

## STANDING ORDER 12 – INTERPRETATION, VARIATION, REVOCATION AND BREACH OF STANDING ORDERS

### Interpretation

1. The ruling of the Chair or member presiding at meetings of the Board or subordinate bodies as to the interpretation or application of any of these Standing Orders, or as to the proceedings of the meeting, shall not be challenged at any Board meeting.
2. Where any uncertainty exists about the interpretation or application of the Standing Orders, the advice of the Secretary or his or her deputy should be sought.

### Variation and Revocation

3. Any motion by any member to vary, amend or revoke these Standing Orders shall, when proposed and seconded, be adjourned until to the next ordinary meeting of the Board.
4. The full text of the proposed motion to vary, amend or revoke these Standing Orders shall be circulated with the agenda papers for the next meeting.
5. The proposed motion may not be varied, amended or revoked at that meeting except to correct a typographical or clerical error.
6. The Resolution in Writing procedure shall not apply or be effective in relation to any motion or recommendation to vary, amend or revoke any or all of these Standing Orders.
7. Any resolution varying, amending or revoking these Standing Orders shall only be effective if at least three quarters of the Board vote in favour of the resolution.
8. The Secretary may make minor amendments to correct typographical or clerical errors or to otherwise generally maintain these Standing Orders, without the approval of the Board.

### Breach of Standing Orders

9. A member must, if he or she becomes aware of any conduct by another member, which he or she reasonably believes involves a failure to comply with this Code, make a written allegation to that effect to the Secretary as soon as it is reasonably practicable to do so.
10. Where it is brought to the attention of the Chief Executive or the Secretary or they become aware of any conduct by a member, which they reasonably believe involves a failure to comply with this Code or the Standing Orders, he or she shall carry out an investigation, prepare and submit a report to the Chief Executive and the Chair as soon as it is reasonably practicable.
11. The Chief Executive and the Chair, upon receipt of the report take the following action:

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12. Where they are of the view that the matter falls within Schedule 2, paragraph 3 of the RDA Act 1998, refer to the matter to the Mayor who may remove a member from office if he or she is satisfied that the member:
  - a) Has been absent from meetings of the agency for a period of more than 3 months without the permission of the Agency,
  - b) Has been adjudged bankrupt, that his estate has been sequestrated or that he has made a composition or arrangement with, or granted a trust deed for, his creditors,
  - c) Is unable or unfit to carry out the functions of a member.
13. Where the matter does not fall within Schedule 2, paragraph 3 of the RDA Act 1998, the Chair and Chief Executive shall decide on the appropriate course of action, including formal warnings or reprimand.
14. Where the Chair fails to comply with the Code or the Standing Orders, the report of the Secretary shall be submitted to the Chief Executive who shall consult with the Mayor on the appropriate course of action to be taken.
15. For employees and officers, a breach of the Standing Orders may result in disciplinary action being taken in accordance with the Agency's Disciplinary Procedure.