

Notice to: Mercury Bay Game Fishing Club Members

Re: Incorporated Societies Act 2022

Background:

A Bill to replace the Incorporated Societies Act 1908 was signed into law on 5 April 2022 and came into force on 5 October 2023, so that there is now an Incorporated Societies Act 2022 (Act).

The Club has to re-register as an Incorporated Society under this new Act by 5 April 2026, else it will cease to exist and obviously this will have some far-reaching implications.

To re-register, the Club must have an updated Constitution that meets the requirements of the new Act.

The 2022 Act modernises the way societies operate. It is more comprehensive than the 1908 Act and will help to integrate best practice processes into all societies (for example, ensuring societies have good mechanisms in place for handling internal disputes and prepare financial statements to a consistent set of standards). The 2022 Act places a stronger emphasis on officers acting in the best interest of the society, not its members.

Registration process and timing:

- This notice to all Club members includes:
 - o the proposed new draft Constitution
 - o the current Constitution
 - o a list of the minimum requirements that the new Constitution must contain with a list of the corresponding clauses within the new draft Constitution.
- The draft Constitution will also be available on the Club website or in hard copy from the Office.
- The Committee intends to hold 3 workshops where we invite members to ask questions or provide feedback on the draft Constitution.
 - o Monday, 18 November 2024 6pm – 7pm
 - o Monday, 16 December 2024 6pm – 7pm
 - o Sunday, 19 January 2025 2pm – 3pm
- We also invite members to email their feedback or questions to: Constitution@mbgfc.co.nz
- After all feedback has been considered, a final version of the proposed new Constitution will be made available at the end of March.
- A vote will need to be held to approve the new Constitution. This will be done at the AGM in September 2025.
- Voting will be done according to the current Constitution:
 - o Clause 5(l)

Only Financial members, Permanent members and Life members will qualify to hold office in the Club and cast one vote at General meetings.

- o Clause 16
 - (a) *No addition to, alteration or revision of these Rules shall be made except at a General Meeting by three fifths of the members present and entitled to vote at any General Meeting of the Club for which due notice of the proposed addition to amendment or rescission has been given.*
 - (b) *Notice of any addition to, amendment or rescission shall be on the recommendation of the Committee or be in writing in the form of a notice of motion to be submitted to the General Meeting intended to consider the same. Such notice shall be signed by no fewer than ten Financial members delivered to the Office not later than twenty eight days before the General Meeting at which it is proposed to consider the Notice of Motion.*
 - (c) *Where it is proposed that an existing Rule be revoked, the text of the existing Rule shall be included in the notice.*
 - (d) *Where it is proposed that an existing Rule be altered, the text of both the proposed new rule and the text of the existing Rule shall be included in the Notice.*
 - (e) *The Club shall give members not less than fourteen clear days' notice of any proposed Constitutional amendment.*
 - (f) *If any amendment be made to this Constitution pursuant to the Rules, the Club shall send the same to the Register of Incorporated Societies as soon as possible.*