

Whangamatā Surf Life Saving Club Constitution Information Sheet

Over the past few months, the Board has been working through an important task: reviewing and updating our Club Constitution (adopted 2011 and updated 2017). A **new draft Constitution (2025)** has been prepared for consultation with members. The purpose of this information sheet is to summarise key changes in the draft Constitution.

This update to the Constitution is required to ensure the Club complies with new legislation - the Incorporated Societies Act 2022, the Incorporated Societies Regulations 2023, a new Charities Amendment Act 2003 which came into force on 5 October 2023 and current Surf Life Saving New Zealand (SLSNZ) governance standards. SLSNZ has also issued updated constitutional templates to ensure Club alignment nationwide.

The Incorporated Societies Act 2022 modernises the way societies (clubs) operate and contains some major changes to what must now be included in every club's Constitution e.g., defining who is an "Officer" and their duties, filing annual returns, an explicit process for how members consent to join a club and resolving disputes in a manner that is consistent with natural justice.

All clubs in NZ need to re-register with the Incorporated Societies Register by **April 2026**, with a fully compliant, adopted constitution. Club Constitutions must meet these requirements or an application to re-register as an Incorporated Society will be rejected.

1. Structural and Format Changes

The draft Constitution reflects the SLSNZ template and has been reorganised into clear sections (governance, membership, meetings, finances, dispute resolution, etc.) making it easier to navigate and understand. The 2017 Constitution had a simpler format without many of the detailed sections now required by law. That said, the substance of the 2017 Constitution (which has served us well) including the strong oversight of the governance of the Club granted to active members has been retained.

2. Club details

In the draft Constitution and in consultation with local iwi, the Māori name of the Club is changed from Kaitiaki o te **moana** ki Whangamatā to Kaitiaki o te **tapātai** ki Whangamatā.

Tapātai translates as seashore, shoreline, coast, and is considered to be better suited to the mahi we do rather than **moana** (which refers to the ocean as a whole).

3. Governance and Leadership Changes

The Board structure is retained but clarified. It continues to include the President, Club Captain, Director of Finance, and other members, but the draft Constitution adds:

- Clear nomination and election rules. As in the 2017 Constitution nominations can be made by 2 Members or by the Board at least 7 days prior to the General Meeting at which the election takes place but nominations at that meeting can only now be received from the floor if the number of nominations received are less than the number of positions vacant.
- Explicit term commencement dates (31 March - please see explanation below (under "Meetings")) on the timing requirements as to the holding of an Annual General Meeting (AGM) as required under the Act).

- Conflict of interests rules have been included in the draft Constitution as required by the Act. These do not constitute a major change from the Board's existing procedures but they do introduce a mandatory referral to an special general meeting if 50%+ of the Board is conflicted.

4. Committees

Although not required by the Act, the Board proposes that the draft Constitution continues to require that the Club has the following Committees embedded in it, including:

- Lifesaving
- Sport
- Communications
- Junior Surf

The roles and duties of these Committees and the election and removal processes have been carried over from the 2017 Constitution. The term of office for persons elected to these Committees will be for 1 year commencing on 31 March.

5. Membership

The draft Constitution maintains the core membership categories (Active, Junior Surf, Associate, Life Members) and introduces:

- **Social Members** —as a new membership category. This membership category will support the Club's social and fundraising activities. These members can attend and speak at General Meetings (as all members are entitled to do under the Act) but do not have voting rights. At this stage the Board has a preference for Associate Members but thought it useful to have this category for shorter-term memberships, etc. Members thoughts on the nature of this membership are welcome.

The draft Constitution has modernised the membership processes including:

- The application process and removing the ability for a person to nominate themselves as a life member,
- consent requirements (mandatory under the Act).

6. Meetings

Under the Act, the Annual General Meeting (AGM) must be held within 6 months of the balance date of the Club. Our balance date is 30 June which aligns with that of SLSNZ. Normally we hold our AGM at Easter but because of the requirements of the Act, our AMG will have to be brought forward so that it is within 6 months of the 30 June balance date. Because of this timing, the draft Constitution states that the appointment of the Board and Committee members elected at the AGM will continue to be for 1 year but will be from 31 March following the AGM. This allows the Club to continue to conduct all its business in the one general meeting, be ready for the immediate season with the then current Board and Committee members and for new appointees to get familiar with the roles and to be operational in a timely manner for the following peak surf lifesaving season.

It is still proposed that our awards event will be held over Easter - marking the end-of-the-season.

The quorum rules have been aligned with best practice and the draft Constitution continues to require that the quorum is 15 Active Members but clarifies that those members must be those entitled to vote. Voting, as in the 2017 Constitution, is only by Active Members in their second season of membership and Life Members.

Proxy voting is not permitted at a General Meeting (including the AGM) but Members can participate by electronic meeting options.

7. Finances and Reporting

The Act sets out mandatory requirements for finance that are included in the draft Constitution. The Club's financial statements must be audited by an independent auditor appointed by the Board and filed with the Registrar of Incorporated Societies within 6 months of the balance date.

8. Dispute Resolution

The draft Constitution includes a comprehensive dispute resolution process covering:

- complaint initiation
- rights of the complainant and respondent
- independent assessment
- procedural fairness
- appeal pathways

This is a mandatory requirement under the 2022 Act and replaces the "Discipline" section in the 2017 Constitution.

Next Steps

We are sharing a full copy of the draft Constitution with all our members now and we ask that you come back to us **as soon as possible** with any questions or concerns you have.

Members are invited to:

- read the draft in full,
- submit questions or feedback, and
- attend the Special General Meeting where the adoption of the new Constitution will be considered by Special Resolution.

We will hold an Information Session at the Club on 10 January 2026 at 9.00am and again at 6.30pm where we will be available to talk about the draft Constitution and answer questions.

Please send any questions or comments to manager@whangamatasurf.co.nz and use the subject heading 'Constitution Consultation'.

Please note that on advice from SLSNZ we will not be able to make amendments to the draft Constitution at the Special General Meeting. We welcome feedback during the consultation phase which is now open and will end on 13 January 2026.

Your engagement in this process is important to ensure the Club remains compliant, well-governed, and positioned for the future.