

Re-Registration as an Incorporated Society

Wellington Croquet Association's Process and Experience

A New Constitution

To re-register as an Incorporated Society it was necessary to prepare and submit, to the Registrar of Incorporated Societies, a new Constitution compliant with the requirements of the Incorporated Societies Act – 2022.

The responsibility for ensuring the Constitution was compliant with the Act lay with the Officers of the Association with the Officer undertaking the on-line re-registration process required to tick the compliant “Yes” box.

Our current rules had recently been updated to reflect how the Association planned to do business in future. It was not planned to change our current operating model.

Section 26 of the Act provided a list of the information which should be included in a Constitution.

To ensure compliance we compared the Section 26 list with our current rules and drafted proposed amendments or new rule insertions within the body of the current rules document retaining its current structure. These changes were then reviewed and approved by our Executive Committee members. A summary of those changes appears below.

To simplify approval of the new Constitution at a Special General Meeting, we decided to produce the “final” document with all amendments incorporated. For comparison purposes, copies of the proposed new Constitution and of the current Rules were forwarded, with the notice of the SGM, to all parties entitled to vote.

The SGM had two motions to consider.

1. Approval of the new Constitution
2. If approved, then agreement to proceed with a re-registration application

There were a handful of minor detail/typo amendments to the document. The motions were approved and the meeting concluded after 35 minutes.

Officer Nomination/Consent Forms

An important feature of the new Act is the requirement for Society Officers to give their consent to their election/appointment to the role, acknowledging their duties and responsibilities and confirming their eligibility. The nomination forms below have been designed to meet this need and also contains details of any Interests that the individuals may have which could be relevant to Committee decision-making. There is a requirement to retain the consent forms for 7 years.

Online Re-Registration Process

An Officer with access rights to the Register will need to:

- Review and update existing information on the register.
- Upload a copy of the new Constitution and any supporting documents e.g. minutes of the General Meeting which approved the document (both documents to be signed by two Officers).

- Confirm that the Constitution complies with the Act.
- Record Officer details, name and physical address.
- Confirm that the Society has 10 or more members and;
- That the information held on the register is correct.

The Registrar promises to respond within 3 working days. For the WCA, an approval response with a new Certificate of Incorporation was received within 30 minutes!

Ongoing Maintenance of The Register

The new Act and its associated 2023 Regulations highlight the importance of keeping the Registrar's register up-to-date with Society details, financial statements, annual returns, etc. Financial penalties may be levied if Societies fail to meet deadlines set.

To assist the Association to meet these obligations a table has been prepared as an aide memoire (See below).

Relevant Officers (desirably two for continuity reasons), and assigned the responsibility, need to establish register access for ongoing maintenance purposes.