

CONSTITUTION CHANGES - BUSHY PARK - EXECUTIVE SUMMARY

Background

The current constitution of Bushy Park is the rules as approved at the members meeting 28 February 2011 and deposited with the Charities Commission on 10 October 2011. The Charities Commission advise that it is taking 16 weeks or so for them to process recording of rule changes onto their website.

At present the rules are somewhat confusing. There is an "Appendix B" which starts on page 6 and is headed "Rules". There is no clear "Appendix A" but this is, the pages 1 - 5 called "Rules of Bushy Park Trust" which relates back to the original application for incorporation. The proposed changes are intended to tidy up this aspect.

Reason for Changes

In recent years system of appointing Board members has revealed shortcomings in getting a Board that is fully effective. The present rules provide that 6 stakeholders each appoint a member to the Board. There must also be a qualified Accountant, the Chair and the Secretary of the Executive Committee and 3 other members appointed by the Board. The members of the Trust at present have no appointment or elective powers in respect of the Board. They can only elect some members of the Executive Committee. Some of the organizations with power of appointment have not made any appointment and the Board itself has had to fill the gaps. In other cases appointees have struggled to see that they are there to look after the interests of the Bushy Park Trust. Not to represent the particular interests of their appointing body. It has meant that the Board has at times been overweight in some areas and underweight in others as far as skills, experience and expertise goes.

Rule Changes

The proposed changes are the result of previous studies, the working party report (available on the Trust's website) and considerable consultation with the many people who have the best interests of Bushy Park at heart. The proposals do away with the Executive Committee and place the powers and responsibilities where they should be which is in the hands of the Board. They alter the system for Board appointments and allow the members of the Trust a direct say in electing Board members. They specify that there should be eleven Board members. Five elected by the members of the Trust at its AGM and six appointed by the community interest organizations associated with bushy Park in liaison with each other and the Board. The Board will establish three committees, Forest, Buildings and Finance.

The substantive changes relate to the way the Board is appointed and is to operate. Other changes are of a machinery nature intended to update and allow a single set of rules to be registered rather than have to refer backwards and forwards between original documents and variation documents.

The main changes of substance are contained in paragraphs 15 to 19 of the proposed rules.

A copy of the current rules is available on the Bushy Park Trust web site along with a tracked copy of rules showing the proposed changes and an updated version of the rules as they will look with the changes incorporated. View at www.BushyPark.org.nz. Hard copies can be obtained from the Secretary.

There is also a motion to add to the objects of the Trust.