



VIETNAM VETERANS ASSOCIATION OF AUSTRALIA SOUTH AUSTRALIA BRANCH INCORPORATED

Administrative Instruction 26/2011

VVAA SUB-BRANCH CLOSURE

Introduction

1. The National/State constitutions (and in some cases sub-branch constitutions) address some actions required when a sub-branch closes. However the procedures to follow and the different levels of responsibility are not fully addressed, so this AI aims to provide guidance.

Detail

2. All sub-branches are expected to meet the minimum requirements specified in the State and National Constitutions. When a sub-branch is unable to conform to the required membership, financial or other criteria specified in the constitutions, the following procedures are to be followed:
 - 2.1. The sub-branch is to inform the State Secretary of the problems being experienced.
 - 2.2. The State Secretary is to raise the matter for discussion at the next scheduled Executive meeting or, if the matter is considered extremely urgent, the State President is to be informed so that an extraordinary State Executive meeting is called.
 - 2.3. The State Executive is to endeavour to resolve the problems or offer guidance in the interest of preserving the sub-branch for the benefit of its membership.
 - 2.4. When the matter cannot be resolved through State Executive intervention and all other avenues of negotiation are exhausted, the State Secretary is to inform the sub-branch by letter of its impending closure. The letter is to include reference to assigned responsibilities in accordance with the National/State Constitutions and this Administrative Instruction.
 - 2.5. A sub-branch may appeal to the State Council against a State Executive decision if it believes it has been unfairly treated and the decision of the State Council will be final.
3. Once the decision to close has been taken, and the sub-branch has been informed, there are a number of tasks that need to be performed. These are explained in detail under separate headings according to the area of responsibility

Sub-Branch Responsibilities

4. All sub-branch administrative records are to be physically handed over to the State Office for safe keeping to ensure they are available for future reference.
5. If the sub-branch is 'incorporated' the Department of Justice is to be informed and action in accordance with the latest sub-branch constitution approved by that Department is to be taken.

6. All debts are to be finalised from existing funds and sale of assets. Any remaining funds and other assets may be transferred to another sub-branch or State Branch following receipt of written approval from the Patriotic Funds Council. Under no circumstances are assets and funds to be distributed amongst the members at the time of closure.
7. In the case of a sub-branch having patriotic funds, the Patriotic Funds Council requires the Association as trustee of the fund to provide a final audited statement from 1 January of that year until the closure date, to be supported by a bank statement showing the account balance as nil, together with the Original Authority which established the fund. This statement is to be provided by the sub-branch to the State Office for trustee endorsement and subsequent submission to the Patriotic Funds Council.
8. The property register is to be passed to the State Office for scrutiny to ensure that all sub-branch property has been properly accounted for.
9. Sub-branch memorabilia is to be treated as assets and attempts are to be made to return the items to the rightful owners if the items are on loan or donated. In all other cases the memorabilia is to be forwarded to the State Office for decision and distribution by the State Executive: this may include retention by the State Office, donation to the Museum Sub-Branch, or transfer to the sub-branch absorbing the majority of the membership.

State Executive Responsibilities

10. The State Secretary is to inform all members by letter that the sub-branch is to close and the State Executive will attend to their membership transfers. Sub-branch Welfare and Pensions Officers are to be requested to continue their service to the veteran community and to advise the State Secretary if any membership or operational difficulties are encountered.
11. The membership transfer agreement will not involve any membership payment for the remainder of the current membership year; therefore, the written agreement must address continuing membership support for the remainder of the year.
12. A “sub-branch closure report” is to be completed by the State Secretary to record all actions taken to resolve the sub-branch difficulties and to detail all tasks undertaken to finalise the closed sub-branch affairs.

Authority

State Council Meeting: 20th Feb. 2011