

# **CONSTITUTION OF THE VIETNAM VETERANS FEDERATION ACT BRANCH INCORPORATED**

*Updated 24 August 2008*

## ***THE GOLDEN PRINCIPLE:***

***THE VIETNAM VETERANS FEDERATION ACTIVELY PURSUES THE  
WELFARE OF VIETNAM VETERANS AND THEIR FAMILIES.***

### **1 NAME**

- a) The name of the organisation shall be the VIETNAM VETERANS FEDERATION ACT BRANCH INCORPORATED. (Hereinafter called the ACT Branch).
- b) So far as is permitted by law and unless it is incapable of application the short title of the ACT Branch shall be VVF ACT Branch INC.

### **2 THE VIETNAM VETERANS FEDERATION**

- a) The ACT Branch shall be a member of the VIETNAM VETERANS FEDERATION INCORPORATED (hereafter referred to as the Federation) and, whilst remaining a member shall act in conformity with the Federation constitution.

### **3 BRANCH OFFICE**

- a) The Branch Office of the ACT Branch shall be situated in any such place in ACT as the ACT Branch may, from time to time determine.

### **4 OBJECTIVES**

- a) The ACT Branch is established for the principal purpose of promoting the interests and welfare of all veterans and their families and dependents and shall have the following objectives:
  - i) To assist and care for the sick, elderly and needy by providing, or assisting to provide, pensions, benefits, accommodation, counselling, medical treatment, rehabilitation and other forms of welfare.
  - ii) To promote and assist the development of all aspects of the welfare of members who are serving personnel, or ex-service personnel in pursuing any objectives, which may be deemed to be benevolent.
  - iii) To investigate, collect and collate material to:
    - a) Identify the nature of chemicals used in Vietnam; and
    - b) Investigate where, when and in what quantity chemicals were used in Vietnam.
  - iv) Promote and further cooperate in the achievements of the above objectives and, to that end, bring together in Committee and Conference representatives of Government Departments, Statutory Authorities,

Voluntary Organisations, centres for Higher Learning or Scientific Research or any Individuals or organisations.

- v) To organise, prepare and collate, or to assist in the organisation, preparation and collation of information, knowledge and expertise relating to the welfare of members generally and in the furtherance of the above objectives.
  - vi) Maintain and coordinate the activities of sub-branches throughout ACT as the ACT Branch may from time to time determine.
  - vii) To accept payment of fees from members and sub-branches, and donations, whether of real or personal estate, and devise and bequest for all or any of the purposes aforesaid, and so far as permitted by law to dispose of or to lease and accept surrenders of leases of and manage all real estate (including lease-holds) so received and not required or capable of being occupied for the purpose of the ACT Branch shall take or hold and deal with same in such manner as allowed by law, having regard to such trust.
  - viii) To invest and deal with any of the monies or other assets of the ACT Branch not immediately required upon such securities and in such manner as the ACT Branch may determine.
  - ix) To invest and deal in real estate and to hold property for the purpose of furthering all or any of the objectives of the ACT Branch.
  - x) To purchase, take lease, or in exchange, hire or otherwise acquire, any real or personal property or any rights or privilege, which the ACT Branch may think necessary or convenient for any of the purposes of the ACT Branch.
  - xi) To borrow or raise money in such manner as the ACT Branch may think fit, for any of its objectives and in particular by mortgages or other securities, upon all or any of the property of the ACT Branch present or future.
  - xii) To establish and accept Trusts having for their objectives the welfare and benefit if any member of the ACT Branch and its sub-branches, or for any dependent or descendant of members, to enable the ACT Branch to more effectively achieve the objectives hereinbefore mentioned.
  - xiii) To do all such other lawful things as are conducive or incidental to the attainment of any of the above objectives.
  - xiv) To pay out of the funds of the ACT Branch all expenses of and incidental to the formation thereof, its management, and the carrying out of its objectives, including the payment of salaries to person employed by it.
  - xv) To make by-laws in accordance with this Constitution.
  - xvi) To engage in charitable fundraising (in accordance with the appropriate ACT Government Legislation) for the purpose of carrying out the objectives of the ACT Branch.
- b) The ACT Branch shall not pursue political or social issues not directly connected with the welfare of those eligible for membership of the ACT Branch or other veteran and their families.

## 5 ALTERATION OF OBJECTIVES OR THIS CONSTITUTION

- a) The statement of objectives and this Constitution may be altered, rescinded or added to only at an Annual General Meeting of the ACT Branch or any Extra Ordinary General Meeting called for that purpose, with no less than 75% (seventy

five percent) of financial members present and voting, including postal vote, supporting those alterations, rescissions or additions. Twenty-one days written notice must be given to all members, particularising the alterations or objections so proposed.

## 6 RESTRICTIONS ON THE USE OF INCOME AND PROPERTY

- a) The income and property of the ACT Branch whencesoever derived, shall be applied solely towards the objectives of the ACT Branch set forth in this Constitution and no portion thereof shall be paid or transferred directly, or indirectly, by way of profit to members of the ACT Branch, provided that nothing shall prevent the payment in good faith of reasonable and proper remuneration to any officers or servants of the ACT Branch or to any other person in return for any services actually rendered to the ACT Branch, nor prevent payment of interest at a rate not exceeding the rate charged by bankers in the Territory of ACT on overdraft account on any money lent or reasonable and proper rent for premises demised or let to the ACT Branch by any member, but so that no member of the ACT Branch shall be appointed to any ACT Branch office paid by fees and that no remuneration or other benefits in money or money's worth shall be given by the ACT Branch to any member except repayment of out-of-pocket expenses and interest at the rate aforesaid on money lent or reasonable or proper rent for premises demised or let to the ACT Branch or of welfare payments in form of grants or interest free loans to alleviate hardship.

## 7 FUNDS

- a) All funds belonging to or received by the office of the ACT Branch shall be placed in one or more bank accounts in the name of the VIETNAM VETERANS FEDERATION ACT BRANCH INCORPORATED and shall be applied exclusively to the promotion of its objects and no portion thereof shall be paid or applied to members (except by way of bona fide remuneration for services rendered or expenses incurred on behalf of the ACT Branch.)
- b) The authority for any payment of funds drawn from any bank account of the ACT Branch comes from the Committee. The Committee shall authorise a number of members to sign cheques. Two such authorized persons must sign each payment cheque. Cheques may be signed by authorised persons before approval of a payment by the Committee up to certain limits and for certain purposes decided by the Committee, such payments being made the subject of scrutiny at the Committee meeting following the payment.

## 8 ACCOUNTS

- a) True accounts shall be kept of the sums of money received and expended by the ACT Branch and the matter in respect of which such receipts and expenditure take place and of the property, credits and liabilities of the ACT Branch and subject to any reasonable restrictions as to the time and manner of inspection the same that may be imposed in accordance with the regulations of the ACT Branch for the time being in force shall be open to the inspection of the members. Once at

least every year, the accounts of the ACT Branch shall be examined by one or more properly qualified auditor or auditors.

- b) The financial year of the ACT Branch shall conclude on the 30th day of June in each year.
- c) The committee shall cause proper books of account to be kept with respect to:
  - i) All sums of money received and expended by the ACT Branch and the matter in respect of which the receipt and expenditure takes place.
  - ii) All sales and purchases of goods by the ACT Branch; and the assets and liabilities of the ACT Branch
  - iii) Assets may be purchased or disposed of by the Committee, from time to time, to further the objectives of the Branch.
- d) The books of the ACT Branch shall be kept at the Territory Office of the ACT Branch or at such other place or places as the Committee thinks fit and shall be open to the inspection of the members of the ACT Branch.
- e) The Committee shall in accordance with the provisions of the Constitution cause to be prepared and to be laid before the Annual General Meeting such profit and loss accounts balance sheets and reports as are referred to therein.
- f) A copy of every balance sheet (including every document required by law to be annexed thereto) which is to be laid before the Annual General Meeting together with a copy of the Auditor's Report shall be, not less than 14 days before the date of the meeting, sent to all Committee members and Secretaries of sub-branch and shall be available at the Territory Office for inspection by any member. The balance sheet shall be available to all members on their arrival at the Annual General Meeting.
- g) A financial statement comprising an income and expenditure account shall be presented to the Committee at each meeting of the Committee.

## 9 APPOINTMENT OF AN AUDITOR

- a) An auditor so appointed shall be any person who is not an officer of the association and has not prepared or helped to prepare the accounts of the association.

## 10 DISSOLUTION

- a) The liability of a member of the ACT Branch to contribute towards the payment of the debts and liabilities of the ACT Branch or the costs, charges and expenses of the winding up of the ACT Branch is limited to the amount, if any, unpaid by the member in respect of membership of the ACT Branch.
- b) If, upon the dissolution of the ACT Branch there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the ACT Branch, but shall be transferred to some other institution or institutions that is a Non-Profit Organisation having objectives similar to the objectives of the ACT Branch and which shall prohibit the distribution of its or their income and property amongst its members to the same extent at least as great as imposed on the ACT Branch under or by virtue of this Clause, such institution or institutions to be determined by the members of the ACT Branch at or before the time of dissolution, or in default thereof by such

Judge of the ACT Supreme Court as may have or acquire jurisdiction in regard to charitable funds and if so far as effect cannot be given to the aforesaid provisions, then to some charitable or public institution or public university

## 11 ORDINARY MEMBERSHIP

- a) The following persons are eligible to become ordinary members of the ACT Branch
  - i) Any person who served in South Vietnam between 31st July 1962 and 1st July 1973 (inclusive) in any of the following:
    - a) As a member of the Royal Australian Navy, the Australian Army or the Royal Australian Air Force
    - b) As a civilian accredited with one or more of the Australian Defence Forces or who was granted Special Service status for the Vietnam conflict
    - c) As a member of the New Zealand, the United States of America, South Vietnam, South Korea, Thailand, Philippines, Spain or the Taiwan Military Forces.
    - d) As a civilian accredited with one of the military forces of New Zealand, South Korea, Thailand, Philippines, Spain or the Taiwan Military Forces or who was granted a form of Special Service status for the Vietnam Conflict by his or her Government;
  - b) For the purpose of Clause 11, service in South Vietnam shall include members of the forces who were land based in South Vietnam, or who, while on board Naval or Merchant Marine vessels, operated in waters about the coastline of Vietnam or berthed or anchored in ports of South Vietnam.
  - c) Notwithstanding the aforesaid recommendations, the ACT Branch may admit to membership all Australian returned service personnel from all conflicts in which Australian Forces participated under the Defence Act 1903, and any other such persons as the Committee may deem eligible from time to time.
  - d) Any Associate Member who, in the opinion of the Branch Committee, has rendered service to the ACT Branch that is considered exemplary may be granted Ordinary Membership status with all the rights and entitlements such status entails.
  - e) All ordinary members shall be of equal status within the ACT Branch without regard to service rank or title.
  - f) Any ordinary member may attend as an observer at any Committee meeting but shall not be entitled to vote thereat nor receive notice thereof.
  - g) Life membership may be granted to those members who in the opinion of the Committee have over the period of their membership displayed exemplary service to the Branch. The presentation of life membership is to be performed at the Annual General Meeting.

## 12 ASSOCIATE MEMBERSHIP

- a) Dependents and descendants of ordinary members in the categories listed in Clauses 11 a) i) c), 11 a) i) d) and 11 a) i) c) are eligible for associate membership of the ACT Branch.

- b) Any other person who in the opinion of the Committee is a suitable person for ACT Branch membership may become an associate member of the ACT Branch.
- c) Associate members have all the rights and responsibilities of ordinary members except that they are not entitled to vote in any election or on motions proposed at any ACT Branch forum.

### 13 SUBSCRIPTIONS

- a) All ordinary and associate members of the ACT Branch shall pay to the ACT Branch directly or through sub-branches a joining and annual subscription. Subscriptions become due on joining the ACT Branch and thereafter on the first day of every new financial year (that is on 1st January).
- b) The ACT Branch shall pay a part of each subscription known as a 'capitation fee' to the National Treasurer of the Federation, the amount of that part to be determined from time to time by a Federation Annual General Meeting or Federation extra-ordinary General Meeting convened for that purpose. Capitation fees paid to the National Treasurer are for use by the Federation National Executive in furthering the objectives of the Federation. Those for whom a capitation fee shall be paid are:
  - i) All financial members, financial during that year.
  - ii) All life members.
- c) Capitation fees are paid to the Treasurer of the Federation (hereafter referred to as the National Treasurer) as soon after the end of the financial year as practicable.
- d) The amount of the ACT Branch joining and annual subscription shall be determined, from time to time, by an ACT Branch Annual General Meeting or the ACT Branch Extra-ordinary General Meeting convened for that purpose taking into account in that determination the amount of the capitation fee.
- e) The amount of the ACT Branch joining and annual subscription to be retained by any collecting sub-branch shall be determined from time to time by an ACT Branch Annual General Meeting or ACT Branch extra-ordinary General Meeting convened for that purpose.
- f) Sub-branches may add a surcharge to or allow a discount on the joining and/or annual subscription in order to change the amount of the subscription retained by it.

### 14 REGISTER OF MEMBERS

- a) The Secretary of the ACT Branch shall establish and maintain a register of members of the ACT Branch; specifying the name and address of each person who is a member of the ACT Branch together with the date on which a person became or ceases to be a member.

### 15 CESSATION AND SUSPENSION OF ORDINARY MEMBERSHIP

- a) Any ordinary or associate member of the ACT Branch desiring to resign therefrom shall give notice to that effect in writing to the Territory Office or sub-branch and upon such notice being received by that body, shall cease to be an ordinary member of the ACT Branch.

- b) No person by reason of him or her having ceased to be an ordinary member shall be released from any liability from any subscription due or other sums due to the ACT Branch.
- c) Any person who ceases to be an ordinary member shall cease to have an interest in any of the property or assets of the ACT Branch whatsoever.
- d) If any ordinary member shall be guilty of conduct putting in jeopardy the objectives of the ACT Branch, or failure to uphold the reputation of the ACT Branch, or failure to uphold the reputation of the ACT Branch, or wilfully infringes these Clauses or by the By-Laws made pursuant thereto, the ACT Branch may resolve to expel, or suspend the member from membership for such period as it thinks fit subject in either case to the provisos hereinafter contained in this Clause. Such expulsion or suspension shall be recommended by the Committee and that recommendation endorsed or rejected at the earliest Annual General Meeting or extra-ordinary General Meeting convened for that purpose where the member recommended for expulsion shall be invited to defend the conduct which is the cause of the committee's recommendation. No member shall be expelled or suspended for simply disagreeing the ACT Branch policy, but no allowance for objectionable behaviour will be countenanced in the expression of that disagreement
- e) The right to determine ordinary membership within the meaning of Clause 11 and associate membership within the meaning of Clause 12 and to suspend or withdraw ordinary and associate membership in accordance with Clause 15 d) is vested in the ACT Branch and there is no right of appeal to any Federation General Meeting.
- f) The Secretary of the ACT Branch shall conform to the ACT Government Model Constitution for Organisations and Associations. In the case of grievances, the President, Senior Vice President and Secretary will arrange a meeting between those members who have a grievance or complaints. If the matter is unable to be resolved at that meeting the President, Senior Vice President and Secretary shall inform the Committee at the next monthly Committee meeting and the Committee will make a final decision. At this meeting the Committee may recommend the expulsion or suspension of a member in accordance with Clause 15 d).

## 16 AUXILIARIES AND SUB-COMMITTEES

- a) All auxiliaries, and sub-committees, appointed by the Committee to raise funds or assist in any manner at all, shall give a full report of all their dealings and undertakings at each monthly Committee meeting. The report shall include a financial statement providing details of all monies raised and spent. Any such auxiliary or sub-Committee shall operate under this Constitution and be guided by the Committee. All monies raised and equipment purchases shall be the property of the ACT Branch.

## 17 SUB-BRANCHES AND ZONE REPRESENTATIVES

- a) The ACT Branch may establish such sub-branches based on geographic regions or special interests and receive existing organisations as sub-branches as it may deem necessary from time to time. The objectives of those sub-branches must be

the same as the objectives in Clause 4 of this Constitution and their rules for the governing and control thereof, must not conflict with this Constitution or the constitution of the Federation.

- b) Where a provision in the Memorandum or Articles of Association or in the constitution or rules (as the case may be) of a sub-branch is inconsistent with any provision in this Constitution, that sub-branch or regional branch must, as a condition of membership, alter its Memorandum and Articles of Association or its constitution or rules (as the case may be) so as to conform to this Constitution as judged by the Territory Executive of the ACT Branch.
- c) Sub-branches may receive ACT Branch joining and annual subscriptions from members on behalf of the ACT Branch and retain the amount of each subscription determined for sub-branch retention in accordance with Clauses 13 c) d) and e).
- d) The ACT Branch may appoint such Zone Representatives, as it may deem necessary from time to time. The Zone Representatives must act in accordance with this Constitution and the policies established by Annual General Meetings and extra-ordinary General Meetings from time to time.

## 18 ANNUAL GENERAL MEETINGS

- a) A meeting of the ACT Branch shall be held at least annually and shall be called the ANNUAL GENERAL MEETING (AGM). The AGM is to be held within three (3) months of the end of the Financial Year. Members are to be given at least twenty one days (21) notice, plus three days allowing for any letters sent by ordinary post to the member's last known address, but accidental omission to give notice shall not invalidate the meeting in accordance with Clause 23, specifying the place, day and the hour of the meeting and in the case of special business the general nature of that business shall be given to such persons as are entitled to receive notice from the ACT Branch.
- b) All members of the ACT Branch who are financial ordinary members are eligible to attend and financial ordinary members are entitled to vote at the Annual General Meeting, either personally or by postal vote.
- c) Other interested persons or representatives of allied or kindred or supportive bodies may, with the permission of the Committee, attend Annual General Meetings of the ACT Branch, and may at the discretion of the Chairperson, address those meetings, but shall not be entitled to vote.
- d) No business shall be transacted at any Annual General Meeting unless a quorum of ordinary members is present at the time when the meeting proceeds to business. Subject to the Constitution, one member eligible to act as Chairperson plus twenty ordinary members present in person and entitled to vote shall constitute a quorum.
- e) The President shall preside as Chairperson at every Annual General Meeting or in the event of the President's absence the Senior Vice President, or if he or she is not present within fifteen minutes of the time appointed for the meeting or is unwilling to act, the members present and entitled to vote shall elect one of the Committee members to be Chairperson of the meeting. The Chairperson of a meeting may, during the course of that meeting request that another member of the ACT Branch present at the Annual General Meeting act as Chairperson for a specified session of the meeting.

- f) The Chairperson may, with the consent of any Annual General Meeting at which a quorum is present, shall, if so directed by the meeting adjourn the meeting from time to time and from place to place, but no unfinished business shall be transacted at any adjourned meeting other than business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more, at least two weeks notice of the adjourned meeting shall be given.
- g) If within thirty minutes from the time appointed for the Annual General Meeting a quorum is not present, it shall stand adjourned until such day and at such time and place as the President, or in his/her absence the Senior Vice President or in his/her absence a Vice President, shall determine (but not before at least an hour has transpired since the adjournment) and if at the adjourned meeting a quorum is not present within thirty minutes of the time appointed from that adjourned Annual General Meeting it shall be cancelled and a new Annual General Meeting shall be called in accordance with Clauses 18a) and b) of this Constitution.

## 19 VOTING

- a) Upon any question arising at a general meeting of the ACT Branch a member has one (1) vote only
- b) All votes shall be given personally, or by postal vote, or by electronic mail, which must be registered with the Public Officer by close of business on the last working day prior to the AGM
- c) In the case of an equality of votes on a question at a General Meeting, the person presiding is entitled to exercise a second or casting vote.
- d) The notice appointing the postal vote shall be in the form set out in Appendix 1 to these rules.
- e) Postal vote votes shall be held by the Public Officer for seven days following an Annual General Meeting.
- f) At any Annual General Meeting each financial ordinary member shall be entitled to one vote, either personally or by postal vote.
- g) At any Annual General Meeting a resolution put to the vote of the meeting shall be decided on the show of hands.
- h) The Chairman of an Annual General Meeting shall exercise his or her vote only in the case of the votes for and against a motion being an equal number in which case the Chairman shall be entitled to the casting vote except in the case of an election for office of Chairperson in which case the Chairperson may not vote.
- i) No member shall be entitled to vote at any General meeting unless his joining or annual subscription and all other sums payable by him/her have been paid to the Treasurer of the ACT Branch.
- j) No objections shall be raised to the qualifications of any voter except at the Annual General Meeting or adjourned Annual General Meeting at which the vote objected to is given or tendered and every vote not disallowed at such meeting shall be valid for all purposes. Any such objection made in due time shall be referred to the Chairperson of the meeting session who shall review the voting qualification of the person under dispute in light of this Constitution. The Chairperson's decision shall be final and conclusive.

## 20 EXTRA-ORDINARY GENERAL MEETING

- a) The Committee shall on the requisition in writing of not less than Ten Per Cent (10%) of the total number of financial ordinary members convene an Extra-ordinary General Meeting of the ACT Branch.
- b) A requisition of members for an extra-ordinary General Meeting
  - i. shall state the purpose or purposes of the meeting;
  - ii. Shall be signed by the members making the requisition
  - iii. Shall be lodged with the ACT Branch Secretary; and
  - iv. may consist of several documents in similar form, each signed by one or more members making requisition.
- c) If the Committee fails to convene an extra-ordinary Meeting to be held within one month after the date on which a requisition of members for the meeting is lodged with the ACT Branch Secretary, any one or more of the members who made the requisition may convene an extraordinary General Meeting to be held not later than three months after that date.
- d) An extra-ordinary General Meeting convened by a member or members shall be convened as nearly as is practicable in the same manner as Annual General Meetings are convened by the Committee and any member who thereby incurs expense is entitled to be reimbursed by the ACT Branch for any expenses so incurred.
- e) The Committee may from time to time convene an extra-ordinary General Meeting for specified purposes. The extra-ordinary General Meeting, taking into account the Meeting's limited purpose or purposes, shall be organised and prosecuted in as close as practicable a way as the prosecution of an Annual General Meeting.

## 21 THE COMMITTEE

- a) At each Annual General Meeting, a committee comprising the following shall be elected from amongst the financial members:
  - i) Executive Committee
    - a) President, Senior Vice President, two (2) Vice Presidents, one (1) Secretary, one (1) Treasurer and (1) Assistant Treasurer
  - ii) Committee
    - a) Not less than three (3) and not more than ten (10) ordinary Committee members.
- b) The Committee shall carry out the implementation of policy as determined at the Annual General Meeting and any extra-ordinary General Meetings.
- c) The committee shall have power to make from time to time such By-Laws as are in it's opinion necessary and desirable for the proper control, administration and management of the ACT Branch's affairs, operations, finances, interests, effects and property and to amend and repeal from time to time such By-Laws.
- d) Notwithstanding the foregoing provisions of this Constitution, the Annual General Meeting or extra-ordinary General Meeting convened for this purpose, may, by ordinary resolution amend or repeal any By-Laws made by the Committee.

- e) A By-Law shall not be inconsistent with this Constitution or policy determined by the Annual General Meeting or an extra-ordinary General Meeting.
- f) All By-Laws shall be promulgated to all sub-branches.
- g) The Branch Executive shall carry out the day to day administrative tasks required for the efficient functioning of the ACT Branch within the general policy guidelines as determined by the Annual General Meeting and extra-ordinary General Meetings.
- h) The Branch Executive and the Committee may coopt other ordinary members of the ACT Branch to help them carry out specific duties.
- i) The Branch President shall not hold office in or be employed by any other veterans or ex-services organisations.
- j) The Committee shall, where possible meet as a body at least monthly. A quorum for a committee meeting is to consist of not less than one third of the number of elected committee members.
- k) All office bearers referred to in this Constitution shall be Honorary Officers.
- l) If the President dies or is removed from office or is deemed to have vacated his/her office, the Committee shall elect one of their numbers to be Acting President. He or she shall hold office as acting President, with full powers and responsibilities of that office until the next Annual General meeting or extra-ordinary General Meeting convened for the purpose of an election.
- m) If the Senior Vice President dies or is removed from office or is deemed to have vacated his/her office, the Committee shall elect one of its number as Acting Senior Vice President. He or she shall hold office as acting Senior Vice President with full powers and responsibilities of that office until the next Annual General Meeting or extra-ordinary general Meeting convened for the purpose of an election.
- n) If either Vice President dies or is removed from office or is deemed to have vacated his office, the Committee shall elect one of its number as acting Vice President. He or she shall hold office as acting Vice President with full powers and responsibilities of that office until the next Annual General Meeting or extra-ordinary General Meeting convened for the purpose of an election.
- o) If the Secretary or the Treasurer should die, or is removed from office or is deemed to have vacated his or her office, the Committee shall elect a replacement from one of their number or, should a suitable member not be available on the Committee, appoint a suitable member from outside the Committee to hold office in an acting capacity. The acting officer shall hold office until the next Annual General Meeting or extra-ordinary General Meeting convened for the purpose of an election.
- p) If any ordinary member of the committee dies, is removed from office or is deemed to have vacated their office, the Committee shall elect a suitable member of the ACT Branch in an acting capacity. The acting officer shall hold office until the next Annual General Meeting or extra-ordinary General \meeting convened for the purpose of an election.
- q) If a member of the Committee fails to attend three (3) scheduled monthly Committee meetings without leave from the Committee during the twelve (12) months between the Annual General Meetings, the member will be deemed to

have relinquished his or her office. Apologies alone without leave cannot be substituted for attendance.

## 22 ELECTION OF COMMITTEE MEMBERS (OR BRANCH EXECUTIVE)

- a) Nominations of candidates for election as office-bearers of the Federation or as ordinary committee members –
  - i) Shall be made in writing, signed by two (2) members of the Federation and accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and
  - ii) Shall be delivered to the secretary of the Federation not less than twenty eight (28) days before the date fixed for the annual general meeting at which the election is to take place
- b) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be taken to be elected
- c) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.
- d) A person is not eligible to simultaneously hold more than one (1) position on the committee.
- e) The Committee shall hold office until the next Annual General Meeting of the ACT Branch unless removed from office in whole or in part by an extra-ordinary General meeting convened by the Committee or by an extra-ordinary General meeting requisitioned by members in accordance with Clause 19a) to 19d) of this Constitution.
- f) A Chairman other than a member of the Committee or any member seeking office shall call for nominations and conduct the election of officers and shall not have a casting vote.

## 23 NOTICES

- a) Notice may be given by the ACT Branch to any member:
  - i) in person, or
  - ii) by ordinary post post to his usual place of address, or
  - iii) electronic mail if email address is provided, or
  - iv) VVFACT website if member approval is given.Where a notice is sent by ordinary post, service of the notice shall be deemed to be effected by properly addressing and posting a letter containing the notice and to have been effective three clear working days after its posting.
- b) Notices of Motions should be presented to the Secretary of the ACT Branch twenty eight (28) days prior to an Annual General Meeting.
- c) Notice of every Annual General Meeting and extra-ordinary General Meeting shall be given in any manner hereinbefore authorised, to all members and to each sub-branch and to all members of the Committee and to the auditor for the time being of the ACT Branch.
- d) No other person shall be entitled to receive notice of an Annual General Meeting.

## 24 DELEGATES TO THE FEDERATION ANNUAL GENERAL MEETING

- a) The Committee shall elect two delegates to represent the ACT Branch at the Federation Annual General Meeting and any Federation extraordinary General Meeting. Both delegates are authorised to speak on behalf of the ACT Branch. The Committee shall authorise one of the delegates to vote on behalf of the ACT Branch. The delegate authorised to vote shall carry the ACT Branch’s voting entitlement, which is made up of one (1) vote for the ACT Branch being a member of the Federation and (1) vote for every one hundred (100) or part thereof of the ACT Branch ordinary membership calculated from capitation fees paid by the ACT Branch to the Federation National Treasurer up to four (4) weeks before the Federation Annual General Meeting is held providing that the Federation Annual General Meeting is held no less than three (3) months after the end of the financial year. Should the Federation Annual General Meeting be held less than three (3) months after the end of the financial year, the capitation fees paid in the previous financial year may at the discretion of the ACT branch be used to calculate the ACT Branch’s voting entitlement.

**25 ACT BRANCH COMMON SEAL**

- a) The common seal of the ACT Branch shall be kept in the custody of the Public Officer. The common seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the common seal, shall be attested by the signature of two authorized members of the Committee.

**INDEX OF CONSTITUTION**

**PARA TOPIC**

1	Golden Principle/Name
2	Vietnam Veterans Federation
3	Territory Office
4	Objectives
5	Alteration of Objectives or this Constitution
6	Restrictions On The Use of Income and Property
7	Funds
8	Accounts
9	Appointment of an Auditor
10	Dissolution
11	Ordinary Membership
12	Associate Membership
13	Subscriptions
14	Register of Members
15	Cessation and Suspension of Ordinary Membership
16	Auxiliaries and Sub Committees
17	Sub Branches and Zone Representatives
18	Annual General Meetings
19	Voting
20	Extraordinary General Meetings
21	Committee
22	Election of the Committee

- 23 Notices
- 24 Delegates to the Federation Annual General Meeting
- 25 ACT Branch Common Seal