

# FORM 2

## UPDATE DETAILS FORM FOR A CHARITABLE ENTITY

Section 40 of the Charities Act 2005

- ▶ Please complete this form in block print with a black or blue pen. **All fields marked with an asterisk (\*) are compulsory.**
- ▶ Please refer to the help text at the back of the form if you need further information.
- ▶ **You must complete numbers 1 and 9 of this form.**
- ▶ **If this is your first time updating your charity details since 1 April 2024, you must also answer the following new questions:**
  - **Charity Identification (section 5)**
  - **Legal Structure (section 8)**
  - **Review of governance procedures (section 9)**
- ▶ For all other sections, you only need to complete the sections where you are making changes.

Please tick below the sections you are updating:\*

### Sections:

- 1 CURRENT CHARITY DETAILS (compulsory)\*
- 2 LEGAL NAME CHANGE
- 3 CHANGE TO BALANCE DATE
- 4 ADDRESS OF SERVICE
- 5 CHARITY IDENTIFICATION
- 6 NEW OFFICER DETAILS
- 7 OFFICER REMOVAL OR DISQUALIFICATION
- 8 PURPOSE & STRUCTURE
- 9 CHARITY RULES
- 10 REVIEW & CERTIFY (compulsory)\*

**NOTE:** You can view the information currently listed under your charity on the Charities Register at [www.charities.govt.nz](http://www.charities.govt.nz)

# 1 CURRENT CHARITY DETAILS

You must complete this section. You can find these details on the Charities Register at [www.charities.govt.nz](http://www.charities.govt.nz)

Current Charity Name\*

Registration (CC) Number\*

Charity NZBN Number  
(see [nzbn.govt.nz](http://nzbn.govt.nz) for details)

# 2 LEGAL NAME CHANGE

**PLEASE NOTE:** If your charity is registered with the Companies Office as an incorporated society, a registered charitable trust, or a company, you must send changes to its name to the Companies Office for their approval before notifying us.

Enter your charity's new legal name\*

If your charity is known by any other name  
(including trading name), enter it here\*

# 3 CHANGE TO BALANCE DATE

If you wish to change the balance date (financial year end) for your charity, please complete this section.

Enter your charity's current balance date  
(day/month/year)\*

Enter your charity's new balance date  
(day/month/year)\*

If the period between the current and new balance dates is more than 15 months, or if you will not have a balance date in each calendar year, we will need to approve this change. Please explain why you are making this change.



## Alternative Contact

If you wish to provide an alternative contact's details, or if your existing alternative's contact details have changed, please enter the new details below. This is the person we will contact if the primary contact person above is not available. These details will not appear on the public Charities Register on our website.

First Name

Last Name

Email

Phone (including area code)

Other Phone

Fax

## 5 CHARITY IDENTIFICATION

Do you consider your charity to be a Kaupapa Māori charity?\*

Yes  No

If **yes**, which of the following factors significantly influence your decision to consider your charity a Māori charity? Select all that apply:

- Marae  Focuses on outcomes for Māori  
 Affiliation with iwi and/or hapū  Ownership

Do you consider your organisation/charity to be a Pasifika charity?\*

*That is, your charity is established to support Pacific peoples, in New Zealand and/or in the Pacific.*

Yes  No

Do you consider your charity is established to support ethnic communities in New Zealand and/or overseas?\*

Yes  No

You must ensure that all new officers qualify to be officers under section 36B of the Charities Act 2005.

To qualify, an officer must not be:

- an individual who is an undischarged bankrupt
- an individual who is under the age of 16 years
- an individual who, or a body corporate that, has been convicted of a crime involving dishonesty (section 2(1) of the Crimes Act 1961) or tax evasion or other offence under section 143B of the Tax Administration Act 1994 and sentenced within the last seven years
- an individual who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, the Financial Markets Conduct Act 2013, or the Takeovers Act 1993
- an individual who is subject to a banning order under subpart 7 of Part 4 of the Incorporated Societies Act 2022
- an individual who is subject to a property order under the Protection of Personal and Property Rights Act 1988, or whose property is managed by a trustee corporation under section 32 of that Act (this relates to people who are not fully able to manage their affairs)
- a body corporate that is being wound up, is in liquidation or receivership, or is subject to statutory management under the Corporations (Investigation and Management) Act 1989
- an individual who has been convicted of an offence relating to the financing of terrorism under the Terrorism Suppression Act 2002, whether in New Zealand or elsewhere
- in relation to any particular entity, an individual who, or a body corporate that, does not comply with any qualifications for officers contained in the rules of that entity
- an individual who, or a body corporate that, has been disqualified from being an officer of a charitable entity by the Charities Registration Board under section 36C of the Charities Act 2005

Once you have checked that new officers are qualified to become officers, please enter their details below (individuals or body corporates). If they do not qualify under the Act but you would like to apply for a waiver, please enter their details below and attach a letter explaining your reasons.

### Officer 1

Effective Date (DD/MM/YY)\*

Full Name\*

(For a body corporate, enter its formal name)

Date of Birth\*

(Not applicable if a body corporate)

Position Held\*

Home Address\*

(Not applicable if a body corporate)

## Officer 2

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Effective Date (DD/MM/YY)\*

Full Name\*

(For a body corporate, enter its formal name)

Date of Birth\*

(Not applicable if a body corporate)

Position Held\*

Home Address\*

(Not applicable if a body corporate)

## Officer 3

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Effective Date (DD/MM/YY)\*

Full Name\*

(For a body corporate, enter its formal name)

Date of Birth\*

(Not applicable if a body corporate)

Position Held\*

Home Address\*

(Not applicable if a body corporate)

## Officer 4

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Effective Date (DD/MM/YY)\*

Full Name\*

(For a body corporate, enter its formal name)

Date of Birth\*

(Not applicable if a body corporate)

Position Held\*

Home Address\*

(Not applicable if a body corporate)

If you have more than four new officers, please provide their details on a separate sheet of paper and attach to this form. Alternatively, please re-print pages 5-6, enter their details and attach to this form.

To notify us of any officers you are removing from your charity, or to request a waiver for an officer who has been disqualified, please complete the information below.

### Officer Removal or Disqualification 1

Full Name\*

(If it's a body corporate, enter its formal name)

Position Held\*

Email Address\*

Phone\*

Please select one option below for the reason for removing this officer\*

No longer an officer → Last date as an officer (DD/MM/YY): \_\_\_\_\_

Deceased → Last date as an officer (DD/MM/YY): \_\_\_\_\_

Officer disqualification → Effective date of disqualification (DD/MM/YY): \_\_\_\_\_

If you selected Officer disqualification above, please select the reason for disqualification:\*

- Disqualified from being an officer under the rules of your charity
- Undischarged bankrupt
- An individual who is under the age of 16 years
- Convicted of a crime involving dishonesty (section 2(1) of the Crimes Act 1961) or tax evasion or other offence under section 143B of the Tax Administration Act 1994 and sentenced within the last seven years
- Prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, the Financial Markets Conduct Act 2013, or the Takeovers Act 1993
- Subject to a banning order under subpart 7 of Part 4 of the Incorporated Societies Act 2022
- Subject to a property order under the Protection of Personal and Property Rights Act 1988, or whose property is managed by a trustee corporation under section 32 of that Act (this relates to people who are not fully able to manage their affairs)
- A body corporate that is being wound up, is in liquidation or receivership, or is subject to statutory management under the Corporations (Investigation and Management) Act 1989
- An individual who has been convicted of an offence relating to the financing of terrorism under the Terrorism Suppression Act 2002, whether in New Zealand or elsewhere
- An individual who, or a body corporate that, has been disqualified from being an officer of a charitable entity by the Charities Registration Board under section 36C of the Charities Act 2005

## Waiver

If you think it is appropriate for the officer to remain as an officer, tell us why in the space below. We will consider your request and let you know our decision in writing. Please note - if the officer is not qualified under your charity's rules, we cannot grant your request.

I believe it is appropriate for this person to remain as an officer for the reasons given:

## Officer Removal or Disqualification 2

Full Name\*

(If it's a body corporate, enter its formal name)

Position Held\*

Email Address\*

Phone\*

Please select one option below for the reason for removing this officer\*

No longer an officer → Last date as an officer (DD/MM/YY): \_\_\_\_\_

Deceased → Last date as an officer (DD/MM/YY): \_\_\_\_\_

Officer disqualification → Effective date of disqualification DD/MM/YY): \_\_\_\_\_

If you selected Officer disqualification above, please select the reason for disqualification:\*

- Disqualified from being an officer under the rules of your charity
- Undischarged bankrupt
- An individual who is under the age of 16 years
- Convicted of a crime involving dishonesty (section 2(1) of the Crimes Act 1961) or tax evasion or other offence under section 143B of the Tax Administration Act 1994 and sentenced within the last seven years
- Prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, the Financial Markets Conduct Act 2013, or the Takeovers Act 1993
- Subject to a banning order under subpart 7 of Part 4 of the Incorporated Societies Act 2022
- Subject to a property order under the Protection of Personal and Property Rights Act 1988, or whose property is managed by a trustee corporation under section 32 of that Act (this relates to people who are not fully able to manage their affairs)
- A body corporate that is being wound up, is in liquidation or receivership, or is subject to statutory management under the Corporations (Investigation and Management) Act 1989
- An individual who has been convicted of an offence relating to the financing of terrorism under the Terrorism Suppression Act 2002, whether in New Zealand or elsewhere



- An individual who, or a body corporate that, has been disqualified from being an officer of a charitable entity by the Charities Registration Board under section 36C of the Charities Act 2005

## Waiver

If you think it is appropriate for the officer to remain as an officer, tell us why in the space on the next page. We will consider your request and let you know our decision in writing. Please note - if the officer is not qualified under your charity's rules, we cannot grant your request.

I believe it is appropriate for this person to remain as an officer for the reasons given:

You can attach a supporting document with details on the disqualification if you wish.

If you have more than two officers to remove, please provide their details on a separate sheet of paper and attach to this form. Alternatively, please re-print pages 7-9, enter their details and attach to this form.

## 8 PURPOSE & STRUCTURE

### Purpose and Structure

If your purpose, structure, activity, sector or beneficiary information has changed, please enter the new details below.

Charitable Purpose\*

Provide your charity's legal structure\*  
(Please select one option from the following).

- Incorporated Society
  - Charitable Trusts incorporated under the Charitable Trusts Act
  - Company
  - Unincorporated Trust
  - Organisation established under other legislation (e.g. under the Community Trusts Act 1999)
  - Marae on Māori reservation land
  - Other (*please state below*)
-

## Activity, Sector and Beneficiary

### ▶ Main Activity\*

(Please select one option from the following for your charity's main activity.)

- Makes grants/loans to individuals
  - Provides services (e.g. care/counselling)
  - Makes grants to organisations (including schools or other charities)
  - Provides advice/information/advocacy
  - Provides other finance (e.g. investment funds)
  - Sponsors/undertakes research
  - Provides human resources (e.g. staff/volunteers)
  - Acts as an umbrella/resource body
  - Provides buildings/facilities/open space
  - Provides religious services/activities
  - Other (*please state below*)
- 

### ▶ Main Sector\*

(Please select one option from the following for your charity's main sector in which it operates.)

- |  |   |
|--|---|
| <input type="checkbox"/> Accommodation/housing               | <input type="checkbox"/> Religious activities       |
| <input type="checkbox"/> Education/training/research         | <input type="checkbox"/> Arts/culture/heritage      |
| <input type="checkbox"/> Health                              | <input type="checkbox"/> Sport/recreation           |
| <input type="checkbox"/> Environment/conservation            | <input type="checkbox"/> Care/protection of animals |
| <input type="checkbox"/> Marae on reservation land           | <input type="checkbox"/> International activities   |
| <input type="checkbox"/> Community development               | <input type="checkbox"/> Economic development       |
| <input type="checkbox"/> Emergency/disaster relief           | <input type="checkbox"/> Fundraising                |
| <input type="checkbox"/> Social services                     | <input type="checkbox"/> People with disabilities   |
| <input type="checkbox"/> Employment                          | <input type="checkbox"/> Promotion of volunteering  |
| <input type="checkbox"/> Other ( <i>please state below</i> ) |   |
- 

### ▶ Main Beneficiary\*

(Please select one option from the following for the main beneficiary of your charity)

- |   |   |
|---|---|
| <input type="checkbox"/> Children/young people                    | <input type="checkbox"/> Religious groups |
| <input type="checkbox"/> Family/whanau                            | <input type="checkbox"/> Other charities  |
| <input type="checkbox"/> People with disabilities                 | <input type="checkbox"/> General public   |
| <input type="checkbox"/> Older people                             | <input type="checkbox"/> Animals          |
| <input type="checkbox"/> Migrants/refugees                        |   |
| <input type="checkbox"/> Voluntary bodies other than charities    |   |
| <input type="checkbox"/> People of a certain ethnic/racial origin |   |
| <input type="checkbox"/> Other ( <i>please state below</i> )      |   |
- 

▶ Is generating funds for, or making grants or donations to, other charities or organisations the main way your organisation/charity carries out its charitable purposes?

No     Yes

- ▶ Has your charity reviewed its governance procedures within the last 3 years?\*
- No (*continue to **rules change question** below*)
- Yes (*If yes, please provide the date these were reviewed*)

**Date reviewed:**

- ▶ If your rules have changed, please complete the information below

- Please select which part/s of your rules have changed. \*
- Whole new rules       Winding up
- Purpose                       Protection against private profit
- Other

Please describe what clauses of your rules have changed and why. \*

Please attach a copy of your amended rules (or variation document). This document needs to be signed by all officers of your charity. If your charity is incorporated, please also advise the Companies Office of the rules change. We recommend that you also include a copy of your meeting minutes where the rules change was agreed to as this will assist us in processing your rules change.

## 10 REVIEW & CERTIFY

### Restricting Information

The Charities Act 2005 emphasises transparency and the availability of information about registered charities to "promote public trust and confidence in the charitable sector".

The Act requires information on the Charities Register to be available to the public. However, it also allows Charities Services to prevent the public from seeing information or documents if it is in the "public interest" to do so. This is a high threshold. Please refer to "Restricting information" on our website for guidance. Any such information or documents will still be subject to requests under the Official Information Act 1982.

If after reading the guidelines you still wish to request that information or documents be restricted, please attach a letter that covers the following:

- What information you would like restricted
- Why you think it is in the public interest to have it restricted
- Evidence to support your request

I would like to restrict information in this form from the public view. I have attached a letter with the above information.

### Certification

I certify that the information in this form is correct and that I am authorised to complete this form. I also certify that I am authorised to complete new officer details and/or remove officers (if applicable) on the officer/s behalf.

If I have added new officer/s in this form, I certify that they are not disqualified from being an officer of a charitable entity in terms of section 36B(2) and at least 1 current officer of the entity is 18 years of age or older in terms of section 13(1)(e) of the Charities Act 2005. In some cases, officers have been appointed under an Act, by the Governor-General, by the Governor-General in Council, or by a Minister of the Crown. If this is the case, I certify that the named officer has been appointed under an Act, by the Governor-General, by the Governor-General in Council, or by a Minister of the Crown.

Full Name\*

Position\*

Signature\*

Date\*

Email\*

Phone\*

#### Final check before you send

Please ensure you have done the following before you send us your documents:

- Completed all mandatory fields
- Ticked all relevant checkboxes
- Signed the form above
- Attached any relevant documents

#### Post your completed form to:

**Charities Services**

**PO Box 12138**

**Thorndon**

**Wellington Central**

**6144**

# Privacy Statement

## Purpose and Scope

The purpose of this privacy statement is to let you know when we collect personal information as part of the update details form and what we do with it.

## Collection, Storage and Use of Personal Information

### Collection and use of personal information

We require you to provide some personal information when you complete this form. For example, we require personal information about officers of charities, including full name, date of birth and residential address details. We also require up-to-date contact details for your charity, which includes a contact name, email and phone number. This information is used to help us carry out functions under the Charities Act 2005. For example, identifying details of officers may be used to check that officers are not disqualified under the Charities Act 2005 because, for instance, they are an undischarged bankrupt or are under the age of 16 years, or when investigating suspected wrongdoing. We may also use personal information provided to us for other reasons permitted by law (including by the Charities Act 2005 and the Privacy Act 2020).

If you are providing personal information on behalf of officers of your charity, you must tell them what it is being collected for and obtain their consent to you providing the information to us on their behalf.

If you choose not to provide this information, your charity could be in breach of statutory obligations (for example, the Charities Act 2005 requires charities to notify us of certain changes to your charity, using the prescribed form, within 3 months). A significant or persistent failure by a charity to meet its obligations under the Charities Act 2005 is a ground for deregistering a charity and removing it from the Charities Register.

### Access to and disclosure of personal information

When you provide personal information, it will be accessible by Department of Internal Affairs' staff and authorised third parties (such as third-party contractors) to the extent that is necessary, for example for them to administer or work on the Charities database. We will store and keep personal information secure in accordance with the Privacy Act 2020, and agents will be subject to information security and privacy requirements.

Personal information will only be disclosed or shared where required or otherwise permitted by law. For example, the Charities Act 2005 requires the publicly accessible Charities Register to contain the names of both current and former officers of registered charities. However, officers' residential address details and dates of birth will not be publicly available. The Charities Act 2005 also authorises the supply of information or documents held on the Charities Register to the Inland Revenue Department to assist in the carrying out of powers and functions under any of the Inland Revenue Acts. Personal information of officers may be shared where this is necessary for compliance purposes, for example, to investigate a complaint.

### Records and retention of personal information

We will retain personal information indefinitely, because the Charities Act 2005 requires the Charities Register to contain the names of both current and former officers of registered charities. This information is also required to support our ongoing regulatory work.

## Rights of Access and Correction

You have the right to:

- find out from us whether we hold personal information about you
- access that information; and, if applicable
- request corrections to that information.

You can call 0508 CHARITIES (0508 242 748), email [info@charities.govt.nz](mailto:info@charities.govt.nz), or write to us at: Charities Services, PO Box 12138, Thorndon 6144.

You can also log on to your charity's online account on the Charities Services website ([www.charities.govt.nz](http://www.charities.govt.nz)) to view the officer details for your charity.

# Help Text for Update Details Form

## **Legal Name Change**

If the legal name of your charity has changed, enter its new name here.

## **Other Name**

If you have more than one 'other' name, separate them with commas.

## **NZBN Number**

The New Zealand Business Number (NZBN) is a globally unique identifier for all Kiwi businesses. The NZBN can be used in a number of business interactions and other businesses may start asking for your NZBN. The NZBN does not replace your Charity's registration number. Learn more about the benefits of having an NZBN at [nzbn.govt.nz](https://nzbn.govt.nz).

## **Balance Date**

If you want to change your balance date, enter both your current balance date and new balance date. Write the day and month only for example, 31 March, 30 June etc.

## **Areas of Operation**

Specify where in New Zealand or overseas your charity operates or intends to operate. Enter all regions and/or countries.

## **Kaupapa Māori**

Your charity may consider itself Kaupapa Māori if its primary purposes are to support Māori communities. A charity would be unlikely to consider itself Kaupapa Māori if its focus was mainly on outcomes for the wider population.

## **Pasifika**

Your charity may consider itself Pasifika if its activities serve Pasifika people.

## **Ethnic Charities**

The New Zealand Government defines ethnic communities as communities composed of Asian, African, Continental European, Latin American and Middle Eastern cultures.

## **Address of Service**

If your contact details have changed, enter the new details here or, if you have not given us any optional contact details before, but you would like extra contact details shown on the Charities Register you can enter them here.

## **Primary Contact**

Who can Charities Services contact if we have any questions about your entity.

### **Alternative Contact**

You can also give us the name and contact details of another person if the primary contact is not available.

### **New Officer Details**

Enter the details of any new officers of your charity. You will need to provide dates of birth and home addresses for all your officers. This information will not be made public on the Charities Register ([www.charities.govt.nz](http://www.charities.govt.nz)).

If you have more than 4 new officers, please provide their details on a separate sheet of paper and attach to this form. Alternatively, re-print pages 5-6, enter the additional officer details, and attach to this form.

### **Officer Removal**

Enter the details of any officers who are no longer involved with your charity, or request a waiver for an officer who has been disqualified. You can find who is currently registered as an officer of your charity by looking on your charity's summary page on the Charities Register ([www.charities.govt.nz](http://www.charities.govt.nz)).

If you need to remove more than two officers, please provide their details on a separate sheet of paper and attach to this form. Alternatively, re-print pages 7-9, enter the additional officer details, and attach to this form.

### **Charitable Purpose**

The description of your charitable purpose or mission that you enter here will be displayed on your charity's public summary on the Charities Register. For most charities, this information can also be found in your financial statements or performance report

### **Legal Structure**

Your organisation can be structured in many ways. If your charity is not a marae, your charity may be a company, society or trust. A society or trust could then be either incorporated (under the Incorporated Societies Act 1908 or 2022, or the Charitable Trusts Act 1957) or unincorporated.

For most charities, this information can be found in your rules document, and possibly on your performance report.

### **Activity, Sector and Beneficiary**

Please select the main activity, sector and beneficiary of your charity. This information will be publicly available on the Charities Register ([www.charities.govt.nz](http://www.charities.govt.nz)) and is used for statistical purposes.

### **Giving to other Charities**

Consider the main activities your charity undertakes, and whether they involve raising funds for, or providing funding to, other organisations. An example would be a charity that raises funds nationally and passes this on to local charities providing services in their communities.

This would be in contrast to charities whose main purpose is to provide goods/services. An example would be a charity that provides counselling services directly.

**Reviewing Governance Procedures**

Your governance procedures are the policies and guidelines that enable you to run your charity. This includes your charity's rules document and other policies including ones on financial management, conflicts of interest, staff and volunteers, internal processes and health and safety.

The review process will look different for each charity. It could be as simple as your Chair or another officer leading a discussion on governance at your AGM, with clear minutes showing any decisions and ensuring everyone is on the same page.

**Charity Rules**

Your rules will be the documents that set out your purposes, what you do and how you operate. We need the most up-to-date version, which means we need the version that contains the amendments.

If you have made changes to your rules, please upload an electronic copy of the amended version. If you do not have an electronic version, you may send these to us. Please ensure the version you submit is a good quality easily readable copy, and not the original.