



Helpful tips for writing rules

If you need to write rules to accompany your application to the Charities Commission, these suggested headings and drafting tips may help you.

1. Name

Give the formal (legal) name of the organisation:

For example - *The XYZ Society*.

2. Charitable purpose

Explain the purpose of the organisation:

For example - *the organisation has been set up to provide a benefit to the community by running a senior citizens' community centre*.

Show that all your money must be spent advancing your charitable purpose:

For example - *all income and assets will be used to advance the organisation's charitable purpose of benefitting the community by running a senior citizens' community centre*.

3. Governance

Explain your governance arrangements, including:

Who governs the organisation:

For example - *the organisation is governed by a management committee*

How the governing officers are appointed:

For example - *the management committee will be (elected) appointed at each AGM*.

How your decisions are made:

For example - *by majority vote*.

4. Winding up

You must make it clear that, on winding up, all the assets go to charitable purposes:

For example - if the organisation winds up, its assets will only go to one or more organisations that have purposes that are charitable according to New Zealand law.

Drafting tips

- Keep the wording simple.
- If you are working through details – for example, you have not yet decided how committee members will be elected – we suggest that you simply tell us that “committee members will be elected” and then tell us *how* they will be elected once you have clarified the details.
- If your rules, trust deed, charter or other governing document already cover the four topics above, then send us that document. Don't write a separate set of rules.
- Covering these issues in your rules will make the registration process more straightforward. If we are in doubt about your rules, we will contact you to ask questions.

Important note

While these four key points can be used to help draft a set of rules to use when applying to the Charities Commission for registration, they may not include all the rules that you might need to include to comply with other obligations.

For example, the Incorporated Societies Act 1908 sets out clear requirements for incorporated societies.

We suggest that you seek independent advice in relation to any other rules that you might need to include.

Further information

We hope this information is helpful.

You may also wish to refer to the Commission's information sheet *Your rules and the Charities Act*, available from www.charities.govt.nz or by phoning our free information line **0508 242 748**.

For more information about drafting rules, please see the Office of the Community and Voluntary Sector's guidelines at www.keepingitlegal.net.nz/ and the Companies Office guidance on how to draft a set of rules at www.societies.govt.nz/cad-docs/F/FS_Draft_Rules.html

For more information about the Charities Register or registration under the Charities Act, please browse www.charities.govt.nz

You can also call the Charities Commission on our free information line - **0508 242 748**.

To get updates by email, please send your name, organisation and contact details to info@charities.govt.nz