



New Zealand Veterans in Australia



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CONSTITUTION OF NEW ZEALAND VETERANS IN AUSTRALIA INCORPORATED

1. NAME:

For the better organisation and efficiency of the New Zealand Veterans that reside in Australia, there shall be established an organisation to be known as **NEW ZEALAND VETERANS IN AUSTRALIA INCORPORATED** (hereinafter referred to as the "NZVIA").

2. THE NZVIA:

- (1) The NZVIA vision shall be "**We Will Remember Them**", which is taken from the Last Post and symbolises comrades past and present.
- (2) Any member of the Defence Force, irrespective of operational or non-operational service, may become a member of the NZVIA, PROVIDED THAT such persons accept the aims and objectives of the NZVIA.

3. THE AIMS AND OBJECTIVES:

The NZVIA shall:

- (1) Provide effective and efficient management of the Associations assets and resources for the benefit of its members and of the serving members of the defence forces.
- (2) Provide welfare and advocacy services to serving and ex-service persons and their dependents.
- (3) Assist all serving and ex-serving men and women in need of support.
- (4) Provide a support base to encourage future membership of the Association.
- (5) Support the provision of commemoration and remembrance of those who have served our Country.

4. **THE ANNUAL GENERAL MEETING:**

The Annual General Meeting of the NZVIA shall be held no later than the **First week of June of each year**. The National President shall be the convenor of all meetings of the NZVIA Executive PROVIDED THAT the National President from time to time may appoint any other member of the Executive to convene certain meetings in the absence of the National President.

5. **FINANCIAL YEAR:**

The Financial Year shall commence on the 1st day of July and end on the 30th day of June in each year

6. **THE NZVIA EXECUTIVE:**

There shall be established a NZVIA Executive which will be the executive committee of the NZVIA, membership of which shall be decided at the Annual General Meeting of the NZVIA **every three (3) years**. No person who is not a member of the New Zealand Defence Force may be a member of the NZVIA Executive, and PROVIDED THAT no person who is declared bankrupt or who has been convicted of any serious crime, may serve on the NZVIA Executive.

7. **MEMBERSHIP:**

The NZVIA Executive shall be comprised of the following:

- (1) **Chief Executive Officer:** Who shall be a member of the NZVIA Executive.
- (2) **National President:** Who shall be appointed at the tri-Annual General Meeting of the NZVIA.
- (3) **Vice Presidents: One (1)** Senior Vice President and no more than **two (2)** Vice Presidents to be elected by the tri-Annual General Meeting of the NZVIA. For AGM purposes, all nominees shall provide a one page written statement outlining the qualifications and reasons for holding executive positions.
- (4) **Members:** No less than **three (3)** and no more than **five (5)** in number to be elected by the tri-Annual General Meeting of the NZVIA. For AGM purposes, all nominees shall provide a one page written statement outlining the qualifications and reasons for holding executive positions.
- (5) In the event that **less than three (3) members** are elected to the NZVIA Executive at its tri-annual AGM, a management committee consisting of the Chief Executive Officer, the National President and the Executive Director shall be vested with all the functions and responsibilities concerning the NZVIA.
- (6) **Executive Director:** Who shall be a member of the NZVIA Executive and the only position that can be a non-member of the NZDF.

8. VACANCIES AND RESIGNATIONS:

NZVIA Executive members shall be deemed to have vacated his/her position should he/she be absent without submitting apologies to NZVIA Executive Director from **two (2)** consecutive meetings and PROVIDED FURTHER THAT a member of the NZVIA Executive may vacate or resign from the Council either verbally or by notice in writing addressed to the National President. If verbal, it must be duly noted in the appointed minutes closest to vacation or resignation. Vacated or resigned positions shall be filled at the discretion of the NZVIA Executive.

9. ADVISERS:

The National President shall have the right to invite suitable persons to act in an advisory capacity, who may speak at meetings but without a vote.

10. LEGAL ADVISERS:

The NZVIA Executive shall appoint a duly qualified Auditor and endeavour to obtain the services of a Solicitor to act as the NZVIA Executive legal adviser.

11. QUORUM:

The quorum shall consist of no less than **one-third** of the total membership of the NZVIA Executive who must be present in person, PROVIDED THAT the National President may proceed with a meeting when some business to be transacted requires attention.

12. MEETINGS:

The meetings of the NZVIA Executive shall be held on a **bi-monthly** basis, PROVIDED THAT the National President may convene meetings at other times to deal with matters which deserve the immediate attention of the NZVIA Executive. The National President shall be the convenor of all meetings of the NZVIA Executive PROVIDED THAT the National President from time to time may appoint any other member of the Executive to convene certain meetings in the absence of the National President.

13. DUTIES:

A. It shall be the duty of the Chief Executive Officer to:

- (1) Provide support and advice to the NZVIA Executive in the pursuit of mutual aims and objectives.
- (2) Initiate and develop programmes for the exercise of promoting NZ Veterans in Australia within the various government and non-government veteran organisations.
- (3) Encourage NZ Veterans to respond to the camaraderie provided by NZVIA organisation with appropriate methods of funding.
- (4) Develop commemoration services and activities and implement within Australia.

- (5) Appoint an Executive Director with the concurrence of the NZVIA Executive.
- (6) Appoint a Public Officer with the concurrence of the NZVIA Executive and subject to licensing by the Office of Fair Trading NSW.

B. It shall be the duty of the National President:

- (1) To act under direction of the Chief Executive Officer.
- (2) To support the Executive in effecting its aims.
- (3) With the support of the NZVIA Executive, assume the duties and responsibilities of the Chief Executive Officer to the government and non-government veteran organisations whenever the Chief Executive Officer is unable to perform duties through absence.

C. It shall be the duty of the NZVIA Executive to:

- (1) Refer to NZVIA Constitution.
- (2) Assist the National President in realising the stated aims of the NZVIA.

NZVIA Aims

- (1) Provide effective and efficient management of the Associations assets and resources for the benefit of its members and of the serving members of the defence forces.
- (2) Provide welfare and advocacy services to serving and ex-service persons and their dependents.
- (3) Assist all serving and ex-serving men and women in need of support.
- (4) Provide a support base to encourage future membership of the Association.
- (5) Support the provision of commemoration and remembrance of those who have served our Country.

14. FUNDS:

The funds of the NZVIA shall be deposited with the chosen Banking Institution of the NZVIA under the name **NEW ZEALAND VETERANS IN AUSTRALIA INCORPORATED**.

15. THE TRUSTEES:

The Trustees for the bank accounts shall be the **Chief Executive Officer**, the **National President** and the **Executive Director** and PROVIDED THAT any **two** of the **three** may sign cheques and/or documents PROVIDED FURTHER THAT all cheques and/or documents are presented at the General Meetings of the NZVIA.

16. SEPARATE BANK ACCOUNTS:

The NZVIA Executive may open Separate Bank Accounts for the various activities of the NZVIA.

17. CORRESPONDENCE:

All Correspondence concerning the NZVIA shall be addressed to the Executive Director and all outward correspondence shall be sighted by the Chief Executive Officer and the National President and shall bear the registered logo and appropriate mailing addresses.

18. SUB-ENTITIES:

- (1) The NZVIA Executive may approve the establishment of Sub- Entity teams to support its aims and objectives.
- (2) Sub-Entities shall make monthly written reports to the NZVIA Executive **via the Executive Director**.
- (3) That any monies received by such Sub-Entities shall be properly recorded and deposited in **NEW ZEALAND VETERANS IN AUSTRALIA INCORPORATED** main bank accounts. *(Public Funds listed as eligible for Tax Deductibility Status clause - It must use gifts made to the special funds and any money received because of such gifts, only for its principal purpose. Public Fund clause 2 - must not pay any of its profits or financial surplus, or give any of its property to its members, beneficiaries, controllers or owners (as appropriate).*
- (4) In the event of the dissolution of any Sub-Entities, all assets shall remain the property of the NZVIA.
- (5) Winding-up of special public funds clause - If, upon the winding-up or dissolution of the Registered Tax Deductibility special public funds accounts/projects (e.g. Building or Welfare Fund), there remains after satisfaction of all its debts and liabilities, any property, the property shall not be paid to or distributed among its members, but shall be given or transferred to some other fund, authority or institution having objects similar to the objects of this public fund, and whose rules shall prohibit the distribution of is or their income among its or their members, such fund, authority or institution is to be eligible for tax deductibility of donations under Subdivision 30-8, section 30-100, of the Income Tax Assessment Act 1997.)

In the case of any dispute the decision of the NZVIA Executive shall be final and binding.