



CONSTITUTION

Amended 15 September 2019

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Rules of Barbershop Harmony New Zealand Incorporated



Definitions and Miscellaneous matters

In these Rules:

- (a) "Majority vote" means a vote made by more than half of the Members who are present at a Meeting and who are entitled to vote and voting at that Meeting upon a resolution put to that Meeting;
 - (b) "Money or Other Assets" means any real or personal property or any interest therein, owned or controlled to any extent by the Society;
 - (c) "Society Meeting" means any Annual General Meeting, or any Special General Meeting, but not a Board Meeting;
 - (d) "Use money or other assets" means to use, handle, invest, transfer, give, apply, expend, dispose of, or in any other way deal with, Money or Other Assets;
 - (e) "Written Notice" means communication by post, electronic means (including email, and website posting), or advertisement in periodicals, or a combination of these methods;
 - (f) It is assumed that:
 - i. where the singular is used, plural forms of the noun are also inferred
 - ii. headings are a matter of reference and not a part of the Rules
 - (g) matters not covered in these rules will be decided upon by the Board.
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THE SOCIETY

1 Name

- 1.1.
- 1.2. The name of the society is Barbershop Harmony New Zealand Incorporated ("the Society").
- 1.3. The Society is constituted by resolution dated 1st July 1981 under a former name.

2 Registered Office

- 2.1. The Registered Office of the Society is situated at such place or places as the Board may from time to time determine.

3 Purposes of Society

- 3.1. The purposes of the Society are:
 - (a) to perpetuate the old American institution, the barbershop quartet, and to promote and encourage vocal harmony and good fellowship among its members throughout New Zealand by the formation of local Chapters;
 - (b) to encourage and promote the education of its members and the public in music appreciation and to promote public appreciation of barbershop quartet and chorus singing;
 - (c) to promote the formation of and assist the activities of affiliated barbershop Chapters;
 - (d) to initiate and maintain a broad programme of musical education, particularly in the field of vocal harmony. Barbershop harmony is fully defined in the affiliation agreement between the Barbershop Harmony Society (BHS), [also known as the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, Inc] and Barbershop Harmony New Zealand Incorporated (BHNZ) and is reproduced in Appendix A;
 - (e) do anything necessary or helpful to the above purposes.

- 3.2. Pecuniary gain is not a purpose of the Society.

3.3. Powers

The Society has all the powers of a natural person except as limited by these Rules or any legislative provision including, without limitation:

- (a) purchase, hire and provide for members all music, books, recordings, uniforms, and other things and appurtenances, that may be conveniently used in conjunction with the affairs of BHNZ
- (b) co-operate with BHS or any other musical society whether incorporated or not that has purposes similar to those of BHNZ (in whole or part) and to procure from and communicate to any such society such information as may be likely to promote the purposes of BHNZ
- (c) purchase, take on lease or in exchange or hire or otherwise acquire, hold, mortgage, and dispose of any real or personal property and any rights and privileges which BHNZ shall think necessary or expedient for the purposes of attaining the purposes of BHNZ or any of them or promoting the interests of BHNZ or its Members
- (d) do all such things as are incidental or conducive to the attainment of the above purposes, including affiliation with BHS
- (e) employ people for the purposes of the Society
- (f) borrow money and provide security for that if authorised by majority vote at any Society Meeting
- (g) assist any charity or charitable purpose by such financial or other means as BHNZ may deem fit.

MANAGEMENT OF THE SOCIETY

4 Managing Board

4.1. The Society will have a Managing Board ("the Board"), comprising the following four Officers:

- (a) the President;
- (b) the Vice-President;
- (c) the Secretary;
- (d) the Treasurer;

and

- (e) at least three and up to six Regional Representatives (preferably two Representatives from each of the Northern, Central and Southern Regions);

and

- (f) a Youth Representative.

A Chapter should not generally have more than one Regional Representative on the Board.

4.2. Only Members of the Society may be Board Members.

5 Appointment of Board Members

5.1. At a Society Meeting, the Members may decide by majority vote:

- (a) how large the Board will be;
- (b) who will be the President, Vice-President, Secretary, and Treasurer;
- (c) how long each person will be a Board Member ("the Term").

5.2. Regional Representatives should be nominated and agreed prior to the Annual General Meeting by Members who reside in each respective Region.

6 Cessation of Board Membership

6.1. Persons cease to be Board Members when:

- (a) they resign by giving written notice to the Board; or
- (b) they are removed by majority vote of the Society at a Society Meeting; or
- (c) their Term expires; or
- (d) they resign membership of the Society.

6.2. If a person ceases to be a Board Member, that person must within one month give to the Board all Society documents and property.

7 Nomination of Board Members

- 7.1. The Secretary must call for nominations for members of the Board at least 28 days before an Annual General Meeting. Each candidate must be proposed and seconded in writing by Members and the completed nomination delivered to the Secretary no later than 5pm on the fifth day before the Annual General Meeting. All members of the Board are eligible for re-election.
- 7.2. If the position of any Officer becomes vacant between Annual General Meetings, the Board may appoint another Board Member to fill that vacancy or may appoint another Society Member to fill that vacancy until the next Annual General Meeting.
- 7.3. If the position of any Regional Representative become vacant between Annual General Meetings, the Region concerned must appoint a replacement to fill the vacancy until the next Annual General Meeting
- 7.4. If any Board Member is absent from three consecutive meetings without leave of absence, the President may declare that person's position to be vacant.

8 Role of the Board

- 8.1. Subject to the Rules of the Society ("The Rules"), the role of the Board is to:
 - (a) administer, manage, and control the Society including establishing a company or any other entity and investing in that entity to conduct any aspect of its business
 - (b) carry out the purposes of the Society, and use money or other assets to do that;
 - (c) manage the Society's financial affairs, including approving the annual financial statements for presentation to the Members at the Annual General Meetings;
 - (d) set accounting policies in line with generally accepted accounting practice
 - (e) delegate responsibility and co-opt members to fill vacancies where necessary per 7.2 and 7.3 above
 - (f) ensure that all Members follow the Rules;
 - (g) decide the times and dates for Meetings, and set the agenda for Meetings;
 - (h) decide the procedures for dealing with complaints;
 - (i) set Membership fees, including subscriptions and levies;
 - (j) make Bylaws per Clause 26.
- 8.2. The Board has all of the powers of the Society, unless the Board's power is limited by these Rules or by a majority decision of the Society.
- 8.3. Decisions of the Board bind the Society, unless the Board's power is limited by these Rules or by a majority decision of the Society.

9 Roles of Board Members

- 9.1. The President is responsible for:
 - (a) ensuring that the Rules are followed;
 - (b) convening Meetings and establishing whether or not a quorum (more than half of the Board) is present;
 - (c) chairing Meetings, deciding who may speak and when;
 - (d) overseeing the operation of the Society;
 - (e) providing a report on the operations of the Society at each Annual General Meeting.
- 9.2. The Secretary is responsible for:
 - (a) recording the minutes of Meetings;
 - (b) keeping the Register of Members;
 - (c) holding the Society's records, documents, and books except those required for the Treasurer's function;
 - (d) receiving and replying to correspondence as required by the Board;
 - (e) forwarding the annual financial statements for the Society to the Registrar of Incorporated Societies upon their approval by the Members at an Annual General Meeting;
 - (f) advising the Registrar of Incorporated Societies of any rule changes;
 - (g) maintaining the Society's status as a registered charity.

- 9.3. The Treasurer is responsible for:
 - (a) keeping proper accounting records of the Society's financial transactions to allow the Society's financial position to be readily ascertained;
 - (b) preparing annual financial statements for presentation at each Annual General Meeting. These statements should be prepared in accordance with the Societies' accounting policies (see 8.1.(d));
 - (c) providing a financial report at each Annual General Meeting;
 - (d) providing financial information to the Board as the Board determines.

10 Board Meetings

- 10.1. Board must meet a minimum of once every six months.
- 10.2. Board meetings may be held via video or telephone conference, or other formats as the Board may decide.
- 10.3. No Board Meeting may be held unless more than half of the Board Members attend.
- 10.4. Should the President be unavailable, the Vice President will take responsibility of the Chair. Should neither the President nor the Vice-President be available then the Board will elect a Chair.
- 10.5. Decisions of the Board will be by majority vote
- 10.6. In the event that a vote on any decision results in a tie, the President or person acting as President has a casting vote, that is, a second vote.
- 10.7. Only Board Members present at a Board Meeting may vote at that Board Meeting.
- 10.8. Subject to these Rules, the Board may regulate its own practices.
- 10.9. The President or his nominee shall adjourn the meeting if necessary.
- 10.10. Adjourned Meetings: If within half an hour after the time appointed for a meeting a quorum is not present, the meeting, if convened upon requisition of members, shall be dissolved; in any other case it shall stand adjourned to a day, time and place determined by the President of the Society and notified to all Board Members.

SOCIETY MEMBERSHIP

11 Types of Members, Rights and Responsibilities

- 11.1. All Members must adhere to the BHNZ Code of Ethics in Appendix B.
- 11.2. Membership may comprise different classes of membership as decided by the Society. See Appendix C.
- 11.3. Members have the rights and responsibilities set out in these Rules and Appendices.

12 Affiliated Chapters

- 12.1. Any chorus in New Zealand that has compatible purposes and rules with those of BHNZ may apply to become an affiliated Chapter of BHNZ, subject to the chorus agreeing to abide by BHNZ's rules, policies and the attached Code of Ethics.
- 12.2. Applications for affiliation must be submitted in writing to the BHNZ Board, accompanied by any applicable affiliation fee and a copy of the Chapter rules.
- 12.3. The Board may interview the Chapter representatives when it considers affiliation applications. The Board has complete discretion when it decides whether or not to allow the chorus to become an affiliated Chapter.
- 12.4. The Board will advise the Applicant of its decision, and there is no right of appeal.
- 12.5. An affiliated Chapter will be considered a "Chapter in good standing" provided it retains at least nine financial members at all times, its affiliation fees are fully paid and it is not under suspension by the BHNZ Board.
- 12.6. All members of a Chapter in good standing have automatic membership of BHNZ.

13 Admission of Members not in Affiliated Chapters

- 13.1. To become a Member of BHNZ other than through membership of an affiliated Chapter, a person ("the Applicant") must apply using a BHNZ application form (if the Rules, Bylaws or Board requires this), supplying any other information the Board requires.
- 13.2. Applications must be accompanied by any applicable membership fee.

- 13.3. The Board may interview the applicant when it considers membership applications. The Board has complete discretion when it decides whether or not to allow the applicant to become a member.
- 13.4. The Board will advise the Applicant of its decision and there is no right of appeal.

14 Good standing

- 14.1. Any Member whose subscription is fully paid and who is not under suspension by his Chapter or by the BHNZ Board of Directors is considered a “Member in good standing”.

15 The Register of Members

- 15.1. The Secretary must keep a register of Members (“Register”) that contains the names and contact details of all Members and the dates at which they became Members.
- 15.2. Affiliated Chapters and Members-at-Large must keep Member details up-to-date on this Register.
- 15.3. Each Member must provide such other details as the Board requires.

16 Cessation of Membership

- 16.1. Any Member may resign by giving written notice to the Secretary.
- 16.2. Membership may be terminated in the following way:
 - (a) If, for any reason whatsoever, the Board is of the view that a Member is breaching the Rules or acting in a manner inconsistent with the purposes of the Society, the Board may give written notice of this to the Member (“the Board’s Notice”). The Board’s Notice must:
 - (i) Explain how the Member is breaching the Rules or acting in a manner inconsistent with the purposes of the Society;
 - (ii) State what the Member must do in order to remedy the situation; or state that the Member must write to the Board giving reasons why the Board should not terminate the Member’s Membership.
 - (iii) State that if, within 14 days of the Member receiving the Board’s Notice, the Board is not satisfied, the Board may in its absolute discretion immediately terminate the Member’s Membership.
 - (iv) State that if the Board terminates the Member’s Membership, the Member may appeal to the Society.
 - (b) Fourteen days after the Member received the Board’s Notice, the Board may in its absolute discretion by majority vote terminate the Member’s Membership by giving the Member written notice (“Termination Notice”), which takes immediate effect. The Termination Notice must state that the Member may appeal to the Society at the next Meeting by giving written notice to the Secretary (“Member’s Notice”) within 14 days of the Member’s receipt of the Termination Notice.
 - (c) If the Member gives the Member’s Notice to the Secretary, the Member will have the right to be fairly heard at the next Society Meeting. If the Member chooses, the Member may provide the Secretary with a written explanation of the events as the Member sees them (“the Member’s Explanation”), and the Member may require the Secretary to give the Member’s Explanation to every other Member within 7 days of the Secretary receiving the Member’s Explanation. If the Member is not satisfied that the other Society Members have had sufficient time to consider the Member’s Explanation, the Member may defer his right to be heard until the following Society Meeting.
 - (d) When the Member is heard at a Society Meeting, the Society may question the Member and the Board Members.
 - (e) The Society shall then by majority vote decide whether to let the termination stand, or whether to reinstate the Member. The Society’s decision will be final.

17 Obligations of Members

- 17.1. All Members must promote the purposes of the Society and must not bring the Society into disrepute.

MONEY AND OTHER ASSETS OF THE SOCIETY

18 Use of Money and Other Assets

- 18.1. The Society may only use money and other assets if:
- (a) it is for a purpose of the Society;
 - (b) it is not for the sole personal or individual benefit of any Member; and
 - (c) that use has been approved by either the Board or by majority vote of the Society.

19 Joining Fees, Subscriptions and Levies

- 19.1. If any Member does not pay a Subscription or levy by the date set by the Board or the Society, the Secretary will give written notice that, unless the arrears are paid by a nominated date, the Membership will be terminated. After that date, the Member has no Membership rights (without being released from the obligation of payment of any sums due to the Society) and is not entitled to participate in any Society activity.

20 Financial Year

- 20.1. The financial year of the Society begins on 1st July of every year and ends on 30th June of the following year.

21 Assurance on the Financial Statements

- 21.1. The Society must appoint a person to review the annual financial statements of the Society ("the Reviewer"). The Reviewer must conduct an examination with the objective of providing a report that nothing has come to the Reviewer's attention to cause the Reviewer to believe that the financial information is not presented in accordance with the Society's accounting policies. The Reviewer must be a suitably qualified person, preferably a member of the Chartered Accountants Australia and New Zealand, and must not be a member of the Board or an employee of the Society. If the Society appoints a Reviewer who is unable to act for some reason, the Board must appoint another Reviewer as a replacement.

The Board is responsible to provide the Reviewer with:

- (a) access to all information of which the Board is aware that is relevant to the preparation of the financial statements such as records, documentation and other matters
 - (b) additional information that the reviewer may request from the Board for the purpose of the review; and
 - (c) reasonable access to persons within the Society from whom the Reviewer determines it necessary to obtain evidence.
- 21.2. No audit of the annual financial statements is required unless an audit is requested by 20% of the Members at any properly convened Society Meeting.

CONDUCT OF MEETINGS

22 Society Meetings

- 22.1. The Annual General Meeting must be held once every year no later than five months after the end of the financial year. The Board must determine the date, time and location of the Annual General Meeting.
- 22.2. Special General Meetings may be called by the Board. The Board must call a Special General Meeting if the Secretary receives a written request signed by at least 10% of the Members.
- 22.3. The Secretary must:
- (a) give all Members at least 14 days Written Notice of the business to be conducted at any Society Meeting. Every notice required to be given to the members is deemed to have been duly delivered if posted or emailed to the Chapter secretary for distribution to all Chapter members.
 - (b) provide as appropriate:
 - (i) a copy of the President's Report on the Society's operations and of the Annual Financial Statements as approved by the Board,
 - (ii) a list of Nominees for the Board, and information about those Nominees not exceeding one side of an A4 sheet of paper per Nominee.
 - (iii) notice of any motions and the Board's recommendations about those motions.

- (iv) If the Secretary has sent a notice to all Members in good faith, the Meeting and its business will not be invalidated simply because one or more Members do not receive the notice.
- 22.4. All Members may attend and vote at Society Meetings.
- 22.5. No Society Meeting may be held unless at least 20% of eligible Members attend. (This will constitute a quorum.)
- 22.6. Should the President be unavailable, the Vice President will take responsibility of the Chair. Should neither the President nor the Vice-President be available then the Society shall elect another Board Member to Chair that meeting. Any person Chairing a Society Meeting has a casting vote.
- 22.7. Postal votes by Members absent from the Meeting will be accepted at Society Meetings for the election of officers and Rule changes, providing that candidates for election and Rule changes to be considered have been brought to the notice of the membership at least 14 days prior to such meeting.
- 22.8. On any given motion at a Society Meeting, the President will in good faith determine whether the vote will be taken by:
 - (a) voices;
 - (b) show of hands; or
 - (c) secret ballot.However, if any Member demands a secret ballot before a vote by voices or show of hands has begun, voting must be by secret ballot. If a secret ballot is held, the President will have a casting, that is, second vote.
- 22.9. The business of an Annual General Meeting will be:
 - (a) Receiving any minutes of the previous Society's Meeting(s);
 - (b) The President's report on the business of the Society;
 - (c) The Treasurer's report on the finances of the Society, and the Annual Financial Statements;
 - (d) Election of Board Members;
 - (e) Motions to be considered;
 - (f) General business.
- 22.10. The President or his nominee may adjourn the meeting if necessary.
- 22.11. Adjourned Meetings: If a quorum is not present within half an hour after the time appointed for a meeting, the meeting stands adjourned to a day, time and place determined by the President and notified to all Society Members.

23 Motions at Society Meetings

- 23.1. Any Member may request that a motion be voted on ("Member's Motion") at a particular Society Meeting, by giving written notice to the Secretary at least 21 days before that meeting. The Member may also provide information in support of the motion ("Member's Information"). The Board may in its absolute discretion decide whether or not the Society will vote on the motion. However, if the Member's Motion is signed by at least 20% of eligible Members or is supported in writing by the Executive Committees of three or more affiliated Chapters:
 - (a) It must be voted on at a Society Meeting to be held on a date and at a place and time chosen by the Member; and
 - (b) The Secretary must give the Member's Information to all Members at least 7 days before the Society Meeting chosen by the Member.
- 23.2. The Board may also decide to put forward motions for the Society to vote on ("Board Motions") which will be suitably notified.

COMMON SEAL

24 Common seal

- 24.1. The Board must provide a common seal for the Society and may from time to time replace it with a new one.

- 24.2. The Secretary will have custody of the common seal, which may only be used by the authority of the Board. Every document to which the common seal is affixed must be signed by the President and countersigned by the Secretary or a member of the Board.

ALTERING THE RULES

25 Altering the Rules

- 25.1. The Society may alter or replace these Rules at a Society Meeting by a resolution passed by a two-thirds majority of those Members present and voting. Such voting may include postal voting with ballot papers returned to the Secretary.
- 25.2. Any proposed motion to amend or replace these Rules must be proposed by the Board or be signed by at least 20% of eligible Members and given in writing to the Secretary at least 28 days before the Society Meeting at which the motion is to be considered, and accompanied by a written explanation of the reasons for the proposal.
- 25.3. At least 14 days before the General Meeting at which any Rule change is to be considered the Secretary must give to all Members written notice of the proposed motion, the reasons for the proposal, and any recommendations the Board has.
- 25.4. When a Rule change is approved by a General Meeting no Rule change takes effect until the Secretary has filed promptly the changes with the Registrar of Incorporated Societies and the Registrar has accepted them.

BYLAWS

26 Bylaws to govern the Society

- 26.1. The Board may from time-to-time make, alter or rescind Bylaws for the general management of the society, so long as such changes are not repugnant to these rules or to the provisions of law and Members are informed. All such Bylaws are binding on Members of the Society. A copy of the Bylaws for the time being, must be available for inspection by any Member on request to the Secretary.

WINDING UP

27 Winding up

- 27.1. The Society may be wound up by a resolution passed by a two-thirds majority of those Members present and voting. Such voting may include postal voting with ballot papers returned to the Secretary.
- 27.2. If the Society is wound up:
- (a) the Society's debts, costs and liabilities shall be paid;
 - (b) surplus Money and Other Assets of the Society may be disposed of:
 - (i) By resolution at a General Meeting; or
 - (ii) According to the provisions in the Incorporated Societies Act 1908; but
 - (c) no distribution may be made to any Member;
 - (d) the surplus Money and Other Assets must be distributed to one or more other organisations or bodies with similar purposes to the Society that also has charitable status within New Zealand.
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Appendix A

THE ESSENTIAL ELEMENTS OF THE BARBERSHOP HARMONY STYLE OF MUSIC

Barbershop harmony is a style of unaccompanied vocal music characterized by consonant four-part chords for every melody note in a predominantly homophonic texture. The melody is consistently sung by the lead, with the tenor harmonizing above the melody, the bass singing the lowest harmonizing notes, and the baritone completing the chord. Occasional brief passages may be sung by fewer than four voice parts.

Barbershop music features songs with understandable lyrics and easily singable melodies, whose tones clearly define a tonal center and imply major and minor chords and barbershop (dominant and secondary dominant) seventh chords that often resolve around the circle of fifths, while also making use of other resolutions. Barbershop music also features a balanced and symmetrical form, and a standard meter. The basic song and its harmonization are embellished by the arranger to provide appropriate support of the song's theme and to close the song effectively.

Barbershop singers adjust pitches to achieve perfectly tuned chords in just intonation while remaining true to the established tonal center. Artistic singing in the barbershop style exhibits a fullness or expansion of sound, precise intonation, a high degree of vocal skill, and a high level of unity and consistency within the ensemble. Ideally, these elements are natural, unmanufactured, and free from apparent effort.

The presentation of barbershop music uses appropriate musical and visual methods to convey the theme of the song and provide the audience with an emotionally satisfying and entertaining experience. The musical and visual delivery is from the heart, believable and sensitive to the song and its arrangement throughout. The most stylistic presentation artistically melds together the musical and visual aspects to create and sustain the illusions suggested by the music.

Appendix B

CODE OF ETHICS

Barbershop Harmony NZ agrees that it will faithfully support and will use diligent efforts to cause its members, clubs, Chapters, and subordinate units to support the Code of Ethics of the Barbershop Harmony Society in the USA, as modified for the Society's Affiliates, as follows:

1. We shall perpetuate barbershop harmony and the Society.
2. We shall deport ourselves at all times in such manner as to reflect credit upon the Society, its affiliates, and the membership of each.
3. When involved in associated activities, we shall recognize, respect and support the tenets of the bylaws, codes, regulations, statements of the policy or other governing documents promulgated by the Society Board of Directors.
4. We shall accept for membership only persons of good character who love harmony in music or have a desire to harmonize.
5. We shall exhibit a spirit of good fellowship among all members.
6. We shall refrain from forcing our songs upon unsympathetic ears.
7. We shall not use our affiliation with the Society primarily for personal gain.
8. We shall not permit the introduction of political, religious or other similar controversial issues into the affairs of the Society.
9. We shall, by stimulus to good music and vocal harmony, endeavour to spread the Spirit of Harmony throughout the world.
10. We shall render all possible altruistic services through the medium of barbershop harmony.

Appendix C

CLASSES OF MEMBERSHIP

CLASS	<i>Designed for</i>	<i>Summary of principal Membership Obligations/Benefits</i>	<i>Membership fee</i>
FULL	BHNZ member	Full obligations/benefits noted in Rules	Annual Fee
ASSOCIATE	Any person who is in sympathy with the Purposes of BHNZ	Full obligations/benefits noted in Rules	Annual Fee
YOUTH	Age 25 or under but not in primary or secondary education	Ability to sing in BHNZ contests. No voting rights. No speaking rights at Member General Meetings other than by invitation of Chair.	50% Annual Fee
LIFE	For the few exceptional BHNZ Members or non-barbershoppers for whom this honour is deemed by the Board appropriate as a result of their accomplishments or very significant contributions to BHNZ or the development of Barbershop	Representation of Barbershop to the outside world that brings influence. No voting rights. No speaking rights at Member General Meetings other than by invitation of Chair.	Nil