



VIETNAM VETERANS ASSOCIATION OF AUSTRALIA

VICTORIAN BRANCH (INCORPORATED)

ADMINISTRATION INSTRUCTION NUMBER 12

ESTABLISHMENT AND CLOSURE OF SUB-BRANCHES

Introduction

1. The purpose of this AI is to advise of the administrative procedures for the establishment and closure of a Sub-Branch in Victoria.
2. Sub-Branches are formed under the National and State Constitutions with the principle purpose being the provision of welfare services and a meeting place for Vietnam Veterans.
3. As an incorporated body under the Associations Incorporation Act 1981, there is a requirement for the State Branch to determine administrative procedures for establishment and closure of Sub-Branches.

Detail

Establishment of a Sub-Branch

4. From time to time groups of veterans, their wives or partners and dependants seek to affiliate with the Victorian Branch. This affiliation may only take place as a Sub-Branch.
5. However, prior to their acceptance as a Sub-Branch, the group of people seeking to affiliate with the State Branch must satisfy the criteria outlined in this section of the AI and agree to comply with the conditions of membership.
6. The group of veterans, their wives or partners and dependants first need to advise the State Secretary that they wish to become affiliated with the State Branch. The letter should contain the following information as a minimum:
 - The objectives of the group.
 - The geographical location of the group.
 - The number of potential members
 - The nearest Sub-Branch.
 - Why the group cannot become members of that particular Sub-Branch.
 - The names of the Committee members (if known).
 - The number of members (there must be a minimum number of ten members).
 - The capacity for the group to expand its membership.
 - Any further information the group believes may be of assistance in the establishment of the Sub-Branch.
7. The State Secretary then lists the affiliation application on the agenda for the next State Executive Meeting at which the State Executive will determine whether the application will be progressed.

Amended as Authorised by State Council 7th August 2010

8. If the application is accepted, the State Secretary will list the application on the agenda for the next State Council meeting for consideration, or if rejected, the State Secretary is to write to the group advising of the grounds for rejection but also and if possible, offering an alternative to the group for affiliation.
9. If the application is accepted by the State Council, the State Secretary is to advise the group in writing requesting that they sign the joining agreement at Appendix 1. The original of the joining agreement must be signed by all elected members of the committee and returned to the State Secretary to complete the acceptance process. A copy of the duly signed agreement will then be forwarded to Sub-Branch for retention.

Closure of a Sub-Branch

10. All Sub-Branches are expected to comply with the minimum requirements specified in the National and State Constitutions. When a Sub-Branch is unable to abide by this requirement, the Sub-Branch needs to first advise the State Secretary by telephone and then in writing of the issues being experienced and the steps taken so far to resolve those issues.
11. The State Secretary is to then list the matter for the agenda of the next State Executive meeting or if the matter is of an urgent nature, advise the State President who may call for an extraordinary State Executive meeting to be held.
12. The State Executive will, in the first instance, make every endeavor to prevent the Sub-Branch from closing.
13. If the issues cannot be resolved with State Executive assistance and all other avenues have been exhausted, the State Secretary is to inform the Sub-Branch in writing of the intent to close the Sub-Branch.
14. A Sub-Branch may appeal to the State Council against a decision by the State Executive to close the Sub-Branch. Any such appeal must be in writing addressed to the State Secretary and must advise of the factual reasons why the Sub-Branch should not be closed and whether the President of the Sub-Branch wishes to address the State Council meeting on the matter.
15. On receipt of such a letter, the State Secretary is to advise the State Executive members of the receipt of the letter and list the matter on the agenda for the next State Council meeting.
16. If the State Council determines that the Sub-Branch should not close, then a Sub-Committee consisting of not less than five members consisting of two from the State Executive and three from other Sub-Branches is to be established to consider the matter.
17. If the State Council ratifies the decision of the State Executive to close the Sub-Branch the State Secretary is to advise the Sub-Branch in writing of the decision and seek the co-operation of the closing Sub-Branch to complete the following administrative procedures:
 - All Sub-Branch administrative records are to be physically handed over to the State Office for retention. Administrative records include but are not limited to minutes of meetings, membership records, financial records, list of property held by the Sub-Branch
 - Complete the necessary documentation for the transfer of all welfare and general funds from bank accounts held by the Sub-Branch to the State accounts through the Treasurer.

18. If the Sub-Branch is incorporated in its own right, the Secretary is to advise Consumer Affairs Victoria that the Sub-Branch is no longer affiliated with the State Branch.

Conclusion

19. This AI provides for the official endorsement of newly established Sub-Branch or the closure of a Sub-Branch.

SUB BRANCH JOINING AGREEMENT

Agreement

1. This agreement sets out the conditions of affiliation with the Victorian State Branch of the Vietnam Veterans Association of Australia.
2. By signing this agreement, the Sub-Branch agrees to unconditionally comply with the stated objectives and administrative requirements of the Victorian Branch of the Vietnam Veterans Association of Australia

Vietnam Veterans Association of Australia Ethos

3. The fundamental characteristic of the Vietnam Veterans Association of Australia is that it is a non-political and non denominational welfare organisation dedicated to the health, welfare and well being of veterans and their dependants. The Vietnam Veterans Association of Australia intentionally avoids involvement in controversial issues unrelated to the welfare role as defined in the National Constitution.

National Constitution

4. The National Constitution provides for the legal establishment of the Vietnam Veterans Association of Australia and is supported by the National Policy Handbook approved by the National Council.
5. The Sub-Branch agrees to comply with all administrative and operational requirements of the National Constitution and National Policy Handbook as approved by the National Council.

State Constitution

6. The State Constitution expands on the National Constitution and is supported by State Administration Instructions approved by the State Council.
7. The Sub-Branch agrees to comply with the administrative and operational requirements State Constitutions and State Administration Instructions as approved by the State Council.

Functional and Administrative Control

8. The State Branch is structured to ensure the elected State Executive carries out the wishes of the members it represents.
9. To achieve this objective, the State Executive takes direction from State Council which is comprised of delegates from all Victorian Sub-Branches.
10. The Sub-Branch agrees to appoint a delegate to the State Council and to and straightforwardly represent the wishes of the Sub-Branch members.

External Disputes

11. The difficulties and complexities of a community group such as the Vietnam Veterans Association of Australia means that external disputes will arise from time to time.
12. A Sub-Branch subject to such a dispute is expected to advise the State Secretary of the matter for listing on the agenda for the next State Executive Meeting. The State Executive may refer the matter to a State Council meeting at which the Sub-Branch delegate may speak on the matter subject to the wishes of the Sub-Branch.
13. The State Council will then debate the matter and take a vote on the matter which will be determined by a majority of vote of the Sub-Branch delegates.
14. Under no circumstances is a Sub-Branch permitted to engage a legal practitioner to commence legal proceedings against an individual or organisation without first referring the matter to the State Executive for consideration.
15. The Sub-Branch agrees to comply with the dispute resolution process noted above.

Grievance Procedures

16. The State Constitution at Section 31 provides for a grievance procedure where an internal grievance may occur.
17. The Sub-Branch agrees to comply with the grievance procedure as advised in the State Constitution.

Membership

18. The maintenance of a membership register is a requirement of the Associations Incorporation Act 1981. State Administration Instructions provide for the maintenance of member records.
19. The Sub-Branch agrees to comply with the membership requirements of the organisation.

Sub-Branch Acceptance of Agreement

We, the under-signed agree that the Sub-Branch will comply with the requirements of this agreement.

Printed Name	Committee Position	Signature
Dated:		