

# Constitution of The National Malaya & Borneo Veterans Association



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**Name.**

1. The name of the Association shall be the National Malaya & Borneo Veterans Association (The Association), abbreviated as the NMBVA. The motto shall be “Bono Animo Este” (“Be of Good Courage”).

**Aims.**

2. The Aims of the Association are:

A. To bring together in true comradeship those who have served in Malaya, Borneo, Republic of Singapore, and Brunei Darussalam, during the Second World War, the Dutch East Indies Insurrection (Java, Sumatra), the Malayan Emergency and the Brunei Insurrection, the Borneo Indonesian Confrontation and thereafter in the above countries.

B. To assist Members in their time of need by helping to bring to bear, referral to and assistance from appropriate Regimental, Service, and social and caring Agencies.

C. To remember with pride, respect and gratitude, those of all friendly Nationalities who made the supreme sacrifice in the line of duty for their Country and to ensure that those who fell and that the Association is represented on the Day of Remembrance at home and abroad.

D. To promote the Association and its aims throughout the Commonwealth and other Nations. To bring the work and aims of the Association to the public’s awareness by promoting and supporting memorials and public occasions, and to seek affiliations with similar organizations.

E. To strengthen ties with Malaysia, the Republic of Singapore and Brunei Darussalam.

F. To hold an Association Annual General Meeting (AGM), Reunion Dinner and Remembrance Service.

**Organization.**

3. The organisation, administration and control of the Association within the United Kingdom shall be by the National Executive Committee (the Committee) who shall be responsible for managing all matters of policy, finance and administration strictly in accordance with this Constitution and shall:

A. Consist of the Chairman, , Secretary, Treasurer, Membership Secretary, three (3) Committee Members, Regalia Officer and Webmaster. Other symbolic or honorary posts may be created such as a National President, a National Patron, or Vice Presidents, the latter in recognition of outstanding service to the Association but only with the agreement of the membership at an AGM. Such posts shall not carry any executive powers and shall be for life unless an honorary officer wishes to stand down or an AGM determines a reason to require an honorary officer to stand down.

B. Be elected annually by vote at the AGM but shall have the power to fill, by co-option, any vacancy that may occur or any new post that may be required during their term of office, provided always that the selection in the first instance shall be made from those offering

themselves for election at the AGM or by a volunteer. Such selection shall be made in order of voting and with the consent of any such Member being obtained before the appointment is made. The co-option shall cease at the next AGM.

C. Supervise all Branches, the ordering, purchasing and distribution of the Association's regalia, AGM or any Extraordinary General Meeting (EGM), and all matters Membership and this Constitution.

D. Make Orders and Regulations as and when necessary, which shall be binding on every Member of the Association and which shall be reported upon at the AGM. The Committee does not have the power to determine all questions and disputes as to the construction or interpretation of this Constitution and therefore all such matters shall also be reported to the Members at the AGM. This constitution may be amended at any AGM or EGM provided that three (3) months' notice has been given to each branch to allow them to communicate such amendments to its Members. Ordinary and Associate members can, if they so wish then respond to the National Secretary.

E. All nominations for election to the committee, signed by the Proposer, Seconder and Nominee, shall be received by the National Secretary no later than ninety (90) days before the AGM. Proposers and Seconders may be required to submit written statements in support of their Nominee who may decline or withdraw their nomination for any reason up to the time voting takes place.

### **Membership.**

4. Membership of the Association shall be as follows:

A. The Membership shall be all those persons whose names are present on the Membership Database or Register of the Membership Secretary.

B. A Database or Register shall also be kept of those Members who are deceased, have resigned or with whom the Association has lost touch.

C. All personal and service details shall be protected and their security is the sole responsibility of the Membership Secretary.

D. Members shall be classified as Ordinary, Associate, or Honorary.

E. Ordinary Membership is open to all those who have served in H.M. Forces, Commonwealth Forces, Auxiliary Forces, Saint John Ambulance Brigade, Merchant Navy and the Civil Service in the areas covered by the Association.

F. Associate Membership is open to all those who have served in H.M. Forces anywhere, the family and immediate relatives of those who are ordinary members or would qualify for ordinary membership and all civilians who were held captive during the occupation of the qualifying countries.

G. Honorary Membership shall be proposed by an Ordinary Member for any person not otherwise qualified to apply for Ordinary or Associate Membership and in recognition of special services rendered to the Association, proposals shall be sent to the Membership

Secretary for consideration by the Committee. Honorary Members are not permitted to hold office at any level and do not have voting rights, but they are not required to pay subscriptions.

H. The above membership qualifications are not exhaustive; all applications will be considered on their merits. It is not the policy of the association to be totally exclusive.

I. Every Member shall inform the National Membership Secretary or their Branch Secretary of any change of address, including telephone number, all notices required to be given to any Member shall duly be deemed to have been given if sent to the address present on the National Database.

J. The Membership Database or Register shall be accessible at all reasonable times by any Member who applies to the Membership Secretary subject to conditions as laid out in the Data Protection Act.

K. The Association must comply at all times with the freedom of Information and Data Protection Act.

### **Admission, Rejection, Termination.**

5. The regulation of Membership shall be as follows:

A. The Initial Application for membership of the NMBVA using the official completed membership application form, to be sent to the National Treasurer with a payment for the current Association annual subscription *of £10 (refer to 8b) plus an amended Association joining fee of £3. Branches may require an additional fee.*

B. After verification of the details the Membership Secretary shall forward an official N.M.B.V.A. Membership card to the new Member who shall then be entitled to all the privileges of Membership. If the Member resides within an area of an established Branch the Membership Secretary shall allocate the Member to that Branch unless requested otherwise.

C. Where there is any doubt as to the authenticity of the details contained on the Application, the Membership Secretary shall request the Applicant to provide all necessary evidence to qualify entitlement to Membership. If reasonable doubt still exists, the Membership Secretary shall inform the Applicant that the matter will be brought up before the Committee for discussion and that the decision will be forwarded within fourteen days (14) of being reached. If the decision is rejected then the Applicant has the right to appeal, in writing, to the National Secretary who will arrange for the appeal to be considered by the NEC.

D. A Member may resign at any time by giving notice in writing to the Membership Secretary, the Branch Chairman or the National Chairman. If a Member fails to pay their Annual Subscription within three (3) months ninety (90) days of the due date they shall be deemed, by their conduct to have resigned. Branches shall be given discretion regarding their own members for reasons of hardship, illness or reward.

E. If a Member fails to comply with any part of this Constitution or shows conduct prejudicial or injurious to the interests of the Association then the National Committee shall consider whether or not that Membership should be terminated.

F. Any Member who receives a notice of termination or has received a vote of no confidence and any person who has had a rejection of application for Membership may, within fourteen (14) days of receiving written notification, lodge an appeal in writing to the National Secretary.

G. On receipt of a notification to appeal the National Secretary shall, within sixty (60) days, convene an Appeal Panel of ten (10) Ordinary Members. No more than two (2) from any branch will be appointed of which one (1) member will be elected as chairman by members of the panel. The appellant has the right to state his case to the body (i.e. the NEC) seeking termination of membership has the right to give cause for such termination. The appeal result will be determined by a majority vote of the panel, such decisions being final.

H. The Member or Applicant has the right to defend and the Committee to present their respective cases. The appeal shall be determined by a majority vote of the Appeal Panel Jury only, such decision being final.

I. Regalia, approved by the Association, may only be purchased and worn by members.

### **Funds.**

6. Control of the Association Funds shall be as follows:

A. All funds, belonging to the Association shall be kept in the name of the Association in a Bank, Savings Bank, or Building Society or may be invested under such conditions as the *Association* decides. The Treasurer, and the Chairman or Vice-Chairman shall sign all cheques and withdrawal slips on the Account.

B. The financial year shall be from 1<sup>st</sup> July to 30<sup>th</sup> June enabling accounts to be audited for presentation at the AGM. An annual budget for the following year, (July to June), shall be laid before the AGM for approval. Proper accounts shall be kept and maintained either on a database, written or printed showing correctly the financial affair of the Association.

C. All single expenditures above Five hundred pounds (£500) must be approved by the Committee.

D. The Regalia Officer and/or the Treasurer will purchase all Association Regalia, with discounts offered to members, as decided by the Committee.

E. A full audit of the National accounts shall be carried out by an approved auditor as soon as is practical at the end of the Association's financial year. The official year of the Association shall be from the first day (1st) day of July to the thirtieth (30th) day of June.

F. The Association accounts may be audited by a sub Committee of Ordinary Members, who will present their report at the AGM.

G. The funds, assets and property of the Association shall be applied solely in the promotion of the aims as set out in this Constitution.

H. Admissible Association Expenses and Allowances.

(a) NEC meetings: Expenses are admissible to NEC members for reasonable overnight accommodation and travel costs to a central meeting point. A second night will only be authorized in exceptional circumstances. NEC meetings should be no more than 3 annually, one of which shall coincide with the Annual Delegates meeting. NEC expenses are not admissible for the AGM/Reunion.

(b) Events: Expenses to Events other than the above meetings by individual invitation, should be authorized by the NEC Chairman (short term notice) or the NEC (long term notice) prior to the event. Travel expenses by NEC members to Branches, should be authorized by the NEC chairman, prior to attendance.

(c) Allowance:  
Accommodation: Actual cost of the reasonable accommodation is for the NEC member only. Where, however, the charge is at a 'room price', that will be a permissible claim.

Vehicle: Currently 30 pence per mile, to be reviewed annually at the AGM.

Subsistence: Should only be admissible in cases of emergency and at the discretion of the NEC Chairman.

### **Fees and Subscriptions.**

7. The regulations of fees and subscriptions shall be as follows:

A. Subject to any alterations, which may be decided by the Committee, the Membership Fee (the fee) and the Annual Subscription (the subscription) shall be decided at the AGM.

B. The fee shall be charged to each new Ordinary or Associate Member and shall be due on joining the Association. The responsibility for collecting these charges shall rest with the Treasurer.

C. National Subscriptions shall be determined by the yearly running costs of the Association; however, Branch Subscriptions shall be at the discretion of the Members of that particular Branch.

**D.** National Subscriptions £10 per year.

The Association year is 1<sup>st</sup> July to 30<sup>th</sup> June.

Upon joining <u>July to December</u>	£10.00	
Initial joining fee	£3.00	Total £13

Upon Joining January to June	£5.00
To cover the <b><u>Next financial Year</u></b>	£10.00
Initial joining Fee	£3.00
Total	£18.00

### **Branches.**

8. The creation and control of Branches shall be as follows:

A. Branches may be set up throughout the United Kingdom, and Europe with the granting of a Warrant from the Committee and provided that there is a minimum of five (5) Ordinary Members residing within the area, three (3) of who are prepared to stand for election to the offices of Branch Chairman, Secretary and Treasurer. The suspension or withdrawal of the Warrant and dissolution of any existing Branch shall be at the discretion of the Committee.

B. Branches are to be self financing by setting and collecting their own Branch Fees and be responsible for the management of their Membership, the Branch accounts, public relations and communicating with the Committee. Branches will remain responsible for submitting the current annual subscription of (£10 from 1<sup>st</sup> July) per registered member to the National Treasurer with member's names who have paid and are due prior to the 1<sup>st</sup> July annually. On Joining the following Subscription rates apply: *Jul-Dec* £10; *Jan-June* £5; plus the Joining Fee of £3.00. Audited copies of the Branch accounts may be forwarded to the National Treasurer at the discretion of the Branch.

C. Applications for Branch Membership outside the Branch area may be accepted solely at the request of such Members, no attempt will be made by any Branch or individual Member, to exclusively recruit other existing Branch Members.

D. Branches may establish their own local rules. Those rules shall not negate any part of this Constitution.

E. Branches shall not sell Association regalia at a price that is higher than that stipulated by the Committee.

F. A member may only be a voting member of one branch at any one time.

G. A member may be refused membership of a Branch, but not the association, by a majority vote at a branch meeting where not less than 15 ordinary members are present. Where this is not possible, a majority of the branches executive.

H. A member may be expelled from a Branch, but not the association, by a two-thirds majority at a Branch meeting where no less than 15 ordinary members are present: where this is not possible, a unanimous vote of the branches executive.

### Meetings.

9. Meetings of the Association will be held as follows:

A. Branch Delegates Meetings shall be called at the discretion of the NEC. Each Association Branch; Postal Groups North, South, and Overseas; will be entitled to have one (1) voting delegate, who may be accompanied by a debating but non-voting Member of the same Branch or Postal Group to represent them at the meeting. Questions must come from the Branch and not individuals.

B. The Association shall hold an AGM during the month of October primarily to afford Members the opportunity to elect Officers to the NEC, submit Motions for other Members consideration, hold a Reunion Dinner and Remembrance Service. The AGM is the Meeting for individual members of the Association, accordingly. Remits submitted or Motions tabled on behalf of a Branch shall not be accepted.

C. The venue and date of the AGM will be suggested at the previous Meeting and be governed by demand and availability. The Committee is totally responsible for arranging the venue, date and program and the finance, thereby retaining the right to change the venue for any reason they see fit.

D. The quorum for an AGM shall be no less than two thirds (2/3rds) of those Ordinary Members attending the venue. The quorum for a Committee Meeting will be no less than thirty percent (30%) of the full Committee.

E. The National Secretary shall call an Extraordinary General Meeting (EGM) within sixty (60) days of receipt of written request signed by no less than one hundred (100) Ordinary Members or by a resolution of the Committee both of which shall state the reason for calling the EGM Notice thereof shall be posted to all Branches not less forty-two (42) days before the Meeting.

F. A record of Minutes shall be taken of all Association Meetings.

G. The Chairman or an appointed representative shall chair all Association Meetings and shall have the power to evict a person who is abusive or who persistently disrupts the Meeting. The Chair shall have the casting vote and shall control the addressing of the Meeting by Members.

H. A Motion of No Confidence against a person holding Office within the Association shall, if carried, be investigated by the NEC.

### **Voting.**

10. Voting and the tabling of Motions shall be conducted as follows:

A. The Chair shall ascertain the decision of the Ordinary *and Associate* Members present by a show of hands; a simple majority shall win the vote. There shall be no secret ballots, there shall be no proxy votes, and there shall be no block votes.

B. Any matter to be discussed which requires a decision to be made by the Members, other than election of Officers (see Rule 14), shall be tabled as a Motion. All Remits, duly Proposed and Seconded, shall be presented to the National Secretary ninety days (90) before the AGM to enable consideration for tabling as Motions, all other matters shall be brought up in Any Other Business. Motions to propose changes to the Constitution must give all Branches three (3) months' notice and so must be with the National Secretary at least one hundred (100) days before the AGM to enable distribution. Remits not received by the due date shall not be thus read at the Meeting and if neither Proposer nor Secunder attend the meeting they shall have their Motions withdrawn.

C. Motions being debated are subject to the following:

- a. The Proposer may speak on the motion for four (4) minutes.
- b. The Secunder may speak on the motion for two (2) minutes.
- c. Others may speak on the motion (for or against) for four (4) minutes.
- d. Any Amendments to the Motion shall be voted on first.
- e. The Proposer shall have the right to reply before the Motion is voted on.
- f. All Motions shall be voted on unless withdrawn.

- g. A Motion may only be withdrawn with the approval of the Proposer.

### **Election of Association Officers.**

14. Officers of the Association, being the Chairman, Vice Chairman, Secretary, Treasurer, Membership Secretary, Regalia Officer and Webmaster, and three (3) committee members, shall be elected annually at the AGM, but the NEC shall have the power to fill by co-option any vacancy that may occur or any new post that may be required during the NEC term of office, provided always that the selection in the first instance shall be made from those offering themselves for election at the AGM or by a volunteer. Such selection shall be made in order of voting and with the consent of any such Member being obtained before the appointment is made. The co-option shall cease at the next AGM.

A. Nominations for election of these officers, signed by the Proposer, Secunder and Nominee shall be received by the National Secretary no later than ninety (90) days before the AGM. Proposers and Seconders may be required to submit written statements in support of their Nominee, who may decline or withdraw their nomination for any reason up to the time voting takes place. Nominations may be made by any member of the Association.

B. A nominee will submit to the National Secretary within the ninety (90) day rule one A4 page biographical resume at font 11 size which will be distributed to all those attending the AGM.

C. At the time of the Election at the AGM: Nominees must be present. If the number of eligible nominations for any position is equal to the number of vacancies for that position (providing, there is no objection from the floor) those nominees will automatically be elected to that position. If the number of nominations for a position' is greater than the vacancies for that position. There will be a ballot conducted at the AGM. Each member will be issued with a ballot paper. Please refrain from filling it in until all nominees have spoken. All nominees' will withdraw from the meeting. The order determined by the Chairman. Each nominee will be given the opportunity to make a five (5) minute presentation, if they wish, and answer questions from the floor. The committee shall elect a Retuning Officer to collect ballot papers. Members will vote by placing an X against the name of their preferred candidate. Ballot papers to be counted at the meeting. Ballet papers will be issued on entrance to the AGM.

### **Emblem.**

11. The Association Emblem is the Badge of the Association and may only be worn by Ordinary and Associate members on the appropriate blazer approved regalia. No alteration or change in design or presentation shall be made without the express permission of the Members at an AGM. No Member is permitted to use the Emblem for personal gain or favor.

### **Award Certificates.**

12. A member may be nominated for a certificate of merit in recognition of outstanding service to the Association. Nominations in writing must be sent directly to the National Secretary for approval by the NEC. When approved a Certificate will be signed by the appropriate Association Officers and presented at an arranged venue.

**Dissolution of the NMBVA.**

13. In the event that the continuation of the National Malaya & Borneo Veterans Association is considered to be no longer viable, the business will be concluded by the calling of an Extraordinary General Meeting of members. A majority decision taken will cover: the disposal of financial assets (possibly to some other service charity or worthy cause); the repository for Association records (possibly to the Central Office of Information); the sale of shop stock; the sale and disposal of Association property; and a final and closing audit. The Minutes of the EGM will close with an order and notice of dissolution to be issued to all members once the necessary executive action to effect dissolution has been taken. Should at any time the Association be granted Charity status then the Charity Commissioners will advise about the disposal of funds.

Data protection Act

**What does GDPR mean for me?**

The new GDPR legislation came into force in May 2018, bringing with it more rights for you as a consumer. It means that you will have more power to challenge how organisations will ask for, store, use and otherwise process your personal data. So, any information that can be used to directly or indirectly identify you as an individual (your name, date of birth, address etc.) may constitute personal data and will be expected to be under strict control and protection

**NATIONAL MALAYA AND BORNEO VETERANS ASSOCIATION****NMBVA PRIVACY NOTICE**

- 1 The National Malaya and Borneo Veterans Association (NMBVA) take your privacy very seriously and will only use your personal information to administer your membership and provide the services you request from us.
- 2 The information we process is your name, address, telephone number, e-mail address, details of your membership of the association and military history. Your personal membership data is kept securely both digitally (encrypted) and in paper format and will not be disclosed to a third party without your consent.
- 3 Your personal data will not be kept for any longer than necessary and will be deleted if you no longer remain a member of the association in line with the NMBVA policy.
- 4 From time to time we use your personal information to enable us to send you the association newsletter and Keris magazine and to do this share some of your personal data with a third party who manage the printing and posting to members of such correspondence. Also, The Not Forgotten Association, only if you apply to take advantage of any activity they organise. The Not Forgotten Association will automatically delete your information after the event.
- 5 You consented to the NMBVA processing your information by signing the NMBVA joining application form.
- 6 You may request to see the information we hold on you at any time.

- 7 You may withdraw your consent at any time by contacting the National Secretary in writing at [tedwilliams129@aol.co.uk](mailto:tedwilliams129@aol.co.uk), but you will then be unable to receive services of the NMBVA.
- 8 A full database will be held by the National Secretary, National Membership Secretary and National Treasurer. Webmaster, Postal Coordinators and Branch Secretaries will only hold portions of the National Database appertaining to their responsibilities.
- 9 If you have any queries, please do not hesitate to contact the National Secretary.

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