



New Zealand Federation of Multicultural Councils Inc.

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Registered Charitable Trust No. CC36978

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Kia ora, Bula and Greetings to you all,

Now that we've successfully completed the 3 regional cluster workshops, I'm sure those who attended will agree that we are privileged to have been part of such engaging discussions and sharing.

However, I am writing to inform you about the next project which is the review of our constitution which was communicated to you last month.

I would like to use this opportunity and thank everyone who have written or called to contribute to the constitution discourse.

The latest forecasts from Statistics New Zealand (Statistics New Zealand 2015) predict that in 2038 – twenty five years from the most recent Census and coincidentally two years before the bicentenary of the signing of the Treaty of Waitangi – 20 per cent of New Zealanders will be Māori, 21 per cent will be Asian, 11 per cent will be Pacific and 66 per cent will be European. Statistics New Zealand further notes that the Māori, Pacific and Asian populations will continue to grow faster than the average beyond that date and further increase their proportion of the overall population. On that note we need to embrace change. Change is important for any organization because, without change, we would likely lose our competitive edge and fail to meet the needs of our migrant and refugee communities. Today's burgeoning communication technology represents changes that allow us to learn more, more quickly, than ever before. We need to simply ask the question, "why?" we can benefit from change that results in new ways of looking at our migrant and refugee communities and look at new ways of delivering our service.

As part of the review process it is essential that an external person be appointed. We have been privileged to engage an independent and experienced lawyer, Mark Von Dadelszen (please find attached his CV). Mark's standard advice to societies reviewing constitutions at present is as follows:

The Incorporated Societies Act 1908 is being reformed and a discussion draft of the proposed replacement Incorporated Societies Act has just been released two weeks



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Many people together for one Nation

ago (summary attached), with a Bill likely to go to Parliament in 2016. Mark is a member of its advisory group on the project and has an intimate knowledge of the work of the Law Commission which reported on a proposed new Act in 2013. More recently he drafted a "model constitution" for the Ministry of Business Innovation & Employment which is proposed to be promulgated for use by community societies (MBIE have subsequently modified). Once the Bill is passed, all organisations would be given four years grace to have a new constitution that anticipates what the Law Commission has recommended should be in the new Incorporated Societies Act and which the Government has indicated is likely to go into its proposed Bill.

So, this is a good timing for us and relevant to what we are advocating for (a new constitution that is relevant to the change operation environment)

With that background and to make the process transparent and engaging, I would like to request you provide me with an outline of what you would like see changed in the current NZFMC constitution by reference to the following broad topics (some information I'm not specifying because it is standard and some will be required by or reflect the provisions of the proposed new Act):

- A. Do you want to change the constitution – if yes/no, give reason/s?
- B. If yes, what do you want to change: see below -
 - 1. Name – remaining the same or changing – if so, to what?
 - 2. Purposes –
 - 3. Powers –
 - 4. Membership – categories of membership, and how people can become members.
 - 5. Subscriptions and levies – how set, different for different classes/ages of membership?
 - 6. Member grievance and complaints?
 - 7. AGMs – when to be held, and particular requirements?
 - 8. SGMs – how to be called (minimum number for a members' requisition for an SGM), and particular requirements?
 - 9. AGM & SGM processes – how are members to be notified of meetings, who chairs, proxies, quorum (are proxies included in the quorum?), who can vote, how are votes cast?
 - 10. Committee/Executive/Board – comprising of what officers and members, how elected or appointed (noting your wish to move to a board of directors, with independents and away from the present committee structure), quorum, how often to meet?
 - 11. Elections – are these held at the AGM or run before the AGM by some form of postal (including email and use of electronic computer-based voting systems) voting?
 - 12. Finances – financial year, how cheques and electronic banking to be signed and authorised, is a budget to be presented to the AGM, are annual accounts to be audited or reviewed (or is that to be optional?)
 - 13. Life Membership?

Please email your response to Nirmala Nand: nzfmsecretary@gmail.com and info@mnz.org.nz on or before 5.00pm 17th of December, 2015

With this information, Mark will come back with a draft for us to workshop on when we meet.

So, here is the NZFMC Constitution Review Process for your consideration:

1. Introduce Mark to RMCs (done by this email),
2. Questions and encourage them to participate (done by this email),
3. Collate response and send to Mark by 18 December 2015,
4. Based on this, Mark will prepare a draft constitution by end of December/early January 2016,
5. Send the draft to RMCs,
6. Organise a 2 day workshop in Wellington to workshop and discuss – Feb/March 2016 subject to funding (Tayo will request funding from MSD or Settling In). We can use this opportunity to review our strategy for 2016/17,
7. Mark amend the draft constitution based on the findings from the workshop,
8. Final draft send out to all RMCs,
9. Approve at the AGM in June 2016.

In closing, I would like to remind all members that MNZ is your organisation and despite the best intentions of any Constitution, MNZ will only benefit its members in the long-term if each and every single member actively participates in the interests of all members.

Thank you for your time. I look forward to contributing to the new era of Multicultural New Zealand.

Kind regards

Alexis LewGor
National President

Attachments (2)