

What You Need to Know:

Incorporated Societies Changes

Presented by Sarah Casey, Solicitor,
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LAWYERS

Agenda

Is Your Incorporated Society
Prepared for the Law Changes?

Key Changes Made by the New Act

Key Dates

Opt in/Opt Out

Registration

Constitution

Governance

Membership

Statutory Sanctions

Conclusion

What do You Need to do Now

Contact Us

Is Your Incorporated Society Prepared for the Law Changes?

- A new Act
- Came into force from 5th October 2023
- Well overdue changes
- Now is the time to get you Incorporated Society compliant for 2025

Key Changes Made by the New Act

Examples of key changes include:

1. Members consent
2. Officers consent to hold office
3. Statutory duties of care and diligence backed up by penal provisions
4. Conflicts of interest recorded
5. Greater accountability of those in governance



Key Dates

- From the **5th of October 2023** existing societies will need to re-register under the new Act
- Incorporated Societies wishing to re-register must have done so by the **1st December 2025 (Last date to re- register)**
- On the **5th April 2026**, any Incorporated Societies that have not re-registered will be removed from the register.

Opt in/ Opt Out

Opt in – Every existing incorporated society must make this decision in the next 2 years and must be re-registered by the **1st December 2025**.

Opt out – If a society chooses not to seek re-registration, they have two options.

Registration

To re-register, societies must apply to be re-registered as a society under the 2022 Act before the transition date – 1 December 2025.

If a society does not apply for re-registration, they will be removed from the register on the 5th April 2026.

Constitution

The 2022 Act requires considerably more in a constitution

- Member consent;
- Register of members;
- Information around general meetings;
- Resolving disputes & complaints;
- The nomination of a not-for-profit;
- Appointment of officers of the society;
- The method by which the constitution may be amended.

Governance

1. Committee
2. Conflicts of interest
3. Liability of officers
4. Change of officers
5. Contact persons

Membership

There are several new rules which deal with onboarding new members and the rights of existing members. They include:

- Minimum numbers
- Joining an incorporated society
- Society membership registers
- Member access to general society information
- Member access to financial statements and minutes of GMs
- Internal disputes – complaints and grievances

Statutory Sanctions

- Mechanism to ban certain people from serving as society officers
- Sections 154-159 offences

Conclusion

- The most important date = 1 December 2025
- Process requires time and effort
- Best to start as soon as possible

What do You Need to do Now?

- Brush up on the new Act
- Hold a vote
- Appoint sub-committee
- Lodge replacement constitution
- Speak to a solicitor (if necessary)
- What we can offer you

Contact us

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