

Touch for Health Kinesiology Association of New Zealand (Inc.)

Constitution and Regulations

Including alteration approved AGM August 2017

1. Name

The name of the Association shall be *The Touch for Health Kinesiology Association of New Zealand Incorporated.*

2. Aims

- a. To support the International Kinesiology College ITW Trainer in New Zealand in his or her work.
- b. To encourage the teaching and practice of Touch for Health principles in New Zealand and elsewhere
- c. To support and encourage members of the Association in the use of Touch for Health techniques
- d. To make such rules as may be consistent with and for the furtherance of the aims of the Association
- e. To engage in such activities as may be deemed expedient by the Association in the pursuit of its aims, in the course of which it may
 - i. receive and disburse or borrow and pay interest on such monies as are appropriate to the needs of the Association
 - ii. hire, purchase, lease or otherwise acquire any real or personal property and any rights and privileges for the better attainment of the Associations aims, and sell or otherwise dispose of the same.
 - iii. engage, control, or dismiss any servants or officials of the Association and fix their remuneration if necessary

3. Membership

- a. There shall be an Instructor membership, a Practitioner membership and a Supporting membership.
The Committee shall determine the requirements for annual accreditation of Practitioner Members and registration of Instructor Members.
The Appeals Committee shall deal with an appeal by any member against a decision of the Committee regarding accreditation or registration.
- b. All registered Touch for Health instructors in New Zealand and members of the International Kinesiology College South Pacific faculty either resident in New Zealand or Instructor Trainer for New Zealand are deemed to be Instructor Members of the Association.
- c. Supporting membership shall be open to any person who wishes to support the aims of the Association. Membership shall commence on the receipt by TFHK Assn of NZ of that person's membership subscription.
- d. Membership subscription, the Registered Practitioner Registration Fee, the Registered Touch for Health Instructor Registration Fee and Teaching levy and Supporting/Students members' fee shall be fixed from time to time by the Annual General Meeting.
- e. Membership shall be deemed to have lapsed where a Member's subscription, Practitioner Registration Fee, or Instructor Registration Fee, as the case may be, remains unpaid at the end of three months after it becomes due, or if a Member notifies the Secretary in writing of his or her intention to resign, or if a Practitioner is refused re-accreditation.
- f. Where the Association is notified that the conduct of a Member appears to be contrary to the Aims of the Association as set out in Rule 2, or, if the Member is a Practitioner Member, that his or her conduct appears to be contrary to either the Aims of the Association as set out in Rule 2 or to the Code of Health and Disability Consumers' Rights, or, where appropriate, to the Code of ethics of the Natural Health Practitioner of New Zealand, such notification shall be referred to the Committee for consideration.
- g. Registered Touch for Health Instructors who are already members of an overseas Touch for Health Association may become Instructor Members on payment of the current Supporting Membership subscription.
- h. The Annual General meeting may from time to time award Life Membership to a member in recognition of his or her service to the Association and Touch for Health. A Life Member shall not be required to pay membership fees.
- i. Where members register as both Instructors and Practitioners they pay a combined registration fee to be set from time to time by the TFH K Annual General Meeting.

4. Management

The ongoing management and control of the affairs of the Association from one Annual General Meeting to the next shall be vested in the Committee.

- a. The Annual General Meeting shall be held at a time which coincides with the annual Conference of the Association, or, should a conference not be held, the Annual General Meeting shall be held at a date to be determined by the Committee.
- b. At the Annual General Meeting, officers for the ensuing year shall be elected from among the Instructor and Practitioner members, except that up to two of the Committee Members may be Supporting Members who have

completed the Touch for Health 4 workshop or equivalent learning, and up to two may be practitioner members. "Equivalent learning" shall be determined by the Committee.

As the Annual General Meeting shall decide, these officers shall be either President, Secretary, Treasurer, and up to four Committee Members, or President, Secretary/Treasurer (whose duties shall be the combined duties of Secretary and Treasurer) and up to five Committee Members. The elected office holders together with any International Kinesiology College ITW Trainer resident in New Zealand ex officio shall comprise the Committee.

An auditor shall also be appointed at this meeting.

The Annual General Meeting shall appoint an Appeals Committee of three members, none of whom shall be members of the Committee, save that the President, who is ex officio, shall be entitled to speak, but not vote, on matters before the Appeals Committee.

The procedures associated with accreditation, registration, discipline and appeals are set down in regulations reviewed from time to time by a General Meeting of the Association.

- c. Election of officers shall be by ballot where there is more than one nominee for any office.
- d. In the event of a vacancy on the Committee occurring for any reason during the year, the Committee may co-opt any other eligible Member to fill that vacancy.
- e. The Committee may from time to time co-opt any other Members onto a Subcommittee to deal with specific needs of the Association.
- f. A quorum of the Committee shall be four.
- g. A quorum at any general meeting shall be ten, or one fourth of the total number of eligible voting Members, whichever is the less.
- h. At all meetings of the Association or the Committee, decisions will, if it is at all possible, be reached by consensus. Where consensus cannot be achieved, the question shall be decided by a two thirds majority of those present and eligible to vote. A General Meeting, or the Committee acting for the Association, may from time to time make provision for postal votes in lieu of calling a special general meeting, except that if ten members of the Association eligible to vote request within a week of despatch of the notification of a postal or electronic vote that a special general meeting be called to determine the matter specified in the notice, this request shall take precedence over the postal or electronic vote proposal.

The motion to be determined by postal vote shall be circulated to all members eligible to vote at their last notified postal or electronic address. The notification of the postal vote shall include an invitation to Members to express their view relevant to the matter contained in the motion.

Any Members wishing to have their views publicised shall forward these to the Secretary in writing within two weeks of the despatch of the notification of the proposed postal or electronic vote. The Secretary shall collate these views and forward a copy to every member within seven days by post or by email.

The voting papers shall include a notice of the date and time when the vote will close. Votes may be forwarded to the Secretary by email or by post.

Votes shall be counted by such persons as the Committee may appoint. The result of the voting shall be notified forthwith to every member. A two thirds majority of votes received is required for a motion to be passed by postal vote.

All voting papers and submissions made by Members shall be held till the next General Meeting.

- i. Every Member is entitled to be present and to speak at any General Meeting but only Members who have completed the Touch for Health 4 Workshop or equivalent learning as determined by the Committee shall be entitled to vote.
- j. The duties of the President shall be to preside at the Annual General Meeting and meetings of the Committee.
The President shall be ex-officio a member of any subcommittee of the Association. In the event that the President is unable or unwilling to perform any of the foregoing duties then the Committee shall appoint some other Member to perform that duty.
- k. The duties of the Secretary shall be to:
 - i. keep a record of the Association's meetings and to make such record available to the General Meeting
 - ii. deal with the Association's correspondence
 - iii. keep a record of New Zealand Touch for Health class lists.
 - iv. In the absence of a designated liaison officer, provide to such outside professional organizations as the committee shall from time to time specify, and with the permission of the practitioner members concerned, such information regarding practitioner members as may be legitimately requested for the purposes of professional registration or certification.
- l. The duties of the Treasurer shall be to
 - i. receive, bank and disburse such monies as the Association may from time to time authorise
 - ii. prepare and present to the Annual General Meeting such financial statements as may be required by statute.
 - iii. forward annually a copy of such financial statements as are required by statute to the Registrar of Incorporated Societies.
- m. Except by agreement of the whole Committee at least twenty one days' notice shall be given of a Committee meeting. Generally it shall be the Secretary's responsibility to inform Committee members of a meeting.
- n. At least thirty days notice of any General Meeting shall be given to all Members. Written notice to a Member's postal or electronic address as listed with the Association shall be sufficient notice of any General Meeting. Such notice shall include the nature and purpose of the General Meeting.
- o. On the request in writing by at least ten Members who are eligible to vote, the Secretary shall call a special General Meeting to be held not more than sixty days after the request is received by the Secretary, at which meeting only the matters specified in the request shall be discussed.

5. General

- a. No rule of the Association shall be changed, nor shall any rule be added or deleted except by a General Meeting to which due notice of the intention to make such change, addition or deletion has been given to the members with the notice of meeting. No rule of the Association shall be changed nor any rule added or deleted where such modification is in conflict with the purposes of the Association as set out in the foregoing aims.
- b. No member of the Association shall receive any financial payment from the Association save only
 - i. the reimbursements of expenses actually incurred in the service of the Association, or
 - ii. the repayment of any loan made to the Association together with interest at a rate not greater than the current bank rate, or

- iii. wages or salary or honorarium as an officer or employee of the Association
- c. Upon the dissolution of the Association all real or personal property of the Association shall, after payment of any debts, be given to some other association or body having the same or similar aims as the Association, and no part of the Association's property shall be paid or distributed to any Member. The decision of the Association in any matter in this paragraph shall be made on a simple majority of those voting at a General Meeting called for the purpose.
- d. The Common Seal of the Association shall be in the custody of the Secretary and shall be affixed only in the presence of the President and the Secretary, after it's use has been authorised by the Committee.

6. Definitions

- a. *Touch for Health* is defined in Schedule 1
- b. *Registered Touch for Health Instructor* is defined in Schedule 2
- c. *Touch for Health Instructor* is defined in Schedule 3
- d. *Practitioner* is described in Schedule 4

Schedule 1

Definition: Touch for Health

Touch for Health is a synthesis of techniques drawn from modern chiropractic research which provides a guide to natural health through improving postural balance, nutritional awareness and reducing physical and mental pain and tension

It is comprised in the book "Touch for Health" by Dr John Thie, D.C., and in such textbooks as are from time to time approved by the International Kinesiology College.

Touch for Health makes no claims for curing, healing or diagnosing diseases.

Schedule 2

Definition: Registered Touch for Health Instructor.

A Registered Touch for Health Instructor is a person who has satisfactorily completed the following Touch for Health Workshops (but not including TFH Advanced when first registered before 1994 or after 1999, and not including TFH 4 or TFH Assessment if registered before 1999) and has paid their current Annual Registration Fee to the Touch for Health Kinesiology Association of New Zealand Incorporated:

TFH1

TFH2

TFH3

TFH 4

TFH Proficiency

TFH Instructor Training Workshop

The TFH 1, 2 ,3 and 4 courses must be taken with a Registered TFH Instructor.

The TFH Assessment course must be taken with a Registered TFH Instructor who has been approved as an assessor by the International Kinesiology College ITW trainer in New Zealand.

The Instructor Training Workshop must be taken with an Instructor Trainer approved by the International Kinesiology College.

The Annual Registration Fee is payable to the Touch for Health Association of New Zealand Incorporated.

A Registered TFH Instructor may teach TFH 1, 2, 3, and 4.

Schedule 3

Definition: Touch for Health Instructor

This term refers to persons who have attended a TFHK Instructor Training Workshop and who are no longer Registered Instructor members of the Association.

While such persons are entitled to teach TFHK workshops, their students will not be acknowledged internationally by the issue of International Kinesiology College certificates.

Such persons shall complete any further training requirements laid down by the ITW trainer for New Zealand before being eligible to become a Registered Instructor.

Schedule 4

Definition: Registered Practitioner

A Registered Practitioner is a person who has paid their current Annual Practitioner registration Fee to the Touch for Health Association of New Zealand Incorporated and has completed the following Practitioner requirements:

Touch for Health and related training

General Practitioner skills training

Additional Kinesiology and related training

Practical Experience

Update requirements - 28 hours over a 2 year period.

Updates can consist of ITW Update, repeat TFH K courses, other related Kinesiology courses or other courses that will enhance or contribute to your practice.

Conference attendance is regarded as half credits.

The Touch for Health Association of New Zealand Incorporated will issue an annually renewable certificate of Accreditation to Members who satisfy the requirements for Registered Practitioner.

The details of these requirements may be changed from time to time by a General Meeting of the Touch for Health Association of New Zealand Incorporated.

Regulations relating to Accreditation, Registration, Discipline and Appeals

1. Accreditation and Registration Regulations

a) The Committee shall

1. determine content and nature of updates or other training opportunity;
2. arrange for assessment of applicants for Practitioner Membership, or for annual Practitioner accreditation in relation to the requirements laid down by the Association;
3. arrange for assessment of applicants for annual registration as Instructor Members.

b) Should any application for Practitioner Accreditation, Re-accreditation, or Instructor Registration be declined, the Association shall notify the applicant promptly in writing of such decision, the grounds for such decision, and the correct appeal procedure.

2. Disciplinary Regulations

a) It shall be the responsibility of the Committee to deal with complaints of alleged incompetence or misconduct by a Member.

b) Should it appear to the Committee, as the result of a complaint or referral or otherwise, that a Member

1. has acted contrary to the aims of the T.F.H. Association of N.Z. (Inc.), or if a Practitioner Member, contrary to the aims of the T.F.H. Association of N.Z. (Inc.) or to the Code of Health and Disability Services Consumers' Rights or, where appropriate, to the Code of Ethics of the Natural Health Practitioner of New Zealand, or
2. is in some respect no longer competent to function as a Member, the Association shall, by resolution of the Committee, notify that Member in writing at the last address of that Member notified to the Association that the Committee considers there to be prima facie grounds for terminating his or her membership or other disciplinary action, and shall inform him or her of such grounds.

This notification shall include an invitation to the Member to respond in writing to the stated grounds for termination or other disciplinary action, and a requirement that such response be received by the Association within thirty days of the notification being sent to the Member.

c) The Committee shall consider the Member's response, if any, and other relevant evidence, and resolve either that there are sufficient grounds for termination of membership or other disciplinary action, or that there are not, and shall have power to terminate membership or apply disciplinary measures other than termination if they deem it appropriate.

d) The Association shall advise the Member promptly in writing of the decision of the Committee. If the decision is that membership be terminated or that other disciplinary measures be applied, the grounds for termination or other disciplinary measures shall be stated and the Member shall be notified of the correct appeal procedure.

e) If no response is received from the Member within the appeal period membership shall cease at the expiry of that period or such other disciplinary measures as have been determined shall take effect. If the Member is also a member of the Natural Health Practitioners of New Zealand, the Association shall also notify the Natural Health Practitioners of New Zealand, of its decision where the matter is one concerning the Member's practice.

If the Member elects to appeal, his or her membership shall continue until the appeal procedure has been concluded.

3. Appeals Regulations

a) The Appeals Committee shall deal with appeals concerning decisions by the Committee in respect of accreditation, registration, or discipline.

b) If a Member wishes to appeal a decision of the Committee in respect of accreditation, registration, or discipline, notification of such wish to appeal must reach the NZ Touch for Health Association Inc not later than 21 days following notification of the decision of the Committee.

c) A date shall be set by the Appeals Committee to hear the appeal not less than 21 days or more than 42 days after such notification is received by the Association and the Association shall notify the Member immediately of the date, place, and time that the appeal is to be heard.

d) A Member may elect to present his or her case in person before the Appeals Committee, or be represented by some other person.

e) The Appeals Committee may or may not by resolution and only on the grounds already notified to the Member terminate that Member's membership or confirm any other disciplinary measure. The Member shall be promptly sent a copy of the resolution and the grounds for such resolution.

f) If the Member is also a member of the Natural Health Practitioners of New Zealand, the Association shall also notify the appropriate Charter body of its decision where the matter concerns the Member's practice.