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Please send your completed to [covidnotices@mbie.govt.nz](mailto:covidnotices@mbie.govt.nz)

## Notice of use of electronic means

Section 22, COVID-19 Response (Requirements for Entities—Modifications and Exemptions) Act 2020

**IMPORTANT** — *This notice, along with the supporting document, will be published on the appropriate public register.*

### Entity name

### Registration number (if any)

### NZBN (if any)

I give notice that the entity named above is relying on section 10 of the COVID-19 Response (Requirements for Entities—Modifications and Exemptions) Act 2020 (“the Act”) to use electronic means for certain matters because, due to the outbreak of COVID-19, it is not reasonably practicable to do the matter by non-electronic means.

*(Please see notes on page 2).*

*Please select all that apply*

- Having or recording information in writing
- Calling or holding meetings, including for the purpose of establishing a quorum
- Voting (subject to requirements of section 11 of the Act)
- Giving or receiving information
- Making or keeping new records
- Providing access to records or information held by or on behalf of the entity
- Signing any instrument
- Retaining any information.

### Attach the following document

*Please make sure that the following document is uploaded with this notice*

- A copy of the record that outlines the reasons for the belief of the majority of its governing officers referred to in section 10(1)(b) (and section 10(1)(a) if relevant).

## Notice given by

Name

Position

Governing officer

Authorised agent (Accountant/Lawyer etc)

## Presenter details

Name:

Email address:

Telephone number:

Postal address:

## Notes

### These notes don't need to be returned with your completed notice

An entity may decide to use electronic means for certain matters because, due to the outbreak of COVID-19, it is not reasonably practicable to do the matter by non-electronic means. Such a decision must be agreed on by a majority of the entity's governing officers.

### Entities who may use this notice

The following entity types may complete this notice and send it to the Registrar of Companies if they are relying on section 10 of the Act:

- › building societies
- › charitable trust boards
- › companies
- › credit unions
- › friendly societies
- › incorporated societies
- › industrial and provident societies, and
- › limited partnerships.

### Matters that may be covered

- a) having or recording information in writing
- b) calling or holding meetings including for the purpose of establishing a quorum
- c) voting (but subject to section 11 that describes when electronic voting may not be used)
- d) giving or receiving information
- e) making or keeping new records
- f) providing access to records or information held by or on behalf of the entity
- g) signing any instrument
- h) retaining any information
- i) any other matter prescribed by regulations made under the Act.

### Use of electronic means under section 10 must expire no later than 31 March 2021

An entity may only rely on section 10 to use electronic means for certain matters for the relevant period (until the close of 31 March 2021).

### Records required to be kept by the entity under section 12(1)(b)

Section 12(1)(b) of the Act outlines what records must be kept.

The entity must keep a record of —

- (i) the electronic communications used to do the matter, and
- (ii) the reasons for the belief of the majority of its governing officers referred to in section 10(1)(b) (and section 10(1)(a) if relevant)).

### Written notice to be given to the Registrar

Section 12(1)(d) of the Act requires the entity to give a written notice to the Registrar.

That written notice must —

- › identify the matter for which section 10 has been, or will be, relied on (e.g. calling or holding meetings, making or keeping new records); and
- › contain, or be accompanied by, a copy of the record that outlines the reasons for the belief of the majority of its governing officers referred to in section 10(1)(b) (and section 10(1)(a) if relevant)).

You should also refer to the legislation: [COVID-19 Response \(Requirements For Entities—Modifications and Exemptions\) Act 2020](#)