

Hi,

We have perused the Incorporated Societies Bill Exposure Draft and offer the following feedback:

- We approve the way the new Bill clarifies the roles of officers and explains in greater detail the administration required for running a society, making it much easier for those involved.
- Having the rules for disqualification of officers and exceptions included avoids ambiguity.
- We approve the new clauses 77-80 covering indemnities or insurance for officers, members or employees.
- Dispute resolution has always caused problems for societies. In our view, Schedule 2 adequately covers the way disputes should be resolved and the steps to take. We believe it is totally workable.
- Defining how conflicts of interest should be handled is also applauded.
- We welcome the inclusion of clause 24 (4) defining not-for-profit entities for clarification.
- As there is little mention of sub-committees in the proposed Bill, their governance should probably be covered by individual constitutions.
- For appeals, the timeframe of 15 days for lodgement of an appeal is almost impossible for organisations like societies to comply with, due to the possible difficulty in assembling those responsible and gathering material in that short period. The process is also expensive and could be a large drain on the finances of some small organisations. We suggest a longer timeframe so that only one Court appearance is required.
- We also welcome the inclusion and clarification of the clauses relating to the enforcement through the Courts.
- We support in full Subpart 2 on Financial Gain. However, we believe that under clause 21(2) the words “in a court of NZ law” should be added.

Overall, we believe the proposed Bill gives greater clarification to societies to enable them to operate successfully for the purposes for which they were originated.

Regards,

Sandy

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