

INAUGURATED 1920



THE NAVAL ASSOCIATION OF AUSTRALIA

Incorporated

BY-LAWS

Adopted 1 January 2006

As Amended to
30 March 2019

Record of Changes

Change No	Change Date	Date Entered	Entered By	Date
Change 1	1 January 2007	1 January 2007	P. Cooke-Russell	1 January 2007
Change 2	1 August 2008	12 August 2008	P. Cooke-Russell	12 August 2008
Change 3	11 October 2008	13 October 2008	P. Cooke-Russell	13 October 2008
Change 4	04 April 2009	27 May 2009	R. F. Tozer	27 May 2009
Change 5	31 October 2009	12 Dec 2009	R. F. Tozer	12 Dec 2009
Change 6	09 October 2010	18 Dec 2010	R. F. Tozer	18 Dec 2010
Change 7	29 July 2011	16 Sep 2011	P. Cooke-Russell	16 Sep 2011
Change 8	8 October 2011	10 October 2011	P. Cooke-Russell	10 October 2011
Change 9	20 April 2013	13 July 2013	P. Cooke-Russell	13 July 2013
Change 10	12 April 2014	5 May 2014	P. Cooke-Russell	5 May 2014
Change 11	11 October 2014	4 January 2015	P. Cooke-Russell	4 January 2014
Change 12	16 Apr 2016	1 May 2016	P. Cooke-Russell	1 May 2016
Change 13	14 Oct 2016	22 Nov 16	P.Cooke-Russell	22 Nov 2016
Change 14	8 April 2017	15 April 2017	P. Cooke-Russell	15 April 2017
Change 15	23 Oct 2017	27 Jan 18	P.Cooke-Russell	27 Jan 18
Change 16	14 April 18, 6 Oct 18, 30 Mar 19	21 August 2019	P. Cooke-Russell	21 August 2019

List of Effective Pages

Page	Change No
i to x	CHANGE 16
xi to xii	ORIGINAL
xiii to xiv	CHANGE 12
1-1 to 1-10	CHANGE 16
2-1 to 2-12	CHANGE 15
3-1 to 3-2	CHANGE 7
3-3 to 3.14	CHANGE 12
4-1 to 4-2	ORIGINAL
4.3 to 4-4	CHANGE 16
A-1 to A-3	ORIGINAL
A-4 to A-20	CHANGE 16

Contents

	Page
Contents	vii
Introduction	xi
Definitions	xiii
Section 1 Organisation	1-1 to 1-10
1.1 Name	By-law not yet issued
1.2 Motto	By-law not yet issued
1.3 Objectives	By-law not yet issued
1.4 Structure	
1.4.4	Affiliated Organisations
1.4.5	Kindred Affiliates
1.5 The Rules	
1.5.1	Procedures for Amending the Constitution
1.5.2	Procedures for Amending the By-laws
1.5.3	Procedures for Amending Section Regulations
1.5.4	Procedures for Amending Sub-section Guidelines
1.5.5	By law not yet issued
1.5.6	Procedure to be followed when forming a new sub-section
1.6 Ceremonial	
1.6.1	Badges and Medals
1.6.2	Certificates
1.6.3	Flag
1.6.4	Ode
1.6.5	Grace
1.6.6	Remembrance Ritual for use at the Funeral of a Deceased Member
1.6.7	Naval Prayer
1.7 Patrons	By-law not yet issued
1.8 Political Activities and Public Statements	
1.8.1	By law not yet issued
1.8.2	Authority to make Statements or Submissions
1.9 Plebiscite	By-law not yet issued
1.10 Winding Up	
1.10.1	The Association. By-law not yet issued
1.10.2	Section. By-law not yet issued
1.10.3	A Sub-section
1.10.4	Funds and Property. By-law not yet issued
1.10.5	Liability. By-law not yet issued
Section 2 Membership	2-1 to 2-10
2.1 Types of Membership	
2.1.1	Full Membership
2.1.2	Restricted Membership
2.1.3	Honorary Membership
2.1.4	Restricted Members Holding Office

Contents

	Page
2.2 General	2.1. to 2.10
2.2.1	By law not yet issued
2.2.2	By law not yet issued
2.2.3	By law not yet issued
2.2.4	By law not yet issued
2.2.5	Transfers Between Sub-sections
2.2.6	Resignations
2.2.7	Obligations of Members
2.3 Obligations of Members	
2.3.1	Fees and Subscriptions
2.3.2	Payment of Membership Fees
2.3.3	Date of Joining
2.3.4	<i>Life Subscriber</i>
2.3.5	<i>Payment of Life Subscriber Subscriptions</i>
2.3.6	Responsibility for paying Annual Subscriptions
2.3.7	Removal from the membership Register
2.4	Awards
2.5	Disciplining of Members By-law not yet issued.
2.6	Right of Appeal by Disciplined Members. By-law not yet issued.
2.7	Disputes and Mediation. By-law not yet issued.
Section 3	Governance 3-1 to 3-12
3.1 National	
3.1.1	<i>National Annual General Meeting</i>
3.1.2	National Council
3.1.3	<i>Payment of Capitation.</i>
3.1.4	National Executive
3.1.5	<i>Standing Orders for Meetings</i>
3.1.6	<i>Email Meeting Procedure</i>
3.2 Section	
3.2.1	Section
3.2.2	Section Annual General meeting By-law not yet issued.
3.2.3	Section Council
3.2.4	Section Executive
3.3 Sub-section	
3.3.1	Sub-section Annual General Meetings By-law not yet issued.
3.3.2	Sub-section General meetings
3.3.3	Sub-section Committee
3.3.4	Sub-section Executive
3.4 Decisions	By-law not yet issued
3.5 Procedures	By Law not yet issued

		Page
Section 4	Administration	4-1 to 4-4
4.1	Finances	
4.2	Contents	
	4.2.1 Responsibilities	4-1 to 4-4
	4.2.2 Management of Funds	
	4.2.3 Availability of Accounts By-law not yet issued	
4.2	Assets	
4.3	Records	By-law not yet issued
4.4	Common Seal	By-law not yet issued
4.5	Indemnity	
Annexes		A-1 to A-16
A	Badges and Medals	
B	Flag	
C	White Ensign Magazine Committee	
D	Life Membership Approval Process Flow Diagram	
E.	Meritorious Service Medal Approval Process Flow Diagram	
F.	Reimbursement of Travel and Accommodation Expenses – Policy and Rules of Operation.	
G.	Mechanism for Reviewing Joining Fee and Subscriptions.	
H.	Schedule of Fees and Subscriptions.	
I.	Scale for Awards in the NAA system.	
J.	Military Compensation & Welfare Support Services- Privacy Policy	
K.	Policy for the Authorisation of Pension/Welfare Officers and Advocates	

INTRODUCTION

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

DEFINITIONS

A. The following meanings apply throughout these By-laws:

Affiliate. An association or body that has been accepted as an affiliated organisation in accordance with By-law 1.4.4

Article. An Article of the Constitution.

Association. The Naval Association of Australia Incorporated

Declared Partner: Partnership by marriage or de facto relationship.”

Delegate. A representative who has the authority to vote on behalf of the body which that delegate represents

Deputy Delegate. A representative of a Section, Sub-section or Affiliated Organisation who does not have the authority to vote but may participate on behalf of the body which that person represents

Financial Member. A member of the Association who has paid all fees owing in accordance with the Rules

Full Members. A financial member in a class of membership referred to in Article 2.1.1.

General Meeting. A meeting, notice of which must be sent to all members of the relevant body and at which all Full Members of that body may vote.

Kindred Affiliate. An association or body, membership of which does not necessarily qualify for Naval Association membership but which has been affiliated in accordance with the Rules.

Life Subscriber. *A member who has paid a fee that will cover payment of his annual subscription for the remainder of his/her natural life.*

Office Bearer. President, Vice Presidents, Immediate Past President, Secretary, Treasurer and such other officers provided for in the Rules at National, Section or Sub-section level.

Ordinary Resolution. A motion which has been passed by a simple majority of valid votes.

Property. Assets to which depreciation can be applied, plus memorabilia of financial value.

Rules. The Constitution, these By-laws, the Regulations and Guidelines

Special Resolution. A motion which has been passed by not less than 75% of valid votes.

working capital. *The amount of funds in a bank account which is used as a part of the financial management of the NAA*

B. Where a word or phrase used in these By-laws has not been defined in Clause A above, but has been defined in the Constitution, it shall have in these By-laws the meaning defined in the Constitution.

SECTION 1 – ORGANISATION

1.1. **Name.** By-law not yet issued.

1.2 **Motto.** By-law not yet issued.

1.3 **Objectives.** By-law not yet issued.

1.4 **Structure.**

1.4.1 By-law not yet issued.

1.4.2 By-law not yet issued.

1.4.3 By-law not yet issued.

1.4.4 **Affiliated Organisation.**

- a. An organisation, the objects of which are similar to those of the Association and whose members may qualify for Full Membership may, on agreement to acknowledge the Objectives of the Association, apply to be affiliated either at National or Section level. An Affiliate will be issued with an Affiliate's Charter.
- b. Affiliated Organisation delegates 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, repeal or suspend any of the Rules.
- c. **National Level:**
 - (1) An organisation which is a properly constituted national body with sections in a number of states, may request affiliation at National level by submitting a letter to the National Secretary, including a copy of the organisation's constitution or articles of association.
 - (2) The request will be considered at the next National Council meeting following receipt of the request. Approval may be granted by Ordinary Resolution.
 - (3) When affiliation is approved, the National Secretary will inform the organisation, which must pay the affiliation fee within 30 days from the date of the National Secretary's letter.
- d. Section Level: Procedures for affiliating an organisation at Section or Sub-section level must be prescribed in the relevant Section's Regulations.
- e. **Affiliation Fees:**
 - (1) The National *Annual General Meeting* must set the level of affiliation fees for the following year.
 - (2) Affiliation fees will be payable as for membership subscriptions (see By-law 2.2.6).
 - (3) Members of National and Kindred Affiliated organisations, who are not members of the Naval Association of Australia, may apply to receive the White Ensign Magazine. The cost of which to the member will be the same as that amount paid by a sub-section to the National Council as

capitation for a Full member. The amount set for payment of WEM Postage and packaging will be paid from that amount to the WEM Committee. See Annex H

1.4.5 Kindred Affiliates

- a. An organisation the members of which have an interest in Naval matters but who do not necessarily qualify for Full Membership may apply to be affiliated at the national level as a Kindred Affiliate.
- b. The application should be by letter to the National Secretary and should be accompanied by a copy of the organisation's constitution.
- c. The application will be considered at the next National Council meeting. Approval may be granted by ordinary resolution.
- d. When affiliation is approved, the National Secretary will inform the organisation, which must pay the affiliation fee as decided by the National Council within 30 days from date of the National Secretary's letter.
- e. The National Council must appoint a Full Member to be the Kindred Affiliate Secretary.

1.5 The Rules.

1.5.1 Procedures for Amending the Constitution:

- a. The Constitution may only be amended by a special resolution of the National **Annual General Meeting**.
- b. *The National Council, National Executive or any Section Council may propose an amendment to the Constitution. The proposed amendments are to be presented in at least two parts. The first, an explanation of the reason for the amendment, the second, the exact wording of the proposed amendment.*
- c. *Any proposal to amend the Constitution must be placed in the format at b. above, **in the agenda of a National Council to be held no less than 4 months prior to the commencement of the National Annual General Meeting** to enable discussion and amendment if considered necessary by the Council before being placed in the National **Annual General Meeting** Agenda as a motion in accordance with the procedures for the National **Annual General Meeting** (see Constitution Article 3.1.1f).*
- d. *Any Section Council may then submit a proposed amendment to the motion.*
- e. *The initial motion to amend the Constitution may be altered only by further amendment determined by special resolution of the National Council.*
- f. *The National **Annual General Meeting** will consider only those motions processed in accordance with 1.5.1 b. to e. above. Motions or amendments to motions on the agenda from the floor of the National **Annual General Meeting** proposing amendments the Constitution will not be accepted.*

1.5.2 Procedures for Amending the By-laws.

- a. The By-laws may only be amended by Ordinary Resolution of National Council. Such resolution must include the date when the amendment will come into force.
- b. The National Executive or any Section Council may propose an amendment to the By-laws.

- c. Any proposal to amend the By-laws must be made in accordance with procedures for National Council (see By-law 3.1.2).
- d. The National Secretary will promulgate any proposed amendment to the By-laws with the next National Council agenda papers.

1.5.3 Procedures for Amending Section Regulations.

- a. Regulations may only be amended by an Ordinary Resolution of the relevant Section Annual General Meeting. Such resolution must contain the date when the amendment will come into force.
- b. A Section Council or any Sub-section may propose an amendment to that Section's Regulations.
- c. Any proposal to amend a Section's Regulations must be made in accordance with procedures for Section Annual General Meeting, as laid down in Section Regulations.
- d. The Secretary of a Section must ensure that the National Secretary receives a copy of the Section's Regulations and any amendments thereto.
- e. The National Council may overrule a Regulation if that Regulation contravenes the Constitution or these By-laws.

1.5.4. Procedures for Amending Sub-section Guidelines.

- a. Guidelines may only be amended by Ordinary Resolution at a General Meeting of the relevant Sub-section. Such resolution must contain the date when the amendment will come into force.
- b. Any proposal to amend a Sub-section's Guidelines must be made in accordance with procedures for Sub-section General Meetings, as laid down in Sub-section Guidelines.
- c. The Secretary of a Sub-section must ensure that the Section Secretary receives a copy of the Sub-section's Guidelines and any amendments thereto.
- d. The Section Council may overrule a Guideline if that guideline contravenes a Section Regulation, these By-laws or the Constitution.

1.5.5 By-law not yet issued.

1.5.6 - Procedure to be followed when forming a Sub-section.

- a. A written application is to be forwarded to the Secretary of the relevant Section Council for a group of at least eight people who are qualified to be Full Members of the Naval Association of Australia (NAA) to form a Sub-section of the NAA. The application must include;
 - (1) the area in which the Sub-section intends to function
 - (2) the characteristics of the people it intends to recruit;
 - (3) the proposed name of the Sub-section; and
 - (4) a nominal list of the people putting the proposal forward.
- b. The proposal is to be put to the Section Council to determine by ordinary resolution whether or not the proposal is acceptable. If acceptable the Proposed Sub-section is to be informed and a Liaison Officer appointed by the Council to assist the proposed Sub-section in being formally established. Should the proposal not be approved, the Section Council should provide a summary of the

reasons for that decision and suggest a way ahead for the group should it wish to continue with the process.

- c. On approval to form a Sub-section and its name, the group will be termed a Provisional Sub-section. The group must elect provisional office bearers and a committee to proceed with the development of the proposed Sub-section in conjunction with the Section Liaison Officer. This includes:
 - (1) Completion of Membership Application forms by foundation members and transfer applications from those NAA members who wish to transfer to the new Sub-section. (People who wish to join the Sub-section but are already members of another Sub-section of the NAA and who do not wish to transfer from their current Sub-section, must be treated as new members completing Application Forms and paying a Joining Fee and a subscription for the current year.)
 - (2) Payment of Joining Fee and Subscriptions for the current year by Foundation Members.
 - (3) The forwarding of capitation payments to both Section and National Councils.
 - (4) Determination of a date for the Inaugural Meeting which is to be set for a date which is after the completion of actions 1.5.6 c (1), (2) and (3).
 - (5) Future meeting venue.
 - (6) Frequency of General meetings.
 - (7) Determine signatories for the banking accounts
 - (8) Determine fees for Restricted Members.
 - (9) Determine the date for the first Annual General meeting.
- d. On completion of the above the Sub-section is to inform the Section Council of the results. Should they be satisfactory, The Section Council is to inform the National Council of the formation of the Provisional Sub-section and request the issue of a NAA Charter which is to take effect from the date set for the inaugural meeting.
- e. The agenda for the inaugural meeting is to include
 - (1) the election of a Committee which includes the office bearers of President, Vice President, Secretary and Treasurer, and at least three additional members.
 - (2) a statement of the Provisional Sub-section's financial situation;
 - (3) approval to provide funding to be included in the NAA Public Liability Insurance coverage and
 - (4) finally should the previous items in the agenda be successfully completed, the presentation of a Naval Association Charter establishing the group as a Sub-section of the Naval Association of Australia within the appropriate Section.

1.6 Ceremonial

1.6.1 Badges and Medals (see also Annex A).

- a. All badges issued by the Association must be returned when a member resigns, allows membership to lapse or is expelled from the Association. Where a member dies, that member's badge may be retained by the member's estate.
- b. The Association Badge is circular and surmounted by the Imperial State Crown as approved by King George V in 1929. It depicts a gold fouled anchor on a blue background, surrounded by the words 'Naval Association of Australia' in gold on a red background. It is the badge worn by Full Members.
- c. The Life Member Badge is the Full Member Badge surrounded by a gold wreath of laurel, with the words 'Life Member' appended beneath. A Life Member Badge is to be presented by the National President or a person delegated by the National President.
- d. The Honorary Member or Associate Member Badge is the Association Badge, surmounted with a Naval Crown in lieu of the Imperial State Crown. The following are to receive the appropriate Honorary or Associate Member Badge on election:
 - (1) Honorary Members,
 - (2) a Patron who is not eligible for Full Membership, and
 - (3) Associate Members.
- e. The Honorary Member for Life Badge is the Association Badge surmounted by the Naval Crown in lieu of the Imperial State Crown, with the words 'Hon Member for Life' appended beneath.
- f. The Club Member Badge is the Association Badge without a crown with the words 'Club Member' added to the words 'Naval Association of Australia'. A person elected as a Club Member may purchase a Club Member Badge.
- g. The Chaplain Badge is to be of a design approved by the National Council.
- h. The Meritorious Service Medal has on the obverse the Association Badge and the words 'For Meritorious Service' and on the reverse the name of the recipient and the date of its award.
- i. Costs of Badges. Section Councils must provide Full Member badges for issue to elected members, paid for from joining fees received. All other badges and medals are to be at the cost of the nominating Council or Sub-section.
- j. Replacements. A member who loses the issued badge may purchase a replacement badge from Section Council. The original badge must be returned to Section Council if it is subsequently found.
- k. Presentation. Whenever possible, badges and medals will be provided for presentation on award.

1.6.2 Certificates. The following, with designs approved by the National Council, are to be issued at an appropriate time:

- a. Certificate of Merit;
- b. Life Member Certificate;
- c. Meritorious Service Medal Certificate;

- d. Honorary Member for Life Certificate;
- e. Certificate of Appreciation;
- f. Naval Association of Australia Commendation, and
- g. 15 Year, 30 Year 45 Year and 60 Year Long Service Certificates.

1.6.3 **Flag** (see Annex B).

- a. The Association Flag is blue with the Australian White Ensign occupying the upper canton and the Association Badge in the fly.
- b. The flag 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 abide.
- c. Proper respect and decorum must always be shown to the Association Flag, and the daylight hours rule must be observed.

1.6.4 **Ode.** The ode to be recited at Association functions is as follows:

They have no grave but the cruel sea
 No flowers lay at their head
 A rusting hulk is their tombstone
 A'fast on the ocean bed
 They shall grow not old as we who 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 (repeated by others present)

Lest we forget (repeated by others present)

1.6.5 **Grace.** The Association's Grace is:

'Almighty God, bless the food we are about to receive and, in recognition of the motto "Once Navvy, Always Navy" to which we all subscribe, keep us ever mindful of the needs of others. Amen.'

1.6.6 **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 the Naval Service, and have made their personal contribution to the great traditions 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 tempest are no more.

'I ask you to join me, reverently, in a silent tribute toand his/her departed shipmates.'

Bugler (if in attendance) sounds the Alert.
 Ode to be recited.

Bugler sounds 'Last Post'.

One minute's Silence.

Lest we Forget.

`Reveille`.

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

1.6.7 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 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 our God, and that we may return in safety and enjoy the blessings of the land, with the fruits of our labours; and with thankful remembrance of your mercies to praise and glorify your Holy Name.'

Amen

1.7 Patrons. By-law not yet issued.

1.8 Political Activities and Public Statements.

1.8.1 By-law not yet issued.

1.8.2 Authority to Make Statements or Submissions.

1.8.3

- a. Any comment on the Association's position on any national or international matter may only be made by the National President or a person specifically delegated by the National Executive. ***Comments concerning the Royal Australian Navy in an Administrative or Operational capacity may only be made by the National President.***
- b. ***Any media release at national, state or local level must be approved by the National President or a person delegated by the National Executive.***
- c. ***Section Presidents and Sub section Presidents may make public verbal statements on local matters only. Matters which will result in press coverage must be cleared by the National Executive.***

1.9 Plebiscite. By-law not yet issued.

1.10 Winding Up. By-law not yet issued.

1.10.1 The Association. By-law not yet issued.

1.10.2 Section. By-law not yet issued.

1.10.3 Dissolution of a Sub-section.

A Sub-section may be wound up and dissolved by Special Resolution of the Sub-section or by the Section Council.

a. Dissolution initiated by the Sub-section;

- (1) all full members must be given not less than one months notice of a motion to dissolve the Sub-section to be determined by Special Resolution at a General Meeting;
- (2) the Section Secretary must be given not less than one months notice of the date of the meeting at which the motion for dissolution is to be determined;
- (3) no funds or property shall be expended or disposed of after notice of the motion to dissolve is given other than that required to satisfy debts incurred prior to the date of notice;
- (4) if the motion to dissolve the Sub-section is passed the Sub-section Executive must forward 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.

b. Dissolution initiated by Section Council;

- (1) Where a Sub-section:
 - (a) has failed to elect a Committee in accordance with Article 3.3.2;
 - (b) has not held a Committee or General Meeting for more than six months;
 - (c) has a number of financial members which is less than the number prescribed by the Rules as being the number required to establish a Sub-section or, if no such number is prescribed, the number of members required to form a quorum at a General Meeting of the Sub-section; or
 - (d) has consistently failed to comply with the Rules,the Section Council must issue to the Sub-section a notice (“the initial notice”) advising the Sub-section of the relevant ground or grounds of default referred to in sub-paragraphs (a), (b), (c) and (d) above.
- (2) The Section Council must notify the National Secretary that it has issued the initial notice.
- (3) Where the ground(s) of default alleged is or includes the ground(s) referred to in sub-paragraphs (1)(a) and (1)(b) above, the initial notice must require the Sub-section to rectify the default within three months of the date of the notice.
- (4) Where the ground(s) of default alleged is or includes the ground referred to in sub-paragraph (1)(c) above, the Section Executive must take all reasonable steps to contact all financial members of the Sub-section to encourage and stimulate interest in the revival of the Sub-section and its proper management, and report to the Section Council within three months of the date of the initial notice that it has done so.
- (5) If, after three months from the date of the initial notice, the Sub-section has not given written notice to the Section Council that the ground(s) specified in the initial notice has/have been rectified the Section Council must give to the Sub-section a further notice (“the dissolution notice”):

- (a) advising the Sub-section that because of its failure to rectify the ground(s) of default specified in the initial notice, the Sub-section will be dissolved;
 - (b) specifying the date on which the dissolution will take effect (“the dissolution date”); and
 - (c) requiring the Sub-section to close all Sub-section bank accounts and deliver or transfer to the Section Treasurer or other appropriate Section officer all Sub-section funds, property, minute books and financial records to the dissolution date.
- (6) The Section Council must notify the National Secretary of the issue of the dissolution notice.
- (7) On the dissolution date or so soon thereafter as possible, the Section Council shall take all necessary steps to dissolve the Sub-section and to finalise the transfer to itself of the funds and property of the Sub-section. When all action required by this sub-paragraph has been completed the Section Council must notify the National Secretary accordingly.

c. Dissolution by National Council.

If a Sub-section is in breach of its obligations as detailed in sub-paragraphs b(1)(a), (b), (c) or (d) above and the Section Council fails or refuses to take action as required in sub-paragraph b above, the National Council may assume the powers of the Section Council and Section Executive and take that action in accordance with the terms of sub-paragraph b above.

d. Transfer of Members from dissolved Sub-section.

The Section Council shall take all reasonable steps to ascertain from each financial member of the dissolved Sub-section to which other Sub-section the member wishes to transfer 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 member indicates no preference, to transfer him/her to such Sub-section as the Section Council considers appropriate.

1.10.4 **Funds and Property.** By-law not yet issued.

1.10.5 **Liability.** By-law not yet issued.

Naval Association of Australia – By-laws

SECTION 2 – MEMBERSHIP

2.1. Types of Membership

2.1.1 Full Membership:

a. Member:

1. The following are eligible to be a Full Member:
 - (a) Former or serving personnel of Commonwealth Navies and Australia's Allies *and declared partners thereof*, provided that any separation from such service was not the result of an assessment of unsuitability or a breach of discipline.
 - (b) Former or serving Australian Naval Cadet (ANC) officers and instructors *and declared partners thereof*, and who have served as such for not less than two years, provided that any separation from the ANC was not the result of an assessment of unsuitability or a breach of discipline.
 - (c) Former or serving members of the ANC who have reached the age of 18 years and completed at least three years service in the ANC, *and declared partners thereof*, provided that any separation from the ANC was not the result of an assessment of unsuitability or a breach of discipline.
 - (d) Former or serving personnel of any Commonwealth of Nations merchant naval service *and declared partners thereof*, who, in the performance of their merchant naval duties, have served in a war zone or other theatre of military operations.
 - (e) former or serving Australian Army and RAAF personnel who have been posted to HMA Ships and Establishments for at least six months.
2. An application for election as a Full Member must be on the prescribed form and must be accompanied by evidence of eligibility and any required fees.
3. A person may be accepted as a member by completion of the expression of interest proforma on the Association's website and acceptance by two members of the National Council/Executive on presentation of evidence of Service.
4. Widows/widowers extant at the time of death of a Full member in a declared partnership may retain full Membership at By-law 2.1.1 a (1) but remain subject to Constitution Article 2.1.1 a (3).
5. The declared partner of a person who was a full member at the time of his/her death may apply to become a full member but remain subject to Constitution Article 2.1.1 a (3).

b. Life Member: Criteria for the award of Life Membership are in By-law 2.4.

2.1.2 **Restricted Membership.** A person who holds Restricted Membership of the Association may not be an office bearer at National or Section levels but may be elected at sub-section level to hold office as Sub-Section Secretary with the restrictions at 2.1.4 to be strictly observed.

a. Associate Member:

- (1) A person who is not qualified for Full Membership but has served at sea or in a Naval establishment, in any capacity, is eligible to be an Associate Member.
- (2) A person who meets the requirements of (1) may be elected as an Associate Member by Ordinary Resolution of a Sub-section General

Naval Association of Australia – By-laws

Meeting or, where a Section contains no Sub-sections, a Section General Meeting

b. Social Member:

- (1) A full financial member of one Sub-section or Section may be elected as a Social Member of another Sub-section or Section by Ordinary Resolution at a General Meeting of the second Sub-section or Section.
- (2) Social membership of another Sub-Section or Section is dependent upon continued financial membership of that members substantive Section or Sub-Section.
- (3) Social Membership of another Sub-section or Section does not affect any obligations and privileges the member has in relation to that member's substantive Section or Sub-section.
- (4) A Social Member may be elected to hold office in the Second Sub-Section or Section but may only hold office in one Sub-Section or Section. By-Law 2.1.4 does not apply to Social Members who are full members of the Association.

c. Club Member:

- (1) The eligibility requirements for admitting persons to Club Membership of a Sub-section or Section must be prescribed in that Sub-section's Guidelines or Section's Regulations.
- (2) A person may be elected as a Club Member by Ordinary Resolution at a Sub-section General Meeting or, where a Section contains no Sub-sections, a Section General Meeting.

2.1.3 Honorary Membership.

- a. A person who is not eligible for Full Membership and who has rendered special service to the Association or who holds sufficient status in the community is eligible to be elected as an Honorary Member. An Honorary Member shall be elected as follows;
- (1) National Council, a Section Council or Sub-Section General Meeting may elect, by Ordinary Resolution, a person as an Honorary Member.
 - (2) Such election will be for a period of twelve months from the date of election.
 - (3) A person may be re-elected as an Honorary Member for successive twelve month periods at the discretion of the electing body.
- b. A person who holds Honorary Membership of the Association is not required to pay any membership fees, and is not entitled to vote at any Sub-Section or Section Meetings or hold office at a National or Section levels.

2.1.4 Restricted Members Holding Office. A person who holds restricted membership of the Association and is elected to hold office as Sub-Section Secretary;

- (a) Cannot vote at any Sub-Section meeting at any level.
- (b) Shall sign correspondence as directed by either the Sub-Section Executive meeting, Sub-Section Annual General Meeting or Sub-Section General meeting in accordance with decisions contained in the minutes of those meetings.
- (c) Shall not sign cheques, drafts, bills of exchange, promissory notes and any other negotiable instrument for or on behalf of the Sub-Section.

Naval Association of Australia – By-laws

2.2 General

2.2.1 By-law not yet issued.

2.2.2 By-law not yet issued.

2.2.3 By-law not yet issued.

2.2.4 By-law not yet issued.

2.2.5 Transfers between Sub-sections or Sections without Sub-sections.

A member may apply to transfer from his current Sub-section to a different Sub-section by a request to transfer, in writing to the President of the preferred Sub-section. The receiving Sub-section shall accept the application unless the member is unfinancial or subject to a process of misconduct. The member is accepted by the preferred Sub-section on written advice from the President who will also advise the previous Sub-section of the change.

2.2.6 **Obligations of Members.** By-law not yet issued.

2.3 Membership Fees

2.3.1 Fees and Subscription:

- a. Each Member and Associate Member must pay an entrance fee on applying to join the Association.
- b. Details of the entrance fee and subscriptions to be applied on 1 January following the National **Annual General Meeting** will be set by Ordinary Resolution of the National **Annual General Meeting**. (See Annex H)
- c. The details are to include:
 - (1) the amount is dollars; and
 - (2) how the amount is to be dispersed between a Sub-section, Section and National Council.
- d. The National Secretary is responsible for promulgating details of the entrance fee to Sections and Sub-sections.

2.3.2 Payment of Membership Fees

- a. Each Full and Associate Member must pay the annual subscription in accordance with the Rules
- b. Details of the annual subscription to be applied on 1 January following the National **Annual General Meeting** will be set by Ordinary Resolution of the National **Annual General Meeting**. (See Annex H). The details are to include:
 - (1) the total amount in dollars, and
 - (2) how the amount is to be dispersed between a Sub-section, Section and National Council.
- c. The National Secretary is responsible for promulgating the details of the annual subscription to Sections and Sub-sections.
- d. The annual subscription is payable on 1 January each year.

Naval Association of Australia – By-laws

- e. ***An unfinancial Full member or unfinancial Restricted Member or unfinancial Affiliated member will receive the first WE Magazine issued in the year in which they become unfinancial.***
- f. Any member whose annual subscription is unpaid by 31 December will be struck off the Membership Register.
- g. A Member or Associate Member who joins between 1 July and 31 October will be required to pay only 50% of the annual subscription for that year.
- h. A Member or Associate Member who joins between 1 November and 31 December will be required to pay the full annual subscription payable as from the following 1 January and will be deemed financial for the following year.
- i. The Sub-section Secretary or, where a Section contains no Sub-sections, the Section Secretary, must ensure that a record of each annual subscription payment is recorded in the local membership register, that the member receives an annual membership card and the money is dispersed to Section Council and National Council as required.
- j. Responsibility for payment of annual subscription rests with the member, who should not rely on receipt of any notice or invoice.
- k. A person who has been struck off the Membership Register for non payment may apply to rejoin in accordance with By-law 2.1.1 (but see also By-law 2.3.2 l).
- l. The Sub-section Committee or Section Executive must reinstate a person to the person's former membership without break of service if all arrears are paid within one year of being struck off the membership register.
- m. Where the option to pay membership subscription arrears in accordance with By-law 2.3.2 l is exercised, membership years, previously in arrears, are not permitted to be counted towards time qualification for the Award of Certificate of Merit and Life Membership."
- n. See By-law 2.4.1c (13) regarding the payment of annual subscription for Life Members.
- o. ***Process for people registering to join the NAA and paying the Joining Fee and initial Subscription directly to the National Council.***
 - (1) ***People wishing to become members of the NAA can register their intention through the NAA Website. They can also pay the Annual Subscription and Joining Fee via the NAA website on completing the Registration Note to join the NAA. They will be entered into the National Membership Registrar on payment of the Joining fee and Subscription and remain there until the National Membership Registrar is notified in accordance with By-law 2.3.2 o (7) or if not notification is received , by By-law 2.3.2 p. Advice of their desire to join is sent to the appropriate Section and then forwarded to the selected Sub-section to contact the applicant and initiate the joining process.***
 - (2) ***The applicant must complete a New Member Application Form and be accepted by the relevant Section without Sub-sections or Sub-section.***
 - (3) ***The applicant's date of joining is set in accordance with By-law 2.3.3 as the date of paying the subscription and joining fee which is normally done on applying to join the NAA.***

Naval Association of Australia – By-laws

- (4) Membership is Provisional from the date of payment until the date of acceptance by a Sub-section at which time the membership is confirmed.**
- (5) Applicants registering via the Website and have paid via the website, remain Provisional Members in the National Membership Register until the National Membership Registrar receives a copy of the applicant's New Member Application Form, and advice that the Provisional Member has been accepted by either a Sub-section or a Section without sub-sections.**
- (6) Subscriptions forwarded directly to the National Council via the internet, cheque, money order or cash are retained by the National Council until Membership is accepted by a section without sub-sections or sub-section.**
- (7) A copy of the Provisional Member's New Member Application Form made through the section/sub-section MUST be sent to the National Membership Registrar to initiate the disbursement of the subscription and joining fee held by the National Council to the relevant Section Council and sub-section.**

2.3.3 Date of Joining

- a. The date on which a person applying for membership pays his/her Membership Subscription and Joining Fee is the date on which an applicant's financial status as a member is established. The new member will be considered from that date as a Provisional Member of the membership class that he/she has applied to join.
- b. The Provisional Member status shall be removed on the date that the relevant Section/Sub-section confirms that the Provisional Member is accepted as a member of the Section/Sub-section.
- c. On confirmation of a Provisional Member's membership, date of joining is the date that financial status was established at By-law 2.3.3 a.
- d. Should a Provisional Member not be confirmed by a Section/Sub-section,
 - (1) the Membership Subscription paid by the Provisional Member is to be returned to the Provisional Member; and
 - (2) the Joining Fee is to be retained by the Section/Sub-section.

2.3.4 Life Subscriber.

- a. *The Life Subscriber's subscription is to be paid in full by the collecting Section or Sub-section to the National Council and is to be deposited by the National Council in a bank account dedicated to Life Subscriber transactions only.*
- b. *In setting the subscription structure to be paid by Life Subscriber applicants, the National **Annual General Meeting** is to take into account the current NAA Annual Subscription, the mortality factor, the cash interest rate and the inflation rate applicable at the time of setting the Life Subscriber Subscription table.*
- c. *The age and gender of the applicant are to be taken into account at the time of making application to be a Life Subscriber.*
- d. *A separate internal account of payments to and from, and interest received by each Life Subscriber must be maintained in the Life Subscriber's National Membership Register record.*

Naval Association of Australia – By-laws

- e. *The interest accumulated on the Life Subscriber bank account is to be apportioned to each individual Life Subscriber in proportion to the balance in each Life Subscriber's individual internal account at the time the interest is paid into the bank account.*

2.3.5 **Payment of Life Subscriber's Capitation**

The National Council is responsible for paying the Annual Subscription/capitation as set by the National Annual General Meeting that is due to a Life Subscriber's Sub-section and/or Section from the working capital of the dedicated bank account within the set time frame for Full Members.

2.3.6 **Responsibility to pay Annual subscription.** *By-law not yet issued.*

2.3.7 **Removal from the Membership Register.** *By-law not yet issued.*

2.4 **Awards**

2.4.1 **Where a time criterion is a mandatory part of any of the awards listed below to a Full member, only time served as a Full Member may be counted as a part of the time criterion.**

a. **Certificate of Merit:**

Certificates of Merit shall be signed by electronic means.

- (1) A *Certificate of Merit* may be awarded to a Full Member who has given at least five years of exceptional service to the Association. (For the purposes of this By-law, 'exceptional service' is defined as "individual acts and/or performance of duties above and beyond that which would normally be expected from a member of the Association".)
- (2) The Section Executive may approve a *Certificate of Merit* which has been submitted by a Sub-section Committee or from a Motion in Section Council.
- (3) Any recommendation for a *Certificate of Merit* must be accompanied by a citation which explains how the member has met the requirement of (1).
- (4) A Section Council may not nominate more than two members for the *Certificate of Merit* in any calendar year.
- (5) A Sub-section Committee or a Section without sub-sections, may nominate a number of members for the *Certificate of Merit* as determined by the scale at Annex I in any calendar year.

b. **Honorary Member for Life.**

Honorary membership for Life may be awarded to a person who is not eligible for Full Membership, who has rendered service of sufficient magnitude to warrant such special consideration. A motion proposing the award of Honorary Member for Life may be originated by the National Executive, a Section Council, a Section General meeting in the case of a Section without Sub-sections, or a Sub-section General Meeting. The following process must be followed:

- (1) A nomination originating from the National Executive, a Section Council or a Section General meeting in the case of a Section without Sub-sections, must be forwarded to the National Council where it will be determined by Special Resolution.

Naval Association of Australia – By-laws

- (2) A nomination originating from a Sub-section General Meeting must be forwarded to the relevant Section Council for determination by Special Resolution.
 - (3) Motions for award of Honorary Member for Life must be supported by a citation describing the service rendered by the nominee.
 - (4) The motion originating a nomination must be determined by a Special Resolution.
- c. **Life Membership:** (See Annex D)
- (1) Life Membership may be awarded to a Member who:
 - (a) holds a *Certificate* of Merit, and
 - (b) has been a valued and worthy member, and
 - (c) has rendered exceptional service (For the purposes of this By-law, 'exceptional service' is defined as "individual acts and/or performance of duties above and beyond that which would normally be expected from a member of the Association".) resulting in benefit to the Association, for periods totalling not less than 15 years.
 - (2) A nomination for Life Member may be originated by a Section Council or Sub-section Committee,
 - (3) A Section Council may make only one nomination per calendar year.
 - (4) A Sub-section Committee or a Section without sub-sections may nominate a number of members for award of Life Membership as determined by the scale at Annex I in any calendar year.
 - (5) Such nomination must be accompanied by a citation which:
 - (a) includes a record of offices held by the nominee, and
 - (b) details the benefits which flowed to the Association from the nominee's exceptional service.
 - (6)
 - (a) Nominations need to be prepared so that they are specific, relevant and succinct.
 - (b) State Section Executives need to review nominations received and provide guidance where required to ensure that nominations meet the criteria.
 - (c) The time frame for originating and processing Life Membership nominations needs to be such that the dual objectives of rigor of review and timeliness of processing are addressed.
 - (7) When the nomination originates within a Sub-section:
 - (a) Acceptance of the nomination must be by Special Resolution from a secret ballot at a General Meeting of that Sub-section;
 - (b) If the nomination is not accepted, it will lapse.
 - (c) The Sub-section Secretary must then forward the nomination to the Section Secretary for consideration by the Section Executive;
 - (d) if the Section Executive is satisfied that the nomination complies with the criteria at By-law 2.4 d (1), to (6) the Section Secretary must then, immediately, forward the nomination to the National Secretary; or

Naval Association of Australia – By-laws

- (e) if the Section Executive is not satisfied with the citation, the nomination must be returned to the originating Sub-section.
- (8) When the nomination originates from a Section Council:
 - (a) The nomination will be considered by the Section Executive and if the Section Executive is satisfied that the nomination complies with the criteria at By-law 2.4 c (1), to (6), it must forward the nomination on to the National Secretary.
 - (b) If the Section Executive is not satisfied with the nomination it will lapse.
- (9) On receipt of a nomination originating from either a Sub Section or Section:
 - (a) The National Secretary promulgates it to members of the National Executive for consideration;
 - (b) if the National Executive is not satisfied that the nomination complies with the criteria at By-law 2.4 c (1) to (6) the National Secretary will return the nomination to the Section Council, which may revise and resubmit the citation to the National Executive. This process may continue until the nomination is endorsed, withdrawn or lapses.
 - (c) If the National Executive is satisfied that the nomination complies with the criteria at By-law 2.4 c (1) to (6), the National Secretary will endorse and return the nomination to the Section Secretary for consideration by the Section Council.
- (10) Once the National Executive has endorsed the nomination:
 - (a) Life Membership may only be awarded by special resolution of the Section Council;
 - (b) Should the nomination fail to be approved the nomination will lapse.
 - (c) The Section Secretary will provide advice of the award to the National Membership Registrar, who will issue the Life Members badge, card and certificate, and enter the recipient's name in the Life Members Register.
- (11) If a Section Council decides that there are grounds for varying the requirements of this By-law:
 - (a) The nomination may be forwarded to the National Executive for endorsement, together with details of the circumstances and a recommendation on how the matter should be handled;
 - (b) if satisfied that extreme urgency or extenuating circumstances has been established, the National Executive may authorise the award of Life Membership.
- (12) If a nominee predeceases the award of Life Membership, the nomination will lapse.
- (13) A Life Member is exempt the payment of any membership fees, is regarded as financial at all times and is entitled to all rights available to Full Members.
- (14) A Sub-section or Section which nominates a member who is subsequently awarded Life Membership, must pay the capitation fees to the Section Council and National Council in accordance with Annex H.

Naval Association of Australia – By-laws

- d. **Meritorious Service Medal:** (See Annex E)
- (1) A Meritorious Service Medal may be awarded to a Life Member who has served not less than 20 years of exceptional and meritorious service to the Association. (For the purposes of this By-law, “meritorious service” is defined as “performance of duties that deserve praise”.)
 - (2) A nomination for a Meritorious Service Medal may be made by a Section Council or Sub-section General Meeting,
 - (3) A Section Council may make only one nomination per calendar year.
 - (4) A Sub-section General Meeting or a Section without sub-sections may nominate a number of members for award of a Meritorious Service Medal as determined by the scale at Annex I in any calendar year.
 - (5) Such nomination must be accompanied by a citation which:
 - (a) includes a record of offices held by the nominee, and
 - (b) details results which flowed from the nominee’s exceptional and meritorious service
 - (6) When the nomination originates from a Sub-section:
 - (a) the nomination must be decided by Special Resolution at a General Meeting of the Sub-section; and
 - (b) if the nomination is accepted, the Sub-section Secretary must forward the nomination to the Section Secretary immediately
 - (7) When the nomination originates from a Section Council, the proposer must forward the nomination and citation to the Section Secretary for consideration by the Section Council.
 - (8) On receipt of a nomination from a Sub-section or Section Council:
 - (a) The nomination is decided by special resolution from a secret ballot by the Section Council; or in the case where a Section does not have any Sub-section, at the next Section General Meeting.
 - (b) If the nomination is accepted the Section Secretary must forward that nomination to the National Secretary.
 - (9) On receipt of a nomination from a Section Council or Annual General Meeting:
 - (a) the National Secretary must promulgate the nomination to National Executive members for consideration without delay;
 - (b) if the National Executive is not satisfied with the compliance of the nomination and citation, the National Secretary must return the nomination to the Section Council, which may revise and resubmit the citation to the National Executive.
 - (c) If the National Executive is satisfied that the nomination and citation meet the criteria in By-law 2.4 c (1) to (8) the nomination will be an agenda item at the next National Council meeting;
 - (d) When the nomination reaches a National Council meeting, it will be decided by Special Resolution from a secret ballot.
 - (10) In the event of the National Council not awarding the Meritorious Service Medal, the nomination lapses.

Naval Association of Australia – By-laws

- (11) When a Meritorious Service Medal has been awarded, the National Membership Registrar must issue to the Section Secretary the medal, with miniature, ribbon and a Meritorious Service Medal Certificate of Award, and enter the recipient's name in the Meritorious Service Medal Register.
 - (12) If a nominee for the Meritorious Service Medal dies after the nomination has been submitted to a Section Council, the above procedure may continue and the National Council may award the medal posthumously to the nominee's next of kin.
- e. **Certificate of Appreciation:**
- (1) A Certificate of Appreciation may be awarded to any person who has given special service to the Association.
 - (2) National Council may award a Certificate of Appreciation by Ordinary Resolution of National Council.
 - (3) A Section Council may award a Certificate of Appreciation by ordinary resolution of Section Council.
 - (4) A Sub-section Committee may award a Certificate of Appreciation by ordinary resolution of Sub-section Committee.
- f. **Naval Association of Australia Commendation:**
- (1) The purpose of Naval Association of Australia Commendation is to formally recognise specific meritorious acts of service to the Association by members, non-members or groups. Such commendations are separate from the Association's system of awards as described in By-law 2.4.
 - (2) A Committee or Executive of a Sub-section or Section may recommend the award of a Naval Association of Australia Commendation.
 - (3) Such recommendation must include details of the meritorious acts which warrant the award, and must be submitted to the National Secretary.
 - (4) If the National Council considers the recommendation to be worthy of a Naval Association of Australia Commendation, it must approve the award by ordinary resolution.
 - (5) The National Secretary will prepare the Commendation Certificate and forward it to the relevant Sub-section or Section Secretary for presentation.
- g. **Long Service Awards:**
- Certificates for Long Service shall be signed by electronic means.
- (1) **15 years Long Service Certificate**
 - (a) A Naval Association Long Service Certificate may be awarded to a Full Member who has 15 years cumulative membership.
 - (b) The relevant Sub Section or Section Secretary should advise the National **Membership Registrar** when a member meets the criteria.
 - (c) On confirmation of the member's 15 years cumulative membership, the National **Membership Registrar** must then forward a Certificate **signed by the Registrar and the National President** recognising 15 years to the member's Sub Section or Section Secretary for presentation.
 - (2) **30 Year Long Service Certificate:**

Naval Association of Australia – By-laws

- (a) An approved Naval Association Long Service Certificate may be awarded to a Full Member who has had 30 years cumulative membership.
- (b) The relevant Sub Section or Section Secretary should advise the **National Membership Registrar** when a member meets the criteria.
- (c) On confirmation of the member's 30 years cumulative membership, the National **Membership Registrar** must then forward a Certificate **signed by the Registrar and the National President** recognising 30 years to the member's Sub-section or Section Secretary for presentation.

(3) **45 Year Long Service Certificate**

- (a) An approved Naval Association Long Service Certificate may be awarded to a Full member who has had 45 years cumulative membership.
- (b) The relevant Sub-section or Section Secretary should advise the National **Membership Registrar** when a member meets the criteria.
- (c) On confirmation of the member's 45 years cumulative membership, the National **Membership Registrar** must then forward a Certificate **signed by the Registrar and the National President** recognising 45 years to the member's Sub-section or Section Secretary for presentation.

(4) **60 year Long Service Certificate**

- (a) An approved Naval Association Long Service Certificate may be awarded to a Full member who has had 60 years cumulative membership.
- (b) The relevant Sub-section or Section Secretary should advise the National **Membership Registrar** when a member meets the criteria.
- (c) On confirmation of the member's 60 years cumulative membership, the National **Membership Registrar** must then forward a Certificate **signed by the Registrar and National President** recognising 60 years to the member's Sub-section or Section Secretary for presentation.

(5) **Members Rejoining the Naval Association of Australia Entitlement**

Members rejoining the Naval Association of Australia receive recognition of their previous service to the Naval Association only at the highest level to which the member is qualified on rejoining.

2.5 Disciplining of Members. By-law not yet issued.

2.6 Right of Appeal by Disciplined members. By-law not issued.

2.7 Disputes and Mediation. By-law not yet issued.

Naval Association of Australia – By-laws

SECTION 3 – GOVERNANCE

3.1 National

3.1.1 National Annual General Meeting.

a. Organisation:

- (1) The National President is responsible for convening a National **Annual General Meeting**.
- (2) The National President or, in his/her absence, a National Vice President must preside over the National **Annual General Meeting**,
- (3) The host Section is responsible for the overall organisation of the National **Annual General Meeting**, but must keep the National Executive informed during the planning stages. Some financial assistance may be provided by the National Council through the National **Annual General Meeting** Support Fund.
- (4) *Each Section and National Affiliate is responsible for meeting accommodation and travel costs of their delegates and observers. National Council may subsidise such costs. (National Affiliates and Kindred Affiliates see 4.1.2 f)*

b. Agenda:

- (1) The following may submit items for the National **Annual General Meeting** agenda and nominations for National Office Bearers:
 1. National Council,
 2. National Executive, and
 3. a Section Council.
- (2) *Amendments to the Constitution*
 - (a) **Nine** calendar months before start of the National **Annual General Meeting**, the National Secretary calls for proposed amendments to the Constitution from Sections.
 - (b) *Proposed amendments must be received by the National Secretary at least six weeks prior to a National Council meeting which is due to be held no less than four months prior to the National Annual General Meeting.*
- (3) **Other Agenda Items must be received by the National Secretary at least four months prior to the start of the National Annual General Meeting and those for the Supplementary Agenda at least two months before the start of the National Annual General Meeting. Items not on the initial or supplementary agendas will only be considered on agreement by Ordinary Resolution of the National Annual General Meeting.**
- (4) Attention is drawn to By-law 1.5.1 in reference to amending the Constitution. Proposals to amend the Constitution will not be accepted as supplementary agenda items or as items 'from the floor' of the **Annual General Meeting**.
- (5) The business sessions of the National **Annual General Meeting** must include the following items:

Naval Association of Australia – By-laws

- (a) National Executive report (either collectively or individually by National Office Bearers).
- (b) Items listed on the agenda and supplementary agenda.
- (c) **Setting of membership fees for the next year**
- (d) **Election of National Office Bearers** *when due* for the next three years.

3.1.2 National Council

a. **Organisation:**

- (1) The National President or, in his/her absence a National Vice President must chair *National Council meetings*.
- (2) Each Section and each Affiliate is responsible for meeting accommodation and travel costs of their delegates in attending National Council meetings. Such cost may be subsidised.

b. **Duties and Authority:** *In administering the Association's affairs between the National Annual General Meetings*, the National Council:

- (1) implements decisions of the National **Annual General Meeting**;
- (2) exercises powers as delegated by the National **Annual General Meeting**;
- (3) conducts plebiscites as required;
- (4) manages the Association's finances, including the National **Annual General Meeting** Support Fund;
- (5) may authorise use of the Association Badge;
- (6) may appoint sub committees or persons for specific purposes; and
- (7) may approach RAN ships and establishments for funds

c. **Meetings:**

- (1) Two calendar months before the date of a National Council meeting, the National Secretary must call for agenda items from Section Secretaries. Such items must reach the National Secretary no later than six weeks before the National Council meeting.
- (2) One calendar month before the date of a National Council meeting, the National Secretary must distribute the agenda to National Office Bearers, Section Secretaries, Secretaries of Affiliates and Kindred Affiliates.
- (3) Additional agenda items may be accepted during a National Council meeting, on approval of the Chairman.
- (4) Each delegate has one vote on each motion. The National Executive must nominate one of its number as the National Executive delegate.
- (5) In the event of a tied vote, the Chair does not have a casting vote and the motion will be resolved in the negative. Votes are 'open' except for matters where the Rules prescribe a secret ballot.
- (6) Except where a Special Resolution is required by the Rules, a motion is passed by Ordinary Resolution.

Naval Association of Australia – By-laws

- (7) An amendment to a motion may be moved if properly proposed and seconded.
 - (8) Attention is drawn to the Constitution article 3.1.2h in relation to a quorum for National Council meetings.
 - (9) Attention is drawn to the requirement for an Annual General Meeting of the Association as prescribed in the Constitution article 3.1.4.
- d. **The Kindred Affiliates Secretary is responsible;**
- (1) directly to the National Council for the staffing of matters referred to it by the Kindred Affiliates and
 - (2) to the National Secretary for the management of the Kindred Affiliates registered with the Naval Association of Australia; and
 - (3) to act as the single National **Annual General Meeting**, National Council and National Executive delegate for all Kindred Affiliates.
 - (4) Affiliate delegates 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, repeal or suspend any of the Rules.
- e. **Casual vacancy as a Result of a Resignation.** If a National Office Bearer resigns, the position must be declared vacant in accordance with Article 3.1.2 i. That National Office bearer may within a period of fourteen (14) days from the date of receipt by the National Secretary of the resignation, withdraw that resignation.

3.1.3 **Payment of Capitation**

At the end of each month, a sub-section must:

- a. *forward completed prescribed Forms F2A an F3 to the National Membership Registrar;*
- b. *enclose EITHER a cheque for the amount shown on prescribed Form F2A OR documentation verifying a bank deposit for the amount shown om F2A;*
- c. *forward completed prescribed Form F2B, cheque for the amount shown and completed prescribed Form 3 to Section Secretary; and*
- d. *enclose any new members applications or approved transfers with the forms being sent to National Membership Registrar and the Section Secretary.*
- e. Nil returns are not required.

By-law moved to NAA Constitution

3.1.4 **National Executive.**

- a. **Duties and Authority:** In managing the day to day national affairs of the Association, the National Executive carries out tasks as delegated by National Council and as prescribed in the Rules. It is authorised to expend national funds to a level as delegated by the National Council from time to time.
- b. **Meetings:**
 - (1) The National President or, in his/her absence, a National Vice President must chair National Executive meetings.

Naval Association of Australia – By-laws

- (2) Each member of the National Executive has one vote on any motion. In the case of a tied vote, the chairman does not have a casting vote and the motion will be resolved in the negative. Voting is `open` except where a secret ballot is prescribed in the Rules.
- (3) Except where a Special Resolution is required by the Rules, a motion is passed by Ordinary Resolution.
- (4) Attention is drawn to the Constitution Article 3.1.3c in relation to a quorum at National Executive meetings

c. Responsibilities of National Office Bearers:

(1) National President.

- (a) The National President is responsible to the National **Annual General Meeting** for presiding over all activities of the National Council and National Executive.
- (b) The National President is authorised to:
 - i. make public statements on behalf of the Association, and
 - ii. liaise with individuals (including Government Ministers) and organisations as required.

(2) National Vice Presidents.

- (a) In an absence of the National President, one of the National Vice Presidents will carry out the duties of the National President.
- (b) The National President will allocate portfolios to the National Vice Presidents in order that the following areas are covered:
 - (i) Veterans' Affairs and Military Compensation
 - (ii) Membership and Recruiting
 - (iii) Defence Liaison and Special Projects
 - (iv) Chairman of White Ensign Magazine.
- (c) Each National Vice President is responsible to the National Council, through the National Executive, for carrying out tasks related to portfolios or as directed by the National Executive.
- (d) National Vice Presidents are authorised to liaise direct with individuals (except Government Ministers) and organisations as required to carry out their duties.

(3) National Secretary. The National Secretary is responsible to the National Council, through the National Executive, for:

- (a) directing the Assistant National Secretary,
- (b) liaising with other National Office Bearers, Section Secretaries, Sub-section Secretaries and Secretaries of Affiliates as required;
- (c) dealing with national correspondence; *except for*:
 - (i) *administrative correspondence relating to the collection of membership details and payment of capitation; and*
 - (ii) *matters within the administrative span of subcommittees of the National Council*

Naval Association of Australia – By-laws

- (d) maintaining proper records of National **Annual General Meetings** and meetings of National Council and National Executive;
 - (e) promulgating notices, agenda and minutes of National **Annual General Meeting** and meetings of National Council and National Executive;
 - (f) maintaining the master copies of the Rules;
 - (g) the safekeeping of the common seal and maintaining the Register of Seals; and
 - (h) other tasks as directed by the National Executive.
- (4) **Assistant National Secretary.** The Assistant National Secretary is responsible to the National Council, through the National Executive, for:
- (a) recording proceedings at the National **Annual General Meeting** and meetings of National Council and National Executive; and
 - (b) assisting the National Secretary as required.
- (5) **National Treasurer.** The National Treasurer is responsible to the National Council, through the National Executive, for:
- (a) the *ultimate* receipt and banking of monies paid to National Council;
 - (b) maintaining books of account in accordance with By-law 4.1.2;
 - (c) maintaining the National Council Register of Assets;
 - (d) providing a financial report to each National Council and National Executive meeting;
 - (e) providing to the National Auditor such financial and other information as is required to comply with the relevant Commonwealth and State/Territory legislation relating to the preparation of the Association's returns and accounts;
 - (f) presenting the annual National Audited Financial Statements to the Annual General Meeting of the Association, through the National Executive;
 - (g) preparing the national annual budget;
 - (h) preparing and submitting annual Returns and Taxation Returns as required;
 - (i) carrying out other tasks as directed by the National Executive.
- (6) **National Membership Registrar.** The National Membership Registrar is responsible to the National Council, through the National Executive, for:
- (a) *corresponding* with other National Office Bearers , Sections and Sub- sections on membership matters;
 - (b) providing to each *Section and* Sub-section and Section without Sub-sections an updated printout of the relevant part of the Membership Register on 15 November each year and at other times as required;
 - (c) maintaining stocks of and issuing *certificates*, badges and medals to Sections, *advising the National Treasurer of each issue to enable invoices to be raised.*
 - (d) providing address lists for distributing the Association's magazine and for other purposes approved by the National Council; and

Naval Association of Australia – By-laws

(a) carrying out other tasks as directed by the National Executive.

- (7) **Public Officer.** A Public Officer is required by ACT legislation for incorporated bodies, resident in the ACT and is to be appointed by the National Council

3.1.5 **Standing Orders for Meetings.**

Directions and procedures for meetings other than the National Annual General Meeting are laid down in Annex A of the Constitution. The conduct of meetings, at whatever level of Association government, shall be in accordance with the procedures in Annex A of the Constitution.

3.1.6 **Email Meeting Procedure – National Executive.**

- a. The National President, in consultation with all members of the National Executive, will determine when a meeting by email may be held.
- b. 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.
- c. Members must normally be given three working days to respond and be advised on what day and by what time a response is required.
- d. A meeting will be convened if at least one member wishes an item to be discussed.
- e. 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.
- f. The emails must be sent to all those on the usual agenda mailing list.
- g. The terms under which the motion will or will not be carried are to be as follows:
 1. a majority of National Executive members must support the recommendation,
 2. members may vote against the motion without stating their reasons,
 3. a meeting will be convened if at least one member wishes the matter to be discussed,
 4. a nil response will not be taken as either support for the motion or as a vote against the motion.
- h. Outcomes of Email Meetings are to be recorded in a separate register maintained by the National Secretary.
- i. 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.
- j. 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.
- k. The Email Meetings resolutions passed are to be recorded in the Minutes of the relevant National Executive meeting in date order.

Naval Association of Australia – By-laws

3.2 Section

- a. As there are within the Association, Sections which have two or more Sub-Sections, and other Sections which have no Sub-sections, it is necessary to have appropriate By-laws to meet the differing needs of each of these Sections. To achieve this the Sections will be subject to this By-law as follows;
 - (1) Sections which include two or more Sub-Sections will be subject to the provisions of By-law 3.2A; and
 - (2) a Section without Sub-Sections will be subject to the provisions of By-law 3.2B.

3.2A.1 Section Annual General Meeting

- a. Delegates. Each Sub-section may appoint one delegate and no more than two deputy delegates. If a Sub-section declines or is unable to appoint one or more delegates from its own members it may appoint one or more members of another Sub-section, with the concurrence of the other Sub-section, to act as its delegate or delegates.
- b. **Proposals for inclusion on the agenda of a Section Annual General Meeting.**

Proposals may be initiated by the

 - (1) Section Council;
 - (2) Section Executive;
 - (3) Sub-section General Meeting; or
 - (4) an affiliate.
- c. **Agenda Items**

Agenda items include:

 - (1) Proposed items pursuant to sub-paragraph b. above;
 - (2) Annual Financial reports;
 - (3) Election of Office Bearers;
 - (4) Other business.
- d. **Election of Office Bearers.** Such proposals shall be submitted to the Section Secretary to be received no later than the date of the State Council meeting at least three months prior to the opening of Section Annual General Meeting. Nominations for Office Bearer *positions due to be declared vacant* shall close at a Section Council held not less than three months prior to the Section Annual General Meeting and be announced, following which the Section Council shall elect as Returning Officer, a member who is not a candidate for Section President or other executive office.
- e. **Verification of Nominations.** The Section Secretary shall:
 - (1) examine each nomination and ensure that each is signed by the nominee, the proposer and the seconder, that each is a financial member ;
 - (2) reject any nomination which does not comply in all respects with the requirements of (1) above;
 - (3) transmit all valid nominations to the Returning Officer;

Naval Association of Australia – By-laws

- (4) include in the minutes of the Section 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 By-law; and
- (5) forward the agenda for the Section Annual General Meeting so established to Sub-sections not later than two months prior to the scheduled opening of the Section Annual General meeting, together with a list of nominations for election of Office Bearers.

f. **Election Process.**

- (1) The Section Returning Officer shall take the chair at the Section Annual General Meeting for the election of the Office Bearers due to be declared vacant.
- (2) Sub-sections that have appointed a delegate to the Annual General Meeting from another Sub-section, must make their vote via a sealed envelope given to the Section Returning Officer prior Section Council /nnual General Meeting.
- (3) Where there are more nominations than required for any position, the Returning Officer shall conduct a secret ballot. In the case of a tied vote the chairman shall determine by lot the candidate to be elected.

3.2A.2 Section Annual General Meeting. By-law not yet issued.

3.2A.3 Section Council. Detailed procedures for the operation of a Section's Council must be laid down in that Section's Regulations. Those procedures must include the definition of a quorum for Section Council meetings.

3.2A.4 Section Executive. Detailed procedures for the operation of a Section's Executive must be laid down in that Section's Regulations. Those procedures must include the duties of Section Office Bearers.

3.2B Section (with no Sub-sections).

3.2B.1 Section Annual General Meeting.

- a A Section with no Sub-sections this Section will conduct its business by holding General Meetings, Special General Meetings (when required), an Annual General Meeting and Section Committee Meetings.
- b. Full Members of the Section in General Meeting are the governing authority of the Section.
- c. Section General Meetings are to be held not less frequently than quarterly. Procedures for General Meetings and the frequency of such meetings, must be prescribed in the Section's Regulations.
- d. Section General Meetings comprise of;
 - (1) The Section Office Bearers; and
 - (2) a minimum number of Full Members of the Section, as laid down as a quorum in the Section's Regulations.
- e. Agenda for Section General Meetings;
 - (1) A member intending to bring business before a meeting may notify the Secretary in writing, or by electronic transmission, of that business which must be included as an item in the agenda accompanying the notice calling

Naval Association of Australia – By-laws

- the next Section General Meeting.
- (2) Proposals for inclusion in the agenda of a Section General Meeting must be received by the Section Secretary no later than twenty-one days, before the date the Section General Meeting is scheduled to be held; and
 - (3) the Agenda is to be prepared to include all items received by the Section Secretary.
- f. Notice of a Section General Meeting:
- (1) Section members must be given at least 14 days notice of any Section General Meeting, or, if a Special General Meeting has been called, at least 7 days notice. The notice must include the place, date, time and agenda for the meeting.
 - (2) The Notice may be sent;
 - a. by prepaid post to the address appearing in the register of members; or
 - b. if the member requests, facsimile or electronic transmission.
 - (3) No business other than that set out in the notice convening the meeting may be conducted at the meeting.
- g. Voting at Section General Meetings:
- (1) Upon any question arising at a Section General Meeting, a member has one vote only. See Article **2.3.6** of the Constitution for conditions of ineligibility to vote.
 - (2) All votes must be given personally (**See By-law 3.1.5**), and
 - (3) voting by proxy is not permitted.
- h. **Special General Meeting;**
- (1) A Special General Meeting of the Section may be convened by the Section President, with the concurrence of the Section Committee, at any time. Such a meeting must 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 percent of the membership of the Section, whichever is the less.
 - (2) Section members shall be given not less than seven days notice, served personally or by post **or electronic means** of any Special General Meeting at which:
 - (a) only the business set out in the notice may be transacted,
 - (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.
- i. Procedures and a quorum for Section General Meeting's and Special General Meetings are to be prescribed in the Section's Regulations.

Naval Association of Australia – By-laws

3.2B.2 Section Annual General Meeting.

a. The Section Annual General Meeting must be held not later than 31 March each year. Business at the Annual General Meeting must include adoption of audited financial statements for the previous year, appointment of an auditor for the present year and election of Section Office Bearer positions due to be declared vacant.. The notice convening the Annual General Meeting must specify that it is an Annual General Meeting.

b. The Annual General Meeting may conduct any special business of which notice has been given in accordance with these Rules.

c. A Section Annual General Meeting comprises;

- (1) the Section Office Bearers,
- (2) a minimum number of Full Members of the Section, as laid down in the Section's Regulations, and
- (3) such representation from Section Affiliates as laid down in the Section's Regulations.

d. **Agenda;**

- (1) Proposals for inclusion in the agenda of a Section Annual General Meeting must be received by the Section Secretary no later than one calendar month before the date the Section Annual General Meeting is scheduled to be held; and
- (2) the Agenda is to be prepared by the Section Secretary who is to include all items and the nominations received in accordance with By-law 3.2B.2 g. (1).

e. **Notice**

- (1) Section members must be given at least 14 days notice of the Section Annual General Meeting. The notice must include the place, date, time and agenda for the meeting.
- (2) The Notice may be sent;
 - a. by prepaid post to the address appearing in the register of members; or
 - b. if the member requests, facsimile or electronic transmission; and
- (3) no business other than that set out in the notice convening the meeting may be conducted at the meeting.

f. **Voting**

- (1) Upon any question arising at a Section Annual General Meeting, a member has one vote only. See Article **2.3.6** for conditions of ineligibility to vote.
- (2) All votes must be given personally, and
- (3) voting by proxy is not permitted.

f. **Election of Office Bearers**

- (1) At a Section General Meeting at least three calendar months before the Section Annual General Meeting, the Section Secretary must call for nominations to fill Section Office Bearer positions. Nominations must reach the Section Secretary, one calendar month before the date the Section Annual General Meeting is scheduled to be held.

Naval Association of Australia – By-laws

- (2) At a General Meeting prior to the Annual General Meeting, a member who is not a candidate for President or other Executive Office, is to be elected to be the Returning Officer.
- (3) **Verification of Nominations.** The Section Secretary shall;
 - a. examine each nomination and ensure that it is signed by the nominee, the proposer and the seconder and that all three are Financial Members;
 - b. reject any nomination which does not comply in all respects with (3) a. above;
 - c. transmit all valid nominations to the Returning Officer; and
 - d. include in the agenda for the Annual General Meeting a list of the nominees together with the names of the proposers and seconds, and advise those rejected in accordance with this By-law; and
- (4) **Election Process.**
 - a. The Returning Officer shall take the chair when Office Bearer positions are declared vacant at the Annual General Meeting and process the election of the new Office Bearers.
 - b. Where there is only one nomination for a position the Returning Officer will declare that nominee elected.
 - c. Where there are more nominations than required for any position, the Returning Officer shall conduct a secret ballot. The Returning Officer will declare the nominee with the highest number of votes as being elected. In the case of a tied vote the Returning Officer shall determine, by lot, the candidate to be elected.
 - d. The Returning Officer shall destroy all ballot papers on completion of the election.

3.2B.3 Section Council/Section Committee

- a. A Section Council is not appropriate in a Section which has no Sub-sections, instead a Section Committee, elected in accordance with these Rules, will administer the affairs of the Section between General Meetings.
- b. **Section Committee.** A Section Committee comprises the Section Office Bearers (the Section Executive), plus such number of other members who are elected to the Committee at the Annual General Meeting, as prescribed in that Section's Regulations.
- c. The Procedures for and Authority of the Section Committee and the duties of its Office Bearers must be detailed in the Section's Regulations.
- d. A quorum for Section Committee meetings is five members.
- e. The interval between meetings of the Section Committee and procedures for the meetings must be laid down in that Section's Regulations.
- f. If a Section Committee member is absent from three consecutive meetings (either Committee or General) without an acceptable explanation, the Section Committee must declare that person's position vacant.
- g. If a Section Committee position is declared vacant for any reason the Section Committee must appoint another person to fill that casual vacancy. At the next Section General Meeting;
 - (1) the appointment will be confirmed; or

Naval Association of Australia – By-laws

- (2) nominations will be called for and a ballot for the position conducted in accordance with the Section Regulations.

h. **Management of Funds.**

- (1) The funds of the Section shall be derived from entrance fees, annual subscriptions, donations and such other sources as the Section determines.
- (2) The Section Treasurer must;
 - (a) collect and receive all moneys due to the Section and make all payments authorised by the Section Committee; and
 - (b) keep correct accounts and books showing the financial affairs of the Section with full details of all receipts and expenditure connected with activities of the Section.
- (1) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the Section Executive, and
- (2) all accounts, books, securities and any other relevant documents of the Association must be available for inspection free of charge by any Full Member upon request. A Full Member may make a copy of any accounts, books, securities and any other relevant documents of the Section.

i. **Section Executive.**

- (1) The Section Executive manages the day to day affairs of the Section in accordance with these Rules and all relevant delegations. Details of delegations given to the Executive must be recorded in a Register as prescribed in the Section's Regulations;
- (2) The Section Executive comprises of Section Officer Bearers.
- (3) Where Articles of the Constitution require, relevant Office Bearers of the Section (although not forming a Section Council), are still responsible for representing the Section at the National **Annual General Meetings** and Council Meetings and provide information or perform other tasks as are prescribed for a Section in these Rules; and
- (4) except as otherwise provided in these Rules, the Secretary must keep in his/her custody, or under his/her control, all books, documents and securities of the Section.

3.3 Sub-section

3.3.2 **Sub-section Annual General Meetings.** By-law not yet issued.

3.3.3 **Sub-section General Meetings.**

A Section Council may include in that Section's Regulations certain instructions which must apply to all Sub-sections within that Section.

3.3.4 **Sub-section Committee.** Sub-section's Guidelines must include duties of Sub-section Office Bearers.

3.3.5 **Sub-section Executive.**

a. **Election of Office Bearers**

- (1) At a Sub-section General Meeting at least three calendar months before the Section Annual General Meeting, the Sub-section Secretary must call for nominations to fill sub-section Office Bearer positions due to be declared vacant. Nominations must reach the Sub-section Secretary,

Naval Association of Australia – By-laws

seven days before the date the Sub-section Annual General Meeting is scheduled to be held.

- (2) At a General Meeting prior to the Annual General Meeting, a member who is not a candidate for President or other Executive Office, is to be elected to be the Returning Officer.
- (3) Verification of Nominations. The Sub-section Secretary shall;
 - a. examine each nomination and ensure that it is signed by the nominee, the proposer and the seconder and that all three are Financial Members;
 - b. reject any nomination which does not comply in all respects with (3) a. above;
 - c. transmit all valid nominations to the Returning Officer; and
 - d. include in the agenda for the Annual General Meeting a list of the nominees together with the names of the proposers and seconders, and advise those rejected in accordance with this By-law; and
- (4) Election Process.
 - a. The Sub-section Returning Officer shall take the chair at the Sub-section Annual General Meeting for the election of the Office Bearer positions due to be declared vacant.
 - b. Where there is only one nomination for a position the Returning Officer will declare that nominee elected.
 - c. Where there are more nominations than required for any position, the Returning Officer shall conduct a secret ballot. The Returning Officer will declare the nominee with the highest number of votes as being elected. In the case of a tied vote the Returning Officer shall determine, by lot, the candidate to be elected.
 - d. The Returning Officer shall destroy all ballot papers on completion of the election.

3.4 Validity of Decisions. By-law not yet issued.

3.5 Procedures. Procedures and conduct of meetings at all levels of the Association are detailed in the Article 3.5 and Annex A of the Constitution.

Naval Association of Australia – By-laws

Naval Association of Australia – By-laws

SECTION 4 – ADMINISTRATION

4.1 Finances

4.1.1 Responsibilities.

- a. The National Executive is responsible for day to day management of the Association's funds at national level. The National Treasurer is responsible for administering those funds in accordance with By-law 4.1.2.
- b. Responsibilities for management of funds at Section and Sub-section levels must be detailed in Section Regulations and Sub-section Guidelines. Each Section and Sub-section must forward a copy of its audited financial statements to the National Secretary by 31 March each year.

4.1.2 Management of Funds

a. National Level

- (1) **Bank Accounts:**
 - (b) National Executive approval is required to open or close a bank account on behalf of the National Council.
 - (c) Any National Office Bearer may be a signatory to a National Council bank account. Each National Council bank account must require two signatories (one being the National Treasurer) to operate that account.
- (2) **Books of Account:** The National Treasurer must use proper bookkeeping practice in maintaining books of account for the National Council.
- (3) **Cash Floats:** The National Executive may approve for certain National Office Bearers to hold cash floats, the amounts of which will be determined by the National Executive from time to time.
- (4) **National Budget:** The National Treasurer is responsible for developing the national budget to meet the following timetable:
 - (a) December: first draft considered by National Council.
 - (b) February: second draft (with actual financial position as at previous 31 December) considered by National Executive.
 - (c) April: budget approved by National Council.
- (5) **Reports.** The National Treasurer is required to report the following at each National Executive and National Council meeting:
 - (a) progressive cash flow compared with yearly budget,
 - (b) bank reconciliation for previous month,
 - (c) payments for endorsement,
 - (d) reconciled balance of Travel Fund,
 - (e) balance of the National **Annual General Meeting** Support Fund; and
 - (f) comments as appropriate.
- (6) **Affiliates and Kindred Affiliates** shall not be eligible to participate in any fund established by the Association.

Naval Association of Australia – By-laws

b. **Section Level**

An unincorporated Section must elect three general trustees who are to be responsible 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:

- (1) until such time as the section incorporates, the section council shall invest monies only as authorised by section annual general meeting and in such manner as may be approved by the general trustees; and
- (2) the general trustees must submit a report to section annual general meeting and quarterly to section council and shall, upon incorporation of the section body, effect the transfer of such property and funds invested into the name of the incorporated body.

c. **Sub-section level**

- (1) A sub-section may subject to the approval of section council establish an emergency fund with limited liability for the purpose of assisting by loan or gift a member or person entitled to be a member and such fund shall be administered by the sub-section executive subject to direction from the sub-section committee.
- (2) A sub-section which establishes an emergency fund in accordance with 4.1.2 c (1) shall establish and maintain such fund from the subscriptions paid by members, income or donations and shall not seek public monies for that purpose.

4.1.3 **Availability of Accounts.** By-law not yet issued.

4.2 **Assets.**

The National Treasurer 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.
- c. All property must be subject to stocktake at least once each year.
- d. No property may be purchased or disposed of without authority of the relevant Council or General Meeting. A Council or General Meeting may authorise an Executive to purchase items of property up to a certain value.

4.3 **Records.** By-law not yet issued.

4.4 **Common Seal.** By-law not yet issued.

Naval Association of Australia – By-laws

4.5 Indemnity

- 4.5.1 The insurance policies required in Constitution Article 4.5.1, may be extended to cover Sections, sub-sections and affiliates. Approval for such an extension must be determined by special resolution by either the National **Annual General Meeting** or National Council.
- 4.5.2 The National Council will assess the proportion of costs of maintaining a policy on the basis of the number of financial members (Full, Restricted and Affiliated) in a Section as at the 31 May in the year in which the notice of premium is received plus a 10% increase to allow for late receipt of Capitation Reports for the current year.
- 4.5.3 An NAA Section may pass the cost of such coverage on a pro rata basis to the sub-sections for which it is responsible.
- 4.5.4 The National Council will assess the proportion of costs of maintaining a policy on the basis of the number of financial members in a Section as at the 31 December in the year prior to the year which the notice of premium is received.
- 4.5.5 Accounts will be sent to the Sections by the National Council at least one month before the premium is due to be paid. Sections must pay the account received from the National Council within 30 days.

Naval Association of Australia – By-laws

Naval Association of Australia – By-laws

Annex A Membership Badges and Medals

(1) Life Members Badge



(2) Members Badge



(4) Hon Members Badge
Associate Members Badge



(5) Honorary Member for Life Badge



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



Naval Association of Australia – By-laws

Annex A Meritorious Service Medal

Naval Association of Australia – By-laws

Annex B Naval Association Flag



Naval Association of Australia – By-laws

Annex C White Ensign Management Committee Terms of Reference

- 1 The Association's official national magazine is 'The White Ensign'.
2. Responsibilities.
 - a. A White Ensign Magazine Committee (WEMC) is responsible to the National Council for managing, promoting, producing and circulating 'The White Ensign'. WEMC members are authorised to liaise direct with individuals and organisations in relation to their responsibilities.
 - b. The WEMC must provide a detailed written report to the National Secretary, 14 days prior, to each National Council meeting.

The Report will consist of the following;

 - a. Profit and Loss statement for the previous financial quarter.
 - b. Copy of most recent bank statement
 - c. List of advertisers
 - d. List of accounts for payment for last issue
 - e. List of Invoices issued for advertisement in WEM
 - f. Number of issued printed and distributed by post to members
 - g. Number of members receiving WEM via electronic means

It must refer any matters which bear on Association policy or administration to the National Secretary immediately in writing.
3. Appointment. The WEMC will be appointed at the Annual General Meeting of the National Council and will comprise:
 - a. Chairman (National Vice President, Public relations and communications)
 - b. Secretary
 - c. Treasurer
 - d. Two Circulation Coordinators
 - e. Advertising Manager
 - f. Editor, and
 - g. Other members who may be invited by the Chairman to assist.
4. Meetings. A quorum for WEMC meetings is four committee members.
5. Finances.
 - a. Members who elect to receive WEM by electronic means will have the distribution portion of their fees allocated to the funding of the NAA website by the National Treasurer.
 - b. A 'White Ensign Management Committee' bank account must be maintained and operated by any two of the Chairman, Secretary or Treasurer as well as the National Treasurer.
 - c. The Chairman of the WEMC will ensure that the 'White Ensign Management Committee' bank account holds no more than \$30,000.00 in it at any one time. Any Funds held above this amount will be transferred back to the National Treasurer.
 - d. An annual audit must be conducted as at 31 December in accordance with the Corporations Act 2001 (Corporations Act), and a copy of the audited financial statements along with a yearly Profit and Loss statement and copies of the relevant bank statements must be forwarded to the National Secretary before the Association's Annual General Meeting.
 - e. The Treasurer of the WEMC will provide National Council a financial budget for the upcoming calendar year each December, for ratification by National Council.
 - f. The National Council can pass a motion that a portion of the funds held for the WEM can be transferred to the General Revenue Account of the NAA.

Naval Association of Australia – By-laws

- g. If the WEMC is dissolved, all funds must be transferred to the National Council's general account immediately
- 6. Chairman. The Chairman is responsible to the National Council for:
 - a. Ensuring the committee functions in a smooth and efficient manner
 - b. Ensuring all committee members fulfil their obligations and meet identified deadlines,
 - c. submitting to National Executive in December of each year a schedule of rates for advertising charges for the following year for approval.
 - d. ensuring all advertising appearing in the WEM is charged for at the current rates.
- 7. Secretary. The Secretary is responsible to the WEMC for:
 - a. maintaining records of each committee meeting, and
 - b. dealing with correspondence as required.
- . Treasurer. The Treasurer is responsible to the WEMC for:
 - a. the receipt and payment of monies,
 - b. maintaining proper books of account, and
 - c. providing financial reports to the National Council.
- 8. Editor.
 - a. The Editor is responsible to the WEMC for:
 - (1) implementing editorial policy as laid down by National Council;
 - (2) selecting the theme and submitting a production plan for each edition;
 - (3) gathering information and checking its accuracy;
 - (4) preparing and editing material as required;
 - (5) style and layout of the magazine;
 - (6) submitting a draft master copy of each edition for approval by the WEMC; and
 - (7) delivering to and accepting from the printer.
 - (8) Securing advertising for the WEM
 - b. The Editor will be reimbursed for reasonable out-of-pocket expenses from WEM funds, as approved by the National Executive in accordance with the Financial Delegation of Authority.
 - c. The Editor may terminate his or her service by giving three months notice in writing to the National Secretary, through the WEMC Chairman.
 - d. The National Council may terminate appointment of any member of the WEMC by giving three months notice in writing, in consultation with the WEMC Chair.
 - e. The period of notice for terminating the appointment of an Editor may be reduced as determined between the National Council and Editor.
 - f. National Council may terminate an Editor's appointment immediately if the Editor is guilty of any misconduct that would preclude membership of the Association in accordance with the Rules of the Association.
- 10. WE Magazine Mailing Flyers The return address for White Ensign flyers is to be that of NAA National Membership Registrar,

Naval Association of Australia – By-laws

Annex D Life Membership Award Process

Proposer

Sub Section
Raise Nomination
and Citation

Sub Section
General Meeting
Special Resolution

No → Lapse

Yes

No ←

Section Executive
For compliance

Yes →

Section Council
Raise Nomination
and Citation

Compliance and
Special Resolution

No → Lapse

Yes

Extreme Urgency

Section Council may recommend
award as a matter of Extreme
Urgency

No ←

National Executive
For compliance
and citation approval

No ←

National Executive
To approve Extreme
Urgency Award

Yes

Yes

Note. Should a nominee die prior to approval of the award, the nomination lapses.

**Section Council/
AGM for approval
of award by
Special Resolution**
See Note

No →

Lapse

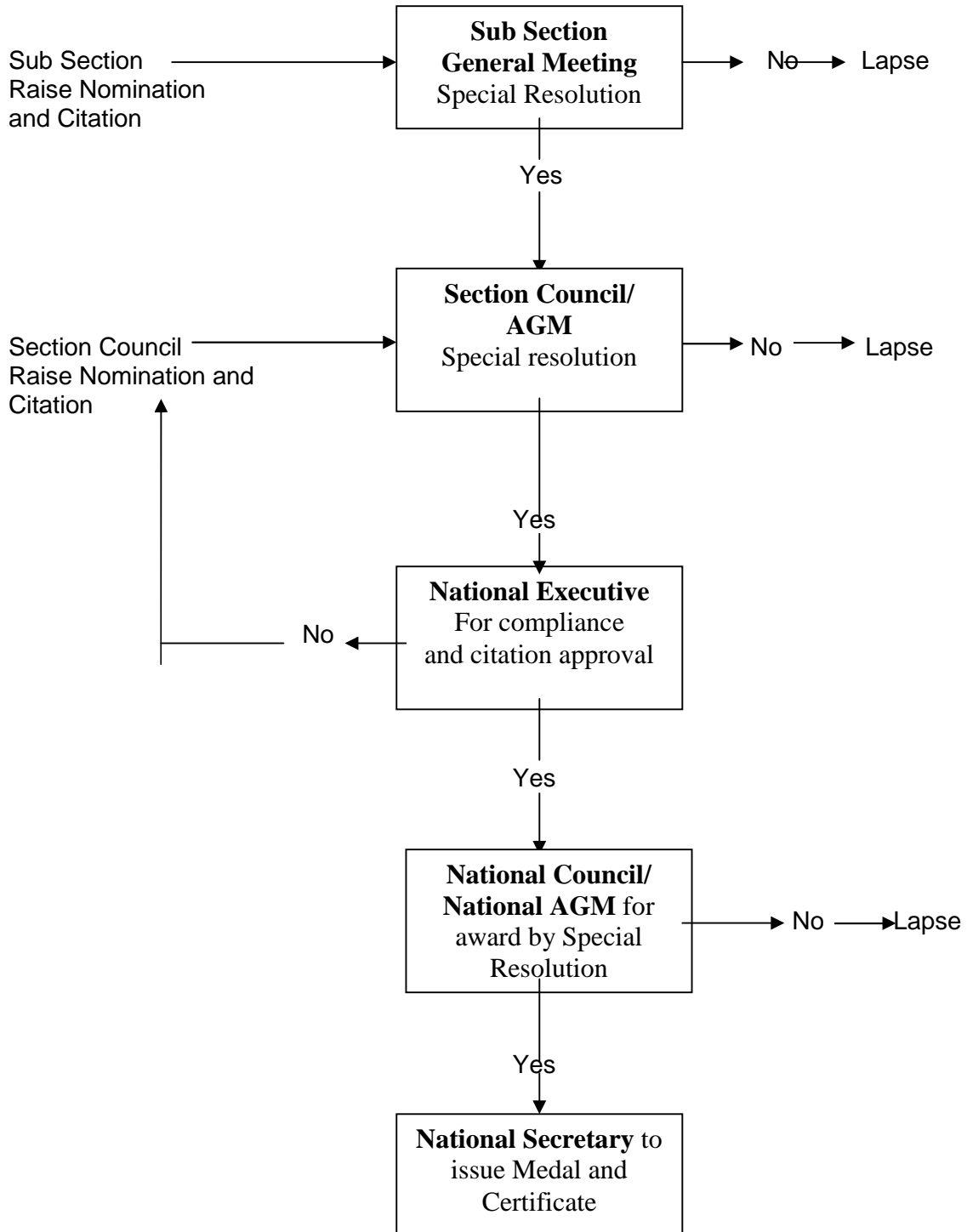
Yes

National Secretary
to issue Badge Card
and Certificate

Naval Association of Australia – By-laws

Annex E Meritorious Service Medal Award Process

Proposer



Naval Association of Australia – By-laws

Annex F Reimbursement of Travel and Accommodation expenses.

Policy of the Naval Association of Australia Reimbursement of travel, accommodation and related operational expense reimbursement

Operational Coverage

This policy covers travel to and from National Annual General Meeting (AGM), National Council Meetings (NCM) and National Executive Meetings (NEM) and other authorised travel. It provides guidance related to accommodation and operational expenses incurred in attending these gatherings, including taxi fares from airports, car parking fees and related fuel costs.

1.1 Definitions

The following meanings apply throughout this By-Law

Accommodation

- a. Where service accommodation is provided, Defence Instructions will apply. Present Government policy is that Naval Association of Australia (NAA) personnel are regarded as civilians with no military connection and as such will pay all accommodation and means at civilian rates. If the Defence establishment is within a metropolitan area, the allowance will be provided for bed and breakfast. This amount will be set by the National Executive.
- b. Where service Accommodation is provided at a Defence Establishment and appropriate civilian amenities are not available nearby, meals will be subsidised as follows :
 - National Executive – 100% coverage by National Council funds
 - National Councillors – 50% coverage by National Council and 50% by State Section.

Operational Costs

- a. Transport to and from airport to meeting venues should preferably be arranged by local participant support by private motor vehicle. Where no local private transport is available, taxi transport should then be employed.
- b. Fuel costs are limited to those associated with attending a National Meeting, where motor transport mode has been approved and/or use of a private motor vehicle to transport other delegates to and from the airport to the meeting venue.

Association – The Naval Association of Australia (NAA)

Bookings – Travel and accommodation where it is civilian should be booked by the approved Delegate of the National Executive.

Airfares – All air fares are to be booked at the lowest price Economy Class available at the time of booking

Delegate to the Annual General Meeting (AGM) – each Section will be limited to two Section Delegates. Approved travel at National Council Expense is limited to one Section Delegate. A Section Delegate is a representative who has the authority to vote on behalf of the Section which that delegate represents.

Ground travel – travel to and from airports is, wherever possible, to be supported by local member private motor vehicle. Wherever this is impractical, first choice should be rail, if available, and finally airport shuttle or taxi.

National Council – For the purpose of this by-law, will mean those members of the National Council who are approved to travel at the Association's expense – National Executive, National Councillors or Deputy National Councillors, Section Delegates, and the White Ensign Management Committee Delegate to National Council.

Official Approved Association Business – for the purposes of this by-law, it means travel by

- The White Ensign Management Committee Delegate to National Council and National Annual General Meeting

Naval Association of Australia – By-laws

- One Section Delegate to the National Annual General Meeting
- Section National Councillors to National Council Meetings.
- National Executive members to the National Annual General Meeting, National Council, National Executive Meetings and as directed by the National President in consultation with the National Executive.
- National President or representative and partner in consultation with the National Executive.
- Partner – spouse, de facto or same sex domestic partner of the member whose travel is authorised.
- Travel – Air is to be the normal means of transport interstate, where it is the most cost effective. Alternative means of transport (pmv, bus, train) may be considered when there is a demonstrated cost saving, personal inconvenience to the traveller is minimised and there is no detriment to the NAA.

1.2 Overview

The National Council travel policy is designed to inform and guide members in the purchase of travel and accommodation, and/or the payment or reimbursement of travel and accommodation expenses when on Official Approved Association Business.

The policies outline the procedure used to pay for or reimburse the National Executive, National Councillors, or Deputy National Councillors (who are members of a sub-section within the Section represented), Section Delegates and the White Ensign Management Committee Delegate for the cost of travel and accommodation incurred on Official Approved Association Business.

The Policy guidelines are written to support the fundamental principles –

1. National Council Members are not out of pocket as a result of officially representing the Association, neither should they receive nor recover more than is reasonable or incurred.
2. Consideration is to be given to the cost versus benefit to the Association and its goals when considering travel/accommodation at the time of travel request.
3. National Council Members are to be provided with appropriate levels of safety, convenience and comfort when undertaking travel/accommodation on behalf of the Association, at the minimum practicable cost to the NAA.
4. The policy is simple to understand, easy to administer, maintains transaction transparency and facilitates good governance of NAA funds.

1.2.1 Reference

NAA By-Laws Section 4

1.3 Primary Responsibilities and Accountabilities

- All National Council Members who travel on official NAA approved business and incur travel expenses (fares, accommodation, operational costs) are responsible to comply with this policy at all times.
- The National Treasurer is responsible for the implementation and application of this policy on behalf of the National Executive and is responsible for ensuring that any expenses paid or reimbursements provided are to comply with this policy.
- All Association travel and associated expenditure is subject to audit.

1.4 General Policy

This policy governs the booking and purchasing of travel services and the payment/reimbursement of travel expense.

Wherever practical and appropriate the National Treasurer, should pay for travel. Where accommodation is provided at commercial establishments, the National Treasurer will pay the account. When Service accommodation is used, the account is to be finalised by cheque.

1.4.1 Travel Approval/Planning

Naval Association of Australia – By-laws

All travel must be approved before departure. The Approving Authority for all travel and accommodation for National related matters is the National Executive. At the time of seeking approval, documentation must be submitted to the National Treasurer outlining:

- The purpose of the travel and its relationship to Association duties.
- Whether the travel is to be fully or partially funded by National Council

1.4.2 Travel Insurance

Where a member books well in advance and there is the possibility that a medical condition of the member or the member's family may preclude the member from undertaking the travel at short notice, the travel insurance option is to be taken within the fare package.

1.4.3 Travel arrangements

When travelling on Association business, the purchase of travel services should be based on the criteria:

- Value for money
- Use of a booking agency or airline determined by the National Executive to maximise the benefit to the NAA
- Traveller convenience e.g. flight times, stopovers, length of flight.

1.4.4 Non-NAA Sourced funding for Travel

Where funding for travel for National Council or National Executive members has been provided by non-NAA sources, e.g. DVA or to the NAA generally through government grants, the rules of the funding agency (e.g. class of travel, allowances) may apply.

1.4.5 Fares

Fares paid by the Association:

- Air fares – economy class is the standard for all interstate travel
- Train – first class return, including sleeper for interstate travel

Fares will be booked and paid for by the National Treasurer or delegate from the National Executive

1.4.6 Use of Private Motor Vehicles (PMV)

Where approval is given for the use of a private motor vehicle on Association business the following rules apply.

- a. The Association will not accept any liability of any consequence which may arise from the use of the PMV on Association business.
- b. The rate of reimbursement for intrastate and interstate travel will be based on PMV allowance as outlined in DVA Factsheet HSV02 where a kilometre allowance will be paid, Tolls, meals and accommodation will be paid on the basis of provision of receipts.
- c. Where a member uses a PMV for interstate travel and the cost at the DVA Rate exceeds a return economy air fare, and associated costs (e.g.: airport car parking), the lesser amount will be paid.
- d. Where two or more authorised members travel interstate in a PMV and the cost of travel at the DVA Rates and reimbursement receipts exceeds the cost of the sum of the airfares and associated costs (e.g.: airport car parking) of the authorised members travelling in the vehicle, the lesser sum will be paid to the PMV custodian.

1.4.7 Use of Rental Vehicles

The National Executive may authorise use of a self drive vehicle where either:

- ***Other suitable transport services are not available***

Naval Association of Australia – By-laws

- *Where it is more economical for the NAA to do so.*

1.4.8 Personal Loss/Damage

The Association will not accept liability for damage, injury, loss or theft involving damage, injury, loss or theft that is not covered by the Association's insurance policies

1.4.9 Lease

The Association does not permit leasing arrangements for the purposes of transport.

1.5 Accommodation

Wherever possible, service accommodation is to be used. However with the introduction of civilian management of military messes, the fee schedule has become significant for meals and accommodation. Wherever civilian equivalent is available nearby, relative costs should be compared by the National Executive before proceeding with final arrangements.

Where the decision is taken not to use service accommodation, the daily rate of reimbursement shall cover the cost of bed and breakfast accommodation and is limited to an amount set by the National Executive on an occurrence basis.

Accommodation expenses which are not paid in advance by the use of the Association corporate credit card are to be reimbursed to the member on their return unless a firm quote is provided in advance.

1.6 Meals

The ATO standard rates for meals are to be used as a guide for breakfast where a Bed and Breakfast rate is not available.

Members who travel for less than a full day (e.g. fly out at 0800 and return to home by 1800 on the same day) will not normally be reimbursed for breakfast

Where National meetings are held at a military establishment and it is relatively isolated to the civilian community, meal subsidies will apply as follows:

- *Meals for National Executive Members will be paid by the National Executive budget*
- *Meals for National Council members will be subsidised 50% by National Executive and 50% by the relevant State Section which the Councillor is representing.*
- *Representatives from Affiliated Associations are required to meet their own meal and accommodation costs. Where appropriate, these payments should be made to the National Treasurer, who will acquit all costs and charges to the Service facility.*

1.7 Entertainment

Any funds controlled by the Association shall not be used for the reimbursement of costs of personal social functions, tours, entertainment or other optional expenses

1.8 Reimbursement

All claims for reimbursement must be supported by receipts and/or documentation.

Reimbursement of travel and accommodation expenses for National Council members are to be authorised by National Executive

1.9 Travel and Accommodation by the National President

Travel and accommodation by the National President in the performance of official duties shall be at the expense of the National Council under the following rules:

- *Prior to booking the travel, the National President is to inform the National Executive of the travel and*
- *Seek the counsel of the National Treasurer as to whether the Association is in a financial position to afford the travel*

1.10 Attendance at Section Annual General Meetings

Naval Association of Australia – By-laws

Where the National President or Executive Delegate and partner are invited to attend a Section Annual General Meeting,, the cost of both the National President or Delegate and partner's travel and accommodation shall be borne by the association in accordance with the following rules :

Prior to booking the travel the National President or Delegate is to:

- inform the National Executive of the travel*
- seek the counsel of the National Treasurer as to whether the Association is in a financial position to afford the travel*

Advice is to be received from the inviting Section as to their agreement to pay half of the travel for both the National President or Delegate and partner

Once advice is received from the inviting Section that the Section will cover the cost of half the travel, the travel is to be booked via the Association's central booking agent or through the National Treasurer.

If a Section is not willing to pay half the cost of both the National President or Delegate and partner, the cost of the National President's or Delegate's partners travel is not to be borne by the Association.

After all costs have been received in regards to travel, the National Executive will submit an invoice to the inviting section for half the travel

Naval Association of Australia – By-laws

Annex G Mechanism for Reviewing Membership Fees

1. Motions for the amendment of the Schedule of fees are to be lodged with the National Secretary *ten* months prior to the National *Annual General Meeting*.
2. The proposals are to be examined by the National Executive at the first National Executive meeting after the closing date with reference to financial assessments prepared by the National Treasurer.
3. The result of the National Executive examination is to be referred to the Section Councils for consideration.
4. At the following National Council meeting, the National Executive Report is to be considered and a motion developed for inclusion on the next *National Annual General Meeting* agenda either amending or maintaining the Schedule.
5. The National Annual General Meeting votes on the National Council's proposed amendment. No amending motions from the floor are permitted at the *National Annual General Meeting* on the fee schedule motion

Naval Association of Australia – By-laws

Annex H

SUBSCRIPTION AND FEES **EFFECTIVE FROM 1ST JANUARY 2020**

	Single	Couple
01. Joining Fee (Paid to Section Council for issue of Membership badge)	\$5.00	\$10.00
02. Annual Subscription	\$38.00	\$55.00
(a) Annual Capitation Fees		
To National Council	\$17.00	\$25.00
(b) Section Council Fees	\$10.00	\$15.00
(c) Sub-section	\$ 11.00	\$15.50
Total	\$38.00	\$55.00
03 Members who join between 1 July and 31 October		
(a) To National Council	\$ 8.50	\$12.50
(b) To State Council Fees	\$ 5.00	\$7.50
(c) To Sub-section Fees	\$ 5.50	\$7.50
Total	\$19.00	\$27.5
04 Life Members (See Note 1)		
(a) To National Council (all Life Members)	\$17.00	
(b) To Section Council (if nominated by a Sub-section)	\$10.00	
05 Affiliates		
(a) At National Level	\$ 25.00	
(b) WEM to National /Kindred Affiliate Members	\$ 17.00	
(c) At State Level	\$ 25.00	

Note 1

Capitation Fees to be paid by nominating body or approving section where the nominating body no longer exists.
By-law 2.4.1 c (13) refers.

Naval Association of Australia – By-laws

Annex I Scale for Awards in the NAA system (By-law 2.4.1).

1. The number of Full members a Sub-section or a Section without sub-sections may nominate for Honours in a calendar year is based on the following premise;
- a. **Certificate of Merit:** - two per 50 Full Members and part thereof if the part is greater than 25.
 - b. **Life membership:** - one per 50 Full Members and part thereof if the part is greater than 25
 - c. **Meritorious Service Medal:** - one per 100 Full Members and part thereof if the part is greater than 50.

Calculation of the number of Full Members on which the scale is based.

2. The number of Full Members in a sub-section in a calendar year to be used in the calculation is determined by the number of **financial Full Members** (both Members and Life members; By-law 2.1.1 refers) recorded in the National Membership Register at the **15 November the previous year**. This number is reported to Sections and Sub-sections by the National Membership Registrar annually as required by *By-law 3.1.3 c (6) (b)*.

Calculation of the number of nominations that may be made in a calendar year.

3. Sub-sections

Number of Nominations per calendar year	Certificate of Merit	Life Membership	Meritorious Service Medal
	Number of members per nomination	Number of members per nomination	Number of members per nomination
1		5- 75	5-150
2	5- 75	76-125	151-250
3		126-175	251-350
4	76-125	176-225	351-450
5		226-275	
6	126-175	276-325	
7		326-375	
8	176-225		
9			
10	226-275		
11			
12	276-325		
13			
14	326-375		

4. Sections

A Section Council may nominate:

- a. **Two** Members for a **Certificate of Merit** per calendar year;
- b. **one** Member for **Life Membership** per calendar year.; and
- c. **one** Life Member for award of the **Meritorious Service Medal** per calendar year.

Annex J Military Compensation & Welfare Support Services- Privacy Policy

1.0 Introduction

The Naval Association of Australia, as an Incorporated Body responsible for the management of the personal information provided by members and related financial matters, must maintain the highest level of governance and probity in the management and use of such members information.

It will usually be necessary for Naval Association of Australia's volunteer compensation & welfare officers and advocates to collect and store personal information about clients.

The Naval Association of Australia (the Association) has a responsibility to ensure that the collection, storage, disclosure, access to and disposal of clients' personal information complies with appropriate standards. To meet this obligation, the Association has adopted the Australian Privacy Principles as the basis for its practices and procedures.

1.0.1 Practice & procedure:

1. Collection of information

- a. The collection of personal information will be limited to that which is reasonably necessary for, or related to, the functions of the Association.
- b. Personal information must only be collected by open, fair and legal means.
- c. If required, the Association will explain to a client (a) why it is necessary to collect personal information, or (b) the purpose to which that information will be applied.
- d. Clients have the right not to disclose personal information and can, if they choose, conceal their identity or use a pseudonym. In such cases, the Association must disclose the possible negative consequences such an election might have.
- e. Where the Association receives and keeps personal information about a client from another source, it shall, where appropriate inform the client that such information has been received and kept.

2. Keeping of information

- a. The Association shall not keep private information about a client unless it is directly concerned with the client's case.
- b. Where requested by a client, the Association will disclose to that client (i) the personal information which has been collected by the Association, or (ii) any unsolicited personal information the Association has received from another source (e.g. DVA). This requirement shall not apply in circumstances where the Association holds a reasonable concern that such disclosure could adversely affect the client's welfare.
- c. The Association shall take all reasonably practicable steps to ensure that the personal information which it keeps on a client is correct and up-to-date.
- d. The Association will implement reasonable safeguards to ensure that the personal information that it holds is stored securely to protect it against loss or unauthorised access, use, modification, disclosure or other misuse.

Naval Association of Australia – By-laws

3. Disclosure and use

- a. The Association shall only disclose a client's personal information where:
 - It is reasonably necessary to do so in managing the client's case (e.g. to DVA);
 - The client agrees to that disclosure;
 - The Association is required by law to make that disclosure;
 - The Association has, if appropriate, taken steps to ensure that the entity to which the information is disclosed will respect the confidentiality of that information; and
 - If the client has not consented, such disclosure is necessary to the welfare of the client.
- b. The Association shall not use a client's personal information unless it has taken reasonable steps to ensure that such information is correct.
- c. The Association shall not use the client's personal information except for the purposes for which it was collected.
- d. The Association may disclose to a relevant government agency, the personal information of a client, where the Association has reasonable grounds to believe that the client has purposely used the Association's services in the commission of fraud or other unlawful activity.

4. Access

- a. The Association shall, upon a client's request, grant reasonable access to the personal information kept about that client unless the Association holds a reasonable concern that such access could adversely affect the client's welfare.
- b. The Association shall, upon request, ensure that the client has the opportunity to correct any personal information held.

5. Retention & disposal

- a. The Association shall not continue to hold a client's personal information, record or file once the purpose for which it was collected or held has been achieved.
- b. The disposal of a client's paper file will be by either:
 - Physical destruction (e.g. shredding); or
 - Giving it into the control of the client. Where in the view of the Association it is not appropriate to return the entire file to the client, which is not returned shall be physically destroyed. Where part of a file is destroyed, the client shall be informed of the type of documents withheld and destroyed.
- c. A practitioner shall maintain a case journal in either electronic or paper form. The purpose of this file shall be to provide an auditable trail of the conduct of the case. It shall be maintained separate to the file containing the primary case documents. This file shall be retained by the practitioner for a period of 7 years.
- d. The Association may retain such information about a client's case (not including personal information or case identifier) which is directly relevant to the compilation of administrative and statistical reports required by the Association or an external agency.

Naval Association of Australia – By-laws

1.0.2 Review

This policy shall, unless circumstances dictate otherwise, be reviewed every two years with the first review due in 2016.

Naval Association of Australia – By-laws

ANNEX K Policy for the Authorisation of Pension/Welfare Officers and Advocates

1. Introduction

The Naval Association of Australia (NAA) has a welfare service supported principally by volunteers. It is not possible to advertise capability and declare oneself a Welfare/Pension Officer, offering a service on behalf of the Naval Association. There is a process of training and development that must be followed, prior to being deemed effective in the role the interested party has volunteered to service.

These volunteers are professionally indemnified via an Insurance scheme known as V.I.T.A. The scheme has criteria that must be met in order for a volunteer to be legally protected. VITA requires the volunteer to have attended an appropriate TIP Course, undergone a period of mentoring, and be considered effective in a chosen role. When the volunteer has achieved the desired standard, a letter of authorisation is to be raised by the Section Executive of the NAA. This VITA criterion requires that the NAA create a Policy statement in relation to training and authorisation of NAA accredited Pension/Welfare/Advocate volunteers.

2. Authorisation Procedure

- A Sub-section after identifying and recruiting a potential Welfare/Pension Officer, shall pass the relevant detail to the Section Welfare Co-ordinator, who shall place a bid with TIP for an appropriate course (At times the training may take place inter-state).
- On completion of a course, it is the responsibility of the trainee's Section to provide an appropriate mentor.
- After a suitable period of mentoring, and when considered to have achieved the necessary standard of efficiency, to effectively counsel on needs and entitlements, the State Executive raises a letter of "Authorisation" for the Pension/Welfare Officer.
- The Letter of Authorisation is passed to the volunteer, and a copy is passed to the National Executive for inclusion within the National Register of Welfare, Pension Officers and Advocates.
- The State Section Council shall at each subsequent AGM formally minute those who are qualified and authorised. A copy of the minute is to be passed to the National Executive, to update the National Register.
- The National Executive will ensure the NAA Register remains current and up to date in order to comply with the requirements of the VITA Insurance Scheme.
- The National Register shall record the following data:
 1. Volunteer NAA badge number.
 2. Full name of the incumbent.
 3. Title of Course(s) completed and Date(s) completed.
 4. Date of Authorisation to work as a practitioner.
- 5. Other relevant professional qualification(s).

3. Additional Notes

The TIP trainer system is staffed by volunteers who perform their task to impart information regarding welfare and disability legislation. They are not an examining authority, however at times they pass comment back to the Co-ordinator that can be quite informative. The fact

Naval Association of Australia – By-laws

remains however, TIP has no role in the authorisation of an ESO representative, i.e. The NAA representative as that role remains with the NAA.

The policy here does not restrict those who wish to offer a service, but it does protect those who are actually giving service on behalf of the NAA.