



Incorporated Societies Bill – Exposure Draft

Purpose

1. This submission provides the views of Commonwealth Youth New Zealand (CYNZ) on the Exposure Draft of the Incorporated Societies Bill (the Bill). It follows on from our participation and comments in a Hui E! Community Aotearoa consultation workshop in Wellington on 5 April.

General comments

2. **CYNZ is broadly supportive of the Bill's proposed changes.** We consider the Bill to strike a good balance between retaining the flexibility of the sector while strengthening guidance and clarifying responsibilities.
3. **This said, we believe the Bill could do more to ensure young people are able to engage with and take a leading role in incorporated societies.** This Bill is a good opportunity to remove existing legislative barriers to young people's civic participation, but in its current form it continues the legal disenfranchisement of young people in New Zealand.

Specific comments

Clause 39(2)(a) – Age limit

4. The draft Bill disqualifies any person under 16 from becoming an Officer of a society.
5. **This age limit sends an explicit message to young people that they are not able nor could possibly be expected to take responsibility or leadership roles in civic society.** Though the age limit aligns with the Bill of Rights Act, we consider it to be disempowering and to continue to sideline young people from influencing and making decisions that affect them in their communities. We consider it to be deeply and thoughtlessly disenfranchising for young people.
6. Many young people across New Zealand seek to take leadership roles in their communities. They may wish to do so through taking an Officer position in an incorporated society that deals with issues important to young people. For instance, young people have and will continue to wish to be involved in setting the direction of Students Against Drunk Driving and Students Against Violence Everywhere. The Bill as currently drafted would limit young people's ability to take leadership roles in groups dealing with issues important to them.

7. We note that the Bill allows the Registrar to waive disqualifying factors. However, we believe this added layer of complexity will still discourage young people from becoming Officers. This is upheld by the Registrar providing only five waivers in the three years to 30 June 2015. We do not consider waivers to be a valid method of allowing young people to take Officer roles nor a valid replacement for removing the age limit.
8. We recommend that age not limit one's eligibility to be an Officer of a society. **Eligibility should instead be based on one having the capacity to understand and enact an Officer's roles and responsibilities.** This retains the flexibility of the Bill by allowing societies themselves to define who is eligible for Officer positions, while removing barriers to young people's civic participation and leadership.

Closing comments

9. Though the draft Bill is simpler and more understandable than the current Act, it is vital that high-quality guidance about the Bill be provided on the Registrar's website when the Bill passes into law. Incorporated societies are an excellent way for young people to engage in not-for-profit or social advocacy activities. Therefore we consider it imperative that the guidance provided be easy to use – even for those that have no experience engaging with government.
10. Thank you for providing the opportunity to comment on this Bill. We commend MBIE for their transparency and openness to feedback throughout the redrafting of the Incorporated Societies bill.

Contact:

Patrick Lindsay

National Policy Officer

Commonwealth Youth New Zealand

info@commonwealthyouth.org.nz

Withheld