



**BY-LAWS
OF THE
VIETNAM VETERANS' ASSOCIATION OF AUSTRALIA
(QUEENSLAND BRANCH) INCORPORATED**

**Approved by Special Resolution at State Meeting
dated 28th February 2009**

To be read in conjunction with the Constitution of the Vietnam Veterans' Association of Australia (Queensland Branch) Inc,
Constitution of the Vietnam Veterans Association of Australia National Council Incorporated,
Policy Handbook of the Vietnam Veterans Association of Australia, National Council Incorporated.

Mission

“To assist all Veterans, their dependants and descendants in all matters relating to their health, welfare and well being.”

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By-Law No 1. Public Statements

- (1) Public Statements are defined as those statements made either by word of mouth, or written form that may reasonably be expected to become part of the public domain. Such public statements may take the form of written or spoken press releases issued to television, radio, or print media, letters to the Editor, addresses at public meetings, or comments made in response to public questions.
- (2) The State President or his authorised delegate is the only person authorised to make official statements on matters of VVAA policy. Policy matters include all subjects covered by the constitution, National congress, State AGM and State Management Committee proceedings.
- (3) Requests received by other persons for comment are to be referred to the State President or State Secretary. VVAA QLD members are advised that where statements may be made as 'personal opinion' the views expressed are often taken as official response.
- (4) Sub branch Presidents or other authorised office bearers within a sub branch may make public statements on local matters affecting their particular sub branch. Local matters include Sub-Branch social activities, memorial services, fund raising events and the like. On occasions local opinion may be sought on a VVAA policy matter, indeed it may sometimes be appropriate that such comment is made, however, sub branch officials are not to comment on policy matters unless approval has been obtained from State Branch.
- (5) Nothing in this by-law in any way attempts to limit or restrict the right of freedom of expression of any member of the Association in their position as a private citizen.

By-law No 2. Transfers

From time to time individual members of VVAA QLD will wish to transfer from one Sub Branch to another. The reasons will vary but it is expected that they will revolve around a change of address or perhaps of a new Sub Branch nearer to the member's home. If a member intends to transfer they should notify their respective secretary so as to initiate the transfer procedure.

(1) Intrastate Transfers

- (a) Where a member wishes to transfer from one Sub Branch to another within the State, the losing Sub Branch Secretary is to advise the State Secretary of name, address and new Sub-Branch of the transferring member, and the gaining Sub Branch Secretary of the name, address and financial status of the transferring member.
- (b) The gaining Sub Branch Secretary writes to the member welcoming him/her to the Sub Branch and advising of Sub Branch meeting details and social activities as appropriate.
- (c) The State Secretary adjusts the State nominal roll as required.

(2) Interstate Transfers

- (a) When a member wishes to transfer from one Sub Branch to another in a different state the member should advise the Secretary of the existing Sub Branch of the intention to transfer and nominates the selected Sub Branch or Branch and provides new address.
- (b) The Existing Sub Branch Secretary is to advise the State Secretary of name, address, financial status and new sub branch or branch.
- (c) The State Secretary writes to the appropriate State Secretary and advises the relevant details as provided by the member's Sub Branch Secretary, and adjusts the nominal roll accordingly.

By-law No 3. State Executive Travel Expenses

The Vietnam Veterans' Association of Australia (Queensland Branch) Inc. may reimburse State Executive members, return travel expenses to State Congress and State Council meetings, once per financial year:

- (1) Reimbursement will be for one trip per year only by rail or air.
- (2) The member is to use the most economical means of travel between air and rail.
- (2) For travel to Rockhampton and north of Rockhampton only.
- (3) Reimbursed the full cost of the fare up to the economical rail fare.
- (4) Travel will only be reimbursed on authorized printed receipts bearing the providers name and details.
- (5) All travel must be approved prior to being undertaken.
- (6) Reimbursement does not include meals or accommodation or extra expenses incurred by a voluntary break in travel, and
- (7) The executive member is not TPI

By-law No 4. Management Committee State Short and Long Term Accommodation

The State Executive is the Management Committee for all State owned Emergency, Short and Long term accommodation. This includes Angus house and Zac's Place.

By Law 5. Notices of Motion

- (1). Normal Notice of Motion

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The usual system for Notices of Motion is that:

- i. they are presented at a SMC meeting,
- ii. they lay on the table until the next scheduled SMC meeting for the consideration of the members,
- iii. members are to have a minimum of fourteen days notice for any SMC meeting called, and
- iv. the Notice of Motion, together with the supporting information, is to be included in the minutes of that meeting and forwarded on to each Sub Branch

(2). Notice of Motion affecting the Constitution

- i. The Secretary is to call for a SSMC Meeting in the case of a Notice of Motion being put forward that involves the State Constitution.
- ii. All Sub Branches are to be given a minimum of fourteen (14) days Notice of this meeting.
- iii Any amendment is not valid until it is registered by the Chief Executive. (Office of Fair Trading)

(3). Urgent Notice of Motion (Not effecting the Constitution)

- i. If a member considers that their notice of motion is of an urgent nature and they wish to have it heard at the same meeting as they present it, then they must request that this is done.
- ii. To hear a notice of motion under these circumstances then it is to be approved by a two-thirds majority of the members present at that general meeting.
- iii. All documentation and supporting information is to be in the hands of the Secretary prior to the commencement of the general meeting

By-Law No 6. Membership Subscriptions

1. Ordinary member

- (1) A member's fees consist of:
 - (a) National capitation,
 - (b) State capitation,
 - (c) Sub Branch fee, and
 - (d) Public Liability Insurance (PLI).

2. Associate members

- (1) Associate members pay:
 - (a) Sub Branch fee, and
 - (b) Public Liability Insurance.

3. National and State life members

- (1) National and State life members pay:
 - (a) Sub Branch fee, and
 - (b) Public Liability Insurance.
- (2) Capitation fees are paid by the State Branch.

4. Public Liability Insurance

- (1) Sub Branches may elect to pay PLI from Sub Branch funds and not levee the members. This is at the discretion of the Sub Branch.

By Law No 7. Functions of State Management Committee (SMC)

- (1) Subject to these rules or a resolution of the members of VVAA QLD carried at an SMC meeting, the SMC has the general control and management of the administration of the affairs, property and funds of the association.
- (2) The SMC has authority to interpret the meaning of these rules and any matter relating to the VVAA QLD on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.

By Law No 8. Standing Orders – Conduct of Meetings

1. All proceedings at meetings held under and in pursuance of the VVAA QLD constitution are to be governed by these standing orders

2. Restriction upon speeches

- a. The mover of an original motion is allowed four (4) minutes to introduce the motion and two (2) minutes for right of reply
- b. The speakers for and against such proposal are to limited to three (3) minutes
- c. At any time the meeting may resolve, on the motion of a member, that the speaker's time be extended by a specific number of minutes.
- d. Any such proposal for an extension is to be put to the meeting without debate.
- e. No member is allowed to propose more than one amendment upon a motion

- f. No member is allowed to speak more than once on a motion or an amendment unless the chairman or the mover of the motion agrees
- g. The chairman may if they consider that there is no practical difference of opinion among the members, stop the debate and submit the proposal to the meeting

3. Debate

When a motion has been duly proposed and seconded, the chairman is to proceed to take votes, unless a member stands to oppose it or propose an amendment. No more than two members are to speak in succession for / or against any question before the meeting. If at the conclusion of the second speaker's remarks, no member rises to speak on the other side, the motion or amendment is to be put to the meeting.

4. Amendments

- a. Only one amendment is to be entertained at the one time. If the amendment is carried, the amendment becomes the substantive motion and the original motion lapses.
- b. Whether an amendment is carried or not, other amendments may be submitted and be decided in like manner until the subject is finalised.
- c. In the case of all amendments being lost, the chairman is to put the original motion to the vote

5. Motion discharged from agenda

A motion may be superseded at any time:

- a. by another motion that it be discharged from the notice paper,
- b. by a motion for the adjournment of the question under consideration,
- c. by the adjournment of the meeting,
- d. by a motion "that the next business be proceeded with", being resolved in the affirmative

6. Frequency of Speech

A member is not to speak more than once upon any motion before the meeting except:

- a. in reply upon an original motion,
- b. in committee of the whole,
- c. in explanation,
- d. Upon a point of order raised during debate

7. Explanation

Any member whom has spoken to a motion may again be heard to explain himself in regard to some part of his/her speech which the chairman agrees may have been misquoted or misunderstood, but such member cannot introduce any new matter or interrupt any member who may be speaking and no debatable matter is to be brought forward or debate arise out of such explanation

8. Member's Absence

If the Chairman of the meeting declares that an item on the meeting agenda paper may lapse because of the absence of the member proposing the item, the Chairman may accord to another member the right to propose such item to the meeting.

9. Precedence of Business Adjourned Meeting

When a motion for the adjournment of the meeting has been carried, the business then undisposed of is to have precedence in its order at the next meeting.

10. Rescinding Resolutions

Any member wishing to rescind a resolution which has been previously passed by the meeting is to give notice of motion that, at the next meeting, he will move that such a resolution be rescinded. Such notice of motion requires a majority of two thirds of the votes of members present at the meeting to rescind the resolution in question.

11. Voting Procedure

No member is allowed to vote on any show of hands or ballot who was not present when the question was first put. No member is allowed to enter or leave the room while a vote is being taken.

12. Introduction of Authorised Subjects Only

No member is allowed to obtain a discussion upon any subject through the medium or correspondence, but he may introduce the matter, in his place at the meeting, by moving the suspension of Standing Orders.

13. Meeting to Resolve as Committee

The meeting may, at any time, resolve itself into a Committee of the whole, and such resolution may include the exclusion of the press. So far as possible, however, business to be dealt with In Committee is being held over until all other business has been transacted.

14. Points of Order

In all cases where a point of order is raised, the member raising the same is to state his point of order clearly and distinctly and with the omission of any irrelevant details. If a member be speaking, such member is to take his seat until the point of order is decided. The Chairman decides the matter promptly, and his decision is final, unless his ruling is disagreed with. Points of order are to deal with the conduct or procedure of the debate. The member rising to put the point of order is required to prove one or more of the following:

- a. that the speaker is using unparliamentary language;

- b. that he is speaking beside the question;
- c. that he is transgressing some Rule of the Sub Branch; or
- d. that he is infringing the Standing Orders or, in the absence of a Standing Order bearing on the point, is acting contrary to the general custom of debate (Points of correction, such as a protest that a speaker is not stating the truth, are not points of order).

15. Disagreement with Chairman's Ruling

When a motion is moved and seconded "That the Chairman's ruling be disagreed with," the Chairman is to forthwith leave the Chair and the debate on the original question then before the Chair is suspended. Another Chairman is then appointed by the meeting and the question "That the Chairman's ruling is disagreed with" is discussed and decided, after which the former Chairman resumes the Chair and the debate on the original question is proceeded with as if the same had not been suspended.

16. Suspension of Standing Orders

It shall be competent, by a two thirds majority vote of the members present and voting, to suspend the Standing Orders, provided the effects of such suspension shall not be the rescission of paragraph 17, and provided, further, that the suspension of the Standing Orders is limited in its operation to the particular purpose for which the suspension has been sought.

17. Recommitting Resolution

No resolution passed by a meeting is to be again debated or re-committed at the same meeting unless two thirds of the members present and entitled to vote so agree.

18. Objection to Validity of Vote

Subject to these Rules, the Chairman is the sole and absolute judge as to the validity of any vote cast on any question, and unless objection to the validity of any vote is raised immediately after the Chairman has declared the result of the vote thereon, its validity cannot be again raised at any subsequent stage of the meeting.

By Law No 9. Election of State Executive Members

The election of officers and other members of the Executive committee shall take place in the following manner:

- (1) Any two financial members of the VVAA QLD shall be at liberty to nominate any other financial members to serve as an officer or other member of the State Executive.
- (2) The nomination, which shall be in writing and signed by the member, his Proposer and Seconder, shall be lodged with the State secretary by the last day of November, preceding the convening of the AGM. Nominations must be accompanied by a short personal resume.
- (3) The State Secretary shall ensure that the resulting nominations and resumes are promulgated directly to all Sub Branches no later than the second Sunday of December.
- (4) The form of notification shall be the actual Sub Branch Voting Form to be used by the Sub Branches. The Sub Branch Voting Form, By Law 18, is to be completed and returned to the State Secretary prior to the commencement of the AGM. Each Sub Branch is entitled to one vote.
- (5) The Sub branch member of the SMC must be financial
- (6) Where at the time of notification, there are insufficient nominations for any position; nominations are to be taken from the floor of the AGM. These positions will then be decided by a majority vote of financial members at the AGM
- (7) All voting at AGM shall be by show of hands. The appointed chairman shall nominate scrutinizers to count the votes.

By Law No 10. Grievance Management

- (1) The purpose of this By Law is to establish guidelines for the effective management of grievances and to provide a mechanism for the establishment of an independent panel to examine grievances and complaints that cannot be resolved to the satisfaction of the aggrieved parties.
- (2) Grievances can often occur due to poor communication and/or failing to adhere to practices and procedures detailed in our Constitution and Policy Handbook. The better approach is to provide an initial mediation process that will resolve issues in house to the satisfaction to all aggrieved parties.
- (3) This process should only be enacted when grievances cannot be resolved through normal negotiations and mediation at VVAA State Council and/or Sub-branch level.
- (4) The Grievance process is to be in two parts; the initial Mediation stage, and an examination of the facts by a panel brought together for this purpose.
- (5) The initial mediator is to be a member of, and appointed by, the State Executive and shall not be from the sub branch where the grievance exists.
- (6) The panel should consist of one member of the State Executive (Chairman) and two members of the SMC neither of which shall be from the same Sub Branch in which the grievance has occurred.
- (7) The National Council shall appoint members of the panel. This process can be by vote

via email, fax or telephone at the request of the National President.

(8) Both parties associated with the grievance should lodge details of the grievance from their perspective with the State Secretary in writing within 14 days after notification to do so by the Chairman. The Chairman can extend this period if it is warranted.

(8). After consideration of all the facts, the panel is to present their recommendations to the aggrieved parties. If the matter cannot be resolved, then the recommendations are to be presented to the State Executive for inclusion and decision at the next SMC Meeting

(9). All participants in this process are to ensure that decisions are in the best interests of the welfare of the veteran's community and the Association

By Law No 11. Life Membership

(1). Any Ordinary member of the association may be granted Life Membership.

(2). Nominations for Life Membership are to be submitted in the form of a Notice of Motion and contain resume of the member's contributions to the association.

(3). Life Membership may be awarded to any number of members per year at any General Meeting.

(4). The maximum Life Members is not to exceed 10% of the maximum financial members held by the VVAA QLD.

(5). Nominees are to have been a member of a Sub Branch of the VVAA Qld and have performed a minimum of five (5) years cumulative long and meritorious service.

(6). A nominee is to be nominated and seconded by members, who have had no less than five (5) years membership of the VVAA,

(7). Life Members are to retain all their ordinary membership rights,

(8). The payment of capitation fees for life members is the responsibility of VVAA QLD,

(9). The Secretary is to maintain a Life Members Register containing all information on the nomination and acceptance of the Life Membership,

(10). Honorary Life Membership may be bestowed upon individuals who are not members

By Law 12. Application for Membership



VIETNAM VETERANS ASSOCIATION OF AUSTRALIA
(QUEENSLAND BRANCH) INCORPORATED

'Honour the dead but fight like hell for the living'

Application for Membership

I,

(Printed name in full)

Apply for membership of the Vietnam Veterans' Association of Australia (Queensland Branch) Inc.

of sub branch State

Home Address

(Print details)

..... Post code

Signature..... Date.....

I,ofSub Branch being a financial ordinary member of the association hereby nominates:

Mr/Mrs/Msfor Ordinary/Associate membership of the association.

Signature Date.....

I,ofSub Branch being a financial ordinary member of the association hereby seconds this application.

Signature Date

Sub Branch Action

VVAA Badge Receipt Number

Name Tag Membership Card

Annual Subs Register Entered

TOTAL Meeting Approved

Secretary's signature Date

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By Law No 13. Personal Particulars Form

VIETNAM VETERANS ASSOCIATION OF AUSTRALIA
(QUEENSLAND BRANCH) INC.
ABN 45 827 964 39



'Honour the dead but fight like hell for the living'

***CROSS OUT NOT APPLICABLE**

..... Sub branch.....Year

Surname Given names

Address.....

..... Postcode

Postal address (if applicable)

..... Postcode

Telephone Home.....Work.....Mobile.....

Date of birth Enlistment date Discharge date

Service Number Rank ARA/National Servicemen

Year/s served in VietnamAreas served

Unit/Ship
.....

Present occupation.....

NOK Name relationship

Address.....

.....Postcode.....

Telephone Home.....Work.....Mobile.....

Is there anyway that we can be of assistance to you at present.

.....
.....
.....

.....
Signature

.....
Date

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By-Law No 14. State Executive Nomination Form



VIETNAM VETERANS ASSOCIATION OF AUSTRALIA
(QUEENSLAND BRANCH) INCORPORATED

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State Executive Nomination Form

I being a financial member of sub branch do hereby
nominate _____ of _____ Sub Branch for the position of

- *President
- *Vice President
- *Secretary
- *Treasurer
- (*Delete whichever not applicable)

Signature of Nominator

Date

Ibeing a financial member of _____ sub branch second this nomination.

Signature of Seconder

Date

I,..... being a financial member of.....Sub branch do hereby accept this nomination.

Signature of Nominee

Date

Validation: Financial member YES/NO

Reason for rejection

Signature State Secretary

Date

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By Law No 15. Sub Branch Voting Form



**VIETNAM VETERANS ASSOCIATION OF AUSTRALIA
(QUEENSLAND BRANCH) INCORPORATED**

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**SUB BRANCH VOTING FORM
ANNUAL GENERAL MEETING**

_____ Sub-Branch

Being a Sub Branch of the VVAA (QLD Branch) Inc. hereby cast our votes, for the election of office bearers and notices of motion for resolution at the Annual General Meeting to be convened on the _____ day of February _____ and any adjournment thereof, with explicit direction to cast my vote in accordance with the directions below

ELECTION OF OFFICE BEARERS (tick preference)

STATE PRESIDENT

STATE VICE PRESIDENTS (2 of)

STATE SECRETARY

STATE TREASURER

NOTICES OF MOTION

- 1. FOR/AGAINST
- 2. FOR/AGAINST
- 3. FOR/AGAINST

_____ Sub Branch Secretary

_____ Date

This form is to be returned to the VVAA (Qld Branch) Inc. Secretary not later than the commencement of the AGM

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