# Part One: Introduction

This section of the constitution covers the following parts:

* The name of the organisation
* Contact Person
* Registered Office
* Charitable Status
* Objects
* Definitions
* Interpretation

## The name of the organisation

1. **What our Constitution says right now**

Our current constitution states that the name of the organisation is **DISABLED PERSONS ASSEMBLY (NEW ZEALAND) INCORPORATED.**

1. **Why this is needed and the proposed approach**

This is required under the Act.  There is no proposed change to the name of the organisation.

## Contact Person

1. **What our Constitution says right now**

There is no rule in the constitution stating who the Contact Person is.

1. **Why this is needed and the proposed approach**

Under the Act, we are required to have one (1) but not more than three (3) Contact Persons. A Contact Person is usually appointed by governance.  The Contact Person will become the main contact for the Registrar of Incorporated Societies. However, the NEC can appoint others to be authorised for purposes such as filing documents to the Incorporated Societies website. This means staff can still undertake administration tasks without being a named contact for the Assembly.

To ensure that no future changes need to be made, we propose stating that the primary contact person is the President of the Assembly, with the NEC able to appoint two other contacts if they wish to.

1. **What the proposed Constitution will say**
   * 1. **Contact Person:** The NEC will appoint at least one (1) but not more than three (3) contact persons to the Registrar of Incorporated Societies. The main contact must be an Officer of the Assembly and be nominated by ordinary resolution at any meeting of the NEC.
     2. **Other contact Persons:** Other contact persons shall be nominated by the NEC by ordinary resolution of the Board.

## Registered Office

1. **What our Constitution says right now**

In Part 6 General, rule 16, the Constitution says the Registered Office will be determined by the NEC, and that the NEC must notify the Registrar of any changes as soon as possible.

1. **Why this is needed and our proposed approach**

Under the Act, a Society must have a registered office, but the Constitution does not need to specify where that is. No change is required to this rule in our constitution, however, the rule will be moved to Part One: Introduction.

## Charitable Status

1. **What our Constitution says right now**

Several parts of our Constitution refers to the organisation having some charitable purpose. The Constitution states that no amendment may be made to the Constitution that is inconsistent with its Charitable nature. However, the constitution does not explicitly say that the organisation will maintain charities registration.

1. **Why this is needed and our proposed approach**

Maintaining the charitable status and registration is not a required clause under the Act, however, it is important for the Assembly to maintain its charitable status and registration to ensure the organisation is not required to pay tax on any income.

Because the Assembly already maintains its charitable status and registration, the Assembly is already subject to the Charities Act 2005 as well as the Incorporated Societies Act 2022. Therefore, it is useful to explicitly state that charitable status and registration is a requirement imposed on the NEC. This approach will require a new clause.

1. **What the proposed Constitution will say**

**Charities Registration:** The proposed Constitution will state that the Assembly will maintain Charities Registration under the Charities Act 2005.

## Vision and Objects

1. **What our Constitution says right now**

Currently the Constitution outlines our vision and objects in Part 2, rule 3 which includes:

* + - 1. Vision
      2. Te Tiriti o Waitangi and how it applies to the Assembly
      3. The objects of the Assembly

1. **Why this is needed and our proposed approach**

Under both the Act and the Charities Act 2005, we are required to outline our objects or charitable purpose.

Our commitment to Te Tiriti o Waitangi was affirmed by the membership in 2024 and included in our Constitution. The NEC has been working to improve the Assembly’s alignment with Te Tiriti o Waitangi and with the aspirations of tāngata whaikaha Māori.

While some improvements have been made at the NEC level, a dedicated strategy on Te Tiriti o Waitangi and Te Ao Māori is necessary to ensure that our organisation’s processes; approaches; and actions align with our values, and that this mahi can be carried collectively rather than falling on a few Māori members, staff, or NEC.

We recognise that the Assembly has much more work to do in this space. This updated approach to Te Tiriti, is to strengthen how Te Tiriti applies to us at the Assembly.

Our main focus on this review process has been on governance and membership. There is no intention to update these objects. However, part of the review was to explore ways we can strengthen the Assembly’s commitment to Te Tiriti o Waitangi through our constitution.

1. **What the proposed Constitution say**
   * 1. **Vision:** The Assembly has a vision of a society which provides both equity and maximum opportunity to participate for all people.
     2. **Te Tiriti and how it applies to the Assembly:**In interpreting this constitution, careful consideration should be made to Te Tiriti o Waitangi. Like with the objects of the Assembly, Te Tiriti o Waitangi informs our interpretation of these rules and the implementation. We will include an adapted version of what was added to the Constitution in 2024.
     3. **The Objects:** The constitution will maintain the current objects.

## Definitions

1. **What our Constitution says right now**

The Definitions form Part 6, 24 (Interpretation). There are a few definitions in this part including Act, Auditor, and Special Meeting.

1. **Why this is needed and our proposed approach**

As we develop the proposed Constitution, we will ensure that we will provide good definitions so that the new rules are clear, and future governors and members can be certain of the intent behind each rule.

We will identify key terms that will be defined as part of the Assembly’s rules. Where a definition is not provided, terms will take on a regular meaning, or the Act will be used as an interpretation tool. All definitions should be aligned with the Act. If they do not align with the Act, the Act’s definitions or interpretation is what should be adopted.

Some definitions will be provided at the start of the constitution to ensure interpretation of the constitution is clear and where terms are used throughout the constitution. These definitions take on capitalised first letters. Other definitions may only be relevant to a particular section of the constitution and so they may be defined within those sections.

1. **What the proposed Constitution will say**

A list will be compiled as we finalise the draft constitution and identify terms that need to be defined or can take on regular meanings. These terms will be available as part of the Final Proposed Constitution document.