



RSEA

CONSTITUTION UPDATE

**Presidents Forum
26 June 2024**

PURPOSE

- To give context to upcoming constitutional changes and consultation.
- Highlight key areas of change to expect to see.
- Explain the process and how to give feedback.

Note: this presentation will go up on the RNZRSA website.

WHERE ARE WE AT?

RNZRSA Constitution Draft at near final stage.

- Document to explain changes for consultation in development.
- Will clearly show the existing clauses and the changes to these.
- Three sections of change - **legally required; clarity and anomalies; improvements.**
- Due to be posted on website Friday 5 July.

WHERE ARE WE AT?

Model Constitution Draft at near final stage.

- Important RSAs have both documents to look at in context.
- Model Constitution is consistent with main constitution requirements.
- Helps RSAs get ready for re-registrations with the Incorporated Societies Act.
- Reminder - final date for re-registration is **5 April 2026** – 17 months away.

OVER ARCHING CHANGES

There are **three** over arching change reasons in the draft constitution:

- legally required
- clarity and anomalies
- improvement

CHANGES – HOW THEY WILL BE SHOWN

Section and Clause	Existing	Change	Explanation
		(ii) The distribution or benefit is permitted by the charitable trust or charity concerned.	
Section 5 POWERS Clause 5.7	RNZRSA may indemnify or obtain insurance for an officer, employee or a member for liabilities or costs to the extent permitted by law. Without limiting the foregoing, this includes indemnifying or insuring an officer for liabilities or costs in relation to the following matters: (a) Liability (other than criminal liability) for a failure to comply with any duty imposed by law, this Constitution or the Bylaws on an officer in their capacity as an officer; and (b) Costs incurred by the officer in respect of any claim or proceeding relating to that	RNZRSA may indemnify and/or obtain insurance for its Officeholders, employees or a Member for liabilities or costs to the extent permitted by sections 94 to 98 of the Incorporated Societies Act 2022. Without limiting the foregoing, this includes indemnifying or insuring a Board member for liabilities or costs in relation to the following matters: (a) Liability (other than criminal liability) to any person (other than RNZRSA) for any act or omission in their capacity as a Board member; and (b) Costs incurred by the Board member in defending or settling any claim or proceeding	Legally required – wording updated as per New Act.

THE CONSTITUTION – WHAT TO EXPECT?

- The redrafted **RNZRSA Constitution** is adjusted to meet legislative requirements of the Incorporated Societies Act and to tidy up confusing language.
- In the main, most elements of the constitution remain the same.
- We are making the process as easy as possible for RSAs to update their model rules to align to the new constitution.

THE CONSTITUTION – WHAT TO EXPECT?

Key things to note are:

- RSAs will stay as Incorporated Societies, and as members of the RNZRSA.
- The role of National President is solidified/clarified to legally meet the requirements of the Act.
- The RNZRSA Board and Forum will remain.
- The constitutional sections around Duties of an Officer will be made compliant with the new Act.
- The Disputes Resolution process will now sit mainly in the constitution to meet legal requirements.
- Same goes for Model Constitution.



THE CONSTITUTION – WHAT TO EXPECT?

- Legally required example - the National President on the Board.
- Improvement example – Kaumatua on the Board.
- Clarity example - tidy up provisions for online voting (taking out need for proxies).
- The Incorporated Societies Act provides multiple opportunities to give more clarity and fix anomalies eg:
 - The current Constitutions confuse a number of key points including:
 - i. Members of members.
 - ii. National Conference, National Council, AGM.

CONSULTATION PLAN

Communication of a timeline was advised in newsletter on 8 June 2024

- logistical issues identified (new timeline to be advised next week).
- expect first online hui opportunities from **week of 8 July**.
- physical locations still be confirmed. Likely towards end of July.
- consultation period - **8 July until 25 July**.
- Special Edition Newsletter to be sent out to advise dates and updated on website – early next week.

CONSULTATION PLAN

Consultation sessions – what to expect?

Overview presentation

- why we need the redrafted constitution
- highlight key sections of change
- expand on explanations (referencing the constitution change document provided to all by Friday 5 July).

Q and A opportunities.

Likely to run for an hour.

Multiple time slots to be made available (mixture of evening and day hui).



FEEDBACK

- Feedback will be received throughout the consultation period.
- Encourage exec committees to view constitution and change documents online - take the time to read it.
- Feedback will be documented and summarised on an ongoing basis.
- Send feedback to **review@rsa.org.nz**
- Constructive feedback welcome.
- Reference clause, change etc for ease of reference.

CONSTITUTION, CONSULTATION AND NATIONAL COUNCIL

We will be receiving feedback multiple ways in July.

Through the consultation sessions and also collectively compiling individual feedback responses from RSAs. These will be put into a revised final document which forms the remit.

Feedback can also be sent to review@rsa.org.nz.

- A remit will go up on 1 August 2024.
- The new RNZRSA Constitution will be presented to National Council on the 16th and 17th of October this year.



THANK YOU - PATAI/QUESTIONS

- Thank you for your time and engagement.
- Patai/Questions?

Timeline Recap

- Draft constitution documents – available online from Friday 5 July.
- Consultation period: 8 July – 25 July.
- Constitution consultation sessions held mainly online throughout July.
- Feedback received continuously throughout consultation period.
- Final draft constitution will form remit to go up on 1 August 2024.
- Re-registration for RSAs – 5 April 2026.



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