



NEW ZEALAND KUNG-FU WUSHU FEDERATION (Inc)

紐西蘭功夫 武术 联盟

Associate Member of the New Zealand Olympic Committee
National Sport Organisation (NSO) for Kung-Fu Wushu in New Zealand
Official Representative to the International & Oceania Wushu Federations



Dated Sat 25 November 2023

TEMPLATE FOR PROPOSAL/S TO CHANGE THE CONSTITUTION OF THE NEW ZEALAND KUNG-FU WUSHU FEDERATION INCORPORATED

AGM TO BE HELD **ONLINE SUN 17 DEC 2023 AT 7.00PM-8.30PM**

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| Author's Name: | Glen Keith - President NZ Kung-Fu Wushu Federation Inc |
| Club/Organisation: | Shaolin Fut Gar Kung-Fu & Traditional Yang Taichi |
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| Date: | November 28, 2023 |

Proposal 1. Disestablish the Federation's Regional Wushu Associations

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| Section/s of Constitution | 2.7; 5; 6.2; 6.3; 6.4; 7.4; 7.5; 14.2; 14.3; 14.9; 14.10; 14.11; 14.12; 15.3.2; 17.2.4; 17.6.6; 17.10; 18.3.4; 18.3.5; 19.1.1; 21.1; 21.2; 21.3; 21.4; 21.5; 21.6; 21.7; 21.8; 22.2; 26.1.1; |
| Reason for Change | The Federation Executive has discussed at length the merits and disadvantages of its Regional Wushu Associations and has decided to disestablish them to reduce layers of unnecessary administration, including separate bank accounts, and achieve a more transparent and easily administered nation-wide view of event planning and resourcing. In addition, the regional structure has been problematic to fully introduce with no Regional Wushu Association having ever been formed in Christchurch and Dunedin since Incorporation of the Federation on 18 July 1995. |
| Current Wording | Refer wording in the 'Section/s of Constitution' mentioned above, which are crossed through and in yellow highlight . |
| Proposed Wording | No proposed new wording other than to remove the yellow text and join up the remaining comments. New words in the abovementioned sections are in blue highlight . |

Consequential or Related Changes to other parts of the Constitution (if applicable)

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| Section/s of Constitution | Refer wording in the 'Section/s of Constitution' mentioned above, which are crossed through and in yellow highlight . |
| Reason for Change | |
| Current Wording | |
| Proposed Wording | |

Proposal 2. New Federation Executive Members to be appointed by existing Executive, with unanimous agreement, rather than nominated and elected at AGM.

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| Section/s of Constitution | 17.3; 17.5; 17.6; 17.6.3; 17.6.5; 17.6.6; 17.7; 17.8; 17.9; |
| Reason for Change | <p>The Federation Executive has reviewed its internal management structure and identified a strong need to increase its overall governance, management and event organising capability.</p> <p>It was agreed that new Federation Executive roles, excluding the role of President, are best to be ‘appointed’ by the Federation Executive, as opposed to being ‘nominated’ and approved by members at AGM.</p> <p>The current requirement detailed in the constitution at 17.6.5 (see below), is considered to be the wrong instrument for attracting and recruiting people in a timely manner with the right knowledge and skills and experience, especially when specific to a designated portfolio, and especially when considering the importance of team-fit is so far as being able to work harmoniously with the wider Executive.</p> <p><i>”17.6.5: A candidate must have been be a Constituent Member for a minimum period of two (2) years immediately prior to their nomination for election and be able to demonstrate during that time, a significant contribution to the development of Kung-Fu Wushu in New Zealand or a Region in New Zealand”.</i></p> |
| Current Wording | Refer wording in the ‘Section/s of Constitution’ mentioned above, which are crossed through and in green highlight . |
| Proposed Wording | No proposed new wording other than to remove the green text and join up the remaining comments. New words in the abovementioned sections are in blue highlight . |

Consequential or Related Changes to other parts of the Constitution (if applicable)

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|----------------------------------|---|
| Section/s of Constitution | Refer wording in the ‘Section/s of Constitution’ mentioned above, which are crossed through and in green highlight . |
| Reason for Change | |
| Current Wording | |
| Proposed Wording | |

Proposal 3. Use of Federation Name and Logo by Member Clubs

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| Section/s of Constitution | 29 |
| Reason for Change | The Federation Executive has for some time received queries from members of the public, funders, and member clubs, as to whether certain clubs that bear a similar name to the Federation, are one and the same as the Federation, which they are not. To remove all doubt about which names the Federation has 'custodianship' of, and therefore which should not be used by member clubs, the wording in Section 1 of the Constitution NAME has been repeated in Section 29 of the Constitution FEDERATION LOGO AND NAME . Specifically, this means that unless exempted, no member club of the Federation may use any of the following as its club or organisation name, whether using English and Chinese translation: " New Zealand Kung-Fu Wushu Federation; or NZKWF; or Kung-Fu Wushu New Zealand; or Wushu New Zealand; or New Zealand Wushu; or Federation as short title ". Note that the above 'Federation Names' have been included in the Federation's Constitution since its Incorporation on 18 July 1995. |
| Current Wording | Refer wording in the 'Section/s of Constitution' mentioned above. |
| Proposed Wording | Proposed wording in the abovementioned Section 29 is in blue highlight . |

Consequential or Related Changes to other parts of the Constitution (if applicable)

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| Section/s of Constitution | N/A |
| Reason for Change | |
| Current Wording | |
| Proposed Wording | |

Proposal 4. Eligibility to Represent the Federation in Competition

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| Section/s of Constitution | 11.2 |
| Reason for Change | To highlight an important IWUF event registration requirement that all athletes must have <u>citizenship</u> and a valid <u>passport</u> of the country they represent. |
| Current Wording | Participants in OKWF events must have NZ Permanent Residency or NZ Citizenship, while participants in IWUF events must have NZ Citizenship and have their principal place of residence as New Zealand for two years immediately prior to the date of competition. |
| Proposed Wording | Participants in OKWF events must have NZ Permanent Residency or NZ Citizenship, while participants in IWUF events must have NZ Citizenship, a valid NZ Passport , and have their principal place of residence as New Zealand for two years immediately prior to the date of competition. |

Consequential or Related Changes to other parts of the Constitution (if applicable)

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| Section/s of Constitution | N/A |
| Reason for Change | |
| Current Wording | |
| Proposed Wording | |

Proposal 5. **By-Laws**

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| Section/s of Constitution | 26.1.1 |
| Reason for Change | The words ' Regional Wushu Associations ' have been removed in accordance with proposal No 1. above and the words ' Development Squad ' have also been removed, following a decision of the Federation Executive that the Federation's Development Squad would be discontinued in lieu of establishing a Federation 'National' Team' model. More on this topic is included in the President's Report 2023. |
| Current Wording | The activities of the Federation, its Regional Wushu Associations ; National Technical Council; Policy Council; Development Squad ; Event Organising Committee; their Constitution, Rules and Regulations (as applicable), function and powers; |
| Proposed Wording | The activities of the Federation, National Technical Council; Policy Council; Event Organising Committee; their Constitution, Rules and Regulations (as applicable), function and powers; |

Consequential or Related Changes to other parts of the Constitution (if applicable)

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| Section/s of Constitution | N/A |
| Reason for Change | |
| Current Wording | |
| Proposed Wording | |

Proposal 6. Alteration of Rules

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| Section/s of Constitution | 27.1.2; 27.1.3; 27.1.4; |
| Reason for Change | <p>The current 21-day requirement to notify any proposed alteration to the rules to the Secretary, before the AGM, and the 14-days for the Secretary to then advise members advise members, before the AGM, is not consistent with common practice since the Federation became Incorporated on 18 July 1995.</p> <p>What the Federation has done to date is a four-step process, which while quite condensed timewise, has been suited to the overall size, scale and operation of the Federation and its available resources.</p> <ol style="list-style-type: none"> 1. Circulate the Notice of AGM to members 21-days before the AGM. 2. Send the constitution and template to propose changes to the constitution to members 14-days before the AGM. 3. Request that any proposed changes to the constitution be submitted to the Secretary 7-days before the AGM, using the appropriate template. 4. Email and upload to the Federation website, a summary of any proposals to review the constitution 5-days before the AGM. <p>In addition, the Federation has never had occasion to <u>“require the Secretary to produce a letter from the Federation’s legal advisers certifying that the proposed amendment is intravires and shall set out the consequential amendments made necessary by the passing of the amendment.”</u></p> |
| Current Wording | <p>27.1.2 The alteration proposed must be notified in writing to the Secretary not less than <u>21</u> days before the General Meeting which considers the proposal;</p> <p>27.1.3 Any such notice received by the Secretary shall be circulated to all Constituent members at least <u>14</u> days before the General Meeting;</p> <p>27.1.4 <u>Before</u> accepting a motion to amend the Constitution the Chairperson shall require the Secretary to produce a letter from the Federation’s legal advisers certifying that the proposed amendment is intravires and shall set out the consequential amendments made necessary by the passing of the amendment; and</p> |
| Proposed Wording | <p>27.1.2 The alteration proposed must be notified in writing to the Secretary not less than <u>7</u> days before the General Meeting which considers the proposal;</p> <p>27.1.3 Any such notice received by the Secretary shall be circulated</p> |

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| | <p>to all Constituent members at least <u>5</u> days before the General Meeting;</p> <p>27.1.4 <u>Where necessary</u>, before accepting a motion to amend the Constitution the Chairperson shall require the Secretary to produce a letter from the Federation's legal advisers certifying that the proposed amendment is intravires and shall set out the consequential amendments made necessary by the passing of the amendment; and</p> |
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Consequential or Related Changes to other parts of the Constitution (if applicable)

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| Section/s of Constitution | N/A |
| Reason for Change | |
| Current Wording | |
| Proposed Wording | |

Proposal 7. Election of President/CEO

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| Section/s of Constitution | 17.6; 17.6.1; 17.6.2; 17.6.3; |
| Reason for Change | <p>The current 10-day requirement for nominations for the role of President/CEO to be delivered to the Secretary “before the date fixed for the holding of the Annual General Meeting at which the election is to take place”, is not consistent with common practice since the Federation became Incorporated on 18 July 1995.</p> <p>What the Federation has done to date is a four-step process, which while quite condensed timewise, has been suited to the overall size, scale and operation of the Federation and available resources.</p> <ol style="list-style-type: none"> 1. Circulate the Notice of AGM to members 21-days before the AGM. 2. Send the President Nomination Form to members 14-days before the AGM. 3. Request that Nominations for the position of Federation President be received 7-days before the AGM. 4. Circulate to members, a list of Nominees for the role of President 5-days before the AGM. |
| Current Wording | <p>17.6.2 Shall be delivered to the Secretary not less than <u>ten</u> days before the date fixed for the holding of the Annual General Meeting at which the election is to take place, and;</p> <p>17.6.3 Nominations for the role of CEO/President shall be accompanied by the candidate’s election manifesto covering plans for the next 3-5 years, which the candidate shall present in person at the AGM.</p> |
| Proposed Wording | <p>17.6.2 Shall be delivered to the Secretary not less than <u>seven</u> days before the date fixed for the holding of the Annual General Meeting at which the election is to take place, and;</p> <p>17.6.3 Nominations for the role of CEO/President shall be delivered by the Secretary to members not less than <u>five</u> days before the date fixed for the holding of the Annual General Meeting at which the election is to take place and shall be accompanied by the candidate’s election manifesto covering plans for the next 3-5 years, which the candidate shall present in person at the AGM.</p> |

Consequential or Related Changes to other parts of the Constitution (if applicable)

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| Section/s of Constitution | N/A |
| Reason for Change | |
| Current Wording | |
| Proposed Wording | |

Copy below as required. **Note: An incomplete template will not be considered, including identifying where there are Consequential or Related Changes to other parts of the Constitution.**