

CONSTITUTION

OF



3 RAR (SA) ASSOCIATION INCORPORATION

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**CONSTITUTION
OF THE 3RD BATTALION (SOUTH AUSTRALIAN)
ASSOCIATION INCORPORATED**

CERTIFICATE OF RATIFICATION

The following Constitution of The 3rd Battalion (SA) Association Incorporated,
which was ratified by the general meeting of the Association at its Club Rooms,
13 Beatty Street Linden Park SA 5065 on

the 2010 and incorporated by Certificate Number
..... dated
supersedes all earlier dated Constitutions.

Certified on behalf of the Association Members

Robert Whelan
President

Public Officer

Date

Date

CONSTITUTION

OF THE 3rd BATTALION SA ASSOCIATION INCORPORATION

PART 1 GENERAL

Title and Organisation

1. The full title of the Association shall be "The 3rd Battalion (SA) Association Incorporated" and the abbreviated title shall be "The 3 RAR SA Assoc Inc, hereafter referred to as " The Association"
2. The Association is a not-for-profit organization and is an autonomous branch of The Royal Australian Regiment Association and shares similar objectives to those of the national body, but is under the umbrella of the RAR Association (SA) Inc.

The Registered Office of the '3 RAR SA Association Incorporated' is situated at 13 Beatty Street, Linden Park SA, 5065 or such other place in South Australia as the Executive Committee, may from time to time, Determine.

Local Rules

3. To assist in day to day operations and administration of the Association, local rules may be promulgated providing that those rules do not contravene this Constitution.

PART 2 OBJECTIVES OF THE ASSOCIATION

Objectives

4. The Association is established for the mutual benefits of its members. To this end the objectives are;
 - a. perpetuate the close bonds of comradeship and esprit de corps created by military service;
 - b. assist in the welfare of needy members;
 - c. protect the good name and the interests of The 3rd Battalion RAR
 - d. and preserve the memory of those members of the Regiment who died on active service;
 - e. encourage the involvement of members in community activities and reduce isolation;
 - f. plan, organise and conduct events related to the Regiment, and
 - g. develop an Association view on matters of interest

PART 3 MEMBERSHIP

Classes of Membership

5. The Association consists of four classes of Members:
 - a. ordinary members;
 - b. associate members;
 - c. honorary members;
 - d. life members

Ordinary Members

6. A person eligible to be an ordinary member is one who:
 - a. served with The 67th Australian Infantry Battalion is a serving, or ex-serving member of The 3rd Battalion Royal Australian Regiment.
 - b. is/was a member of a non-infantry Corps who has empathy with the Association's objectives.
 - c. is/was a member of a philanthropic organisation and has empathy with the Association's objectives.
 - d. is the wife/partner or relative of a member and has empathy with the Association's objectives.

Associate Members

7. A person who is not eligible for ordinary membership may, on application be admitted as an associate member if that person is nominated by an ordinary member and approved by the committee.

Honorary Member

8. The Committee, on the recommendation of an ordinary member or members, may bestow honorary membership on any person who has performed outstanding service to the Association. An honorary member.
 - a. may attend general meetings, but shall not be entitled to vote or be heard unless invited by the Chairperson.
 - b. shall be required to pay function levies as charged against other classes of members; and
 - c. shall be entitled to the privileges accorded to members.

Life Members

9. Life membership may be accorded an ordinary member (or other class of member if appropriate) who has rendered outstanding service to the Association. A recommendation for the award of a life membership shall be considered by the committee and put to a general meeting.
10. Life Members:
 - a. are entitled to the privileges accorded to ordinary members, but may be required to pay function levies as charged against other members
 - b. are encouraged to attend general meetings.

Resignation of membership

11. A member in any class of membership who wishes to resign from the Association shall give notice in writing to the secretary

Non Transferability of Membership

12. The privileges and obligations accorded to a member, in any class of membership shall not be transferred or transmitted to any other person.

Cessation of Membership

13. A person shall cease to be a member in any class of membership if the person
 - a. is deceased;
 - b. resigns membership; or
 - c. is suspended or expelled from the Association.

Reprimands, Suspensions and Expulsions

14. If, in the opinion of the committee, a member of the Association has been guilty of misconduct, or has acted in a manner contradictory to the objectives of the Association, the committee may:
 - a. counsel the member,
 - b. reprimand the member,
 - c. suspend the member for a period not exceeding 12 months, or
 - d. refer the matter to a general or special general meeting which by a majority vote, may expel the member from the Association.

PART 4 MANAGEMENT, THE COMMITTEE, SUB-COMMITTEE AND GENERAL MEETINGS

The Committee

15. The management of The Association shall be vested in a committee of executive members who are elected by an AGM supported by other members appointed by the committee and ex-officio members. The composition of the committee is illustrated in Table 1, below.

Table 1 Committee Appointments

| How Elected | Position | Remarks |
|--|---|--|
| Elected at AGM Each 2nd Year | President | Must be 3RAR SA ordinary member |
| Each 3rd Year | Vice-President | Must be 3RAR SA ordinary member |
| Each 3rd Year | Secretary | |
| Each 2nd Year | Treasurer | |
| Each 2nd Year | Public Officer | Must be 3RAR SA ordinary member |
| Appointed by Committee | Manager - Ceremonial | Must be ex service member |
| | Manager – Welfare and Advocacy | |
| | Social Member | |
| | Editor – In Touch | |
| | Membership Officer | |
| | Webmaster | |
| | Kapyong/Coral- Balmoral Day Committee or Representative | |
| | Other appointments if required | |
| Ex Officio | Battalion representatives, the Patrons, immediate Past Presidents and others | Determined by Committee |

Created with

Role of the Committee

16. The role of the committee is to:
- a. determine policies and ensure that the objectives of the Association are achieved;
 - b. direct, review and assist each sub-committee in achieving its objectives; and
 - c. ensure that all financial and legal obligations under the Act are complied with.

Sub-Committee – General

17. There shall be three sub-committees comprised of the three elected Managers who each have the authority of the committee to co-opt the services of the other members and resources needed to achieve the sub-committee's objectives as determined by the committee. The three operational sub-committees are:
- a. the Functions Sub-Committee; and
 - b. the Ceremonial Committee; and
 - c. the Welfare Committee and Advocacy Sub-committee.

The Functions Sub-Committee

18. The Functions Sub-Committee shall consist of the elected manager and:
- a. Functions Manager
 - b. a social member; and
 - c. other members as necessary.
19. The role of the Sub-Committee shall be determined by the committee and includes:
- a. the organising and conducting of social functions;
 - b. the security, management and hiring of the hall; and
 - c. other business as determined by the committee.

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The Ceremonial Sub-Committee

20. The Ceremonial Sub-Committee shall consist of the elected manager and co-opted members as required.
21. The role of the Ceremonial Sub-Committee shall be determined by the committee and includes:
 - a. assisting in the organisation and conduct of Kapyong, Coral and Balmoral Days, commemorations,
 - b. the organising and conducting of other ceremonial activities as determined by the committee; and
 - c. representation of the Association on the Anzac Day Committee.

The Welfare and Advocacy Sub-Committee

22. The Welfare and Advocacy Sub-Committee shall consist of the elected manager and co-opted members as required.
23. The role of the Welfare and Advocacy Sub-Committee shall be as determined by the committee and includes:
 - a. development and implementation of the Association's welfare and advocacy policy;
 - b. liaison with, and submissions to /the Royal Australian Regiment Association (SA) Incorporation, the RSL and other like-minded organisations; and agencies,
 - c. the oversight of the operation of the Association's office.

Duties of Office Bearers

24. The President.

The President shall be conversant with and maintain an oversight of the duties of all office bearers. He is to convene and preside over general meetings and effect liaison with the ex-officio members/associations. (Refer para 15, Table 1)

25. **The Vice President.**

The Vice President shall assist the President in the performance of his duties, understudy the President chair committee meetings when required and perform other duties as directed by the President or committee.

26. **The Other Office Bearers.**

The duties of the other office bearers are as determined by the committee.

Casual Committee Vacancies

27. A casual vacancy is created when an elected position becomes vacant other than at an AGM. Under these circumstances the committee may appoint a member to the position. The appointee shall then be confirmed, or otherwise, at the next AGM, or an SGM if appropriate.

Frequency of Committee and Sub-Committee Meetings

28. The committee shall normally convene not less frequently than monthly or as otherwise determined by the committee.
29. The sub-committees shall convene as required and the manager of each sub-committee shall attend and report at the monthly committee meetings.

General Meetings

30. The term "general meeting" may denote
- a. an annual general meeting (AGM) ; or
 - b. a special general meeting (SGM).
31. An AGM is the meeting at which the business of the previous 12 months is transacted, and includes the election of office bearers, after all positions have been declared vacant, and the presentation of the financial statement.

32. The committee is to schedule an AGM in of each year, (preferably not during the first week) with the following limitations;
- a. Notice of an AGM or SGM is to be advised to members at least 21 days before the meeting date.
 - b. Before a general meeting can proceed, a quorum shall be present. If a quorum is not present, the meeting should be adjourned to another date. The quorums required for meetings are shown at paragraph 35.
33. An SGM may be convened to transact limited special/urgent items of business which cannot wait until the next AGM.

PART 5 VOTING AT MEETINGS, QUORUMS AND APOLOGIES

Voting at Meetings

34. At any general meeting where a vote is required on a motion:
- a. the meeting shall have a quorum;
 - b. a member is entitled to vote only if that member is an ordinary member.
 - c. an ordinary member may deliver one vote only on each motion;
 - d. where the aye and nay votes are equal in number, the chairman shall exercise a casting vote;
 - e. the chairman shall not have a direct vote on any resolution; and
 - f. proxy votes on special resolutions, such as changes to the Constitution' or 'winding up', may be appropriate if determined by the committee.

Quorums

35. The required quorums before any business can be transacted, or resolutions put, shall be as follows:
- a. **Committee Meetings.**

A minimum of seven of the aggregate of its elected, appointed and ex-officio members is required to be present, presided over by the chairman or his delegate.
 - b. **General or Special General Meetings.**

A minimum of fifteen ordinary members is required, except as stated in paragraphs 53 and 54, presided over by the president or his delegate. This figure may include proxy votes if approved.

Apologies

36. Where an ordinary member is unable to attend a general meeting of which the member has been advised, the member should offer an apology (in writing if practicable) to the secretary as far in advance of the meeting as possible.

PART 6 – FINANCIAL MATTERS

Sources of Income

37. The Association's income is derived from the following sources; i.e.:
- a. donations and grants; and
 - b. fundraising activities.

Function Levies

38. A levy shall normally be charged to cover the cost of individual social functions. The levy shall be determined by the committee and shall be charged against all classes of members, and members' private guests.
39. Official guests should not normally be charged a function levy which will be borne by the Association.

PART 7 - MISCELLANEOUS

Patron

40. The Association may invite persons deemed appropriate to become a Patron of the Association.

Guests and Visitors

41. Official Guests

An official guest is one who is invited by the Association to an activity or to the Association's club rooms. The Association shall provide a host and, if practicable and necessary, provide transport and arrange accommodation. The Association shall normally pay the costs of the guests food and refreshments.

42. Private Guests

A private guest is one who is invited to an activity by a member (in any class of membership). The inviting member is the guest's host, and as such, responsible for ensuring that the guest:

- a. is greeted on arrival and requested to sign the visitor's book;
- b. is introduced to the President or his representative and the other members;
- c. does not cause embarrassment; and
- d. leaves the activity with the host member.

43. Visitors

A visitor is one who arrives at the club with or without warning. The visitor should be accorded the normal hospitality recognised in the Club. In the event that the visitor causes embarrassment, any disciplinary or remedial action is the responsibility of:

- a. the member whom the visitor came to see; or
- b. the senior committee member present if the visitor represents an organisation.

Responsibility for Hospitality

44. Notwithstanding the primary responsibility of hosts, every member present should make guests and visitors feel welcome and comfortable in the club environment.

Communications with the Media and Deputations

45. A member in any class of membership, purporting to act on behalf of the Association, shall not supply any information to the media or other organisation nor take part in any deputation to any Minister of State or any government or parliamentary official on any matter relating to the Association unless authorised by the committee.

The Seal

46. An incorporated association is to have a common seal, which shall include its corporate name in legible characters.
47. The affixing of the seal for contracts and other association documentation which may bear the seal are dealt with in sections 26(1) (a) and 63(5) of the Associations Incorporation Act 1985 (the Act).
48. The seal:
- a. is not to be used without the authorisation of the committee;
 - b. is to be affixed under witness of two senior committee members; and;
 - c. is to have each of the uses recorded in the minute book and seal register.

Public Officer

49. In accordance with Section 56 of the Act the Association shall appoint a public officer.

Changes to the Constitution

50. Changes to the Constitution may only be effected by a special resolution Passed at a duly convened meeting where:
- a. at least 21 days' notice in writing to the members, specifying the intention to propose the change(s); and
 - b. the resolution is passed by not less than three quarters of the ordinary members present at the meeting, and may include proxy votes if approved (refer also to para 35 for quorum numbers).

Winding-up of the Association

51. In the event of the Association requiring to-wind up its affairs, any assets and monies remaining after liabilities have been satisfied are to be disposed of as decided by a majority vote of not less than three quarters of the ordinary members, by a special resolution at a duly constituted general meeting.

Distribution of the Constitution

52. This constitution will normally be available for downloading from the internet. Where this is impracticable a printed copy may be issued or loaned on request.
53. In accordance with the Act; the 3 RAR SA Association, as an incorporated Association:
- a. may request assistance/ protection from the Officer of Consumer and Business Affairs South Australia (the officer); and
 - b. is required to submit to the Office any changes, such as amendments to the Constitution or change of public officers, within one month of a resolution/decision.