

The rules of

Kinesiology Association of New Zealand Incorporated

August 2009

1. Name

1.1. The name of the Society shall be Kinesiology Association of New Zealand Incorporated, hereinafter referred to as KANZ.

2.Aims: Within New Zealand -

Mission Statement: To recognise, endorse, and support cumulative training and encourage excellence in practitioners whilst supporting and fostering the growth of individual kinesiology disciplines.

2.1 To oversee the training and certification of kinesiology practitioners

2.2 To establish a framework that supports a tiered system of cumulative training for kinesiologists

2.3 To define and uphold standards of excellence among practitioners

2.4 To support KANZ members throughout their training and development as kinesiologists

2.5 To establish and enact disciplinary procedures as appropriate

2.6 To honour and maintain the uniqueness of individual kinesiology modalities that seek recognition through KANZ.

2.7 To provide a forum for kinesiology organisations to work together developing strategies to raise public awareness and promote understanding of the life enhancing opportunities offered by kinesiology.

2.8 To promulgate information and awareness of the career possibilities in kinesiology

2.9 To make such rules as may be consistent with and for the furtherance of the aims of KANZ

2.10 To engage in such activities as may be deemed expedient by KANZ in the pursuit of its aims, in the course of which it may:

2.10.1 receive and disburse or borrow and pay interest on such monies as are appropriate to the needs of KANZ

2.10.2 hire, purchase, lease or otherwise acquire any real or personal property and any rights or privileges for the better attainment of KANZ's aims, and sell or otherwise dispose of the same

2.10.3 engage, control or dismiss any servants or officials of KANZ and fix their remuneration, if any

3. Membership

3.1. There shall be three classes of membership:

Practitioner membership of different levels;
Student membership; and
Associate Membership.

3.1.1. A practitioner member shall be a practitioner as set out in Appendix 5

3.1.2 Student membership shall be open to any student of any kinesiology modality as set out in Appendix 5

3.1.3 Associate Membership shall be open to any person who wishes to support the aims of KANZ. Membership shall commence on the receipt by KANZ of that person's membership subscription

3.2. Subscriptions and registration fees shall be set each year at the Annual General Meeting and will apply to the financial year beginning after the AGM

3.2.1. Where membership commences in the second half of a financial year, an appropriate abatement of the subscription fee shall be made

3.3. Membership may be deemed to have lapsed where a Member's subscription, or a Practitioner registration fee 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.

3.3.1. To maintain Certified Practitioner status a Practitioner member should attend a minimum of 28 hours of continuing professional development in any given two year period, within parameters set by the Senior Representative of his/her primary major kinesiology

3.3.2. To maintain Advanced Certified Practitioner status a Practitioner member should attend a minimum of 28 hours of continuing professional development in any given two year period, within parameters set by KANZ

3.4. The Annual General Meeting may from time to time award Life Membership to a member in recognition of his or her service to KANZ and to Kinesiology. A life member shall not be required to pay membership fees.

4. Discipline and Appeals

4.1 A complaint is any notification that a member of the Society, by any act or omission, has conducted himself/herself in a manner contrary to the aims of KANZ 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 KANZ as set out in Rule 2, or to the Code of Health and Disability Services Consumers' Rights, or where appropriate, to the Code of Ethics of the New Zealand Charter of Health Practitioners, (Inc).

4.2 There shall be three levels of response to a complaint regarding a Society member: an Assessment subcommittee, a Disciplinary subcommittee, and an Appeals subcommittee.

4.2.1 Each of these subcommittees is to be appointed as needed by the Committee, following receipt by the Society of a complaint regarding a Society member.

4.2.2 The President of KANZ, and the Senior Representative(s) of the modality/ies in which the member is practicing shall have ex officio membership of these subcommittees, and shall have speaking rights but not voting rights.

4.2.3 Except as provided for in 4.2.2, no person shall serve on more than one of these three subcommittees in any given case.

4.3 In the first instance, a complaint shall be referred to the Assessment Subcommittee who shall determine whether the complaint warrants further investigation with a view to disciplinary action, or whether it can best be dealt with by moderation or other appropriate lesser action, and the Subcommittee shall advise the Committee of its decision and of the grounds for that decision within two weeks of appointment.

4.3.1 The Assessment Subcommittee shall comprise three persons, at least two of whom shall be Society members.

4.4 On the recommendation of the Assessment Subcommittee, the Committee shall appoint a Disciplinary Subcommittee to investigate the complaint.

4.4.1 The Disciplinary Subcommittee shall comprise three persons, at least two of whom shall be Society members.

4.4.2 In considering any complaint the Disciplinary Subcommittee shall adopt the procedures set down in Appendix 2 of Document 2, entitled "Discipline".

4.5 If a member who is the subject of a disciplinary hearing wishes to appeal the decision of the Disciplinary Subcommittee, the Committee shall appoint an Appeals Subcommittee whose decision shall be final, subject to Rules 4.6 and 4.9

4.5.1 The Appeals Subcommittee shall comprise three persons, at least two of whom shall be Society members.

4.5.2 In considering any appeal the Appeals Subcommittee shall adopt the procedures set down in Appendix 3 of Document 2, entitled "Appeals".

4.6 No action in respect of a complaint shall be taken by the Society if the matter complained of is referred to and determined by the Health and Disability Services Commissioner, or the New Zealand Charter of Health Practitioners, and if action has been commenced by the Society it shall cease forthwith

4.7 The Annual General Meeting shall appoint a separate Registration Appeals Subcommittee of three persons, comprising at least two members of the society, for the purpose of determining any appeal by a Society member regarding registration or certification.

4.7.1 No person shall serve on this committee who is in the current year involved in initial decisions regarding registration or certification.

4.8 Nothing in Rule 4 shall alter any rights or duties specified in current New Zealand legislation.

5. Management

5.1. The Annual General Meeting shall be held at a time to be determined by the Committee within three months of the end of the financial year.

5.1.1. The financial year of the Association shall run from 1 July to 30 June in the following year.

5.2. A quorum at any General Meeting shall be ten or one fourth of the total number of eligible voting Members, whichever is the less.

5.3. At the Annual General Meeting, officers for the ensuing year shall be elected. Election of officers shall be by ballot where there is more than one nominee for any office.

5.3.1 As the Annual General Meeting shall decide, these officers shall be either President, Secretary and Treasurer, or President and Secretary/Treasurer, (whose duties shall be the combined duties of Secretary and Treasurer) and committee members to a total of eight, including the Senior Representative nominee.

5.3.2 Prior to the Annual General Meeting, the Senior Representatives shall appoint one of their number to represent their interests, *ex officio*, on the committee. This member shall have equal voting rights with other committee members and is eligible for election as an officer.

5.3.3. Where possible, committee members should be drawn from as wide a range of modalities as practicable.

5.3.3. No more than 2 committee members may be drawn from associate or student membership.

5.4. The committee shall oversee the ongoing management and control of the affairs of KANZ from one Annual General Meeting to the next.

5.4.1. The committee shall meet as required, either in person or by means of appropriate information technology.

5.4.2. The committee shall keep a written record of all meetings.

5.4.3. A quorum for a committee meeting shall be four members.

5.4.4. 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.

5.4.5. The committee may from time to time co-opt any other members onto a subcommittee to deal with specific needs of KANZ.

5.4.6. 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.

5.4.7. In the case of an application for membership by a kinesiologist whose training has been obtained overseas, and where his or her primary training modality is not represented as such in New Zealand, the Committee in consultation with the Senior Representatives (collectively) shall take on the role of determining whether that training meets the standards required of a Major Kinesiology, and may make such stipulations as they believe appropriate in respect of ongoing training and annual certification.

5.5. Senior Representative membership shall be assigned by the body or person governing the international activity of a Major Kinesiology.

5.5.1. Where more than one trainer in a modality is accorded Senior Representative status, that modality shall exercise one vote only in matters determined by Senior Representative members as a group.

5.5.2. Duties of Senior Representative are set out in Rule 5.14

5.5.3. The Senior Representatives shall meet as required either in person or by means of appropriate information technology to determine matters relating to training.

5.6. At all meetings of KANZ or of the Senior Representatives or of the committee decisions will, if it is at all possible, be reached by consensus. Where consensus cannot be achieved, a motion to be passed shall require the approval of at least two-thirds of those present and eligible to vote.

5.7. Every member is entitled to be present and to speak and vote at any General Meeting. A Senior Representative member who is also a practitioner or associate member shall exercise only one vote.

5.8. At least thirty days notice of any General Meeting shall be given to all members. Written notice to a member's postal address as listed with KANZ shall be sufficient notice of any General Meeting. Such notice shall include the nature and purpose of the General Meeting.

5.9. 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.

5.10. A General Meeting, or the Committee acting for the Association, may from time to time make provision for postal votes to determine a matter, except that if ten members of the Association eligible to vote request within a week of notification of a postal vote that a special general meeting be called to determine the issue, this request shall take precedence over such provision.

5.10.1. The motion to be determined by postal vote shall be circulated to all members eligible to vote at their last notified postal or email address. Any members wishing to have their views publicised shall forward these to the secretary in writing within two weeks of such notification and the secretary shall then immediately make these available by post or by email to the Association membership.

5.10.2. Votes may be forwarded to the secretary by email or by post. At the end of thirty days after initial notification votes shall be counted by the committee and the result shall be notified to the Association membership.

5.10.3. A two thirds majority of received votes is required for a motion to be passed by postal vote.

5.11. The duties of the President shall be to preside at General Meetings and meetings of the Committee.

5.11.1. The President shall be ex officio a member of any subcommittee of KANZ.

5.11.2. In the event that the President is unable or unwilling to perform any of the forgoing duties then the Committee shall appoint some other Member to perform that duty.

5.12. The duties of the Secretary shall be to:

5.12.1. keep a record of KANZ's General and Committee meetings and to make such record available as required;

5.12.2. deal with KANZ's correspondence;

5.12.3. maintain a register of Members together with the date that they joined KANZ;

5.12.4. in the absence of a designated liaison officer, provide to such outside professional organisations 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.

5.13. The duties of the Treasurer shall be to:

5.13.1. receive, bank and disburse such monies as KANZ may from time to time authorise and keep records of such transactions;

5.13.2. prepare a brief financial report for each committee meeting

5.13.3. prepare and present to the Annual General Meeting such financial statements as may be required by statute.

5.13.4. Prepare and present to the Registrar of Incorporated Societies an audited copy of the financial statements presented to the Annual General Meeting

5.14. The duties and responsibilities of the Senior Representative are as follows:

5.14.1. Senior Representatives of each Major Kinesiology shall be responsible for communicating international and local requirements for practitioner training in that modality, on certification and with regard to continuing professional development.

5.14.2. Senior Representatives as a group shall be responsible for approving the criteria for core training, subject to the requirements of relevant bodies. (OSH, NZ Charter of Health Practitioners, etc). Senior Representatives shall be responsible for determining the nature of continuing professional development.

5.14.3. A quorum for a Senior Representative meeting shall be one more than half the number of Senior Representative members.

5.14.4. The Senior Representatives shall keep written minutes of all meetings.

5.14.5. As set down in Rule 5.4.7. the Senior Representatives together with the Committee shall assess the applications for membership by individual kinesiologists who have been trained overseas and whose modality is not represented in New Zealand.

6. General

6.1. No rule of KANZ 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 KANZ shall be changed nor any rule added or deleted where such modification is in conflict with the purposes of KANZ as set out in the foregoing aims.

6.1.1 No addition to or alteration or deletion of the non-profit aims/objects, Personal Benefit clause, Payments to Members clause or the Winding Up clause shall be made without the approval of the Inland Revenue Department. The provisions and effect of this clause shall not be removed from this document and shall be included and implied in any document replacing this document.

6.2. Notwithstanding anything expressed or implied in these constitution and regulations, the activities of the organisation shall not be carried on for the personal pecuniary profit or benefit of any member or individual or associated person. No member of KANZ shall receive any financial payment from KANZ save only:

6.2.1. the reimbursement of expenses actually incurred in the service of KANZ, or

6.2.2. the repayment of any loan made to KANZ together with interest at a rate not greater than the current bank rate, or

6.2.3. wages or salary or honorarium, at a rate no greater than is generally prevailing, as an officer or employee of KANZ.

6.2.4 Payments To Members. No member of the organisation or any person associated with a member shall participate in or materially influence any decision made by the person of any income, benefit or advantage whatsoever. Any such income shall be reasonable and relative to that which would be paid in an arm's length transaction (being the open market value).

6.3. Upon the dissolution of KANZ all real or personal property of KANZ shall, after payment of any debts, be given to some other society or body having aims which are the same as or similar to those of KANZ, and no part of KANZ's property shall be paid or distributed to any Member. The decision of KANZ in any matter in this paragraph shall be made on a simple majority of those voting at a General Meeting called for the purpose.

6.4. The Common Seal of KANZ shall be in the custody of the Secretary and shall be affixed only in the presence of the President and Secretary, after its use has been authorised by the Committee.

Document 2. (August 2009)

Appendix 1 Definitions:

For the purposes of these rules, the following definitions shall apply.

A major kinesiology is one that has had its training approved by The New Zealand Charter of Health Practitioners **OR** is approved as such by the Senior Representatives, or by a general meeting, having regard to criteria set out in this rule.

- 1 **A major kinesiology** shall :-
 - 1.1 require minimum direct workshop attendance of at least 75 hours in their specialty and a compulsory prior or associated training component to make a minimum total of 175 kinesiology workshop hours.
 - 1.2 in this training:
 - 1.2.1 include the nature of muscle function, structure and the testing thereof.
 - 1.2.2 have a definition and explanation of meridian-organ/gland-muscle relationships including a brief history of its development, a definition of meridians and description of acupoints.
 - 1.2.3 include an introduction and explanation of Neurolymphatic and Neurovascular reflex points including a history of their development.
 - 1.2.4 include a description of the mechanism and application of Pause Lock. (Also known as Circuit Retaining Mode, or Putting it in Circuit)
 - 1.2.5 include a description of Finger Modes (Digital Determinators), their practice and application.
 - 1.2.6 have a clear outline of balancing processes used including identification, correction and challenge procedures.
 - 1.2.7 include a basic philosophy and theme of the 'Triad of Health' (Physical, Emotional, Nutritional) and explain the importance of this balance.
 - 1.3 include an assessment procedure that requires a theoretical understanding of the concepts and techniques set out in Appendix 1.2, and a demonstration of proficiency in their application that together cover a minimum of 188 credits and:
 - 1.3.1 include a self-directed private study component within that modality which shall be assessed by assignment or examination
 - 1.3.2 include a supervised practice component. (Recommendation 10 balances) Supervision may be direct and immediate, with an instructor physically present or may take the form of a telephone or electronic debriefing immediately following a practice balance.
 - 1.3.3 require of its students a competency assessment involving written and practical assignments and/or examinations
 - 1.3.4 include a practice component of a minimum of 60 balances, some of which may be used to complete 10 case histories where clients are seen on a number of occasions.
 - 1.3.5 may include additional training made up of unsupervised balance, research and/or tutoring in kinesiology
 - 1.4. not be disqualified from being approved as a major kinesiology, by reason of an overlap in its content with any other kinesiology.

A Minor kinesiology is one with a training component of less than 75 hours of direct workshop experience, which has been approved by the collective Senior Representative.

2 Minor kinesiology :-

- 2.1. A kinesiology shall not be disqualified from being approved as a minor kinesiology, by reason of an overlap in its content with any other kinesiology.
- 2.2. Should a person applying for practitioner membership claim credit for two or more minor kinesiology units or workshops which in the opinion of the Senior Representatives overlap each other significantly in content or otherwise, a percentage of the credit allowed for such units or workshops may be deducted at the discretion of the Committee.

A credit is approximately equal to an hour's activity of a given standard.

Appendix 2: Discipline

1. It shall be the responsibility of the Disciplinary Committee to deal with complaints received by KANZ.
2. Should it appear to the Disciplinary Committee, as the result of a complaint or referral or otherwise, that a member
 - 2.1 has acted contrary to the aims of KANZ, or
 - 2.2 has, if a practitioner member, acted contrary to the aims of KANZ or contrary to the Code of Health and Disability Services Consumers' Rights or contrary to the Code of Ethics of the New Zealand Charter of Health Practitioners (Inc.), or
 - 2.3 is in some respect no longer competent to function as a member or as a practitioner

KANZ shall, by resolution of the Disciplinary Committee, notify that member in writing at the last address of that member notified to KANZ that the Disciplinary 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.

3. 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 KANZ within thirty days of the notification being sent to the member.
4. The Disciplinary 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.
 - 4.1 Disciplinary measures may include but are not restricted to a temporary suspension or a requirement that the member undergo further training.
5. KANZ shall advise the member promptly in writing of the decision of the Disciplinary 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.

6. 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 chartered practitioner of the NZ Charter of Health Practitioners (Inc.), KANZ shall also notify the N.Z. Charter of Health Practitioners (Inc.), of its decision where the matter is one concerning the member's practice.
7. If the member elects to appeal, his or her membership shall continue until the appeal procedure has been concluded.
8. Notwithstanding anything else in this appendix, any member convicted of an offense of dishonesty, or an offense of violence, or of a sex crime will cease to be a member of KANZ upon conviction, and his/her membership of KANZ will be suspended from the time of his/her arrest until such charges are determined.

Appendix 3: Appeals

1. Appeals against decisions by the Disciplinary Committee or the Committee in respect of discipline or accreditation shall be referred to the Appeals Committee.

1.1 In any case referred to it the decision of the Appeals Committee shall be final.

2. If a member wishes to appeal a decision of the Disciplinary Committee or the Committee in respect of discipline or accreditation, notification of such wish to appeal must reach KANZ not later than 21 days following notification of the decision of the Discipline Committee or the Committee.
3. 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 KANZ and the Appeals Committee shall notify the member immediately of the date, place, and time that the appeal is to be heard.
4. A member may elect to present his or her case in person before the Appeals Committee, or be represented or accompanied by some other person.
5. The Appeals Committee may by resolution, and only on the grounds already notified to the member, confirm the termination of membership or any other disciplinary measure or vary either of these as it shall consider appropriate. The member shall be promptly sent a copy of the resolution and the grounds for such resolution.
6. If the member is also a chartered practitioner of the NZ Charter of Health Practitioners Inc, KANZ shall also notify the appropriate Charter body of its decision where the matter concerns the member's practice.

Appendix 4: Accreditation (To take effect when appropriate)

The committee shall

- 1.1 be responsible for approving the initial and annual accreditation of practitioner members to the New Zealand Charter of Health Practitioners.
- 1.2 arrange for assessment of applications for Practitioner Membership, or for annual Practitioner accreditation in relation to the requirements laid down by KANZ, by the parent modality, and by the New Zealand Charter of Health Practitioners
- 1.3 supply annually or as appropriate to the New Zealand Charter of Health Practitioners (Inc) a list of members who have satisfied KANZ's requirements for accreditation as kinesiology practitioners in the Department of Natural Therapies or the Department of Natural Medicines, or such equivalent bodies as evolve within the structure of the New Zealand Charter of Health Practitioners, together with such other information as the Charter requires to support such accreditation.
- 1.4 Should any application for practitioner accreditation or re-accreditation be declined, the committee shall notify the applicant promptly in writing of such decision, the grounds for such decision, and the correct appeal procedure.

Appendix 5. Requirements for Student and Practitioner Membership

1. Practitioner Training (Cert)

Kinesiology Practitioner (Cert) shall include

- 1.1 A minimum of 175 workshop hours of kinesiology training that cover all requirements as set out in Appendix 1.(1.2)
- 1.2 A minimum of 188 assessment hours to cover training as set out in Appendix 1 (1.3)
- 1.3 Extra hours in either of the above to bring the combined total of training and assessment to 506 hours.
 - 1.3.1 The distribution of these hours is at the discretion of the major kinesiology.
- 1.4 Anatomy and Physiology
 - 1.4.1 "Anatomy and Physiology" refers to a course of 100 hours of at least level 4 standard (NZQA).
 - 1.4.2 Individual courses shall be approved by the major kinesiology.
- 1.5 Workplace First Aid
 - 1.5.1 Workplace First Aid shall refer to a course approved by Occupational Safety and Health as such
 - 1.5.2 To remain up to date, a practitioner must repeat this course, or a refresher course approved by OSH every two years, or at such intervals as specified by OSH.
 - 1.5.3 No practitioner shall be accredited unless he/she can demonstrate that his/her workplace first aid certificate is up to date.
- 1.6 Communication skills and information gathering
- 1.7 Basic Nutritional Training
- 1.8 General Practitioner Skills
 - 1.8.1 Courses fulfilling the requirements of General Practitioner Skills training shall be approved by Senior Representatives. These components may be met within the training of a major kinesiology, or may be met separately. A major kinesiology meeting these requirements internally shall satisfy Senior Representatives as a group that its courses include such requirement.
- 1.9 Other training as Senior Representatives as a group deem appropriate.
- 1.10 A course shall not be disqualified from being approved as a General Practitioner Skills Course, solely by reason of an overlap in its content with any other course.
- 1.11 An applicant applying for registration under 5.4.7 of the main document will need to show how each of the above requirements have been met within their training and know that the appropriate investigation to verify these will be taken and in consultation with them any costs involved in this process will be met by them

2. Practitioner Training (Adv Cert)

Kinesiology Practitioner (Adv Cert) shall include:

- 2.1 A minimum of 600 hours of classroom
 - 2.1.1 400 of these shall be kinesiology based and are inclusive of those gained for cert hours
 - 2.1.2 100 shall be Anatomy and Physiology and can be carried forward from cert training
 - 2.1.3 50 hours shall be in a non kinesiology complementary subject
 - 2.1.4 50 shall be in communication, ethics and business administration and may include
 - legal requirements and recommendations that include but are not limited to
 - 2.1.4.1. Physical clinic requirements, such as wheelchair access, client safety etc
 - 2.1.4.2. Confidentiality and security of all records and information.
 - 2.1.4.3. Health and Disability Services Consumers' Rights
- 2.2. practical experience
 - 2.2.1 250 credits which may be carried forward from assessments hours from cert
 - 2.2.2 200 credits from clinic work
 - 2.2.3 150 credits from clients, expos, teaching, research, half credits for conference hours and 1st time repeats of classes.

3. Student Membership

- 3.1. Student Membership shall be open to any student of any kinesiology modality
 - 3.1.1. Students should be participating in or have participated in a KANZ-approved kinesiology course of at least 15 hours workshop experience in the current membership year.
 - 3.1.2. Student Members may not use the name of KANZ on any printed matter, stationery or publicity material, except to indicate they are Student Members of KANZ.