

NZVVA



RULES

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RULES OF THE NEW ZEALAND VIETNAM VETERANS ASSOCIATION (INCORPORATED)

The Association is a Society duly registered and incorporated under the Incorporated Societies Act 1908, being an affiliated Member of the Royal New Zealand Returned Services Association (Incorporated).

1. **NAME**

The name of the Association shall be “New Zealand Vietnam Veterans Association (Incorporated)”. (Hereinafter referred to as the Association/NZVVA). (Amended 2014)

2. **OBJECTS**

- (a) To ensure a lasting bond among Members of the Association and to maintain comradeship therein.
- (b) To promote growth by attracting eligible non-members into the ranks of the Association thereby ensuring the continuity of the Association and maintaining strong ties therein.
- (c) To organize at such times as deemed appropriate, reunions of Members, conferences and social gatherings both at Association and Area Level.
- (d) To assist with Welfare of Members who are found to be in need, or in distress. This is to include their immediate family and/or dependants, or other parties the Committee may deem fit to receive such assistance.

3. **MEMBERSHIP**

The membership of the Association shall consist of those persons whose names appear on the books of the Association and those people who shall from time to time be elected to membership in the manner hereinafter appearing.

4. **MEMBERS (Amended 2000)**

Members shall be classified under the following categories:-

- (a) Veteran Members
- (b) Associate Members
- (c) Life Members
- (d) Honorary Members

5. **ELIGIBILITY (Amended 2000)**

(a) **Veteran Members**

All male or female persons who served with the Allied Forces in the Vietnamese waters or the Republic of Vietnam at any time, and who produce papers of service or any honorable discharge from any such service, shall be eligible for election as Members of the Association. A Register of all such Members shall be maintained by the Secretary.

(b) **Associate Members (Amended 2008)**

- (1) The following personnel may be elected as Associate Members of the Association providing they were assisting Allied Forces in South Vietnam:
 - (i) Red Cross
 - (ii) Salvation Army
 - (iii) Entertainers
 - (iv) War Correspondents
 - (v) Civilian Medical Team members and members of the NZ Save The Children Fund team based at Qui Nhon
- (2) Any person not ordinarily eligible for membership, but through services rendered to the Association is deemed by the Committee to be worthy to hold a place within the ranks of the Association, may be elected to Membership following written submission to the Committee by the mover and seconder of the nomination.
- (3) All eligible kinfolk of Vietnam Veterans may be elected to be Associate Members on receipt of written application to the Committee, which may require evidence of eligibility. For the purpose of this paragraph “eligible kinfolk” is defined as spouse, partner, mother, father, sister, brother, children, and succeeding progeny of a person eligible to be a Veteran Member, provided they have attained the age of 18 years. Children includes adopted children and step-children. (Amended 2006 & 2009).

An Associate Member shall have speaking rights but no voting rights, and will be subject to normal subscriptions.

(c) **Life Members**

Life Members may be elected on the recommendation of the Committee at a General Meeting. Upon acceptance the Member will continue to enjoy the benefits and privileges already accorded to them, but will no longer be liable for annual subscriptions.

Ideally a Life Member would be someone who has given long and exemplary service to the Association.

A Life Member shall continue to hold voting rights and be eligible to hold any office within the Association.

(d) **Honorary Members (Amended 2008)**

The Committee is empowered to appoint Honorary Members where there is a requirement to have a person with suitable qualifications or experience who is prepared to be of assistance to the Association in an Honorary capacity. An Honorary Member shall have no voting rights and will not be subject to the normal payment of subscriptions.

6. **ANNUAL SUBSCRIPTIONS (Amended 2000 & 2012)**

- (a) The annual subscription shall be payable on the 1st day of January of each year and shall remain current until the last day of December of the same year.

- (b) The annual subscription shall be decided by the Committee, and any increases shall not take effect until the 1st day of January of the following year.
- (c) Members whose subscriptions are outstanding for three months will be deemed to be in default, will cease to be members of the Association, and will no longer be provided with copies of the Association newsletter. (Amended 2008)

7. **FINANCE**

- (a) Any Members wishing to use monies or incur debts on behalf of the Association must first seek written approval from the Association Treasurer.
- (b) The Treasurer will table the “Requisition” before the Committee for discussion and final endorsement or refusal as the case may be before any written approval is issued.
- (c) On approval, the amount approved will be forwarded in either cheque or bank transfer, or consent given to incur debts of a specified amount.
- (d) All expenditure or debts incurred on behalf of the Association are to be receipted with the receipts being forwarded to the Association Treasurer for his/her records.
- (e) In certain “high activity” areas an allotment of a predetermined amount may be issued to the Member. An acknowledgement of receiving the allotment is required and a statement listing expenditures to be submitted prior to any reimbursement being made.
- (f) Only the Member receiving an allotment from the Association is empowered to expend it, and all transactions are to be suitably recorded.
- (g) Any Member wishing to organise a function within their own area will do so at their own expense.
- (h) It is recognised that situations requiring immediate expenditure of Association Funds may arise. In such cases an explanatory letter giving full details regarding the event and the funds expended is to be forwarded without delay, and in no case a period longer than 28 days, for the Committee to decide whether or not a refund of expenditure is to be made. In the event of a refund being refused, the Member reserves the right to appeal the decision at the next General Meeting.
- (i) At no time will any representative or Member act in the name of the Association in matters of finance, or incur debts in the name of the Association without prior approval of the Committee. The Association will not be responsible for any debts incurred in its name without prior approval.
- (j) Monies belonging to the Association will be deposited in bank or invested in such a manner and under such conditions as the Committee may from time to time decide. All cheques and withdrawal slips on the Association’s bank account shall be signed by any two of the President/Treasurer/Secretary or other such person nominated by the Committee to be signatories for the Association.

- (k) The Association may acquire by purchase, lease, hire or otherwise such land, building or furnishings as may be necessary for the purpose of the Association. Also it may borrow or raise and give security for money by the issue of debenture stock, mortgage or charge upon all or any part of the property of the Association. The power of borrowing or raising money shall not be exercised except pursuant to a resolution of the Association cast in a General Meeting.

8. **OFFICIALS AND COMMITTEE**

- (a) The officials of the Association shall consist of:-

The Patron
The President
The Vice President
The Secretary
The Treasurer
The Immediate Past President (Amended 1998)

Note: The Executive Committee may decide at its discretion to combine the roles of The Secretary and The Treasurer. (Amended 2010).

- (b) The Committee shall consist of the Officials of the Association together with other members who have been elected at a General Meeting, plus the Patron and the Immediate Past President, who are Ex-Officio members of the Committee. It shall number not less than eight (8) persons, and not more than fifteen (15) persons. (Amended 1994 & 2010).
- (c) Following each General Meeting the newly elected Committee shall appoint a Patron for the Association, to be a person of standing in the eyes of the Viet Nam Veterans community. (Amended 2010).
- (d) The Committee shall meet monthly and any financial Members, though having no voting rights, may attend. Fifty (50) per cent of the Committee including two officials who reside within 50km of the notified meeting place shall constitute a quorum. (Amended 1994)
- (e) The President or in his absence, the Vice-President or Chairperson elected by those present shall preside at all meetings of the Committee.
- (f) The President may convene an Extraordinary Committee Meeting should the need arise. Also three (3) members of the Committee may address themselves to the Secretary and request an Extraordinary Committee Meeting. Fifty (50) per cent of the Committee including two officials and those who requested the meeting shall constitute a quorum at an Extraordinary Committee Meeting.
- (g) In the event of a vacancy occurring on the Committee, the Committee shall have the power to fill that vacancy with any Member it deems suitable to take the position, with the Member's prior approval.
- (h) The Committee shall have the power to make interim amendments to the rules when they consider it is essential for such amendments to be made, and such amendments shall be binding on every member of the Association forthwith. All Members of the Association shall be advised, without undue delay, of any such interim amendments, and the

amendments shall be subject to ratification at the next General Meeting of the Association.

- (i) Should any Member of the Committee absent him/herself from three (3) consecutive meetings with no apologies presented and accepted or no satisfactory reason offered he/she shall be deemed to no longer hold any official position on the Committee and his/her seat shall become vacant.
- (j) The Committee shall have the power to determine all questions and disputes as to the construction or interpretation of these or any rules made, and to make decisions on any matter relating to the affairs of the Association which, in the opinion of the Committee, are not provided for in these Rules.
- (k) The Committee shall have the power to raise sub-committees, appoint Area and Pension Representatives as it deems necessary and beneficial to the Association as a whole. (Amended 2008)
- (l) The term of office for the Committee will normally be two years. (ie. from one Reunion until the next Reunion). In the event of a Reunion not being held after the Committee has served a two year term, the Committee is to call a Special General Meeting to facilitate election of a Committee for a further two years.
- (m) The Secretary/Treasurer shall be paid an annual Honorarium equal to the sum of \$1 per member, as at 31st December the previous year. (Amended 1990)

9. **AWARDS AND PRESENTATIONS (Amended 2008)**

- (a) The Committee shall have the authority to make awards and presentations to persons who have made a significant contribution to NZVVA or the Viet Nam Veterans community.
- (b) These shall normally be presented at the National General meeting.

10. **NATIONAL GENERAL MEETING**

The National General Meeting shall coincide with and be held in conjunction with a National Reunion. The Committee shall arrange a suitable time and place to convene the meeting and the Secretary will ensure that all Members are advised of such meeting not less than 14 days before the said meeting. Non receipt of advice of the meeting will in no way effect the validity of the Meeting.

The meeting shall be called for the purpose of receiving the audited balance sheet of the Association, reports on business and activities of the Association since the last General Meeting, general business and the election of officials and committee members.

The Secretary shall not less than 28 days prior to the meeting, distribute to members forms for the nomination of members to the posts of officials and committee members. Nominations must be in the hands of the Secretary not less than seven (7) days prior to the meeting. In order for a nomination form to be valid, the following must be complied with:

- (a) Proposer, Seconder and Member nominated must be current financial members.

- (b) Nominations must be signed by both the Proposer and Secunder, and in addition, the member nominated must sign the nomination form stating that he/she is aware of the nomination and is available for election to the position to which he/she is nominated.

Regardless of the number of nominations received, the Chairman of the General Meeting will invite nominations for all positions being elected from Members present at the meeting.

It is not a requirement for a person nominated for a position within the Executive to be present at the General Meeting but should he/she not be present, a signed statement of his/her availability and agreement must be handed to the Chairman prior to the commencement of the meeting.

A quorum for the National General Meeting shall consist of not less than ten (10) per cent of the Financial Members of the Association.

Proxy Voting. Financial members who are eligible to vote, but who are not able to attend the National General Meeting, may appoint any member of the Executive Committee as their proxy for the election of officers. This must be in the hands of the Secretary not less than seven (7) days prior to the meeting. The proxy can either: give the Executive Committee Member authority to cast the member's vote as the Committee Member chooses; or instruct the Committee Member to vote for eligible nominees specified by the member.(Amended 2010).

11. **THE ANNUAL REPORT**

The Annual Report shall contain the audited balance sheet and statement for the end of the financial year and include any comments from the Treasurer. It shall also contain a brief resume of General Business and events which occurred in the period since the last Annual Report, and shall also include a record of attendance at Committee Meetings of Members of the Committee. The President will submit an editorial of summation on events of the year. The Annual Report will be relayed to all Members of the Association in the Newsletter following the presentation of the Annual Report.

12. **SPECIAL GENERAL MEETING**

The Secretary shall call a Special General Meeting within twenty-eight (28) days of a written request signed by not less than twenty (20) Members, or, on a resolution of the Committee, which must state the purpose for which the meeting is being called. Notice thereof shall be posted to all Members fourteen (14) days before such meeting. A quorum for a Special General Meeting shall not be less than twenty (20) members including not less than two officials, and if being called as a result of a written request from Members not less than seventy-five (75) percent of the signatories of the request.

13. **VOTING AT GENERAL MEETINGS**

At any General Meeting of the Association the Chairman shall ascertain the decision of the meeting by a show of hands, by taking a division, secret ballot or in such other manner as shall be most convenient or in a manner decided by the meeting. Officials must be elected by a majority of at least fifty-one (51) percent of the sum of the eligible Financial Members attending the General Meeting plus those for whom a valid proxy vote is held. (Amended 2010).

14. **MINUTES**
Minutes of all meetings shall be kept in books suitable for the purpose and maintained by the Secretary, who shall also maintain an attendance register pertaining to Committee meetings.
15. **CASTING VOTE**
The Chairman at any meeting of the Association shall have a casting vote only, unless granted a valid proxy vote by an absent Financial Member in the circumstances provided for in Paragraph 10. (Amended 2010).
16. **ADDRESS OF MEMBERS**
Every member shall inform the Secretary in writing to his/her change of address, and all notices required to be given to any member shall be deemed to be duly given if delivered to or posted to the notified address.
17. **PROPERTY OF THE ASSOCIATION**
No member who ceases to belong to the Association either by resignation or otherwise shall have claim upon or be entitled to participate in any of the effects or property belonging to the Association, or to have any part of his/her annual subscription returned to him/her.
18. **DISPOSITION OF PROPERTY**
The funds of the Association shall be applied solely to the promotion of the objects as set out in these Rules. The disposition of the property of the Association in the event of its winding up shall be determined by Special General Meeting of the members of the Association at that time.
19. **OFFENCES**
It will be normal to prosecute any person who commits any act or acts of a criminal nature against the Association. The Committee shall have the power to suspend membership or expel from the Association any member who they consider because of acts against the Association warrants such an action being taken.
20. **INDEMNITY**
Every Official and Committee member of the Association, and every member and/or servant of the Association, shall be indemnified out of the Association's funds against all debts, costs, claim, losses, expenses and liabilities which any such Official, Committee member, member and/or servant of the Association shall incur or become liable for any reason of contract entered into or act or thing done by them or any of them or by reason of any legal proceedings brought or about to be brought against them or any of them in any way in the performance of his or their official duties for the Association.
21. **COMMON SEAL**
The Common Seal of the Association shall be in the custody of the Secretary, and the seal shall be affixed to any deed or document in the presence of two members of the Committee together with the Secretary in the pursuance of a resolution of the Committee.

22. **RULES**

- (a) These Rules shall be printed and a copy of them transmitted to the registered address of each member, but no member shall be absolved from the effects of the rules by any allegations that they have not been received by him/her.
- (b) As the payment of a subscription entitles the member to all the privileges of the Association such payment shall be a distinct acknowledgment of submission to and acquiescence in the rules of the Association, but such payments shall confer upon members any separate propriety interest in any of the property of the Association.

23. **VIETNAM VETERANS (NEVILLE WALLACE MEMORIAL) CHILDREN'S AND GRANDCHILDREN'S TRUST**

The Association Committee shall nominate two members to the Board of the Vietnam Veterans Children's and Grandchildren's Trust: one to be the NZVVA National President or his nominee; the second to be another NZVVA Committee Member. (Amended 2008)

24. **VIET NAM VETERANS AND FAMILIES TRUST**

The Association Committee shall nominate two members to the Board of the Viet Nam Veterans and Families Trust, and jointly with the RNZRSA may nominate a third member. (Amended 2008)

ANNEXURE 'A'

DUTIES OF THE PRESIDENT (Amended 2008)

The President is responsible for:-

- (a) Discipline and conduct of Association Members and Guests.
- (b) General control and supervision of all Association Affairs.
- (c) Ensuring that the duties delegated to Committee Members are understood and performed adequately.
- (d) Allocation of additional tasks as required.
- (e) Calling of and presiding over all committee, general and extraordinary meetings.
- (f) Ensuring that all funds of the Association are held and invested within the rules laid down in the Rules.
- (g) Overall supervision of Association Property and inspecting the property book every six months.

ANNEXURE 'B'

DUTIES OF THE VICE PRESIDENT

1. Preside over all meetings during the absence of the President.
2. Carry out any delegated tasks as laid down by the President.

ANNEXURE 'C'

DUTIES OF THE SECRETARY (Amended 2008)

1. Responsible to the President for:-
 - (a) Familiarisation of the activities of the Committee and, more particularly, its members.
 - (b) Conduct business affairs of Committee and carry out instructions as required.
 - (c) Retain control of records – financial, minute book, register of members, inward and outward correspondence etc.
 - (d) Writing up minutes of meetings.
 - (e) Receipt and write correspondence, and table for approval.
 - (f) Supply information to authorized persons at all reasonable times.
 - (g) Prepare statements and reports as directed.

2. These duties may be combined with the duties of the Treasurer.

ANNEXURE 'D'

DUTIES OF THE TREASURER (Amended 2008)

1. Responsible to the President for:-
 - (a) Collection of subscriptions.
 - (b) Payment of accounts.
 - (c) Keeping accurate accounts.
 - (d) Assisting in the drawing up of a budget.
 - (e) Drawing up and presenting a financial statement.
 - (f) Submitting accounts etc for audit.
 - (g) Care of Association Funds.
 - (h) Open and help operate separate banking accounts for the Association.
2. These duties may be combined with the duties of the Secretary.

ANNEXURE 'E'

ROLE OF THE AREA REPRESENTATIVE (Amended 2008)

1. For communications and administrative purposes NZVVA has divided NZ into 51 areas, each with an Area Representative who is the local point of contact for the NZVVA Executive Committee, and who receives copies of all Executive Committee meeting minutes. There are also seven overseas areas:
 - Queensland
 - New South Wales
 - Western Australia
 - Rest of Australia
 - USA
 - Cook Islands
 - Other Overseas Members.

2. The Area Representative is responsible to the President for:
 - (a) Acting as a liaison between members located in his/her area, the Executive Committee, and the local Pension Representative.
 - (b) Working with local Pension Representatives to maintain up to date information on the health and welfare of members in his/her area.
 - (c) Actively seeking to recruit new members for NZVVA, including family members.
 - (d) Organising local get-togethers or mini-reunions.
 - (e) Passage of information to local members.
 - (f) Notifying the Secretary of the Executive Committee of any changes of addresses of members in his/her area.
 - (g) Arranging local fundraising.

3. Area Representatives are directly responsible to the NZVVA President. They are nominated by local members, but their appointment is not confirmed until approved by the Executive Committee. They are not to speak to the media as representatives of NZVVA unless prior written clearance is obtained from the NZVVA President or NZVVA Communications Officer.

ANNEXURE 'F'

DUTIES OF THE IMMEDIATE PAST PRESIDENT (Amended 1998)

1. The Immediate Past President will assist the Committee with those items and agenda that were commenced but not completed during his/her term.
2. The Immediate Past President will provide advice and assistance to the incoming President as is required.
3. The Immediate Past President shall have speaking rights only at Committee meetings.
4. The term of office of the Immediate Past President shall be 12 (twelve) months or such lesser or greater period as is deemed necessary by the Committee.

ROLE OF PENSION REPRESENTATIVES (Amended 2008)

1. The role of a Pension Representative is to assist veterans (principally ex Viet Nam Veterans, but not exclusively so) and their family members who approach them to get assistance and advice on War Pension claims. Specifically this includes:
 - (a) Advice and assistance with applications for War Disablement or Veterans Pensions, or other association entitlements such as Surviving Spouse Pensions.
 - (b) Provision of the necessary information brochures and application forms, and assistance with the completion of documentation.
 - (c) Advice and assistance with obtaining service and medical records, and the provision of medical documentation to support an application.
 - (d) Provision of advice and support for applications for reviews by the National Review Officer of any pension applications not approved to the satisfaction of the applicant by a War Pensions Claims Panel.
 - (e) Assistance with applications for Reviews of existing War Pensions for either additional disabilities or the worsening of ones already recognized for a War Pension.
 - (f) Liaison with Veterans Affairs Wellington (VANZ) (in particular the Case Managers), the Hamilton based War Pensions Services (WPS), and local RSA Welfare officers.
 - (g) Liaison with the local NZVVA Area Representative to ensure both parties are up to date with the contact details and situation of Viet Nam Veterans and their families in the locality.
 - (h) Liaison with the RNZRSA Welfare Officer in Wellington for assistance if an appeal against a pension ruling is being sought by a veteran being assisted.
2. Pension Representatives work the WPS and VANZ within the limits of existing legislation (War Pensions Act), regulations and procedures. It is their responsibility to maintain an up to date familiarity with these, with the assistance of the Pension Representatives Co-ordinator on the Executive Committee.
3. Pension Representatives are not authorized spokespersons of NZVVA so cannot represent the NZVVA in taking political positions relating to pensions. Any political submissions to change existing legislation/regulations/procedures are the responsibility of the NZVVA Executive. If a Pension Representative is faced with political issues arising from their contacts or experience, they should refer them to the NZVVA Executive and discuss any political submissions with them. Pension Representatives can of course expound any personal views they like, but cannot claim to represent an NZVVA position without specific authority from the Executive Committee.

**RULES FOR THE CONDUCT OF GENERAL MEETINGS OF THE
NEW ZEALAND VIETNAM VETERANS ASSOCIATION (Inc)**

1. Members will assemble at the time and place appointed. The President shall preside at all meetings, or in his absence, the Vice-President. In the absence of both of these Officers, the Meeting shall appoint a Member to be the Chairman.
2. The Secretary will take the necessary steps to see that Vietnam Veterans who are attending the Meeting, but who are not current Members of the Association, are advised that whilst they are welcome, they have neither speaking rights nor voting privileges.
3. Full minutes of all proceedings of the meeting shall be kept by the Secretary or his/her appointee.

Business of Meeting

4. The business shall be as notified and the order in which the items of business are taken, shall be as determined by the Chairman and promulgated prior to the Meeting.

Remits and Notices of Motion

5. a. Remits must be fairly written and signed by the Members, who must be financial, proposing and seconding such Remits. A Remit moved and seconded shall be withdrawn only by leave of the Meeting.
- b. Any Notice of Motion not seconded may not be further debated, but shall forthwith lapse, and no entry thereof shall be made in the Minutes.

Conduct of Debate

6. Every Member shall obey the orders and rulings of the Chairman. If any Member refuses to obey any such order or ruling, such Member may thereupon, by resolution of the Meeting, be held guilty of contempt, and such Member may be suspended at the discretion of the Meeting.

Time Limit of Speeches

7. The proposer of a motion or remit shall be allowed four minutes in which to address the Meeting, and his seconder, two minutes. All other Members shall have one minute. The proposer shall be entitled to a reply of two minutes.