

## U3A WELLINGTON CITY INCORPORATED

### Notice of proposed alteration to the Society's Rules

Notice is hereby given that the resolution below will be put to a special general meeting of the Society on Friday 24 August 2018 at 10.30 am:

That the Society's Rules be amended as follows –

1. By revoking Rule 2.1.4 and substituting the following Rule:  
2.1.4 **Officer** means an officer of the Society elected or appointed under these rules;
2. By deleting Rule 7.1.2;
3. By revoking Rule 8.5 and substituting the following Rule:  
8.5 The Committee shall as soon as possible after each annual general meeting elect one of their number to be Vice-President of the Society and another to be Secretary of the Society.  
8.5.1 The Vice-President shall deputise for, and carry out the functions of, the President as necessary when the President is unavailable;  
8.5.2 The Secretary shall be responsible for –
  - 8.5.2.1 Recording the minutes of meetings;
  - 8.5.2.2 Holding the Society's records, documents, and books, except those required for the Treasurer's function;
  - 8.5.2.3 Receiving and replying to correspondence as required by the Committee;
  - 8.5.2.4 Lodging the Society's annual financial statements with the chief executive after their adoption by the members at an annual general meeting;
  - 8.5.2.5 Notifying the Registrar of any changes to these rules.  
8.5.3 Neither the Vice-President nor the Secretary shall be an officer.
4. By revoking Rule 11.2 and substituting the following Rule:  
11.2 Any withdrawal from any of the Society's bank accounts must be authorised by any two of the President, the Treasurer and the Secretary;
5. By revoking Rule 2.1.7 and substituting the following Rule:  
2.1.7 **The chief executive** means the chief executive of the department that is for the time being responsible for the administration of the Act;
6. By deleting from Rule 11.5 the word 'Commission' and substituting the term 'chief executive'.

#### Explanatory note

The effect of Resolutions 1 to 4 – if passed - is to redefine the Society's officers so as to exclude the Secretary. As a result, the Secretary would in future be appointed by the Committee, not elected by the AGM; but his or her functions would remain unchanged. There are two main reasons for this –

- The amendments would bring the constitution into line with the Charities Act, which regards the President and the Treasurer as officers, but not the Secretary.

- At present, a member cannot be an officer for more than five years continuously. The amendments would remove this barrier in respect of any term served as Secretary.

The purpose of Resolutions 5 and 6 is to correct an error: the Charities Act now requires returns and other documents to be lodged with Charities Services, which is part of the Department of Internal Affairs. The wording of Resolution 5 follows that of the Act.

The relevant extracts from the current constitution are appended below –

- 2.1 In these rules, unless the context otherwise requires...
- 2.1.4 **Officer** means any of the President, the Secretary, and the Treasurer elected or appointed under these rules...
- 7.1 The officers of the Society shall be...
- 7.1.2 The Secretary, whose responsibilities shall be –
- 7.1.2.1 Recording the minutes of meetings;
- 7.1.2.2 Holding the Society's records, documents, and books, except those required for the Treasurer's function;
- 7.1.2.3 Receiving and replying to correspondence as required by the Committee;
- 7.1.2.4 Lodging the Society's annual financial statements with the Commission after their adoption by the members at an annual general meeting;
- 7.1.2.5 Notifying the Registrar of any changes to these rules...
- 8.5 The Committee shall as soon as possible after each annual general meeting elect one of their number to be Vice-President of the Society. The Vice-President shall deputise for, and carry out the functions of, the President as necessary when the President is unavailable, but shall not be an officer...
- 11.2 Any withdrawal from any of the Society's bank accounts must be authorised by two of the officers...
- 2.1.7 **The Commission** means the Charities Commission...
- 11.5 The Society must, as soon as practicable after its annual financial statements have been adopted at a Society meeting, lodge copies with the Commission.

This explanatory note does not form part of the resolution.