

ANGOA Annual General Meeting

9 December 2009

Two Changes Approved to the ANGOA Constitution

1. Re Charities Commission Registration

The Commission responded to ANGOA's application in December 2008, indicating a change was required to the constitution before registration could be approved. Unfortunately the letter arrived while the Coordinator was in hospital, and was unable to be dealt with until now.

The Commission's letter indicated the following clause in the ANGOA constitution was insufficient, in that the words "*that also has an income tax exemption*" would allow distribution to an organisation that is non-charitable, and therefore must be removed:

17.2 If upon winding up or dissolution of ANGOA there remains after satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid or distributed among the members of ANGOA but shall be given or transferred to some other approved charitable organisation or body with similar objects to ANGOA *that also has an income tax exemption* or for some other charitable purpose within New Zealand.

The Commission indicated: "The following amendment to clause 17.2, properly into the Constitution of the Association of NGO's Of Aotearoa Incorporated would meet the requirements for registration:

17.2 "If upon the winding up or dissolution of ANGOA there remains after satisfaction of its debts and liabilities any property whatsoever the same shall not be paid or distributed among the members of ANGOA but shall be given or transferred to some other approved charitable organisation or body with similar charitable objects to ANGOA or for some other charitable purpose within New Zealand"

2. Changes to Financial Reporting Act

Under the proposed amendments to the Financial Reporting Act, the current audit requirement in ANGOA's constitution, if unchanged, would necessitate our seeking a full audit at a cost of about \$4,000, instead of the current independent review which costs around \$400 each year. With this change made to the constitution, the actual work that ANGOA's current auditor is doing is not expected to change in any significant way.

The relevant existing clause states:

19 AUDITOR

An auditor who is a qualified accountant shall be appointed by the Annual General Meeting of the Association. The auditor shall audit the accounts of the Association on an annual basis and all financial records, books and vouchers shall be submitted to him/her by the Honorary Secretary/Treasurer."

The amended clause would read:

19 INDEPENDENT REVIEW OF ACCOUNTS

An independent qualified accountant shall be appointed by the Annual General Meeting to review the annual financial statements of the Association. All financial records, books and vouchers shall be submitted to him/her by the Honorary Secretary/Treasurer.

Conclusion

The ANGOA Coordinator recommended that these two amendments, to clauses 17.2 and 19, be approved by the Annual General Meeting. Following their approval at the AGM, the changes must be approved by the Registrar of Incorporated Societies, and then the application for registration with the Charities Commission will be revived.