

AMENDED COUNCIL REMITS FOR CONSTITUTIONAL CHANGE

Please note Underlined Changes in Remits 11 (ignore this duplicated remit – it will be withdrawn at AGM), 15 and 16 (references to other remits).

General background:

The Incorporated Societies Act of 1908 is being replaced by an updated act in October 2023.

Some of the significant changes are:

- General meetings (Annual general meeting and Special General Meetings) may be held by electronic means (Zoom for example) by default unless rules specifically prevent it.
- The AGM is now called the AGM and must be held no later than 6 months from the end of the financial year and also no later than 15 months since the last one
- Financial statements and annual report must be presented at the AGM.

Our current practice and Constitution do not meet the above new requirements and will have to change and be rewritten. The remits below are one of the steps in this process.

Remit 1:

Clause 3.5.1 in the Federation's constitution

3.5.1 YEAR END The Federation's financial year shall end on 30 June.

is amended to:

3.5.1 YEAR END The Federation's financial year shall end on 31 December.

Explanatory note: This is to align the NZCF's financial year with that of the majority of its affiliated clubs. It will also facilitate more accurate and useful financial reporting in the annual accounts, particularly in events such as the FIDE Olympiad for example, where the income and expenditure falls within a single calendar year.

Transitional arrangement:

As the Federation's current financial year ends on 30 June 2023, the following financial reporting period will run from 1 July 2023 to 31 December 2023 i.e., it will be a half year or six-month reporting period. Thereafter, from 1 January 2024, each financial year will run from 1 January to 31 December.

A Special General Meeting will be required in October 2023 to approve the annual accounts to 30 June 2023.

Remit 2:

Clause 3.5.2 in the Federation's constitution

3.5.2 STATEMENT AND ANNUAL REPORT TO MEMBERS On or before 15th November each year the Council shall forward to all members an annual report on the working of the Federation and alterations to regulations during the year, together with a statement of income and expenditure and a balance sheet.

is amended to:

3.5.2 STATEMENT AND ANNUAL REPORT TO MEMBERS On or before 31 January each year the Council shall forward to all members an annual report on the working of the Federation and alterations to regulations during the year, together with a statement of income and expenditure and a balance sheet.

Explanatory note: If the Federation's financial year runs from 1 January to 31 December (Remit 1), then it is not feasible to hold the AGM at Congress in January. There is a further remit (3) to move the AGM to March of each year. All dates relating to the AGM therefore need to adjusted accordingly.

Remit 3:

Clause 3.7.1 in the Federation's constitution

3.7.1 HOLDING OF AGM The annual general meeting shall be held each year during the annual congress at the place where the congress is held unless otherwise decided at a previous general meeting. All other general meetings shall be called special general meetings.

is amended to:

3.7.1 HOLDING OF AGM The annual general meeting shall be held each year in March at a venue to be determined by Council or by electronic means unless otherwise decided at a previous general meeting. All other general meetings shall be called special general meetings.

Explanatory note: If the Federation's financial year runs from 1 January to 31 December (Remit 1), then it is not feasible to hold the AGM at Congress in January. Current technology allows for meetings to be held online – this has an advantage in terms of costs as people do not have to travel to attend and therefore a larger number of those eligible are likely to attend.

Remit 4:

Clause 3.7.3 in the Federation's constitution

3.7.3 NOTICES OF MOTION Any business at an annual general meeting concerning clauses (h) and (i) of rule 3.7.2 requires notice of motion which shall be forwarded to the Secretary on or before the 31st October preceding the meeting. The Council shall have power to give notices of motion.

is amended to:

3.7.3 NOTICES OF MOTION Any business at an annual general meeting concerning clauses (h) and (i) of rule 3.7.2 requires notice of motion which shall be forwarded to the Secretary on or before the 31 December preceding the meeting. The Council shall have power to give notices of motion.

Explanatory note: If the Federation's financial year runs from 1 January to 31 December (Remit 1), then it is not feasible to hold the AGM at Congress in January. There is a further remit (3) to move the AGM to March of each year. All dates relating to the AGM therefore need to adjusted accordingly.

Remit 5:

Clause 3.7.4 in the Federation's constitution

3.7.4 NOMINATIONS OF COUNCILLORS Candidates for the election of President, Vice-president, Secretary, Treasurer and Councillors shall be nominated by an affiliated club or associate member and each nomination, signed by the nominee and an officer of the affiliate or associate member, shall be forwarded to the Secretary on or before the 31st October. All candidates nominated, except additional Councillors representing regional interests, shall reside in such a place that they can reasonably attend Council meetings in person. All Councillors shall retire from office at each annual general meeting.

is amended to:

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Explanatory note: If the Federation's financial year runs from 1 January to 31 December (Remit 1), then it is not feasible to hold the AGM at Congress in January. There is a further remit (3) to move the AGM to March of each year. All dates relating to the AGM therefore need to adjusted accordingly.

Remit 6:

Clause 3.7.5 in the Federation's constitution

3.7.5 NOTICE OF ANNUAL GENERAL MEETING On or before 15th November each year the Secretary shall forward to all members notice of the annual general meeting specifying notices of motion as required under rule 3.7.3 and nominations of candidates for office required under rule 3.7.4.

is amended to:

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Explanatory note: If the Federation's financial year runs from 1 January to 31 December (Remit 1), then it is not feasible to hold the AGM at Congress in January. There is a further remit (3) to move the AGM to March of each year. All dates relating to the AGM therefore need to adjusted accordingly.

Remit 7:

Clause 4.1.2 in the Federation's constitution

4.1.2 REFERRAL OF APPLICATION TO AGM If an objection to an application for acceptance as an affiliated club or associate member is received or, notwithstanding rule 4.1.1, an application is received by the Secretary after 30th September in any year, such application shall be submitted to the following annual general meeting.

is amended to:

4.1.2 REFERRAL OF APPLICATION TO AGM If an objection to an application for acceptance as an affiliated club or associate member is received or, notwithstanding rule 4.1.1, an application is received by the Secretary after 30th November in any year, such application shall be submitted to the following annual general meeting.

Explanatory note: If the Federation's financial year runs from 1 January to 31 December (Remit 1), then it is not feasible to hold the AGM at Congress in January. There is a further remit (3) to move the AGM to March of each year. All dates relating to the AGM therefore need to adjusted accordingly.

Remit 8:

Clause 4.4 in the Federation's constitution

4.4 LIFE MEMBERS The annual general meeting may elect any person to life membership in the Federation in recognition of specially meritorious service to chess in New Zealand. A candidate for life membership shall be nominated in writing to the Secretary by at least two affiliates on or before 31st October. Life members shall not thereby be entitled to vote at general meetings but shall otherwise enjoy the same rights and privileges as individual members of affiliated clubs.

is amended to:

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Explanatory note: If the Federation's financial year runs from 1 January to 31 December (Remit 1), then it is not feasible to hold the AGM at Congress in January. There is a further remit (3) to move the AGM to March of each year. All dates relating to the AGM therefore need to adjusted accordingly.

Remit 9:

Clause 4.7.1 in the Federation's constitution

4.7.1 REGISTRATION YEAR Notwithstanding rule 3.5.1 the Federation shall have a membership affiliation for the Calendar Year commencing on 1st January, but with membership fees calculated

and paid retrospectively, at the end of the year. Affiliated Club Members shall pay membership fees by 31st December, and Associated Members shall pay membership fees by 28th February of the subsequent year. A member shall be regarded as unfinancial if Membership Fees are one month or more in arrears.

is amended to:

4.7.1 REGISTRATION YEAR Federation shall have a membership affiliation for the Calendar Year commencing on 1st January, but with membership fees calculated and paid retrospectively, at the end of the year. Both Affiliated Club Members and Associate Club members shall pay membership fees by 31st December. A member shall be regarded as unfinancial if Membership Fees are one month or more in arrears.

Explanatory note: If the Federation's financial year runs from 1 January to 31 December (Remit 1), then the income stream should be aligned accordingly.

Remit 10:

Clause 3.8.2 in the Federation's constitution

3.8.2 CONVENING SPECIAL GENERAL MEETING On receipt of such a demand the secretary shall convene a special general meeting within six weeks. Notice of meeting specifying the business to be transacted and the time and place of the meeting shall be sent to all members at least 28 days before the meeting.

is amended to:

3.8.2 CONVENING SPECIAL GENERAL MEETING On receipt of such a demand the secretary shall convene a special general meeting within six weeks. Notice of meeting specifying the business to be transacted and the time and place of the meeting shall be sent to all members at least 28 days before the meeting. Such a meeting may be held by electronic means.

Explanatory note: Current technology allows for meetings to be held online – this has an advantage in terms of costs as people do not have to travel to attend and therefore a larger number of those eligible are likely to attend.

Remit 11 THIS IS A DUPLICATE – IGNORE – will be withdrawn

Clause 4.7.1 in the Federation's constitution

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Explanatory note: If the Federation's financial year runs from 1 January to 31 December (Remit 1), then the income stream should be aligned accordingly.

Proposed amendments to the Federation's Supplementary Regulations

Remit 12:

Clause 2.1 in the Federation's Supplementary Regulations

2.1. AFFILIATION FORM The annual Club Affiliation form (downloadable from the NZCF website) must be completed and emailed to the NZCF Secretary by 1st March each year. It will include the following required information: Name and contact details of the Officers of the Club. Details of club meeting time and venue. Contact details that the Club agrees to have posted on the NZCF website.

is amended to:

2.1. AFFILIATION FORM The annual Club Affiliation form (downloadable from the NZCF website) must be completed and emailed to the NZCF Secretary by 15 November each year. It will include the following required information: Name and contact details of the Officers of the Club. Details of club meeting time and venue. Contact details that the Club agrees to have posted on the NZCF website.

Names of all club members (this is a declaration of club membership).

Following receipt of this form the Club will be invoiced by NZCF, with the invoice due for payment no later than 31st December. A Club must report and pay for additional members (who join 15th November – 31st December) no later than 31st December.

Explanatory note: This will enable the Federation's Treasurer to invoice for membership Levies in time for the clubs to make payment by 31 December. To align income with the Federation's proposed Calendar Financial Year (Remit 1)

Remit 13:

Clause 3.1 in the Federation's Supplementary Regulations

3.1. AFFILIATION FORM The annual Club Affiliation form (downloadable from the NZCF website) must be completed and emailed to the NZCF Secretary by 1st March each year. It will include the following required information: Name and contact details of the Officers of the Club. Details of club meeting time and venue. Any details that the Club may want posted on the NZCF website. Names of all club members.

is amended to:

3.1. AFFILIATION FORM The annual Club Affiliation form (downloadable from the NZCF website) must be completed and emailed to the NZCF Secretary by 15 November each year. It will include the following required information: Name and contact details of the Officers of the Club. Details of club meeting time and venue. Any details that the Club may want posted on the NZCF website. Names of all club members (this is a declaration of club membership).

Following receipt of this form the Club will be invoiced by NZCF, with the invoice due for payment no later than 31st December. A Club must report and pay for additional members (who join 15th November – 31st December) no later than 31st December.

Explanatory note: This will enable the Federation's Treasurer to invoice for membership Levies in time for the clubs to make payment by 31 December. To align income with the Federation's proposed Calendar Financial Year (Remit 1)

Remit 14:

Clause 3.2 in the Federation's Supplementary Regulations

3.2 DUE DATE FOR MEMBERSHIP FEES Each Associated Member shall make payment to NZCF no later than 28th February to cover membership retrospectively for the preceding Calendar Year.

is amended to:

3.2 DUE DATE FOR MEMBERSHIP FEES Each Associated Club shall make payment to NZCF no later than 31st December each year to cover Membership fees retrospectively for that Calendar Year.

Explanatory note: To align income with the Federation's proposed Calendar Financial Year (Remit 1)

Remit 15:

Clause 2.4 in the Federation's Supplementary Regulations

2.4 LIST OF CLUB MEMBERS Each Affiliated Club shall declare club membership numbers as at 15th November each year by emailing to the NZCF Secretary by 1st December a full list of names of Club Members. Following receipt of this list the Club will be invoiced by NZCF, with the invoice due for payment no later than 31st December. A Club must report and pay for additional members (who join 15th November – 31st December) no later than 31st December.

is removed – replaced by new wording in 2.1 (Remit 12)

Explanatory note: Clearer to read and interpret

Remit 16:

Clause 3.4 in the Federation's Supplementary Regulations

3.4 LIST OF CLUB MEMBERS Each Associated Club must declare club membership numbers as at 31st December each year by emailing to the NZCF Secretary by 31st January of the subsequent year a full list of names of Club Members. Following receipt of this list the Club will be retrospectively invoiced by NZCF, with the invoice due for payment no later than 28th February.

is removed – replaced by new wording in 3.1 (Remit 13)

Explanatory note: Clearer to read and interpret