) and completed reimbursement form to the treasurer and transfer any excess money back to the NZMSA bank account.

16.9.1. Where there is a disagreement amongst the directors on whether a pre-emptive reimbursement should be approved, a majority vote is

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required to authorise the funding, of which any director(s) with a conflict of interest cannot cast a vote.

16.9.2. A pre-emptive reimbursement should be the last resort for payments. The person requesting money and the treasurer should first rule out all other possible methods of payment before approaching the directors for an approval of a pre-emptive payment (such as direct credit or splitting a payment between different members of the relevant working group).

17. POWER TO DELEGATE

17.1. The Executive may appoint any committee and may delegate any of its power and duties to any such committee or to any person.

17.2. This committee or person may, without confirmation by the Executive, exercise or perform the delegated powers or duties in the same way and with the same effect as the Executive itself could have done.

17.3. The Executive shall be able to revoke such delegation at will, and no such delegation shall prevent the exercise of any power or the performance of any duty by the Executive.

17.4. It shall not be necessary for any person who is appointed to be a member of any such committee, or to whom such delegation is made, to be a member of the Association.

18. MEDIATION AND ARBITRATION

18.1. Any dispute arising out of or relating to this Constitution or as a result of a decision to expel a member, may be referred to mediation, a non-binding dispute resolution process in which an independent mediator facilitates negotiation between parties. Mediation may be initiated by either party writing to the other party and identifying the dispute that is being suggested for mediation. The other party shall either agree to proceed to mediation or agree to attend a preliminary meeting with the mediator to discuss whether mediation would be helpful in the circumstances. The parties shall agree on a suitable person to act as a mediator or shall ask the Arbitrators' and Mediators' Institute of New Zealand Incorporated to appoint a mediator. The mediation shall be in accordance with the mediation Protocol of the Arbitrators' and Mediators' Institute of New Zealand Incorporated.

18.2. The mediation shall be terminated by:

18.2.1. The signing of a settlement agreement by the parties; or

18.2.2. Notice to the parties by the mediator, after consultation with the parties to the effect that further efforts at mediation are no longer justified; or

18.2.3. Notice by one or more of the parties to the mediator to the effect that further efforts at mediation are no longer justified; or

18.2.4. The expiry of 60 working days from the mediator's appointment, unless the parties expressly consent to an extension of this period.

18.3. If the mediation should be terminated as provided in article 13.2 and the matter is not settled, the matter shall then be referred to and finally resolved by arbitration in New Zealand in accordance with New Zealand law and the current Arbitration protocol of the Arbitrator' and Mediators' Institute of New Zealand Incorporated. The arbitration shall be by one arbitrator to be agreed upon by the parties and if they should fail to agree within 21) days, then the arbitrator shall be appointed by the President of the Arbitrators and Mediators' Institute of New Zealand Incorporated.

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19. INDEMNIFICATION OF EXECUTIVE MEMBERS

19.1. Every member of the Executive and every Steering Committee Representative for the time being shall be indemnified out of the funds of the Association against any liability incurred by any person or entity in the discharge of any action or duty undertaken on behalf of the Association and in defending any proceedings whether civil or criminal in which judgment is given in favour of the person or in which the person is acquitted.

20. COMMON SEAL

20.1. The Common Seal shall be kept by the Administrative Officer at the Registered Office of the Association.

20.2. Common Seal shall not be affixed to any document or instrument, deed, writing paper or other thing unless pursuant to a resolution of the Voting Personnel who shall thereupon sign such document, instrument, deed, writing paper or other thing as attesting witnesses. Each fixture of the Common Seal shall require a separate motion of the Voting Personnel.

21. WINDING UP

21.1. The Association may be wound up voluntarily if the Association at a General Meeting with a quorum of 250 of its members, that includes appropriate and proportional representation (within reason), passes a resolution requiring the Association to be wound up and the resolution is confirmed at a subsequent general meeting called together for that purpose. Voting is defined as per 13.2.

21.2. For the purpose of article 20 the term 'resolution' shall mean a resolution carried by a majority of the valid votes cast by the members voting at the general meeting in person or if so allowed by the rules of the Association by proxy.

21.3. Any assets of NZMSA at the conclusion of winding up shall be held in trust between RMSAs and Te Oranga until a new organisation of a similar purpose can be formed, or; an existing organisation(s) evolves to encompass the purpose of NZMSA upon unanimous vote.

22. AMENDMENTS TO THE CONSTITUTION

22.1. Constitution may only be altered, added to, rescinded or otherwise amended in accordance with the following provisions:

22.1.1. Any proposal to change the rules must be by way of remit submitted to the Secretary, who shall, as soon as reasonably practicable, circulate it amongst members of the Executive and Steering Committee.

22.1.2. The remit shall be debated and voted on at a General Meeting held no sooner than 14 days from the date of circulation by the Secretary.

22.1.3. Any alteration to the rules shall require a two thirds majority vote of all members present, or by proxy, at the General Meeting.

23. REGISTERED OFFICE

23.1. The Registered Office of the Association shall be the office of the New Zealand Medical Association Incorporated, 26 The Terrace, Wellington.

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24. SUBSTANTIAL COMPLIANCE SUFFICIENT

24.1. Dependent on the circumstances upon which the Association operates on a year-to-year basis, a substantial compliance with this Constitution with regard to matters of the Association shall be sufficient and no matter shall be invalidated only by a failure to comply exactly with these rules.

25. INCOME, BENEFIT OR ADVANTAGE TO BE APPLIED TO OBJECTS

25.1. Any income, benefit or advantage shall be applied to the objects of the Association.

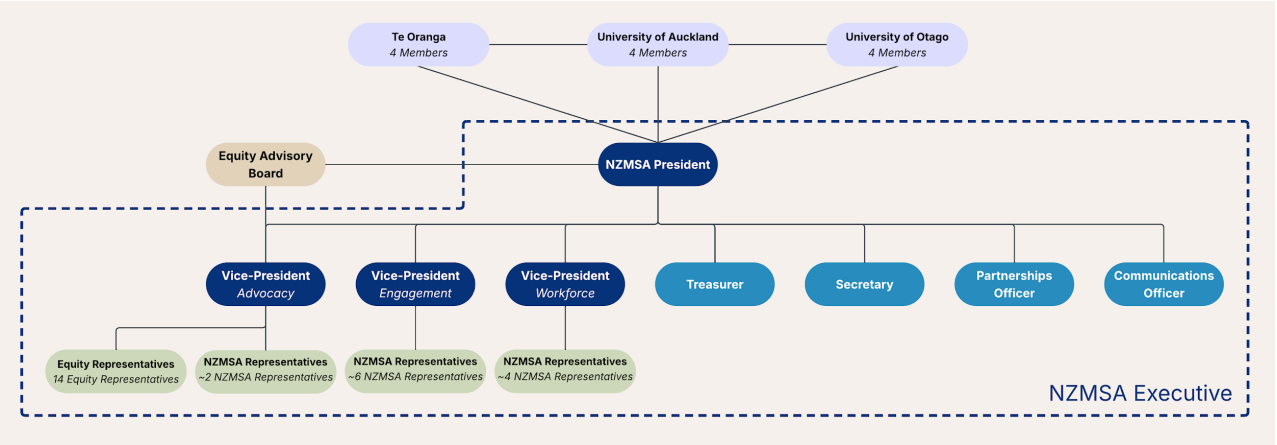
25.2. No member of the Association or any person associated with a member shall participate in or materially influence any decision made by the Association in respect of any payment to or on behalf of that member or associated person of any income, benefit or advantage whatsoever.

25.3. Any income paid shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value).

25.4. The provision and effect of this clause shall not be removed from the Constitution and shall be implied into any document replacing this constitution.

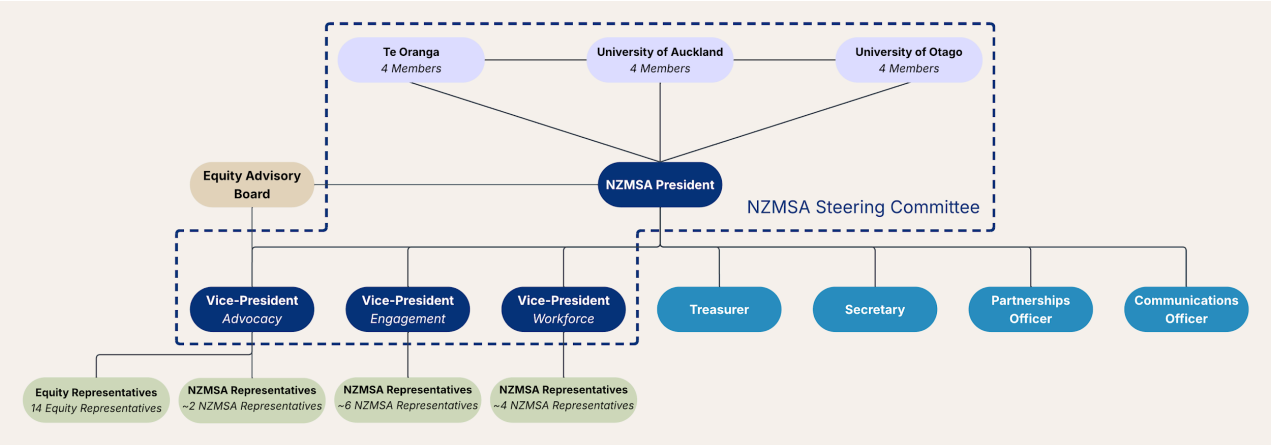
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APPENDIX 1. VISUAL STRUCTURE OF NZMSA



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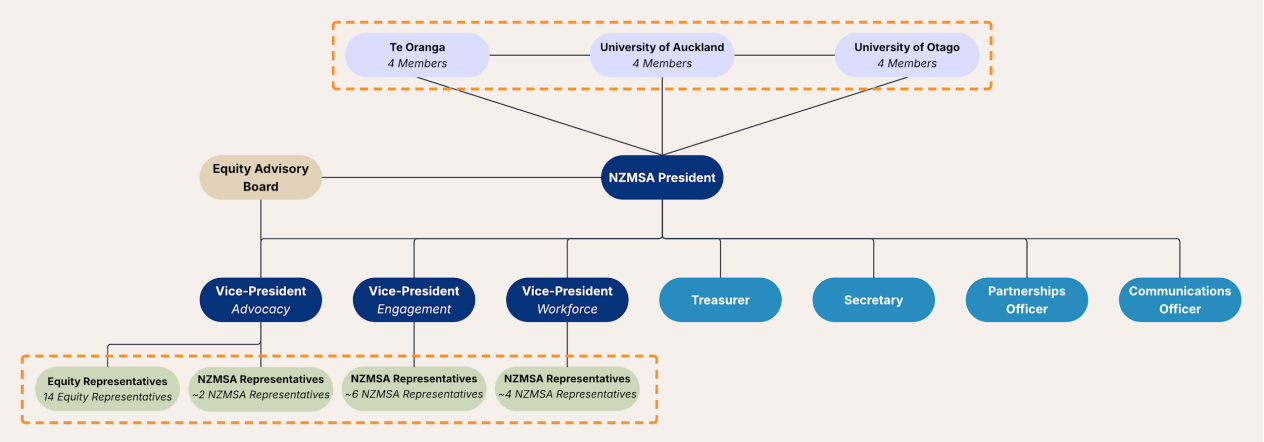
APPENDIX 2. VISUAL STRUCTURE OF THE STEERING COMMITTEE



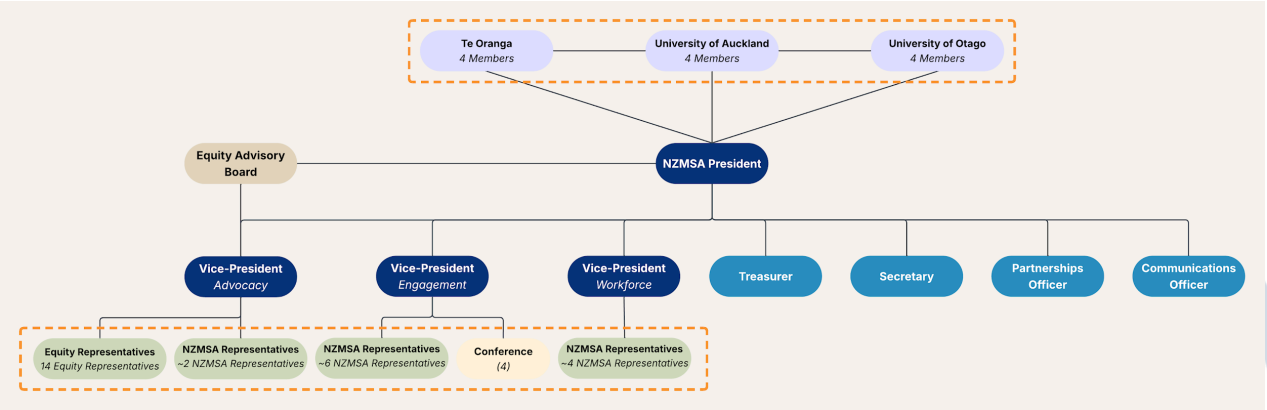
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APPENDIX 3. VISUAL STRUCTURE OF THE VOTING PERSONNEL

3A. Voting Personnel



3B. Conference Bid Voting



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APPENDIX 4. PORTFOLIOS OF THE NZMSA DIRECTORS, OFFICERS, AND REPRESENTATIVES

NZMSA President

- Primary spokesperson and representative of NZMSA
- Professionally and appropriately manage media contacts and statements
- Engage in public speaking at NZMSA events such as the conference
- Chair NZMSA meetings
- Sit on various stakeholder boards and attend as the medical student representative at stakeholder meetings and conferences
- Develop legislation in conjunction with the Vice Presidents
- Develop, liaise with and maintain relationships and with various stakeholder organisations
- Ensure views are representative of the membership body and impartial to personal beliefs
- Help steering committee to direct the NZMSA vision and culture
- Oversee NZMSA constitution
- Manage internal conflict between executive members

Vice President Advocacy

- Chair and oversee the Advocacy Working Group
- Responsible for drafting position statements on behalf of NZMSA with input from the Advocacy Working Group
- Responsible for review of NZMSA Policies in conjunction with President
- Chair the Equity Advisory Board
- Manage the NZMSA Scholarship in conjunction with the Treasurer
- Send working group meeting minutes to the Secretary for distribution
- Develop and implement NZMSA's Advocacy Strategy in conjunction with the Steering Committee

Portfolio of the Advocacy Working Group

- National Survey – review of data, editing of questions as necessary
- Ensure the agreed upon advocacy work set by Steering Committee is followed through

Vice President Engagement

- Chair and oversee the Engagement Working Group
- Support the other Vice Presidents and Presidents
- Organise initial NZMSA F2F meeting logistics with support from the Working Group if representatives are already elected
- Send working group meeting minutes to the Secretary for distribution
- Act as a liaison between NZMSA and the NZMSA Conference Team

Portfolio of the Engagement Working Group

- CLF (or similar event) – CLF must rotate between a location within the UoA and UoO catchment areas each year
- Vampire Cup
- Engagement events liaison
- ASMS x NZMSA mentoring programme
- Any other events that NZMSA decides is worthwhile hosting – this will depend on the capacity of the Working Group and it may mean that an additional event may need to be organised by a different Working Group

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Vice President Workforce

- Chair and oversee the Workforce Working Group
- Responsible for advocating on behalf of medical students regarding issues affecting the medical workforce. This may include:
    - PGY1 pipeline issues
    - Working with ACE and the Ministry of Health
    - Depending on the issues that year, it may involve writing and updating policy and position statements in conjunction with relevant organisations and interested parties
- Attend meetings with ACE
- If advocacy set by the Steering Committee overlaps with the workforce portfolio, the bulk of the mahi shall be done by the Advocacy Working Group with input from Vice President Workforce
- Send working group meeting minutes to the Secretary for distribution

Portfolio of the Workforce Working Group

- Guide to Grad publication
- Beyond the Med School Gates Seminar
- ACE Roadshow

Treasurer

- Maintain NZMSA's finances
- Organise payments, including reimbursements
- Maintain proper financial records, including preparing a budget for the projected year and quarterly balance statements to ensure all executive and team members are aware of the financial capabilities of the Association and preparing annual accounts
- Control incoming and outgoing funds for the Association, along with the President
- Produce the Annual Charity Report

Secretary

- Prepare notices, collect documents, and maintain minutes for full NZMSA meetings
- Distribution of meeting minutes to the full NZMSA team
- Receive meeting minutes from the Working Group chairs and distribution of those minutes to the wider NZMSA team
- Receiving apologies for full NZMSA meetings
- Keeping the NZMSA Master Google Drive organised and up to date
- Create emails for NZMSA Representatives
- Keep an updated register of NZMSA members
- Facilitates communication amongst NZMSA Executive, the Steering Committee and the Equity Advisory Board.
- Organise and coordinate NZMSA Elections

Communications Officer

- Proactively engage members via social media platforms (Facebook and Instagram)
- Sharing of occasional posts on social media not limited to Wellbeing, Pride, Mahuru Māori.
- Distribution of events information, policy changes, the National Survey and any other communications to members of the Association
- Communicate social media feedback from the membership body to the Executive
- Maintain the NZMSA website and blog

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- Create the graphic designs for NZMSA events organised by the Engagement Working Group to ensure a consistent image across NZMSA social media platforms
- Facilitates communication with members of the Association

Partnerships Officer

- Maintain existing partnerships with long-term stakeholders such as sponsors and other organisations
- Ensure NZMSA upholds the sponsorship arrangements with our key partners, including drafting MoUs. The Steering Committee shall be involved in the decision of signing such documents
- Ensure that communication to sponsors is consistent
- Assist with finding sponsors for NZMSA
- Investigate new relationships between NZMSA and other student bodies, such as health-related student bodies

NZMSA Representatives

- Organise (with other reps) at least one engagement event specific to their region and stage (clinical/pre-clinical)
- Join a Working Group and work with the team to deliver events and advocacy as required
- Liaise with RMSA presidents, and Te Oranga Māngai/Tumuaki for Te Oranga Representatives, and executives as needed to gather feedback and share NZMSA mahi

Equity Representatives

- Provide feedback and advice to improve the equity of NZMSA activities and initiatives
- Act as points of contact between their community and NZMSA
- Report any equity concerns affecting medical students to NZMSA

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APPENDIX 5. EQUITY ADVISORY BOARD TERMS OF REFERENCE

1. NZMSA will stand against discrimination. Including discrimination on the basis of gender identity and on prohibited grounds stated in the Human Rights Act 1993, being sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status, and sexual orientation. This will be achieved through supporting groups that advocate for and represent underprivileged groups, such as Te Oranga, NZISA and others.

2. NZMSA and all other affiliated bodies, including the Equity Advisory Board, commit to fulfilling their responsibility to promote and protect Te Tiriti rights under their obligation to Te Tiriti o Waitangi.

3. The full NZMSA Team are expected to conduct themselves in a manner consistent with the values and obligations of NZMSA and are expected to strive for equity and representation for all medical students. No racism, sexism, homophobia, or other discrimination is to be tolerated. The NZMSA Team are expected to advocate for students of underprivileged groups, and are expected to promote channels for better representation of underprivileged groups in medicine. Additionally, the NZMSA Team are expected to hold their peers and general members accountable to the Equity Policy.

4. The responsibilities of the Equity Advisory Board will include:
    a. Provide feedback and advice to improve the equity of NZMSA activities and initiatives
    b. Act as points of contact between their respective communities and NZMSA
    c. Meet regularly to discuss NZMSA activities and any equity concerns that may have been raised
    d. Facilitate a means by which Medical Students can report concerns to the Equity Advisory Board for discussion and appropriate action
    e. Provide an Annual Equity Report that can be published to the general Medical Student Cohorts

5. The Equity Advisory Board is expected to ensure all its recommendations and publications are in line with NZMSA's obligation to Te Tiriti o Waitangi.

6. The Vice President Advocacy will facilitate the regular meetings of the group but their communications with NZMSA and supporting their work, will otherwise remain impartial and will not inappropriately influence the advice or decisions of the Equity Advisory Board.

7. The Annual Equity Report will be made available by NZMSA for its members and will be archived. Any feedback given in the report must be handed over to the new NZMSA Executive team to help them improve the organisation and its initiatives for the following year.

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