



NOMINATION FORM and CODE OF ETHICS AND BEHAVIOUR FOR ELECTIONEERING
(Ref Clause 17.6 of the Constitution)

The India New Zealand Business Council Inc (“INZBC” or the “Council”) is committed to running an election that is smooth and that the conduct of all candidates standing for office is devoid of any controversy.

Accordingly, any candidate for office of Committee Member and their organisations agree to adhere to the following code of electioneering conduct.

- 1) Provide an up to 500 word statement of their qualifications and reasons for standing which will be their sole form of representation and promotion of the candidate – this may include a Passport sized photo of the Candidate and needs to be sent as separate Word or PDF Document.
- 2) Promote compliance, and comply in all respects, with any requirements or requests of the independent election authority appointed by INZBC.
- 3) Respectfully and factually respond to any inquiry about their candidature from anyone except the media.
- 4) Not talk to media and refer all media enquiries about the election to the independent election authority appointed by INZBC.
- 5) Not directly and actively contact any Council member by any means to solicit their vote or proxy for themselves or another candidate.
- 6) Not express any opinion on the suitability or otherwise of any other candidate to anyone.
- 7) Accept the decision of the independent election authority appointed by INZBC in all matters to do with the election.

If a member wishes to bring a breach of this agreement to INZBC, they shall do so in writing (email acceptable) to the independent election authority appointed by the Council, whose decision shall be final.

I agree to abide by and comply with the code herein. I also agree to comply with the attached Code of Ethics and Conflict of Interest Statement in the event I am elected.

I understand that my candidature is subject to me and my organisation abiding by this agreement and that this agreement comes into effect from the date this nomination is submitted.

I consent to be an Officer and I certify that I am not disqualified from being elected as an Officer either by the INZBC Constitution or the Incorporated Societies Act 2022. *[For the eligibility criteria set out in the INZBC Constitution see next page.]*

Candidate name	
Member name	
Standing for position	Committee Member
Date	
Signature	

Please attach the Candidate’s profile statement and photo, which will be issued with the election materials, as a separate document in Word and PDF – note no more than 500 words. Also please sign and attach as a separate document the Code of Ethics and Conflict of Interest Agreement below and email these to info@electionservices.co.nz

ELIGIBILITY CRITERIA

To be eligible to be elected as an officer, the person must not:

- (1) Be under 16 years of age;
- (2) Be an undischarged bankrupt;
- (3) Be prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, the Financial Markets Conduct Act 2013, or the Takeovers Act 1993, or any other similar legislation;
- (4) Be disqualified from being a member of the governing body of a charitable entity under the Charities Act 2005;
- (5) Have been convicted of any of the following, and been sentenced for the offence, within the last 7 years:
 - a. an offence under subpart 6 of Part 4 of the Incorporated Societies Act;
 - b. a crime involving dishonesty (within the meaning of section 2(1) of the Crimes Act 1961);
 - c. an offence under section 143B of the Tax Administration Act 1994;
 - d. an offence, in a country other than New Zealand, that is substantially similar to an offence specified in subparagraphs (1) to (3);
 - e. a money laundering offence or an offence relating to the financing of terrorism, whether in New Zealand or elsewhere.
- (6) Be subject to:
 - a. a banning order under subpart 7 of Part 4 of the Incorporated Societies Act 2022, or
 - b. an order under section 108 of the Credit Contracts and Consumer Finance Act 2003, or
 - c. a forfeiture order under the Criminal Proceeds (Recovery) Act 2009, or
 - d. a property order made under the Protection of Personal and Property Rights Act 1988, or whose property is managed by a trustee corporation under section 32 of that Act, or
 - e. an order that is substantially similar to an order referred to in paragraph (6) under a law of a country, State, or territory outside New Zealand that is a country, State, or territory prescribed by the regulations (if any) of the Act.



CODE OF ETHICS and CONFLICT OF INTEREST AGREEMENT

1. Purpose of this agreement

In the view of open and transparent governance of the India New Zealand Business Council Inc. (“INZBC” or the “Council”) it has been agreed that all Officers and members of the Committee or any other members that join or are co-opted onto a sub-committee of the Committee of the Council are required to sign an agreement agreeing to abide by the Council’s Code of Ethics and Conflicts of Interest Policy as set out below. This particular agreement is between the Council and the person named at the foot of this agreement.

2. Agreement

INZBC is committed to ethical conduct in all areas of its responsibilities and authority. Accordingly, officers and Committee Members in particular and any members acting on behalf of the INZBC and in particular the member named at the foot of this agreement will:

- i) Always act honestly and in good faith in the best interests of INZBC
- ii) Carry out their duties in a lawful and business-like manner and ensure that INZBC carries out its business likewise
- iii) Avoid conflicts of interests in as far as this is possible and where such conflicts arise, will act within the terms of the Council’s Conflict of Interests Policy.
- iv) Attend in person or by phone or videoconference at least 75% Committee and sub-group meetings and devote sufficient time to preparation for Committee meetings as well as performing tasks assigned, to allow for full and appropriate participation in the Committee’s decision making.
- v) Observe the confidentiality of non-public information acquired by them in their role as Committee members and not disclose confidential information that might be harmful to INZBC or any of its business units or cause harm to any key strategic relationships or members.
- vi) Interact with the fellow Committee members, members, staff and contractors in a positive and constructive manner.
- vii) Not do anything that in any way denigrates INZBC or harms its image or brings INZBC into disrepute.

3. Conflict of Interest Policy

i) Conflict of Interest Defined

A conflict of interest arises where two different interests intersect. A conflict of interest exists where a person’s duties or responsibilities to the elected office could be affected by some other separate (and usually private) interest or duty that they may have. Conflicts of interest can have both legal and ethical dimensions.

One way of considering whether a conflict of interest may exist is to ask: “Does the issue create an incentive for the person to act in a way that may not be in the best interests of the council?” If the answer is in the affirmative a conflict is possible”.

Conflicts of interest can be tangible or even perceived.

Committee members must maintain a clear separation between their personal interests and their duties as an elected member. This is to ensure that people who fill positions of authority carry on their duties free from bias (whether real or perceived).

There are broadly two types of bias, pecuniary and non-pecuniary.

- A **pecuniary** interest is one which has a direct financial impact on the member. The pecuniary interest may be direct or indirect and involve either financial gain or financial loss.
- A **non-pecuniary** interest is one in which a member may be (or perceived to be) subject to bias (i.e. not having an open mind) in relation to decision affecting the members' other interests. These may be interests or relationships arising out of kinship, marriage, domestic relationships, wider family relationships, employment or membership of community organisations, or could arise from a strong point of view that the Member has expressed on a certain issue.

ii) Conflict of Interest Policy

A conflict of interest will be deemed to have arisen if a person is interested in a matter if he or she:

- May derive a pecuniary or non-pecuniary benefit from the matter.
- Is the spouse, defacto partner, child or parent of a person, or good friend who may derive a pecuniary or non-pecuniary benefit from the matter.
- May have a financial interest in a person to whom the matter relates.
- Is a partner, director, officer, board member of an entity, or trustee of a person who may have a financial interest in a person to whom the matter relates.
- May be interested in the matter because the entity's Constitution or Rules require or permit such involvement; or
- Is otherwise directly or indirectly interested in the matter.

iii) Procedure to be followed diligently by Officers and Committee members:

- Members must take a precautionary approach to all conflicts of interest.
- Interest disclosure to be first item at each Committee meeting.
- Identify to the Chair/meeting as soon as a conflict arises and have it noted in preparing agenda or minutes and not take part in decision making on such subject.
- No member should yearn to get direct or indirect advantage by way of their position on the Committee – to clarify this, any business opportunity arising out of your position with the council should be declared and get approved by the Committee either immediately via the Chair or at the next Committee meeting.
- Even at a later stage, if a conflict of interest is identified then the particular decision or action may be considered invalid.
- Any member can at any time even without prior notice (in the agenda or proceedings) raise an item for discussion regarding any conflict of interest or perceived conflict of interest.
- Affected member should not be involved in the discussion/decision in any matter that pertains to a conflict of interest (whether perceived or real) involving them.

I agree to abide by and comply with the India New Zealand Business Council's Code of Ethics and Conflict of Interest Policy.

Signature _____

Name _____

Date _____/_____/_____