

Overview of the Changes to the Constitution

Background and legislative alignment

The Constitution adopted in 2023 was registered under the Incorporated Societies Act 1908. That Act was replaced by the Incorporated Societies Act 2022, and all societies must re-register under the new law by **5 April 2026** — a firm statutory deadline with no extensions.

The updated constitution has been revised to:

- align fully with the requirements of the Incorporated Societies Act 2022,
- better reflect how the Society now operates,
- be suitable for registration as a charity (which the Society intends to pursue), and
- improve clarity and readability.

These updates are largely compliance-driven and do **not** change the Society’s core purpose or community focus.

Clear charitable purpose

- Previously described as “not for profit” and focused mainly on operating Buckland Hall and local activities.
- Now clearly states the Society exists for **charitable purposes for the public benefit**, including the Buckland community.
- Purpose broadened to include community wellbeing, stewardship of assets, volunteering, learning, and partnerships.
- Retains flexibility so activities can evolve over time.

This clarity is essential for charity registration and helps future-proof the Society.

Stronger protection against private benefit

- Existing prohibition on personal gain clarified, strengthened, and aligned with Charities Services’ expectations.
- Explicitly states:
 - no surplus goes to Members,
 - payments to Members are only for legitimate, arm’s-length services,
 - Members cannot participate in decisions where they may personally benefit.

These changes protect the Society, the Committee, and individual Members.

Tikanga and community values clarified

Previously, tikanga was mainly referenced in relation to the management of Buckland Hall.

The updated constitution:

- integrates tikanga and community values as guiding principles for how the Society carries out its charitable purposes,
- ensures tikanga supports, but does not replace or limit, the Society’s legal obligations, and

- reflects values such as respect, manaakitanga, kaitiakitanga, and collective responsibility in a way that is consistent with charity law.

Membership structure and Committee voting clarified

- Membership classes (voting and non-voting) clearly defined.
- Membership separated from eligibility to serve on the Committee; voting rights clarified.
- Non-voting Members serving on the Committee may exercise full voting rights at general meetings for the duration of their Committee term.
- This reduces confusion, ensures fairness, and acknowledges active Committee Members' contribution.

Committee roles and governance strengthened

- Committee's role defined as **governance**, not day-to-day administration.
- Duties aligned with statutory obligations under the 2022 Act.
- Conflict-of-interest and removal processes strengthened for fairness and transparency.

Fair and legally compliant dispute resolution

- Dispute resolution procedures meet legal requirements and include fair, unbiased processes, steps for grievances, natural justice protections, and options for mediation or external resolution.

Winding-up and surplus assets clarified

- Winding-up provisions fully aligned with current law.
- Surplus assets cannot go to Members and must go to another charitable entity (Franklin Hospice named, but flexibility retained).

What hasn't changed

- The Society remains community-focused.
- Buckland Hall remains central.
- Members retain democratic control.
- Committee remains accountable to Members.
- Society continues to serve the Buckland community, now and into the future.

Summary statement:

The updated constitution modernises rules to meet current law, strengthens governance and fairness, enables charitable registration, and allows non-voting Members serving on the Committee to fully participate in general meeting decisions — while keeping our community purpose, values, and local focus firmly intact.
