

Heartland New Zealand Party

Constitution and Rules

Signed:

Brendan Balle

Chairman

June 23, 2020

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DATE ADOPTED: March 20, 2020

OPERATIVE PROVISIONS

1.0 Interpretation

1.1 **Act** means the Electoral Act 1993 or any legislation enacted in replacement or substitution.

Board means the Members of the Party elected to the Board and holding office in accordance with these Rules.

Caucus means the group of Members responsible for representing the Party in Parliament, should the Party win at least one parliamentary seat in an Election.

Election has the same meaning as that stated in the Act and includes both a general election and a by-election.

Electoral Candidate means a constituency candidate, and has the same meaning as that stated in the Act.

General Meeting means a meeting of the Members, and includes both annual general meeting and special general meeting.

List Candidate means the list of candidates selected by the Board in accordance with these Rules to stand in an Election on behalf of the Party.

Member means a member of the Party.

Membership Fee means the fee payable to become and to remain a Member of the Party, such amount to be determined and advised by the Board from time to time.

Objectives mean the objectives of the Party, as set out in clause 8.1.

Party means The New Zealand Heartland Party Incorporated, being the political party comprising the Members, formed and operating pursuant to these Rules.

Party Leader means the leader of the Party appointed and holding office in accordance with these Rules.

Party List means the list comprising the List Candidates.

Rules means the constitutional rules of the Party comprised in this document.

Secretary means the secretary of the Party appointed and holding office in accordance with these Rules.

Vision means the overarching goal for the future of the Party, as set out in clause 6.1.

2.0 Name

2.1 The name of the un-incorporated society will be the New Zealand Heartland Party.

3.0 Purpose

3.1 The Party is a non-profit political party established to undertake political activities in pursuance of the Party's Vision and Objectives.

3.2 Subject to the criteria for registration, the Party will register and maintain registration as a political party under the Act.

4.0 Registered Office

4.1 The registered office of the Party will be such place as the Board determines from time to time.

5.0 Organisational Purpose

5.1 The Party is a group of New Zealanders with similar political views and values who work together to maximise the influence of the Party's core values and objectives in the governance of New Zealand.

6.0 Vision

6.1 The Party's vision is to support all New Zealanders to prosper and achieve economic stability, to develop a strong law abiding society, vibrant communities and the wellbeing of all hard working New Zealanders.

7.0 Principles

7.1 The Party will operate in a manner that is consistent with the following core principles:

- a) All New Zealanders must be free to make their own decisions, provided that they are consistent with the rule of law in New Zealand and respect the rights and freedoms of others under that rule.
- b) All New Zealanders must be equal before the law.
- c) Freedom of expression must be promoted, protected and preserved.
- d) New Zealanders should be able to object to improperly made rules, laws and regulations.
- e) Only democratically elected representatives should be able to vote in local authorities and in Parliament.

- f) New Zealanders should have equal access to all social, economic, cultural, political and legal domains, regardless of their social standing or wealth.
- g) All New Zealanders should have an equal right to participate in the New Zealand democratic process.
- h) New Zealanders are entitled to the opportunity to work and make a living.
- i) Citizenship and permanent residency should be subject to an immigrant's willingness to comply with New Zealand's core values.

8.0 Objectives

8.1 The Objectives of the Party are:

- a) To elect competent persons to Parliament and local authorities through free elections for the purpose of giving effect to the Party's policies, Objectives and principles.
- b) To build and sustain an economy that will attract and retain the intelligence, skills and efforts of all New Zealand citizens.
- c) To ensure the fair distribution of the production and services of the nation for the benefit of all New Zealand citizens.
- d) To promote and protect the freedoms and welfare of all New Zealand citizens.
- e) To ensure the natural resources of New Zealand are protected and managed for the benefit of all, including future generations.
- f) To organise combined primary-sector leadership on the key social, economic and environmental responsibilities undertaken by its Members.
- g) To advocate equally for the interests of all primary-sector communities.
- h) To contribute to positive solutions derived from evidence-based science for improving the environment alongside the responsible custodianship of social and economic progress.
- i) To encourage rural communities to unite and advocate for them to determine how environmental goals will be balanced alongside social and economic realities.
- j) To encourage and promote any Member who wishes to enter into political life at all levels.

- k) To promote cross-sector leadership to achieve world-class outcomes for the environment and our local communities through the protection of private property rights.

9.0 Party Policies

9.1 The Board is responsible for developing policies for the Party that are consistent with the Objectives, and may take advice from advisory groups or committees for this purpose.

10.0 Membership General

10.1 There shall only be one class of membership in the Party.

10.2 All members will have equal rights.

10.3 On becoming a member, each Member agrees to observe, act consistently with and be bound by these Rules and to adhere to the Party's Vision and Objectives.

10.4 The Secretary must keep and maintain a register of all Members which must include for all Members:

- a) Their names;
- b) Their contact details;
- c) Their membership commencement dates; and
- d) Their membership termination dates.

10.5 A Member cannot assign, gift, sell or transfer their membership to any other person.

Qualification

10.6 Every person who satisfies all of the following conditions shall be eligible to apply for and retain membership of the Party:

- a) The person is qualified to be an elector under the Act.

10.7 A person who is eligible for membership under clause 10.6 will become a member when:

- a) They have submitted to the Secretary an application form in the form prescribed by the Board from time to time;
- b) They have paid the Membership Fee; and
- c) They are approved for membership by the Board, who may refuse to grant membership to any person in its absolute discretion without being required to disclose its reasons for doing so, provided however that the Board must refund the Membership Fee to an unsuccessful applicant immediately.

10.8 Following the Board approving a Member, the Secretary must promptly inform that member that they are now a Member of the Party.

10.9 A former member may apply for readmission as a Member under clause 10.7.

Membership Fee

10.10 The Membership Fee is payable:

- a) On a person making an application to become a member; and
- b) Annually on 1 April of each year, commencing in the year 2020.

10.11 Subject to clause 10.7(c), Membership Fees are non-refundable.

Termination of Membership

10.12 A person's membership will cease on either of the following events:

- a) A member gives written notice of their resignation to the Secretary.
- b) A member dies.
- c) The Board terminates the membership in accordance with these Rules.
- d) A Member has not paid the Membership Fee within 3 months of it becoming due.

10.13 The Board may terminate a person's membership by giving notice in writing to that person, such termination to be effective immediately, if the Board believes in its absolute discretion that the Member has done any of the following things:

- a) Acted in a way that is inconsistent with the Party's Vision or Objectives.
- b) Acted in a way that has brought the reputation of the Party into disrepute.
- c) Acted in a way that is prejudicial to the interests of the Party.

10.14 Any person whose membership has been terminated will cease to hold themselves out to be a Member of the Party or otherwise affiliated with the Party and will immediately return to the Secretary all documentation, material, manuals and handbooks relating to the Party.

Confidentiality of information available to Members

10.15 No Member may use or disclose or permit to be used or disclosed any protected or sensitive information about the Party, including technical processes, manuals, handbooks and any other protected or sensitive information that became known to the Member by virtue of their membership and involvement in the Party.

10.16 Members must treat as confidential all information relating to commercial arrangements involving the Party, and must not use or permit to be used any intellectual property of the Party, including any Party patents, trademarks or logos, without the prior written consent of the Board.

11.0 Party Meetings

Annual General Meeting

11.1 An annual general meeting of the Members will be held in each calendar year. The ordinary business of the annual general meeting will be, without limitation:

- a) To confirm the minutes of the last annual general meeting and any general meeting held since that meeting;
- b) To receive from the Board reports on the activities of the Party since the last annual general meeting; and
- c) To announce the names of those members elected to the Board in accordance with these Rules.

11.2 The annual general meeting may also transact any item of special business determined by the Board provided that prior notice of the item or items of special business to be transacted is given in accordance with clause 11.4.

Special General Meetings

11.3 The Board may convene a special general meeting, being any general meeting of the Members that is not an annual general meeting, when it thinks fit.

Notice of Meetings

11.4 The Secretary must send each Member of the Party notice specifying the place, date and time of a general meeting and the nature of the business to be transacted at it at least 14 days before the date fixed for that meeting.

11.5 The obligation on the Secretary to give notice of meetings in clause 11.4 applies to both annual general meetings and special general meetings.

11.6 No item of business will be transacted at a meeting other than the business set out in the notice given to Members in accordance with clause 11.4.

11.7 Any member who wants an item of business to be transacted at a meeting must give written notice of that business to the Secretary, who will include that item of business in the notice for the next meeting, or for the meeting following, at their absolute discretion.

Quorum

11.8 No item of business may be transacted at a meeting unless a quorum of members entitled to vote is present while that item of business is being transacted.

11.9 The quorum for the Party is 20 members, who must be physically present in person.

11.10 If a quorum is not present at the meeting within half an hour after the time appointed for the commencement of the meeting, the meeting will be adjourned to such other time and place as specified by the Party Leader, but no less than 7 days after the date of the original meeting.

11.11 If a quorum is still not present 30 minutes after the time appointed for the commencement of an adjourned meeting, the quorum set out in clause 11.10 is reduced to 15 members, who must be physically present in person. If the reduced quorum is not present, the meeting will be dissolved.

Chairperson

11.12 The Party Leader will personally preside as chairperson at each general meeting.

11.13 If the Party Leader is unable to attend a general meeting, the Party Leader will nominate a Board member to preside as chairperson of the meeting in which they will be absent.

Adjourned Meetings

11.14 The chairperson may adjourn a general meeting at which a quorum is present with the consent of the majority of the Members physically present at the meeting. If a meeting is adjourned for more than 14 days, notice of the adjourned meeting must be given in accordance with clause 11.4 as though the adjourned meeting was an original meeting.

11.15 No item of business may be transacted an adjourned meeting except the business left unfinished at the original meeting.

Voting

11.16 Every member is entitled to vote unless they have Membership Fees in arrears.

11.17 Each member entitled to vote has one vote per motion to be decided on at a general meeting. If votes on a motion are tied, the chairperson of that meeting shall have the casting vote.

11.18 Voting on a motion is to be decided by a show of hands.

11.19 Subject to clause 11.20, if there is any uncertainty as to the whether a motion was carried, carried unanimously, carried by majority or lost, then a resolution signed by the chairperson of a meeting as to the result of that motion is final.

11.20 If at least 5 members entitled to vote at a general meeting demand a poll on a motion to be decided at that meeting, the chairperson must comply with that demand. The demand may be made at any time before the end of the meeting, including after the chairperson has announced the result of the motion.

11.21 The results of a poll conducted in accordance with clause 11.20 are final.

11.22 A member may vote by proxy, provided that they give the Secretary notice in the prescribed form no less than 24 hours before the time commencement of the meeting.

12.0 Board General

12.1 The Party will be managed by the Board, who is responsible for the direction, governance and control of the Party.

12.2 The Board shall comprise no less than 3 and no more than 10 Board members, including the Party Leader who will be an ex-officio member of the Board.

12.3 Board members will hold office until they resign, vacate or are removed from office in accordance with these Rules.

Proceedings of the Board

12.4 The Board will meet regularly, but no less than every 3 months.

12.5 The Party Leader or no less than 2 Board members may convene a Board meeting.

12.6 The Secretary must send each Board member notice specifying the place, date and time of the meeting and the nature of the business to be transacted at it at least 14 days before the date fixed for that meeting.

Quorum

12.7 No item of business may be transacted at a Board meeting unless a quorum of Board members entitled to vote is present while that item of business is being transacted.

12.8 The quorum for the Board is 50% of the Board members, who must be physically present in person.

12.9 If a quorum is not present at the meeting within half an hour after the appointed time for commencement of the meeting, the meeting will be adjourned to such other time and place as specified by the Party Leader, but no less than 7 days after the date of the original meeting.

12.10 If a quorum is still not present 30 minutes after the time of the commencement of an adjourned meeting, the meeting will be dissolved.

Chairperson

12.11 The Board will select a chairperson at the first board meeting after the annual general meeting and that person will personally preside as chairperson at each board meeting.

12.12 If the Chairperson is unable to attend a Board meeting, the Chairperson will nominate a Board member to preside as chairperson of the meeting in which they will be absent.

Adjourned Meetings

12.13 The chairperson may adjourn a Board meeting at which a quorum is present with the consent of the majority of the Board members physically present at the meeting. If a meeting is adjourned for more than 14 days, notice of the adjournment meeting must be given in accordance with clause 12.6 as though the adjourned meeting was an original meeting.

12.14 No item of business may be transacted an adjourned meeting except the business left unfinished at the original meeting.

Voting

12.15 Every Board member is entitled to vote unless they have Membership Fees in arrears.

12.16 Each Board member entitled to vote has one vote per motion to be decided on at a Board meeting. If votes on a motion are tied, the chairperson of that meeting shall have the casting vote.

12.17 Voting on a motion is to be decided by a show of hands.

12.18 Subject to clause 12.19, if there is any uncertainty as to the whether a motion was carried, carried unanimously, carried by majority or lost, then a resolution signed by the chairperson of a Board meeting as to the result of that motion is final.

12.19 If at least 3 Board members entitled to vote at a meeting demand a poll on a motion to be decided at that meeting, the chairperson must comply with that demand. The demand may be made at any time before the end of the meeting, including after the chairperson has announced the result of the motion and the results of the poll are final.

12.20 The results of a poll conducted in accordance with clause 12.19 are final.

12.21 A Board member may vote by proxy, provided that they give the Secretary notice in the prescribed form no less than 24 hours' notice before the time of the commencement of the meeting.

Vacation of Office

12.22 The office of a Board member becomes vacant if that Board member:

- a) Ceases to be a Member of the Party;
- b) Resigns from office by giving notice in writing to the Secretary;
- c) Dies;
- d) Is declared bankrupt and has not obtained a final order of discharge or whose order of discharge has been suspended for a term not yet expired, or is subject to a condition not yet fulfilled;
- e) Is convicted of either a crime involving dishonesty (within the meaning of section 2(1) of the Crimes Act 1961) or an offence under section 143A of the Tax Administration Act 1994;

- f) Is suffering from a mental disorder as defined in the Mental Health (Compulsory Assessment and Treatment) Act 1992; or
- g) Is assessed by a medical practitioner as lacking the mental capacity to manage his or her own affairs.

Removal from Office

12.22 A Board member (but excluding the Party Leader) may be removed from office by a Board resolution signed by no less than 75% of the Board members.

Powers of the Board

12.23 The Board shall have the power to do all lawful acts and all things incidental or conducive to the attainment of the Party's Objectives.

12.24 Without limiting the powers of the Board set out in clause 12.23, the Board has the power to:

- a) Purchase, lease, hire or otherwise acquire, exchange, and sell, lease or otherwise dispose of property, rights or privileges.
- b) Determine the application of the Party funds.
- c) Employ people.
- d) Lend money on such terms and conditions as the Board thinks fit.
- e) Negotiate and enter into any arrangements with any other person or organisation in order to achieve the Party's objectives, and do all things necessary in order to carry out those arrangements.
- f) Invest Party funds.
- g) Borrow or raise money with or without security on such terms as the Board thinks fit.
- h) Make grants, whether conditional or unconditional, consistent with the Objectives of the Party.
- i) Conduct fundraising campaigns.
- j) Accept gifts, legacies or other bequests (whether unconditional or subject to any condition acceptable to the Board that is consistent with the Objectives of the Party and whether absolute or for a period of time only).
- k) Solicit, receive or enlist financial or other aid from any source whatsoever.
- l) Delegate such of its functions, powers, or duties as it thinks fit to such persons as it may determine from time to time including a delegation of its functions, powers or duties to a committee, sub-committee or group of persons established for such purpose as the Board thinks fit.

- m) Exercise such other powers and discretions that the Board consider incidental or conducive to attaining the Objectives of the Party.

Limitation of Liability

12.25 No Board member shall be liable for the acts or defaults of any other Member of the Party or the Board or any loss occasioned by those acts or defaults, unless occasioned by their own willful default or by their willful acquiescence.

12.26 The Board and each of its members must be indemnified by the Party for all liabilities and costs incurred by them in the proper performance of the functions and duties, other than as a result of their willful default.

13.0 Election of Board Members Initial Board Members

13.1 The initial Board members will be. Those persons that attended the first board meeting of the party at the Mauku Hall as listed in the minutes of that meeting.

Election of Board Members

13.2 Subject to clause 13.10, if there is a vacancy of the Board or the Board determines that one or more Board members ought to be elected, then the Board will invite nominations for the election of new Board members from the Members of the Party and will stipulate the due date for the nominations.

13.3 A nomination must be in the form prescribed by the Board and must be delivered to the Board prior to the date specified in the notice given by the Board. A nomination must:

- a) Be in writing;
- b) Include a signed statement from the nominee confirming their willingness to be elected;
- c) Include a statement detailing why the nominee is a sound candidate for election as a Board member; and
- d) Include a photograph of the nominee.

13.4 A member may nominate themselves for election to the Board.

13.5 The Board must consider all nominations and may, at its discretion, conduct interviews or further inquiries into any nominee as it thinks fit.

13.6 The Board must then select a list of candidates to endorse for election to the Board. The decision of the Board as to the endorsed candidates is final and there shall be no right of appeal against the process for selecting candidates.

13.7 The Secretary will then circulate the endorsed candidate list, together with voting papers and a synopsis of each endorsed candidate to each

Member by post or by email no less than 1 month prior to the annual general meeting.

13.8 Members must return their completed voting papers to the Secretary by hand, post or email no later than 1 week prior to the annual general meeting, provided however that the Board may determine that a voting paper returned later may still be deemed valid and may be counted towards the vote.

13.9 The Secretary and 2 Board members appointed by the Board will count the voting papers and the Secretary will announce the results of the vote at the commencement of the annual general meeting.

13.10 If a Board member vacates, resigns or is removed from office so as to bring the number of Board members below the minimum members required, the Board must immediately appoint a new Board member to replace the departing Board member and the newly elected Board member will hold office until the end of the next annual general meeting.

14.0 Secretary Appointment

14.1 The Board will appoint a secretary of the Party, who must be a Member of the Party but need not be a member of the Board.

14.2 The Secretary will hold office for such term as the Board determines.

Role

14.3 The Secretary must:

- a) Record the minutes of all general meetings and Board meetings;
- b) Hold the Party's records, documents, manuals and handbooks;
- c) Ensure the Party complies with New Zealand's current electoral laws and regulations;
- d) Deal with and answer all correspondence and Member's requests for information in a timely manner;
- e) Perform such other duties and functions and as directed by the Board from time to time.

15.0 Party List

Selection of Party List Members

15.1 In an Election year, the Board will invite nominations for the election of Party List members from the Members of the Party and will stipulate the due date for the nominations.

15.2 A nomination must be in the form prescribed by the Board and must be delivered to the Board prior to the date specified in the notice given by the Board. A nomination must:

- a) Be in writing;
- b) Include a signed statement from the nominee confirming their willingness to be elected;
- c) Include a statement detailing why the nominee is a sound candidate for election as a Party List member; and
- d) Include a photograph of the nominee.

15.3 A Member may nominate themselves for election to the Party List.

15.4 The Board must consider all nominations and may, at its discretion, conduct interviews or further inquiries into any nominee it thinks fit.

15.5 The Board must then select the List Candidates. The Board may include or exclude candidates at its discretion, having regard to the number of electorates (if any) that the Party wishes to contest in the upcoming Election and the number of Members that the Party wishes to have in Parliament.

15.6 The Board will rank the List Candidates at its discretion and the Party List will then be circulated to all Party Members.

15.7 The decision of the Board as to the selection of List Candidates is final and there shall be no right of appeal against the process for selecting List Candidates.

16.0 Electorate Candidates

16.1 When the Party List has been finalised, the Board may, at its discretion, request any one or more of the List Candidates to stand for the Party as an Electoral Candidate.

16.2 Any decisions made by the Board as to the selection of Electoral Candidates is final and there shall be no right of appeal against the process for selecting Electoral Candidates.

16.3 A List Candidate may decline to become an Electoral Candidate and will remain a List Candidate.

17.0 Party Leader

17.1 The Party Leader is responsible for directing the Party's affairs in Parliament should the Party win at least one seat in Parliament in an Election.

17.2 The Party Leader must be a Member of the Party but need not be a member of the Board.

17.3 The initial Party Leader shall be Mark Ball, who will hold office for such term as the Board determines.

17.4 Party Leaders must be appointed or removed by a 75% majority of the Board members and each Party Leader will hold office for such term as the Board determines.

18.0 Caucus

18.1 Caucus shall exist while the Party has members in Parliament and shall consist of:

- a) The Party Leader;
- b) The List Candidates and/or Electorate Candidates elected to represent the Party in Parliament in an Election; and
- c) Any other persons appointed by a simple majority of Caucus from time to time.

18.2 Only the Party Leader and elected List Candidates or Electorate Candidates have voting rights on a matter to be decided by Caucus. If votes on a motion are tied, the Party Leader shall have the casting vote.

18.3 Caucus may otherwise, by a simple majority, make rules for its conduct as it sees fit provided that such rules are not inconsistent with these Rules or with the Objectives of the Party.

19.0 Miscellaneous Bylaws

19.1 The Board may establish bylaws as it sees fit provided that such bylaws are not inconsistent with these Rules or with the Objectives of the Party. The Board may also amend or revoke bylaws at its discretion.

19.2 The Secretary must keep a register of all Party bylaws and must ensure the register is readily available for inspection by Members on request.

Alteration of Rules

19.3 These Rules may be altered, added to or revoked at any meeting of the Board called for that purpose, provided that the proposed alteration, addition or revocation does not make the Rules inconsistent with the Objectives. The notice of the meeting given to Board members must be given in accordance with clause 12.6 and must contain details of the proposed alteration, addition or revocation.

19.4 Any motion to alter, add to or revoke the Rules is effective if it is evidenced by a Board resolution signed by no less than 75% of the Board members.

Winding Up

19.5 The Party may be wound up at any meeting of the Board called for that purpose. The notice of the meeting given to Board members must specify winding up the Party as the item of business, or an item of business, for that meeting.

19.6 Any motion to wind up the Party is effective if it is evidenced by a Board resolution signed by no less than 75% of the Board members.

19.7 If the Party is wound up, the Board must resolve how to dispose of the surplus assets after payment of all liabilities and costs, provided however that such disposal must be to some other New Zealand entity, organisation or group having similar objectives to the Objectives of the Party.

19.8 The surplus assets after payment of all liabilities and costs must not be transferred to any Member of the Party or member of the Board.

Entrenchment

19.9 Clauses 19.3 - 19.8 of the Rules cannot be altered or revoked.

Execution of Documents

19.10 The Party shall have a common seal which shall be kept in the custody of the Secretary and shall be used only as directed by the Board. It shall be affixed to documents only in the presence, and accompanied by the signature of, the Party Leader and at least one other Board member.

19.11 Where a document is not required by law to be executed under common seal, the Party Leader, or some other Board member who is acting on the direction of the Board, may sign that document on behalf of the Party.

Annual Financial Statements

19.12 The Board will procure a set of financial statements each year, showing all assets and liabilities and all income and expenditure of the Party.

19.13 The financial statements will be audited by a suitably qualified professional who meets the criteria under the Act and will audit the Party's accounts and returns in accordance with requirements set out in the Act.

19.14 The Party's financial year will be from 1 January to 31 December in each year, or as otherwise determined by the Board.

Notices

19.15 A notice or other document may be served on a Member of the Party by either:

- a) Delivering it to them personally;
- b) Posting it to the Member's address recorded in the register of members;
or
- c) Emailing it to the Member's email address recorded in the register of members.

19.16 A notice or other document delivered personally is deemed to have been delivered immediately.

19.17 A notice or other document sent by post is deemed to have been delivered 3 working days after the day it was sent.

19.18 A notice or other document sent by email is deemed to have been delivered at the time the email was sent.

Dispute Resolution

19.19 If a dispute arises between Members of the Party, the Members shall negotiate in good faith, with the assistance of the Board, to resolve the dispute.

19.20 If a Member wishes to dispute a decision of the Board or complain about the Board's conduct, that Member must give notice of the details of the dispute/complaint to the Secretary within 5 days of that Member becoming aware of the Board's decision or action that gave rise to the dispute/complaint.

19.21 The Board must then meet with the complainant within 20 working days after notice of the dispute/complaint has been given to the Secretary.

19.22 The Board need not hear a dispute/complaint if they consider, in its absolute discretion, that the dispute/complaint is unwarranted, invalid, frivolous or vexatious.

19.23 The Board will make all reasonable endeavours to resolve the dispute/complaint with the complainant as soon as reasonably possible.

19.24 If the Board and the Member cannot resolve the dispute/complaint within one month of the date on which the parties began their negotiations, the parties shall submit the dispute/complaint to the arbitration of an independent arbitrator appointed jointly by the parties, and if one cannot be agreed upon within 10 working days to an independent arbitrator appointed by the representative for the time being of the Waikato Branch of the New Zealand Law Society, or nominee of that person, and such arbitration shall be carried out in accordance with the then current statutory provisions relating to arbitration and the decision and findings of the arbitrator shall be final.