

LEGACY

STATUTES

THE LEGACY STATUTES INCORPORATE:

- **THE FUNDAMENTALS OF LEGACY**
- **THE CODE OF LEGACY AND ANNEXES**
- **STATEMENT OF PURPOSES AND CONSTITUTION of LEGACY AUSTRALIA COUNCIL INCORPORATED**
- **LEGACY PRINCIPLES AND RULES FOR GUIDANCE AND APPENDICES**

Adopted by the 68th National Conference of Legacy Clubs at Albury 12 October 1996

**Originally Issued by Legacy Co-ordinating Council
Incorporating Amendments to 17 December 1996**

Re-issued March 1999 Incorporating Amendments to October 1998

Re-issued April 2000 Incorporating Amendments to September 1999

Re-issued April 2001 Incorporating Amendments to March 2001

Re-issued August 2002 Incorporating Amendments to October 2001

Re-issued December 2004 Incorporating Amendments to April 2004

Re-issued May 2006 Incorporating Amendments to April 2006

Re-issued June 2008 Incorporating Amendments to April 2008

Re-issued December 2010 Incorporating Amendments to November 2010

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THE FUNDAMENTALS OF LEGACY

The “Fundamentals of Legacy” draws together the key elements presented to the 40th Conference of Legacy Clubs held in Ballarat in 1968 and by the Future of Legacy Committee in Brisbane in 1990.

1. The *roots* and the *fundamentals* of Legacy are near to one and the same thing, yet there is a distinct difference. Simply expressed, the roots represent its *birth* and the fundamentals its plans for *living*.
2. The *root* springs from the relations of Legatee to Legatee expressed in the one word *comradeship* – the *fundamental* is the *Personal Service* rendered by a Legatee to the dependants of our veterans.
3. The seeds of Comradeship were sown in the early days of war service commencing in 1914 – in tents, in huts, in billets, in ships, in the air. There the men became comrades or mates – a mate being a term originally applied to those who shared a soldier’s tent.
4. These seeds germinated and took root in the battlefields of Gallipoli, France, Belgium and the Middle East, on the high seas, and later in our homeland where this comradeship developed into a companionship or association known through the length and breadth of Australia as Legacy.
5. Indeed, this companionship has created firm friendships. The dictionary defines a friend as one attached to another by esteem, respect and affection, and in no other association is there greater respect each for the other, as exists and is practised in Legacy.
6. General Sir John Monash, in the foreword to the history of the 16th Battalion, one of the battalions of the 4th Australian Infantry Brigade which he commanded from its formation in 1914, wrote:

“There was no ideal so lofty, no motive so potent, as loyalty to the unit. And it was with the unit that bonds of friendship were forged which no lapse of time can sunder. In no unit was this spirit stronger than in the 16th Battalion. The tradition which it did so much to create will surely be an inspiration to the Youth of Australia in all the years to come.”
7. While this foreword could have justly applied to many other battalions of the first A.I.F., it can also be rightly said of *Legacy* that its ideals are so lofty and its motive so self-sacrificing and the bonds of esteem and friendship amongst its members so strongly forged that not even the lapse of time can sunder them.
8. On returning home and taking up life anew these bonds of friendship were so deep-rooted that it was not long before battalion or regimental associations were formed. Men gathered together now and again to commemorate the anniversary of some battle or some special occasion and it was from this spirit of comradeship that sprang the motive of doing something for those less fortunately placed than themselves, namely the widows and children of fallen comrades.

9. Legacy was conceived in 1923, the year that Melbourne Legacy Club was formed. Since then another 49 Legacy Clubs have been established. They cover the length and breadth of our Country, all of them no less keen and enthusiastic than the founders.
10. What motivates such a high ideal, and why has it been sustained, in fact, strengthened, initially by those men who served in the First World War and no less earnestly by those who served in the Second World War and subsequent conflicts?
11. Ordinarily, human nature and the way of life tend to give the feeling “Well, I have done my job, I’ll quietly fade out and leave it to others.” But this is not so in Legacy because this friendship has become an inseverable bond.
12. What is it that impels Legacy members’ year after year to travel hundreds and, in many cases, thousands of kilometres to attend National Conferences? It is not alone the search for an exchange of ideas from what some particular Club is doing that might help another in betterment of its work. In simple and unchallengeable words, it is friendships, and the unquenchable desire to retain those friendships, without which Legacy would not be what it is, in fact, without which it might not be.
13. In concluding the toast to Legacy given at the 1967 Legacy National Conference, the speaker said:

“The badge of Legacy includes a laurel wreath symbolising remembrance. Remembrance of whom? Our departed comrades – men who we knew and honoured. We will walk with them for a time in the corridors of our private memories. We will recall that they left us with something far bigger and far better than any of us can realise, that they left us with an ideal of service that none can ever fully appreciate, but an ideal towards which we move hopefully, sustained not only by the worth we see in the ideal, but the fellowship it has ensured. It is an ideal of service to others, service that they can demand of us, because we have freely and willingly given them the right to demand it. This is a legacy that all could have. It is, with the ex-servicemen’s widows and their children, a legacy peculiar to us.”
14. What is it that we have inherited? The answer is, his most treasured possession – his wife and children.
15. Let us now consider some of the fundamentals of Legacy.
16. When Legacy had been operating a relatively short time and had found its feet, and it was clear where it was setting its course, it became necessary to draw up some sort of rules and regulations, or Constitution – but wisdom, which always seems to chart our course, resolved that we be governed by a “Code”, a set of moral principles or ethics.

17. The Code includes “The Charter of Legacy” and therein is defined clearly, and in simple words, the *fundamentals*, which are:

“The spirit of Legacy is service. The care of dependants of those who served their country; namely veterans who died on operational service or subsequently, and Australian Defence Force personnel who died as a result of their service, affords a field for service. Safeguarding the interests of dependants, especially children, is a service worth rendering. Personal effort is the main essential. Inasmuch as these are the activities of Legacy, it is our privilege to accept the legacy of the fallen.”

18. Membership of Legacy is by invitation. Members are told that Legacy is a voluntary organisation in which *personal service* is the main essential, and they pledge to assist and advise in a variety of ways the widows/ers and children of deceased veterans. In these few words, the whole *fundamental* is defined clearly and unmistakably.

19. To fulfil this pledge is not always simple and straightforward. All families are not alike, nor have they the same problems. The economic and social problems are many and varied – but three stand out:

- that of the ageing widow/er and her/his loneliness,
- the new outlook amongst children, and
- the educational requirements of these children.

20. It is always opportune to stress the importance of *personal service*, not only to newly inducted Legatees but also to remind older Legatees.

21. Personal service involves personal sacrifice, as we learn from the torch forming part of our membership badge. This thing called Personal Service cannot be lightly regarded. It cannot be satisfied by a pat on the shoulder of a boy or girl or a friendly word to a widow/er – it demands a personal relationship and confidence between Legatee and child, between Legatee and widow/er; and through it he/she do their best to encourage the child or widow/er to create an opportunity in life to become a first class citizen. Nothing less than this personal endeavour and effort on the part of the Legatee fulfils the pledge made on induction.

22. There is no substitute for personal service.

23. A Legatee has recorded an incident in his war service, which he looked upon as an epic which places it apart from others of particular moment.

“It was in the front line trenches of Pozieres in August 1916, and no one not in one of the battles for Pozieres can ever have an appreciation of the intensity of the artillery fire. It has been said that never before or since, on any front, was the gunfire so intense and concentrated, and those who were there never cease to wonder how anyone could have survived it. Yet many did.

“During the second day, one of my Corporals, by the name of Fred Muller, came to me and said: ‘Sergeant Halifax has been killed, Sir, we are going to bury him, would you care to come along.’ When we reached his part of the line, there, in a funk hole in the forepart of the trench, lay the body of his sergeant. Muller took off his tin hat and said these few simple words:

‘Almighty God, we lay to rest Sergeant Halifax, who has this day given his life for his country, and we return his body to the earth from whence it came,

(and raising his eyes to the heavens)

And we commit his soul to You who gave it.’

“In those few minutes it seemed, and I am certain it was so, there was complete silence; not a gun or shell explosion was heard, as if God was giving the soul of Halifax a peaceful journey to his eternal home.

“Replacing his tin hat, and taking his spade, Muller began to cover the body of Halifax, and with tears running down his cheeks said: ‘Never worry, my friend, I’ll look after your family.’ And with that I walked away, leaving him with his dead. In those words lie the fundamental of Legacy – ‘don’t worry, our friends, we will look after your widows and children’.

“Muller’s simple act must have been enacted on many occasions in other fields of the war, but what I have recorded I took part in, so I feel that in it I saw the roots of Legacy planted; and in the passing of time it grew into a strong, virile tree with wide-spread branches covered in evergreen leaves, under which countless thousands have found shade and shelter from storm and tempest and want.”

24. In their hearts all Legatees are fulfilling the vow made by that Corporal – and it is of immense satisfaction to Legacy as a movement that in its long life it has fulfilled its fundamental purpose of bringing shelter and comfort and happiness into the homes and lives of hundreds of thousands of widows/ers and children of our veterans. All this has been done, and continues to be done, by the material help of an understanding, grateful and generous public.

25. The *fundamentals* of Legacy can be summarised as:

PERSONAL SERVICE, which is the main essential. This is the way Legacy benefits and services have been delivered and the reason they have been accepted.

COMRADESHIP, which grows from the commitment to personal service. It is born of shared belief in a cause, mutual respect and the satisfaction of working together. It will not be present unless members are committed to personal service.

CO-OPERATION, which is the companion of comradeship. This operates between members with a range of skills, experience and resources, in the interests of beneficiaries.

DISCIPLINE, which derives from the pledge to do one's utmost. Members either honour their badge and their promise or they resign. "Utmost" means different things to different people but it has been important for members to be stretched to their individual personal capacity. Membership resources need to be sufficient but not excessive.

SERVICE TO CHILDREN, which is usually delivered through the parent. This gives Legacy its unique family character. Providing a sense of security through self-reliance has been the primary aim, while specific assistance through education, health, housing, youth activities, Widows' Clubs, etc, has been the means.

LOCAL AUTONOMY, which is exercised within an agreed framework, This has been vital for the movement which characteristically has consisted of rugged individualists.

The Legacy Ode¹

Fear not that you have died for naught,
The torch you threw to us we caught,
And now our hands will hold it high,
Its glorious light will never die,
We'll not break faith with you who lie
On many a field.

Conclusion

Legacy is a magnificent monument whose foundation was made from everlasting materials – Mateship, Comradeship and Friendship. The edifice upon that foundation was erected by the dedicated, personal service of a mere few thousand Legatees of whom it may truly be said that:

“Never in the history of social service has so much been done for so many by so few.”

¹ Adopted at Melbourne in 1998

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THE DEVELOPMENT OF LEGACY IN AUSTRALIA

<u>CLUB</u>	<u>YEAR</u>
Melbourne	Founded 1923
Hobart	Founded as “Remembrance” 1923 Joined Legacy 1940
Geelong	Founded 1925
Sydney	1926
Ballarat	1926
Bendigo	1926
First Annual Conference	1926
Launceston	Founded as “Remembrance” 1927 Joined Legacy 1933
Brisbane	Founded 1928
Adelaide	1928
Perth	1928
Canberra	1928
Central Liaison Committee	Formed 1929
Ararat	Founded 1929
Ipswich	1929
Fremantle	1929
Wagga Wagga	1932
Newcastle	1932
Albury	1932
Mildura	1933
Queanbeyan (Now Queanbeyan Eden Monaro)	1933
Cairns	1933
Co-ordinating Council	Formed 1937
Goulburn	Founded 1945
Horsham (Now Wimmera)	1946
Rockhampton	1947
Toowoomba	1947
Warrnambool	1947

<u>CLUB</u>	<u>YEAR</u>
Wollongong (Now Wollongong and South Coast)	1947
London	1947
Hamilton	1948
Townsville	1948
Mackay	1948
Tamworth	1948
Lismore (Now Far North Coast)	1948
Armidale	1948
Orange	1948
Maryborough Qld (Now Fraser Coast & Country Burnett)	1948
Bundaberg	1948
Southport (Now Gold Coast)	1949
Lachlan	1949
Hunter	1949
Shepparton	1950
Brisbane Water (NSW)	1951
Colac	1951
Inverell	1952
Grafton	1953
Taree	1953
Coffs Harbour	1963
Darwin (now Northern Territory)	1973
Coolangatta – Tweed Heads	1977
Hastings (Now Port Macquarie Hastings)	1984
Mornington Peninsula	1995

HOST CLUBS TO NATIONAL CONFERENCES

National Conference No	Year	Held At
-	1926	Melbourne (Vic Clubs Only)
-	1926	Melbourne A
1	1927	Melbourne B (Melbourne And Sydney Clubs Only)
2	1928	Melbourne
3	1929	Ballarat
4	1930	Canberra
5	1931	Adelaide
6	1932	Sydney
7	1933	Geelong
8	1934	Melbourne
-	1935	None Held
9	1936	Adelaide
10	1937	Bendigo
11	1938	Sydney
12	1939	Brisbane
13	1940	Launceston
14	1941	Wagga Wagga
-	1942	None Held
15	1943	Melbourne
16	1944	Melbourne
17	1945	Sydney
18	1946	Adelaide
19	1947	Newcastle
20	1948	Perth
21	1949	Hobart
22	1950	Albury
23	1951	Ballarat
24	1952	Orange
25	1953	Brisbane
26	1954	Canberra
27	1955	Geelong
28	1956	Sydney
29	1957	Adelaide
30	1958	Toowoomba
31	1959	Perth
32	1960	Newcastle
33	1961	Melbourne
34	1962	Cairns
35	1963	Hobart
36	1964	Armidale
37	1965	Perth
38	1966	Sydney
39	1967	Adelaide
40	1968	Ballarat
41	1969	Wollongong

National Conference No	Year	Held At
42	1970	Townsville
43	1971	Canberra – Queanbeyan/Monaro
44	1972	Lismore
45	1973	Melbourne (Legacy 50 th Anniversary)
46	1974	Brisbane
47	1975	Tamworth
48	1976	Perth
49	1977	Adelaide
50	1978	Geelong
51	1979	Bundaberg
52	1980	Albury
53	1981	Brisbane Water (NSW)
54	1982	Gold Coast
55	1983	Hobart
56	1984	Coffs Harbour
57	1985	Melbourne(Latrobe Valley)
58	1986	Sydney
59	1987	Darwin
60	1988	Canberra – Queanbeyan Eden-Monaro
61	1989	Adelaide
62	1990	Brisbane
63	1991	Perth
64	1992	Mildura
65	1993	Newcastle
66	1994	Launceston
67	1995	Brisbane Water (NSW)
68	1996	Albury
69	1997	Cairns
70	1998	Melbourne (Legacy 75 th Anniversary)
71	1999	Hastings
72	2001	Canberra (Centenary of Federation)
73	2003	Adelaide (Legacy 80 th Anniversary)
74	2005	Warrnambool
75	2007	Townsville
76	2009	Fremantle

THE CODE OF LEGACY

THE CHARTER OF LEGACY

“THE SPIRIT OF LEGACY IS SERVICE.

The care of dependants of those who served their country; namely, veterans who died on operational service or subsequently, and Australian Defence Force personnel who died as a result of their service, affords a field for service.

Safeguarding the interests of dependants, especially children, is a service worth rendering.

Personal effort is the main essential.

Inasmuch as these are the activities of Legacy, it is our privilege to accept the legacy of the fallen.”¹

THE BADGE OF LEGACY

The Badge of Legacy symbolises in its torch the undying flame of service and sacrifice handed to us by our comrades in War who have passed on. In its wreath of Laurel, with its points inverted in remembrance, is the guerdon of honour; that is the meed of those who gave their lives for their country.

¹ Amended at Townsville in 2007.

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1. THE CODE OF LEGACY

- 1.1. This Code is based on the Charter of Legacy.
- 1.2. The Code consists of this text, the Charter of Legacy, the description of the Badge of Legacy and the Annexes to the Code.

2. DEFINITIONS

The definitions of terms used in the Code of Legacy are specified in Annex A.

3. COMPOSITION OF LEGACY

- 3.1 Legacy comprises all Legacy Clubs.
- 3.2 All Legacy Clubs acting in a corporate fashion will be known as Legacy Australia.

4. OBLIGATIONS OF LEGACY

- 4.1. The obligations of Legacy are set out in the Charter of Legacy
- 4.2. The persons who are eligible to receive the benefits of Legacy are specified in Annex B.
- 4.3. A Club is obliged to provide the benefits of Legacy to a dependant as defined in Annex A, including one granted eligibility by another Club, in accordance with an equivalent service provisions clause, and received on transfer.¹

5. MEMBERSHIP OF LEGACY CLUBS

- 5.1. The qualifications for membership of Legacy Clubs are specified in Annex C.
- 5.2. Each Legatee is issued with the badge of Legacy.

6. WAR OR OPERATIONAL AREAS

Areas which have been defined by National Conference to be War or Operational Areas are specified in Annex D.

7. NATIONAL CONFERENCES

- 7.1. The Legacy Clubs shall meet from time to time in Conference to consider such matters for the good of Legacy as are brought forward in the prescribed manner.
- 7.2. A National Conference may make rules for the conduct of its business.

¹ Amended at Melbourne in 1998.

8. APPLICATION OF THE CODE

Except where specific discretion is granted, the requirements of the Code are binding and obligatory on all Legacy Clubs.

9. CODE IMPLEMENTATION

- 9.1.** The method of implementing this Code shall be as decided from time to time by Legacy Clubs meeting at National Conferences and as promulgated in the Legacy Principles and Rules for Guidance.
- 9.2.** A Legacy Australia Council has been established and operates by authority of National Conference. It is responsible for implementing the decisions of National Conferences and acting upon such matters as are referred to it by Legacy Clubs.
- 9.3.** The duties and purposes of Council are set out in its Constitution.

10. ALTERATIONS TO THE CODE

The Code shall not be altered or repealed nor shall any new clause be added unless notice of intention to such effect shall have been given to all Clubs at least four¹ months prior to National Conference and the resolution to effect such change shall have been agreed to at such Conference by not less than seventy-five per cent of Clubs voting in Conference. However, consequential and routine changes may be dealt with between Conferences under the provisions of the Principles and Rules for Guidance (PRG 55).

NOTATIONS TO (but not forming part of) THE CODE OF LEGACY

N.1. ADOPTION AND AMENDMENTS

- N.1.1.** The Code was originally adopted at the 21st National Conference of Legacy Clubs at Hobart in 1949 and amended at subsequent Conferences up to and including the 67th National Conference of Legacy Clubs at Brisbane Water in 1995.
- N.1.2.** The Code was revised and the revised Code was adopted at the 68th National Conference of Legacy Clubs at Albury in 1996.
- N.1.3.** The Code was amended at the 69th National Conference of Legacy Clubs at Cairns in 1997 and at the 70th National Conference of Legacy Clubs at Melbourne in 1998. These and other amendments are included in the Legacy Statutes, re-issued in March 1999.
- N.1.4.** Subsequent amendments at the 71st, 72nd, and 73rd National Conferences at Hastings, Canberra and Adelaide respectively were included in the version of the Legacy Statutes re-issued in December 2004.
- N.1.5.** The 74th National Conference at Warrnambool in 2005 made further amendments, and other changes were made between Conferences under Clause 10 of the Code, which are incorporated in the Statutes re-issued in May 2006.
- N.1.6.** The 75th National Conference at Townsville in 2007 made further amendments.
- N.1.7.** The 76th National Conference at Fremantle in 2009 made further amendments.

¹ Amendment made between Conferences in 2000.

ANNEX A to The Code of Legacy

DEFINITIONS

Allied Veteran	A person who was a member of, or officially attached to, the Defence Force of any ally of any part of the British Commonwealth of Nations or of the Commonwealth of Australia and who served in an area defined by National Conference to be a War or Operational Area.
Australian Defence Force (ADF)	Permanent (including National Service) and Reserve members, past and present, of the Navy, Army or Air Force of the Commonwealth of Australia.
Charter of Legacy	The charter approved by National Conference for use by Legacy as a whole.
Child	The son, daughter, stepson, stepdaughter, adopted child, or other child who is dependent on the deceased person at the time of death: <ul style="list-style-type: none"> • who is under the age of eighteen years; or • who is undertaking secondary or tertiary education, but normally only up to the age of twenty five years; or • who is disabled, such a child retaining eligibility regardless of age; or • who becomes disabled after the death of the deceased person, but before ceasing to be eligible by virtue of age as specified in the first two sub-paragraphs above, such a child retaining eligibility regardless of age.
Club Charter	The Charter issued to a Legacy Club.
Code	The Code of Legacy.
Constitution	The Constitution of Council as approved by National Conference.
Council	The Legacy Australia Council Incorporated ³ .
Deceased	In addition to its usual meaning, shall be deemed to include persons suffering from an illness considered to be irreversible or terminal and who, as a result, are incapable of managing the affairs and welfare of their dependants.
Dependant	<ul style="list-style-type: none"> • A widow, widower, partner or child of a deceased veteran, allied veteran or member of the mercantile services; or • Another close relative who was wholly or substantially financially supported by the deceased veteran, allied veteran or member of the mercantile services at the time of death².
Legacy Australia	Is composed of all Legacy Clubs.
Legacy Benefits	Include, but are not limited to, the range of support available from a Legacy Club to an eligible dependant.
Legacy Beneficiary	An enrolled person who is entitled to receive Legacy benefits ³ .
Legacy Club	A Legacy Club to which a Club Charter has been granted and whose Charter has not been endorsed with a Statement of Substantial Fulfilment.
Legatee	A person who has been inducted as a member of a Legacy Club and whose membership is current.
Members of the Mercantile Services	A person who was a member of the Maritime or Air Services of any part of the British Commonwealth of Nations or the Commonwealth of Australia and who served in an area defined by National Conference to be a War or Operational Area.
National Conference	The periodic or other Conference of all Legacy Clubs of which due notice has been given to all Clubs.
Partner	<ul style="list-style-type: none"> • A spouse. • A person who lives with the veteran as his or her partner on a bona fide domestic basis, although not necessarily legally married to the veteran³.
Veteran	<ul style="list-style-type: none"> • A person who was a member of, or officially attached to, the Defence Force of any part of the British Commonwealth of Nations or of the Commonwealth of Australia and who served in an area defined by National Conference to be a War or Operational Area. ¹ • A person who was a member of, or officially attached to, the Australian Defence Force, whose death is accepted by a club as being a service death as defined in the Military Rehabilitation and Compensation Act - 2004².

¹ Amended at Hastings 1999.

² Amended at Warrnambool 2005

³ Amended at Fremantle 2009

War Area or Operational Area	An area defined by National Conference where Australian Armed Forces were or are engaged in operations during the dates specified.
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ANNEX B to The Code of Legacy

ELIGIBILITY TO RECEIVE LEGACY BENEFITS

1. DEPENDANTS OF VETERANS

1.1 A Club is obliged to make the benefits of Legacy available to the dependants of:

- deceased veterans, and
- other deceased persons who were members of, or officially attached to, the Australian Defence Force and whose death is accepted by the Department of Veterans' Affairs as due to war service or service related¹.

1.2. Upon the death of the spouse of a veteran, a Club may offer assistance to that veteran and may make the benefits of Legacy available to their dependent children, even though the deceased spouse may not have had war service similarly defined.

2. DEPENDANTS OF ALLIED VETERANS

A Club is obliged to make the benefits of Legacy available to dependants of deceased Allied veterans whose qualifying service was outside the country in which those Allied veterans enlisted, provided that:

- they died on service and their dependants were permanently resident in Australia at the time of their death, or
- they were, at the time of their death, a permanent resident of Australia and their dependants were permanently resident in Australia at that time, or
- they died on service or later and their dependants were Australian citizens resident in Australia at the time of their death or later.

3. DEPENDANTS OF MEMBERS OF THE MERCANTILE SERVICES

A Club is obliged to make the benefits of Legacy available to dependants of deceased members of the Mercantile Services of the British Commonwealth of Nations who have served in an area defined by a National Conference to be a War or Operational Area.

4. ELIGIBILITY FOR BENEFITS ARISING FROM SERVICE BY A VETERAN IN AN AREA NOT YET DECLARED BY NATIONAL CONFERENCE

Should a member of the Australian Defence Force die while on duty in a War or Operational Area not yet specified in the Code, the Legacy Club where that member's dependants reside shall, subject to prior verifying reference to Council, make the benefits of Legacy available to those dependants.

1. Amended at Adelaide 2003

5. EVIDENCE OF ELIGIBILITY TO RECEIVE LEGACY BENEFITS¹

5.1. Conclusive Evidence

Receipt of a Service Pension by a dependant of a former ADF member.

6. EVIDENCE OF SERVICE DEFINED BY NATIONAL CONFERENCE AS A WAR AREA OR OPERATIONAL AREA²

6.1. Conclusive Evidence

Conclusive evidence of eligibility including service in a defined War or Operational Area is provided by any of the following:

- 6.1.1.** A Discharge Certificate which states a period of War or Operational Service.
- 6.1.2.** Proof of the entitlement to the award of an appropriate British or Australian War/Campaign Medal/Star/Decoration/Order.
- 6.1.3.** Proof of the entitlement to the award of an Australian Returned from Active Service Badge.
- 6.1.4.** Evidence equivalent to the above for Allied veterans.
- 6.1.5.** Certification by the Personnel Offices of the relevant Defence Force of service in a War or Operational Area.

6.2. Alternative or Supporting Evidence

6.2.1. In some cases the evidence may not be conclusive, but examination of the available material may establish eligibility. Some examples are:

- Individuals or sub-units may have visited or been inserted into an area as advance parties or reconnaissance parties and been exposed to danger before the start of an actual operation.
- Individuals or units may have visited or passed through a defined War or Operational Area, but without accumulating sufficient length of service for the entitlement to a Campaign Medal/Star.
- Defence Force or Mercantile Service personnel may have served in ships in "dangerous waters" or on operational flights, but without accumulating sufficient length of service for the entitlement to a Campaign Medal/Star.

1. Adopted at Warrnambool 2005

2. Amended at Hastings 1999 and Warrnambool 2005

6.2.2. An acceptable War Area or Operational Area could include an area in which members of the Defence Force were, or were likely to be, exposed to danger of enemy action, for example:

- seaward flights of the Air Force from Australian bases on operations against the enemy
- sea-going service beyond Australian territorial waters in a vessel of war for the Navy.

6.3. Investigation to Establish Eligibility

Thus it is desirable for each case to be carefully investigated to determine all the circumstances of the deceased's service in order to establish possible eligibility for the dependant.

7. RESTRICTIONS ON ELIGIBILITY FOR LEGACY BENEFITS

7.1. With respect to service in Japan with the British Commonwealth Occupation Force (BCOF) or with the British Commonwealth Force Korea (BCFK), Legacy benefits are available only to dependants of members of the Australian Defence Force.

7.2. With respect to service in other areas, Legacy benefits are available only to dependants of members of the Australian Defence Force and to dependants of those members of the armed forces of member nations of the British Commonwealth of Nations who subsequently joined the Australian Defence Force or became permanent residents of Australia.²

8. EQUIVALENT SERVICE

8.1. A Club is obliged to make the benefits of Legacy available to dependants of deceased members of the Australian Defence Force whose death is accepted by that Club as being a service death as defined in the Military Rehabilitation and Compensation Act 2004, Section 28¹.

8.2. A Club may make the benefits of Legacy available to the dependant of a deceased person whose service is accepted by the appropriate authority in that Club as equivalent to service in an area defined by the Code to be a War or Operational Area.

8.3. At Clubs' discretion, however, they may accept cases which do not meet the 'equivalent service' criteria, but which warrant Legacy assistance.

1. Amended at Warrnambool 2005

2. Amended at Townsville 2007

ANNEX C to The Code of Legacy

QUALIFICATIONS FOR MEMBERSHIP OF LEGACY CLUBS

1. The appropriate authority in each Club may admit to membership any person who shares the ideals and obligations of Legacy and who:
 - is or was a Veteran, an Allied Veteran, or a member of the Mercantile Services, or
 - is a former Junior Legatee/Ward, or
 - is any other person who has the personal qualities that meet the highest ideals of integrity and dedication required of a Legatee.

1. Amended at Townsville 2007

ANNEX D to The Code of Legacy

WAR AREAS OR OPERATIONAL AREAS DEFINED BY NATIONAL CONFERENCE

	<u>AREA</u>	<u>COMMENCING</u>	<u>CONCLUDING</u>
1.	<u>World War I</u> Any area of service beyond Australian Territorial Waters	04 Aug 1914	01 Sep 1921
2.	<u>World War II - At Sea in Australian Coastal Waters</u>		
2.1.	East and North-East Coast of Australia (Sydney to Thursday Island)	03 Sep 1939	16 Sep 1943
2.2.	South-West Coast of Western Australia (Exmouth Gulf to Albany)	03 Sep 1939	06 May 1944
2.3.	South and South-East Coast of Australia (Albany to Sydney)	03 Sep 1939	26 Mar 1945
2.4.	North and North-West Coast of Australia (Exmouth Gulf to Thursday Island)	19 Feb 1942	12 Nov 1943
3.	<u>World War II - Australia and Australian Territories</u>		
3.1.	Rottneest Island (where that service was continuous and for a period of not less than three months)	03 Sep 1939	05 May 1944
3.2.	Northern Territory of Australia (that part north of 14.5 degrees South latitude, including any of the islands adjoining the Northern Territory)	19 Feb 1942	12 Nov 1943
3.3.	Torres Strait Islands, including Horn Island.	19 Feb 1942	12 Nov 1943
4.	<u>World War II - beyond Australia and Australian Territories</u>		
4.1.	<u>Navy and Mercantile Marine Service</u>		
4.1.1.	When serving on land: Areas and dates are as applicable to the Army.		
4.1.2.	When serving at sea:		
	The Atlantic Ocean, including Home Waters, the North Sea and the Baltic Sea	03 Sep 1939	09 Jun 1940
	The Arctic Ocean between Greenland and longitude 70 degrees East	03 Sep 1939	09 Jun 1940
	The Indian Ocean - that part south of 15 degrees South and west of 55 degrees East	03 Sep 1939	09 Jun 1940
	The Pacific Ocean	01 Jun 1940	09 Jun 1940
	The Indian Ocean - the remainder	01 Jun 1940	09 Jun 1940
	Anywhere at Sea	10 Jun 1940	08 May 1945
	The Pacific Ocean including the South China Sea	09 May 1945	02 Sep 1945
	The Indian Ocean and the Bay of Bengal east of the line running from the southernmost point of Ceylon for a distance of 300 miles south, thence to a point 300 miles west of the southernmost point of Sumatra and continuing east to the western side of the Sunda Strait, thence through Christmas Island and southwards along the Meridian of 110 degrees East.	09 May 1945	02 Sep 1945
4.2.	<u>Army</u>		

<u>AREA</u>	<u>COMMENCING</u>	<u>CONCLUDING</u>
4.2.1. When serving at sea as members of the permanent staff of a ship or as members of the AA defences of merchant ships:		
Areas and dates are as applicable to the Navy.		
4.2.2. When serving on land:		
<u>Europe</u>		
Aegean	11 Jun 1943	08 Jun 1945
Belgium	10 May 1940	19 Jun 1940
	06 Jun 1944	08 May 1945
Boulogne - Le Touquet		03 Jun 1942
Bruneval	27 Feb 1942	28 Feb 1942
Corsica	11 Jun 1943	04 Oct 1943
Dieppe		19 Aug 1942
Dodecanese	11 Jun 1943	08 May 1945
France	03 Sep 1939	19 Jun 1940
	06 Jun 1944	08 May 1945
Greece and Crete	10 Mar 1941	31 May 1941
Greece	11 Jun 1943	08 Jun 1945
Germany	06 Jun 1944	08 May 1945
Hardelot	21 Apr 1942	22 Apr 1942
Holland	12 May 1940	13 May 1940
	06 Jun 1944	08 May 1945
Italy (Incania)		10 Feb 1941
Italy (including Elba)	11 Jun 1943	08 May 1945
Lofoten Island		04 Mar 1941
		26 Dec 1941
Norway	14 Apr 1940	08 Jun 1940
Pantellaria		11 Jun 1943
Nazaire	27 Mar 1942	28 Mar 1942
Sark	03 Oct 1942	04 Oct 1942
Sardinia	11 Jun 1943	19 Sep 1943
Sicily	11 Jun 1943	17 Aug 1943
Spitzbergen	25 Aug 1941	03 Sep 1941
	16 May 1942	08 Sep 1943
Vaagso		27 Dec 1941
Yugoslavia	11 Jun 1943	08 May 1945

AREA

4.2.2. When serving on land - continued

Africa and Malta

North Africa (troops under Allied Force HQ and Middle East Command excluding formations west of Suez Canal and Red Sea)	10 Jun 1940	12 May 1943
Abyssinia (including attacks on Moyale, Elwak and Kassala)	10 Jun 1940	27 Nov 1941
Anglo-Egyptian Sudan	10 Jun 1940	27 Nov 1941
Eritrea	10 Jun 1940	27 Nov 1941
Kenya (excluding Tanganyika Territory and Uganda)	10 Jun 1940	27 Nov 1941
Malta	10 Jun 1940	12 May 1943
The Somalilands	10 Jun 1940	27 Nov 1941

Asia

Bengal and Assam	01 May 1942	31 Dec 1943
Bengal and Assam (east of Brahmaputra)	01 Jan 1944	02 Sep 1945
Burma	11 Dec 1941	02 Sep 1945
China	11 Dec 1941	02 Sep 1945
Malaya	08 Dec 1941	02 Sep 1945
India (N.W. Frontier) -		
Ahmedzia Salient	03 Feb 1940	24 May 1940
Tochi Valley	18 Jun 1941	26 Aug 1941
Datta Keel	28 Jul 1942	18 Aug 1942
Iraq	10 Apr 1941	31 May 1941
Persia	28 Apr 1941	25 Aug 1941
Syria	08 Jun 1941	11 Jul 1941

Pacific and Indian Oceans

Madagascar	05 May 1942	05 Dec 1942
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The whole area of enemy land penetration in the Central Pacific and South China Sea is classified as Operational. Service qualifies in all islands south of latitude 40 degrees North in the area subjected to enemy invasion during the War. The area is bounded on the north by latitude 40 degrees North and on the east by the 180th Meridian. The southern boundary of the area runs along latitude 2 degrees South from the meridian of longitude 134 degrees East. The boundary then turns north along longitude 145 degrees East to latitude 9 degrees 40 minutes South. It runs westward along this line to Timor. It then turns due south to latitude 13 degrees South, runs along this westwards to longitude 110 degrees, thence to Christmas Island (excluding the island). The boundary then runs northwards round the south-east coast of Sumatra to Singapore. The chief areas and qualifying periods are listed in subsequent Clauses.

Bismarck Archipelago	22 Jan 1942	29 Oct 1945
Borneo and Sarawak	31 Dec 1941	29 Oct 1945
Caroline Islands	08 Dec 1941	02 Sep 1945

<u>AREA</u>	<u>COMMENCING</u>	<u>CONCLUDING</u>
4.2.2. When serving on land – continued.		
Celebes	26 Jan 1942	02 Sep 1945
Gilbert and Ellice Islands	10 Dec 1941	02 Sep 1945
Guam	12 Dec 1941	02 Sep 1945
Hong Kong	08 Dec 1941	02 Sep 1945
Iwo Jima	08 Dec 1941	02 Sep 1945
Java	05 Mar 1942	02 Sep 1945
Marianas	08 Dec 1941	02 Sep 1945
Marshall Islands	08 Dec 1941	02 Sep 1945
Molucca Islands	30 Jan 1942	02 Sep 1945
Nauru	08 Dec 1941	02 Sep 1945
New Guinea (see Papua/New Guinea)	04 Jan 1942	02 Sep 1945
Ocean Island	08 Dec 1941	02 Sep 1945
Okinawa	08 Dec 1941	02 Sep 1945
Papua/New Guinea (Includes north-east New Guinea, Papua and Dutch New Guinea and for these purposes embraces Manam, Karkar, Long Island and the smaller islands adjacent to the north-east of New Guinea, also the islands of d'Entrecasteaux Group, the Louisiade Groups and all islands between 8 degrees and 9 degrees 40 minutes South latitude and 141 degrees and 145 degrees East longitude; and 8 degrees and 12 degrees South latitude and 145 degrees and 155 degrees East longitude.	04 Jan 1942	02 Sep 1945
Philippine Islands	10 Dec 1941	02 Sep 1945
Solomon Island (British Solomon Islands Protectorate and Australian Mandated Territory)	01 Feb 1942	02 Sep 1945
Sumatra	14 Feb 1942	02 Sep 1945
Timor	20 Feb 1942	02 Sep 1945
Wake Island	20 Dec 1942	02 Sep 1945
4.3. <u>Air Force</u>		
4.3.1. When serving on land or directly supporting land operations		
Areas and dates are as applicable to Army.		
4.3.2. Other operational flights:		
Over Europe (including UK, the Atlantic and Home Waters)	03 Sep 1939	08 May 1945
Over enemy-occupied territory in North Africa	10 Jun 1940	12 May 1943
Against enemy in Pacific theatre	08 Dec 1941	02 Sep 1945
Against enemy in Burma	11 Dec 1941	02 Sep 1945
Against enemy in Mediterranean theatre (including sorties over Europe)	11 Jun 1943	08 Jun 1945
Aleutian Islands (Air Crews)	03 Jun 1942	16 Aug 1943
4.4. <u>Other areas</u>		
4.4.1. Any area of service beyond Australian Territorial Waters	03 Sep 1945	28 Apr 1952

<u>AREA</u>			
5.¹	<u>Japan</u>		
5.1.	Japan - British Commonwealth Occupation Force (BCOF)	30 Oct 1945	28 Apr 1952
5.2.	Japan	28 Apr 1952	19 Apr 1956
6.	<u>Korea</u>		
6.1.	United Nations Commission on Korea (UNCOK)	01 Jan 1949	27 Jun 1950
6.2.	Korea - British Commonwealth Forces Korea (BCFK)	27 Jun 1950	19 Apr 1956
6.3.	Korean Demilitarised Zone	18 Apr 1956	30 Jun 2004
7.	<u>Indonesia</u>		
7.1.	Netherlands East Indies/Indonesia- Committee of Good Offices	25 Aug 1947	01 Jan 1949
7.2.	UN Commission for Indonesia	28 Jan 1949	30 Apr 1951
8.	<u>Malaya /Singapore/Borneo</u>		
8.1.	Malaya/Singapore - Emergency (including the FESR to 31 Aug 1957)	29 Jun 1950	31 Jul 60
8.2.	Malay/Thai Border	01 Aug 1960	16 Aug 1964
8.3.	Malaysia/Singapore - Confrontation (including atts to RMAF)	01 Aug 1960	27 May 1963
8.4.	Borneo - Confrontation (including atts to RMAF)	8 Dec 1962	16 Aug 1964
8.5.	Malaysia/Singapore/Brunei/Confrontation	17 Aug 1964	14 Sep 1966
9.	<u>Vietnam/Cambodia</u>		
9.1.	HMA Ships Vampire and Quickmatch	25 Jan 1962	29 Jan 1962
9.2.	North East Thailand (including Ubon)	31 May 1962	31 Aug 1968
9.3	Vietnam	25 Jan 1962	29 Jan 1962
		31 Jul 1962	29 Apr 1975
9.4.	Cambodia - UN Border Relief Operations (UNBRO)	01 Feb 1989	31 Dec 1991
9.5.	Cambodia (Ops BANNER, VISTA)	20 Oct 1991	04 Oct 1999
10.	<u>Gulf War/Gulf Area</u>		
10.1.	Service in the RAN or in allied naval units deployed in the following sea areas:		
	The waters of the Arabian Gulf, the Gulf of Oman, the Northern Arabian Sea, the Gulf of Aden, the Red Sea and northern Arabian Gulf. (Ops HABITAT, SLIPPER, DAMASK)	17 Nov 1986	28 Feb 1989
		02 Aug 1990	19 Oct 2001
10.2.	Iran/Iraq Observer Group (UNIIMOG)	11 Aug 1988	28 Feb 1991
10.3.	Kurdish Refugees	10 Jun 1991	1 Jul 1991
10.4.	Gulf war	23 Feb 1991	09 Jun 1991
10.5.	Afghanistan (UNMCTT)	08 Jun 1991	31 Dec 1993
10.6.	Gulf – UNSCOM, WMD. Iraq (Op BLAZER)	2 Jul 1991	31 Dec 1999
10.7.	Pakistan, Afghanistan, Iran, Iraq, Jordan, Saudi Arabia, Kuwait, Egypt, Sudan, Kenya, Oman, Yemen, north Arabian Sea and Persian Gulf. (Op POLLARD)	17 Feb 1998	01 Oct 01

1. Clauses 5 - 17 amended between Conferences April 2006

<u>AREA</u>	<u>COMMENCING</u>	<u>CONCLUDING</u>
10.8. Iraq, Saudi Arabia, Kuwait (Ops BOLTON, SOUTHERN WATCH)	13 May 1999	12 Jan 03
10.9. Iraq, Saudi Arabia, Kuwait (Ops FALCONER, CATALYST)	18 Mar 2003	On-going
10.10 Afghanistan/Diego Garcia (Op SLIPPER)	11 Oct 2001	On-going
10.11 Afghanistan (Op PALATE)	18 Apr 2003	On-going
11. <u>India/Pakistan</u>		
11.1. Military Observer Group (UNMOGIP)	01 Jan 1949	On-going
11.2. UN Observation Mission (UNIPOM)	20 Sep 1965	26 Mar 1966
12. <u>Middle East/Israel</u>		
12.1. Israel/Neighbouring States (UNTSO)	01 Jun 1956	On-going
12.2. Yemen (UNYOM)	01 Jan 1963	04 Sep 1964
12.3. Cyprus (UNFICYP)	14 May 1964	On-going
12.4. Middle East UN Disengagement Force (UNDOF)	01 Jan 1974	On-going
12.5. Middle East UN Emergency Force II (UNEF II)	01 Jul 1976	24 Jul 1979
12.6. Sinai (SMFO) (Op MAZURKA)	18 Feb 1982	On-going
12.7. Israel, Jordan, Syria, Lebanon, Egypt (Ops PALADIN, RAMP)	21 Apr 2003	On-going
12.8. UN Interim Force Lebanon (UNIFIL)	23 Mar 1978	On-going
13. <u>Africa</u>		
13.1. Congo – UN Operations (ONUC)	01 Aug 1960	28 Feb 1961
13.2. Rhodesia/Zimbabwe (Commonwealth Monitoring)	24 Dec 1979	31 Dec 1980
13.3. Namibia (Including UNTAC)	18 Feb 1989	10 Apr 1990
13.4. UN Mission for Referendum in Western Sahara (MINURSO)	27 Jun 1991	31 Dec 1994
13.5. Somalia (Op SOLACE)	20 Oct 1992	30 Nov 1994
13.6. Rwanda (Op TAMAR)	25 Jul 1994	16 Jan 1996
13.7. Mozambique (Op CORACLE)	12 Jul 1994	28 Feb 2002
13.8. Gabon and the Congo	25 Jul 1997	07 Aug 1997
13.9. Sierra Leone (UNAMSIL) (Op HUSKY)	15 Jan 2001	28 Feb 2003
13.10 Ethiopia/Eritrea (UNMEE) (Op POMELO)	15 Jan 2001	On-going
13.11 Sudan – UN Mission (Op AZURE)	10 Apr 2005	On-going
14. <u>Balkans</u>		
14.1. Balkans – UN Missions	29 Jan 1947	31 Dec 1949
14.2. Yugoslavia (Ops OSIER, AGRICOLA)	12 Jan 1992	On-going
14.3. Kosovo (Op ALLIED FORCE)	15 Apr 1999	03 Jun 1999
14.4. “ (Op JOINT GUARDIAN)	11 Jun 1999	On-going

AREA

15. Americas

15.1.	Haiti	17 Sep 1994	31 Mar 1995
15.2.	Guatemala	13 Feb 1997	21 May 1997

16. Pacific Islands

16.1.	Bougainville Peace Conference (Ops LAGOON, CAPON)	21 Sep 1994	31 Dec 1994
16.2.	Bougainville Truce/Peace Monitoring (Ops BEL ISI I & II)	20 Nov 1997	26 Aug 2003
16.3.	East Timor (Including Ops FABER, TANAGER, CITADEL, SPITFIRE, STABILISE, WARDEN, SPIRE and UN groups UNTAET, UNAMET, UNMISSET and ASTUTE)	19 Jun 1999	Ongoing
16.4.	Solomons - Guadalcanal (Op PLUMBOB)	08 Jun 2000	24 Jun 2000
16.5.	Solomon Islands (Ops TREK, ANODE)	04 Nov 2000	On-going

17. Any Operational Area or Area of Hazardous Service, within specified limits of qualifications, that is accepted for Australian Repatriation Benefits under the Veterans Entitlement Act (VEA) 1986, as amended, and the Military Rehabilitation and Compensation Act (MRCA) 2004, as amended.

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LEGACY AUSTRALIA COUNCIL INCORPORATED

Associations Incorporation Act (1981) (Victoria) (as amended) Section 5(b)

STATEMENT OF PURPOSES

1. The name of the incorporated association is Legacy Australia Council Incorporated¹.
2. The purposes for which the incorporated association is established are:
 - 2.1. to implement the decisions of Legacy Clubs taken at National Conferences, subject to provisions hereinafter contained;
 - 2.2. to ensure the adoption by all Clubs of:
 - 2.2.1. the decisions of National Conferences in regard to eligibility for Legacy benefits;
 - 2.2.2. uniform qualifications of membership as determined by National Conferences;
 - 2.3. to collect, co-ordinate and disseminate the views of Clubs on any subject affecting the general policy or activities of Legacy, which in its opinion requires a decision between Conferences, or which is referred to it by a Club or Clubs;
 - 2.4. to authorise the formation of new Clubs, to issue Club Charters thereto in accordance with the procedure decided by National Conference and to promulgate to all Clubs full particulars of each new Club;
 - 2.5. to authorise the dissolution of Clubs and to endorse the Charters of such Clubs with a Statement of Substantial Fulfilment;
 - 2.6. to issue a Foundation Charter to a Legacy Foundation which meets the requirements decided by National Conferences;
 - 2.7. to withdraw a Foundation Charter from a Legacy Foundation which:
 - 2.7.1. does not meet the requirements decided by National Conference, or
 - 2.7.2. requests that its Charter be withdrawn and cancelled;
 - 2.8. to maintain a register of members in which shall be entered the details of the full name, date of birth, address, date of entry and date of cessation for each member and to make such register available for inspection by Legatees at the address of the Public Officer;
 - 2.9. to maintain a register of all Clubs, showing the name, location, boundaries, meeting places and other relevant data;

¹ Amended at Fremantle 2009

- 2.10.** to maintain a register of all Chartered Legacy Foundations, showing the name, location and other relevant data;
- 2.11.** to keep in safe custody all records of Council, including registration papers and copyright of the Legacy name and badge;
- 2.12.** to make representations to, or negotiate with, on behalf of Legacy Clubs, governments and their departments or instrumentalities or other organisations or persons on any matters affecting the welfare of dependants of deceased veterans and the interests of Legacy Clubs generally;
- 2.13.** to take urgent action on important matters arising between National Conferences, after consultation with, and with the approval of a two-thirds majority of, all the Capital City Clubs in Australia, except that the Chairman of Council or his/her nominee may comment on matters of Legacy policy and any other issues that affect the operations of Legacy¹.
- 2.14.** to solicit, receive and disburse monies and other property, subject to the provisions contained in the Principles and Rules for Guidance;
- 2.15.** to co-operate with the Host Club for each National Conference in the management of that Conference and the promulgation of the decisions;
- 2.16.** to arrange for the apportionment and reimbursement of National Conference expenses in accordance with the procedure determined by Conference;
- 2.17.** to pay all costs incidental to its operations or for such other purposes as may be decided by Conference, and to receive from Clubs such amounts as are directed by Conference;
- 2.18.** to report to Clubs as required, at least annually, and to National Conferences;
- 2.19.** to forward Minutes of all Council and Executive meetings to all Clubs; and
- 2.20.** solely in furtherance of the purposes set out above, to exercise the power:
 - 2.20.1.** to invest and deal with the money of Council not immediately required by it from time to time in such manner as may be thought fit;
 - 2.20.2.** to purchase, take on lease, take in exchange, hire and to otherwise acquire and to sell, lease or otherwise dispose of or deal in or with real and personal property of every description;
 - 2.20.3.** to borrow or raise money in such a manner as Council shall think fit and to secure the same by giving mortgages charges or other securities over any part of the real and personal property present or future of the Council;

¹ Amended at Fremantle 2009

- 2.20.4.** to make, draw, accept, endorse, discount, execute and issue promissory notes, bills of exchange, warrants, debentures and other negotiable or transferable instruments;
- 2.20.5.** to insure against fire or otherwise any insurable property of Council and to pay premiums on insurance or assurance policies which Council may acquire by any means, and to arrange other insurances as may be deemed necessary;
- 2.20.6.** to act as trustee of trusts and funds which may be established for the benefit of Legacy and to establish such trusts and funds;
- 2.20.7.** to take or otherwise acquire and hold shares, debentures or other securities of any company or body corporate; and
- 2.20.8.** to do all such things as are incidental or conducive to the attainment of the above purposes or any of them.
- 2.21.** The assets and income of the organisation shall be applied solely in furtherance of its above mentioned objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.

LEGACY AUSTRALIA COUNCIL INCORPORATED CONSTITUTION

1. NAME

There shall be a Council whose name shall be **LEGACY AUSTRALIA COUNCIL INCORPORATED**¹ (in this Constitution called "**COUNCIL**").

2. DEFINITIONS

Whenever in this Constitution the following words are used, their meaning shall be:

Charter of Legacy	The Charter approved by National Conference for use by Legacy as a whole.
Club Charter	The Charter issued to a Legacy Club
Code	The Code of Legacy
Constitution	The Constitution of Council as approved by National Conference
Council	The Legacy Australia Council Incorporated.
Foundation Charter	The Charter issued to a Legacy Foundation.
Legacy Australia	Is the national identity of Legacy and is composed of all Legacy Clubs ¹ .
Legacy Benefits	Include, but are not limited to, the range of support available from a Legacy Club to an eligible dependant.
Legacy Club	A Legacy Club to which a Club Charter has been granted and whose Charter has not been endorsed with a Statement of Substantial Fulfilment.
Legacy Foundation	A fund, authority or institution formed by Legacy Clubs to further the aims and interests of Legacy.
Legatee	A person who has been inducted as a member of a Legacy Club, and whose membership is still current.
Member	A Legatee who has been appointed as a member of Council in accordance with the provisions of this Constitution and whose membership is still current.
National Conference	The periodic or any other Conference of Legacy Clubs of which due notice has been given to all Clubs.
PRG	The Legacy Principles and Rules for Guidance.
State	A State of the Commonwealth of Australia, including the Australian Capital Territory and the Northern Territory.

¹ Amended at Fremantle 2009

3. PURPOSES AND DUTIES

The purposes and duties of Council shall be:

- 3.1.** to implement the decisions of Legacy Clubs taken at National Conferences, subject to provisions hereinafter contained;
- 3.2.** to ensure the adoption by all Clubs of: the decisions of National Conferences in regard to eligibility for Legacy benefits; and uniform qualifications of membership as determined by National Conferences;
- 3.3.** to collect, co-ordinate and disseminate the views of Clubs on any subject affecting the general policy or activities of Legacy, which in its opinion requires a decision between Conferences, or which is referred to it by a Club or Clubs;
- 3.4.** to authorise the formation of new Clubs, to issue Club Charters thereto in accordance with the procedure decided by National Conference and to promulgate to all Clubs full particulars of each new Club;
- 3.5.** to authorise the dissolution of Clubs and to endorse the Charters of such Clubs with a Statement of Substantial Fulfilment;
- 3.6.** to issue a Foundation Charter to a Legacy Foundation which meets the requirements decided by National Conferences;
- 3.7.** to withdraw a Foundation Charter from a Legacy Foundation which does not meet the requirements decided by National Conference; or requests that its Charter be withdrawn and cancelled;
- 3.8.** to maintain a register of members in which shall be entered the details of the full name, date of birth, address, date of entry and date of cessation for each member and to make such register available for inspection by Legatees at the address of the Public Officer;
- 3.9.** to maintain a register of all Clubs, showing the name, location, boundaries, meeting places and other relevant data;
- 3.10.** to maintain a register of all Chartered Legacy Foundations, showing the name, location and other relevant data;
- 3.11.** to keep in safe custody all records of Council, including registration papers and copyright of the Legacy name and badge;
- 3.12.** to make representations to, or negotiate with, on behalf of Legacy Clubs, governments and their departments or instrumentalities or other organisations or persons on any matters affecting the welfare of dependants of deceased veterans and the interests of Legacy Clubs generally;

- 3.13.** to take urgent action on important matters arising between National Conferences, after consultation with, and with the approval of a two-thirds majority of, all the Capital City Clubs in Australia, except that the Chairman of Council or his nominee may comment on matters of Legacy policy and any other issues that affect the operations of Legacy¹.
- 3.14.** to solicit, receive and disburse monies and other property, subject to the provisions contained in the Principles and Rules for Guidance;
- 3.15.** to co-operate with the Host Club for each National Conference in the management of that Conference and the promulgation of the decisions;
- 3.16.** to arrange for the apportionment and reimbursement of National Conference expenses in accordance with the procedure determined by Conference;
- 3.17.** to pay all costs incidental to its operations or for such other purposes as may be decided by Conference, and to receive from Clubs such amounts as are directed by Conference;
- 3.18.** to report to Clubs as required, at least annually, and to National Conferences;
- 3.19.** to forward Minutes of all Council and Executive meetings to all Clubs; and
- 3.20.** solely for the purpose of furthering the purposes set out above, to exercise the power:
 - 3.20.1.** to invest and deal with the money of Council not immediately required by it from time to time in such manner as may be thought fit;
 - 3.20.2.** to purchase, take on lease, take in exchange, hire and otherwise acquire and to sell lease or otherwise dispose of or deal in or with real and personal property of every description;
 - 3.20.3.** to borrow or raise money in such a manner as Council shall think fit and to secure the same by giving mortgages charges or other securities over any part of the real and personal property present or future of the Council;
 - 3.20.4.** to make, draw, accept, endorse, discount, execute and issue promissory notes, bills of exchange, warrants, debentures and other negotiable or transferable instruments;
 - 3.20.5.** to insure against fire or otherwise any insurable property of Council and to pay premiums on insurance or assurance policies which Council may acquire by any means, and to arrange other insurances as may be deemed necessary;
 - 3.20.6.** to act as trustee of trusts and funds which may be established for the benefit of Legacy and to establish such trusts and funds;
 - 3.20.7.** to take or otherwise acquire and hold shares, debentures or other securities of any company or body corporate; and

¹ Amended at Fremantle 2009

3.20.8. to do all such things as are incidental or conducive to the attainment of the above purposes or any of them.

4. LOCATION

Council shall be located in a Capital City in Australia determined by National Conference. Any decision of a Conference to change the location of Council shall not take effect until ratified at the next ensuing Conference.

5. COUNCIL MEMBERSHIP

5.1. The membership of Council shall consist of the following Legatees:

5.1.1. The members of the Executive, comprising:

- a Chairman
- two Vice-Chairmen
- a Secretary
- an Assistant Secretary
- a Treasurer
- the Immediate Past Chairman.

5.1.2. Eight Representative Members.

5.2. The Chairmen, or their representatives, of National Pensions Committee and National Marketing Committee shall be members of Council¹.

5.3. Council may co-opt additional persons for special purposes or tasks.

5.4. The Chairman of Council shall not hold that office for more than three consecutive years.

6. APPOINTMENT OF THE EXECUTIVE MEMBERS

6.1. Members of the Executive for the ensuing calendar year shall be nominated by the Capital City Club where Council is to be located for that year. If there is no Capital City Club in existence in that State at that time, National Conference will select the Club which is to be responsible for nominating the Executive.

6.2. The names of the nominees will be submitted to all other Clubs at least one month before their proposed date of appointment.

6.3. If there is no objection one month after notification to Clubs, the members shall become appointed and assume office with effect from 1st January of the ensuing year.

¹ Amended at Fremantle 2009

- 6.4. In the event of any objection to any of the nominees submitted by the responsible Club, that Club may submit the names of further nominees to all Clubs concerned, allowing one month for acceptance or rejection, and may continue that procedure until nominees are accepted.
- 6.5. Any vacancies in these offices through death or retirement may be filled by a nominee of the responsible Club concerned and that nominee shall hold office for the remainder of that year.

7. REPRESENTATIVE MEMBERS AND ALTERNATE MEMBERS

- 7.1. The Clubs in each State shall select one Representative Member from that State. The Capital City Club will initiate the selection. Such member shall preferably have been a President or a Vice-President of a Club.
- 7.2. If there is no Capital City Club in existence in the State at that time, Council will request another suitable Club in that State to initiate the selection.
- 7.3. Representative Members shall hold office for two years and shall be eligible for re-appointment.
- 7.4. The Representative Members from New South Wales, South Australia, Western Australia and the Northern Territory shall retire in even-number years and those from Queensland, Tasmania, Victoria and the Australian Capital Territory shall retire in odd-number years.
- 7.5. Wherever practicable the Representative Members will attend meetings of Council and exercise the voting right for their State.
- 7.6. Representative Members are responsible for liaison on all matters of a Council nature between Council and the Clubs within their States. Notwithstanding, any individual Club may communicate with Council, provided that the appropriate Representative Member is informed.
- 7.7. Representative Members are responsible for keeping Resident and Proxy Members informed.
- 7.8. The Clubs in each State may also select a Legatee to be the first Alternate Member of Council to deputise for the Representative Member. An Alternate Member shall preferably have been a President or Vice-President of a Club, shall hold office for the same period as the Representative Member and shall be eligible for re-appointment.
- 7.9. The Clubs of any State may at any time select a Legatee from their State who is visiting the City where Council is located to deputise for the Representative Member as a second Alternate Member for a particular meeting.
- 7.10. The Clubs of a State may replace their Representative Member or first Alternate Member at any time and for any reason. Details of the replacement will be advised to Council.

8. RESIDENT MEMBERS AND PROXY MEMBERS

- 8.1. If requested by a State, the Club nominating the Council Executive shall make available a Resident Member and a Proxy Member for the Resident Member for that State. A panel of names of available and suitable Legatees will be advised to the Capital City Club in each requesting State from whom Clubs of that State may make their selection.”
- 8.2. If there is no Capital City Club in existence in the State at that time, Council will request another suitable Club in that State to organise the selection.
- 8.3. The State Resident Member shall be entitled to vote at all meetings where the Representative Member and an Alternate Member cannot attend.
- 8.4. The State Proxy Member shall be entitled to vote at all meetings where the Representative Member, an Alternate Member and the Resident Member cannot attend.
- 8.5. The Clubs of a State may request the nominating Club to replace their Resident Member or Proxy Member at any time and for any reason. Details of the replacement will be advised to Council.

9. ANNUAL SUBSCRIPTION OF MEMBERS¹

An annual subscription, payable by each Executive and Representative Member, shall be an amount fixed by Council and payable in advance on or before the first day of July in each year.

10. CESSATION OF MEMBERSHIP

- 10.1. A member of Council shall cease to be a member:
 - 10.1.1. upon ceasing to be a member of a Legacy Club, or
 - 10.1.2. on giving notice in writing to the Secretary of intention to resign and following notice of such resignation being given to the next meeting of Council, or
 - 10.1.3. upon being replaced by the nominating Club.
- 10.2. Where a member fails to pay his subscription or, in the opinion of Council, is unable to carry out his duties or obligations as a member, Council may request the nominating Club to replace that member.

11. POWERS OF THE EXECUTIVE

The Executive shall have the same powers as Council and may take action as it sees fit, subject to ratification by Council.

1. Amended between Conferences April 2005.

12. GENERAL MEETINGS OF COUNCIL

- 12.1.** General meetings of Council shall be convened at least five times in each calendar year and otherwise as may be necessary. At least three days notice in writing shall be given to members by the Secretary (or a member acting for him), of all Council general meetings.
- 12.2.** The Chairman, or in his/her absence, a Vice-Chairman, shall preside at each general meeting of the Council.
- 12.3.** If the Chairman and the two Vice-Chairmen are absent from a general meeting the members present shall elect one of their number to preside as Chairman of the meeting.
- 12.4.** No business shall be transacted at a general meeting unless a quorum of members entitled to vote is present during the time when the meeting is considering that item.
- 12.5.** If it is impracticable to call a meeting of Council, the Executive may act as required within the limits of this Constitution and any action so taken shall be submitted to Council for ratification at the earliest opportunity.

13. ANNUAL GENERAL MEETINGS OF COUNCIL

- 13.1.** The Annual General Meeting of Council will normally be held in conjunction with one of the general meetings. Members shall be given at least twenty-one days notice in writing of this meeting.
- 13.2.** The Chairman, or in his/her absence, a Vice-Chairman, shall preside at each Annual General Meeting of the Council.
- 13.3.** If the Chairman and the two Vice-Chairmen are absent from the Annual General meeting, the members present shall elect one of their number to preside as Chairman of the meeting.
- 13.4.** No business shall be transacted at an Annual General Meeting unless a quorum of members entitled to vote is present during the time when the meeting is considering that item.
- 13.5.** In addition to any ordinary business, the Annual General Meeting will receive and consider the accounts for the preceding year, the report of the auditor thereon, the report of the Chairman, the appointment of members, and any other matters required by statute to be considered at the annual general meeting.

14. QUORUMS FOR COUNCIL AND EXECUTIVE MEETINGS

- 14.1.** A quorum for a meeting of Council shall exist when there are representatives of three States and three members of the Executive present.
- 14.2.** A quorum for a meeting of the Executive shall be any three members present.

15. VOTING AT COUNCIL AND EXECUTIVE MEETINGS

At meetings of Council and of the Executive, the Chairman shall have a deliberative vote and a casting vote and each of the other members present shall have one vote.

16. PROXY VOTING

A member unable to attend a general meeting or an Annual General Meeting of Council shall not be entitled to appoint a general proxy to represent him/her at a meeting, other than an Alternate Member, Resident Member or Proxy Member appointed in accordance with the provisions of this Constitution.

17. PUBLIC OFFICER

17.1. Council shall appoint one its members as the Public Officer.

17.2. The provisions relating to the appointment, removal and notification of the address of the Public Officer are set out in the appropriate sections of the Associations Incorporation Act (Victoria) 1981 (as amended).

18. COUNCIL RECORDS

18.1. The Secretary shall keep minutes of all meetings of Council and of the Executive, together with a record of the names present at each meeting, and shall forward copies of such minutes to all Clubs and to members of Council.

18.2. The Secretary shall be responsible for the custody of the minutes of proceedings.

18.3. The Secretary shall maintain the register of members in which shall be entered the details of the full name, date of birth, address, date of entry and date of cessation for each member and the register shall be available for inspection by Legatees at the address of Council.

18.4. The Secretary shall maintain registers of Clubs and of Chartered Foundations, showing relevant information, and the registers shall be available for inspection by Legatees at the address of Council.

19. CUSTODY AND USE OF THE COMMON SEAL

19.1. Council shall provide for the safe custody of the Common Seal. Unless Council determines otherwise, this shall be the responsibility of the Secretary.

19.2. The Common Seal shall not be affixed to any instrument except by the authority of Council and the affixing of the Common Seal shall be attested by the signature of two members of Council.

20. COUNCIL ACCOUNTS

20.1. The Treasurer shall be responsible for the maintenance and custody of records of all monies received, disbursed and held by Council.

20.2. The Treasurer shall ensure that all cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by at least two of the members of Council who are authorised by Council from time to time to do so.

20.3. Audited accounts shall be presented annually to Council and to all Legacy Clubs.

21. AUDIT

A registered Auditor or Auditors shall be appointed.

22. CUSTODY AND AVAILABILITY OF RECORDS AND ACCOUNTS

22.1. All minutes and financial records shall be preserved and shall remain at all times the property of Council and shall be available for inspection by Legatees.

22.2. The Secretary shall be responsible for maintaining all current records other than financial and for the preservation of all archival material including financial records.

23. ALTERATION TO CONSTITUTION OF LEGACY AUSTRALIA COUNCIL INCORPORATED AND THE STATEMENT OF PURPOSES

23.1. The Constitution of Legacy Australia Council Incorporated and the Statement of Purposes shall not be altered or repealed until notice of intention to such effect shall have been given to all Clubs at least four months prior to National Conference and the resolution to effect such change shall have been agreed to at such Conference by not less than seventy-five per cent of Clubs voting in Conference. However, consequential and routine changes may be dealt with between Conferences under the provisions of the Principles and Rules for Guidance (PRG 55).

23.2. Following the passing of a resolution to alter or repeal the Statement of Purposes or the Constitution, Council shall take prompt action to comply with the requirements of Sections 22 and 29 of the Associations Incorporation Act 1981 (Victoria) (as amended) and shall lodge with the Registrar of Incorporated Associations the necessary notice in writing. Section 22 of the Associations Incorporation Act provides that a corporation may by special resolution alter its Statement of Purposes or its Constitution. Section 29 of the Act defines a special resolution.

24. WINDING UP OR CANCELLATION

24.1. In the event of the winding up or the cancellation of the incorporation of Council, the Donations Fund operated by Council shall be distributed among the Capital City Clubs or any other Club that has been recognised by the Australian Tax Office as being a Club to which income tax deductible gifts can be made. If no Legacy Club has this status or there is no Legacy Club in existence at the time of winding up then all surplus assets of the Donation Fund remaining after the payment of liabilities attributable to it shall be transferred to a fund, authority or institution that has similar objects or statement of purposes to that of Legacy.

- 24.2.** The distribution can only proceed following a favourable seventy-five per cent majority vote of Legacy Clubs to whom at least six weeks notice of the proposed winding up or the cancellation of incorporation of Council has been given.
- 24.3.** In the event of winding up or the cancellation of the incorporation of Council, any surplus assets remaining after the payment of liabilities should be distributed among Capital City Clubs or any other Club that has been recognised by the Australian Taxation Office as being a public benevolent institution for the purposes of any Commonwealth Taxation Act.

**NOTATIONS TO (but not forming part of) THE CONSTITUTION OF LEGACY AUSTRALIA COUNCIL INCORPORATED
(FORMERLY LEGACY CO-ORDINATING COUNCIL INCORPORATED)**

- N.1.** The Constitution was originally adopted at the 21st National Conference of Legacy Clubs at Hobart in 1949 and amended at subsequent Conferences up to and including the 66th National Conference of Legacy Clubs at Launceston in 1994.
- N.2.** The Constitution was revised and the revised Constitution was adopted at the 68th National Conference of Legacy Clubs at Albury in 1996.
- N.3.** The Constitution was amended at the 70th National Conference of Legacy Clubs at Melbourne in 1998.
- N.4.** The Constitution was amended at the 76th National Conference of Legacy Clubs at Fremantle in 2009.

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LEGACY PRINCIPLES AND RULES FOR GUIDANCE

1. APPLICATION OF THE CODE AND THE PRINCIPLES AND RULES FOR GUIDANCE

- 1.1.** Except where specific discretion is granted, the requirements of the Code of Legacy are binding and obligatory on all chartered Legacy Clubs and must be complied with, likewise Clause 53 hereof .
- 1.2.** National Conference has approved these Principles and Rules for Guidance (PRG) to implement the policy as set out in the Code of Legacy. They are promulgated for the guidance of Legacy.
- 1.3.** It is desirable that Legacy practice should be uniform and consistent. Whilst application of these Principles and Rules to the domestic constitution and policy of individual Clubs is not mandatory, departures therefrom should be made only when special circumstances exist.

2. DEFINITIONS

The definitions of terms as set out in Annex A of the Code of Legacy and augmented in Appendix 1 are to be used with the PRG.

3. BADGE

- 3.1.** The design of the Badge of Legacy is specified in the Code of Legacy.
- 3.2.** A lapel badge of bronze colour will be issued to each member of a Legacy Club. A lapel badge of silver colour will be issued to each member of an auxiliary work force. The lapel badge should be worn whenever practicable and particularly when engaged on Legacy activities. Such badge remains the property of Legacy and is to be returned on demand when the person ceases to be a member. A lapel badge shall not be issued to any person other than a member of a Legacy Club or of an auxiliary work force.
- 3.3.** The design of the Legacy badge is copyright and is vested in Council. Reproduction of the badge design on literature and stationery produced by Clubs is authorised and should be in one or more colours. Reproduction of this design either wholly, or in part, except for Legacy purposes, is a breach of copyright.
- 3.4.** A reproduction of the copyright Legacy badge may be incorporated in a memorial established to a member of a Legacy Club after death. Such a badge may be part of a cast plaque, or may be an engraving cut into a headstone, or may be formed in glass. The use of the badge in such a manner that it could be removed from the memorial is not permitted.

4. NAME OF CLUB

Each Club shall adopt an approved official title, for example, "Legacy Club of" followed by the name of the city, town or district in which the Club is established. It is permissible to use as a general title the name of the city, town or district, followed by the word "Legacy".

Example: Official Title "The Legacy Club of Melbourne"
General Title "Melbourne Legacy"

5. AUTONOMY OF CLUBS

All Legacy Clubs are autonomous. Nothing expressed or implied in these Rules shall limit the freedom of Clubs in relation to their domestic rules or policies, except that:

- 5.1** the requirements of the Code of Legacy are binding and obligatory (except where specific discretion is granted) on all chartered Legacy Clubs; and
- 5.2** as it is desirable that Legacy practice should be uniform and consistent, departures from the provisions of the PRG should be made only when special circumstances exist.

6. CHARTERS

- 6.1** Council shall issue a Club Charter to each Club and shall issue a Foundation Charter to a Legacy Foundation qualified in accordance with these Rules.
- 6.2.** The format of a Club Charter is at Appendix 2.
- 6.3.** Club Charters shall be kept in the custody of the Presidents of the Clubs for the time being. They should be displayed prominently in the clubroom or place of meeting, and ceremoniously handed to their successors when installing them in office.
- 6.4.** The format of a Foundation Charter is at Appendix 3.
- 6.5.** The Foundation Charters shall be in the custody of the Chairmen/Presidents of the Foundations for the time being.

7. BOUNDARIES

- 7.1.** The boundaries of the areas under the control of Clubs shall be as agreed between the Clubs concerned, the relevant Capital City Club(s) and Council. In the case of a new Club, the boundaries shall be defined before the inauguration of the Club. Any variation of boundaries shall be by mutual agreement between the Clubs concerned but shall be notified to the relevant Capital City Club(s) and to Council.
- 7.2.** Council will maintain a map showing the boundaries of all Legacy Clubs.

8. LONDON LEGACY

London Legacy Club is accepted as operating within Australia in relation to its membership and in providing Legacy benefits to eligible dependants.

9. FORMATION OF A NEW LEGACY CLUB

- 9.1.** Every application to form a new Club shall be sponsored by an existing Club or Clubs, which shall furnish a full report to the Capital City Club in the State concerned.
- 9.2.** The report from the Sponsoring Club(s) is to include, inter alia:
- Details of area and population, including proposed boundaries
 - The amount of Legacy work at hand or likely to develop
 - The effect that the new Club will have on the areas and work of existing Clubs
 - The names of at least fifteen approved original members and the likely availability of future members
 - The proposed headquarters and meeting places
 - The likely financial viability of the new Club
 - An assurance that the new Club will subscribe to the aims, objects and activities of Legacy.
- 9.3.** The Capital City Club will investigate the application. This should include consultation with all adjacent and affected Clubs. If satisfied that the need exists and that the new Club will be viable, the Capital City Club will recommend to Council that a Charter be issued.
- 9.4.** On being satisfied that the requirements have been complied with, Council shall authorise the formation of the new Club. It will then advise the relevant Capital City Club and the Sponsoring Club(s) and issue the Charter for the new Club.
- 9.5.** If there is no Capital City Club in existence in that State at that time, and in the case of any extensions of Legacy outside Australia, all negotiations for new Clubs will be conducted by Council.

10. INAUGURATION OF A NEW LEGACY CLUB

- 10.1.** When Council has advised the Capital City Club that it proposes to issue the Charter, the Capital City Club, in consultation with the Sponsoring Club, should arrange an inaugural ceremony at a suitable time and place.
- 10.2.** Council should be notified as soon as possible so that it may arrange to be represented.
- 10.3.** If there is no Capital City Club in existence in the State at the time, Council will make all arrangements direct with the Sponsoring Club.
- 10.4.** The Chairman of Council or his/her nominee should perform the inaugural ceremony. The procedure set out in Appendix 4 may be used.

- 10.5.** All other Legacy Clubs should be notified of the time and place of the ceremony so that they may be represented or enabled to send suitable messages of congratulations and goodwill.

11. MEMBERSHIP - LIMITATION OF

11.1. Numerical strength

The membership of each Club should be limited to the number necessary to ensure that all members render adequate personal service.

11.2. Life Membership and Honorary Membership

The status of Life Membership shall not be conferred on any person. The status of Honorary Membership shall not be conferred on any person after 9th August 1987.

12. MEMBERSHIP - ADMISSION TO

- 12.1.** Candidates for membership of Legacy shall be nominated and seconded by Legatees who should have had at least 12 months' membership of Legacy.
- 12.2.** Candidates shall signify their willingness to provide adequate personal service to Legacy beneficiaries and to carry out all the other duties expected of them
- 12.3.** They should be nominated on a prescribed form approved by their Club. A suggested form for this purpose is at Appendix 5.
- 12.4.** After the nomination and election has been carried out in accordance with the rules of the Club concerned, the candidate shall accept the obligations of Legacy at an induction ceremony. A suggested procedure for this ceremony is set out in Appendix 6.

13. LEVIES

- 13.1.** Each Club shall pay to Council an annual levy that will be its share of the sum of the following components, each of which is to be listed separately:
- A Council Levy to meet the operating costs of Council, including administration, National Conference preparations and travel, other than the attendance of two of its members at Conference provided for below under National Conference – Travel Costs
 - Levies to cover the costs of National Conference Standing or Ad Hoc Committees, as provided below in Expenses of Committees of Conference
 - A levy to pay the premiums for Public and Association Liability Insurances
 - Any levy to meet the costs of other special purposes that Conference approves for funding in this way

- 13.2.** Each of the above levies shall be proposed by Council and determined by Conference in conference years. In non-conference years, levies will be determined through the provisions for Council to handle matters between National Conferences with Club Presidents voting on the matter. Unless decided otherwise by Conference, levies for purposes other than National Conference business expenses, shall be paid by 1 January each year.
- 13.3.** Each Club shall, following National Conference, pay a levy to Council to meet the expenses incurred by the Host Club in conducting the business sessions of the Conference and those associated with travel, as specified below in National Conference - Host Club Expenses and National Conference – Travel Costs, respectively.
- 13.4.** Proposals for levies any special purposes (e.g. insurances) must be supported by descriptions of the purposes, the benefits to be derived, options to give them effect and details of the costs that are to be met.
- 13.5.** The amount of each levy shall be calculated per capita, based on Club membership. For this purpose, the membership of a Club shall be the total of all members, including ordinary members, reserve members and members of Foundations and auxiliary workforces who carry out duties normally undertaken by Legatees.
- 13.6.** Levies may be paid from Club welfare funds, however, those for some special purposes may require separate funding provisions.

14. STATISTICS

- 14.1.** Each Club will maintain statistics relating to its beneficiaries and its members, by age groupings as follows:
- Under 60 years
 - 60 years to under 75 years
 - 75 years to under 80 years
 - 80 years and over.
- 14.2.** Membership and beneficiary statistics will also be maintained by the following groupings:
- The number of members who served in World War II
 - The number of members who served Post World War II
 - The number of widows enrolled with Legacy and who receive a War Widow's pension
 - The number of widows enrolled with Legacy and who are widows of members of the ADF whose deaths were occasioned by hazardous service or training for war.
- 14.3.** Each Club will forward to Council by 30th April each year its statistics as at 31st March in that year.¹

¹ Rules 14.3 to 14.5 amended at Melbourne in 1998.

- 14.4.** Council will consolidate the statistics of all Clubs each year as at 31st March in that year and forward then to all Clubs before 31st July in that year.
- 14.5.** The statistics covered under the provisions of this Rule will be reported to Conference.

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15. CLUB BULLETINS AND ANNUAL REPORTS

- 15.1.** Each Club may send its Bulletins to all other Clubs.
- 15.2.** Each Club shall send a copy of its Annual Report to the Australian War Memorial.
- 15.3.** Each Club shall send a copy of its Bulletins and its Annual Report to Council and to its Representative and Resident Members on Council.

16. TAXATION

Taxation matters affecting Legacy Clubs are at Appendix 7.

17. SOLICITING FUNDS - TERRITORIAL RESTRICTIONS

- 17.1.** Council may solicit funds from organisations or sources of a national character, after consultation with any Capital City Club or Clubs directly concerned, and with their consent.
- 17.2.** Clubs, when soliciting funds, shall respect established boundaries and cause no embarrassment to other Clubs. For purposes of such boundaries, Broken Hill shall be deemed to belong to South Australia, Albury and district to Victoria and Papua New Guinea to Brisbane.

18. PROPERTY AND FUNDS DONATED TO LEGACY

- 18.1.** Council may receive real or personal property by way of devise, legacy, donation, contribution or otherwise, and shall accept, apply or distribute same in accordance with any wish or direction expressed in regard thereto by the donor thereof, provided that such wish or direction is not inconsistent with the responsibilities allowed under the Code of Legacy.
- 18.2.** The receipt given by the Treasurer or other authorised officer shall be a good discharge to the donor of any contributions.
- 18.3.** Details of any donations received by Council, including any conditions attached, shall be notified in the minutes of the next meeting.
- 18.4.** Where Council receives property without a specified wish or direction, such property will be sold and the proceeds dealt with in the same way as funds received without a specified wish or direction.¹
- 18.5.** Where Council received funds without a specified wish or direction, those funds will be deposited in an interest bearing account and administered by Council in a manner which will allow them to be identified as a discrete entity, called "Donations to Legacy".

¹ Paragraphs 18.4 to 18.9 adopted at Melbourne in 1998.

- 18.6. Between National Conferences, Council may approve expenditure of these funds, up to a limit of \$10,000 for any one activity or project which Council considers warrants Legacy's support, and up to a limit of \$30,000 in any Council financial year, provided such funds are used for welfare purposes.
- 18.7. Council may spend more than \$10,000 on any one activity or project or more than a total of \$30,000 in any Council financial year, subject to the prior agreement of at least two-thirds of the Presidents of Capital City Clubs, and that such funds are used for welfare purposes.
- 18.8. At each National Conference, Council will present a report on the "Donations to Legacy" account, showing receipts, full details of expenditure authorised by Council in accordance with the previous sub-paragraphs, and the balance remaining in the account.
- 18.9. The disposition of any balance will be as decided by Conference.

19. PATRON

Any person who has rendered distinguished service to the nation or who occupies a distinguished position in the community may be invited to become a Patron of a Club, provided that such person is able and willing to take an active interest in the work of Legacy.

20. DISSOLUTION OF A LEGACY CLUB

- 20.1. When a Club is unable to provide the required level of service to Legacy beneficiaries or has substantially completed its Legacy task within its boundaries, it may decide to apply for a statement of substantial fulfilment of its Charter and its subsequent dissolution.
- 20.2. The Club, after resolving constitutionally to do so, will advise its Capital City Club and neighbouring Clubs of its decision.
- 20.3. The Capital City Club, in consultation with the subject Club and other Clubs involved, shall satisfy itself that any residual responsibilities of the subject Club can be taken over by other Clubs or by a Chartered Legacy Foundation and that the assets of the subject Club can be satisfactorily disposed of in accordance with the relevant legislation and in accordance with the decisions and constitution of the subject Club.
- 20.4. On being satisfied that appropriate arrangements can be made for continuation of any residual Legacy responsibilities within its boundaries, the subject Club will then apply to Council for endorsement on its Charter of a Statement of Substantial Fulfilment.
- 20.5. Simultaneously, the Capital City Club will notify Council that suitable arrangements can be made to assume the residual Legacy responsibilities.

- 20.6.** Council, being satisfied that suitable arrangements can be made, will resolve to endorse the Charter and will advise the Capital City Club and the subject Club of its resolution. The Capital City Club, in consultation with the subject Club and other Clubs/Foundations involved, will supervise the agreed arrangements for any changes in the residual responsibilities.
- 20.7.** The Capital City Club, in consultation with the subject Club and other Clubs/Foundations involved, should arrange an appropriate ceremony to mark the formal endorsement of the subject Club's Charter. It will notify all other Legacy Clubs of the time and place of the ceremony so that they may be represented or enabled to send messages of appreciation and remembrance.
- 20.8.** At this ceremony, Council will execute the formal endorsement of the Charter. The Club shall then cease to exist as a Club of Legacy.
- 20.9.** If there is no Capital City Club in existence in the State at that time, the Club seeking dissolution will conduct all negotiations and make all arrangements direct with Council.

21. LEGATEES - TRANSFER OF MEMBERSHIP

- 21.1.** When Legatees change their place of permanent residence, they should be transferred to the nearest appropriate Club, provided that:
- 21.1.1.** the Club to which they belong forwards to the transferee Club a notification of their change of residence together with full particulars of their Legacy service and a copy of their original nomination form;
- 21.1.2.** they signify to the transferee Club within a period of three months from the date of their change of residence, or such longer period as may be determined by the transferee Club, their desire to transfer; and
- 21.1.3.** they are acceptable to the transferee Club and there is a suitable field of service for them.
- 21.2.** When Legatees are transferred, they shall be regarded as having paid their subscriptions up to the end of the financial year of the transferee Club.

22. LEGATEE VISITORS

Legatees visiting another city or town shall be entitled to attend meetings of the Club in that place on the same basis as if they were members of the Club, save that they shall have no right to vote on any resolution at any meeting.

23. AUXILIARY WORKFORCES

23.1. An auxiliary workforce may be utilised by a Club to carry out all duties normally undertaken by Legatees. Depending on the circumstances within that Club, such auxiliary workforce will be formed:

- by the Club within its own framework of rules; or
- from within a Legacy Foundation, which should be one which has been issued with a Charter by Council.

23.2. Members of such an auxiliary workforce will be entitled to wear a distinctive lapel badge as specified in these Rules.

23.3. Subject to the provisions of its rules, a Club may elect or appoint a member of an auxiliary workforce to hold any office within a Club.

24. FORMATION OF A LEGACY FOUNDATION

24.1. A Legacy Foundation may be formed by a Club or jointly with other Clubs. Such a Foundation must:

24.1.1. have, as its primary purpose, the furtherance of the aims and interests of Legacy;

24.1.2. be incorporated as an association or corporation under the law of the Commonwealth or of a State;

24.1.3. be a fund, authority or institution approved by the Commissioner of Taxation as a fund, authority or institution referred to in Section 78(1)(a) of the Income Tax Assessment Act 1936 as amended;

24.1.4. undertake to use or apply its assets acquired for Legacy purposes and the income from those assets solely for the purposes of assisting those eligible for Legacy benefits as defined in the Code of Legacy unless it has financial resources surplus to that requirement, when it may apply such surplus for any purpose authorised by its constitution; and

24.1.5. where applicable, undertake that, in utilising its workforce, consisting of people other than members of Legacy, to perform functions commonly undertaken by Legatees, it will:

- subject to the requirements of its incorporation, accept the general superintendence of the relevant Legacy Club or Clubs existing within the State of its incorporation
- act in accordance with the Code of Legacy
- observe the aims, objects and practices common to Legacy.

24.2. There should be not more than one Legacy Foundation in any State.

25. ISSUE OF A CHARTER TO A LEGACY FOUNDATION

- 25.1. A Legacy Foundation which conforms to the requirements set out in these Rules may apply to Council for the issue of a Charter.
- 25.2. Every such application shall be sponsored and recommended by one or more Clubs.
- 25.3. On being satisfied that the requirements have been complied with, Council shall issue a Foundation Charter.

26. TRANSFER OF ASSETS TO A LEGACY FOUNDATION

Clubs may transfer assets to a Legacy Foundation which conforms to the requirements set out in these Rules.

27. WITHDRAWAL OF A CHARTER FROM A CHARTERED LEGACY FOUNDATION

Council will withdraw and appropriately endorse the Charter previously issued to a Legacy Foundation when that Foundation:

- 27.1. decides to dissolve or wind up; or
- 27.2. so requests; or
- 27.3. no longer satisfies the requirements set out in these Rules.

28. FREQUENCY AND ORGANISATION OF NATIONAL CONFERENCES

- 28.1. Clubs are autonomous, but have agreed to be bound by the Code of Legacy, which is complemented by the PRG. National Conferences are the means by which the policy of Legacy and the method of its implementation are determined by Legacy Clubs.
- 28.2. A National Conference will be held biennially. It will be organised and conducted by an individual Legacy Club (or combination of two or more Clubs). Such Club(s) will be designated the Host Club(s) (hereinafter referred to as the Host Club). Conference will determine the Host Club.

29. APPOINTMENT OF HOST CLUB

- 29.1. Any Club desiring to be a future Host Club should make application for the year which is not less than four years ahead of the year in which the application is made. Ideally, the application should specify the time and venue proposed for the Conference. Unless special circumstances exist, the Conference will be held not earlier than 1st September and not later than 31st October.

- 29.2.** The application should be lodged with the current Host Club and with Council at least three months prior to the date of the Conference at which the application is to be considered. The application shall be examined by Council, which will forward its report thereon to all Clubs at least one month before the date of the Conference at which the application is to be considered. Following submission of all applications to Conference a ballot shall be conducted, if necessary, to decide the future Host Club.
- 29.3.** If no applications have been received prior to the Conference, applications may be made at the Conference. If two or more applications are received, a ballot shall be conducted.

30. TIME, PLACE AND REGISTRATION FEE OF NATIONAL CONFERENCES

- 30.1.** As soon as possible after being appointed, the future Host Club shall confirm the exact time and place of the National Conference and shall advise Council and all Clubs.
- 30.2.** A Registration Fee will be imposed by the Host Club to cover all direct and indirect costs of social and other functions which are not business sessions. The Registration Fee will be payable direct to the Host Club by all members and accompanying guests attending Conference.
- 30.3.** The future Host Club, after consultation with Council, will notify to Clubs the proposed Registration Fee no later than one year in advance of that National Conference.

31. GUIDELINES FOR THE CONDUCT OF A NATIONAL CONFERENCE

General guidelines for the conduct of a National Conference are at Appendix 8.

32. AGENDA

- 32.1.** As soon as possible after being appointed, the future Host Club, in conjunction with Council if necessary, will select a theme for the Conference and advise all Clubs. The theme should provide the stimulus for discussing current Legacy procedures and problems. Clubs should be invited to submit relevant discussion papers.
- 32.2.** Clubs, Council and Committees of Conference may submit reports, papers and proposed motions on a variety of topics, including proposals to amend the Legacy Statutes.
- 32.3.** Host Clubs should take particular notice of any Notices of Motion proposed at previous Conferences and any other outstanding matters, including any from a Mediation Committee.
- 32.4.** The Club conducting a National Conference should arrange the order of the Agenda so that motions directed towards improving the service rendered by Legacy should take precedence over motions requiring representations and submissions to government and semi-government bodies or the like.

- 32.5. Proposed amendments to the Legacy Statutes should be listed for consideration early in the business sessions.
- 32.6. The Agenda will be distributed to all Clubs with the Business Papers.
- 32.7. An updated Agenda may be necessary if items are received after the Business Papers have been distributed. If so, this will be prepared and issued at Conference to all delegates and observers attending.

33. BUSINESS PAPERS

- 33.1. The Club initiating a paper, whether a discussion paper or proposal to amend the Legacy Statutes, will send two copies to the current Host Club and one copy to Council and to all other Clubs.
- 33.2. To save retyping by the Host Club, all papers prepared by the initiating club should:
- be on A4 paper;
 - have left and right margins of 25mm;
 - have numbered paragraphs and sub-paragraphs as used in this document;
 - be typed, be in single spacing and on one side only of the paper.
- 33.3. Suggested specimen layouts for motions and discussion papers are set out in Appendix 9.
- 33.4. If acceptable to the current Host Club, papers may be submitted to it on computer disk.
- 33.5. To facilitate timely compilation of the bound copy of the Business Papers for the Conference, all papers, including motions to amend the Legacy Statutes and any other others, discussion papers and reports, should be submitted to the host club at least four months prior to conference. If this requirement leads to some reports being overtaken by events, supplementary reports may be distributed at Conference.
- 33.6. It is important to note the statutory time limitations for submission of motions proposing amendments to the Code and the Constitution, which also require four¹ months notice.
- 33.7. For maximum economy in the use of paper, the bound copies of the Business Papers should be printed by the Host Club on both sides of the paper.
- 33.8. When papers are received after the Business Papers have been bound and distributed, the current Host Club will ensure that sufficient spare copies are available to meet the requirements of delegates and observers attending the Conference.

34. REPRESENTATION AT NATIONAL CONFERENCES

- 34.1. Each Club may send two delegates to Conference.

¹ Amended between Conferences in 2000

- 34.2. Council will be represented by the Chairman or a nominee.
- 34.3. Conference Committees will be represented by the Chairman or a nominee.
- 34.4. Legacy Foundations which have been issued with a Charter may be represented by the President/Chairman or a nominee.

35. INITIATION OF BUSINESS

- 35.1. A Club delegate, Council Chairman and Conference Committee Chairmen shall have the power to initiate business, either by motion or notice of motion.
- 35.2. Except where a specific period of notice is required by these Statutes, business may be initiated from the floor of a National Conference.

36. PROCEDURE AT NATIONAL CONFERENCES

- 36.1. The Chairman at any session shall be the President of the Host Club or his nominee.
- 36.2. Unless Conference otherwise decides, the order of business shall be as set out in the published Agenda.
- 36.3. Normally, only delegates may speak on matters being considered. However, with the prior consent of the delegates of the Club concerned, any observer from that Club may speak without the approval of Conference being necessary.
- 36.4. In open forum or panel/syndicate discussion, observers may speak without needing the prior consent of delegates.
- 36.5. Papers are to be taken as read. Clubs presenting papers should, therefore, merely speak to them.

37. VOTING AT NATIONAL CONFERENCES

Each Club having at least one delegate from its own membership in Conference shall have one vote. Other representatives shall not be permitted to vote. Proxies shall not be accepted.

38. MEDIATION

On any motion dealing with the Code of Legacy, if 50% or more but less than 75% of the Clubs in conference are in favour of such amendment, Conference may refer it to a Mediation Committee appointed by Conference to report back to that Conference or to the next Conference.

39. CONFERENCE COMMITTEES

Conference may establish Standing Committees or Ad Hoc Committees to deal with nominated matters.

39.1. Standing Committees

The following Standing Committees have been established:

- National Pensions Committee, whose constitution is at Appendix 10
- Statutes Monitoring Committee, whose composition and Terms of Reference are at Appendix 14.
- National Marketing Committee, whose Constitution is at Appendix 16.

39.2. Ad Hoc Committees

The following Ad Hoc Committees have been established:

- Recording Committee, whose composition and Terms of Reference are at Appendix 11
- Mediation Committee(s), whose composition and Terms of Reference are at Appendix 12
- Aged Care Forum, whose composition and Terms of Reference are at Appendix 15

40. RECORD OF PROCEEDINGS OF CONFERENCE

The current Host Club shall arrange for the recording of all proceedings of the Conference. This Record shall be edited by the Recording Committee into the final draft form as soon as possible after the Conference ends. The draft Record of the Conference shall be forwarded to Council. After any amendments are agreed between the Host Club and Council, the Record shall be published by the Host Club and circulated as soon as possible to Council and to all Clubs.

41. APPROVAL OF RECORD OF PROCEEDINGS

Upon receipt of a copy of the Record of Conference, the appropriate authority in each Club shall consider the Record and agree or otherwise that it is, for practical purposes, a correct record of the proceedings of Conference.

42. ACCEPTANCE OF OR DISSENT FROM RESOLUTIONS OF NATIONAL CONFERENCE

- 42.1.** Resolutions amending the Code of Legacy, the Statement of Purposes and the Constitution of Legacy Australia Council Incorporated¹, which have been approved by National Conference, are binding on all Clubs.

¹ Amended at Fremantle 2009

- 42.2. Each Club shall examine other resolutions of National Conference as set out in the Record. If a Club dissents from or declines to adopt and abide by any such resolution of Conference it will notify Council.

43. CONFIRMATION AND IMPLEMENTATION OF CONFERENCE PROCEEDINGS

- 43.1. If any Club does not notify Council within three months of the receipt of the Conference Record that the Club considers such Record to be incorrect in a material way, or that the Club dissents from or declines to adopt or abide by any of the other resolutions of Conference, Council shall assume agreement.
- 43.2. Where one or more Clubs consider that the Host Club Record is incorrect, Council will examine all the material available and ensure that the final Record is correct.
- 43.3. After the final Record has been accepted as correct, Council will notify all Clubs (including any amendments) and will act as directed by Conference.
- 43.4. Council shall include, in its annual report, details of all Resolutions from which a Club or Clubs have dissented.

44. NATIONAL CONFERENCE – HOST CLUB BUSINESS EXPENSES

- 44.1. All costs associated with conducting the business sessions of the Conference will be reimbursed to the Host Club. These costs include, inter alia, the cost of Conference venue(s) and equipment, cost of preparation and promulgation of the agenda, the business papers and record of proceedings, the cost of preparation and dispatch of the Message of Loyalty, cost of publicising the Conference, expenses of speakers, staff costs and the cost of transport of delegates and observers between accommodation recommended by the Host Club and business venue(s).
- 44.2. As soon as practicable after the conclusion of the Conference, the Host Club shall forward an itemised account of all the direct costs of the business sessions to Council, which will determine the levy required to meet the costs, so advise Clubs and reimburse the Host Club. This levy is payable by Clubs to Council within 15 days of receiving advice of the amount required.

45. NATIONAL CONFERENCE –TRAVEL COSTS

- 45.1. The reasonable cost of travel to and from Conference, but not accommodation or meals at Conference, of one delegate from each Club, two delegates from Council and the Chairman (or representative) of any Standing Committee or Ad Hoc Committee required to attend will be reimbursed through Council.
- 45.2. Reimbursement will normally be assessed on the least expensive practical mode of travel, be it by air, private car or other appropriate alternatives, calculated on the following basis:

- 45.2.1. For air travel, the cost of the lowest discount fare reasonably available at the time of the Conference.
- 45.2.2. For car travel, at the rate determined by the Department of Veterans' Affairs for travel for treatment or by a reputable motorist's organisation (e.g. NRMA, RACV) for the running costs of a 2 litre capacity vehicle, as determined by Council.
- 45.2.3. For accommodation necessarily incurred getting to and from the Conference, the cost of a reasonable standard motel room in the city/town where a break in journey is necessary.
- 45.3. The total of the above costs will be borne by all Clubs on a per capita basis. Council will calculate the share of the total cost to be borne by each Club, notify Clubs accordingly and deduct each Club's share from its total levy. The Chairmen (or representatives) of Committees will be reimbursed individually."

46. EXPENSES OF COMMITTEES OF CONFERENCE

- 46.1 With the exception of the National Marketing Committee, proposals for levies to fund the expenses of National Committees should be submitted in two parts. The first part to cover the normal operating costs of the Committee and the second to provide for the costs of any special purpose they seek to sponsor. The latter part must be supported by detailed descriptions of the projects, the benefits to be derived, options to give them effect and details of the costs that are to be met. Subject to Conference decisions to the contrary, these costs will be recovered as provided for in 'Levies' above.
- 46.2 The activities of the National Marketing Committee are to be funded by a levy of 5% of the net receipts of Legacy Badge Week. The expenditure and income of the Committee will be managed by Legacy Australia Council.

47. NATIONAL CONFERENCE – SOCIAL EXPENSES

The costs of social functions shall be the responsibility of those attending Conference and will be reimbursed to the Host Club through the imposition of a Registration Fee.

48. STATE CONFERENCES

Clubs within a State may meet in conference for the consideration of such business as may be deemed desirable. The Capital City Club of each State is authorised to arrange such a State Conference.

49. TRANSFER OF LEGACY BENEFICIARIES

- 49.1. The Code provides that Clubs are obliged to provide the benefits of Legacy to a dependant transferred from another Club.
- 49.2. When a Legacy beneficiary transfers from one Legacy Club area to another, the transferring Club should advise the nearest Legacy Club concerned. Information supplied

to the transferee Club should at least include the beneficiary's new address and their complete Legacy history.

50. LEGACY SERVICE TO FAMILIES IN OUTLYING AREAS

- 50.1.** It is the duty of Legacy to establish and maintain some form of contact with all persons eligible for Legacy benefits who reside in remote areas where the responsible Club has no Legatee or auxiliary workforce representation.
- 50.2.** To meet this obligation, the responsible Club should seek the full co-operation of existing agencies in those remote areas and should appoint contactors to act on behalf of Legacy in assisting these families. Contactors should be persons who understand the ideals and obligations of Legacy and they should be given all possible information in regard to Legacy's aims and methods.

51. FUNERAL SERVICE

Upon the death of a Legatee, and subject always to the approval of the next of kin, the Club in which the Legatee has served may pay its last respects by conducting a Legacy Service at the funeral. The form of service as set out in Appendix 13 may be used.

52. REPRESENTATION TO OR NEGOTIATION WITH THE FEDERAL GOVERNMENT AND OTHER ORGANISATIONS¹

- 52.1.** Legacy interaction with government, non-government organisations, ex-service organisations, other relevant agencies and community service organisations is important to maximise the available support and benefits for Legacy dependants. The two broad areas that Legacy seeks to influence are policy formulation and service delivery. Nevertheless, such interaction is seen as incidental to Legacy's primary purpose of the provision of support to dependants of deceased veterans.
- 52.2.** Responsibilities for representation to or negotiation with government and other organisations, within the provisions of the Legacy Statutes, are as follows:
 - 52.2.1.** Legacy Australia Council with Federal Government and National bodies of other organisations;
 - 52.2.2.** Capital City Clubs with their respective State or Territory Government, locally based organisations and State/Territory branches of National organisations;
 - 52.2.3.** Individual Clubs with their local/regional government bodies and local representatives of other organisations as applicable.

1. Amended at Warrnambool 2005

- 52.3.** Clubs should refer to Council matters of Legacy interest which they consider should be matters for representation to or negotiation with the Federal Government, its departments or instrumentalities, or other organisations, when the results of such representation or negotiation may affect Legacy as a whole. Similarly, matters for representation or negotiation at the State/Territory level should be referred to the relevant Capital City Club under locally agreed arrangements.

53. CODE OF CONDUCT¹

- 53.1.** The object of the Code of Conduct is to ensure that all members and staff of Legacy Clubs and auxiliary workforces act in accordance with the general principles of professional conduct, recognise and discharge their obligations in relation to their Legacy work in general and pension applications in particular to a high standard unaffected by personal interest and to keep fair the name of Legacy at all times.
- 53.2.** Members and staff shall abide by the Code of Conduct contained in Appendix 17.
- 53.3.** Failure to comply with the Code of Conduct may result in the governing body of a Club taking action as it sees fit.

54. LEGACY CREDIT CODE

- 54.1.** As from 1 July 2010 any entity that engages in CREDIT activities will be individually subject to the provisions of the National Consumer Credit Protection Act 2009. This National Credit Act will be administered by the Australian Securities and Investments Commission (ASIC) and all Clubs and Groups who undertake “regulated” credit activities that fall under these new provisions will be required to hold or be covered by a credit license issued by ASIC.
- 54.2.** A “Credit Activity” is defined in S6 of the national credit regime and includes:
- 54.2.1** Providing credit by way or a credit contract or consumer lease.
- 54.2.2** Benefiting from mortgages or guarantees relating to a credit contract or consumer lease.
- 54.2.3** Providing credit services in relation to credit contracts and consumer leases.
- 54.3.** Individual Clubs and Groups intending to undertake regulated credit activities are referred to the appropriate provisions of the National Consumer Protection Act 2009.

1. Inserted at Canberra in 2001.

55. ACTION ON MATTERS BETWEEN BIENNIAL NATIONAL CONFERENCES¹

55.1. Authority for Prompt Action

Whenever Council is of the opinion that it is necessary in the interests of Legacy to take some immediate action not already authorised by its Constitution, Council may take such action after consultation with, and with the approval of a two-thirds majority of, all the Capital City Clubs in Australia. Council will notify all Clubs as soon as practicable of any such action and will report the matter in its next annual report.

55.2. Action on Routine Matters

55.2.1. Whenever Council is of the opinion that it is necessary in the interests of Legacy to act on a matter not already authorised by its Constitution and which does not warrant prompt action, but does require action before the next National Conference, Council shall offer its recommendation to and seek the views of the President of every Legacy Club in Australia or, if deemed necessary, the Club Presidents' vote on the matter.

55.2.2. If a club does not respond to Council's recommendation on a particular matter by completing the appropriate ballot paper, indicating either 'For, Against or Abstain' within sixty days from the issue of Council's request, that Club will be deemed to have abstained from voting on that matter.²

55.2.3. The number of votes required to resolve an issue will be in accordance with the Statutes of Legacy.

55.2.4. Matters decided under the provisions of this Rule will be deemed to have been decided by the Legacy Clubs-in-Conference.

56. ACTION IN THE EVENT OF THE DISSOLUTION OF A CAPITAL CITY CLUB

If there is no Capital City Club in existence in a State at any time, unless otherwise specifically provided, Council will select another suitable Club in that State to undertake the required responsibility, duties or action.

57. AMENDMENTS TO THE LEGACY STATUTES

57.1. Normally amendments to the Legacy Statutes shall be determined by National Conference. Four months notice of intention to move such amendments is to be given to all Legacy Clubs. However, consequential and routine changes may be dealt with between Conferences under the Principles and Rules for Guidance provisions for 'Action on Matters Between Biennial National Conferences'.

57.2. Amendments to the Code of Legacy and Legacy Australia Council Statement of Purposes and Constitution must meet the conditions set in those sections of the Statutes.

1. Amended at Melbourne in 1998

2. Amended at Fremantle 2009

- 57.3.** Changes to the Fundamentals of Legacy and Principles and Rules for Guidance are to be agreed by not less than fifty percent of Clubs.
- 57.4.** Any amendment to the Legacy Principles and Rules for Guidance shall not be effective unless four months notice of intention to move such amendment has been given to all Legacy Clubs and unless such amendment has been agreed to by not less than fifty percent of such Clubs voting in Conference. However, consequential and routine changes may be dealt with between Conferences under the provisions of the Principles and Rules for Guidance.¹
- 57.5.** Any amendment to the Fundamentals of Legacy shall not be effective unless four months notice of intention to move such amendment has been given to all Legacy Clubs and unless such amendment has been agreed to by not less than fifty percent of such Clubs voting in Conference.² However, consequential and routine changes may be dealt with between Conferences under the provisions of the Principles and Rules for Guidance.¹

58. PROMULGATION OF THE LEGACY STATUTES

Council shall promulgate the Legacy Statutes, comprising The Fundamentals of Legacy, The Code of Legacy, the Legacy Australia Council Incorporated Statement of Purposes, the Legacy Australia Council Incorporated Constitution and the Legacy Principles and Rules for Guidance, as amended from time to time, to all Clubs and Foundations.

NOTATIONS TO (but not forming part of) THE PRINCIPLES AND RULES FOR GUIDANCE

- N.1.** The Legacy Principles and Rules for Guidance were adopted in principle at the 19th National Conference of Legacy Clubs at Newcastle in 1947 and amended at subsequent Conferences up to and including the 66th National Conference of Legacy Clubs at Launceston in 1994.
- N.2.** The Legacy Principles and Rules for Guidance were revised and the revised PRG were adopted at the 68th National Conference of Legacy Clubs at Albury in 1996.
- N.3.** The Legacy Principles and Rules for Guidance were amended at the 69th National Conference of Legacy Clubs at Cairns in 1997 and at the 70th National Conference of Legacy Clubs in Melbourne in 1998.
- N.4.** The Legacy Principles and Rules for Guidance were amended between Conferences in 2000, at the 72nd National Conference of Legacy Clubs at Canberra in 2001, between Conferences in 2004 and 2005, and at the 74th National Conference at Warrnambool in 2005.
- N.5.** The Legacy Principles and Rules for Guidance were amended at the 76th National Conference of Legacy Clubs at Fremantle in 2009 and between Conferences in 2010.

1. Amended between Conferences in April 2005.

2. Adopted at Melbourne in 1998.

APPENDIX 1 to Legacy Principles and Rules for Guidance

DEFINITIONS

The definitions in Annex A to the Code of Legacy and augmented by those below are to be used with the PRG.

Auxiliary Workforce	Individuals, groups of individuals or organisations recruited to assist in carrying out the activities of Legacy.
Conference	The periodic or other Conference of Legacy Clubs of which due notice has been given to all relevant Clubs and Foundations.
Foundation Charter	The Charter issued to a Legacy Foundation.
Legacy Foundation	A fund, authority or institution formed by Legacy Clubs to further the aims and interests of Legacy.
PRG	Legacy Principles and Rules for Guidance
State	A State of the Commonwealth of Australia, including the Australian Capital Territory and the Northern Territory.

1. Amended at Warrnambool 2005.

2. Amended at Hastings 1999.

APPENDIX 2 to Legacy Principles and Rules for Guidance

FORM OF CHARTER FOR A LEGACY CLUB

"THE SPIRIT OF LEGACY IS SERVICE"

The care of dependants of those who served their country; namely, veterans who died on operational service or subsequently, and Australian Defence Force personnel who died as a result of their service affords a field for service.

Safeguarding the interests of dependants, especially children, is a service worth rendering.

Personal effort is the main essential.

Inasmuch as these are the activities of Legacy, it is our privilege to accept the legacy of the fallen.

Therefore you men and women who have accepted the legacy of the fallen, form you a Club to be known as the Legacy Club and keep fair the name of Legacy.

Dated thisday of

.....Chairman

.....Secretary

LEGACY AUSTRALIA COUNCIL INCORPORATED

1. Amended after Townsville 2007

APPENDIX 3 to Legacy Principles and Rules for Guidance

FORM OF CHARTER FOR A LEGACY FOUNDATION

We Legatees, who accepted the Legacy of service to the care of dependants of those who served their country; namely, veterans who died on operational service or subsequently, and Australian Defence Force personnel who died as a result of their service, charge you the members of the

LEGACY FOUNDATION OF

.....

to assist us to continue the work of Legacy, and to keep fair the name of Legacy.

The Spirit of Legacy is service; and in giving service to others, personal effort is the main essential.

The care of dependants of those who served their country; namely, veterans who died on operational service or subsequently, and Australian Defence Force personnel who died as a result of their service affords a field for service.

Safeguarding the interests of dependants, especially children, is a service worth rendering.

Personal effort is the main essential.

Inasmuch as these are the activities of Legacy, it is our privilege to accept the legacy of the fallen.

Whilst the formation of Legacy, and the needs it serves, arose out of war, it is our hope and prayer that its work may continue in peace for as long as the need for it exists.

This Charter is granted under the seal of Legacy Australia Council

Incorporated on theday of////

on behalf of the Legacy Clubs of Australia.

.....**Chairman**

.....**Secretary**

LEGACY AUSTRALIA COUNCIL INCORPORATED

APPENDIX 4 to Legacy Principles and Rules for Guidance

RECOMMENDED PROCEDURE FOR THE INAUGURAL MEETING OF A NEW LEGACY CLUB

1. The Chairman of the group of veterans present welcomes the visitors. He/she outlines the purpose for which they have met, referring to a desire to carry on the work of Legacy in the district and he/she requests that a Charter be granted to form a new Legacy Club.
2. The Chairman invites the Chairman of Council to occupy the Chair.
3. The Chairman of Council conducts the ceremony "Our Departed Comrades".
4. The Chairman of Council advises that, following a recommendation to the Legacy Australia Council Incorporated that a Legacy Club be formed in, approval has been given and that he/she is in possession of a Charter granted by that body as his/her authority to constitute the Inaugural Meeting.
5. He/she will then formally and suitably declare the establishment of the new Club, to be known as the Legacy Club, stating the aims and objects of Legacy.
6. The Chairman of Council will then call forward all those present who are eligible and seeking Legacy membership and will go through the formal ceremony of inducting them into the ranks of Legacy, as set out in Appendix 6. The badge of Legacy will be handed to each one, either by the Chairman of Council or with the assistance of visiting Legatees.
7. The Chairman of Council will then call for the nominee (previously arranged) for Inaugural President of the new Club and will formally declare his/her election to that office.
8. The Charter will then be presented by the Chairman of Council to the Inaugural President, together with a copy of the Constitution of a similar Club as a guide in the preparation of the Constitution of the new Club.
9. A response will then be made by the Inaugural President on his/her election and the granting of the Charter.
10. The Inaugural President will then announce his/her office bearers, stating briefly the responsibilities attaching to their offices. Congratulations and assurance of support can follow.
11. The Chairman of Council, on behalf all Legatees, will assure the new Club of complete help and co-operation in its new tasks, and will welcome all new members into membership and companionship of Legacy.

12. The Inaugural President and any of his/her officers will suitably respond. The Inaugural Meeting will then terminate, to be followed by any social arrangements made.

N.B. *It is stressed that the keynote of the proceedings, in keeping with the Legacy ideal, should be absolute simplicity, and that all ceremonial should be simple.*

APPENDIX 5 to Legacy Principles and Rules for Guidance.

A Suggested Nomination Form for Membership of Legacy

Legacy Club of

Name of Proposer
Name of Seconder
Date

(PLEASE PRINT - The following information to be completed by NOMINEE)

PERSONAL PARTICULARS

<i>Surname:</i>	<i>Other Names:</i>
	<i>Preferred Name:</i>
<i>Home address:</i>	
.....	
<i>Home Phone:</i>	<i>Postcode:</i>
<i>Date of Birth:</i>	<i>Age:</i>
<i>Professional qualifications:</i>	
<i>Married/Single/Divorced/Widowed:</i>	<i>Partner's Preferred First Name:</i>
<i>Children (if any) Number, Sex, Age:</i>	
<i>Where has nominee lived during past ten years:</i>	
<i>Has nominee ever nominated for membership in a Legacy Club before?</i>	<i>If so, where and when?</i>

OVERSEAS WAR SERVICE (if applicable)

Branch of Service	War: (eg 1939-45, Vietnam)	Service Number:
Rank on Discharge:	Rank if at present serving:	Decorations:
OCCUPATION		
Nature of business:		
Name of employer:		
Business address:		
Business phone number:		Postcode:
Mobile Phone:		Fax No:
Position held:		
If retired - previous business:		

OTHER ACTIVITIES

Brief details of business, civil, social or sporting activities:
Club, Institutions or societies of which at present a member:
Other Legatees to whom the nominee is known:

STATEMENTS BY PROPOSER AND SECONDER

1. Responsibility of Membership

I have explained fully to the above nominee the manner in which Legacy operates. Should this nomination for membership be approved, I am satisfied that:

- ❖ he/she understands the responsibilities he/she may be expected to assume as an advisor to families in need of guidance.
- ❖ he/she would be prepared to take an active part in the work of any Committee to which he/she may be assigned and he/she is prepared in the absence of special circumstances to serve where required.

I believe that he/she is in agreement with the principles of service for which Legacy stands and that he/she will keep fair the name of Legacy.

2. Personal Qualifications For Membership

I have known the above nominee for:

Proposer	Yrs in Service	Yrs in Civil Life
Seconder	Yrs in Service	Yrs in Civil Life

From my own personal knowledge and/or from enquiries which I have made, I am satisfied that his/her business, personal and private lives are beyond reproach.

Also from personal knowledge and/or definite evidence of War Service sighted, I am aware that he/she qualifies for membership of Legacy in terms of the Code of Legacy Annex C.

SIGNATURE OF PROPOSER and. SIGNATURE OF SECONDER

Joint Responsibility of Proposer and Seconder

The Proposer and Seconder are expected to assume a joint responsibility to ensure that their new member is effectively assimilated into Legacy. As far as is practicable and convenient they should:

- Accept a positive role of welcoming him/her into the comradeship of Legacy.
- Keep in touch with the new member to ensure that he/she is settling into Legacy and that he/she is having no difficulty in attending meetings.
- Be available to advise on any matter associated with his/her Legacy duties.

SUGGESTED PRO-FORMA OF DECLARATION BY CANDIDATE

I,....., certify that I will perform to the best of my ability such service in Legacy as may be required of me. I undertake that I will immediately inform Legacy when I am no longer able to continue the service due by a Legatee. Should I cease to be a member of Legacy I will return my badge.

Date

Signature of Candidate

APPENDIX 6 to Legacy Principles and Rules for Guidance

SUGGESTED PROCEDURE FOR INDUCTION OF CANDIDATES TO LEGACY

The Sergeant-at-Arms

"Will the Proposer and Seconder of please present him/her to the President."

(Upon their arrival he/she will ask the assembly to stand and introduce the candidate)

"Legatee President - I introduce to you who has been elected to membership, and I certify that his/her nomination has been carried out in accordance with the Rules of the Club."

The President

"....., are you prepared to accept the obligations of Legacy which have been outlined to you?"

Candidate

"I am".

The President

"Then I will ask you to repeat after me, commencing with your name/respective names:

‘I,....., accept the Legacy of service which has been bequeathed to me by the fallen and pledge myself to do my utmost to assist the Legacy Club in its work.’"

The President

"The badge of Legacy consists of a Torch and a Wreath of Laurel with the points of its leaves inverted. The Torch is the emblem of service and sacrifice and the Laurel Wreath is the symbol of remembrance.

"I present to you your Badge of Membership and I extend to you my personal congratulations and welcome toLegacy.

"I also hand you this diary in which is listed the names of your fellow Legatees in and other information which should prove useful to you.

“If you will turn around and face the assembly I will introduce you to your fellow Legatees.”

(To the Assembly)

"Fellow Legatees, I introduce to you Legatee.....and ask you to give him/her a warm welcome to the membership and companionship of Legacy.”

APPENDIX 7 to Legacy Principles and Rules for Guidance

TAXATION MATTERS AFFECTING LEGACY CLUBS

1. All Legacy Clubs qualify as "public benevolent institutions" under Section 78(1)(a) of the Income Tax Assessment Act 1936. This arises from the Federal Court Case **Commissioner of Taxation v Launceston Legacy (1987)**, which the Commissioner of Taxation (Canberra) has accepted as authority in relation to all Legacy Clubs.
2. As a consequence, Legacy Clubs are entitled to exemption from income tax, sales tax, bank account debits tax and, where applicable, training guarantee charge. Also, donations to their funds of \$2 or more are deductible in the hands of the donors. However, it is necessary for Clubs to apply to the Australian Taxation Office (ATO) to have these benefits officially recognised. In order for that to happen, Clubs must be able to show their rules include:
 - 2.1. prevention of the distribution of moneys to members, other than for the bona fide provision of goods and services;
 - 2.2. provision, in the event of the dissolution of a Club, that any remaining assets will be distributed to another fund approved by the Commissioner of Taxation under Section 78(1)(a), but not necessarily to a "public benevolent institution".
3. The authority for this is contained in a letter from the ATO Melbourne (Victoria North Office) attached to a memorandum dated 01 August 1990 addressed to all Clubs from the Chairman, Legacy Co-ordinating Council (now Legacy Australia Council). It is possible branch offices of ATO may not be aware of the Launceston case. If that is so, they should be encouraged to refer to Canberra.
4. These concessions are normally extended to all organisations working for Legacy (e.g. Foundations, torchbearers, widows' clubs, ladies auxiliaries, etc), provided that their rules contain similar provisions to those specified above.

GOODS AND SERVICES TAX (GST)¹

5. Legacy Clubs are exempt from GST if they have an Australian Business Number (ABN) and have applied for GST exemption. This exemption does not apply to membership fees levied by Clubs on their members.
6. Legacy Clubs are required to retain all invoices where GST is levied so that a claim can be made to the Australian Taxation Office (ATO) for a refund.
7. Where payment is made for work carried out by a tradesman on behalf of a widow/er the invoice must be made out to the Legacy Club concerned. Under no circumstances should the widow/er pay the account as a claim cannot then be made for the GST to be refunded.

1. Amended between Conferences in April 2005.

APPENDIX 8 to Legacy Principles and Rules for Guidance

GENERAL GUIDELINES FOR THE CONDUCT OF A NATIONAL CONFERENCE

1. STATUTORY REQUIREMENTS

All members of a Host Club involved in applying for and subsequently organising a National Conference must be familiar with the Legacy Statutes, particularly those sections dealing with amendments to the Statutes, with the organising and running of a Conference and with the financial aspects.

2. CONFERENCE DATES

- 2.1.** Legacy Principles and Rules for Guidance provide that the National Conference shall be held not earlier than 1st September and not later than 31st October.
- 2.2.** Conferences have usually been held in the second half of October, but this has been varied where special conditions apply, e.g. climate or clashes with other functions or activities.

3. OVERALL CONFERENCE ACTIVITIES PROGRAMME

- 3.1.** The Conference dates usually include a weekend and the broad programme usually follows the following format:
 - A formal opening, followed by a social activity for all attendees to mix and mingle
 - Business sessions comprising one to one and a half normal working days
 - A Conference dinner on the Saturday night
 - A march on the Sunday morning to an appropriate place such as a cenotaph or memorial, with a short ecumenical service
 - A luncheon, perhaps barbecue type, after the service, following which the participants disperse.
- 3.2.** Legacy Australia Council usually meets prior to the Conference and a suitable venue, perhaps Legacy House, is required. The numbers attending are about 60, including Presidents of Capital City Clubs who are invited for the occasion. Appropriate refreshments (tea coffee, biscuits, sandwiches) should be provided.
- 3.3.** Depending on the time available, other social activities or opportunities, e.g. cocktail party, home hosting, half-day or full-day tours for the partners/visitors, golf, attendance at race meetings, etc, may be arranged. These can give additional comradeship opportunities.

4. ORGANISATION

4.1. Feasibility Committee

Prior to making application to be a future Host Club for a Conference, a Committee should examine the feasibility of holding the Conference in that area at that time. This Committee should confirm the availability of such things as suitable Conference venues, facilities and accommodation.

4.2. Organising Committee and Sub-Committees

4.2.1. Immediately after being approved as a future Host Club, an Organising Committee consisting of key people and Chairmen of Sub-Committees should be constituted. Additional personnel can be added as the workload increases.

4.2.2. The Organising Committee deals with matters such as:

- Financial and Accounting
- Secretarial
- Registrations and Reception
- Opening Ceremony
- Social and ceremonial activities (cocktail parties, dinner, march and memorial ceremony, home hosting, etc)
- Venues
- Catering
- Accommodation
- Transport
- Business sessions
- Session and venue floor management
- Business papers compilation and production
- Speakers
- Syndicate sessions
- Public Relations
- Tours
- Partners'/Visitors' activities
- Satchels, name tags
- Photographer
- Medical and St Johns Ambulance
- Sponsors, donors, helpers
- Message of Loyalty
- Office Liaison
- Progress against deadlines
- Conference Committees (Recording, Mediation)

4.3. Partners/Visitors' Committee(s)

Such a committee could assist in obtaining the viewpoints of the partners of Legatees and other visitors in relation to:

- General Conference planning
- Partners Tours
- Welcoming gifts, and
- Assisting with other personal arrangements and appointments.

4.4. Liaison with Council

4.4.1. For Council to fulfil its statutory role and to provide the help deriving from its existence, it is desirable that there be regular and frequent liaison between Council and the Host Club by mail, fax, telephone and occasional visits.

4.4.2. The Future Host Club should initiate contact with Council at about monthly intervals in the early stages and frequently as the Conference approaches.

4.5. Delegation and Supervision

Responsibilities should be thoroughly organised and clearly delegated, preferably by chart and full notes, for all to see and use. These should be clarified and amplified in regular meetings where progress and understandings of roles can be reviewed by all concerned, with ultimate responsibility residing with the Chairman of the Organising Committee.

4.6. Minutes

Detailed minutes of the Organising Committee and all sub-committees should be kept and copies forwarded to those concerned, including Council, as part of the communication process.

5. FINANCIAL ARRANGEMENTS

5.1. Accounting

5.1.1. The Conference Treasurer is a key member and should be chosen for his/her ability and his/her availability to provide on-going budgeting and cost control. He/she should be an original and permanent member of the Organising Committee, attending all meetings so as to be fully in the picture and able to exercise his/her form of control. His/her involvement should begin with the calculation of the registration fee before it is submitted for approval to the previous Conference. He/she should also be responsible for the short term investment of monies received, including the registration fees.

5.1.2. To support Conference planning, a budget should be drawn up in two parts and advised to Council as follows:

5.1.2.1. A Social Aspects Budget, which is covered by the Registration Fee as elaborated later in this Rule and which is advised about a year prior to the Conference under the Rule covering Conference Bulletins.

5.1.2.2. A Business Aspects Budget, as amplified in the Rules relating to Conference Expenses and Reimbursement of Costs of Business Expenses and which is to be advised at least six months prior to the Conference.

5.1.3. The accounting system used should also be in two parts and provide for the progressive recording of the reimbursable Conference (Business) expenses. This will allow the speedy notification to Council of the total costs as soon as possible after the Conference finishes.

5.2. National Conference Financial Arrangements¹

Clubs which are nominated by Conference to host a National Conference should consider, in specific terms, the financial arrangements mentioned hereunder. These arrangements will assist Clubs to submit to Council upon request a financial estimate of income and expenditure for the Conference.

5.2.1. Business Expenses

The firm cost or estimated cost of each of the following should be included as business expenses:

- Venue Hire
- Equipment Hire
- Publicity
- Conference Organiser
- Business Papers
- Opening Ceremony
- Business Sessions
- Recording and Transcription
- Memorial Service

5.2.2. Business Revenue/Business Income

Sponsorships provide the primary source of business income, in both cash and kind. Clubs should do their utmost to obtain firm commitments to sponsorship at an early stage in planning.

5.2.3. Net Business Expenses

Net business expenses should be charged to Council. The actual net business expenses will subsequently be included in the National Conference levy.

1. New paragraphs 5.2 to 5.2.6 adopted at Melbourne in 1998.

5.2.4. Social Expenses

Cost estimates for the following should be included as social expenses:

- Lunches at Business Sessions
- Cocktail Party
- Conference Dinner
- Farewell Luncheon

5.2.5. Social Revenue/Social Income

Likely sources of social income are:

- Surplus from Host Club from previous Conference
- Social Sponsorships, in cash or in kind
- Registration Fees from Delegates, Observers and Partners.

5.2.6. Net Social Income

5.2.6.1. The net social income, which should be a surplus, will be passed to the Host Club for the next Conference. If there is a deficit, a levy will be struck for Clubs to reimburse Council.

5.2.6.2. Where a venue or facilities are hired for both business aspects and social aspects and a total amount is charged, the Host Club should apportion the amount over both in proportion to the time utilised for each.

5.3. Pre-Conference Funding

It has been the practice for Future Host Clubs to make advances from their Welfare Funds to cover preliminary expenses, both business and social, pending receipt of Registration Fees and, subsequently, reimbursement after the Conference.

5.4. Sponsorships and General Support

5.4.1. Support has generally been found to be available from local businesses and organisations. Some possible examples are:

- Banks for the provision of satchels, pens and pads
- Businesses for souvenirs and welcoming gifts for partners/visitors
- Travel organisations and agencies, in conjunction with recognition as carriers, for interstate pre- and post- conference travel, perhaps with comprehensive travel packages being made available
- Coach companies for assistance with tours for partners/visitors and for transport between hotels and venues.

5.4.2. Special rates can often be arranged as offsets for accommodation and function bookings.

5.4.3. Grants have at times been obtained from local bodies, Funding can also be obtained from the Department of Veterans' Affairs but the application must be submitted through Legacy Australia Council.

5.4.4. Support has at times been obtained from the Australian Defence Force, eg the provision of buses, labour and tentage.

5.5. **Registration Fee**

5.5.1. Expenses for social functions are defined in the Rules and are to be covered by the Registration Fees paid by individual Legatees.

5.5.2. Care is necessary when setting the Registration Fee to ensure that quotes are firm and that the Fee will be adequate to cover all relevant costs, because there is no machinery available for the Host Club to recover any shortfall and this would have to be a charge on the members' account as distinct from the welfare funds.

5.5.3. In cases where the Registration Fee has been found to be more than necessary, the surplus has either been passed to the next Host Club or refunded to the individual attendees.

5.5.4. The Rules provide that the Future Host Club should clear its proposed Registration Fee in the preceding year with Council and shall notify the proposed Fee to all Clubs.

6. **CONFERENCE THEME**

6.1. The core of the Conference should be a well-chosen theme which taps into the aspirations of the movement at the time and gives scope for well conceived and balanced input. It may be one which follows or arises from the theme or the proceedings of the previous Conference.

6.2. It is important that the theme be settled in conjunction with Council as soon as possible after the previous Conference. This will allow selected Clubs to be approached in the calendar year preceding the Conference year, so that material can be prepared in plenty of time for inclusion in the Business Papers.

7. **CONFERENCE PAPERS/INPUTS**

The Host Club should initiate discussions with appropriate Clubs in order to allocate subjects on which they are to develop papers. Realistic deadlines should be arranged to allow the Host Club, in conjunction with Council, to seek amplification or modification for the purpose of balance and completeness.

8. CONFERENCE BULLETINS

- 8.1.** A series of Bulletins should be issued to all Clubs and to Council.
- 8.2.** The first should go out about a year before the Conference. This should be in time to allow details to be included in the earliest Bulletins/Newsletters of the other Clubs in the new year. This first Bulletin should cover such things as the registration fee, dates, pre- and post- conference tours, travel arrangements, hotels, climate information with dress suggestions, preliminary programme, the theme for the business sessions and other preliminary material.
- 8.3.** Dates should be established when firm number counts to caterers, coach proprietors or other related providers of services, will be required for social functions and final costs will be incurred after which registration fees cannot be refunded. Similarly, tour providers should be required to state conditions under which whole or part refunds may be made in the light of costs they will have incurred for travel and accommodation. Cancellation insurance facilities may be offered. This information should accompany the first material in which fees and deposits are invited.¹
- 8.4.** Another Bulletin should follow not later than six months before the Conference, providing registration forms, showing the final date for registration, but requesting registration fees as soon as possible (this money provides a working fund for deposits, printing, etc).
- 8.5.** Further Bulletins, which should be sent to registrants as well as to Clubs and Council, should be issued if necessary, covering additional information on accommodation, the programme and the agenda.

9. PREPARATION AND DISTRIBUTION OF BUSINESS PAPERS

- 9.1.** The Rules define the format in which papers should be prepared.
- 9.2.** The Rules also provide that Clubs contributing papers should forward them to the Host Club not less than four months prior to the Conference.
- 9.3.** The Code, the Council Constitution and the PRG define the times by which motions proposing to amend the various Statutes must be submitted to the Host Club.
- 9.4.** Fax and email facilities, where available, have proved to be a valuable method for handling urgent material, particularly between the Host Club and Council.
- 9.5.** The preparation of the business papers often involves progressive printing as material becomes available and so may not allow the business papers to be numbered consecutively. Coloured dividers with projecting, numbered tabs carrying the headings of the items they precede help greatly, in conjunction with a Table of Contents at the beginning, to divide the book into manageable sections.

1. Inserted at Hasting Conference 1999.

- 9.6.** The colours of the covers and the spine binding should be distinct from those of recent previous Conferences.
- 9.7.** Copies for delegates and for Council should be forwarded at least six weeks prior to the Conferences. Those for the other registrants should be inserted in the satchels for issue on arrival.

10. OTHER PRE-CONFERENCE PRINTING

10.1. List of Delegates, Observers and Partners/Visitors

- 10.1.1.** It is usually impossible to finalise this information until a few days before the Conference. If the names and particulars can be entered on a computer as they are registered, final details can be added at the last moment and copies printed for issue to all attendees.

Some details of information that could be covered in such a list are:

- Name, initials and preferred name
- Club and/or Group and/or Division
- Delegate/ observer/ partner
- Home address
- Syndicate allocation
- Accommodation details
- Travel arrangements
- Tours (pre- and post- conference, partners/visitors)
- Prepayments for activities, eg dinner, barbecue, tours
- Functions/activities attending, eg opening ceremony, cocktail party, working lunches, barbecue, etc.

- 10.1.2.** Alphabetical listings of the appropriate parts of this information can then be readily reproduced for issue to all attendees on arrival.

- 10.1.3.** A separate listing of Legatees by Club is useful and usually easily provided by the computer.

10.2. Programmes

A set of programmes should be provided for the Opening Ceremony, the Dinner and the Memorial Service. Preferably, these should be on separate cards/sheets.

10.3. Message of Loyalty

This should preferably be produced on a scroll by a calligrapher.

11. ARRANGEMENTS FOR RECEPTION OF DELEGATES, OBSERVERS & GUESTS.

- 11.1.** If possible, suitable arrangements should be made to meet all persons attending the Conference in any capacity.
- 11.2.** It is desirable that a local Legatee be allocated to each delegate to be aware of his/her travel arrangements, to welcome the delegate and partner and to be a point of reference during their stay. If this is also possible for observers, it would be a bonus.
- 11.3.** A Legatee should be specifically allocated to any special guest and to any visiting speaker. The Legatee should be aware of when and how the visitor is to arrive and of anybody who will accompany him or her, should look after them during their stay, including lunch, and should supervise their departure.

12. VENUE AND SESSION FLOOR MANAGEMENT

12.1. Responsibility

Responsibility for management of detail at each venue, particularly the business sessions, should be specifically delegated.

12.2. Reception Desk

12.2.1. A reception desk should be established at each venue.

12.2.2. Cheerful, knowledgeable and competent service at the reception desk is vital. The reception team should preferably include a lady.

12.3. Notice Boards

Notices about transport, last minute arrangements, directions to venues, etc, should be placed on boards accessible to partners as well as Legatees. It must be assumed that some observers and others affected will be absent during announcements - or just not hear.

12.4. Overhead Projectors

Any item which is to be shown on an overhead projector must be capable of being read from all points in the Conference room. Such items should either be typed in a very large font and well spaced or they should be written in large letters with a felt pen. **ORDINARY TYPE SIZE IS NOT SUITABLE.** This is particularly applicable to motions and amendments to motions which, if possible, should be copied and distributed to all delegates before discussion.

12.5. Microphones and Amplifiers

Fixed microphones should be provided at the Chairman's table and at the lectern. At least two other microphones should be provided on the floor of the Conference room for use by delegates and observers at business sessions. Portable or roving microphones are very useful and can save time. The amplification system should be thoroughly tested at least at the start of each day's activities.

12.6. Typing and Photocopying Facilities

These facilities should be available at the Conference venue so that last minute material can be generated at short notice.

12.7. Tea and Meal Breaks

Much time can be lost in long queues. A "running tea break" should be considered. At the very least, multiple outlet points should be provided and a person should marshal and advise participants so that all points are equally used. Replenishment of hot water jugs and tea pots should be anticipated. Effective service for these purposes is of great assistance to the Chairman in maintaining the proper timings for the business sessions.

13. OPENING CEREMONY

13.1. Venue

The venue should be chosen for its dignity and its capacity to accommodate all registrants, including partners. Preferably it should adjoin a suitable area if a reception is to follow.

13.2. Preparation of the Dais

Particular care should be taken in the preparation of the dais. Flags of States and Territories, together with a Conference banner, preferably in green and gold with a red torch, are normally arranged behind the dais. Comfortable seating should be provided for the official party participating in the ceremony, such as the Club President, the dignitary opening the Conference, the Keynote Speaker, the Chairman of Council, the MC/Sergeant-at-Arms and also their partners if they are to be on the dais. A reliable sound system and an appropriate lectern are also necessary.

13.3. Stage Management

Efficient stage management of the opening ceremony and associated activities is very important in getting the Conference off to a good start and to make a good impression on visitors. Particular attention should be paid to the reception of official visitors and escorting them to their designated seats. Timings for the ceremony are also important so that proceedings are not rushed on the one hand and there are not long pauses on the other. Timed rehearsals should be held to check the reception arrangements and timings.

13.4. Preliminary Business

It has generally been found convenient to allow time at the outset for items of business appropriate to the full gathering, including partners, to be dealt with before the dignitaries arrive.

13.5. Record of Attendance and Apologies

13.5.1. To establish which Clubs are represented at a Conference, it is usual to conduct a Roll Call at the start of the opening ceremony. The Roll Call is one of the Clubs and Council, not of delegates and observers.

13.5.2. For the Roll Call, the Chairman should ask that one delegate from each Club should stand, answer "Present" and remain standing until recognised.

13.5.3. A list of apologies received should also be announced.

13.6. Message of Loyalty

The Message of Loyalty is usually read to those attending the opening ceremony prior to the arrival of visiting dignitaries and approved by acclamation.

13.7. Official Opening

13.7.1. An appropriate dignitary should be invited to officially open the Conference. This may be the Governor-General, the State Governor or an appropriate local dignitary.

13.7.2. Background notes on Legacy, the Conference theme, relevant current local topics, information on officials and partners in the welcoming/dais party, timetable, etc should be provided well in advance to the person performing the official opening.

13.8. Vice-Regal Visitors

If a Vice-Regal personage is to be asked to perform the official opening, the invitation should be issued well in advance. As such persons do not normally arrange their firm programme more than about six months in advance, they may accept provisionally, subject to confirmation about six months prior to the date. Matters of protocol should be arranged in good time with official secretaries.

13.9. Keynote Speaker

It is not mandatory to have a keynote speaker. However, an appropriate person who is knowledgeable on matters relating to the Conference theme may be asked to deliver a keynote address, which may "set the scene" for the business sessions of Conference.

13.10. Entertainment

Some entertainment may be provided before and/or during the opening ceremony. This could take the form of a recital by an organ, a band, a choir or a soloist. Performances by a school or children's band or choir have proved popular.

14. BUSINESS SESSIONS

14.1. Visual Displays

Clubs providing material on current activities should be encouraged to provide enlarged photographs, plans and written commentaries for display on boards in suitable areas of the Conference venue.

14.2. Motions to Amend the Legacy Statutes

The Conference cannot deal with any motion to amend the Legacy Statutes unless the appropriate notice has been given prior to the Conference.

14.3. Motions Without Notice

14.3.1. On subjects where prior notice of motion is not required, delegates have the power to initiate business at the Conference. All motions should be seconded.

14.3.2. It is for the Chairman to decide whether a motion without notice may be accepted. If in doubt as to whether, in the context of the debate, a motion is of such a nature as to require notice, the Chairman may see fit to seek a vote from the Conference as to whether it can be dealt with immediately or whether it should be adjourned to a subsequent session or Conference.

14.3.3. An important factor in any decision by the Chairman or by Conference as to whether such a motion may be accepted is the depth of knowledge the delegates could be expected to have of that particular topic or aspect.

14.4. Discussion

Provision should be made for discussion of the Theme either in plenary session or in syndicates (or both) and sufficient speakers should be nominated with plenty of notice to maintain debate so that the standard will be as high, and the coverage as complete, as possible.

14.5. Identification of Speakers

The Chairman should insist that each speaker uses a microphone and states his/her name and Club, so that all contributions can be properly identified and recorded.

14.6. Voting

- 14.6.1.** Before taking any vote on a motion requiring majorities of 75% or 50%, the Chairman should announce the percentage of votes required for the motion to succeed.
- 14.6.2.** Scrutineers should be appointed and rehearsed in their role so as to ensure fast and accurate counting.
- 14.6.3.** Clubs should be asked to vote by raising their Club name plates and keeping them raised until the Chairman announces that the count is complete.
- 14.6.4.** The Chairman is entitled to ask any abstainers to identify themselves in order to tally the total votes cast with the number of Clubs in Conference.
- 14.6.5.** The Chairman should announce the number of votes cast for and against, and the number of abstentions, on each occasion. He should then declare whether the motion has been carried or lost.

14.7. Syndicate Discussions

- 14.7.1.** Experience has shown that valuable discussion can be achieved in syndicates or workshops involving all Legatees attending the Conference. This method takes advantage of the experience and views of observers as well as delegates. Participation by observers, many of whom have considerably more Legacy background and experience than some of the delegates, adds greatly to the value of the Conference.
- 14.7.2.** Syndicate topics should be based on prepared papers and it has been found that most benefit is gained where all syndicates discuss all the topics.
- 14.7.3.** The most benefit is gained if two Chairmen and two Secretaries are allocated to each syndicate, alternating either by topic or by time, say hourly. This allows one set of Chairman/Secretary to report to the Core Committee while the others run the next syndicate session.
- 14.7.4.** Syndicate Chairmen/Secretaries should be selected both from the Host Club and from the delegates/observers from other Clubs represented. Selection should be made early, preferably before the Conference, and the nominees given maximum notice. Background papers and guidelines for conduct of the syndicate discussion should be provided to them as far in advance as possible so that they may prepare to conduct balanced and comprehensive discussions.

14.8. Core Committee

- 14.8.1.** Where syndicate discussions are being held, the Host Club should appoint a Core Committee of about three members.
- 14.8.2.** The task of the Core Committee is to distil the matters discussed and conclusions reached by the various syndicates and present a report to a plenary session of Conference.
- 14.8.3.** The Chairman of the Core Committee should be an experienced Legatee.

14.9. Panel Discussions

- 14.9.1.** An alternative method of achieving participation from all those attending the Conference, both delegates and observers, is by providing a panel of experts on a particular topic, with a Chairman who is not necessarily the Conference Chairman.
- 14.9.2.** There is merit in the topic being covered by papers prepared and distributed beforehand, say with the business papers, but it may be possible to conduct a panel discussion as a "free for all".
- 14.9.3.** To get the discussion going, it is often desirable for each panel member to make a short statement at the beginning, and then for the Chairman to call for comments and questions on the topic.
- 14.9.4.** To make the maximum use of the time available, participants should queue at floor microphones if they are static, or else a number of roving microphones should be used.
- 14.9.5.** The Chairman should refer comments/questions to particular panel members for responses.
- 14.9.6.** Each panel member should be given an opportunity to sum up at the end of the session.

14.10. Control Committee

- 14.10.1.** A control Committee, consisting of experienced members of the Host Club, has been found by some Clubs to be of assistance to the Chairman in ensuring the smooth running of the Conference.
- 14.10.2.** During the business sessions, the Committee should meet with the Conference Chairman at each break to review progress and assist in planning subsequent sessions.
- 14.10.3.** A detailed running sheet for the full Conference has been found useful for use by the Chairman and the Control Committee, particularly for sessions where the debate may be complicated by amendments. Key statements to cope with anticipated difficult situations should be drafted in full in advance.

14.11. Mediation

Where mediation is required in accordance with the Code, the procedures set out in the PRG and its Appendices will be used.

15. THE CONFERENCE DINNER

- 15.1.** This is customarily a reasonably formal occasion, but medals or miniatures are not usually worn.
- 15.2.** Guests are usually the partners of Legatees and those outside Legacy whom the Host Club wishes to honour.
- 15.3.** Toasts are kept short and limited to the Loyal Toast and a toast to "Our Visitors". A toast to "Legacy" may be included where a very well informed and able speaker is available from within Legacy or otherwise. The only response is to the toast to "Our Visitors".

16. THE MEMORIAL SERVICE

- 16.1.** A memorial service, including a march to a cenotaph or war memorial, is customarily held on the last day of the Conference.
- 16.2.** The services of a good band are vital to the success of the march. It should match its tempo to the vigour of the ageing Legatees.
- 16.3.** If medals are to be worn, this must be specified in Conference Bulletins or Registration Forms.
- 16.4.** A Conference Banner or Legacy Banner helps to identify the march for the benefit of the watching public.
- 16.5.** Adequate amplification at the Cenotaph is important and a loud hailer is a valuable aid.
- 16.6.** If an address is to be given, it should be by a speaker, preferably with a service background, chosen for his speaking ability and high community standing. A service chaplain has often been chosen.
- 16.7.** A well-rehearsed choir from the Widows' Club has the dual advantage of providing a lead to the singing and also of giving the widows an enjoyable way to make a contribution to the Conference.
- 16.8.** Close co-operation with the police and Cenotaph authorities is essential.

17. CONCLUDING LUNCHEON

- 17.1.** A luncheon on the final day provides an informal but highly important occasion for all participants to mingle and exchange post-Conference views and information.
- 17.2.** This luncheon often takes the form of a barbecue.
- 17.3.** If planned for outside, cover against the possibility of inclement weather should be considered.

18. RECORD OF PROCEEDINGS

An accurate record of the proceedings is essential. The procedures set out in the PRG and its Appendices should be followed.

19. NOTIFICATION TO COUNCIL OF REIMBURSABLE EXPENSES

- 19.1.** The final expense incurred by the Host Club is usually for printing and despatch of the Record of Proceedings.
- 19.2.** All other amounts should be recorded progressively in readiness for this last item to be added and the whole advised urgently to Council.
- 19.3.** This will allow the swift calculation of the Conference levy and the subsequent reimbursement of the Host Club expenses.

20. GENERAL MATTERS

20.1. Check of Standard of Accommodation

- 20.1.1.** Complaints about personal accommodation can be minimised by a star rating system. The adequacy is not always obvious from the price. Ratings available from motoring organisations' books can be a safeguard.
- 20.1.2.** Accommodation on offer should be personally checked by a knowledgeable Legatee from the Host Club or, if a travel agency is organising the accommodation, from that organisation.

20.2. Name Badges

- 20.2.1.** A Name Badge should be provided for each participant - including delegates, observers, guests, partners/visitors.
- 20.2.2.** The Badge should include the participant's name, Club, and, in the case of a Legatee, their status ie delegate or observer.
- 20.2.3.** Printing on name badges should be large.

20.3. Transport

Shuttle transport between hotels and venues and to/from the airport should be arranged if possible. It contributes greatly to the convenience of guests.

20.4. Local Street Map(s)

Local street maps clearly identifying such things as main venues, hotels/motels and car parks should be provided in the satchels. A sketch map showing directions may also be appropriate.

20.5. Medical Support

Arrangements for medical support should be made for all venues. This may include the attendance of a medical practitioner and the St John Ambulance.

20.6. Photographs

Arrangements should be made for an appropriate photographic record of the main occasions. This could include the services of an official photographer.

20.7. Arrangements for the Media

20.7.1. Conference shall be open to representatives of the press, TV and radio, except where subjects are being discussed by Conference in Committee.

20.7.2. Formal statements to the media should usually be made only by the Host Club President or by a Legatee nominated for the purpose. The Chairman of Council is normally joined with the Host Club in statements dealing with the Conference aims and achievements.

20.8. Notification to Speakers

All main speakers should be aware of their tasks well in advance of the Conference so that they can prepare adequately. (As an example, it has happened that a visiting Legatee required to respond to a toast has first learned of it when he/she read the printed programme/menu.)

21. PUBLIC RELATIONS

21.1. The impact of Conference activities in the area is often considerable. The Host Club should take advantage of this public awareness before, during and after the Conference to maintain the momentum as long as possible.

21.2. National Conferences are "Legacy on Parade", especially for outside guests and for Legatees and their partners attending a Conference for the first time. Every care should be taken to attain the highest achievable quality in the preparations for and the conduct of all Conference activities.

APPENDIX 9 to Legacy Principles and Rules for Guidance

SPECIMEN LAYOUT FOR BUSINESS PAPERS SUBMITTED TO NATIONAL CONFERENCES

EXAMPLE NO 1 - A PROPOSED MOTION

NATIONAL CONFERENCE OF LEGACY CLUBS OF AUSTRALIA

MYTOWN QUEENSLAND - // - // OCTOBER ////..

SUBJECT: MOTION TO AMEND LEGACY PRINCIPLES AND RULES FOR GUIDANCE

SUBMITTED BY: LEGACY CLUB

DATE: 25TH AUGUST ////..

MOTION:

THAT ALL THE WORDS IN PARAGRAPH .OF THE LEGACY PRINCIPLES AND RULES FOR GUIDANCE BE DELETED AND REPLACED BY THE FOLLOWING WORDS:

“.....”

REASON FOR THE MOTION:

1.
2.:
- 2.1.
- 2.2.:
- 2.2.1.
- 2.2.2.
- 2.2.3.
3.

SPECIMEN LAYOUT FOR BUSINESS PAPERS SUBMITTED TO NATIONAL CONFERENCES

EXAMPLE NO 2 - A DISCUSSION PAPER

NATIONAL CONFERENCE OF LEGACY CLUBS OF AUSTRALIA

MYTOWN QUEENSLAND - // - // OCTOBER ////..

SUBJECT: PLANNING FOR THE FUTURE

SUBMITTED BY: LEGACY CLUB

DATE: 25TH AUGUST ////..

1. INTRODUCTION

1.1.

1.2.

2. THE SITUATION TODAY

2.1.:

2.1.1.

2.1.2.:

2.1.2.1.

2.1.2.2.

2.2.

3. SUGGESTED IMPROVEMENTS

3.1.

3.2.

3.3.

3.4.

APPENDIX 10 to Legacy Principles and Rules for Guidance

LEGACY NATIONAL PENSIONS COMMITTEE CONSTITUTION

1. NAME

The name of the Committee shall be the **National Pensions Committee**. The Committee is established as a Committee of Legacy Australia Council. The Committee will report biennially to National Conference. In non-National Conference years, an annual report will be submitted to Council for despatch to all Legacy Clubs.

2. DEFINITIONS

Wherever in this Constitution the following words are used, their meaning shall be:

Chairman	The Chairman of the Committee.
Committee	The National Pensions Committee.
Conference	The National Conference of the Legacy Clubs of Australia.
Department	The Department of Veterans' Affairs.
Executive	The Executive Sub-Committee of the Committee.
Secretary	The Secretary of the Committee.

3. OBJECTIVES

3.1. The objectives of the Committee relate to compensation, pension and allowances provided by the Federal and State Governments for widow(er)s and dependants of ex-servicemen and ex-servicewomen.

3.1.1. As its principal object, to maintain a continuous review of relevant federal legislation, regulations, case law, medical reports and Departmental directives affecting the interests of veterans' widow(er)s and dependants who are eligible for Legacy benefits.

3.1.2. To contribute to the review and development of relevant Government policies and procedures.

3.1.3. To monitor the processing of claims and appeals by widows and dependants.

3.1.4. To provide a forum for the exchange of information and the development of policies and practices to assist Legacy Clubs in their task.

3.1.5. To promulgate information to assist Clubs with processing claims for entitlements and to advise Clubs of representations made on behalf of Legacy on processing claims for entitlements and the outcome of those representations.

3.1.6. To cooperate with other National Bodies appointed by National Conference.

4. RELATIONSHIPS

- 4.1.** To reach agreement with other National Bodies in circumstances where it is not clear which national body should act on behalf of Legacy on matters such as those listed in Clause 3 above.¹
- 4.2.** To submit to Council draft policy submissions for formal presentation to meetings of Kindred Organisations, the Federal Government, the Department, other Government Departments and organisations within the objectives of the Committee. Arrangements for the preparation and presentation of such submissions shall be agreed with Legacy Australia Council.¹

5. MEMBERSHIP

- 5.1.** The Committee shall comprise:
- A Chairman appointed by Council;
 - A Secretary appointed by Council; and
 - A Legatee nominated by each State and appointed by Conference. The State Member is to be nominated by the Capital City Club but need not be a member of that Club.²
- 5.2.** Members shall hold office for two years, subject to Sub-clause 5.4, and shall be eligible for re-appointment.
- 5.3.** A Deputy Chairman is to be elected by the Committee.
- 5.4.** In the event of the death or resignation of a member, the State which he/she represented will nominate a replacement for the remaining term of the member's appointment and that replacement will be confirmed at the next Conference.

6. ALTERNATE MEMBERS

The Clubs in each State may also select a Legatee to be the Alternate Member of the Committee to deputise for the appointed member as and if required.

¹ Clause amended at Cairns Conference 1997.

² Clause amended at Cairns Conference 1997.

7. EXECUTIVE SUB-COMMITTEE

- 7.1.** The Committee may form an Executive Sub-Committee, to be known as the Executive.
- 7.2.** The purpose of the Executive is to consider business arising from correspondence and from meetings which the Chairman and/or Council has had with the Government and its Departments, and to discuss business which arises between meetings of the Committee.
- 7.3.** Membership of the Executive shall comprise:
- The Chairman of the Committee.
 - The Secretary of the Committee.
 - Two Committee members, elected annually by the Committee. The term of office will coincide with Committee membership.
- 7.4.** The Executive will usually conduct its business informally, using electronic media (telephone, fax and email) and/or by post. A formal meeting may be petitioned at any time by a majority of the Executive.
- 7.5.** The Executive shall confer with other members of the Committee as appropriate.
- 7.6.** The Executive may co-opt Legatees or other persons with special expertise in pension matters for specific purposes or tasks.

8. COMMITTEE MEETINGS

- 8.1.** The Annual Meeting of the Committee shall be held not more than ninety days before Conference.
- 8.2.** Between annual meetings, business of the Committee will usually be conducted by correspondence or by telephone, but the Committee may meet at other times with the approval of Council.
- 8.3.** The Annual Meeting of the Committee shall recommend the location of the next Annual Meeting.
- 8.4.** A State member will present to the Committee any item brought to him by a Club within that State, and will report back to the Clubs within the State as necessary. Clubs retain the right to initiate discussion on items at the Annual Meeting or at Conference.
- 8.5.** Between Conferences, the Chairman will consult with Council on:
- 8.5.1.** items considered urgent;
- 8.5.2.** the agenda, location and attendance for meetings of the Committee or Executive.

9. AGENDA FOR MEETINGS

- 9.1.** The Secretary, after consultation with the Chairman and members, will prepare Agendas for the Annual Meeting and for formal Executive meetings.
- 9.2.** The Annual Meeting Agenda will be distributed to each Legacy Club and Committee Member one month prior to the date of the meeting.

10. MINUTES

- 10.1.** Minutes of Committee meetings will be distributed to all Legacy Clubs and Committee members within sixty days of a meeting
- 10.2.** Minutes of formal Executive meetings will be distributed to Committee members within thirty days of a meeting.

11. REPORTS

- 11.1.** The Committee will prepare an Annual Report. In a National Conference year, the annual report will be circulated to Clubs prior to Conference and presented to Conference by the Chairman or his/her representative.
- 11.2.** In a non-National Conference year the annual report will be presented to Council who will distribute to all Legacy Clubs by 15 December.

12. ADMINISTRATION

- 12.1.** Council will provide administrative support as necessary.
- 12.2.** The Committee will provide an annual budget of its operating expenses and the costs of any project it sponsors that are to be defrayed by a levy on Clubs. Subject to acceptance by Conference, or the arrangements to deal with such matters between Conferences, these costs will be met as provided for under the heading “Levies” in the body of the Legacy Principles and Rules for Guidance.”

APPENDIX 11 to Legacy Principles and Rules for Guidance

OPERATING PROCEDURES FOR THE RECORDING COMMITTEE¹

1. APPOINTMENT AND COMPOSITION

- 1.1. The Recording Committee should consist of at least three members, preferably two from the Host Club and one from Council. The members should be pre-selected and designated prior to the commencement of the Conference by the Host Club in conjunction, if necessary, with the Chairman of Council.
- 1.2. The names of the members are to be announced at the beginning of the Conference.

2. RESPONSIBILITIES

The Committee is responsible for:

- ensuring that a full record of Conference is made;
- arranging for a word processor operator to be available. The operator should be capable of converting any convoluted and incomplete phrasing into grammatical sentences and recording same;
- ensuring, in conjunction with the Conference Chairman, that the name and the Club of each speaker are recorded;
- ensuring that the input of each speaker has been correctly recorded and not distorted in the editing process;
- reviewing the record after each session of Conference to ensure that it is both comprehensive and comprehensible;
- preparing the printed Record of Proceedings for distribution to Clubs. If the recording of the Conference proceedings is both comprehensive and clear, the amount of detail from the recording to be included in the printed Record of Proceedings of the conference may be able to be abbreviated.

3. RECORD OF PROCEEDINGS

3.1. General

- The details to be included in the printed record shall be specified by Legacy Australia Council, in consultation with the Recording Committee and the Host Club.
- Papers and reports, other than motions, published in the Business Papers should not be duplicated in the printed record.
- Documents, supplementary reports and presentations not included in the Business Papers, which have been tabled at Conference or referred to during debate, are to be published in the Record, either in the body or as appendices whichever is appropriate.

These are also to include:

- lists of Clubs in attendance, names of Delegates and Observers and their Partners;
- The names of the Conference Chairman/Deputy, the Mediation Committee and the Recording Committee.
- Message of Loyalty to HM The Queen.

1. Amended at Fremantle 2009

- The Committee, consistent with accuracy, should finalise their draft for printing immediately after the Conference and ensure that printing is carried out quickly.
- The printed Record is to be page numbered and the colours of the binding and of the covers should match those of the Business Papers. It should include a Table of Contents and a guide to any supplementary Record of the Conference of Proceedings (eg video/audio tape, CD, DVD).
- Council will advise the Host Club of the number of printed copies of the Record required (for the purpose of obtaining printing quotes the number is approximately 300 copies).
- A distribution list showing the numbers of Records provided to each Club is to be included in the published Record.
- The Record of Proceedings should be distributed within two months of the conclusion of the Conference.

3.2. Production of a Full Printed Record of Proceedings

In attendance to the General requirements above:

- An amended motion is to be reproduced as amended and the resolutions of Conference reproduced in their final agreed form in the body of the Record. Such final resolutions should be indented and produced in bold type for emphasis.
- The Record is to accurately record, in full, the debate/discussion in all Plenary Sessions of Conference and, in the case of amendments to motions, the discussion and disposal of such amendments.
- One master copy and three copies of the transcript are to be prepared progressively after each main session.
- Transcripts should be read and checked individually by each member between sessions and, if necessary, be referred to the speaker to check the accuracy of the written record;
- Production of an initial draft of proceedings for finalisation on the afternoon of the final day of conference.

3.3. Production of an Abbreviated Record of Proceedings

In implementing the General requirements above:

- All motions and resolutions of Conference are to be reproduced (as amended) in their final agreed form. Such final resolutions should be indented and produced in bold type for emphasis. The voting results should be recorded in each case.
- The Record should be prepared progressively throughout the Conference in order to have a draft available for finalisation on the last day.

APPENDIX 12 to Legacy Principles and Rules for Guidance

OPERATING PROCEDURES FOR A MEDIATION COMMITTEE

1. APPOINTMENT AND COMPOSITION

- 1.1.** The Mediation Committee should consist of at least three members, each of whom should be an experienced senior Legatee who is not a delegate. One member, to be designated as the Chairman, should preferably be an experienced member or ex-member of Council.
- 1.2.** The members should be pre-selected and designated prior to the Conference by the Host Club in conjunction, if necessary, with the Chairman of Council.

2. RESPONSIBILITIES

- 2.1.** The Committee is to meet with representatives of Clubs in favour of the motion under consideration, including the proposing and seconding Clubs, and with representatives of Clubs opposing the motion.
- 2.2.** They will examine the principal reasons put forward in support and in opposition to the motion to see if it is possible to reach a common position in support of the original motion or an amended motion.
- 2.3.** The proceedings should be conducted in as informal manner as possible with the main aim of reaching a position which would be acceptable to not less than three-fourths of the Clubs voting at the Conference. This final position may be reached either by those Clubs favouring the motion persuading those against or by a compromise between the two original positions.
- 2.4.** The Committee is to report back to the Conference at a convenient time prior to the conclusion of the business and advise the Conference of the possibility of success of the original motion if resubmitted or of any compromise motion if submitted.
- 2.5.** In the event of a compromise motion, the Committee should advise the Conference the text of the motion which is likely to be successful. However, as the members of the Committee are not delegates, they are not authorised to formally propose any motion.
- 2.6.** Where there is no possibility of any agreement whereby a motion would be acceptable to not less than three-fourths of the Clubs voting at the Conference, the Committee should advise Conference accordingly.

APPENDIX 13 to Legacy Principles and Rules for Guidance

SUGGESTED FORM OF SERVICE FOR THE FUNERAL OF A MEMBER OF A LEGACY CLUB

The wishes of the next of kin regarding the use of this form of service should be ascertained, and the person officiating at the funeral should be consulted so that a dignified and fitting tribute is afforded. If used, it can be held at the end of the ordinary service, or earlier, as arranged with the person officiating.

If more than one person is to speak of the life of the Legatee, then co-ordination of the areas to be covered by each is needed.

The funeral service can stand alone, be modified or be part of other services. Importantly, flexibility in its use and the parts used, are for your decision. Please refer to the NOTES at the end of this Appendix.

The President or his/her Deputy shall begin with the words:

"The Spirit of Legacy is Service in the care of dependants of veterans who served their country. May we who are left with this legacy of service continue to maintain our enthusiasm to serve them and to hold high the torch of remembrance."

The President/Deputy may give a short address if appropriate.

The President/Deputy then places a laurel wreath on the coffin (and may wish to use this option for the description of the wreath):

OPTION "This wreath of laurel with its points inverted in remembrance is the "testimonial of honour" to those veterans who offered their lives in the service of their country. I place it on the casket in proud remembrance of this life given in service.

"Fear not that you have died for naught,¹
The torch you threw to us we caught,
And now our hands will hold it high,
Its glorious light shall never die,
We'll not break faith with you who lie
On many a field"

¹ Adopted at Melbourne in 1998.

Let us pray:

"Lord God, you crown the mystery of life with your unchanging love for all humanity. In your keeping and peace we leave our departed Comrade, Legatee, and we give thanks for his/her life and service within our ranks. **AMEN**"

“Comfort, O Lord, those who mourn the loss of(*who offered his/her life in the service of our country*). Be with them in their sorrow, support them in their loneliness, and give them courage to look beyond the trouble of the present time. **AMEN.**”

Then shall the President/Deputy say:

"In silence with thankful hearts let us remember the life and work of our comrade, together with all those, especially his/her comrades, who made the supreme sacrifice.

"Legatees - Our Departed Comrades."

SILENCE (One minute)

Then shall the President/Deputy say:

"Lest we forget."

and Legatees shall respond with the same words.

LAST POST OR GENERAL SALUTE IF A MILITARY FUNERAL

NOTES

1. The above service has been written for a religious funeral service. For a non-religious funeral service, the following words may be substituted for the prayer:

1.1. "At this moment, let us quietly acknowledge the life of one who gave so much for others. With thanks that we were able to stand beside our departed comrade, Legatee, we remember and honour this life.

"We collectively extend our thoughts of comfort to those who closely mourn the loss of(*who offered his/her life in the service of our country*). We wish them strength in their sorrow, support in their loneliness, and courage to look beyond the trouble of the present time."

2. The above service has been written for members who qualify for membership under the earlier Membership qualifications. Those now qualifying under the modified membership qualifications can be catered for by modifying the above words e.g. by leaving out those words in italics.

3. Some adjustments will be needed to the above 'Form of Service' where it is being conducted for a non-Christian faith. In that circumstance, the form of service should be discussed with an authorised celebrant of the appropriate faith.

APPENDIX 14 to Legacy Principles and Rules for Guidance

OPERATING PROCEDURES FOR THE STATUTES MONITORING COMMITTEE¹

1. MEMBERSHIP²

The Committee shall comprise:

- 1.1. A Chairman appointed by Council; and
- 1.2. not less than two nor more than four other members appointed by Council.

2. RESPONSIBILITIES

The responsibilities of the Committee are:

- 2.1. To coordinate suggestions/submissions from Clubs to amend the Legacy Statutes and to recommend wording for submissions as motions to Conference. This responsibility occurs both between Conferences and at Conferences.
- 2.2. To initiate a gradual programme to frame the Code in particular, and the Statutes in general, in terms of principles and to replace unnecessary, detailed prescriptions of circumstances and procedures that presently inhibit the prerogative of Clubs to make their own decisions.
- 2.3. To monitor determinations by the responsible Commonwealth Minister, and changes in Commonwealth legislation, with respect to definition of areas for compensation and income support.

3. MEETINGS

Meetings will be held as required by the Chairman of the Committee or the Chairman of the current National Conference.

1. Adopted at Cairns 1997.

2. Amended at Warrnambool 2005.

APPENDIX 15 to Legacy Principles and Rules for Guidance

LEGACY NATIONAL AGED CARE FORUM CHARTER¹

1. NAME

The name of the Forum shall be the National Aged Care Forum. The Forum is appointed by National Conference and administered by Legacy Australia Council on behalf of the Legacy Clubs of Australia.

2. OBJECTIVES

- 2.1.** To represent at a national level in relation to aged care matters, the interests of veterans' dependants who are eligible for Legacy benefits.
- 2.2.** To maintain a continuous review of relevant Federal legislation, regulations and directions of the Department of Veterans' Affairs, Social Security and Health and Family Services.
- 2.3.** To promote awareness of the Aged Care and Community Services Programmes initiated by the Federal Government and participating Department of Veterans' Affairs, Social Security and Health and Family Services.
- 2.4.** To contribute to the development of programmes designed to promote understanding of the available services.
- 2.5.** To monitor the operations of the Department of Veterans' Affairs and any equivalent monitoring bodies established by the Departments of Social Security and Health and Family Services.
- 2.6.** To prepare and submit to Council draft submissions for formal presentation to national meetings of kindred organisations, the Federal Government and Federal Government Departments on matters within the objectives of the Forum.
- 2.7.** To advise Legacy Clubs of Australia with respect to the above objectives.

3. MEMBERSHIP

The Forum will consist of a Coordinator appointed by Legacy Australia Council, and an Aged Care Representative nominated by each Capital City Club. The Representatives are not necessarily members of a Capital City Club.

¹ Adopted at Cairns 1997.

4. OPERATIONS

- 4.1.** It is envisaged that the Forum will conduct its operations by correspondence, telephone, facsimile or similar means.
- 4.2.** If appropriate, a meeting of State Aged Care Representatives, or their nominated proxies, may be held in conjunction with the National Conference.
- 4.3.** Advise other bodies, who are appointed by National Conference to monitor certain interests of widow/ers and dependants who are eligible for Legacy benefits, of the major activities of the Forum.

5. ADMINISTRATION

- 5.1.** Legacy Australia Council/Representative's Club will provide the administrative support as necessary.
- 5.2.** Reasonable costs associated with the operations of the Aged Care Forum will be provided by Legacy Australia Council.

APPENDIX 16 to Legacy Principles and Rules for Guidance

LEGACY NATIONAL MARKETING COMMITTEE CONSTITUTION^{1,2}

1. NAME

- 1.1. The name of the Committee shall be the NATIONAL MARKETING COMMITTEE. The Committee is established as a Standing Committee of Conference. The Committee will report biennially to National Conference. In non-National Conference Years, an annual report will be submitted to Council for despatch to all Legacy Clubs.

2. DEFINITIONS

- 2.1. Wherever in this Constitution the following words are used, their meaning shall be:

Chairman	The Chairman of the Committee
Committee	The National Marketing Committee
Conference	The National Conference of the Legacy Clubs of Australia
Council	The Legacy Australia Council Incorporated
National Marketing Manager	The Marketing Manager.
Secretary	The Secretary of the Committee.

3. AUTHORITY

- 3.1. The Committee is empowered by Conference to make decisions within the mandate herein established and within the context of existing Legacy policies and principles.
- 3.2. The Committee is to deal with the operational marketing aspects of branding, promotional strategies, sponsorship and fund-raising. Council may provide guidance to the Committee, but can only override the decisions of the Committee as defined in the appropriate paragraphs of the Legacy Principles and Rules for Guidance.
- 3.3. The Chairman is authorised to:
- act as a spokesperson for the Committee;
 - speak externally on behalf of Legacy on matters within the Committee's mandate; and

¹ Adopted at Townsville in 2007.

² Amended at Fremantle 2009.

- commit funds within the parameters of the approved operating budget of the Committee.

4. OBJECTIVES

4.1. The objectives and responsibilities of the Committee reflect the marketing implications and interdependencies that exist among other Legacy programs, media relations and communications. The specific responsibilities of the Committee include:

- providing overall guidance and direction for Legacy’s marketing communications, including publications, fund raising, sponsorship, and promotional programs, and contributing towards their implementation.
- establishing a nationwide pro-active media program to promote Legacy and its brand;
- establishing strategic direction for an integrated marketing and revenue generation program;
- developing an annual Committee operational plan with initiatives, objectives and tasks required to implement the strategic direction each year, together with a yearly budget;
- conducting an annual program evaluation to confirm that marketing and communication objectives are being met and are achieving the desired results;
- obtaining sponsorship in support of the Legacy Junior Public Speaking program;
- establishing Committee operational policies and agreements and monitoring compliance;
- maintaining, through the Legacy website and other communication materials, an appropriate and consistent branding strategy; and
- reaching agreement within the National Legacy arena with regard to sponsorship, fundraising, branding, media communications and integrated marketing and revenue generation programs.

5. MEMBERSHIP OF THE COMMITTEE

5.1. The Committee shall comprise:

- a Chairman, appointed by Council, in consultation with Sydney Legacy;
- the National Marketing Manager;
- the Executive Officer of Council; and
- each State/Territory Capital City Club President or his or her nominee who will be a Legatee.

5.2. A Deputy Chairman and a Secretary are to be elected by the Committee.

5.3. The representative of each Capital City Club shall hold office for a period of two years and such representatives may be reappointed on the recommendation of their Club.

5.4. In the event of the death or resignation of a member, the organisation that he/she represents will nominate a replacement for the remaining term of the member’s appointment.

6. ALTERNATE MEMBERS

- 6.1.** Each nominating organization may also select an appropriate representative to be the Alternate Member of the Committee to deputise for the appointed member as and if required.

7. RESPONSIBILITIES OF CHAIRMAN

- 7.1.** The Chairman provides leadership to the Committee and is responsible for assigning and co-ordinating the Committee's work. In particular, the Chairman is responsible for:

- receiving and responding to questions and issues concerning Marketing from members of Legacy;
- developing and managing an operating budget to support the annual marketing operational plan; and
- ensuring that meetings are properly documented, with assistance of the Marketing Manager.

8. EXECUTIVE SUB-COMMITTEE

- 8.1.** The Committee may form an Executive Sub-Committee, to be known as the Executive.

- 8.2.** The purpose of the Executive is to consider business arising from meetings and to discuss business which arises between meetings of the Committee.

- 8.3.** Membership of the Executive Committee shall comprise:

- The Chairman;
- The Secretary;
- The National Marketing Manager;
- The Executive Officer of Council; and
- Two Committee members, elected annually by the Committee, whose term of office will coincide with Committee Membership.

- 8.4.** The Executive will meet as required at the discretion of the Chairman. A meeting may be petitioned at any time by a majority of the Committee.

- 8.5.** The Executive may co-opt members of the Committee or employees with special expertise in marketing for specific purposes or tasks.

9. COMMITTEE MEETINGS

- 9.1.** The Annual Meeting of the Committee in a Conference year shall be held not more than twenty-eight (28) days before the Conference.
- 9.2.** Between annual meetings, business of the Committee shall be conducted either by telephone or in person at a place decided by the Chairman.
- 9.3.** The Agenda shall be distributed to each Committee Member 14 working days prior to the date of the meeting.

9. MINUTES

- 10.1.** Minutes of the Committee Meetings will be distributed to all Legacy Clubs and Committee members within 28 days of a meeting.
- 10.2.** Minutes of the Executive will be distributed to Committee Members within 14 days of a meeting.

10. REPORTS

- 11.1.** The Chairman will prepare an Annual Report on behalf of the Committee. The annual report will, in a Conference year, be included in the Conference Business Papers. At the conclusion of its Annual Meeting, the Committee will prepare a supplementary report which will be presented to Conference by the Chairman or his representative and distributed to all Clubs.
- 11.2.** In a non-Conference year the Annual Report will be presented to Council who will distribute it to all Legacy Clubs.

11. ADMINISTRATION

- 12.1.** Sydney Legacy will provide office accommodation and any other support required as defined in a Memorandum of Understanding concluded between Legacy Australia Council and Sydney Legacy.
- 12.2.** The National Marketing Manager will act as a specialist marketing adviser.
- 12.3.** The Committee will prepare an annual budget of its operating expenses and the costs of any project it sponsors. Subject to acceptance by Conference, or the arrangements to deal with such matters between Conferences, these costs will be met by:
 - a levy on all Legacy Clubs of a percentage of the net receipts of Legacy Badge Week, as confirmed by audited financial statements, the quantum to be set by Conference.
- 12.4.** These arrangements between Legacy Australia Council and Sydney Legacy will remain in place until the Committee recommends otherwise or Sydney Legacy advises that it is no longer willing to provide the accommodation and other support set out in para. 12.1.

APPENDIX 17 to Legacy Principles and Rules for Guidance

CODE OF CONDUCT¹

1. Members and staff of Legacy Clubs and Legacy auxiliary workforces shall act honestly, fairly and with courtesy, competence, diligence and reasonable promptness and shall not engage in conduct prejudicial to the interests of the Legacy movement and in particular shall:
 - 1.1. Give all suitable, accurate and truthful information to veterans' dependants in relation to pensions, benefits or services.
 - 1.2. Advise dependants and families of veterans and others to give full, accurate, truthful and relevant information when applying for pensions, benefits and services.
 - 1.3. Act only on the dependant's instructions in relation to action to be taken in respect of a claim or application for pension or benefits, or access to services.
 - 1.4. Conduct all contact with members of the veteran community, staff of government agencies, providers of services and the general community in a courteous and professional manner.
 - 1.5. Ensure that all available relevant details and documents are submitted with claims and applications for pensions, benefits and services.
 - 1.6. Only undertake work to the level at which they have been trained and have demonstrated competence.²
 - 1.7. Maintain and expand their knowledge base by further training and by seeking advice from the Department of Veterans' Affairs, staff of Government agencies or other service providers.
 - 1.8. Comply with all relevant government legislation, including but not limited to, legislation related to child protection, human rights and anti-discrimination, occupational health and safety, privacy and freedom of information.
 - 1.9. Keep personal information in a secure place and not disclose such information without proper authority.
 - 1.10. Promote the interests of the veteran community by communicating openly and honestly with the Department of Veterans' Affairs and other service providers, and by complying promptly with proper requests for information.
 - 1.11. Provide their services for assistance regarding pensions and associated matters free of any fee, charge or gratuity.

END OF STATUTES

¹ Adopted at Canberra in 2001.

² Amended at Townsville 2007.