

# Eligibility Declaration

This declaration form should be completed when applying to the board for consideration for selection to a casual vacancy or appointing or co-opting a board member. The board may also request that it is completed again immediately prior to selection.

**School Name** \_\_\_\_\_

(please print)

**School Profile Number (if known)** \_\_\_\_\_

**Name of person for consideration** \_\_\_\_\_

**Contact details of person for consideration** \_\_\_\_\_

I declare

- I have read and understand the list of people who are not eligible to be a school board member (see next page of this declaration)
- I am eligible to become a school board member
- all other information I have listed on this form is true and correct

Dated \_\_ / \_\_ / 20\_\_

*Signature*

\_\_\_\_\_

## People who are not eligible to be school board members

The following people are not eligible to be school board members.

A person who:

- is an undischarged bankrupt; or
- is 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](#), or the [Financial Markets Conduct Act 2013](#), or the [Takeovers Act 1993](#); or
- is a permanently appointed member of the Board staff, unless they are standing for election as a staff representative; or
- contracts or sub-contracts with the board without the approval of the Secretary of Education and receives payments exceeding \$25,000 in any financial year. This would also cover situations where a person has a 10% or more shareholding in the contracting company or a company that controls the contracting company; or
- is subject to a property order under the [Protection of Personal and Property Rights Act 1988](#); or
- has been convicted of a specified offence identified in [Schedule 2](#) of the Children's Act 2014, unless that person has obtained a pardon or been granted an exemption; or
- is a person in respect of whom a personal order has been made under that Act that either the person is not competent to manage their own property affairs, or does not have the capacity to communicate/make decisions relating to their welfare/personal care; or
- is a person who has been convicted of an offence punishable by imprisonment for 2 years or more, or who has been sentenced to imprisonment for any other offence, unless that person has obtained a pardon, served the sentence, or otherwise suffered the penalty imposed on the person; or
- is not a New Zealand citizen, **and** is –
  - a person to whom [section 15](#) or [16](#) of the Immigration Act 2009 applies; or
  - a person obliged, by or pursuant to that Act, to leave New Zealand immediately or within a specified time, being a time that was less than 12 months; or
  - deemed for the purposes of that Act to be in New Zealand unlawfully.

A returning officer for an election (or by-election) of board members is not eligible to be nominated as a candidate in that election.

For more information:

- see clauses 9 and 10 of [Schedule 23](#) of the Education and Training Act 2020 (the list above is a summary of these clauses).
- call NZSTA Advisory and Support Centre 0800 782 435, option 1.