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INAUGURATED 1920



THE NAVAL ASSOCIATION OF AUSTRALIA

CONSTITUTION AND RULES
ADOPTED 4TH JUNE 1993

The Naval association of Australia - Constitution and Rules

Naval Association of Australia - Constitution and Rules

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RECORD OF CHANGES

CHANGE NO	DATE OF CHANGE	DATE ENTERED	NAME	SIGNATURE
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1	June 96	Jun 96	P Burn	
2	Dec 97	Dec 97	P Cooke-Russell	
3	May 99	May 99	P.Cooke-Russell	
4	June 2002	June 2002	P.J. Cooke-Russell	
5	April 2004	April 2004	P.J. Cooke-Russell	
6	July 2005	July 2005	P.J. Cooke-Russell	

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THE NAVAL ASSOCIATION OF AUSTRALIA (INC)

CONSTITUTION AND RULES

SECTION 1

CONSTITUTION

- 01.01 The Association, inaugurated November 1920 as the Ex-Navalmen's Association, shall be called "The Naval Association of Australia".
- 01.02 The motto of the Association shall be "Each for All - All for Each".
- 01.03 Subject to her consent, Her Majesty Queen Elizabeth II shall be Patron-In-Chief of the Association as shall be, subject to their consent, her heirs and successors and further, subject to acceptance of an invitation by the state council in each case, their excellencies the state governors shall be patrons of the Association within the area of the jurisdiction of the particular governor.
- 01.04 *No sub-section or member shall approach any other person or propose the appointment of any other person to be a patron or vice-patron to the Association or any part thereof without the approval of the State Conference or State Council.***
- 01.05 The name of the Association, of a state council and of a sub-section is reserved for use in accordance with these rules and no unauthorised body, person or persons may use such names.
- 01.06 These rules, as approved by the 1993 Federal Conference shall operate from the rising of that Conference.
- 01.07 The Constitution and Rules of the Association in force prior to the rising of the 1993 Federal Conference are repealed provided that any action commenced in accordance with the repealed rules shall be completed as if those rules were still in effect.
- 01.08 The Association shall not be dissolved except with the agreement of more than 75% of the membership of the Association registered at the time a plebiscite on the question of dissolution is conducted in accordance with these rules.
- 01.09 If upon dissolution of the Association there remains, after satisfaction of all debts and liabilities, any property whatsoever the same shall not be paid to, transferred to, or distributed among the remaining members of the Association or any of them or any former members but shall be transferred to one or more incorporated associations with objects similar to those of the Association the constitutions of which prohibit the distribution of their income and property among its members, and alternatively in the absence of such other association shall be given or transferred to a fund or institution established for charitable purposes provided that the recipient of the said property of the Association shall be determined in accordance with this rule by National Council.
- 01.10 In these rules:
- (a) "the Association" means "The Naval Association of Australia";
 - (b) "immediate past president" is the office held for twelve months following retirement from the office of president;
 - (c) "member" is and means "a financial ordinary member" which includes a "life member" unless the context clearly illustrates that the reference includes or refers to an unfinancial ordinary member or a person with restricted membership;
 - (d) "plebiscite" means the determination of a question or proposal by a vote of all members of the Association;

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- (e) "section" means the management unit of the Association constituted as such within a state or territory;
- (f) "sub-section" is a group of members in a particular locality or with common ties constituted under these rules as a sub-section; and
- (g) "these rules" means the Constitution and Rules of the Association.

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SECTION 2

ARRANGEMENT OF CONSTITUTION AND RULES

02.01 These rules are arranged as follows:

SECTION 1

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 - 01.01 Name of Association
 - 01.02 Motto of Association
 - 01.03 Patron - In - Chief and Vice Patrons
 - 01.04 Appointment of Patrons and Vice Patrons
 - 01.05 Association Name Reserved
 - 01.06 Date of Operation of These Rules
 - 01.07 Repeal of Previous Constitution and Rules
 - 01.08 Dissolution of Association
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 - 04.02 Achievement of Objects
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 - 07.03 Management by National Council
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- 7. ORGANISATION - continued
 - 07.05 Property and Asset Register
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SECTION 3

ENACTMENT, AMENDMENT OR SUSPENSION OF RULES AND BY-LAWS

- 03.1 No amendment or alteration of or addition to these rules shall be made except:
- (a) by National Conference in accordance with these rules;
 - (b) by plebiscite conducted in accordance with these rules; or
 - (c) by promulgation of National Council provided that such amendment, alteration or addition;
 - (i) is necessary as a consequence of an enactment, amendment or alteration adopted by National Conference or to correct any anomaly or error in the rules or is the result of consideration by the Rules Committee, constituted under rule 03.02, of any question referred to the said committee by National Conference or by National Council;
 - (ii) does not affect the context, intention or financial implications of the rules;
 - (iii) has been recommended by the Rules Committee; and
 - (iv) within three months of reference thereto, is not opposed by a majority of the total number of the state councils then existing and National Executive.
- 03.02 A Rules Committee shall be constituted at each National Conference or if conference so determines, immediately following that conference to:
- (a) determine the affect on these rules of any enactment, amendment or alteration effected by National Conference;
 - (b) investigate whether or not any anomalies or errors in these rules should be remedied;
 - (c) consider any relevant questions referred to it by National Conference or National Council; and
 - (d) examine all items for National Conference agenda proposing amendment to these rules and prepare a report for submission to conference.
- 03.03 The Rules Committee shall report its findings to National Council at six monthly intervals or as otherwise directed by council.
- 03.04 The National Secretary, following the receipt of each report from the Rules Committee, shall refer any recommendations included in such report to each state council and National Executive.
- 03.05 National Council may, if it is of the opinion that circumstances require that the operation of a rule should be suspended, suspend the operation of such rule until the next meeting of National Conference provided that National Council shall not:
- (a) promulgate the suspension of the operation of any rule if the period of such suspension would be greater than twelve months unless the same procedure has been undertaken as if the proposed suspension was a proposed amendment to these rules; or
 - (b) suspend or propose the suspension of all or part of rules 03.01 to 03.08 inclusive, 04.01 or 04.02 or any rule related to the holding of a National Conference.
- 03.06 National Conference may make, vary or repeal by-laws, which shall not be inconsistent with these rules, for the better regulation and management of the affairs of the Association as a whole and, during the

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periods between National Conferences except for the twelve months immediately before a Conference, the National Secretary shall promulgate the making, varying or repeal of any by-laws when National Council has referred a proposal to do so to the Rules Committee and;

- (a) the proposal together with any recommendation from the Rules Committee has been submitted by the National Secretary directly to all state secretaries; and
- (b) within three months of submission to the state secretaries the proposal has not been opposed in writing by a majority of the total number of state councils then existing and National Executive.

03.07 A state conference may make, vary or repeal state by-laws which shall not be inconsistent with these rules or any National by-laws, for the better management of the affairs of the Association within the state section.

03.08 A sub-section annual general meeting may make, vary or repeal sub-section by-laws which shall not be inconsistent with these rules, or any National by-laws or any section by-laws for the better management of the affairs of the Association within the sub-section.

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SECTION 4

OBJECTS

04.01 The principal objects of the Association are to:

- (a) unite and develop comradeship among all former and serving naval personnel eligible for membership of the Association; and
- (b) promote and assist activities in the wider community to improve the health and well-being of the community of which former and serving naval personnel are a part.

04.02 In pursuit of the principal objects the Association shall:

- (a) assist, co-operate with and promote interest in the Royal Australian Navy;
- (b) assist and support the Australian Naval Cadet movement;
- (c) assist former naval personnel to obtain employment;
- (d) provide such practical and financial assistance as may be possible to;
 - (i) former and serving naval personnel and their immediate families; and
 - (ii) the surviving spouse and the dependent children of deceased naval personnel, whether the death occurred during or subsequent to naval service, who are in necessitous circumstances;
- (e) provide for the entertainment of visiting naval personnel;
- (f) encourage the social, intellectual and general well-being and advancement of its members;
- (g) where appropriate, purchase or lease property, for the provision of clubrooms, offices or such other facility as may be considered necessary for the efficient operation of the Association;
- (h) print, publish and circulate such books, magazines and papers as may be considered necessary or desirable to advance the objects of the Association; and
- (i) at all levels assist community charitable activities contributing to the health and welfare of the community.

POLITICAL OR INDUSTRIAL ACTIVITY OR SECTARIAN PREFERENCE

05.01 The Association shall not engage in any political or industrial activity or give any specific or general support for any political or industrial activity provided however that the Association, subject to rule 06.01, may express its views on any government or opposition policy, Act of Parliament or Bill for an Act of Parliament which it considers could affect in any way its members, former or serving naval personnel, the Royal Australian Navy, the Naval Reserves or the Australian Naval Cadets.

05.02 The Association shall not discriminate against any member or any applicant for membership on the grounds of any lawful political or industrial affiliation or views or of any sectarian preference.

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COMMUNICATION WITH GOVERNMENT, MEDIA AND FLAG OFFICERS

- 06.01 Authority to make submissions to the Governor General, a state governor, the Commonwealth Government, a member of the Commonwealth Parliament, a state or territory government or a member of a state parliament or territory legislature or to communicate with the media:
- (a) on behalf of the Association as a whole on any general Association policy or concern shall be limited to the National President, National Vice President and National Secretary and other officers of the National Executive as may be authorised by the National Executive;
 - (b) on behalf of a section in relation to section policy or concern shall be limited to the state president, a state vice-president and the state secretary; and
 - (c) on behalf of a sub-section in relation to sub-section policy or concern shall be limited to the sub-section president, a sub-section vice-president and the sub-section secretary.
- 06.02 Authority to communicate with R.A.N. flag officers other than for ceremonial and social occasions is vested in National Executive.

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SECTION 5

- 07.01 As established and constituted by these rules;
- (a) National Conference shall be the supreme governing authority of the Association throughout the Commonwealth of Australia and its territories;
 - (b) National Council shall be the governing body administering the affairs of the Association when National Conference is not in session;
 - (c) National Executive shall comprise the Officers elected by National Conference or as otherwise elected in accordance with these rules and shall form part of National Council and, except as provided under these rules, be subject to National Council;
 - (d) a state conference shall be the governing authority of the section of the Association within the state or territory in respect of which it is constituted, whether the section comprises sub-sections or not, provided that:
 - (i) in a state or territory in which there are two or more sub-sections state conference shall comprise state executive officers and conference delegates as are elected in accordance with these rules; and
 - (ii) in a state or territory in which the section comprises only one group of not less than eight members, the state conference shall comprise officers, designated as the state executive, elected in accordance with the rules related to the management of sub-sections together with all other members of the section meeting under the rules governing a sub-section annual general meeting;
 - (e) a state council shall be the governing body of the section of the Association within the state or territory in respect of which it is constituted, whether the section comprises sub-sections or not, during the periods state conference is not in session provided that:
 - (i) in a state or territory in which there are two or more sub-sections the state council shall comprise such state executive Officers and such councillors as are elected in accordance with these rules; and
 - (ii) in a state or territory in which the section comprises only one group of not less than eight members, the state council shall comprise state executive officers elected in accordance with these rules and all other members of the section;
 - (f) state executive shall comprise the officers elected by state conference or as otherwise elected in accordance with these rules, and shall form part of the state council and, except as provided under these rules, be subject to state council;
 - (g) the members in general meeting of a sub-section shall be the governing authority of a sub-section;
 - (h) a sub-section committee, elected at the annual general meeting of the sub-section or as otherwise elected in accordance with these rules, shall be the governing body of the sub-section during periods between general meetings of members, but shall be subject to such general meetings; and
 - (i) a sub-section executive shall comprise the officers elected by the annual general meeting of members or otherwise elected in accordance with these rules, and shall form part of and be subject to the sub-section committee;
- 07.02 A state council may establish a sub-section which shall comprise at such establishment not less than eight members from a locality within a state section or with common ties and shall, subject to the supervision of a state council and to these rules, be self governing provided however that following the establishment

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of the first sub-section in a state or territory National Council, in accordance with the determination of that sub-section, shall constitute the sub-section;

- (a) as a section; or
- (b) as a sub-section of an established section subject to the concurrence of the state council of that section.

07.03 State councils shall have the responsibility to manage the Association in accordance with these rules on behalf of National Council and to implement all constitutional directions of National Council but such responsibilities shall be limited to sub-sections within the state or territory for which the state council was constituted except where, in the opinion of National Council and with the concurrence of the state councils affected, a sub-section or group of sub-sections could be better administered by the state council of another state or territory.

07.04 In the financial management of the Association:

- (a) the membership year shall end on 31 December and the financial year shall also end on 31 December unless by virtue of government or legislative requirements affecting National Council, a state council or a sub-section 30 June is more appropriate;
- (b) the income and property of the Association howsoever derived or held shall be applied solely to the promotion of the objects of the Association and no such income or property shall be paid or transferred, directly or indirectly, by way of dividend, bonus, profit or gain to any member, unfinancial member or restricted member of the Association provided that nothing herein shall prevent the payment to any such member of;
 - (i) reasonable remuneration for rendering approved service;
 - (ii) reimbursement of authorised out of pocket expenses; or
 - (iii) interest on money lent or rent for premises demised or let to the Association by such member;
- (c) National Council, a state council and a sub-section shall cause to be kept proper accounts of all financial transactions; and
- (d) any cheque drawn on any account of the Association howsoever held shall be signed by the appropriate treasurer and at least one other officer of the executive of which the treasurer is a member.

07.05 The National Secretary and each section and sub-section secretary shall establish and maintain a property and asset register to include records identifying each item of real and other property, including memorabilia, and specifying;

- (a) if purchased, the date of purchase, purchase cost and valuation updated annually; and
- (b) if donated, the name of the donor, the date of the donation, details of any conditions imposed by the donor and agreed to by the recipient and valuation updated annually.

07.06 A section or a sub-section proposing incorporation under appropriate state law shall submit the proposed incorporation constitution to National Council or state council respectively for certification that the said constitution does not in any way conflict with these rules and when incorporated a state council and a sub-section shall affix its common seal only in accordance with the state law governing the use of a common seal.

7.11 When a section or a sub-section is not an incorporated body the secretary thereof may, when authorised by the state council or sub-section committee as appropriate, sue for the recovery of monies due or owing to the said

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state council or sub-section and in so doing shall be indemnified by the said state council or sub-section against all costs, losses and expenses incurred in such proceedings.

7.12 Any National Executive or State Executive Officer may hold concurrently any Sub Section office.

Affiliation.

07.09 *Affiliation may occur at three levels:*

- (a) Affiliation with National Council;*
- (b) Affiliation with a Section*
- (c) Kindred Affiliation with Naval Association.*

Affiliation with National Council or Section Levels of the Naval Association.

07.10. Associations or bodies, the membership of which predominantly comprise persons eligible for ordinary membership of the Association or a combination of such persons and former or serving Australian, British or British Commonwealth Army or Air Force personnel who have proof of service with the Royal Australian Navy, Royal Navy or other British Commonwealth Navy, may, on agreement to acknowledge the Objects of the Association, affiliate with the Association:

- (a) at the National level, with the approval of National Conference or National Council, provided that such affiliated association or body:
 - (i) is a properly constituted national body with sections in a number of states;
 - (ii) may appoint delegates and observers to attend National Council and National Conference;
 - (iii) shall not be eligible to participate as of right in any fund established by the Association;
 - (iv) shall be permitted to vote on any matter which promotes or implements the Objects of the Association but shall not be permitted to vote on any matter related to the funds and property of the Association or on any matter related to the general management of the Association or on any proposal to enact, amend or suspend any of these rules; and
 - (v) shall pay annually to the National Council such National affiliation fees as set out in Schedule 1 to these rules.
- (b) at a *Section* level, with the approval of state conference or state council, provided that such an affiliated association or body:
 - (i) shall not be entitled to appoint delegates to the National Conference or National Council but may appoint delegates and observers to state council and state conference who shall be permitted to vote on any matter which promotes or implements the Objects of the Association but shall not be permitted to vote on any matter related to the funds and property of the Association or on any matter related to the general management of the Association or on any proposal to enact, amend or suspend any of these rules;
 - (ii) shall not be eligible to participate as a right in any fund established by the Association; and
 - (iii) shall pay annually to state council such state affiliation fees as shall be determined by state conference from time to time provided that such fees shall not exceed the maximum set out in Schedule 1 to these rules."

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Kindred Affiliation with the Naval Association

7.11 Associations or bodies, the membership of which comprise persons who may be eligible for ordinary membership of the Association, or Associations or bodies of such persons who may share an interest in Naval matters, may with the approval of the National Council, affiliate with the Association as a Kindred Affiliate provided that the affiliated Association or body is a properly constituted body. Kindred Affiliates

- (a) will be represented at National Conference and Council by the Kindred Affiliates Secretary specifically appointed by the National Council;*
- (b) may appoint observers to attend National Council and National Conference;*
- (c) shall not participate as of right in any fund established by the Association;*
- (d) shall pay annually to the National Council such affiliation fees as set out in Schedule 1 to these rules..*

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SECTION 6

ORDINARY MEMBERSHIP

08.01 Persons eligible to apply for ordinary membership of the Association shall be:

- (a) persons who are former or serving personnel of the Naval services of Her Majesty or her predecessors or successors or of the Royal Marines who have served for a period of not less than six months; and
- (b) former or serving Australian Naval Cadet Officers and Instructors in receipt of a Certificate of Appointment issued under the appropriate Commonwealth Act who have served as such for a period of not less than two years;

provided however that an applicant;
 - (i) who has served for a period less than the prescribed period; or
 - (ii) whose separation from any such service was the result of an assessment of unsuitability or of a breach of discipline;
- (c) persons who are former or serving personnel of the Australian Naval Cadet (ANC) movement and who have reached the age of 18 years and who have completed 3 years service in the ANC".
- (d) persons who are former or serving personnel of the merchant naval service of Australia or any member country of the British Commonwealth who in the performance of their merchant naval duties, have served in a war zone or other theatre of military operations

may be admitted to membership at the absolute discretion of the state council.

08.02 An eligible person may be accepted as a member of the Association if approved by at least 75% of the members present and entitled to vote at the general meeting of the sub-section or at the state council meeting of a section without sub-sections considering the application:

- (a) in the form prescribed by National Council and containing all the information required by that form;
- (b) endorsed with the names and signatures of the members proposing and seconding the nomination and of the applicant; and,
- (c) accompanied by the entrance fee and annual subscription and by documentary or other evidence establishing eligibility for membership.

08.03 Sub-sections shall submit one copy to the National Secretary directly and one copy to the state secretary of each application from persons accepted by the sub-section with the financial returns required by rule 20.29 and shall retain one copy for sub-section records.

08.04 A member shall report any change of his or her address to the sub-section Secretary and any notice posted to the member at the reported address of the member shall be deemed to have been served on the member not later than five days after such posting.

RESTRICTED MEMBERSHIP

09.01 Members of a ladies auxiliary of a sub-section, established under rule 20.14, shall be accepted as **ladies auxiliary members**.

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- 09.02 National Council, a state council or a sub-section annual general meeting may elect any person, who has rendered special service to the Association, or is considered to hold sufficient status in the community to be an **honorary member** of the Association, state section or sub-section respectively for a period of twelve months from the date of such election and such person may be re-elected as an honorary member for successive twelve month periods at the absolute discretion of the electing body.
- 09.03 Any person *not entitled to full membership*, may be elected to be an honorary member for life if the National or state council is satisfied that the person has rendered service of sufficient magnitude to warrant such special consideration provided that:
- (a) notice of motion nominating a person for election is submitted:
 - (i) to National Council by a 75% majority vote of a state council or National Executive, or
 - (ii) to a state council by a 75% majority vote of a sub-section general meeting or a state executive;
 - (b) the nomination is accompanied by a citation demonstrating the magnitude of the service rendered; and
 - (c) the motion nominating the person is passed by a 75% majority at a subsequent meeting of a National or state council as the case may require.
- 09.04 A person who has served at sea in any capacity or who has served in a Naval establishment who is not eligible to be a member of the Association may be accepted as an **associate member** of a sub-section.
- 09.05 Subject to such rules as it may think fit and are approved by state council, a sub-section may admit any such person as is eligible under those rules as a **club member**.
- 09.06 A member of a sub-section may be accepted as a **social member** of any other sub-section provided that:
- (a) the other sub-section is satisfied that the member is and continues to be a financial member of the Association;
 - (b) social membership of another sub-section shall not affect the rights, privileges and responsibilities of the member in his or her substantive sub-section; and
 - (c) a member granted social membership shall be subject to the limitations set out in rule 09.07 only so far as they relate to the position of the social member in the other sub-section.
- 09.07 A person granted restricted membership at National, state or sub-section level shall not be entitled or permitted to hold any executive office in the Association, to serve on any committee responsible for the management of the Association, its finances or its property or to have any voice by right or any vote at any meeting thereof but may be permitted to attend any such meetings and such restricted members may serve with full voting rights on any social or sporting sub-committee to which the restricted member may be elected by members, except as varied by 09.08.
- 09.08 A person granted restricted membership of a Sub Section may be elected to the office of Administrative Officer to assist the elected Sub Section Secretary or Treasurer in his/her duties or take over the duties of either if no nomination received, but to have no vote or voice in decision making of the Sub Section.
- 09.09 No subscription shall be payable by an honorary member or an honorary member for life but the annual subscription payable by an associate member, club member and a social member shall be as determined from time to time by the admitting sub-section provided that such subscription shall not exceed the annual subscription payable by members and that the full amount of the subscriptions received from associate, club and social members shall be retained by the sub-section.

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SECTION 7

AWARDS

CERTIFICATE OF APPRECIATION

- 10.01 A Certificate of Appreciation may be awarded by National Council or by a state council, on its own motion or on the recommendation of a sub section, to any member or person who has given special service to the Association.

DIPLOMA OF MERIT

- 10.02 A Diploma of Merit may be awarded by a state council after consideration of a recommendation submitted by a sub-section or state council provided that:
- (a) the recommending body submits a citation which establishes that the member has given at least five years exceptional service to the Association; and
 - (b) a recommending body may not recommend more than two members for the award of the Diploma of Merit in any calendar year.

LIFE MEMBERSHIP

- 10.03 A member may be nominated for award of Life Membership provided that
- (a) the member has been awarded and is in possession of the Diploma of Merit;
 - (b) it can be demonstrated that the member has been a valued and worthy member; and
 - (c) has rendered service of an exceptional or sterling character resulting in benefit to the Association at any level for periods totaling fifteen years.
- 10.04 The nomination of a member for the award of life membership may be made by a sub-section or a state council/conference and such nomination must be accompanied by a citation which must include a record of any offices held and details of the results which flowed from the service rendered of exceptional or sterling character.
- 10.05 Where the nomination originates within a sub-section:
- (a) the proposer shall give one months notice of the nomination;
 - (b) the nomination shall be considered at a properly constituted general meeting of the sub-section and, if the proposal receives by secret ballot the support of not less than 75% of the members present, the nomination shall be submitted to the state secretary, and
 - (c) the state secretary shall at the next state council meeting after receipt of the nomination table it and give notice that it will be considered at the following state council meeting.
- 10.06 Where the nomination originates within a state council/conference the proposer shall give one months notice of the nomination.
- 10.07 The state secretary, being satisfied that a nomination and the accompanying citation originating from either a sub-section or state council/conference fully complies with the provisions of rules 10.03 and 10.04 and has received by secret ballot the support of not less than 75% of those present and eligible to vote at state council/conference, shall submit the nomination to the National Secretary within one week of such ballot.

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- 10.08 National Executive shall without delay consider the citation accompanying a nomination received from a state council/conference to determine whether or not the citation includes adequate details of the results which flowed from the service of the member and if National Executive:
- (a) is so satisfied it shall return the nomination and citation to the state secretary for inclusion on the agenda for the next state council/conference which ever is the earlier; or
 - (b) is not so satisfied it shall return the nomination and citation to the state council which may revise the citation and resubmit the nomination to National Executive for further consideration. This process is to continue until the citation for the award is endorsed by the National Executive or the nomination is either withdrawn or lapses.
- 10.09 The award of Life Membership will be determined at a properly constituted state council /conference by secret ballot. A majority of not less than 75% in favour of the motion of those present and eligible to vote shall constitute approval for the award of Life Membership.
- 10.10 The state secretary shall submit advice of the award of life membership to the National Secretary who shall issue the Life Members Badge, Card and Certificate, and enter the member's name in the Life Membership Register.
- 10.11 If a state council after thorough investigation is satisfied that there are grounds of extreme urgency to warrant consideration of a nomination outside the requirements of this rule the nomination may be forwarded to National Executive for endorsement at any time together with details of the circumstances and their recommendation as to how the matter should best be handled. Should the nominee predecease the endorsement of the National Executive or award by the appropriate state council/conference per Article 10.09, the nomination for Life Membership will lapse.
- 10.12 Where National Executive is satisfied that extreme urgency has been established and that the citation satisfies the criteria set out in rule 10.04 National Executive may authorise the award of life member in a manner appropriate in the circumstances.
- 10.13 Upon award the life member shall be exempt from the payment of any further subscriptions or any form of levy, be regarded as financial at all times and be entitled to all rights and benefits of the Association available to members and the nominating body shall comply with the requirements of rule 13.08.
- 10.14 A state council or a sub-section may nominate for only one member for the award of life member each calendar year unless a state council satisfies National Council that there are such exceptional circumstances as would justify exceeding this number.

NATIONAL PRESIDENT'S COMMENDATION

- 10.15 There are instances where the Association's present system of meritorious service awards do not or cannot recognise meritorious service as a result of constraints, such as time or specified prerequisite or qualifications which are placed upon their award.
- (a) The National Council has agreed that there is a need for a system of recognising service to the Association that is not covered by the present structured system of awards in the Association.
 - (b) The aim of this instruction is to state the guidelines for the award of a National President's Commendation.
- 10.16 The National President's Commendation makes provision for:
- (a) Commendations to apply not only to ordinary members of the Association but to associates and affiliates and other people or groups who are not members/affiliates of the Association..
 - (b) No limit on the number of Commendations issued.
 - (c) No time limitations placed on the award of Commendations.

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- (d) Recommendations for the award of a Commendation may be forwarded to the National President at any time, but only one commendation will be awarded for the same action to an individual or group.
- 10.17 Presidential Commendations are intended to provide the Association with a means of formally recognising specific meritorious acts of service to the Association by ordinary members, associates, affiliated persons and other persons and groups deemed to have provided meritorious service, either in isolated instances or over a period of time to the benefit of the Association and its members. Presidential Commendations are separate from the Association's system of meritorious service awards conferred by State Conferences and National Council.
- 10.18 Procedure A Sub Section or State Section is to submit relevant details through the Sub Section and State Executive to the National Council with a recommendation to the National Council to determine whether an award is warranted and if so, award a Commendation.

NAVAL ASSOCIATION CERTIFICATE

- 10.19 On receipt of information from a sub section and verification by the National Membership Registrar, *a Naval Association Long Service Certificate* will be awarded recognising the contribution of 50 years continuous membership.

MERITORIOUS SERVICE MEDAL

- 11.01 A member of the Association may be nominated for award of the Meritorious Service Medal provided that;
- (a) the member has been and remains elected to Life Membership; and
 - (b) it can be demonstrated that the member has rendered not less than 20 years of exceptional and meritorious service at any level of the Association
- 11.02 The nomination may be made by a sub-section or a state council and must be accompanied by a citation which must include a record of any offices held and details of the results which flowed to the Association from such exceptional and meritorious service.
- 11.03 Where the nomination originates within a sub-section:
- (a) the proposer shall give one months notice of the nomination;
 - (b) the nomination shall be considered at a properly constituted general meeting of the sub-section and if the proposal receives, by secret ballot, the support of not less than 75% of the members present the nomination shall be submitted to the state secretary not less than three months prior to the next state conference; and
 - (c) the state secretary shall at the next state council meeting after receipt of the nomination table it and give notice that the proposal will be considered at the following state council meeting.
- 11.04 Where the nomination originates within a state council the proposer shall give one months notice of the nomination provided that such notice shall be given not less than five months prior to the next state conference.
- 11.05 The state secretary being satisfied that a nomination originating from either a sub-section or a state council fully complies with the provisions of rules 11.01 and 11.02 and has received by secret ballot the support of not less than 75% of those present and eligible to vote at state council, shall place the nomination on the agenda for the next state conference.
- 11.06 A nomination receiving by secret ballot the support of not less than 75% of those present and eligible to vote at state conference shall be submitted by the state secretary to the National Secretary.

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- 11.07 National Executive shall without delay consider the citation accompanying a nomination received from a state conference to determine whether or not the content of the citation satisfies the criteria as to the details of results set out in rule 11.02 and if the National Executive :
- (a) is so satisfied it shall approve the inclusion of the nomination on the agenda for the next National Council meeting; or
 - (b) is not so satisfied it shall return the nomination and citation to the state council which may revise the citation and resubmit the nomination to the National executive with or without reconsideration by state conference.
- 11.08 A state council or a sub-section may nominate for award of the Meritorious Service Medal only one member each calendar year unless a state council satisfies National Council that there are such exceptional circumstances as would justify exceeding this number.
- 11.09 Award of the Meritorious Service Medal will be determined at a properly constituted National Council meeting by secret ballot. A majority of not less than 75% in favour of the motion of those present and eligible to vote shall constitute approval for the award of the Meritorious Service Medal to the nominee.
- 11.10 When National Council awards a Meritorious Service Medal the National Secretary shall issue the medal, with miniature and ribbons, *and a Meritorious Service Medal Certificate of Award*, and enter the name of the recipient in the register of the holders of the award provided that if a nominee for the award dies after the submission of the nomination to a state council the procedures may continue and National Council may award the medal posthumously and direct that the medal be presented to relatives of the member concerned.
- 11.11 The Meritorious Service Medal shall:
- (a) show on the obverse of the medal the design of the Association Badge and the words "FOR MERITORIOUS SERVICE" and on the reverse the name of the recipient and the date of the award;
 - (b) be supported by a ribbon with three vertical royal blue stripes each edged with a fine red line on a white background; and
 - (c) be worn on the right breast.
- 11.12 The cost of the Meritorious Service Medal with miniature and ribbons *and Award Certificate* shall be borne by the nominating section or sub-section.

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SECTION 8

BADGES AND CERTIFICATES

- 12.01 Except as otherwise provided in these rules, all badges issued by the Association under these rules shall remain the property of the Association, shall be surrendered on demand by National Council, a state council or a sub-section and shall be returned by a member who resigns, allows membership to lapse or is expelled from the Association to the state secretary or the secretary of the sub-section concerned provided however that on the death of a member the badge issued to that member or in the case of a life member the badge awarded that member may be retained by the heirs of the member.
- 12.02 The Association Badge shall be circular and shall depict a gold fouled anchor on a blue background surrounded by the words "Naval Association of Australia" in gold on a red background.
- 12.03 The Association Badge, surmounted by a Crown as approved by His Majesty King George V in 1929, shall be presented to:
- (a) a member on joining;
 - (b) an honorary member who is entitled to be a member of the Association upon admission as an honorary member; and
 - (c) a Patron or Vice-Patron, who is entitled to be a member of the Association upon appointment as a Patron or Vice Patron by the sub-section, state council or National Council as applicable.
- 12.04 The Honorary Member or Associate Members Badge shall be the Association Badge, surmounted with a coronet, and shall be presented to:
- (a) an honorary member who is not entitled to be a member of the Association upon admission as an honorary member;
 - (b) a Patron or vice-Patron who is not entitled to be a member of the Association upon appointment as a Patron or Vice Patron; and
 - (c) an associate member on joining.
- 12.05 The Honorary Member for Life Badge shall be the Association Badge surmounted by a coronet and having the words "HON MEMBER FOR LIFE" appended beneath and shall be presented to a person elected to be an honorary member for life together with a certificate approved by National Council.
- 12.06 A Ladies Auxiliary Badge which shall be of circular design as the Association Badge but with the words "Ladies Auxiliary" added to the words "Naval Association of Australia" on the red background surround and surmounted by neither a crown nor a coronet shall be presented to a member of such an Auxiliary formed pursuant to rule 20.14.
- 12.07 A Club Member Badge which shall be similar to the Ladies Auxiliary Badge with the words "Ladies Auxiliary" replaced by the words "Club Member" may be presented to a Club Member on joining as such at the cost of the member.
- 12.08 A Chaplain Badge to a design approved by National Council may be struck by a sub-section or a state council and presented by such a body to a person appointed as chaplain to such body.
- 12.09 A Life Member Badge being the badge presented to an ordinary member but surrounded by a gold wreath of laurel which may have the words "LIFE MEMBER" appended beneath shall be presented to a life member by the National President or the state president or delegated representative acting on behalf of

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the National President together with a certificate approved by National Council provided that if, after election, a life member dies before badge presentation the badge shall be suitably mounted and presented to an heir of the member.

- 12.10 A member and a life member may purchase through state council a miniature replica of the issued badge to wear as an alternative to the issued badge.
- 12.11 A state council may supply a replacement badge to a member who has lost the issued badge provided that the member shall bear the cost of the replacement badge and that the original badge shall be returned to the state council if it is subsequently recovered.
- 12.12 ***Ordinary Members badges shall be provided by the State Council from the joining fees. All other badges and certificates will be at the cost of the nominating Council or Sub Section.***
- 12.13 If the National Secretary is informed of the necessary details in sufficient time before the event, the badges will be provided for presentation on the approval of the award. In the most unlikely event of the award not being approved, the cost of the spoilt badge will be borne by the state section.
- 12.14 ***Meritorious Medal Award Certificates, Life Member Certificates, Diplomas of Merit, Certificates of Honorary Member For Life, National President's Commendations, National Council Certificates of Appreciation and Naval Association Long Service Certificates*** shall be in the form and to the design approved by National Council.
- 12.15 If the National Secretary is informed of the necessary details in sufficient time before the event, the certificates will be provided for presentation on approval of the award. In the unlikely event of the award not being approved, the cost of the spoilt certificate will be borne by the state section.

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SECTION 9

SUBSCRIPTIONS

- 13.01 The entrance fee payable by applicants for membership of the Association, the annual subscription payable by members and the disbursement of that fee and of each subscription between the sub-section, state council and National Council shall be, in each case, as determined by National Conference from time to time and as set out in Schedule 1 to these rules.
- 13.02 The annual subscription shall be due and payable on 1 January each year and when a National Conference amends the amount of the subscription or the entrance fee the amended subscription or fee shall be payable from 1 January immediately following that National Conference unless National Conference determines that such amended subscription or fee shall apply from such a date later than 1 January as it specifies and National Council shall promulgate the decision of National Conference as soon as practicable after the rising of conference.
- 13.03 The subscription payable by a new member:
- (a) who joins between 1 July and 31 October in any year, shall be 50% of the annual subscription for that year; and
 - (b) who joins on or after 1 November in any year, shall be the full amount of the subscription due on 1 January in the year following and the member shall be deemed as financial from date of joining until 31 December of the following year.
- 13.04 Sub-sections shall record the payment of each annual subscription on their membership register and present each financial member with the Association annual membership card.
- 13.05 The responsibility to pay the annual subscription rests with the member who shall not rely on receipt of any notice of subscription being due and if the annual subscription is not paid prior to the commencement of the annual general meeting of the sub-section the member shall have neither voice nor vote and shall not be eligible to be elected to any office at that meeting provided however that the member shall continue to enjoy all other rights and privileges of financial membership until 30 April of that year.
- 13.06 A member whose subscription is unpaid by 30 April in any year shall be declared unfinancial and be struck off the register as of 31 December of that year.
- 13.07 A person whose name has been struck off the register by virtue of rule 13.05 may apply to re-join the Association in accordance with the procedures prescribed by these rules for an application for ordinary membership or the sub-section committee at its discretion may reinstate his or her previous membership without break of service if the former member agrees to pay all subscription arrears and any levies imposed during the period subscriptions were in arrears provided that if the sub-section committee notwithstanding securing the agreement of the former member to make such payments refuses such reinstatement the former member may appeal against that refusal to the state council whose decision shall be final.
- 13.08 *Where an option to pay membership subscription arrears in accordance with Article 13.07 is exercised, membership years, previously in arrears, are not permitted to be counted towards time qualification for the award of Diploma of Merit and Life Membership.***
- 13.09 A sub-section nominating a member subsequently awarded life membership shall pay the state council such amount in respect of the life member as set out in Schedule 1 to these rules as dues to the state council and National Council each year and where a state council has made such nomination the state council shall in like manner pay any amount due to National Council provided that if the nominating body ceases to exist the state council or National Council respectively shall be responsible for any such payments.

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SECTION 10

TRANSFERS AND RESIGNATIONS

- 14.01 member may apply for transfer from one sub-section, referred to in this rule as the first sub-section, to another, referred to as the second sub-section, by lodging an application in the prescribed form with either the first or the second sub-section secretary.
- 14.02 When the secretary of the first sub-section receives an application for transfer from a member or advice of an application received by the second sub-section the secretary of the first sub-section shall, if the member is financial:
- (a) transmit to the secretary of the second sub-section all personal records of the member held by the first sub-section;
 - (b) retain a copy of those personal records *until the secretary of the second sub-section notifies the first sub section that the transfer has been accepted by the second sub section.*
- 1403** *On receipt of the personal records of the member applying for transfer, the secretary of the second sub section is to give notice of the request for transfer to the second subsection at a general meeting for consideration at a subsequent general meeting, the date of which is to be advised at the time of the first meeting.*
- 1404** *A transfer shall not be effected if;*
- (a) *the member has not paid all subscriptions and levies due to the first sub-section; or*
 - (b) *a majority not less than 75% vote against the transfer at the subsequent general meeting of the second sub section .*
- 14.5** *The Secretary of the second subsection is to inform the first sub section of the decision of the general meeting. Should the second sub section reject the transfer application, the secretary of the second subsection is to return all personal records of the applicant to the first sub section. The Secretary of the second subsection is to inform the State Secretary of the rejection of the application.*
- 14.6** *When an application for transfer is approved by the second sub section, the secretary of the second sub section is to inform the State and National secretaries that the transfer has been effected.*
- 14.07** After payment of all disbursements due to National and State Councils in respect of subscriptions paid by a member transferring to a second sub-section for the year in which the transfer was effected the remainder shall be retained by the first sub-section except where a member has transferred as a foundation member of a newly established sub-section when such monies shall be paid to the new sub-section.
- 14.08** A member may resign as a member of the Association by written notice to the secretary of the sub-section to which he or she belongs but:
- (a) acceptance of such resignation will not prevent the Association taking steps to recover any subscriptions, levies or other monies owed by the member; and
 - (b) the resignation shall not be accepted if the sub-section has prior notice of any allegation made pursuant to rule 15.01 until and unless such allegation is dismissed and then only subject to the provisions of (a) above.

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SECTION 11

BREACH OF CONSTITUTION OR RULES

- 15.01 Any allegation against a member that the member has been guilty of intentionally violating any rule of the Association or of any resolution adopted by National Council, state council or sub-section which is not in conflict with these rules or has been guilty of conduct unbecoming a member of the Association or subversive to the Association, shall be referred to the secretary of the sub-section to which the member belongs, directly or through the state secretary unless the person holding that office is the member against whom the allegation is made when the matter shall be referred to the sub-section president.
- 15.02 On receipt by a sub-section of an allegation of the type provided for in rule 15.01:
- (a) a special meeting of the sub-section committee shall be convened within one month of such receipt for the sole purpose of investigating the allegation;
 - (b) the member against whom the allegation has been made shall be given not less than seven days notice of the meeting, the details of the allegation and the name of the person making the allegation; and
 - (c) the person making the allegation shall also be given not less than seven days notice of the meeting.
- 15.03 At the special meeting of the sub-section committee convened by virtue of rule 15.02, which may not be adjourned to any other date before a decision on the allegation is made:
- (a) the person making the allegation shall submit the evidence in support of the allegation and shall be permitted to call witnesses;
 - (b) the member against whom the allegation has been made if present in response to the notice served by the committee shall be permitted to hear all the evidence in support of the allegation and shall be permitted, in turn, to question the members making the allegation and any witness and shall be permitted to make any statement or to submit any written statement, whether at the meeting or not, and to call any witness to give evidence in his or her defence provided that the person making the allegation may question any such witness;
 - (c) the committee shall hear or receive any and all evidence submitted in support of or in answer to the allegation and may seek clarification of any such evidence but no member of the committee may debate any aspect of the evidence during the hearing of the evidence;
 - (d) the committee, after the completion of the evidence, shall consider the evidence in the absence of the person who made the allegation, the member against whom the allegation was made, any or all witnesses who gave evidence, notwithstanding that any one or more may be members of the committee; and
 - (e) after consideration of the evidence the committee shall dismiss the allegation unless a majority of at least 75% of the committee members remaining consider that there is a case to answer and the committee, after giving the member against whom the allegation was made and the person making the allegation the opportunity to return to the meeting, shall announce its decision.
- 15.04 If the committee finds the allegation answerable a special general meeting of the sub-section shall be convened to be held within one month of the special committee meeting and shall give the member against whom the allegation was made and the person making the allegation each not less than seven days notice of the meeting and an invitation to attend.

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- 15.05 At the special general meeting convened, pursuant to rule 15.04 solely for the purpose of considering the allegation and the decision of the sub-section committee;
- (a) the chairman of the committee meeting called pursuant to rule 15.02 shall report the evidence heard in support of and in answer to the allegation and the decision of the committee;
 - (b) the member against whom the allegation was made shall be permitted to address the general meeting or to submit a written statement as the member chooses and the meeting may permit the person making the allegation to respond if considered necessary by the general meeting;
 - (c) the right of any member to attend the special general meeting and to vote thereat shall not be affected by the fact that he or she may have made or assisted in making the allegation against the member, had given evidence or made a statement, either in support of or against the allegation, or is the member against whom the allegation has been made.
- 15.06 After consideration of the evidence, the general meeting by a 75% majority decision of the members present and entitled to vote shall recommend one of the following to the state council:
- (a) that the allegation be dismissed;
 - (b) that the offence be declared to be trivial and that no penalty be imposed;
 - (c) that the member be censured;
 - (d) that the membership of the member be suspended for a specified period; or
 - (e) that the member be expelled.
- 15.07 At the state council meeting at which the recommendation of a sub-section is considered the member against whom the allegation is made may be present and may be permitted to address the meeting or to submit a written statement as the member chooses and the meeting may permit the person making the allegation to respond or to submit a written statement.
- 15.08 When a recommendation of a sub-section is submitted to state council the state council may:
- (a) confirm the decision, or
 - (b) substitute such decision as the state council considers appropriate.
- When the expulsion or suspension of the member is confirmed or determined by state council the expulsion or suspension shall take effect fourteen days after the member is advised accordingly by the state secretary provided however that, if the member exercises his or her right of appeal, expulsion shall not be enforced unless the appeal is dismissed but the member shall be suspended until the appeal is determined.
- 15.09 When a state council confirms or determines the expulsion of a member it shall immediately advise National Council and all other state councils and its own sub-sections and on receipt of such advice all other state councils shall immediately advise all their sub-sections and no sub-section shall accept any application for membership from the expelled member and, in the event that the expelled member has been accepted for membership, any such acceptance shall be null and void.
- 15.10 A member expelled under rule 15.08 may appeal to National Council against the expulsion decision made by state council by submitting to the National Secretary direct a written notice of appeal within fourteen days of advice of such expulsion together with a statement of the grounds of appeal and a fee equal to the amount of the annual subscription.
- 15.11 On receipt of a notice of appeal the National Secretary shall immediately advise the state council concerned and, after giving the state council the opportunity to respond to the grounds of appeal and the

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appellant the opportunity to comment on any such response, National Council shall determine the appeal expeditiously and uphold or dismiss the appeal and advise the appellant and the state council of its determination provided however that a decision:

- (a) to uphold the appeal may stipulate that the decision relates to penalty only when National Council may substitute a lesser penalty of the type set out in rule 15.06; and
- (b) to uphold the appeal shall not have effect until the expiration of six weeks from the date of the advice of the decision and shall be suspended on receipt of notice of appeal submitted by the state council under rule 15.12

15.12 There shall be a right of appeal to National Conference against the decision of National Council by:

- (a) the expelled member, if National Council dismisses an appeal under rule 15.11, by written notice of appeal direct to the National Secretary within fourteen days of the date of advice of National Council decision; and
- (b) the state council, if National Council upholds an appeal under rule 15.11, by written notice to the National Secretary no later than seven days following the first meeting of the state council after the date of advice of National Council decision;

provided that when notice of appeal is received under (a) or (b) above the National Secretary shall immediately notify the state council or the expelled member as appropriate.

15.13 National Conference shall consider an appeal instituted under rule 15.12 and shall uphold the appeal, which decision may only vary the penalty or dismiss the appeal and the decision of National Conference shall be final.

15.14 If National Council upholds the appeal of an expelled member and there is no valid appeal to National Conference or if National Conference upholds an appeal by the expelled member or dismisses an appeal by the state council, the member shall be restored to full membership without break of continuity, the fee paid under rule 15.10 shall be refunded and all sub-sections of the Association advised in the same manner as advice of the expulsion was advised under rule 15.09.

15.15 When a state council confirms or determines the suspension of a member for a period in excess of six months it shall advise forthwith all of its sub-sections accordingly.

15.16 A member suspended for a period in excess of one month may appeal against the decision of state council by submitting written notice of appeal setting out the grounds of the appeal to the state secretary, within fourteen days of being advised of the decision of the state council, and the state council may rescind its previous decision and remove the suspension, rescind its previous decision and vary the period of suspension or refer the appeal to the next state conference which may uphold, vary the period of suspension or dismiss the appeal.

15.17 Where an appeal under rule 15.16 is dismissed the suspended member may appeal to National Council within fourteen days of advice of the dismissal from the state secretary conveyed immediately after the rising of the state conference by written notice of appeal to the National Secretary together with a statement of the grounds of appeal and a fee equal to the amount of the annual subscription.

15.18 On receipt of a notice of appeal from a suspended member National Council after giving the state council the opportunity to respond to the grounds of appeal shall;

- (a) seek comment from the appellant on any response from the state council to the grounds of appeal;
- (b) consider the appeal expeditiously and uphold or dismiss the appeal or vary the period of suspension; and

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(c) advise the appellant and state council accordingly

The decision of National Council shall be final.

- 15.19 If the state council or state conference upholds the appeal under rule 15.16 or if National Council upholds an appeal under rule 15.17 the suspended member shall be restored to full membership without break of continuity, the fee paid under rule 15.10 shall be refunded and the state secretary shall advise all sub-sections accordingly.
- 15.20 There shall be no appeal against a decision to expel or suspend a member except as provided by these rules and the institution of an appeal in accordance with these rules shall not revoke, vary or suspend the decision appealed against pending the determination of the appeal except that where the decision is to expel a member the rights of that member under these rules shall be maintained as if only suspended.

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SECTION 12

NATIONAL CONFERENCE

- 16.01 National Conference shall comprise:
- (a) the National President and National Executive officers;
 - (b) no more than three conference delegates representing each state section; and,
 - (c) no more than three representatives from each nationally affiliated organisation or body.
- 16.02 National Conference shall meet every three years and a special National conference may be convened by National Council in exceptional circumstances subject to the concurrence of a majority of the total number of the state councils then existing and National Executive.
- 16.03 If a state section declines or is unable to elect one or more of its delegates from its own members it may elect one or more members from another state section subject to the concurrence of the other state section.
- 16.04 State section delegates shall hold office until the minutes of National Conference for which they were elected are received by the state council which elected them.
- 16.05 National Conference:
- (a) shall direct the policy of the Association on all matters affecting the interests and welfare of the members;
 - (b) may replace, amend or alter these rules provided that no more than five amendments from each of National Council, National Executive and the state councils are included in the agenda;
 - (c) may enact, amend, vary or repeal any by-laws in accordance with these rules;
 - (d) may seek incorporation of the National body under Commonwealth or such state or territory law as may be appropriate;
 - (e) may direct National Council to refer any proposal on the conference agenda for the amendment or variation of these rules or the enactment, amendment, variation or repeal of any by-laws to the Rules Committee for subsequent action by National Council in accordance with these rules;
 - (f) may direct National Council to undertake a plebiscite on any question;
 - (g) shall elect the National President and other National Executive Officers to hold office until the rising of the succeeding Triennial National Conference;
 - (h) shall appoint or direct National Council to appoint as soon as practicable after the rising of National Conference:
 - (i) an auditor registered under the Corporations Law or if an auditor so registered is not available two auditors qualified as accountants: and
 - (ii) three general trustees, whilst the National body is not duly incorporated, who shall be members of the Association of the state of which National Treasurer is a member provided that if the National body becomes incorporated between National conferences the appointment of the general trustees shall lapse in the manner provided in these rules;

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who shall in each case hold office until the rising of the succeeding Triennial National Conference;

- (i) shall determine:
 - (i) any constitutional or other question submitted to it by a state council;
 - (ii) any appeal against the actions of National Council provided for in these rules;
 - (iii) the date and host state or territory for the succeeding Triennial National Conference;
- (j) may authorise National Council to:
 - (i) take on lease or otherwise obtain any property for the purposes of the Association;
 - (ii) pay charges and expenses incidental to the management of the Association; and
 - (iii) invest in commonwealth securities any monies of the Association held by National Council not immediately required to discharge the responsibilities of National Council and to vary or recover such investments subject to compliance with rule 17.17;
- (k) may allow an item of an urgent nature, the subject of which arose subsequent to the closing of the supplementary agenda to be added to the supplementary agenda; and
- (l) shall exercise such other powers as are provided in these rules to be exercised by National Conference or by National Council.

16.06 During business sessions of National Conference;

- (a) each section and National Executive shall be entitled to one vote on any question, an affiliated association or body shall be permitted one vote as defined in Rule 07.09(a);
- (b) any question may be subject to an amendment proposed by one section or National Executive and seconded by another section or National Executive; and
- (c) each question shall be determined by a simple majority except as otherwise provided in these rules.

16.07 Section delegates and the voting member of the National Executive shall exercise their discretion when voting on any question before the conference.

16.08 Proposals for inclusion on the agenda of a National Conference, including nominations for the office of National President and for National Executive officers, may be initiated by:

- (a) National Council;
- (b) National Executive;
- (c) a State Conference; or,
- (d) a State Council, subsequent to a state conference provided that the council is given one month notice of a proposal and if supported by at least 75% of the members present and entitled to vote;

and all such proposals must be received by the National Secretary not later than four months prior to the date National Conference is scheduled to commence following which National Council shall appoint a

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member of the Association who is not a candidate for National Executive office to be the Returning Officer to conduct any election at the conference.

- 16.09 Nominations for election to the office of National President and to any other National Executive office shall be limited to members of the Association and shall be accompanied by the written acceptance of the nominee to each such nomination and the election of such officers at conference shall be by secret ballot.
- 16.10 National Conference agenda shall be prepared to include all items and nominations received by the National Secretary in accordance with rules 16.08 and 16.09 and the National Secretary shall forward copies to each state secretary not later than two months prior to the date National Conference is scheduled to commence, provided however that:
- (a) any proposal to amend or vary these rules shall, on receipt, be referred to the Rules Committee which shall ensure that each proposal is properly worded and shall within one month of receipt by the committee submit a report containing such comment as the committee thinks fit which shall be included with the agenda;
 - (b) any other proposal received may be rejected if National Council, by a 75% majority vote which must include not less than four National Councillors or their deputies, is satisfied that the proposal is in breach of these rules or contains any language that could be considered as abusive, subversive or improper; and
 - (c) a state council which submits a proposal which is rejected under (b) above shall be advised of the rejection forthwith with reasons for the rejection.
- 16.11 National Council or a state council may submit items for inclusion on a supplementary agenda provided that in each case the proposed item is supported by a 75% majority of votes cast, that the item does not propose any alteration to these rules and that the items are received by the National Secretary not less than two months prior to the date National Conference is scheduled to commence following which the National Secretary shall prepare a supplementary agenda and forward copies to each state secretary not later than one month prior to the said date of commencement of the conference.

NATIONAL COUNCIL

- 17.01 National Council shall include:
- (a) National Executive comprising;
 - (i) the National President,
 - (ii) no more than three National Vice Presidents which number shall be determined by the National Council, elected by National Conference as hereinafter provided,
 - (iii) the National Secretary,
 - (iv) the National Treasurer,
 - (v) the National Assistant Secretary,
 - (vi) the National Membership Registrar,
 - (vii) *the Kindred Affiliates Secretary*
 - (b) National Councillors comprising the state presidents of each section.
 - (c) one representative of each nationally affiliated association or body.

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- 17.02 In the event of a National Councillor being unable to participate in a meeting of National Council the state executive may appoint one of its number to act as a Deputy Councillor or in exceptional circumstances may appoint a member of any state section to so act as Deputy Councillor.
- 17.03 If a member of National Council is absent from three consecutive meetings of the Council and the explanation for such absences is not accepted by National Council or if no explanation is tendered National Council shall forthwith declare the office of the member vacant and, if the member is a Councillor or Deputy Councillor, advise the relevant state council which shall appoint a replacement.
- 17.04 A state council may terminate the appointment of its National Councillor or Deputy National Councillor if the Council by a 75% majority of votes after one months notice, with reasons, has been given of a motion that the appointment be terminated and, upon such termination, the state council shall call for nominations for appointment to the vacancy thus created to close at the following state council meeting.
- 17.05 If the National President or an officer of the National Executive resigns, dies or has his or her office declared vacant under rule 17.03:
- (a) National Council shall advise all state councils of the casual vacancy, appoint a returning officer and invite nominations from each state council within one month from the date of such advice;
 - (b) the Returning Officer, if only one nomination is received, shall declare the nominee elected to the casual vacancy but, if more than one nomination is received, shall determine the election on the basis of one vote from the National Executive and one vote from each of the state councils registered before the expiry of one month from the date the returning officer advised state councils of the names of the nominated members.
- 17.06 National Council:
- (a) shall administer and manage the day to day affairs of the Association;
 - (b) shall complete such business not completed by National Conference as the council is empowered by these rules to undertake;
 - (c) shall implement, execute and carry out the decision of National Conference;
 - (d) may exercise such powers of National Conference as may be deemed necessary or desirable except the powers of National Conference set out in rule 16.05 (b), (c), (g) and (j) (ii) unless authorised by National Conference;
 - (e) may effect the amendment of these rules in accordance with rule 03.01;
 - (f) may suspend the operation of a rule in accordance with rule 03.04;
 - (g) shall as directed by National Conference, or may on its own motion, undertake a plebiscite of members in accordance with the procedures set out in rules 21.01 to 21.04 inclusive;
 - (h) may establish sub-committees to advise council, appoint as members of sub-committees such members as considered appropriate and disband such sub-committees when considered necessary;
 - (i) may authorise the use of the Association Badge or any replica thereof in any crest or other article in such circumstances and subject to such conditions as council thinks fit;
 - (j) may establish and maintain a *National Conference Entertainment Fund* and determine and promulgate its manner of operation;
 - (k) may appoint any person to undertake such services as may be deemed necessary or desirable, suspend or discharge such person and fix remuneration if any to be paid to such person;

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- (l) shall undertake such other responsibilities conferred on National Council by these rules; and
 - (m) may delegate such of its powers and functions to National Executive and rescind such delegation as council may determine from time to time.
- 17.07 Only National Council shall have the authority to appeal to the various canteen committees and HMA Ships and establishments for funds except that a state council shall be authorised, in respect of a local trophy, to approach a canteen committee provided however that any monies received, other than in respect of local trophies, shall be distributed by National Council equally between state councils.
- 17.08 The National President shall preside at all meetings of National Conference, National Council and National Executive at which he or she is present and shall have responsibility:
- (a) to convene meetings of National Conference in accordance with these rules;
 - (b) to convene meetings of National Council and National Executive and of any sub-committee of National Council or National Executive if such action in respect of a sub-committee is considered necessary or desirable; and
 - (c) to ensure that the decisions of National Conference and National Council are implemented in accordance with these rules.
- 17.09 All the duties and responsibilities of the National President may be delegated to a National Vice President in the absence or incapacity of the National President or when requested by the National President to do so
- 17.10 The National Council will allocate portfolios to the Vice Presidents. These portfolios will cover the following areas of the Association's interest:
- (a) Veterans' Affairs and Military Compensation;
 - (b) Membership and Recruiting; and
 - (c) Defence Liaison and Special Projects.
- 17.11 The National Secretary shall;
- (a) receive, dispatch and subject to rule 06.01, sign all official correspondence;
 - (b) maintain records of correspondence, registers of sub section charters, registers of Association awards, registers of affiliated associations and petty cash;
 - (c) ensure the proper archival storage of National Conference, National Council and National Executive minute books, registers of the names and addresses of members, certified copies of these rules and any amendments thereto and collated records of by-laws;
 - (d) send to each state council a copy of the draft agenda for each National Council meeting 21 days prior to each meeting and send the minutes of such meetings within 28 days of such meeting;
 - (e) send to each state council and, through each state council, to each National Conference delegate and sub-section a copy of the minutes of National Conference within three months of the rising of the conference; and
 - (f) undertake such other duties as may be provided for by these rules and as directed by National Council.

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- 17.12 The National Membership Registrar shall be responsible for the maintenance of the register of members, the checking of sub-section capitation returns and liaison with sub-sections to ensure the validity of such returns and shall forward to each sub-section and a copy to state councils, on 15 November in each year, at such other times as the Registrar considers necessary, as a sub-section may require or as directed by National Council, a print-out of the Registrar record of sub-section membership status in the format determined by National Council for the purposes of rule 20.29.
- 17.13 The National Treasurer shall:
- (a) receive and have responsibility for all monies paid to National Council and, within seven days of receipt thereof, to deposit any such monies in excess of \$50 to the credit of National Council in an account or accounts with the Commonwealth Savings Bank of Australia or such other bank as may be approved by National Council;
 - (b) 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 or handed to National Conference or National Council on demand;
 - (c) supply information required by the auditors; and
 - (d) cause to be prepared for all state councils, National Council and National Conference the National annual statements of income and expenditure, a balance sheet and auditors' report.
- 17.15 The National Treasurer shall not under any circumstances pay, lend or otherwise appropriate any funds of the Association to or on behalf of any member, office, cause or purpose unless authorised by National Conference or National Council.
- 17.15 The National Assistant Secretary shall be responsible for recording the proceedings of National Conference, National Council and National Executive and the preparation of minutes of those meetings, for carrying out any relevant directions of National Conference and National Council and for providing assistance to the National Secretary as required.
- 17.16 The Kindred Affiliates Secretary shall be responsible directly to the National Council for the staffing of matters referred to it by the Kindred Affiliates and to the National Secretary for the management of the Kindred Affiliates registered with the Naval Association of Australia***
- 17.17 The National Auditor or Auditors shall conduct an audit of the accounts and financial records of National Council as soon as practicable after the close of National Council year and such other audits as may be requested by the National President or National Council and copies of the annual balance sheet, statements of receipts and expenditure and auditors report shall be submitted to the National Secretary within seven days of receipt of the auditors report.
- 17.18 Responsibility for the whole of the property and funds of National Council shall be vested in the general trustees and administered by National Council in accordance with these rules provided that:
- (a) until such time as the National body incorporates National Council shall invest monies only as authorised by National Conference and in such manner as may be approved by the general trustees; and
 - (b) the general trustees shall submit a report to National Conference and annually to National Council and shall, upon incorporation of the National body, effect the transfer of such property and funds invested into the name of the incorporated body.

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SECTION 13

STATE CONFERENCE

- 18.01 A state conference shall comprise:
- (a) where the section includes sub-sections:
 - (i) the state president and state executive officers;
 - (ii) not more than three conference delegates representing each sub-section; and
 - (iii) not more than three representatives from each state affiliated association or body; or
 - (b) where the section has no sub-sections;
 - (i) the state president and state executive officers;
 - (ii) all other members of the section;
 - (iii) such representation from section affiliated associations or bodies as determined by state council.
- 18.02 A state conference shall be held annually or biennially as determined by a state conference provided however that, other than a conference to be held within twelve months preceding a National Conference, the business of the state conference may be limited to the election of the state president and other executive officers and to such other business as may be considered by the state council to be necessary for the proper management of the state section and provided that a special meeting of state conference may be convened in exceptional circumstances subject to the concurrence of a majority of the sub-sections.
- 18.03 If a sub-section declines or is unable to elect one or more delegates from its own members it may elect one or more members of another sub-section, with the concurrence of the other sub-section, to act as its delegate or delegates.
- 18.04 Sub-section delegates shall hold office until the minutes, of the state conference for which they were elected, are received and accepted by their sub-section.
- 18.05 A state conference:
- (a) shall direct the policy of the section, not being inconsistent with the policies adopted by National Conference or National Council, on all matters affecting the interests and welfare of the members of the section;
 - (b) may make, vary or repeal any section by-laws, not being inconsistent with these rules or any by-laws made by National Conference, for the better management of the affairs of the section;
 - (c) shall elect the state president and state executive officers to hold office until the rising of the following annual or biennial conference as determined under Rule 18.02;
 - (d) shall, at the conference held immediately prior to a National Conference, elect National Conference delegates;
 - (e) shall elect, in the case of a section which is not an incorporated body or in the case of incorporation requiring such election, three general trustees;

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- (f) shall appoint a qualified accountant as auditor provided that a state council which is incorporated shall comply with state law and that such auditor or auditors shall not be members of the state executive;
- (g) may establish such trusts, boards or committees comprising members of the section as the conference deems necessary or desirable to manage such funds for such purposes, not inconsistent with these rules, and subject to such conditions as the conference thinks fit;
- (h) shall determine any appeal, against the actions of a sub-section or the state council, as may be provided for in these rules;
- (i) may allow an item of an urgent nature, the subject of which arose subsequent to the closing date for the submission of items for the agenda, to be placed on a supplementary agenda if such action is approved by a majority vote of the conference;
- (j) shall determine such other matters which these rules may provide to be the responsibility of a state conference or state council; and
- (k) shall determine the date and venue of the following state conference.

18.06 During business sessions of state conference;

- (a) each sub-section and state executive shall be entitled to one vote on any question, an affiliated association shall be permitted one vote as defined in Rule 07.09(b);
- (b) any question may be subject to an amendment proposed by one sub-section or state executive and seconded by another sub-section or state executive; and
- (c) each question shall be determined by a simple majority except as otherwise provided in these rules:

provided however that where a section has no sub-sections all officers and members shall be entitled to vote.

18.07 Sub-section delegates and state executive shall exercise their discretion when voting on any question before the conference.

18.08 Proposals for inclusion on the agenda of a state conference may be initiated by the state council, state executive or a sub-section general meeting or an affiliated association and such proposals shall be submitted to the state secretary to be received no later than 2030 at the state council meeting three months prior to the opening of state conference at which time nominations for state president and state executive officers shall close and be announced, following which the state council shall elect as returning officer a member who is not a candidate for state president or other executive office.

18.09 The state secretary shall :

- (a) examine each nomination for state president and other executive offices and ensure that each is signed by the nominee, the proposer and the seconder, that each is financial and that the sub-section to which each nominee belongs was financial at the closing date for nominations;
- (b) reject any nomination which does not comply in all respects with the requirements of (a) above;
- (c) transmit all valid nominations to the returning officer;
- (d) include in the minutes of the state council meeting at which nominations closed a list of all nominations together with the names of the proposers and seconders and advice of those rejected in accordance with this rule; and

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- (e) set out such valid nominations with items received pursuant to rule 18.08 and transmit the agenda so established to sub-sections no later than two months prior to the scheduled opening of the state conference.

18.10 The state returning officer shall take the chair at the state conference for the election of the state president, other state executive officers, National Councillor and other positions as the state council may determine or as may have been determined by a previous state conference and where there are more nominations than required for any position the returning officer shall conduct a secret ballot provided however that in the case of an equality of votes the returning officer shall determine by lot the candidate to be elected.

STATE COUNCIL

19.01 A state council shall include:

- (a) the state executive comprising:
 - (i) the state president;
 - (ii) ***not more than three state vice presidents which number shall be determined by state council, elected by state conference as hereinafter provided and, not more than two state regional vice presidents which number shall be determined by state council, elected by state conference as hereinafter provided***
 - (iii) the immediate past president when applicable;
 - (iv) the state secretary,
 - (v) the state treasurer,
 - (vi) the state assistant secretary, or
 - (vii) if the section has no sub-sections, the members of the committee elected in accordance with these rules; and either
- (b) two state councillors elected by each sub-section provided that:
 - (i) if a sub-section declines or is unable to elect one or both of the state councillors from its members it may elect a member of another sub-section, with the concurrence of the other sub-section; and
 - (ii) a sub-section may not elect as a state councillor a member of the state executive or continue to be represented by a member elected to a casual vacancy on the state executive; or
- (c) if the section has no sub-sections, all other members of the section.

19.02 In addition to the foregoing a state council:

- (a) shall include no more than two representatives of each state affiliated association or body who shall be subject to rule 07.09; and
- (b) may include a state welfare officer, a state publicity liaison officer, a state hospital visitation officer, a state membership registrar or such other officer as the section considers necessary any of which offices may be held conjunctively with a state executive office.

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- 19.03 Where two or more sub-sections are situated more than 400km from the state council those sub-sections acting together in such manner as they may agree may nominate a member of the section, whether a member of one of those sub-sections or not to be regional vice-president provided that when such a nomination is made it shall be submitted to the state secretary prior to the calling for nominations for state executive offices for subsequent endorsement by state conference.
- 19.04 Each sub-section may appoint up to two deputy state councillors each of whom may act as a state councillor in the absence of an elected state councillor provided that an officer of the state executive may not be elected or continue to act as a deputy state councillor.
- 19.05 If a member of state council is absent from three consecutive meetings of the council and the explanation for such absence is not accepted by the state council or if no explanation is tendered, the state council shall forthwith declare the office of that member vacant and that member shall not be eligible for election to that vacancy or to any other state council office until the next state conference.
- 19.06 If the state president or other state executive officer resigns, dies or has his or her office declared vacant under rule 19.05 nominations shall be called for at the meeting at which the vacancy is declared to close no later than 2030 at the following meeting at which a ballot, if required, shall be conducted on the nominations received which are subject to the same criteria as for nominations to be considered by state conference.
- 19.07 A state council:
- (a) shall administer and manage the day to day affairs of the state section of the Association;
 - (b) shall complete such business not completed by state conference as council is empowered by these rules to undertake;
 - (c) shall implement, execute and carry out the decisions of conference;
 - (d) may exercise such powers of the state conference as may be necessary or desirable except the powers set out in rule 18.05 (b), (c), (e), (f), (g), (h) and (j);
 - (e) may seek incorporation under the relevant act of parliament of the states or territory in which the state council is situated;
 - (f) may appoint or authorise the state executive to appoint any person to undertake such services as may be deemed necessary or desirable, to suspend or discharge such person and to fix the remuneration, if any, to be paid to such person;
 - (g) shall undertake such other matters which these rules may provide to be the responsibility of council;
 - (h) may delegate such of its powers and functions to the state executive and to rescind such delegation as council may determine from time to time; and
 - (i) may award any certificate in accordance with state section by-laws.
- 19.08 The state president shall preside at all meetings of the state conference, the state council and the state executive at which he or she is present and shall:
- (a) convene meetings of state conference in accordance with these rules;
 - (b) convene meetings of the state council and the state executive and of any sub-committee of the state council or state executive if such action in respect of a sub-committee is considered necessary or desirable;

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- (c) ensure that the decisions of National Conference, National Council, state conference and state council are implemented in accordance with these rules; and
- (d) if required be a member of any sub-committee of the state council and the state executive while not presiding at meetings thereof unless the appointing body so determines.

19.09 A state vice-president shall undertake all the duties and responsibilities of the state president in the absence or incapacity of the state president or at his or her request provided that, where there are two or more state vice-presidents available and willing to act and the state president has made no designation and neither the state council nor the state executive has made prior arrangements, the state vice-president to so act shall be determined between the available and willing state vice-presidents by lot. ***The duties of the State Regional Vice President are as for the State Vice President and portfolio duties of all Vice Presidents will be determined by State Council.***

19.10 The state secretary shall;

- (a) receive, dispatch and subject to rule 06.01, sign all official correspondence;
- (b) maintain records of correspondence, petty cash and postage;
- (c) ensure the proper storage of National Conference, state conference and state council minute books, registers of awards and the names and addresses of section members and copies of these rules and amendments thereto;
- (d) transmit to National Council a copy of the agenda for a state conference at the same time as copies of the agenda are transmitted to sub-sections and a copy of the minutes of a state conference within two months of the rising of the conference;
- (e) transmit within twenty-one days of state council meetings a copy of the minutes signed by the state secretary to each sub-section, each state councillor, the National Secretary and all state secretaries; and
- (f) undertake such other duties as may be provided for by these rules and as directed by state council.

19.11 The state treasurer shall:

- (a) receive and have responsibility for all monies paid to state council and within seven days of receipt thereof deposit any such monies in excess of \$50 to the credit of council in an account or accounts with the Commonwealth Savings Bank of Australia or such other bank as may be approved by council;
- (b) 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 or handed to the state conference or state council on demand;
- (c) supply information required by the auditors; and
- (d) submit progress statements of receipts and expenditure to state council meetings and to submit to state conference copies of an audited balance sheet and statements of receipts and expenditure for the year.

19.12 The state treasurer shall not under any circumstances pay, lend or otherwise appropriate any funds of the Association to or on behalf of any member, office, cause or purpose unless authorised by the state conference or state council.

19.13 The state assistant secretary shall provide such assistance to the state secretary as the state executive shall determine from time to time.

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- 19.14 The state councillors elected by a sub-section which becomes unfinancial by reason of its failure to submit a financial return detailing its financial membership or to pay all such monies payable to state council by the due date shall cease to have voice or vote on any questions at state council meetings until such time as the sub-section fully complies with its obligations and is again financial or such earlier date as council may determine.
- 19.15 At all meetings of the state council one third of its total membership shall constitute a quorum provided that:
- (a) in determining the total membership no account is taken of any member elected to one or more of the offices under rule 19.02 as his sole office or of any member representing any affiliated body; and
 - (b) the said quorum shall be prevented from proceeding with the meeting unless the number of sub-section elected state councillors is greater than the number of state executive officers present.
- 19.16 If all the sub-sections of a section shall have been wound up in accordance with these rules the whole of the funds and property vested in the state council after payment of all debts shall be immediately vested in National Council to be held in trust for the re-establishment of the Association in the state or territory which formed the section.
- 19.17 The section auditor or auditors shall conduct an audit of the accounts and financial records of the state council as soon as practicable after the close of the state council year and such other audits as may be requested by the state president or the state council and copies of the annual balance sheet, statements of receipts and expenditure and auditors report shall be submitted to state conference.
- 19.18 When a section elects general trustees under rule 18.05(e) the responsibility for the whole of the property and funds of the state council shall be vested in those general trustees and administered by the state council in accordance with these rules provided that:
- (a) until such time as the state body incorporates, the state council shall invest monies only as authorised by state conference and in such manner as may be approved by the general trustees; and
 - (b) the general trustees shall submit a report to state conference and quarterly to state council and shall, upon incorporation of the state body, effect the transfer of such property and funds invested into the name of the incorporated body.

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SECTION 14

SUB SECTION GOVERNMENT

- 20.01 A sub-section committee shall include:
- (a) the sub-section executive comprising:
 - (i) the sub-section president;
 - (ii) not more than three vice-presidents;
 - (iii) the immediate past sub-section president, if appropriate;
 - (iv) the sub-section secretary;
 - (v) the sub-section treasurer; and
 - (vi) the sub-section Assistant Secretary; and
 - (b) 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).
- 20.02 General meetings of a sub-section shall be held monthly unless an annual general meeting determines that such meetings be held less frequently provided that:
- (a) general meetings shall be held not less frequently than quarterly;
 - (b) general meetings shall be held in the months of September and October or in October and November each year or as appropriate under paragraph (c) of this rule for the purpose of rules 20.07 and 20.08; and
 - (c) the annual general meeting shall be held in the months of January or February unless in the case of an incorporated sub-section the state incorporation legislation requires otherwise.
- 20.03 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.
- 20.04 At a sub-section general meeting *five* members shall constitute a quorum. and at a sub-section committee meeting five members shall constitute a quorum.
- 20.05 A special general meeting of a sub-section may be convened by the sub-section president with the concurrence of the committee at any time and shall be convened upon receipt of a requisition stating the proposed business in the form of a substantive motion signed by not less than twelve members or twenty-five per cent of the membership of the sub-section, whichever is the less and the cost of such meeting shall be borne by the requisitioners unless the sub-section at its next general meeting determines otherwise.
- 20.06 Sub-section members shall be given not less than seven days notice, served personally or by post, of any special general meeting at which:
- (a) only the business set out in the notice may be transacted;

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- (b) if called following a requisition submitted to the committee, the proposed business shall not be transacted unless 75% of the members who signed the requisition are present; and
 - (c) the business may be determined by secret ballot if the meeting so determines.
- 20.07 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.
- 20.08 The sub-section secretary shall:
- (a) 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;
 - (b) reject any nomination which does not comply with the foregoing; and
 - (c) transmit valid nominations to the returning officer together with a list of those rejected and the reasons for such rejection.
- 20.09 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:
- (a) in the case of an equality of votes the returning officer shall determine by lot the candidate to be elected; and
 - (b) 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.
- 20.10 At the sub-section annual general meeting business shall include:
- (a) receipt and confirmation of the minutes of the previous annual general meeting;
 - (b) matters arising from the previous minutes;
 - (c) receipt and adoption of the report of the secretary;
 - (d) 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;
 - (e) receipt and adoption of the report of the president;
 - (f) receipt and adoption of the reports of such other officers which the president considers relevant;
 - (g) election of officers in accordance with these rules;
 - (h) 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;
 - (i) 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

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- (j) such other business as the sub-section president rules is relevant to an annual general meeting.
- 20.11 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:
- (a) immediately forward one copy of each to the National Secretary; and,
 - (b) table the other copy of each at the next state council meeting and retain them for state council records.
- 20.12 If a member of the sub-section committee is absent from three consecutive meetings, whether committee or general meetings, and the explanation for such absence is not accepted by the sub-section committee or if no explanation is tendered the general meeting shall forthwith declare the office of that member vacant and that member shall not be eligible for election to that vacancy or to any other sub-section office until the next annual general meeting.
- 20.13 When a casual vacancy occurs in a sub-section committee through resignation, death or termination of office under these rules the committee shall appoint a member to act in the vacant position until the next sub-section general meeting when that meeting shall either confirm the appointment or call for nominations to fill the vacancy to close at the following general meeting when a ballot, if necessary, shall be conducted provided that if nominations are called the acting appointment shall continue until the ballot is completed.
- 20.14 A sub-section may, with the approval of state council, establish a ladies auxiliary which shall be subordinate to the sub-section committee.
- 20.15 A sub-section may subject to the approval of state 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.
- 20.16 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.
- 20.17 A sub-section president shall preside at all sub-section meetings at which he or she is present and shall:
- (a) convene general, committee and executive meetings in accordance with these rules;
 - (b) ensure that the decisions of general meetings are implemented in accordance with these rules; and
 - (c) 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.
- 20.18 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.
- 20.19 The sub-section secretary shall:
- (a) receive, dispatch and subject to these rules sign all official correspondence;

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- (b) maintain records of names and addresses of members, correspondence, petty cash and postage;
- (c) ensure the proper storage of minute books, copies of these rules and amendments thereto;
- (d) 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
- (e) undertake such other duties as may be provided for by these rules and as directed by the committee or executive.

20.20 The sub-section treasurer shall:

- (a) 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;
- (b) 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;
- (c) supply all information required by the auditors; and
- (d) 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.

20.21 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.

20.22 The assistant secretary shall provide such assistance to the secretary as the committee shall determine.

20.23 A sub-section may be wound up and dissolved by resolution of the sub-section or of state council provided that:

- (a) if the dissolution is initiated by the sub-section;
 - (i) 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;
 - (ii) the state secretary is advised of the date of the meeting at which the motion for dissolution is to be determined;
 - (iii) 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;
 - (iv) the motion to dissolve is passed by a 75% majority of the members present; and
 - (v) the sub-section executive transmits to the state secretary all minute books and financial and other records and effects the transfer of all funds and property to the state council; or
- (b) if the dissolution is initiated by the state council;
 - (i) the state 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;

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- (ii) the state executive has reported to the state 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
 - (iii) the state council after considering the report of the state 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 state council; or
 - (c) if a sub-section fails to elect a committee in the prescribed manner or to hold meetings as required by these rules state council shall 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, state council shall proceed to dissolve the sub-section in accordance with these rules provided that, if state council shall fail or refuse to initiate such action, National Council may assume the powers of state council and state executive under rule 20.23 (b) and dissolve the sub-section and transfer any sub-section funds appropriated by National Council to the state council.
- 20.24 The funds and property of a dissolved sub-section:
- (a) shall not be expended or disposed of by the state council for a period of two years from the dissolution date during which period the state council shall make every effort to re-establish the sub-section to operate in accordance with these rules;
 - (b) shall, if the sub-section is re-established within two years of dissolution, be transferred to the re-established sub-section; and
 - (c) shall, if the sub-section is not re-established within two years of dissolution, hold the funds and property in trust in such manner as the state council shall determine for the benefit of the other sub-sections of the section provided that any real property may be sold and the proceeds added to the funds held in trust.
- 20.25 The state council shall ascertain from each member (either financial or in arrears) of the dissolved sub-section which other sub-section the member 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 state council considers appropriate.
- 20.26 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.
- 20.27 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.
- 20.28 If National Council wishes to communicate with a sub-section or sub-sections generally it shall transmit the communication through the relevant state councils or all state councils respectively and a state secretary receiving such a communication shall forward it to the particular sub-section or sub-sections generally and a sub-section secretary receiving it shall read it at the first general meeting following receipt provided however, in particular circumstances, National Council may direct the National

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Secretary to communicate directly with one or more sub-sections with a copy being sent to the relevant state secretaries.

- 20.29 A sub-section shall submit to the National Secretary and to the state secretary at the end of each month, or when local circumstances demand, within seven days of the end of each quarter at the direction of state council after discussions with National Treasurer:
- (a) the financial returns as defined by National Council together with the respective amounts due; and
 - (b) the membership application forms referred to in rule 08.03.
- 20.30 The sub-section auditor or auditors shall conduct an audit of the accounts and financial records of the sub-section as soon as practicable after the close of the sub-section year and such other audits as may be requested by the sub-section president or a general meeting and copies of the annual balance sheet, statements of receipts and expenditure and auditors report shall be submitted to the sub-section annual general meeting
- 20.31 A sub-section general meeting may impose a levy to be paid by each of its members and, if so determined, by each of its associate and club members provided that:
- (a) the purpose of the levy relates to the special unusual circumstances of the sub-section;
 - (b) the amount of the levy shall not exceed the amount of the annual subscription of the member or class of restricted member;
 - (c) the levy shall apply to one membership year; and
 - (d) the general meeting shall not determine the imposition unless notice of motion has been given at the previous meeting.

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SECTION 15

PLEBISCITE

- 21.01 National Conference or National Council may at any time and shall on receipt of a requisition signed by at least 75% of the financial members of a state section arrange the conduct of a plebiscite of members to determine their opinion on any question.
- 21.02 A plebiscite held in accordance with these rules, shall be conducted by a returning officer appointed by National Council and assisted by National Council and state councils.
- 21.03 The returning officer appointed to conduct a plebiscite may appoint an assistant returning officer from each section and shall on obtaining the result of the plebiscite advise National Council and the state councils accordingly and declare that the question is resolved in the affirmative only if it is passed by at least 75% of the formal votes cast.
- 21.04 The cost of the plebiscite shall be borne by National Council except where the plebiscite was the result of a requisition from members of a section when the state council of that section shall bear the cost unless otherwise directed by the next National Conference.

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SECTION 16

ASSOCIATION FLAG AND PUBLICATIONS

22.01 The Association Flag:

- (a) shall be a blue flag with the Australian White Ensign occupying the upper hoist and the Association Badge surmounted with the crown in the fly; and
- (a) may be flown at any appropriate institution, organised march, sporting or other function, meeting or place at which one or more Association members are assembled or reside provided that the respect and decorum due to the flag is shown and that daylight hours only rule is observed.

22.2 A copy of each issue of any official journal or similar publication produced by a state council or a subsection shall be forwarded immediately following publication to the National Secretary for the information of National Council which may suspend the further issue of any publication bearing the name of the Association if in its opinion the content or presentation is damaging to or does not reflect the views of the Association.

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SECTION 17

BY-LAWS AND PROCEDURES

- 23.01 All meetings, other than National Conference, a state conference, a special purpose committee or a sub-committee shall follow an agenda determined by the meeting by reference to the standing orders set out in Schedule 5 to these rules.
- 23.02 The conduct of meetings at all levels of the Association shall be subject to the aforementioned standing orders.
- 23.03 In cases of doubt or dispute the meeting procedures outlined in Joske's "Law and Procedure in Meetings in Australia", insofar as they do not conflict with these rules which shall prevail.

ASSOCIATION GRACE, FUNERAL RITUAL & NAVAL PRAYER

- 24.1 The form of Grace before meals recommended for use at Association dinners and live functions is as set out in Schedule 2 to these rules.
- 24.02 The Remembrance Ritual recommended as a guide for use as part of funeral ceremonies for a deceased member, subject to the consent of the relatives, is as set out in Schedule 2 to these rules.
- 24.03 The Naval Prayer which may be used at any appropriate Remembrance or other service is as set out in Schedule 2 to these rules.

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SCHEDULE 1

SUBSCRIPTION AND FEES *EFFECTIVE FROM 1ST JANUARY 2006*

01.	Joining Fee (Paid to State Council for issue of Membership badge)		\$5.00
02.	Annual Subscription		\$25.00
(a)	Annual Capitation Fees		
	(i) To National Council		
	(a) National Council General Fund	\$7.50	
	(b) White Ensign Postage and packing	\$4.50	
	(ii) State Council Fees		\$7.00
	(iii) Sub Section		\$6.00
	Total		\$25.00
(b)	Members who join between 1 July and 31 October		
	(i) To National Council		
	(a) National Council General Fund	\$3.75	
	(b) White Ensign Postage and Packing	\$2.25	
	(ii) To State Council Fees		\$3.50
	(iii) To Sub Section Fees		\$3.00
	Total		\$12.50
(c)	Life Members (See Note 1)		
	(i) To National Council (all Life Members)		
	(a) National Council General Fund	\$7.50	
	(b) White Ensign Postage and packing	\$4.50	
	(ii) To State Council (if nominated by a Sub Section)		\$7.00
(d)	Affiliates		
	(i) <i>At National Level</i>		\$75.00
	(ii) <i>At State Level</i>		\$75.00

Note 1

Capitation Fees to be paid by nominating body or approving section where the nominating body no longer exists. Rule **1309** refers.

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SCHEDULE 2

THE GRACE

"Almighty God, bless the food we are about to receive and, in recognition of the motto "Each for All and All for Each" to which we all subscribe, keep us ever mindful of the needs of others.

REMEMBRANCE RITUAL FOR USE AT THE FUNERAL OF A DECEASED MEMBER

The call has come for our shipmate and we meet to pay our last tribute to him/her.

We know that the time comes to each of us when the Supreme Commander calls us from our earthly service, but, however we may be prepared for this, we feel sorrow when there is another gap in our ranks.

..... was one of that long line of those who have served their Sovereign and their country in Naval Service, and have made their personal contributions to the great tradition of that Service.

There is no fear now as he/she embarks on the unknown sea, for he/she is in the care of the Great Pilot, and we who remain wish him/her a safe voyage and firm anchorage in that final harbour where storms and tempests are no more.

"I ask you to join me in a silent tribute to ...(name) . *and his/her fellow departed shipmates*

Bugler, if in attendance, "Alert";
Silence;
Bugler, "Last Post", "Reveille".

*"They have no grave but the cruel sea
No flowers lay at their head
A rusting hulk is their tombstone'
Afast on the ocean bed.*

They shall grow not old, as we that are left grow old;
Age shall not weary them, nor the years condemn.
At the going down of the sun, and in the morning,
WE WILL REMEMBER THEM."

"Lest we forget" (Repeated by those present)

(Note: The Ode may be varied to reflect the circumstances of the occasion and the wishes of the bereaved.)

THE NAVAL PRAYER

O Eternal Lord God, who alone spreads out the heavens, and rules the raging of the sea, who has compassed the waters with bounds until day and night come to an end; be pleased to receive into your Almighty and most gracious protection us your servants, and the Fleet in which we serve or have served. Preserve us from the dangers of the sea, and from the violence of the enemy; that we may be a safeguard to our most gracious Sovereign Lady, Queen Elizabeth, and a security for those who pass on the seas upon their lawful occasions; that the inhabitants of our land may in peace and quietness serve you our God; and that we may return in safety and enjoy the blessing of the land, with the fruits of our labours; and with a thankful remembrance of your mercies to praise and glorify your Holy Name; through Jesus Christ our Lord.

AMEN

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SCHEDULE 3

(1) Life Members Badge



(2) Members Badge



(3) Ladies Auxiliary Badge
With 'Ladies Auxiliary' in
the enclosing border



(4) Hon Members Badge
Associate Members Badge



(5) Honorary Member for Life Badge



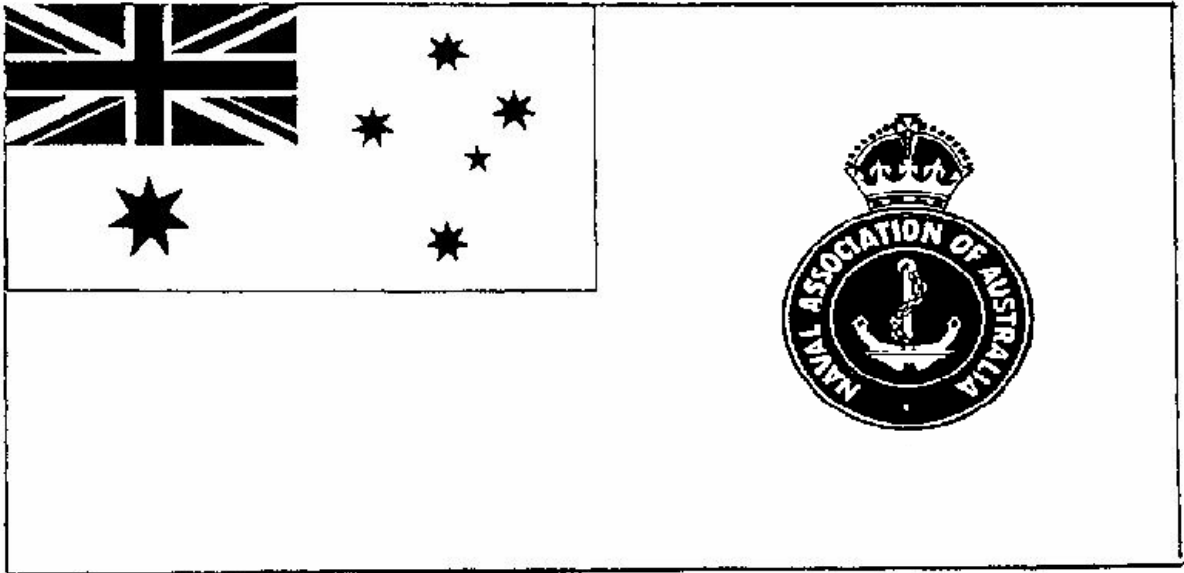
(6) Club Members Badge
With 'Club Member'
in the enclosing border.



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SCHEDULE 4

NAVAL ASSOCIATION FLAG



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SCHEDULE 5

STANDING ORDERS

01. The order of business to be considered at any meeting, other than at National Conference or a state conference, shall be in accordance with the following agenda unless otherwise determined by the meeting:
- (a) Confirm the minutes of the previous meeting as a true record of proceedings with or without correction.
 - (b) Business arising from the previous meeting.
 - (c) Election of Officers.
 - (d) Admission of new members.
 - (e) Correspondence & associated actions.
 - (f) Treasurer's statement and accounts for payment.
 - (g) Reports.
 - (h) Notices of Motion.
 - (i) General Business.
02. The following matters shall not be considered unless notice of motion has been given at the previous meeting unless otherwise provided for in these rules:
- (a) Alteration of or addition to the state or sub-section by-laws.
 - (b) Any significant amendment of policy.
 - (c) The expenditure of any money the amount of which the meeting considers significant.
 - (d) any proposal to impose a levy;
 - (e) Change of meeting dates.
 - (f) A nomination for a Diploma of Merit.
 - (g) A nomination for life membership.
 - (h) A nomination for the award of the Meritorious Service Medal.
 - (i) A nomination for honorary membership or honorary membership for life.
 - (j) Any matter previously determined by the meeting within three months of such determination provided however that when voting on a motion at state council after notice of motion has been given, in accordance with this standing order, each sub-section represented and state executive shall have one vote only.
 - (k) ***The transfer of a member by the receiving sub section.***
03. The conduct of meetings, at whatever level of Association government, shall be in accordance with the following procedures, provided that in a situation not covered by these standing orders and pursuant to

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rule 23.03 the procedures set out in "Law and Procedure at Meetings in Australia" by P Joske shall be adopted to the extent that they are consistent with these rules and these standing orders:

- (a) No question may be debated unless it is the subject of a motion or amendment duly moved and seconded.
- (b) The chairman may require that any motion or amendment be submitted in writing.
- (c) During any debate on a motion or amendment:
 - (i) the mover of the motion shall be permitted to speak for ten minutes and any subsequent speaker, including the seconder and the mover of any amendment, for five minutes provided that the meeting may consent to a specified extension of time for any speaker;
 - (ii) not more than two speakers, including the mover and the seconder who however may second formally and speak later at any time, shall follow successively on the same side of the question;
 - (iii) a speaker shall address the meeting through the chair and shall be standing unless the chairman shall permit a speaker to remain seated;
 - (iv) no speaker (except the mover of a motion who shall reserve the right to a closing argument) shall speak more than once to a motion or once to an amendment unless the meeting gives approval to do so; and
 - (v) the chairman shall not participate in any debate unless he or she retires from the chair in favour of an acting chairman for the duration of the debate on the motion or amendment.
- (d) Only one amendment to a motion may be entertained at any one time and an amendment which has the effect of being a direct negative of the original motion shall not be entertained.
- (e) When an amendment is proposed and seconded the debate shall relate to the amendment only and any member may speak to the amendment notwithstanding that the member may have spoken to the motion or to a previous amendment.
- (f) When an amendment is determined the debate on the original motion, as amended if the amendment is carried, shall be resumed and further amendments may be proposed provided that no such amendment shall be in order if it proposes the amendment of any replacement or additional words resulting from any earlier amendment or if it proposes the reinstatement of any words deleted by a previous amendment.
- (g) At the conclusion of the debate on any amendment the mover of the original motion may speak unless that member has spoken during the debate on the amendment.
- (h) After the determination of all amendments and the conclusion of the debate the original motion or the original motion as amended shall be put to the meeting provided that before the motion is put the mover of the original motion may again speak if the motion has not been amended.
- (i) If the first amendment to an original motion to be proposed and seconded provides that all words after the commencing word "that" be deleted and replaced by other words and that amendment is carried no further amendment shall be entertained and the amended motion shall be put without further debate.
- (j) Unless otherwise provided in these rules each motion and amendment will be determined by a simple majority of the members present and eligible to vote.

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- (k) The chairman may exercise a substantive vote on any motion or amendment, except at National Conference or a state conference, provided such vote is cast before the votes of other members is known.
- (l) The mover and seconded of a motion or amendment may vote against that motion or amendment only if the meeting is advised of such intention before the motion is put.
- (m) In the case of an equality of votes on any question the chairman, who shall not have a casting vote, shall declare the question lost.
- (n) The following formal motions may be moved and seconded at any stage of a debate, after speakers for and against the question have been heard, by a member who has not moved, seconded or spoken to the question.
 - (i) a motion "**that the question be now put**" may be accepted if the chairman is satisfied that the debate on the question has been reasonably discussed and that the views of any minority have been heard, and if accepted, the motion "that the question be now put" shall be voted upon without debate and, if lost, the suspended debate shall be resumed but, if carried, the debate shall cease and the question which was being debated shall be put immediately after (in the case of an un-amended motion) the mover of the motion has exercised the right to speak again.
 - (ii) a motion "**that the question not now be put**" shall be accepted and debated without reference as to whether or not a member has spoken previously to the question being debated provided that such a motion may not be proposed during a debate on an amendment and that, if the motion "that the question not now be put" is lost the suspended debate shall be resumed but, if carried, the meeting shall proceed to the next item of business without taking a vote on the original or amended motion.
- (o) If during a debate a member rises on a point of order the debate shall be suspended, the member shall state the point of order clearly and the chairman, who shall allow no debate or discussion, shall decide the matter promptly.
- (p) If it is moved and seconded "**that this meeting disagrees with the chairman's ruling**" the debate on the question before the chair shall be suspended, the chairman shall leave the chair after the appointment of an acting chairman, the motion "that the meeting disagrees with the chairman's ruling" shall be debated and determined, the chairman shall resume the chair, the decision of the meeting shall prevail and the suspended debate resumed.
- (q) Any member may ask a question without debating the motion before the chair without forfeiting the right to later speak for or against the motion and may, with the consent of the chairman, offer an explanation of any particular expression used previously provided that the explanation is confined to the subject approved by the chairman.
- (r) Any member who continues to breach the standing Orders after being called to order by the chairman or who refuses to retract any offensive expression or to apologise for any offensive behaviour after being directed to do so by the chairman and any member who persists in obstructing the business of the meeting after being directed by the chairman to desist shall forfeit all rights to participate in any discussion until the order or direction of the chairman is complied with to the satisfaction of the meeting.

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04 Conduct of Email Meetings

- (a) *The National President, in consultation with all members of the National Executive, will determine when a meeting by email may be held.*
- (i) *All members of the National Executive will be advised of the proposal to hold a meeting by email. An agenda will be made available to all members and members are to respond to the proposal to hold a meeting by email ballot.*
 - (ii) *Members must normally be given three working days to respond and be advised on what day and by what time a response is required.*
 - (iii) *A meeting will be convened if at least one member wishes an item to be discussed.*
 - (iv) *Members will be advised whether an email meeting has been approved. At least three working days must normally be given to members to respond to the recommendations of the agenda. Members must be advised on what day and by what time a response is required.*
 - (v) *The emails must be sent to all those on the usual agenda mailing list.*
 - (vi) *The terms under which the motion will or will not be carried, are to be as follows:*
 - (a) *the majority of National Executive members must support the recommendation,*
 - (b) *members may vote against the motion without stating their reasons,*
 - (c) *a meeting will be convened if at least one member wishes the matter to be discussed,*
 - (d) *a nil response will not be taken as either support for the motion or as a vote against the motion.*
- (b). *Outcomes of Email Meetings are to be recorded in a separate register maintained by the National Secretary.*
- (c) *If a majority of the members of the National Executive vote in favour of a resolution in terms set out in the email, a resolution in those terms shall be taken to have been passed at a meeting of the National Executive held on the day on which the emailed resolution is carried.*
- (d) *The Register of Email Meetings is to be presented at each meeting of National Executive, sighted and signed by the National President following a motion to accept the contents of the register as a true and proper record of the proceeding of Email Meetings held since the previous meeting of National Executive.*
- (e). *The Email Meetings resolutions passed are to be recorded in the Minutes of the relevant National Executive meeting in date order.”*

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Section 18

National Council By-Law No 1

WHITE ENSIGN MANAGEMENT COMMITTEE TERMS OF REFERENCE

1. The name of the committee will be "THE WHITE ENSIGN MANAGEMENT COMMITTEE" (WEMC).
 2. WEMC shall be appointed by National Council of the Naval Association of Australia (The Association).
 3. WEMC shall consist of:
 - Chairman;
 - Secretary;
 - Treasurer;
 - Editor;
 - Circulation Coordinators (2);
 - Advertising Manager; and
 - other members who may be invited by the Chairman to assist.
- A quorum shall consist of four members.
4. WEMC shall be responsible to National Council of the Association for the management, promotion, production and circulation of White Ensign and shall table a quarterly report of their proceedings to the National Council.
 5. WEMC may correspond with individuals and organisations at any level in matters pertaining to content and promotion of the White Ensign.
 6. Matters having a bearing on the Association's policy or administration are to be referred to the National Secretary.
 7. WEMC Secretary shall record the minutes of WEMC meetings.
 8. A bank account entitled "White Ensign Management Committee Account" shall be established. Signatories for the account shall be the Chairman, the Secretary and the Treasurer of the WEMC (or the persons appointed by the National Council to act for them in their absence) any two of whom may operate the account.
 9. The Treasurer shall be responsible for receipt and payment of all monies pertaining to White Ensign. Receipts shall be deposited in the White Ensign Management Committee Account within 14 days.
 10. The Treasurer is to maintain the standard books of account. Quarterly financial statements are to be forwarded to the National Secretary.
 11. All financial records will be subject to annual audit at 31 December.
 12. In the event of WEMC being dissolved and White Ensign ceasing to exist, all funds shall be transferred to the Association's general account.
 13. Terms of Reference for the Editor who shall be a non voting member of the WEMC are attached at Annex A.

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Annex A to **WHITE ENSIGN MANAGEMENT COMMITTEE TERMS OF REFERENCE.**

TERMS OF REFERENCE FOR THE EDITOR OF WHITE ENSIGN

1. The Editor of White Ensign shall be appointed by the National Council for the Naval Association of Australia (the Association).
2. The Editor may correspond with individuals and organisations at any level in the performance of his/her duties except that Clause 6 of the Terms of Reference for the WEMC is to be observed.
3. The Editor shall be reimbursed reasonable out of pocket expenses incurred in the performance of his/her duties. The payment of such expenses shall be subject to the approval of the WEMC.
4. Any person occupying the office of Editor of White Ensign may terminate such service by notification in writing to the National Secretary of the Association through WEMC three calendar months before the date that such termination is to take effect. Similarly National Council of the Association may terminate the services of the person occupying the office of Editor of White Ensign by notification in writing three calendar months before the date that such termination is to take effect. Any lesser period of notification shall be determined by arrangement between National Council and the Editor. However National Council shall have the right to terminate immediately the services of the Editor if that person is guilty of any misconduct which would prevent retention of membership of the Association in accordance with the provisions of the Constitution of Association.
5. The Editor of White Ensign shall be responsible to WEMC for the following:
 - a. Implementation of editorial policy of the Association as determined by National Council from time to time.
 - b. Supervision of the production of the master Copy of White Ensign. The production of White Ensign and its supervision shall include:
 - (i) selection of the theme and appropriate articles and material for inclusion in the particular issue in consultation with the chairman of WEMC;
 - (ii) gathering of source information for inclusion;
 - (iii) style, layout and typesetting;
 - (iv) accuracy of the content of any matter included insofar as this can be reasonably determined;
 - (v) preparation, writing and editing of any material included as may be necessary from time to time;
 - (vi) delivery of the Master Copy to any printer or printers as may be determined by WEMC from time to time;
 - (vii) acceptance from the printer or printers on completion of printing but not distribution which shall be the responsibility of WEMC;
 - (viii) Submission of a production plan to WEMC three calendar months before the date of issue; and
 - (ix) submission of a draft Master Copy to WEMC for approval one month before its issue date.

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Delegation 1 to National Council

Delegation to National Council by 1999 Federal Triennial Conference

1. This Conference notes the lengthy time consumed at the Association's Triennial Conferences in amending sections of the Constitution, Rules and By Laws. This is at the expense of the consideration of policy and issues relevant to the Association and consequently its ability to provide proper service to its membership.
2. Accordingly this Conference delegates authority to the National Council to amend, alter or add to the Rules and By Laws of the Association but at no less than an interval 12 months after full consultation with and the agreement of a majority of States to the proposed changes.
3. This delegation does not extend to Articles 01.01 to 01.10, 04.1 - 04.2, 05.1 and 05.2, 0701 to 0709.

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