

New Zealand Relay Advisory Group

CHARTER

1. Name

The group of consumer representatives for New Zealand Relay shall be known as the New Zealand Relay Advisory Group (the Group). The Group is supported by Communication Service for the Deaf (CSD) and Sprint International New Zealand (Sprint), collectively providers (Providers) of the Telecommunications Relay Services (TRS), in cooperation with the Ministry of Business, Innovation and Employment (MBIE). The Group is not a legal entity.

2. Objective

The main goal of the Group shall be to provide comment and feedback to CSD, Sprint and to MBIE about New Zealand telecommunications relay programmes and services. The Group shall consider improvements and enhancements to the services and processes of New Zealand relay, with recommendations made to CSD, Sprint and MBIE as appropriate.

3. Terms of Reference

The terms of reference of the Group shall be to:

- (a) Provide advice on the service quality of the TRS operation;
- (b) Provide advice on any service quality measures (i.e. on the basis of experience in operating a TRS). Possible examples could be the inclusion of service quality measures to assess the accuracy of Relay Assistant's relaying of calls, speed of complaint resolution etc;
- (c) Provide advice on TRS user guides and associated textphone user guides;
- (d) Provide advice on TRS user public awareness issues;
- (e) Provide advice on TRS Relay Assistant training;
- (f) Provide advice on any proposal for a new TRS service that would be funded under a Telecommunications Services Obligation (TSO) or by the Crown;
- (g) Provide advice on any special assistance programmes that the TRS provider is required to support;
- (h) Assist in any review of the TRS services, TRS functions, or any TRS service trials;
- (i) Provide input into the annual reviews of the TRS operation;

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- (j) Provide input into reports on the outcome of service trials;
- (k) Advise on the usability requirements for equipment included in the textphone equipment pool (Textphone Pool); and
- (l) Review the range of equipment in the Textphone Pool and recommend any changes to the composition of the Textphone Pool. This will include considering the addition of new models of equipment that have become available in the marketplace, and whether any existing models of equipment in the Textphone Pool should be discontinued.

4. Membership

(a) *Composition*

The Group will consist of a maximum of nine members (the Members), a maximum of six from the five different communities of interest described in paragraphs (iv) to (viii) below (Communities of Interest) as follows:

- (i) Chairperson nominated by MBIE (the Chairperson);
- (ii) CSD and Sprint representative being the New Zealand Promotions (the Providers' representative);
- (iii) One member nominated by the Telecommunications Carrier's Forum to represent TDL levy payers (the TCF Member);
- (iv) One member who is Deaf and uses New Zealand Sign Language as their primary language;
- (v) One member who is deaf;
- (vi) One member who is Hard of Hearing and uses the TRS;
- (vii) One member who is Speech-Impaired and uses the TRS;
- (viii) One member who is Deaf-blind, is a Braille user and who uses the TRS;
- (ix) One member who has a family member who is a person that has a hearing or speech impairment (but who does not necessarily have an impairment themselves) or who is a teacher or otherwise works closely with young people that have a hearing or speech impairment on a long term basis;

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(b) Initial and subsequent appointment of Members

- (i) The Chairperson, the Providers' representative and the TCF Member may be appointed, removed, or may vary from time to time as decided by their respective organisations.
- (ii) The Providers will appoint the initial Members to represent each Community of Interest (Community of Interest Members) after considering the eligibility and qualifications of the persons applying.
- (iii) When a subsequent vacancy occurs for a Community of Interest Member (Subsequent Vacancy), the Group will vote on applicants and nominees in accordance with this Charter to decide which person will represent the relevant Community of Interest.

(c) Alternative process if no suitable applicants

- (i) If there is no applicant who is both eligible and approved by the Group for a Subsequent Vacancy, then the Group may request that an eligible and qualified person from a relevant organisation (Relevant Organisation) be co-opted as a Member (Co-opted Member);
- (ii) Co-opted Members shall be nominated by the directors (or persons in similar governance positions) of the Relevant Organisations after consultation with the Group about the qualifications and experience of the prospective Co-opted Members;
- (iii) If the Relevant Organisation does not nominate a person to be a Co-opted Member as requested by the Group, the Chairperson may appoint a member (Appointed Member) to represent the relevant Community of Interest at the Chairperson's sole discretion after consultation with other Members.
- (iv) The Chairperson may also, at his or her discretion, determine that there shall be no Member appointed for the Subsequent Vacancy for the time being. The Chairperson may then determine the time at which new applications will be sought for the Subsequent Vacancy.

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(d) Eligibility of Members

- (i) To be eligible to apply to be a Member, a person must:
 - a Have ties to one or more Communities of Interest;
 - b Reside in New Zealand; and
 - c Not have a conflict of interest that may or may appear to interfere with the person's ability to contribute objectively to the functions and purposes of the Group.
- (ii) To be eligible to be a Co-opted Member, a person must:
 - a Be nominated by a relevant organisation that has received a request for a Co-opted Member from the Group; and
 - b Agree to represent the wider Community or Communities of Interest relevant to their organisation.
- (iii) To be eligible to be an Appointed Member, a person:
 - a May or may not have ties to relevant Community or Communities of Interest; and
 - b May have other qualifications such as technical or professional expertise of direct relevance to the TRS.

(e) Conflict of Interest

Applicants, nominees, and Members shall fully disclose, in writing, all potential conflicts of interest. Conflicts of interest may arise from personal financial interests, family relationships, or employment. Employees and contractors of Providers are barred from being a Community of Interest Member while they are so employed, and for a period of one year after termination of such employment or contract. The Chairperson has sole discretion, after consultation with the Group, to determine the eligibility of applicants or nominated who have conflicts of interest.

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(f) *Resignation and Rotation*

- (i) A Member may resign from the Group at any time with written notice presented to the Chairperson stating the intention to resign.
- (ii) Each Community of Interest Member appointed under 4(b)(ii), 4(b)(iii), 4(c)(i) or 4(c)(iii) may be appointed for a maximum term of three years, on completion of which the Member must retire and (subject to the following clause) a Subsequent Vacancy shall arise. A retiring Member may apply for re-election or accept reappointment to a Subsequent Vacancy but may not be appointed to be a Member for more than two consecutive terms. Terms are consecutive if there is less than one year between them.
- (iii) A retiring Member may vote on the appointment of his or her replacement and for all other purposes remains a Member until a person is appointed to fill the Subsequent Vacancy or the Chairman determines that there shall be no Member appointed for the time being.

(g) *Removal from Membership*

- (i) Community of Interest Members with two un-notified absences from or who miss three Group meetings without reasonable excuse may be removed from Membership by the Chairperson. The Subsequent Vacancy will be filled according to paragraph 4(b) or (c) of the Charter.
- (ii) Members who do not respond to two Vote Notifications under paragraph 4(h)(v)a of the Charter, without reasonable excuse, may be removed from Membership by the Chairperson. The Subsequent Vacancy will be filled according to paragraph 4 (b) or (c) of the Charter.
- (iii) Members who become ineligible to serve because they no longer meet the criteria in paragraph 4(d), may be removed from Membership by the Chairperson.
- (iv) A Member whose actions bring the Group into disrepute may be removed by a vote of a majority of the other voting Members.

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- (v) A Member who fails to abide by rules agreed by the Group or who fails to work in a reasonable manner to fulfil the purpose and functions of the Group may be removed by a vote of a majority of the other voting Members.

(h) Voting

Group Decisions on recommendations, and on applicants and nominees for Communities of Interest Members, will be by majority vote as follows:

- (i) Each Community of Interest Member and the TCF Member will have one vote in Group Decisions;
- (ii) The Chairperson will have a casting vote only when the Group Decision vote is tied.
- (iii) Members who have conflicts of interest shall not vote on matters relevant to their conflict. The Chairperson has sole discretion, after consultation with the Group, to decide whether a Member with a conflict of interest is eligible to vote.
- (iv) Group Decisions at meetings may be made as follows:
 - a Voting privileges shall be limited to Members present at meetings.
 - b Members who are absent with permission may give the Chairperson their proxy for any single meeting.
 - c A quorum shall be the Chairperson and any four current Members.
- (v) Group Decisions by correspondence may be made as follows:
 - a The Chairperson may notify Members by email, mail, textphone, phone or fax that a Group Decision is to be made by correspondence (Vote Notification). The Vote Notification shall describe the matter to be decided, list the options to be considered, and state the date by which the vote by correspondence is needed.

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- b All members are required to respond by email, mail, textphone, phone or fax with a vote for, against, or abstaining (Correspondence Vote) by the date specified in the Vote Notification.
- c The Chairperson must receive at least four Correspondence Votes for the decision to be made.

(i) Recommendations

Recommendations and advice given by the Group under its terms of reference shall not be binding on Members or any other party.

5. Chairperson

(a) Position

The Chairperson shall be the MBIE Contract Administrator or an alternative nominee as appointed from time to time by MBIE.

(b) Duties and Governance

- (i) The Chairperson shall:
 - a Preside at meetings of the Group;
 - b Ensure that all recommendations of the Group are duly transmitted to CSD, Sprint and MBIE as appropriate;
 - c Be the Spokesperson for the Group in relations with the public and the press. The Chairperson shall exercise due diligence to ensure that their public statements accurately represent the recommendations of the Group. The Chairperson shall coordinate public statements with CSD and Sprint public relations officials as appropriate.
 - d Give general direction to the work of the Group.
 - e Coordinate preparation of the Group's meeting minutes.
 - f Consult with Members who cannot attend meetings or may be at risk of losing their seat on the Group due to lack of attendance.

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- g Coordinate with the CSD and Sprint representative to develop an agenda and schedule for each meeting.
- h Oversee efforts to meet the long and short-term goals of the Group.

(c) Other Participants

- (i) Guests. Guests may be invited to Group meetings to provide information or answer questions on specific agenda items regarding TRS services and programmes available in New Zealand. Guests shall only attend for the period that the specific agenda item is under discussion at the meeting. Such invitations must be approved in advance by the Chairperson so that the agenda can be structured appropriately.
- (ii) Associates. The Chairperson and the CSD/Sprint representative may agree to invite other persons to attend Group meetings and to be involved in supporting the Group's activities and work programme.

6. Meetings

(a) Scheduling Meetings

- (i) Meetings shall be scheduled to occur at least 2 times and not more than 4 times per year as determined by the Chairperson after consulting with Members. The Chairperson may schedule additional meetings when circumstances warrant additional meetings after consulting with the CSD/Sprint representative to verify budget availability to support the meeting. All meetings shall be notified to Members at least two weeks prior to the meeting.

(b) Meeting Facilities

- (i) CSD/Sprint will make every effort to provide reasonable meeting facilities for Members and invited guests. Standard meeting facilities will include sign language interpreters, a captioner and wheelchair accessibility. Additional facilities may be provided upon request. Requests for additional reasonable meeting facilities will be submitted to the CSD Promotions by Members at the earliest opportunity.

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- (ii) All meeting announcements shall include notification of the availability of such facilities and shall include contact information for those requests.

7. Review and Termination of the Group and Charter

(a) *Review of the Charter*

- (i) The Chairperson may change this Charter to better meet the purposes and facilitate the functions of the Group at his or her discretion after consultation with the Group.

(b) *Review and or termination of the Group*

- (i) The Chairperson and the CSD/Sprint representative will review the Group and its functions when there is any significant change to TRS Provider contracts. The Group will be disestablished if there is a change of TRS provider or if the Chairperson and the Sprint representative determine that the need for the Group or its functions and purpose have substantially changed.
- (ii) The Group will be disestablished if the Chairperson determines there are legislative changes relevant to the TRS in New Zealand that significantly affect the Group's purpose and functions.

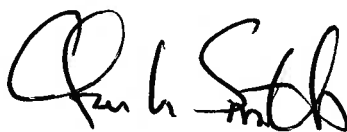
This Charter of the New Zealand Relay Advisory Group was made by Communications Service for the Deaf, Sprint International New Zealand and the Ministry of Economic Development with effect as of 24 March 2017.



CSD Representative

Name: ANDREA COOKE

Date: 24/3/17



Sprint Representative

Name: CHRIS SMITH

Date: 3/24/17



Ministry Representative

Name: Paul Buckrell

Date: 24 March 2017

