



AUSTRALIAN BRAVERY ASSOCIATION INCORPORATED
Associations Incorporation Regulations ACT

This consolidation has been prepared by the National Executive Committee
of the Australian Bravery Association Incorporated.

Updated 6th December, 2008.

RULES

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PART I - PRELIMINARY DEFINITIONS

Interpretations

- (1) In these rules unless a contrary intention appears—

Financial year

Means: the same as calendar year, ending on 31st December.

Member

Means: a member of the Association with the rights and restrictions as described in each category as listed later in this document.

Secretary

Means: the person holding office under these rules as national secretary of the association or, if no such person holds that office, the public officer of the association.

The Act

Means: the Associations Incorporation Act 1991.

The regulation

Means: the Associations Incorporation Regulations

Application of Legislation Act 2001

The Legislation Act 2001 applies to these rules in the same way as it would if they were an instrument made under the Act.

- (2) In these rules—

- (a) a reference to a function includes a reference to a power, authority and duty; and
- (b) a reference to the exercise of a function includes, where the function is a power, authority or duty, a reference to the exercise of the power or authority or the performance of the duty.

- (3) The provisions of the *Interpretation Act 1967* apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

Name:

The name of the incorporated association is the Australian Bravery Association (hereafter called “the Association”.) and may be referred to in this document as “the association” or “ABA”

Aim:

The aim of the association is to maximise the support available to those members in our community who conduct themselves bravely to save life, property or the environment and thereby experience physical, emotional or other personal hardship.

Objectives:

The objectives of the Association are:

- (a) To uphold the high principles and prestige of the Australian Bravery/Gallantry and the former imperial Bravery/Gallantry Decorations system;
- (b) To afford focus and means for members of the Association to conduct commemorative or other functions from time to time;
- (c) To encourage continuous meritorious appointments to the Bravery/Gallantry Decorations system;
- (d) To promote good citizenship by example and service; and
- (e) To do such lawful things as would further these objectives. Solely for the purpose of furthering the aims and objectives set out above the association shall have the power to:
 - (i) Subscribe to, become a member of and co-operate with any other Association, club or organisation, whether incorporated or not, whose objects are altogether or in part similar to those of the Association provided that the Association shall not subscribe to or support with funds any club, Association or organisation which does not inhibit the distribution of its income and property among its members to an extent at least as great as imposed on the Association under or by virtue of the Rules.
 - (ii) Enter into any arrangements with any Government or authority that are incidental or conducive to the attainment of the objects and the exercise of the power of the Association; to obtain from any such Government or authority any rights, privileges, and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.

PART II - MEMBERSHIP

1/.Membership categories

Ordinary member

An 'Ordinary member' is a member of the Association who:-

- Has been admitted as a result of his or her brave act.
- Is a next of kin to a posthumous awardee or deceased awardee.

Guidance notes for eligibility

It is intended that the national executive in determining appropriateness of bravery awards consider the following:-

- Bravery acts considered for recognition are aligned with and similar to the acts accepted as valid under the national honours and awards system. This includes military, emergency services and civilian awards including foreign awards where the acts recognised are similar in style to the national awards.
- The organisation is recognised by the Association's national executive as having the capacity to adequately investigate and assess the validity of the bravery nomination made.

Rights of Ordinary members

Ordinary members have full voting rights and are eligible for election to any position within the Association.

Associate member

An Associate member is a member of the Association who has been admitted as a result of his or her:-

- Direct next of kin or close relationship to an Ordinary Member.

Rights of Associate members

Associate members can:-

- Vote.
- Hold positions of Secretary, Membership Secretary, Treasurer and any support positions.

Associate members cannot:-

- Hold the position of National or Deputy National President,
- Hold the position of National Vice President (in any State),
- Hold the position of Public Officer,
- Vote on changes to the constitution,
- Constitute a majority on the National Executive (caters for increased support positions).

Friend of the Australian Bravery Association (Member)

A Friend of the ABA is a member of the Association who has been admitted as a result of his or her:

- Special qualifications, interest or capacity to support the aims and objectives of the Association and accepted by the National Executive.

Rights of a Friend of the Australian Bravery Association

- Cannot vote.
- Otherwise a Friend of the ABA has the same rights as an Associate Member as determined from time to time.

Life member

A life member is a member of the Association who has been elected 'life member' by a two thirds majority of the general membership of the Association at an Annual General Meeting.

The maximum number of Life Memberships that can be current at any one time shall not exceed five percent of the total membership base.

A life member has the same voting rights as the category of membership that he or she held prior to being awarded life membership.

Guidance notes for the award of Life Membership

Life membership of the Australian Bravery Association is to be awarded for long and distinguished service to the Association and to the attainment of its goals and objectives.

Honorary member

An honorary member is a member of the Association who has been elected 'honorary member' by a two thirds majority of the general membership of the Association at an Annual General Meeting.

The maximum number of Honorary Memberships that can be current at any one time shall not exceed five percent of the total membership base.

An honorary member has the same voting rights as an associate member of the Association.

Guidance notes for the award of Honorary Membership

Honorary membership of the Australian Bravery Association is to be awarded for long and distinguished service to the Association and / or to the enhancement or attainment of its goals and objectives.

Guardian of the Brave

'Guardian of the Brave' is a nominal title (not a membership category) to be bestowed without fee to an individual, group or body who by their acts or efforts provide substantial support to the aims and objectives of the Australian Bravery Association. An example of an act warranting the making of this award is a substantial financial donation by a corporation, group or individual or the creation of a substantial partnership.

No membership fees or voting rights are applicable.

Supporter of the Brave

‘Supporter of the Brave’ is a nominal title (not a membership category) to be bestowed without fee to an individual, group or body who by their acts or efforts provide support to the aims and objectives of the Australian Bravery Association but not to the same level as ‘Guardian of the Brave’.

No membership fees or voting rights are applicable.

Guidance note re ‘Guardian of the Brave’ and ‘Supporter of the Brave’

‘Guardian of the Brave’ and ‘Supporter of the Brave’ are titles of recognition and appreciation and are not membership categories. They are to be accompanied by presentation of a Certificate.

2/. Membership qualifications

A person is qualified to be a member of the association if:-

- (a) The person is a person mentioned in the Act, section 21 (2) (a) or (b) and has not ceased to be a member of a State association at any time after incorporation of the association under the Act; or
- (b) The person—
 - (i) Has submitted an application for membership complete with supporting documentary evidence of an approved bravery award (as determined by the national executive from time to time) if applicable and includes the first years membership fee in accordance with section 3 (1); and
 - (ii) Has been approved for membership of the association by the national executive of the association.

3/. Nomination for membership

- (1) A nomination of a person for membership of the association—
 - (a) Must be made in writing in the form set out in appendix 1; and
 - (b) Must be lodged with the membership secretary of the national executive.
- (2) As soon as is practicable after receiving a nomination for membership, the membership secretary must refer the nomination to the national executive which must decide whether to approve or to reject the nomination.
- (3) If the national executive decides to approve a nomination for membership, the membership secretary must as soon as practicable after that decision notify the nominee of that approval or rejection. If approved the application will be processed, the monies received banked, receipt issued and if the application is rejected – monies returned.
- (4) The membership secretary must forthwith enter the nominee’s name in the register of members and, on the name being so entered, the nominee becomes a member of the association.

4/. Membership entitlements not transferable

A right, privilege or obligation that a person has because of being a member of the association—

- (a) Cannot be transferred or transmitted to another person; and
- (b) Terminates on cessation of the person's membership.

5/. Cessation of membership

A person ceases to be a member of the association if the person—

- (a) Dies or, for a corporation, is wound up; or
- (b) Resigns from membership of the association; or
- (c) Is expelled from the association; or
- (d) Fails to renew required membership of the association for three consecutive years.

6/. Resignation of membership

- (1) A member is not entitled to resign from membership of the association except in accordance with this section.
- (2) A member who has paid all amounts payable by the member to the association may resign from membership of the association by first giving notice (of not less than 1 month or, if the national executive has determined a shorter period, that shorter period) in writing to the secretary of the member's intention to resign and, at the end of the period of notice, the member ceases to be a member.
- (3) If a person ceases to be a member, the membership secretary must make an appropriate entry in the register of members recording the date the member ceased to be a member.

7/. Fee, subscriptions etc

- (1) The entrance fee to the association is \$1 or, if any other amount has been determined by resolution of the national executive, the other amount.
- (2) The annual membership fee of the association is \$2 or, if any other amount has been determined by resolution of the national executive, that other amount.
- (3) The annual membership fee is payable—
 - (a) Except as provided by paragraph (b)—before 1 January in each calendar year; or
 - (b) If a person becomes a member on or after 1 January in any calendar year—before 1 January in each succeeding calendar year.

8/. Members' liabilities

The liability of a member to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount (if any) unpaid by the member in relation to membership of the association as required by section 7.

9/. Disciplining of members

(1) If the national executive is of the opinion that a member—

- (a) Has persistently refused or neglected to comply with a provision of these rules; or
- (b) Has persistently and wilfully acted in a manner prejudicial to the interests of the association;

The national executive may, by resolution—

- (a) Expel the member from the association; or
 - (b) Suspend the member from the rights and privileges of membership of the association that the national executive may decide for a specified period.
- (2) A resolution of the national executive under subsection (1) is of no effect unless the national executive, at a communication held not earlier than 14 days and not later than 28 days after service on the member of a notice under subsection (3), confirms the resolution in accordance with this section.
- (3) If the national executive passes a resolution under subsection (1), the secretary must, as soon as practicable, serve a written notice on the member—
- (a) Setting out the resolution of the national executive and the grounds on which it is based; and
 - (b) stating that the member may address the national executive at a communication to be held not earlier than 14 days and not later than 28 days after service of the notice; and
 - (c) Stating the date, place, manner and time of that communication; and
 - (d) Informing the member that the member may do either or both of the following:
 - (i) Participate in the communication;
 - (ii) Submit to the national executive at or before the date of that communication written representations relating to the resolution.
- (4) Subject to the Act, section 50, at a communication of the national executive mentioned in subsection (2), the national executive must—
- (a) Give to the member mentioned in subsection (1) an opportunity to make oral representations; and

- (b) Give due consideration to any written representations submitted to the national executive by that member at or before the communication; and
 - (c) By resolution decide whether to confirm or to revoke the resolution of the national executive made under subsection (1).
- (5) If the national executive confirms a resolution under subsection (4), the secretary must, within 7 days after that confirmation, by written notice inform the member of that confirmation and of the member's right of appeal under section 10.
- (6) A resolution confirmed by the national executive under subsection (4) does not take effect—
 - (a) Until the end of the period within which the member is entitled to appeal against the resolution if the member does not exercise the right of appeal within that period; or
 - (b) If within that period the member exercises the right of Appeal—unless and until the association confirms the resolution in accordance with section 10

10/. Right of appeal of disciplined member

- (1) A member may appeal to the association in general communication against a resolution of the national executive that is confirmed under section 9 (4), within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) On receipt of a notice under subsection (1), the secretary must notify the national executive which must convene a communication of the association to be held within 21 days after the date when the secretary received the notice or as soon as possible after that date.
- (3) Subject to the Act, section 50, at a communication of the association called under subsection (2)—
 - (a) No business other than the question of the appeal may be transacted; and
 - (b) The national executive and the member must be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
 - (c) The members present must vote by secret ballot on the question of whether the resolution made under section 9 (4) should be confirmed or revoked.
- (4) If the communication passes a special resolution in favour of the confirmation of the resolution made under section 9 (4), that resolution is confirmed.

PART III - NATIONAL EXECUTIVE

11/. Powers of the national executive

The national executive national executive, subject to the Act, the regulation, these rules, and to any resolution passed by the association in communication-

- (a) Controls and manages the affairs of the association; and
- (b) May exercise all functions that may be exercised by the association other than those functions that are required by these rules to be exercised by the association in general communication; and
- (c) Has power to perform all acts and do all things that appear to the national executive to be necessary or desirable for the proper management of the affairs of the association.

12/. Constitution and membership

- (1) The national executive consists of—
 - (a) The office-bearers of the association.
Each of whom must be elected under section 13 or appointed in accordance with sub-section (4).
- (2) Office-bearers of the Association shall at all times be drawn from the ordinary membership of the association and shall consist of the following members:
 - (a) The national President
 - (b) Up to six national Vice Presidents
 - (c) The national Treasurer
 - (d) The national Secretary
 - (e) The national Membership Secretary
 - (g) Public Officer; and
 - (h) Ex- officio The Honorary Surgeon, Honorary Chaplain and National Information and Technology Officer.
- (3) Each member of the national executive holds office, subject to these rules, until the conclusion of the annual general communication following the date of the member's election, but is eligible for re-election.
- (4) If there is a vacancy in the membership of the national executive, that position will be filled where possible from the State or Territory to whom the representative belonged. The temporary appointment will endure at the discretion of the national executive but no later than the next association AGM where the appointment will to be determined by normal election process.

13/. Election of national executive members

- (1) Nominations of candidates for election as office-bearers of the association or as ordinary national executive members—
 - (a) Must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the nomination form); and
 - (b) Must be given to the secretary of the association on or before the date and time of the fixed for the annual general communication at which the election is to take place.
- (2) If insufficient nominations are received to fill all vacancies on the national executive, candidate nomination may be taken from the floor at the AGM.
- (3) If insufficient further nominations are received, any vacant positions remaining on the national executive are taken to be vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the people nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot must be held.
- (6) The ballot for the election of office-bearers and ordinary national executive members must be conducted at the annual general communication in the way the national executive may direct.
- (7) A person is eligible to simultaneously hold more than 1 position on the national executive.

14/. National Secretary

- (1) The national secretary of the association must, as soon as practicable after being appointed as secretary, notify the association of his or her address.
- (2) The secretary must keep minutes of—
 - (a) All elections and appointments of office-bearers and ordinary national executive members; and
 - (b) The names of members of the national executive present at a national executive communication or a general communication; and
 - (c) All proceedings at national executive communications and general communications.
- (3) Minutes of proceedings at a communication must be signed by the person presiding at the communication or by the person presiding at the next succeeding communication.

15/. National Treasurer

- (1) The national treasurer of the association must—
 - (a) Collect and receive all amounts owing to the association and make all payments authorised by the association; and
 - (b) Keep correct accounts and books showing the financial affairs of the association with full details of all receipts and expenditure connected with the activities of the Association.

16/. Vacancies

- (1) For these rules, a vacancy in the office of a member of the national executive happens if the member—
 - (a) Dies; or
 - (b) Ceases to be a member of the association; or
 - (c) Resigns the office; or
 - (d) Is removed from office under section 17 (Removal of national executive members); or
 - (e) Becomes an insolvent under administration within the meaning of the Corporations Act; or
 - (f) Suffers from mental or physical incapacity; or
 - (g) Is disqualified from office under the Act, section 63 (1); or
 - (h) Is absent without the consent of the national executive from all communications of the national executive held during a period of 6 months.

Should a position on the national executive become vacant, that position will be filled when possible by a member from the same State or Territory to whom the representative belonged. The temporary appointment will endure at the discretion of the State body but no later than the next Association AGM where the appointment will to be determined by normal election process.

17/. Removal of national executive members

The association in general communication may by resolution, subject to the Act, section 50, remove any member of the national executive from the office of member of the national executive before the end of the member's term of office.

18/. National executive communications and quorum

- (1) The national executive must communicate at least once in each calendar year either: at the place and time; or electronically at the discretion of the national executive.
- (2) Additional communications of the national executive may be called by any member of the national executive.

- (3) Oral or written notice of a communication of the national executive must be given by the secretary to each member of the national executive at least 48 hours (or any other period that may be unanimously agreed on by the members of the national executive) before the time appointed for the holding of the communication.
- (4) Notice of a communication given under subsection (3) must specify the general nature of the business to be transacted at the communication and no business other than that business may be transacted at the communication, except business that the national executive members present at the communication unanimously agree to treat as urgent business.
- (5) Any 3 members of the national executive constitute a quorum for the transaction of the business of a communication of the national executive.
- (6) No business may be transacted by the national executive unless a quorum is present and, if within half an hour after the time appointed for the communication, or telephone conference, a quorum is not present, the communication stands adjourned to the same place and at the same hour of the same day in the following week in the same manner.
- (7) If at the adjourned communication a quorum is not present within half an hour after the time appointed for the communication, the communication is dissolved.
- (8) At communications of the national executive—
 - (a) The national president or, in the absence of the president, the deputy national president shall preside; or
 - (b) If the national president and the national deputy president are absent one of the vice presidents of the national executive may be chosen by the members present to preside.

19/. Delegation by the national executive to sub-committee

- (1) The national executive may, in writing, delegate to one or more sub-committees (consisting of the member or members of the association that the national executive considers appropriate) the exercise of the functions of the national executive that are specified in the instrument, other than—
 - (a) This power of delegation; and
 - (b) A function that is a function imposed on the national executive by the Act, by any other Territory law, or by resolution of the association in general communication.
- (2) A function, the exercise of which has been delegated to a sub-committee under this section may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to any conditions or limitations about the exercise of any function, or about time or circumstances, which may be specified in the instrument of delegation.

- (4) Despite any delegation under this section, the national executive may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this section has the same force and effect as it would have if it had been done or suffered by the national executive.
- (6) The national executive may, in writing, revoke wholly or in part any delegation under this section.
- (7) A sub-committee may meet and adjourn as it considers appropriate.

20/. **(Repealed – see Section 28)**

PART IV - COMMUNICATIONS

21/. Annual General Communications—holding of

- (1) With the exception of the first annual general communication of the association, the association must, at least once in each calendar year and within 5 months after the end of each calendar year of the association, call an annual general communication of its members.
- (2) The association must hold its first annual general communication—
 - (a) Within 18 months after its incorporation under the Act; and
 - (b) Within 5 months after the end of the first financial year of the association.
- (3) Subsections (1) and (2) have effect subject to the powers of the registrar-general under the Act, section 120 in relation to extensions of time.

22/. Annual general communications—calling of and business at

- (1) The annual general communication of the association must, subject to the Act, be called on the date and at the place and time that the national executive considers appropriate.
- (2) In addition to any other business that may be transacted at an annual general communication, the business of an annual general communication is—
 - (a) To confirm the minutes of the last annual general communication and of any general communication held since that communication; and
 - (b) To receive from the national executive reports on the activities of the association during the last financial year; and
 - (c) To elect members of the national executive national executive, including office-bearers; and

- (d) To receive and consider the statement of accounts and the reports that are required to be submitted to members under the Act, section 73 (1).
- (3) An annual general communication must be specified as such in the notice calling it in accordance with section 24 (Notice).
- (4) An annual general communication must be conducted in accordance with the provisions of this part.

23/. General Communications—calling of

- (1) The national executive may, whenever it considers appropriate, call a general communication of the association.
- (2) The national executive must, on the requisition in writing of not less than 15% of the total number of members, call a general communication of the association.
- (3) A requisition of members for a general communication—
 - (a) Must state the purpose or purposes of the communication; and
 - (b) Must be signed by the members making the requisition; and
 - (c) Must be lodged with the national secretary; and
 - (d) May consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the national executive fails to convene a communication within 1 month after the date when a requisition of members for the communication is lodged with the national secretary, any 1 or more of the members who made the requisition may call a communication to be held not later than 3 months after that date.
- (5) A communication called by a member or members mentioned in subsection (4) must be convened as nearly as is practicable in the same way as general communications are convened by the national executive and any member who thereby incurs expense is entitled to be reimbursed by the association for any reasonable expense so incurred.

24/. Notice

- (1) Except if the nature of the business proposed to be dealt with at a communication requires a special resolution of the association, the national secretary must, at least 14 days before the date fixed for the holding of the communication, send by prepaid post or by electronic medium to each member at the member's address appearing in the register of members, a notice specifying the place, manner, date and time of the communication and the nature of the business proposed to be transacted at the communication.

- (2) If the nature of the business proposed to be dealt with at a communication requires a special resolution of the association, the national secretary must, at least 21 days before the date fixed for the holding of the communication, send notice to each member in the way provided in subsection (1) specifying, in addition to the matter required under that subsection, the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice calling a communication may be transacted at the communication except, for an annual general communication, business that may be transacted under section 22 (2).
- (4) A member desiring to bring any business before a communication may give written notice of that business to the national secretary who must include that business in the next notice calling a communication given after receipt of the notice from the member.

25/. General Communications—procedure and quorum

- (1) No item of business may be transacted at a communication of the national executive unless a quorum of members entitled under these rules to vote is present during the time the communication is considering that item.
- (2) Five members present in person or connected electronically on the one 'conference call' (who are entitled under these rules to vote at a national executive communication) constitute a quorum for the transaction of the business of a communication of the national executive.
- (3) If within 30 minutes after the appointed time for the start of a communication a quorum is not present or connected electronically, the communication if called on the requisition of members is dissolved and in any other case stands adjourned to the same day in the following week at the same time and (unless another place is specified at the time of adjournment by the person presiding at the communication or communicated by written notice to members given before the day to which the communication is adjourned) at the same place or by the same electronic means.
- (4) If at the adjourned communication a quorum is not present within 30 minutes after the time appointed for the start of the communication, the members present or in contact electronically (being not less than 3) constitute a quorum.

26/. Presiding member

- (1) The national president, or in the absence of the president, the deputy national president, presides at each communication of the national executive of the association.
- (2) If the national president and the deputy national president are absent from a communication, the members present must elect one of the national vice presidents to preside at the national executive communication.

27/. Adjournment

- (1) The person presiding at a national executive communication at which a quorum is present may, with the consent of the majority of members present at the communication, adjourn the communication from time to time and place to place, but no business may be transacted at an adjourned communication other than the business left unfinished at the communication at which the adjournment took place.
- (2) If a communication of the national executive is adjourned for 14 days or more, the national secretary must give written or oral notice of the adjourned communication to each member of the association stating the place or means, date and time of the communication and the nature of the business to be transacted at the communication.
- (3) Except as provided in subsections (1) and (2), notice of an adjournment of a national executive communication or of the business to be transacted at an adjourned communication is not required to be given.

28/. Making of decisions – National Executive, sub-committees and general membership communications.

- (1) A question arising at any communication of the membership of the association is to be decided on a show of hands or by a declaration of name and decision by each individual present over the conference call. The name and vote cast is to be repeated by the presiding member so that all can hear the decision made by each member. At the end of the process a declaration of the poll is to be made by the person presiding that a resolution has, been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (2) At any communication of members of the association, a poll may be demanded by the person presiding or by not less than 3 members present in person, or present during a conference call or by proxy at the communication.
- (3) If the poll is demanded at a communication, the poll must be taken—
 - (a) Immediately if the poll relates to the election of the person to preside at the communication or to the question of an adjournment; or
 - (b) In any other case—in the way and at the time before the close of the communication that the person presiding directs, and the resolution of the poll on the matter is taken to be the resolution of the communication on that matter.

29/. Voting – National Executive, sub committees and general membership communications.

- (1) Subject to subsection (3), on any question arising at any communication of members of the association an Ordinary Member or Honorary Member has one vote only (Associate Members have no voting capacity).

- (2) All votes must be given personally or by telephone conference call or by proxy but no member may hold more than 5 proxies.
- (3) If the votes on a question at any communication of the membership are equal, the person presiding is entitled to exercise a second or casting vote.
- (4) A member or proxy is not entitled to vote at any communication of the association unless all money due and payable by the member or proxy to the association has been paid, other than the amount of the annual subscription payable for the then current year.
- (5) Any member of the Association present at any communication of the Association and entitled to vote may request that a particular resolution be resolved by a secret ballot. The person presiding at the communication shall direct accordingly.
- (6) The person presiding over a secret ballot shall appoint two scrutineers who shall conduct the secret ballot. The scrutineers shall ensure that ballot material is destroyed following the ballot.
- (7) Subject to section 18 (5), the national executive may act despite any vacancy on the national executive.
- (8) Any act or thing done or suffered, or purporting to have been done or suffered, by the national executive or by a sub-committee appointed by the national executive, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the national executive or sub-committee.

30/. Appointment of proxies

- (1) Each member is entitled to appoint another member as proxy by notice given to the national secretary no later than 24 hours before the time of the communication in respect of which the proxy is appointed.
- (2) The notice appointing the proxy must be in the form set out in appendix 2.

PART V - MISCELLANEOUS

31/. Funds—source

- (1) The funds of the association must be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general communication and subject to the Act, section 114, any other sources that the national executive decides.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.
- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

32/. Funds—management

- (1) Subject to any resolution passed by the association in communication, the funds of the association must be used for the objects of the association in the way that the national executive decides.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the national executive or employees of the association, being members of the national executive or employees authorised to do so by the national executive.

33/. Alteration of objects and rules

Neither the objects of the association mentioned in the Act, section 29 nor these rules may be altered except in accordance with the Act.

34/. Common seal

- (1) The common seal of the association must be kept in the custody of the national secretary.
- (2) The common seal must not be attached to any instrument except by the authority of the national executive and the attaching of the common seal must be attested by the signatures either of 2 members of the national executive or of 1 member of the national executive and of the national secretary.

35/. Custody of books

Subject to the Act, the regulation and these rules, the national secretary must keep in his or her custody or under his or her control all records, books, and other documents relating to the association.

36/. Inspection of books

The records, books and other documents of the association must be open to inspection at a place in the ACT, free of charge, by a member of the association at any reasonable hour.

37/. Service of notice

- (1) For these rules, any notice that is required to be given to a member, by on behalf of the Association, under these Rules may be given by-
 - (a) Delivering the notice to the member personally; or
 - (b) Sending it by prepaid post addressed to the member at that member's address shown in the register of members; or
 - (c) Facsimile transmission, if the member has requested that the notice be given to him or her in this manner; or
 - (d) Electronic transmission.

38/. Surplus property

- (1) At the first communication of the association, the association must pass a special resolution nominating—
 - (a) Another association for the Act, section 92 (1) (a); or
 - (b) A fund, authority or institution for the Act, section 92 (1) (b);
In which it is to vest its surplus property in the event of the dissolution or winding up of the association.
- (2) An association nominated under subsection (1) (a) must fulfill the requirements specified in the Act, section 92 (2).

39/. Affiliation

The association may affiliate with other kindred associations.

40/. Integrity Checks

Background

- (1) The Australian Bravery Association holds a pivotal role in looking into the welfare of those in our society who by their brave acts suffer physical, emotional or financial hardships. Some of these persons are in a vulnerable position.
- (2) The Association seeks to maximise the support of governments, agencies and a range of institutions to meet its aims and objectives.
- (3) The Association seeks to establish a Foundation and a substantial fund for the purposes of meeting its aims and objectives.
- (4) In order to protect the Association, its members and those it supports it is of the utmost importance that the credibility of the Association be protected.

To achieve these aims the National Executive may require police criminal checks and may make other reasonable inquiries in determining the suitability or otherwise of any applicant for membership.

41/. Internal Disputes

- (1) In the event of an internal dispute within the membership of the ABA that cannot be resolved by the National Executive or the National President the following processes are to be applied:-
 - (a) The appointment of an independent person to arbitrate in the dispute;
 - (b) A process to bring the parties together to resolve the dispute at an early stage;
 - (c) A process to ensure that all parties receive a full and fair opportunity of presenting their case;

- (d) Where the dispute cannot be resolved internally by arbitration or mediation, to refer the matter to a Community Justice Centre which functions as "a centre for dispute settlement" – or similar body in the relevant State or Territory if applicable.
- (2) The National President is responsible for ensuring compliance with this Section and also for ensuring accurate records of the issue at hand, explanations given and actions taken.
- (3) If the National President is involved as a party to the dispute, other than as a conciliator, then a non involved National Vice President will be elected by non involved National Executive members. Such elected member will be responsible as per sub section (2) above.
- (4) The internal dispute resolution process is not to be used to subvert the rights, responsibilities and decision making capacity of the general membership acting by majority vote at an annual general communication.
- (5) The internal dispute resolution process is not to be used to subvert the rights, responsibilities and decision making capacity of the National Executive of the Association acting by majority vote at a communication.

42/. Complaints


- (1) In the event of a complaint by a member of the public or an employee of the ABA that cannot be resolved by the National Executive or the National President the following processes are to be applied:-
 - (a) The appointment of an independent person to arbitrate in the dispute;
 - (b) A process to bring the parties together to resolve the dispute at an early stage;
 - (c) A process to ensure that all parties receive a full and fair opportunity of presenting their case;
 - (d) Where the dispute cannot be resolved internally by arbitration or mediation, to refer the matter to a Community Justice Centre which functions as "a centre for dispute settlement" – or similar body in the relevant State or Territory if applicable.
- (2) The National President is responsible for ensuring compliance and also for ensuring accurate records of the issue at hand, explanations given and actions taken.
- (3) If the National President is involved as a party to the dispute, other than as a conciliator, then a non involved National Vice President will be elected by non involved National Executive members. Such elected member will be responsible as per sub section(2) above.
- (4) The complaint resolution process is not to be used to subvert the rights, responsibilities and decision making capacity of the general membership acting by majority vote at an annual general communication.

- (5) The complaint resolution process is not to be used to subvert the rights, responsibilities and decision making capacity of the National Executive of the Association acting by majority vote at a communication.

APPENDIX (1)

(See Section 2) - Application for membership of association.

As printed and amended from time to time

 ABN 69 283 023 920		AUSTRALIAN BRAVERY ASSOCIATION MEMBERSHIP APPLICATION	
(OFFICE USE ONLY) MEMBERSHIP N#:		(OFFICE USE ONLY) RECEIVED:	
FAMILY NAME:		POSTNOMINALS: (If applicable)	
GIVEN NAMES:		PREFERRED	
NAME:		TITLE:	
ADDRESS:			
SUBURB:		STATE:	
POSTCODE:			
HOME PHONE:		WORK:	
MOBILE:			
E-MAIL ADDRESS:			
OCCUPATION/EMPLOYER			
DOB:/...../.....		AWARD RECEIVED:	
DATE OF ACT OF BRAVERY:/...../.....		DATE OF INVESTITURE:/...../.....	
CITATION: (Please attach a copy)			
MEMBERSHIP FEES ARE DUE ANNUALLY BY CALENDAR YEAR.			
MEMBERSHIP TYPES:			
<input type="checkbox"/> ORDINARY MEMBERSHIP \$25.00.		<input type="checkbox"/> ASSOCIATE MEMBERSHIP \$15.00.	
<input type="checkbox"/> HONORARY LEVEL 1 (Gratis)		<input type="checkbox"/> LIFE SUBSCRIPTION: (\$250.00 LIMIT 100)	
<p>I do hereby apply to become a member of the AUSTRALIAN BRAVERY ASSOCIATION Inc. In the event of my admission as a member, I agree to be bound by the rules of the Association for the time being in force.</p> <p>The Information I have supplied is available, on a strictly confidential basis, to authorised persons in the Australian Bravery Association Inc. (the Association) for the purposes of the Association ONLY.</p> <p>I enclose the sum of \$.....being my membership subscription.</p>			

☐ **CHEQUE** ☐ **MONEY ORDER** ☐ **CASH (Do not post cash)**

SIGNATURE OF APPLICANT:..... DATE
...../...../.....

**I,..... BEING A FINANCIAL MEMBER OF
THE ASSOCIATION here by nominate the applicant for membership of the
Association.**

SIGNATURE OF PROPOSER:..... DATE
...../...../.....

(PLEASE PRINT NAME AND SIGN)