

Hamilton SeniorNet 2025 Draft Constitution

Summary of key changes

Background

Our current constitution was adopted on 11 November 2020 and amended at AGMs in 2022 and 2024.

The Incorporated Societies Act 2022 requires all incorporated societies to reregister prior to April 2026 in order to keep operating. Incorporated societies must have a constitution that meets the requirements of the Act.

The Federation of NZ SeniorNet Societies has provided all member societies with a draft constitution template. A number of changes support the principles of good governance.

The templates were reviewed by Duncan Cotterill Lawyers who also recommended two additional clauses: 25 and 33.

Key differences to our current constitution

Definitions are important and all capitalised words in the clauses have a meaning set out in Clause 2: Definitions. There are some new definitions.

- Clause 5: Registered office – changes must now be notified to the Registrar at least 5 days prior to the change of address.
- Clause 6: Society must provide the Registrar with the contact details of at least 1 person for the Registrar to contact if necessary.
- Clause 7: The Committee has removed two classes of membership - affiliated members and guests that are in our current constitution.
- Clause 12.2 – the Society can pass a written resolution in lieu of a general meeting if the resolution is circulated and approved by 75% of the members.
- Clause 16: The Executive Committee must comprise at least 3 elected or appointed members. Those elected will decide who is Chair, Secretary, Treasurer.
- Clause 25 Fees and Honoraria can be paid if approved at an AGM.
- Clause 29: Register of members must include: member's name, phone number and email address and whether they are financial or unfinancial. Society must also keep membership records for 7 years and record the date a person ceased to be a member.
- Clause 28: officers must disclose conflicts of interest.
- Clause 30: Interests Register – up to date register of conflicts of interest disclosed.
- Clause 31: Access to information – a member can make a written request for information held by the Society.
- Clause 33: Insurance and indemnity – Due to section 98 of the Act, any Incorporated Society that wants the option to provide insurance for / indemnities to its Officers will need to have a provision in its constitution that expressly authorises it.
- Clauses 34-40: Mandatory clauses.
- Clause 43: If the society is liquidated or deregistered any surplus assets must be transferred to another charity.
- No common seal is required.

If adopted at the AGM, the new constitution will take effect from the date of reregistration, the date that the Registrar of Incorporated Societies approves it.

If Hamilton SeniorNet Inc does not reregister, the society will cease to operate in April 2026.