

**CONSTITUTION OF
THE CHRISTCHURCH MULTICULTURAL COUNCIL INCORPORATED**

Adopted: 19 March 2026 at the Special General Meeting

1. NAME / INGOA

The name of the society is The Christchurch Multicultural Council Incorporated (also known in these rules and elsewhere as "the Council" or "the Society").

2. PRINCIPLES OF THE TREATY OF WAITANGI / MĀTĀPONO O TE TIRITI O WAITANGI

The Society is committed to Te Tiriti o Waitangi. We recognise the status of Māori as Tangata Whenua and will work to honour this commitment in its operations and strategic direction. The Society will strive to raise consciousness among all communities of the needs, aspirations, and status of Māori.

3. PURPOSES / KAUPAPA

The Society is established and maintained for charitable purposes only.

The charitable purposes of the Society are:

- 3.1** To promote and foster multiculturalism, ethnic diversity, and social cohesion in the Greater Christchurch region.
- 3.2** To give and receive mutual support and co-operation between and among multicultural groups.
- 3.3** To promote equality for multicultural groups in New Zealand, including effective participation in decisions which affect them and in the sharing of community resources.
- 3.4** To encourage the development of multicultural groups concerned with promoting social and cultural life within their communities.
- 3.5** To provide a forum for cross-cultural dialogue, understanding, and celebration.
- 3.6** To co-operate with central and local government, government agencies, and other organisations in the promotion of its objectives.

The purposes of the Society are exclusively charitable.

4. LIMITATIONS / HEREANGA

- 4.1** Issues arising outside of New Zealand shall not be translated into the business of the Society.
- 4.2** Only persons authorised by the Executive Committee shall be empowered to make public statements on behalf of the Society.

5. DEFINITION OF MULTICULTURAL GROUP / TE WHAKAMĀRAMA O TE RŌPŪ MĀTAAWHA AHUREA

A multicultural group is a segment of the population distinguished by a combination of culture, shared customs, beliefs, traditions, and characteristics derived from a common or presumed common past, which gives them a historically determined social identity in their own eyes and in the eyes of those outside the group.

6. POWERS / MANA

The Society has all the powers of an incorporated society. It may do anything lawful to carry out its purposes, including but not limited to employing staff, raising and borrowing money, investing funds, acquiring and disposing of property, and entering into contracts.

No member or any person associated with a member shall receive any private profit or advantage from the Society's operations.

7. MEMBERSHIP / HUANGA

7.1 Classes of Members: Membership of the Society is open to:

- a. Organisational Members:** Incorporated or non-incorporated multicultural, ethnic community groups or societies or associations. Each organisation shall be represented by not more than two delegates appointed by that group.
- b. Individual Members:** Individuals who support the purposes of the Society.
- c. Agency Members:** Agencies which serve and support the multicultural groups and the purposes of the Society.

7.2 Application:

An application for membership must be made in writing to the Secretary. Acceptance and admission to membership is subject to the approval of the Executive Committee. A submitted application will be evidence of consent to join. The applicant must:

- a.** Supply any information that may be required by the Executive, and/or
- b.** Pay any subscription, or part of an annual subscription, that may be payable on joining.

7.3 Register of Members: The Society will maintain a register of members as required by the Incorporated Societies Act 2022.

7.4 Ending Membership: A person ceases to be a member:

- a.** By giving written notice of resignation to the Secretary
- b.** At their date of death
- c.** By failing to pay the annual subscription within three (3) months of it falling due.
- d.** After being expelled by a resolution of the Executive Committee or the general members, following the procedure in Schedule 1 of this Constitution.

Each Executive Member shall, within fifteen (15) working days of submitting a resignation or ceasing to hold office, handover or deliver to the Executive

Committee all files (physical/digital), and any other property of the Society held by such former Officer.

7.5 Life Membership: The Society may at its Annual or Special General Meeting award "Life Membership" to its members for their exemplary contributions. Life Members shall have all the rights of an Individual Member without being liable for subscriptions.

7.6 Observers and Advisers: The Society may invite representatives from central and/or local government, and/or other government agencies, and/or voluntary organisations, to attend meetings of the Society as observers and/or advisers.

7.7 Dispute Resolution and Discipline: Any dispute, complaint, or disciplinary issue relating to a member shall be dealt with in accordance with the procedure set out in Schedule 1 of this constitution.

8. THE EXECUTIVE COMMITTEE / TE KOMITI WHAKAHAERE

8.1 Role and Powers: The administration of the affairs of the Society shall be vested in an Executive Committee (the "Executive"). The Executive is responsible for the governance and management of the Society and has all the powers necessary to run its affairs, consistent with the Act, this constitution, and resolutions passed by the members. All members of the Executive are "Officers" as defined by the Incorporated Societies Act 2022.

8.2 Composition:

The Executive shall consist of the:

- President
- Two Vice-Presidents
- Secretary
- Treasurer
- Chair, Women's Council

If elected by the general members, it may also include between 1-9 Ordinary Members. No one person shall be able to fill two office holder positions at any one time, and shall not be able to act as the sole signatory for the Society's bank accounts.

The Executive must have a minimum of six (6) and a maximum of fifteen (15) members. All Executive members must be financial members of the Society. No more than two delegates from any single multicultural/ethnic community group may serve on the Executive at any one time.

8.3 Eligibility: To be selected for the Executive, members must be eligible to serve as an Officer under the Incorporated Societies Act 2022 and the Charities Act 2005.

8.4 Election and Term: Officers shall be elected by ballot at the Annual General Meeting (AGM). In the event of a mid-term vacancy, the Executive may co-opt a Member to join the Executive Committee. All Officers retire at each AGM but are eligible for re-election.

8.5 Cessation of Office: An Officer ceases to hold office through resignation in writing, death, or removal by a resolution of the members at a general meeting for failing to act in the best interests of the Society, bringing the Society into disrepute, or being absent without leave from three consecutive Executive meetings.

8.6 Patron: The Society may, at an AGM, elect a Patron.

8.7 Contact Person / Te Kaiwhakapā: At its first meeting following an AGM, the Executive must appoint (or reappoint) at least one (1) Contact Person for the Society. The Society must advise the Registrar of Incorporated Societies of the Contact Person's details.

9. DUTIES OF EXECUTIVE OFFICERS / NGĀ MAHI A NGĀ ĀPIHIA

- All meetings will be chaired by the Chairperson who shall be the President of the Society. If the Chairperson is absent, unable or unwilling to act, the meeting may choose another chairperson to conduct that meeting.
- The Vice-Presidents shall assist the President and act in their absence.
- The Secretary, or any other person chosen by the Executive Committee, shall make and keep matters of all meetings of the Society. The Secretary, or any other person chosen by the Executive Committee, shall also be responsible for correspondence and the keeping of the register of members and register of interests.
- The Treasurer shall be responsible for the finances and financial records of the Society.
- The Chair, Women's Council shall be responsible for representing the interests and perspectives of women within the multicultural community, facilitating the Women's Council, and advising the Executive on matters relating to gender equity and the well-being of women and girls.

10. EXECUTIVE MEETINGS / NGĀ HUI A TE KOMITI

10.1 Frequency: The Executive shall meet as often as necessary to conduct its business, no less than quarterly.

10.2 Quorum: The quorum for an Executive meeting is eight (8) members present personally or online.

10.3 Decision Making: All questions shall, if possible, be decided by consensus. Where a consensus cannot be reached, the decision shall be made by a majority vote. The President has a casting vote.

10.4 Procedure: The Executive Committee may adopt its own procedures for the holding of Executive Committee meetings. It may hold meetings electronically, or pass resolutions between meetings by email or similar if they so choose.

11. CONFLICT OF INTEREST / TAKE PAHEKOHEKO

11.1 Disclosure: An Officer must disclose the nature and extent of any actual or potential conflict of interest to the Executive as soon as they become aware of it. Details shall be recorded in an Interests Register.

11.2 Participation: An Officer with a conflict must not vote or take part in the decision on the matter, unless the non-conflicted Executive members resolve otherwise. The Officer may be counted in the quorum.

12. GENERAL MEETINGS / NGĀ HUI WHĀNUI

12.1 Annual General Meeting (AGM): An Annual General Meeting must be held in June each year. The business of an Annual General Meeting shall be to:

- confirm the minutes of the last Annual General Meeting and any Special General Meeting(s) held since the last Annual General Meeting,
- adopt the annual report on the operations and affairs of the Society,

- receive the Executive Committee’s report on the finances of the Society, and the annual financial statements,
- set any subscriptions for the current financial year,
- hold elections for the Executive Committee,
- appoint an auditor or reviewer
- consider any motions of which prior notice has been given to Members with notice of the Meeting, and
- consider any general business.
- The Executive Committee must, at each Annual General Meeting, present the following information—
- an annual report on the operation and affairs of the Society during the most recently completed accounting period,
- the annual financial statements for that period, and
- notice of any disclosures of conflicts of interest made by Officers during that period (including a summary of the matters, or types of matters, to which those disclosures relate.

12.2 Special General Meetings / Ngā Hui Whānui Motuhake: A Special General Meeting may be called by the Executive or upon the written request of at least one-third of the financial members.

12.3 Notice / Te Pānui: At least twenty-eight (28) days' written notice must be given for an AGM and at least fourteen (14) days for a Special General Meeting.

12.4 Procedure and Voting / Te Tukatuka me Te Pōti:

- The quorum for a general meeting is one-third of the financial membership.
- Each financial Organisational Member is entitled to two votes, exercised by its appointed delegates. Each financial Individual Member is entitled to one vote.
- Decisions are made by consensus where possible. If not, resolutions are passed by a simple majority vote, unless this constitution specifies otherwise. The President of the meeting shall have a casting vote.
- General members will not pass resolutions in lieu of general meetings.

13. FINANCES / PŪTEA

13.1 Financial Year / Te Tau Pūtea: The financial year ends on 31 March.

13.2 Bank Account / Te Kaute Pēke: All funds must be deposited into the Society's bank account. All payments must be approved by the Executive and cheques must be signed by two authorised Officers.

13.3 Audit/Review / Te Arotake: If required by the Act, the Society will appoint an auditor or reviewer at each AGM.

13.4 Borrowing Powers / Te Mana Pūtea Tārewa: The Society shall have the power to borrow or raise money upon such terms as the Executive sees fit.

14. INCOME, BENEFIT OR ADVANTAGE / TE MONI, TE PAINGA, TE HUA RĀNEI

No member or any person associated with a member shall receive any private income, benefit, or advantage from the Society. Any payment for services rendered must be

reasonable and relative to the open market value and must be approved by the non-conflicted members of the Executive.

15. ALTERATIONS TO THE CONSTITUTION / TE WHAKAREREKĒTANGA TURE

- This constitution may be amended or replaced by either:
 - a 75% majority of the members present and voting at a general meeting, or
- the Executive Committee, if the change has no more than a minor effect, or corrects errors, or is of a similarly technical nature, provided
- that the Executive follow the procedure in section 31 of the Act.
- Notice of the proposed amendment must be included in the notice of the meeting.
- No change to these rules is permitted if it would affect the Society's charitable tax status, or would allow its income or assets to be given to
- individuals or non-charitable members.
- The Secretary must notify the Registrar of Incorporated Societies of any rule changes within one month, and Charities Services, within 3 months.

16. DISPUTES, COMPLAINTS AND DISCIPLINARY MATTERS / TAKAWAENGA

Any disputes, complaints or disciplinary matters involving members shall be dealt with in accordance with Schedule 1 of this Constitution. If there is any inconsistency between Schedule 1 of this constitution and Schedule 2 of the Incorporated Societies Act, the wording in the Act will be followed.

A member may be cautioned, suspended or expelled as an outcome of the Schedule procedure.

17. LIABILITY, INDEMNITY AND INSURANCE / NGĀ HERE, TE ĀRAI HERE, ME TE INIHUA

To the extent allowed by law, Officers are indemnified by the Society for liabilities incurred in their role, provided they have acted in good faith. The Society may purchase insurance for the benefit of its Officers.

18. WINDING UP / TE WHAKAKORE

If the Society is wound up, any surplus assets after the payment of all debts and liabilities must be distributed to either:

19.1 another entity within New Zealand that has charitable purposes similar to those of the Society, or

19.2 to any registered charity operating in Greater Christchurch that has one or more purposes similar to the Society.

This entity must be approved by the members at the winding-up meeting.

No member will be eligible to receive any surplus assets unless that member is itself a registered charity which meets the criteria above.

Schedule 1: DISPUTE RESOLUTION / COMPLAINTS / DISCIPLINARY TAKAWAENGA / KŌAMUAMU / WHAKARAUPAPA

As stated in rule 16 of this constitution, this procedure shall be used when dealing with disputes, complaints and disciplinary matters, unless the matter is covered by another rule in the constitution.

If there is any inconsistency between the procedure in this Schedule and the wording of Schedule 2 of the Incorporated Societies Act 2022, the procedure in Schedule 2 of the Act shall apply.

1. How complaint is made

- 1.1.** A member or an officer may make a complaint by giving to the Executive Committee (or, if the Executive Committee has established one, a complaints sub- committee) a notice in writing that:
 - a.** states that the member or officer is starting a procedure for resolving a dispute
 - b.** in accordance with the society's constitution; and
 - c.** sets out the allegation to which the dispute relates and whom the allegation is against; and
 - d.** sets out any other information reasonably required by the Executive Committee.
- 1.2.** The society may make a complaint involving an allegation against a member or an officer by giving to the member or officer a notice in writing that:
 - a.** states that the society is starting a procedure for resolving a dispute in
 - b.** accordance with the society's constitution; and
 - c.** sets out the allegation to which the dispute relates.
- 1.3.** The information given under sub-clause (1)(b) or (2)(b) must be enough to ensure that a person against whom an allegation is made is fairly advised of the allegation concerning them, with sufficient details given to enable them to prepare a response.

2. Person who makes complaint has right to be heard

- 2.1.** A member or an officer who makes a complaint has a right to be heard before the complaint is resolved or any outcome is determined.
- 2.2.** If the society makes a complaint,
 - a.** the society has a right to be heard before the complaint is resolved or any outcome is determined; and
 - b.** an officer may exercise that right on behalf of the society.
- 2.3** Without limiting the manner in which the member, officer, or society may be given the right to be heard, they must be taken to have been given the right if—
 - a.** they have a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
 - b.** an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
 - c.** an oral hearing (if any) is held before the decision maker; and
 - d.** the member's, officer's, or society's written statement or submissions (if any)
 - e.** are considered by the decision maker.

3. Person who is subject of complaint has right to be heard

- 3.1** This clause applies if a complaint involves an allegation that a member, an officer, or the society (the respondent)—
- a.** has engaged in misconduct; or
 - b.** has breached, or is likely to breach, a duty under the constitution or the Incorporated Societies Act 2022; or
 - c.** has damaged the rights or interests of a member or the rights or interests of members generally.
- 3.2** The respondent has a right to be heard before the complaint is resolved or any outcome is determined.
- 3.3** If the respondent is the society, an officer may exercise the right on behalf of the society.
- 3.4** Without limiting the manner in which a respondent may be given a right to be heard, a respondent must be taken to have been given the right if—
- a.** the respondent is fairly advised of all allegations concerning the respondent, with sufficient details and time given to enable the respondent to prepare a response; and
 - b.** the respondent has a reasonable opportunity to be heard in writing or at an oral hearing (if one is held); and
 - c.** an oral hearing is held if the decision maker considers that an oral hearing is needed to ensure an adequate hearing; and
 - d.** an oral hearing (if any) is held before the decision maker; and
 - e.** the respondent’s written statement or submissions (if any) are considered by the decision maker.

4. Investigating and determining dispute

- 4.1** The Executive Committee shall, as soon as is reasonably practicable after receiving or becoming aware of a complaint made in accordance with its constitution, ensure that the dispute is investigated and determined.
- 4.2** Disputes must be dealt with under the constitution in a fair, efficient, and effective manner.

5. Executive Committee may decide not to proceed further with complaint

Despite clause 4, a Executive Committee may decide not to proceed further with a complaint if—

- 5.1** the complaint is trivial; or
- 5.2** the complaint does not appear to disclose or involve any allegation of the following kind:
- a.** that a member or an officer has engaged in material misconduct;
 - b.** that a member, an officer, or the society has materially breached, or is likely to materially breach, a duty under the society’s constitution or by laws or this Act;
 - c.** that a member’s rights or interests or members’ rights or interests generally have been materially damaged;
- 5.3** the complaint appears to be without foundation or there is no apparent evidence to support it; or
- 5.4** the person who makes the complaint has an insignificant interest in the matter;
- or

5.5 the conduct, incident, event, or issue giving rise to the complaint has already been investigated and dealt with under the constitution; or

5.6 there has been an undue delay in making the complaint.

6. Executive Committee may refer complaint

6.1 The Executive Committee may refer a complaint to—

a. a sub-committee or an external person to investigate and report; or

b. a sub-committee, an arbitral tribunal, or an external person to investigate and make a decision.

6.2 The Executive Committee may, with the consent of all parties to a complaint, refer the complaint to any type of consensual dispute resolution, which may include but is not limited to mediation, facilitation, arbitration or a tikanga-based practice.

7. Decision Makers

A person may not act as a decision maker in relation to a complaint if two or more members of the Executive Committee or a complaints sub-committee consider that there are reasonable grounds to believe that the person may not be:

a. impartial; or

b. able to consider the matter without a predetermined view.