



RULES FOR AMATEUR RADIO EMERGENCY COMMUNICATIONS (AREC)

Final

Approved by NZART Council 07 September 2021

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1. Preamble

The following Rules for AREC were approved by NZART Council on the [7] day of [September] 2021 to take effect as a Rule under [clause 9] of the NZART Constitution. The Council resolution directed that they are to come into force on the [1] day of [October] 2021 in place of the old Rules, on which day the old Rules are revoked.

Paragraph numbers included within square brackets indicate the enabling paragraph references in the 2021-06-05 NZART constitution.

2. Name

The name of the Sub-Group shall be 'Amateur Radio Emergency Communications' which may be abbreviated to AREC.

3. Definitions

- (a) **AREC** is a sub-group of NZART and is the operational services arm of NZART which under the direction of the NZART Executive Council, is entrusted with achieving [paragraph 1.2.i] of the objects of NZART organising the provision of emergency and other communication services for the authorities as required.
- (b) **AREC Executive Committee** means a committee consisting of the CEO, the Regional Managers and any other National Officers invited to join from time to time.
- (c) **AREC Trust** means NZART AREC Emergency Funds Charitable Trust.
- (d) **Branch** means the Branch of the NZART to which a Group is attached under these Rules.
- (e) **Civil Defence** means the National Emergency Management Agency, and Civil Defence Emergency Management Groups established by Territorial Local Authorities pursuant to the Civil Defence and Emergency Management Act 2016 or replacement legislation.
- (f) **CEO** means the person appointed by NZART to act as Chief Executive Officer (CEO) of AREC or in his/her absence any substitute as appointed by these rules.
- (g) **Council** means NZART Council
- (h) **District** means a geographical area of New Zealand as defined by one or more New Zealand Police Districts.
- (i) **District Manager** means a District Manager appointed under these Rules.
- (j) **Group** means a Group of AREC established under these Rules¹.
- (k) **Group Leader** means a person holding the office of Group Leader under these Rules.
- (l) **National Officers** means those persons appointed to national roles by the

¹ (Note: "Group" has superseded the previous name "Section")

CEO in accordance with these rules.

- (m) **NZART** means 'The New Zealand Association of Radio Transmitters Incorporated'.
- (n) **NZART AREC Emergency Funds Charitable Trust** means AREC Trust as defined in [clause 9] of the NZART Constitution.
- (o) **New Zealand Emergency Services** means any organisation which has as a primary role Public Protection or Disaster Relief within New Zealand.
- (p) **Police** means the New Zealand Police, as defined in Section 7 of the Policing Act 2008.
- (q) **Policies** and **Standard Operating Procedures (SOP)** means the AREC policies, processes, procedures, practices, and guidelines published from time to time by AREC, or if a Policy and Procedure is not current or specified, means any written directions authorised from time to time by the CEO in relation to the administration or policy and procedure of AREC.
- (r) **Regional Manager** means a Regional Manager appointed under these Rules.
- (s) **Misconduct** means behaviour or actions which breach the AREC Code of Conduct or AREC policies. While misconduct may not justify dismissal it may result in disciplinary action.
- (t) **Serious misconduct** means behaviour or actions that breach the AREC Code of Conduct or other AREC policies and seriously undermine or damage the trust and confidence AREC has in the member.

Words and expressions used in these Rules which are defined in the NZART Constitution have the same meaning as they have in that Constitution.

4. Statement of purpose

The purpose of AREC is:

To provide skilled volunteers enabling essential communications to support Search and Rescue, disaster relief, and our community.

5. Objects

The objects of AREC are to:

- (a) Deliver on behalf of the AREC Trust, the obligations agreed under the Joint Service Level Agreement (SLA) between the AREC Trust, NZSAR, RCCNZ and NZ Police.
- (b) Work closely with the SAR coordinating authorities (Police & RCCNZ) in assisting with technical information, policy, and development of technology related to SAR.
- (c) Respond to SAR operational requests with the provision of trained, technically competent, and experienced communications volunteers.
- (d) Provide education, training, and assessment of AREC members and others to enable the establishment and operation of essential radio and technology communications.
- (e) Provide trained, competent volunteers to deliver advice and to support communications capability utilising AREC and emergency service provider assets.
- (f) Support civil emergency events in collaboration with National Emergency Management Authority (NEMA), Civil Defence (CD), and other emergency services in New Zealand by providing experienced radio communications volunteers.
- (g) Provide and maintain suitable radio and communications technology equipment and infrastructure to enable our volunteers to provide a highly capable and responsive emergency communication service.
- (h) Provide expert advice as required to support communications infrastructure for emergency service deployment as requested and agreed.
- (i) Assist public and community event safety by providing experienced radio communications volunteers.

6. Membership

- (a) Any financial member of NZART may apply to become a member of an AREC Group. The Group Leader may, if the applicant is acceptable, and subject to a satisfactory Police vetting, enrol the applicant as a member of the AREC Group.
- (b) Unless inconsistent with the constitution of the NZART Branch, it is not necessary that the applicant should be a financial member of the NZART Branch to which the AREC Group is attached, or that the applicant be attached to the Branch in terms of [clause 7.2] of the NZART Constitution.
- (c) A member of AREC shall be a member of only one AREC Group, however nothing in these rules shall prohibit a member from participating in the activities or operations of any other Group or Groups with the agreement of the leaders of those Groups.
- (d) A member may resign from an AREC Group at any time by giving notice to the Group Leader.
- (e) Upon enrolling a member, or upon a resignation, or upon removing a member from membership of the AREC Group, the Group Leader shall notify the National AREC Administrator.
 - i. The CEO shall issue an identification card to each member, which shall remain the property of AREC and is returnable on demand. The AREC ID membership number will be the members NZART membership number prefixed with AREC.
 - ii. AREC may issue PPE and other equipment to members. AREC retains ownership of AREC funded equipment, and Personal Protective Equipment and apparel (collectively called PPE). Members are expected to maintain the equipment and PPE in good condition and return the equipment and PPE when members cease to be active or leave AREC.
 - iii. Upon joining AREC, members will be required to supply a minimum of personal information that will be used by AREC for contacting the member, tracking status of training and competency, operating search and rescue, and other activities, statistical, and planning purposes. A subset of the information collected will be provided as an anonymised aggregated dataset with no personally identifiable information to NZSAR Secretariat for statistical analysis of the SAR Sector in accordance with the AREC Privacy policy.
 - iv. Members are expected to remain actively involved in AREC activities by attending AREC events and meetings and keeping informed on AREC matters. Members are expected to attend AREC training and refresher training to reach and maintain their agreed level of competency as determined by AREC from time to time. Members who continue to fail to meet minimum activity or training requirements for their category of membership or have continued poor assessment as defined by AREC from time to time, may be either stepped down to a category that matches their current level of competency, or shall be removed from membership.

7. Removal of Membership

A member may be removed from membership of AREC if:

- (a) The member fails to achieve or maintain the required level of activity, training or competency as required from time to time by AREC; or
- (b) If the Group Leader or any National Officer or Manager is satisfied on reasonable grounds that the member has committed an act of serious misconduct or has demonstrated unsatisfactory performance in accordance with AREC requirements; or
- (c) A member fails to maintain current membership of NZART; automatic cancellation of AREC membership shall become effective 90-days after the date that NZART membership expires.

The process to be followed to remove a member from the membership of AREC is documented in the Removal from membership policy document.

The process to appeal any decision to remove a member is specified in the "Removal from Membership or Office Appeals Process" policy document.

8. Groups

- (a) Any Branch of NZART (see Definition 3 (d)) may apply to Council to establish a Group and Council, before dealing with the application, shall refer the application to the CEO for a written recommendation/opinion.
- (b) Each Group must be attached to a Branch as its home Branch but may, with the agreement of the District Manager and the other Branches, include members from multiple Branches within a District, where the other Branches do not have an AREC Group.
- (c) The name of each Group shall be '*Name of Branch* Amateur Radio Emergency Communications Group'.
- (d) Where a Group covers multiple Branches as described in rule 8 (a) & 8 (b), an appropriate name that describes the geographical area may be used in place of a specific Branch name.
- (e) Each Group shall be responsible to a Branch for its administration in accordance with these Rules.
- (f) A Branch to which a Group is attached, shall be responsible for ensuring that:
 - i. A Group Leader is appointed to ensure the Group remains active, prepared, ready to respond and (within the limits of Branch finance) is properly equipped to carry out its duties as directed by the CEO.
 - ii. The Group meets regularly, and those members are respectful, collaborative, inclusive and friendly. Selfishness and egos are discouraged, and petty jealousies never allowed to exist.
 - iii. Group members gain and maintain appropriate competency through training and regular refresher exercises.
 - iv. The Group adheres to AREC Policies and Procedures to ensure national consistency with delivering AREC services that are safe, competent, and sustainable.

- v. Funds raised by the Group are used for the purpose of delivering AREC objectives.
 - vi. Property and assets held by the Branch for AREC purposes (whether such assets are the property of the Branch, National AREC or NZART) are fully inventoried and properly maintained by the Group.
 - vii. Financial statements for funds and property held by the Branch for AREC purposes are prepared and included in the Branch accounts. Where appropriate, or where directed by Council or the CEO, the accounts shall be reviewed or if required audited.
- (g) Groups may by agreement combine for the purposes of search and rescue operations, training, sport and community events, and civil emergencies that enables improved efficiencies and outcomes for AREC, and our partners and clients. Where agreements of this nature are entered into, a formal memorandum of understand between the cooperating Groups (Combined Groups) must be drawn up, and approved by the District Manager, that ensures the responsibilities as set out in these rules are met and that the appropriate level of governance across the Combined Groups activities, including financial responsibilities, are in place and auditable. Sponsorship, fundraising, and Donations (Koha) received because of the Combined Groups activities must either be:
- i. Distributed when received on an agreed pro-rata basis to the individual Groups forming the Combined Group; or
 - ii. Deposited into the AREC Trust bank account to be held and separately accounted for and released by the Trust on formal application stating how the funds will be spent as agreed by the Combined Group Leaders and approved by the District Manager. The AREC Trustees shall release the requested funds in accordance with the application direction.
- (h) Nothing in this part of these Rules shall enable the Branch to intervene in the operational responsibility of the CEO, National Officers, Regional Managers, District Managers, or Group Leader (or any person acting for them) while the Group is engaged in an emergency response, or an exercise or training, or preparing for the same.
- (i) A Group which has ceased to be active may be removed from the register of Groups by Council upon the recommendation of the CEO. Members of any Group so removed may join any other nearby active Group.
- (j) All property and assets held by the Branch for AREC purposes (whether such assets are the property of the Branch, National AREC or of NZART) by any Group so removed in these Rules shall be repurposed, in a manner that repurposes them to preserve as much as possible the original intent of their purchase, particularly when funding grants were used to purchase them. Unless otherwise directed by Council, such assets and property will be repurposed under the direction of the CEO and the District Manager after consultation with the Branch and advising the Council.

9. Group Officers

- (a) The officers of a Group shall consist of a Group Leader, and such deputies and assistants as the Group Leader chooses, shall form a Committee for the Group. The Group Leader shall generally have the duties outlined in the Group Leader position description, together with such additional duties as may be agreed with the District Manager.
- (b) The Treasurer of the Branch to which the Group is attached shall (whether the Treasurer is a member of the Group or not) be ex-officio treasurer of the Group and may delegate duties to a Group member.
- (c) The Group Leader shall be chosen to hold office for a period of one year in any one of the following ways subject to Section 6:
 - i. by appointment by the Branch committee at initial formation of the Group.
 - ii. by election by the members of the Branch at the Branch AGM.
 - iii. by election by members of the Group.
- (d) The method of choosing the Group Leader shall be determined by the Branch, by its constitution or by resolution of a Branch General Meeting. Where a Branch makes no provision for choosing a Group Leader, then the Group Leader shall be elected by the members of the Group.
- (e) The process for appointment or election or re-election of a Group Leader must take into consideration the personal qualities to ensure a level of experience and competency commensurate with the Group Leader Job Description. A Group Leaders final appointment must be endorsed by the appropriate District Manager prior to taking up office. Reappointment or election of a Group Leader must take into consideration the prior performance in the role.
- (f) If, after a period of one year, no new Group Leader has been appointed, the CEO after consultation with the Branch, may determine the Group to be inactive.
- (g) Removal of Group Officers
 - i. A Group Leader or Deputy Group Leader may be removed from Office at any time by a two-thirds majority vote of those present and voting at a Special General Meeting of the Branch to which the Group is attached, notwithstanding the way that Group Leader or Deputy has been chosen for Office.
 - ii. Any notice of motion for removal of a Group Leader or Deputy Group Leader must be advised in writing to the District Manager who may choose to attend the meeting or may request the Regional Manager or CEO to attend in their place.
 - iii. The Branch shall allow the Group Leader or Deputy Group Leader and the District Manager (or his delegate) to address the meeting at which the resolution is being voted upon to advise the Branch of possible outcomes for the Branch/Group from the perspective of AREC and the Group Leader or Deputy Group Leader.
 - iv. The process to appeal any decision to remove a Group Officer is specified in the "Removal from Membership or Office Appeals Process" policy document.

10. National Officers, Regional Managers and District Managers

- (a) The CEO in consultation with the Council may appoint National Officers, Regional Managers, and District Managers from the AREC membership who shall generally have the responsibilities and authorities outlined in the applicable position description together with such additional responsibilities and authorities as may be agreed with the CEO or Council.
- (b) The appointment of National Officers, Regional Managers and District Managers shall be by letters of appointment and/or contract from the CEO, the terms of which shall be subject to the approval of Council. The letter of appointment shall clearly define the national, regional or district role and the duration of appointment.
- (c) The persons appointed to the positions of National Officer, Regional Manager or District Manager must meet the requirements detailed in the position description.
- (d) Once appointed, the National Officers, Regional Managers and District Managers shall hold office for a period of no longer than three years, unless reappointed, or until the appointment is cancelled by the CEO or by Council. All such appointments shall be reviewed annually by the CEO and the Appointee.
- (e) The CEO may as required appoint Deputies for the National Officers, Regional Managers and District Managers in consultation with current Officer and Manager role holders.
- (f) A National Officer, Regional or District Manager, or a Deputy may be removed from office by the CEO after consultation with the person concerned and the Council.
- (g) The process to appeal any decision to remove a National Officer, Regional or District Manager or Deputies, will be as outlined in Removal from Membership or Office Appeals Process policy document.

11. Chief Executive Officer (CEO)

- (a) The CEO shall be appointed by the NZART Council and shall hold Office from the time of appointment under the terms of the agreed employment agreement unless the appointment is sooner terminated by the NZART Council.
- (b) The CEO shall be directly responsible to the NZART Council and shall implement AREC policy as approved by the NZART Council.
- (c) The CEO shall have the authority to directly communicate with any Branch to which a Group is attached in relation to matters affecting AREC and may communicate directly with and instruct any National Officer, Regional Manager, District Manager, Group Leader, or Group Members to effectively implement AREC policies and plans.
- (d) The CEO shall submit a yearly report on the activities of AREC to the NZART Council and the CEO performance will be reviewed annually by the NZART Council with the CEO under the terms of any employment agreement.

- (e) NZART Council may appoint one or more Regional Managers as deputies to the CEO with a defined succession sequence in accordance with [clause 4.7 (b)] of the NZART constitution.
- (f) In the event of a planned or unplanned absence of the CEO the next available Deputy CEO in the succession sequence shall assume the duties of CEO until either the CEO is again available or until a new CEO is appointed.

12. Code of Conduct

- (a) The CEO must prescribe a code of conduct, stating the standards of behaviour expected from AREC members.
- (b) All members of AREC must conduct themselves in accordance with the code of conduct.
- (c) The CEO must take reasonable steps to ensure that the code of conduct is communicated to all AREC members.

13. General Meetings

- (a) General Meetings of a Group may be called at any time. The provisions of the Branch constitution relating to the manner of calling General Meetings for the Branch shall be followed where possible.
- (b) General Meetings may be held at the same time as and in conjunction with meetings of the Branch provided adequate notice of the business to be transacted has been given.
- (c) One-third of the members of the Group shall constitute a quorum, unless the CEO directs in a particular case and for a particular meeting that a smaller number shall be sufficient to constitute a quorum.
- (d) Where there is doubt as to the proper procedure for calling or conducting a General Meeting, the CEO may give directions either generally or in respect of any particular General Meeting, and a General Meeting held in accordance with those directions shall be deemed to have been properly convened and conducted.

14. Special Rules

- (a) The provisions of these Rules shall apply to all AREC Groups provided that a Branch may by its constitution or by resolutions provide for different provisions in respect of its Group from the provisions outlined in these Rules.
- (b) No such special provisions shall come into force until the actual text of the constitution or of the resolution has been approved by the NZART Council after consultation and receipt of written advice from the CEO.
- (c) The approval of the NZART Council to any such special provisions shall not be given unless the operational responsibility of the CEO in accordance with AREC Policies & Procedures and operations and exercises is preserved.

15. Subsidised Equipment

- (a) Where a Group obtains a subsidy (wholly or in part) for the purchase of equipment through an application requiring the approval of the CEO, that equipment shall not be sold, exchanged, or otherwise disposed of without the written consent of the CEO.
- (b) Groups are to keep subsidised equipment in good working order and inform the AREC Administrator of the location held and responsible member in charge of the equipment or change in thereof.
- (c) Where a Group has ceased to be active or is removed as in clause 6 (i), all subsidised equipment will be returned to AREC c/- NZART Headquarters office for storage until redeployed unless otherwise directed by the CEO.

16. General

- (a) Groups shall conduct their internal affairs with the minimum of formality but otherwise in accordance with these Rules. Should any question of interpretation arise, or should any event or circumstances arise for which no provision has been made in these Rules, the CEO may give directions in writing, either generally or in a particular case, these directions shall be advised to the NZART Council, all Branches and Groups and such directions shall be binding on the Branches and Groups unless otherwise directed by NZART Council.
- (b) All members must conduct their behaviour in accordance with the AREC Values and Code of Conduct policy. Continued adverse behaviour or conduct may result in Censure or Expulsion from both AREC and NZART under [Schedule B] of the NZART Constitution.

17. Interpretation

In any situation where the discretionary powers of the CEO cannot be exercised under Special Rules section 16 a) of these rules, or in the event the CEO requests clarification from NZART Council, [Clause 8.3] of the NZART constitution shall apply to these Rules as though they were part of the NZART constitution.

18. Savings

- (a) The persons who hold the National Officers, Regional Managers, or District Managers offices and Deputies shall when these Rules come into force automatically hold the corresponding offices under these Rules, that is to say, the CEO and National Officers, Regional Managers, or District Managers and Deputies. Likewise, all Group Leaders and Deputies, shall continue in office as though they had been appointed under these Rules.
- (b) Any matter that was in progress or partially completed under the Rules revoked on the coming into force of these Rules shall be continued or completed as far as is practicable under the corresponding provision of these Rules.