



New Zealand Motor Caravan Association Inc.

" Because you'll
never be alone
on the road again... "

SUBMISSION TO : THE MINISTRY OF BUSINESS, INNOVATION AND EMPLOYMENT
INCORPORATED SOCIETIES BILL

FROM: NEW ZEALAND MOTOR CARAVAN ASSOCIATION INCORPORATED (NZMCA)

CONTACT PERSON: CLAIRE BARRY (ACCOUNTANT)

OUR ORGANISATION

The NZMCA is a membership based organisation that has existed since 1956, representing the interests of private motor home and caravan owners in New Zealand. The NZMCA started as a small club and has grown to a significant sized organisation. We are a non profit entity registered as an Incorporated Society under the Incorporated Societies Act 1908. Our focus is to deliver services and benefits to members. Members receive benefits including, but not limited to, comradeship, advocacy, technical advice, discounts on services and products, free and low cost overnight parking sites, a dedicated insurance scheme and a range of publications. The Association has enjoyed steady membership growth over the last 18 years or so, the number of individual members currently being around 66,000.

The organisation is governed by an elected Board, with management and operational tasks being performed at our national office. National office is located in Auckland with 15 staff, including the CEO. There are also 25 'Areas' which operate at a regional level throughout the country. Each of these Areas has their own elected committees and is primarily responsible for the social aspects of the club. Currently the Association has 34 properties which are either owned or leased throughout NZ to provide overnight accommodation to members travelling.

Further background information on our organisation may be obtained by viewing the Associations website at www.nzmca.org.nz, and our financial statements are available from the incorporated societies website at www.societies.govt.nz

AREAS FOR SUBMISSION

General Submission

The NZMCA commends the review of the Incorporated Societies Act 1908 and is supportive of the changes recommended in the Bill, subject to the specific submissions set out below.

It is reassuring to understand the guiding principles that the Bill has been drafted under, and in particular the clarity and codification of officers' obligations, dispute resolution and administration of societies is supported.

We are confident that the new Bill (after consultation) will be principled, helpful and complete, and look forward to moving our Association forward under this legislation.

Specific Submissions

There are two areas in the Bill that the board is making a specific submission on:

1. Annual general meetings
2. Contact Officer requirements

1. CLAUSE 73 - ANNUAL GENERAL MEETINGS

Clause 73(1) sets out:

- (1) Every society must call an annual general meeting of members to be held—
- (a) not later than 6 months after the balance date of the society; and
 - (b) not later than 15 months after the previous annual general meeting.

OUR SUBMISSION:

Allow the AGM to be held not later than 7 months after balance date.

REASONING:

We submit that the six month period from balance date in which to hold an AGM is too short for our Association and also for many other not for profit organisations also, for the following reasons:

1. We are a medium large entity that is reliant on the members of our 25 Area Committees, who are volunteers, to submit end of year reports in time to meet accounting, audit and publishing deadlines.
2. Our constitution sets out the manner in which changes to the constitution are made. These are by way of remit meetings held before the AGM with the result announced at the AGM.
3. Our constitution sets out the manner in which Board positions are voted on. This is by way of a postal vote, which must be concluded before the AGM, with the results announced at the AGM.
4. Our constitution sets out that the Annual Report (including financial statements) must be sent to members x days before the AGM. In order to reduce costs this is sent with our magazine which is a bi-monthly publication. Audit requirements and publishing deadlines limit the time post balance date available to produce the Annual Report, which would become unworkable with a six month restriction from balance date.
5. Because of points 2, 3 and 4 our AGM has more of a ceremonial function and allows the opportunity to connect with members rather than a decision making function. Therefore the need to have the AGM quickly after balance date does not exist (voting has already occurred and members have already been provided the Annual Report).
6. The NZMCA has held its AGM at the National Easter Rally for many years. This is the main event of our year, and members travel from throughout the country to attend. Sometimes Easter falls in March and sometimes in April. The NZMCA has a 30 September balance date. This balance date reflects the seasonality of our industry and is approved by the IRD.

2. CLAUSE 43 - CONTACT OFFICER REQUIREMENTS

Clause 43(3) Contact officer sets out:

- (3) The society's contact officer must be—
- (a) a member of the society's committee (and, accordingly, must not be disqualified under section 39(2)); and
 - (b) at least 18 years of age; and
 - (c) ordinarily resident in New Zealand.
- (4) The office of contact officer may be held separately or in conjunction with any other office in the society."

OUR SUBMISSION

That clause 43(3) is amended to either:

- (a) Allow societies over a certain size to appoint an employee as the contact officer, rather than a committee member; or
- (b) Allow societies to delegate the contact officer's position to an employee.

REASONING

While we agree with the concept of a contact officer, for societies like the NZMCA that are over a certain size and have a National Office with paid staff, we believe the contact officer would be more appropriate to being the chief executive officer or chief operating officer. These people, and certainly

the National Office phone and address details, are less frequently changed than those of committee members, and are more than likely the most appropriate people to answer initial queries.

OFFICIAL INFORMATION ACT

We have no objection to the release of any information contained in our submission under the Official Information Act.

SIGNED

Claire Barry
Accountant



For and on behalf of the Board

Dated:

28 / 6 / 16

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