



Photos: Pōtahi Marae, Student Volunteer Army, Rā o Te Raukura Volunteers

Charities Services Who are your officers?

Kia ora and welcome!

Overview

Who are your officers

New officer requirement

Officer duties

Duties under other legislation

Where to find help

Before we begin the webinar...

Can you hear us?

Make sure your computer's sound is un-muted.

Sound cutting out? Check your internet connection.

Recording and Resources

This webinar is being recorded - you will receive a link to the recording and resources.

Q&A

Type your questions in the Q&A chat box.

New officer video



What has changed?

- Officer definition updated
- Wider than before

May include

- Your General Manager
- Chief Financial Officer
- Chief Executive Officer
- Someone else?



New officer definition

4 Section 4 amended (Interpretation)

(1) In section 4(1), replace the definition of **officer** with:

officer, in relation to a charitable entity,—

- (a) means a person occupying a position in the entity who is able to exercise significant influence over substantial decisions of the entity including, but not limited to,—
 - (i) in relation to a trust, the trustees of the trust; and
 - (ii) in relation to any other entity, a member of the board or governing body of the entity (if it has a board or governing body); and
 - (iii) a person occupying any other position (for example, a chief executive or treasurer) if that position enables them to exercise such influence:
- (b) includes a person who has powers conferred on them to make decisions that would otherwise fall on the trustees, the board, or the governing body of the entity (regardless of whether the person holds a position in the entity):
- (ba) includes any class or classes of persons declared by regulations to be officers for the purposes of this Act:
- (c) excludes any class or classes of persons that are declared by regulations not to be officers for the purposes of this Act

Who are your officers - Trusts

Entity	Officer Type	Officer pre-5 October 2023	Officer post-5 October 2023
Trust	Trustee	Yes	Yes
	Custodian Trustee	Yes	Yes
	Advisory Trustee	No	No
	CEO	No	Yes
	CFO	No	Yes

Who are your officers – Incorporated Societies

Entity	Officer Type	Officer pre-5 October 2023	Officer post-5 October 2023
<hr/> Society <hr/>			
	Committee member	Yes	Yes
	CEO	Yes	Yes
	CFO	Yes	Yes

Who are your officers - Companies

Entity	Officer Type	Officer pre-5 October 2023	Officer post-5 October 2023
Company			
	Director	Yes	Yes
	CEO	Yes	Yes
	CFO	Yes	Yes

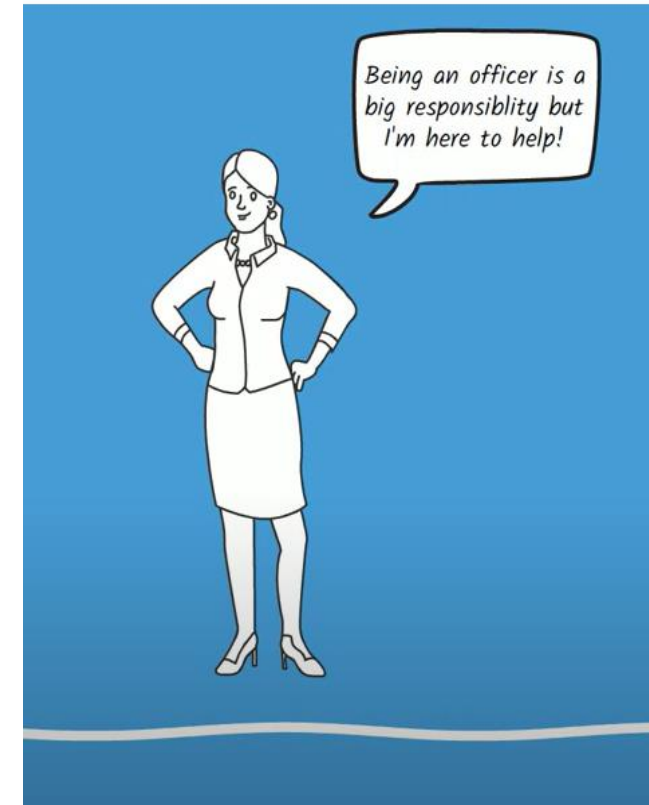
What does it mean?

- Significant influence
- Substantial decisions
- Discuss at your next meeting



Officer duties

- Understand your rules and your role
- Know your legal obligations
- Manage risks carefully
- Look after your finances
- Keep good records
- Be strategic and sustainable
- Report annually
- Update details
- Keep learning



Other legislation

All registered charities

Charities Act 2005

Incorporated Societies

Incorporated Societies Act 1908

Incorporated Societies Act 2022

Charitable Trusts

Charitable Trusts Act 1957

Trusts Act 2019

Companies

Companies Act 1993

Marae

Te Ture Whenua Māori Act 1993

Resources and support

CHARITIES
SERVICES

Ngā Ratonga Kaupapa Atawhai

CHARITIES
SERVICES

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Community
Governance

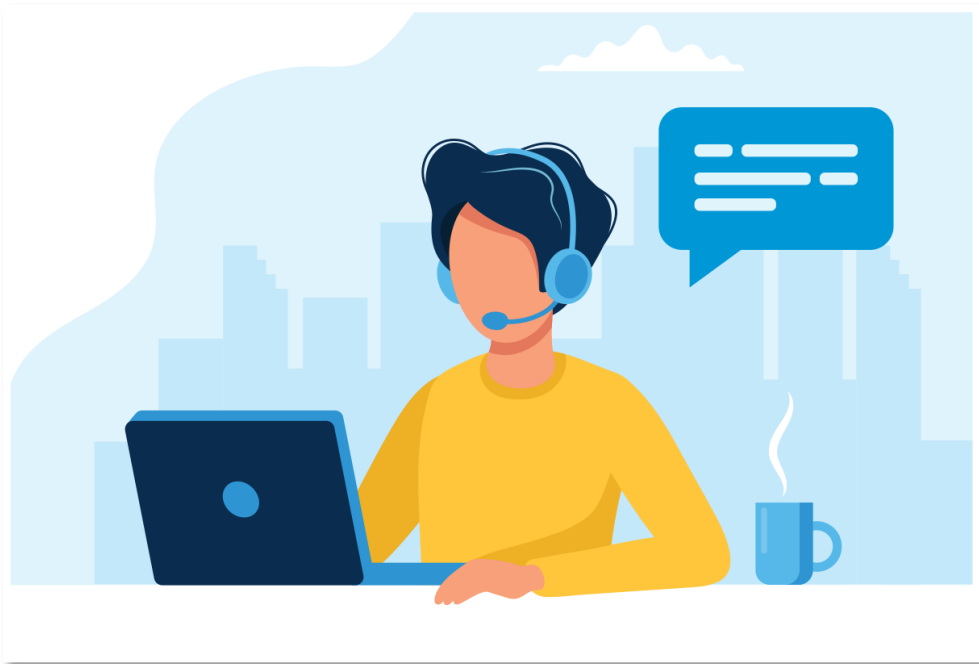
Supporting community
governance in Aotearoa



We're here to help

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- Email us at info@charities.govt.nz
- Call us on 0508 CHARITIES
(0508 242 748)



Te Tari Taiwhenua
Internal Affairs

CHARITIES
SERVICES

Ngā Ratonga Kaupapa Atawhai

Questions?



Te Tari Taiwhenua
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Thank you