

Naval Association of Australia – Draft Guidelines

THE NAVAL ASSOCIATION OF AUSTRALIA

Inaugurated 1920

Incorporated in the ACT 1995

GUIDELINES FOR THE SUB SECTION

Adopted in

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DRAFT GUIDELINES

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INTRODUCTION

1. These Guidelines are one part of the Rules for the Naval Association of Australia and they apply to the Sub Section. The other parts of the Rules are the Constitution, By-laws and Regulations for each Section.
2. The purpose of these Guidelines is to expand on the Constitution, By-laws and Regulations for the Section in relation to the Sub Section.
3. Each Full Member of the Sub Section is entitled to have access to the Constitution, By-laws, Regulations for the Section and these guidelines. Amendments to the Rules must be promulgated so that holders may amend their own copies.

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DEFINITIONS

The following meanings apply throughout this document.

The following meanings apply throughout this document.

Article. Refers to a part of the Constitution

By-law. Refers to part of the By-laws

Regulation Refers to part of the Regulations

Guideline Refers to part of the Guidelines.

SECTION 1 – ORGANISATION

1.1 Name. The Sub Section within the Section of the Naval Association of Australia..

1.4 Structure.

1.5 The Rules

1.5.5 Procedures for Amending these Guidelines

1.7 Patrons.

1.8 Political Activities and Public Statements

1.8.1 Lines of Communication

- a. Except for special circumstances as defined by National Conference or National Council no member may communicate direct with a state council or National Council but shall submit any personal communication through the sub-section to which the member belongs, which shall submit the communication to the state council together with any comment or recommendation the sub-section may think fit.
- b. Except for special circumstances as defined by National Conference or National Council no sub-section may communicate direct with National Council but shall submit any such communication through the state council which may resolve the subject of the communication if it is within the power of the state council but which shall transmit the communication, together with any comment or recommendation it may think fit to National Council if the subject is within the jurisdiction of National Council.

1.9 Winding Up.

- a. Winding up. A sub-section may be wound up and dissolved by resolution of the sub-section or of Section council provided that:
 - (1) if the dissolution is initiated by the sub-section;
 - (a) all members including those in arrears are given one months notice of a motion to dissolve the sub-section to be determined by general meeting;
 - (b) the Section secretary is advised of the date of the meeting at which the motion for dissolution is to be determined;

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- (c) no funds or property shall be expended or disposed of after notice of a motion to dissolve is received other than to satisfy debts incurred prior to that date;
 - (d) the motion to dissolve is passed by a 75% majority of the members present; and
 - (e) the sub-section executive transmits to the Section secretary all minute books and financial and other records and effects the transfer of all funds and property to the Section council; or
 - (3) if the dissolution is initiated by the Section council;
 - (a) the Section council is satisfied that the sub-section has held no committee or general meeting for more than six months or that the number of its members is less than the number necessary for a quorum at a general meeting or that the sub-section has wantonly failed to comply with these rules;
 - (b) the Section executive has reported to the Section council that as many of the members of the sub-section as possible have been contacted in an attempt to stimulate interest in its revival or to obtain compliance with these rules; and
 - (c) the Section council after considering the report of the Section executive determines by a 75% majority vote that the sub-section be dissolved and accordingly takes such action as necessary to freeze its funds, register a caveat on any real estate, take possession of all minute books and financial records and transfer all its funds and property to the Section council; or
 - (3) If a sub-section fails to elect a committee in the prescribed manner or to hold meetings as required by these rules Section council shall
 - (a) give the sub-section three months in which to comply with these rules and,
 - if at the end of that period there has not been full compliance by the sub-section,
 - (b) Section council shall proceed to dissolve the sub-section in accordance with these rules provided that,
 - if Section council shall fail or refuse to initiate such action,
 - (c) National Council may assume the powers of Section council and Section executive under rule 20.23 (b) and
 - (d) dissolve the sub-section and
 - (e) transfer any sub-section funds appropriated by National Council to the Section council.
- c. The Section council shall ascertain from each member (either financial or in arrears) of the dissolved sub-section which other sub-section the member

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wishes to belong and shall have the power to waive the requirements of any rule as may be necessary to expedite and effect the transfer or, if the members indicate no preference, to transfer the member to such sub-section as the Section council considers appropriate.

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SECTION 2 – MEMBERSHIP

2.1 Types of Membership

Club Members.

2.2 General

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SECTION 3 – GOVERNANCE

3.3 Sub Section

3.3.1 Sub Section Annual General Meeting. Article 3.3.1

- a. A sub-section annual general meeting business must include:
 - (1) receipt and confirmation of the minutes of the previous annual general meeting;
 - (2) matters arising from the previous minutes;
 - (3) receipt and adoption of the report of the secretary;
 - (4) receipt and adoption of the report of the treasurer submitted with audited statements of receipts and expenditure and balance sheet for the last sub-section financial year ending prior to the annual general meeting;
 - (5) receipt and adoption of the report of the president;
 - (6) receipt and adoption of the reports of such other officers which the president considers relevant;
 - (7) election of officers in accordance with these rules;
 - (8) appointment of a qualified accountant as auditor or if not practicable two auditors provided that a sub-section which is incorporated shall comply with state law and that such auditor or auditors shall not be members of the sub-section committee;
 - (9) the establishment of such social, sporting or other sub-committees as the meeting deems necessary provided that each such sub-committee shall be subordinate to the sub-section committee; and
 - (10) such other business as the sub-section president rules is relevant to an annual general meeting.
- b. The sub-section secretary shall within six weeks of the annual general meeting forward the minutes of that meeting together with two copies of the statements of receipts and expenditure and balance sheet and of the auditors report to the state secretary who shall:
 - (1) immediately forward one copy of each to the National Secretary; and,
 - (2) table the other copy of each at the next state council meeting and retain them for state council records
- c. Nominations for sub-section president, other sub-section executive officers, committee members, state councillors, deputy state councillors to be elected at the annual general meeting shall be called for at the general meeting held four months prior to the annual general meeting and shall close at the following general meeting at which a member of the sub-section, who is not a candidate for any of the offices for which nominations were called, shall be elected as returning officer.

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- d. The sub-section secretary shall:
 - (1) examine each nomination received under rule 20.07 and ensure that each has been signed by the nominee, proposer and seconder and that each is financial and appears on the sub-section register;
 - (2) reject any nomination which does not comply with the foregoing; and
 - (3) transmit valid nominations to the returning officer together with a list of those rejected and the reasons for such rejection.
- e. The sub-section returning officer shall take the chair at the annual general meeting for the election of the sub-section president, other sub-section executive officers, committee members, state councillors, deputy state councillors and such other positions as the sub-section committee may determine and where there are more nominations than required for any position the returning officer shall conduct a secret ballot provided however that:
 - (1) in the case of an equality of votes the returning officer shall determine by lot the candidate to be elected; and
 - (2) if any position is not filled the meeting shall determine whether to call nominations at that meeting or to refer the matter to the next general meeting for treatment as casual vacancies.

3.3.2 Sub Section General Meetings Article 3.3.2.

3.3.2 Sub Section Committee

- a. A sub-section committee shall include:
 - (1) the sub-section executive comprising:
 - (a) the sub-section president;
 - (b) not more than three vice-presidents;
 - (c) the immediate past sub-section president, if appropriate;
 - (d) the sub-section secretary;
 - (e) the sub-section treasurer; and
 - (f) the sub-section Assistant Secretary; and
 - (2) not less than three or more than six committee members where the sub-section has not more than one hundred (100) members and not more than eight (8) committee members where the sub-section has more than one hundred (100).
- b. The sub-section committee shall meet within two weeks of the annual general meeting and at such other times as the committee may determine provided that where there is no general meeting in any month there shall be a committee meeting in that month.

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3.3.2 Sub Section Executive

- a. A sub-section president shall preside at all sub-section meetings at which he or she is present and shall:
 - (1) convene general, committee and executive meetings in accordance with these rules;
 - (2) ensure that the decisions of general meetings are implemented in accordance with these rules; and
 - (3) if required be a member of any sub-committee established by a general meeting but shall not preside at meetings of such sub-committees unless appointed by the general meeting to do so.
- b. A sub-section vice-president shall undertake all the duties and responsibilities of the sub-section president in the absence or incapacity of the sub-section president or at his or her request provided that where there are two or more vice-presidents available and willing to act and the sub-section president has made no designation and neither the sub-section committee nor the executive has made prior arrangements the vice-president to so act shall be determined between the available and willing vice-presidents by lot.
- c. The sub-section secretary shall:
 - (1) receive, dispatch and subject to these rules sign all official correspondence
 - (2) maintain records of names and addresses of members, correspondence, petty cash and postage;
 - (3) ensure the proper storage of minute books, copies of these rules and amendments thereto;
 - (4) transmit to the state council copies of all general meeting minutes, endorsed "subject to confirmation" and signed by the secretary, within twenty-one days of each meeting; and
 - (5) undertake such other duties as may be provided for by these rules and as directed by the committee or executive.
- d. The sub-section treasurer shall:
 - (1) receive and have responsibility for all monies paid to the sub-section and within seven days of receipt thereof deposit any such monies in excess of \$50 to the credit of the sub-section in an account or accounts with such bank as may be approved by the general meeting provided however that the said period and the said amount may be varied in respect of all sub-sections of a section or of a particular sub-section by state council by-laws;

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- (2) keep a correct account of all monies received and expended from day to day such that up to date books of account may be laid before general meetings;
 - (3) supply all information required by the auditors; and
 - (4) submit statements of income and expenditure and balance sheets to the annual general meeting with an auditor's report and to submit progress statements of receipts and expenditure to each ordinary general meeting.
 - (5) The treasurer shall not under any circumstances, pay, lend or otherwise appropriate any funds of the sub-section to or on behalf of any member, officer, cause or purpose unless authorised by a general meeting.
- e. The assistant secretary shall provide such assistance to the secretary as the committee shall determine.

SECTION 4 – ADMINISTRATION

4.1 Finances

- a. A sub-section may subject to the approval of Section council establish an emergency fund with limited liability for the purpose of assisting by loan or gift a member or person entitled to be a member and such fund shall be administered by the sub-section executive subject to direction from the sub-section committee.
- b. A sub-section which establishes an emergency fund in accordance with rule 20.15 shall establish and maintain such fund from the subscriptions paid by members, income or donations and shall not seek public monies for that purpose.

4.2 Assets

4.3 Records

4.4 Indemnity