



BYLAWS OF LEGACY AUSTRALIA INCORPORATED

Version 13: 27 October 2025

Incorporating changes adopted at the Legacy Australia Inc. AGM on 22 October 2025

VERSION HISTORY

Date	Description of Change	Version
15 October 2014	Initial Release for tabling at National Conference 29 November 2014 and Legacy Australia Council Inc. AGM 29 November 2014	1
29 November 2014	Adopted at National Conference 29 November 2014 and Legacy Australia Council Inc. AGM 29 November 2014	1
22/23 June 2015	Draft issue to clubs for consideration and feedback leading to final release for tabling at Legacy Australia Inc. AGM 22 October 2015	2
22 September 2015	Release for tabling at Legacy Australia Inc. AGM 22 October 2015	3
11 November 2015	As adopted at Legacy Australia Inc. AGM 22/23 October 2015 and incorporating changes subsequent to changing first sentence of the Charter in the Constitution Changes: Appendix 1-A, Appendix 2-A, Appendix 2-F	3
4 November 2016	As adopted at the Legacy Australian Inc. AGM on 19 October 2016 to acknowledge the completion of the work of Rockhampton Legacy as a Chartered Legacy Club Changes: Appendix 2-B	4
25 October 2017	Incorporating changes adopted at the Legacy Australia Inc. AGM on 18 October 2017 Amendment of Clause 1.2 Amendment of Appendix 1-B: Code of Conduct by inserting Clause 2	5
16 November 2018	Incorporating changes adopted at the Legacy Australia Inc. AGM on 31 October 2018 Amendments to Bylaw 4 – Conference Matters	6
16 November 2018	Editorial changes to Appendix 4-A: List of Past Conference Host Clubs	6

29 October 2019	Incorporating changes adopted at the Legacy Australia Inc. AGM on 22 October 2019 Amendments to Bylaw 3.3 – Statistics Amendments to Bylaw 4 – Conference Matters Changes to Appendix 2-B - Development of Legacy	7
29 October 2019	Editorial changes to Appendix 4-A: List of Past Conference Host Clubs	7
18 February 2021	Incorporating changes adopted at the Legacy Australia Inc. AGM Part B on 18 February 2021 Amendments to Bylaws 2.13 and 3.2 Changes to Appendix 2-B – Development of Legacy	8
25 October 2021	Incorporating changes adopted at the Legacy Australia Inc. AGM on 25 October 2021 Amendments to Bylaws 3.3.1 and 4.1 Changes to Appendix 2-B – Development of Legacy	9
19 October 2022	Incorporating changes adopted at the Legacy Australia Inc. AGM on 19 October 2022 Amendments to Bylaw 4.1 Changes to Appendix 2-B – Development of Legacy	10
15 October 2023	Incorporating changes adopted at the Legacy Australia Inc. AGM on 15 October 2023 Changes to Appendix 2-B – Development of Legacy	11
22 October 2025	Incorporating changes adopted at the Legacy Australia Inc. AGM on 22 October 2025 Amendments to Bylaws 1.2, 1.5, 2.11, 2.25.1 Addition of new Bylaw 5: Legacy Benefits and Evidence of Service Amendment to Appendix 2-A to Bylaw 2 Amendment to Appendix 2-B to Bylaw 2	12

27 October 2025	Editorial changes to Appendix 4-A: List of Past Conference Host Clubs	12
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BYLAWS OF LEGACY AUSTRALIA INCORPORATED

INTRODUCTION

This document contains the Bylaws for Legacy Australia Incorporated (Legacy Australia Inc.), to be read in conjunction with the Constitution of Legacy Australia Inc. which includes the Charter of Legacy, the description of the Badge, the Code of Legacy and its Annexes. The Constitution has precedence over the Bylaws.

There are five (5) Bylaws:

- Bylaw 1 General Matters
- Bylaw 2 Club Matters
- Bylaw 3 Administration Matters
- Bylaw 4 Conference Matters
- Bylaw 5 Legacy Benefits and Evidence of Service

Bylaw 1. General Matters

1.1. Application of Bylaws

- 1.1.1. 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 1.4.
- 1.1.2. These Bylaws, approved by Legacy Australia Inc., are promulgated for guidance in implementing the policy as set out in the Code of Legacy.
- 1.1.3. It is desirable that Legacy practice should be uniform and consistent. While application of these Bylaws to the domestic constitution and policy of individual clubs is not mandatory, departures from them should be made only when special circumstances exist.

1.2. Amendments to Bylaws

Amendments to the Legacy Bylaws shall be determined in accordance with the Rules of the Constitution by a Majority of Votes. A minimum of 42 days' notice of intention to move amendments should be given to all clubs.

Refer: Rules 31 and 35 of Constitution of Legacy Australia Inc.

Refer to Appendix 3-B to Bylaw 3 Sample Motion

1.3. The Fundamentals of Legacy

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

Refer Appendix 1-A to Bylaw 1: The Fundamentals of Legacy

1.4. Representation to Federal Government and Other Organisations

- 1.4.1. 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 Beneficiaries. The two broad areas that Legacy seeks to influence are policy formulation and service delivery. Such interaction is seen as incidental to Legacy's primary purpose of the provision of support to dependants of incapacitated and deceased veterans.
- 1.4.2. Responsibilities for representation to or negotiation with government and

other organisations, within the provisions of the Legacy Bylaws, are as follows:

- (a) Legacy Australia Inc. negotiates with the Commonwealth Government and national headquarters of other organisations. Clubs should refer to Legacy Australia Inc. matters of Legacy interest which they consider should be matters for representation to or negotiation with the Commonwealth Government, its departments or instrumentalities, or other national organisations, when the results of such representation or negotiation may affect Legacy as a whole;
- (b) The capital city clubs negotiate with their respective State Government, locally based organisations and State branches of national organisations. Similarly, matters for representation or negotiation at the State level should be referred to the relevant capital city club under locally agreed protocols; and
- (c) The clubs negotiate with their local/regional government bodies and local representatives of other organisations as applicable.

1.5. Definitions

Allied Veteran	A person as defined by the Department of Veterans' Affairs.
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.
Auxiliary Workforce	Individuals, groups of individuals or organisations recruited to assist in carrying out the activities of Legacy.
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

	<ul style="list-style-type: none"> • 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 subparagraphs above, such a child retaining eligibility regardless of age.
Defence Member	A member of the permanent Navy, the regular Army or the permanent Air Force or a member of the Reserves who is rendering continuous full-time service or is on duty or in uniform.
Dependant	<ul style="list-style-type: none"> • A widow, widower, partner or child of a deceased veteran, allied veteran; or • Another close relative who was wholly or substantially financially supported by the deceased veteran or allied veteran at the time of death.
Foundation Charter	The Charter issued to a Legacy Foundation
Incapacitated (Having given their health)	<p>A veteran with any physical or mental illness, injury or impairment which substantially reduces or eliminates the veteran's ability to provide support or care for themselves and/or their dependants is said to have given their health and to be incapacitated.</p> <p>The incapacity may be permanent or temporary.</p> <p>The appropriate authority in the Club is to assess capacity and is to review that assessment on a regular basis in cases where the incapacity is temporary.</p>
Legacy Benefits	Include, but are not limited to, the range of support available from a Legacy Club to an eligible dependant.
Operational Area and Types of Service	Legacy accepts the definitions of operational areas and types of Service as defined by the Department of Veterans' Affairs from time to time.
National Conference	The periodic or other Conference of all Legacy Clubs of which due notice has been given to all Legacy 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 veteran.

State	A state of the Commonwealth of Australia, including the Australian Capital Territory and the Northern Territory.
Veteran	<ol style="list-style-type: none">1. Any person who served, or is serving, as a Defence Member in the ADF, or2. Any other person who was a member of or officially attached to the Defence Force of any part of the Commonwealth of Nations who served in a War or Operational Area as defined by the Department of Veterans' Affairs.

1.6. Code of Conduct

- 1.6.1. The object of the Code of Conduct is to ensure that all clubs, foundations, auxiliary workforces, Legacy Australia Inc. and their respective Legatees, staff and volunteer 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.
- 1.6.2. All clubs, foundations, auxiliary workforces, Legacy Australia Inc. and their respective Legatees, staff and volunteer workforces shall abide by the Code of Conduct.
- 1.6.3. Failure to comply with the Code of Conduct may result in the governing body of a club or Legacy Australia Inc. taking action as it sees fit against their respective members.

Refer Appendix 1-B to Bylaw 1: Code of Conduct

Appendix 1-A: The Fundamentals of Legacy

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

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*.

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.

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.

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.

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.

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.”

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.

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.

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.

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?

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.

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.

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.”

What is it that we have inherited? The answer is, his most treasured possession – his wife and children.

Let us now consider some of the fundamentals of Legacy.

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.

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 gave their lives or health on operational service or subsequently, and Australian Defence Force members who die in service or 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.”

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.

It is not always simple and straightforward to fulfil this pledge. 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.

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

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.

There is no substitute for personal service.

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.”

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.

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 Ode

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.”

Appendix 1-B: Code of Conduct

1. All clubs, foundations, auxiliary workforces, Legacy Australia Inc. and their respective Legatees, staff and volunteer workforces shall act honestly, fairly and with courtesy, competence, diligence, reasonable promptness and shall not engage in conduct prejudicial to the interests of the Legacy movement and in particular shall:
 - 1.1 Comply with all applicable government legislation, including but not limited to, child protection and vulnerable people requirements, employment law; including misconduct, discrimination, bullying, harassment, sexual harassment, Workplace Health and Safety standards and training; as well as policies and procedures outlined by respective Legacy Clubs and Legacy Australia Inc.
 - 1.2 Advise dependants and families of veterans and others with full, accurate, truthful and relevant information in relation to, and 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, 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.
 - 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 Keep personal information in a secure place and not disclose such information without proper authority as per the Privacy and Freedom of Information Acts and local club policies and procedures.
 - 1.9 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.
 - 1.10 Provide their services for assistance, including pensions and associated matters, free of any fee, gift or gratuity.
2. No Legatee is to be paid a wage or a salary or any other form of remuneration for providing their services to Legacy.

Bylaw 2. Club Matters

2.1. Amendments to Bylaws

Refer: Bylaw 1.2.1.

2.2. Badge

- 2.2.1. The design of the Badge of Legacy is specified in the Code of Legacy contained in Appendix A to the Constitution.
- 2.2.2. A lapel badge of bronze colour will be issued to each member of a club. 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 Legatee. A lapel badge shall not be issued to any person other than a Legatee.
- 2.2.3. The design of the badge is copyright and is vested in Legacy Australia Inc. 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.
- 2.2.4. A reproduction of the copyright badge may be incorporated in a memorial established to a Legatee 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.
- 2.2.5. A lapel badge, incorporating the design of the badge may be issued to and worn by each member of an auxiliary workforce if that lapel badge has been approved by a club or Legacy Australia Inc. for such use. Clubs should liaise with Legacy Australia Inc. on suitable designs.

2.3. Name of Club

Each club shall adopt an approved official title "The 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"

2.4. Autonomy of Clubs

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

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

2.5. Legacy Charters

- 2.5.1. Legacy Australia Inc. shall issue a Charter to each club and shall issue a Foundation Charter to a foundation qualified in accordance with the Constitution and Bylaws.
- 2.5.2. Charters shall be kept in the custody of the club President and ceremoniously handed to their successor when installing them in office.
- 2.5.3. They should be displayed prominently in the clubroom, or place of meeting.
- 2.5.4. The Foundation Charters shall be in the custody of the foundation Chairmen/Presidents for the time being.

*Refer Appendix 2-A to Bylaw 2: Form of Charter for a Legacy Club
Refer Appendix 2-B to Bylaw 2: Development of Legacy*

2.6. Boundaries

- 2.6.1. The boundaries of the areas under the control of clubs shall be as agreed between the clubs concerned and Legacy Australia Inc. 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 and Legacy Australia Inc.
- 2.6.2. Legacy Australia Inc will maintain a map showing the boundaries of all clubs.

2.7. London Legacy

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

2.8. Formation of New Clubs

2.8.1. Every application to form a new club shall be sponsored by an existing club or clubs, which shall furnish a full report to Legacy Australia Inc.

2.8.2. The report from the sponsoring club(s) is to include, inter alia:

- (a) details of area and population, including proposed boundaries;
- (b) the amount of Legacy work at hand or likely to develop;
- (c) the effect that the new club will have on the areas and work of existing clubs;
- (d) the names of at least fifteen approved original members and the likely availability of future members;
- (e) the proposed headquarters and meeting places;
- (f) the likely financial viability of the new club;
- (g) an assurance that the new club will subscribe to the aims, objects and activities of Legacy.

2.8.3. Legacy Australia Inc. will investigate the application. This should include consultation with all adjacent and affected clubs.

2.8.4. On being satisfied that the requirements have been complied with, Legacy Australia Inc. shall authorise the formation of the new club. It will then advise the sponsoring club(s) and issue the Charter for the new club.

2.9. Inauguration of New Clubs

2.9.1. When Legacy Australia Inc. has advised the sponsoring club(s) that it proposes to issue the Charter, Legacy Australia Inc., in consultation with the sponsoring club(s), should arrange an inaugural ceremony at a suitable time and place.

- 2.9.2. The Chairman of Legacy Australia Inc. or his/her nominee should perform the inaugural ceremony.

Refer Appendix 2-C to Bylaw 2: Recommended Procedure for Inaugural Meeting of a New Legacy Club

- 2.9.3. All other 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.

2.10. Membership - Limitations

- 2.10.1. The membership of each club should be limited to the number necessary to ensure that all members render adequate personal service.
- 2.10.2. The status of Life Membership, or Honorary Membership, shall not be conferred on any person.

2.11. Membership – Qualifications for Membership of Legacy Clubs

- 2.11.1. The appropriate authority in each Legacy Club may admit to membership any person who shares the ideals and obligations of Legacy..
- 2.11.2. Candidates for membership of Legacy shall be nominated and seconded by Legatees who should have had at least 12 months' membership of Legacy.
- 2.11.3. Candidates shall signify their willingness to provide adequate personal service to beneficiaries and to carry out all the other duties expected of them.
- 2.11.4. They should be nominated on a prescribed form, approved by the club, which shall include the mandatory requirements contained in Appendix 2-D.

*Refer Appendix 2-D to Bylaw 2:
Suggested Nomination Form for Membership*

- 2.11.5. 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.

Refer Appendix 2-E to Bylaw 2: Suggested Form for Induction

2.12. Club Bulletins and Annual Reports

- 2.12.1. Each club may, if requested by clubs, send its Bulletins to those clubs.
- 2.12.2. Each club shall send a copy of its Annual Report to the Australian War Memorial.
- 2.12.3. Each club shall send a copy of its Bulletins and its Annual Report to Legacy

Australia Inc. and to the Legacy Australia Inc. Director from the assigned region in App B to the Constitution.

2.13. Soliciting Funds - Territorial

- 2.13.1. Clubs, when soliciting funds, shall respect established boundaries (refer to Bylaw 2.6.2) 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.
- 2.13.2. Legacy Australia Inc. may solicit funds from organisations or sources of a national character, after consultation with clubs directly concerned, and with their consent.
- 2.13.3. For a specific fundraising initiative or event, a Member Club may fundraise outside its boundaries by arrangement and after consultation with the Clubs directly concerned, with their informed consent.

2.14. 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 willing and able to take an active interest in the work of Legacy.

2.15. Dissolution of a Legacy Club

- 2.15.1. When a club is unable to provide the required level of service to 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.
- 2.15.2. The club, after resolving constitutionally to do so, will formally advise Legacy Australia Inc. and neighbouring clubs of its decision.
- 2.15.3. Legacy Australia Inc., 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 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.
- 2.15.4. 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 Legacy Australia Inc. for endorsement of a Statement of Substantial Fulfilment on the club's Charter.

- 2.15.5. Legacy Australia Inc. being satisfied that suitable arrangements can be made will resolve to endorse the club's Charter and will advise the subject club and other clubs/foundations involved of its resolution.
- 2.15.6. Legacy Australia Inc., in consultation with the subject club and other clubs/foundations involved, will supervise the agreed arrangements for any changes in the residual responsibilities.
- 2.15.7. Legacy Australia Inc., 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 clubs of the time and place of the ceremony so that they may be represented or enabled to send messages of appreciation and remembrance.
- 2.15.8. At this ceremony, Legacy Australia Inc. will execute the formal endorsement of the Charter. The club shall then cease to exist as a club of Legacy.

2.16. Legatees - Transfer of Membership

- 2.16.1. When Legatees change their place of permanent residence, they should be transferred to the nearest appropriate club, provided that:
 - (a) 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;
 - (b) 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
 - (c) they are acceptable to the transferee club and there is a suitable field of service for them.
- 2.16.2. 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.

2.17. Legatees – 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.

2.18. Auxiliary Workforce

- 2.18.1. 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:
- (a) by the club within its own framework of rules; or
 - (b) from within a foundation.
- 2.18.2. Members of such an auxiliary workforce will be entitled to wear a distinctive lapel badge (refer to Bylaw 2.2.5).
- 2.18.3. Subject to the provisions of its rules, a club may elect, or appoint, a member of an auxiliary workforce to hold any office within the club.

2.19. Requirements of a Legacy Foundation

- 2.19.1. A foundation may be formed by a club or jointly with other clubs. A foundation must:
- (a) have, as its primary purpose, the furtherance of the aims and interests of Legacy;
 - (b) be incorporated as an association or corporation under the law of the Commonwealth or of a State;
 - (c) be a fund, authority or institution approved by the Commissioner of Taxation as a fund, authority or institution referred to in the Income Tax Assessment Act 1936 as amended;
 - (d) 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
 - (e) where applicable, undertake that, in utilising its workforce, consisting of people other than Legatees, to perform functions commonly undertaken by Legatees, it will -
 - (i) 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
 - (ii) act in accordance with the Code of Legacy and

(iii) observe the aims, objects and practices common to Legacy.

2.19.2. There should be not more than one foundation in any State.

2.20. Issue of a Charter to a Foundation

2.20.1. A Legacy Foundation which conforms to the requirements set out in these Bylaws may apply to Legacy Australia Inc. for the issue of a Charter.

2.20.2. Every such application shall be sponsored and recommended by one or more clubs.

2.20.3. On being satisfied that the requirements have been complied with, Legacy Australia Inc. shall issue a Foundation Charter.

Refer Appendix 2-F to Bylaw 2: Form of Charter for Foundation

2.21. Transfer of Assets to a Foundation

Clubs may transfer assets to a foundation which conforms to the requirements set out in these Bylaws.

2.22. Withdrawal of Foundation Charter

Legacy Australia Inc. will withdraw and appropriately endorse the charter previously issued to a foundation when that foundation:

- (a) decides to dissolve or wind up; or
- (b) so requests; or
- (c) no longer satisfies the requirements set out in Bylaw 2.19.

2.23. Representation at National Conference

Refer Bylaw 4.3.1

2.24. State Conferences

Clubs within a State, may meet in conference for the consideration of such business as they deem desirable.

2.25. Transfer of Legacy Beneficiaries

2.25.1. Clubs are obliged to provide benefits to beneficiaries transferred from another club.

2.25.2. When a beneficiary transfers from one club area to another, the transferring club should advise the nearest transferee club and provide information that

will include, at least, the beneficiary's new address and their complete Legacy history.

2.26. Service to Families in Outlying Areas

2.26.1. It is the duty of Legacy to establish and maintain some form of contact with all persons eligible for benefits who reside in remote areas where the responsible club has no Legatee or auxiliary workforce representation.

2.26.2. To meet this obligation, the responsible club should seek the full co-operation of existing agencies in those remote areas. They should appoint contactors to act on behalf of Legacy in assisting these families. Contactors should be persons who hold the same security checks that are mandatory for a Legatee, abide by the Legacy Code of Conduct and understand the ideals and obligations of Legacy and they should be given all possible information in regard to Legacy's aims and methods.

2.27. Legacy Service to Families Outside Club Boundaries

2.27.1. The enrolment of eligible beneficiaries located outside an existing club boundary is the responsibility of the club having the initial contact with those beneficiaries.

2.27.2. Should lack of resources preclude that particular club from enrolling such beneficiaries, then the club within the boundary within which the veteran was last resident in Australia is to assume responsibility.

2.28. 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.

Refer Appendix 2-G to Bylaw 2: Suggested Form of Funeral Service.

2.29. Reference to Code of Conduct Bylaw 1

Legacy Clubs and Legacy Australia Inc. are required to make their respective Legatees, staff and volunteer workforces aware of, and the need to comply with, the Code of Conduct.

Appendix 2-A: Form of Charter for a Legacy Club

"THE SPIRIT OF LEGACY IS SERVICE"

The care of family members of those who served their country – namely, veterans of the Australian Defence Force and Allied Veterans, who have given their life or their health as a result of their service – affords a field for service.

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

Personal effort is the main essential.

In as much as these are the activities of Legacy, it is our privilege to accept the legacy of the fallen and incapacitated.

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

Dated this Day of

.....**Chair**

.....**Secretary**

LEGACY AUSTRALIA INCORPORATED

Appendix 2-B: Development of Legacy

CLUB	YEAR
Melbourne	Founded 1923
Hobart	Founded as "Remembrance" 1923 Joined Legacy 1940
Geelong	Founded 1925
Ballarat (Ballarat)	1926
Bendigo	1926
Sydney	1926
First Annual Conference	1926
Launceston	Founded as "Remembrance" 1927 Joined Legacy 1933
South Australia & Broken Hill (previously Adelaide)	Founded 1928
Canberra	1928
Brisbane	1928
Western Australia (Perth) ¹	1928
Central Liaison Committee	Formed 1929
Ipswich	Founded 1929
Ararat	1929
Fremantle ¹	1929 - 2018
Albury	1932
Newcastle	1932
Wagga Wagga	1932
Mildura	1933
Far North Queensland (previously Cairns)	1933
Queanbeyan Eden Monaro (previously Queanbeyan)	1933
Co-ordinating Council	Formed 1937
Goulburn	Founded 1945
Wimmera (previously Horsham) ⁵	1946 – 2021
Rockhampton ²	1947 – 2016
Toowoomba	1947
Warrnambool	1947
Wollongong and South Coast (previously Wollongong)	1947
London	1947
Hamilton	1948
Northern Queensland (previously Townsville)	1948
Mackay	1948
Tamworth	1948
Far North Coast (previously Lismore)	1948
Armidale	1948

CLUB	YEAR
Central West NSW (previously Orange)	1948
Fraser Coast & Country Burnett (previously Maryborough) ³	1948 – 2019
Bundaberg	1948
Gold Coast (previously Southport)	1949
Lachlan	1949
Hunter	1949
Shepparton ⁶	1950 - 2025
Central Coast (NSW) (previously Brisbane Water NSW)	1951
Colac	1951
Inverell	1952
Grafton	1953
Taree	1953
Coffs Coast (previously Coffs Harbour)	1963
Northern Territory (previously Darwin)	1973
Coolangatta – Tweed Heads ⁴	1977 - 2019
Port Macquarie Hastings (previously Hastings)	1984
Mornington Peninsula	1995
Legacy Australia Council (Renamed from LCC)	2009
Legacy Australia Incorporated (Renamed from LAC)	2014

Addendum:

1. Fremantle amalgamated with Perth to form Western Australia in 2018
2. Rockhampton folded into Brisbane in 2016
3. Fraser Coast and Country Burnett folded into Brisbane in 2019
4. Coolangatta – Tweed Heads folded into Gold Coast in 2019
5. Wimmera folded into Melbourne in 2021
6. Shepparton divided into its three groups. Shepparton Group folded into Melbourne in 2025. The Kyabram and Seymour Groups transitioned within the governance of Bendigo.

Appendix 2-C: Recommended Procedure for Inaugural Meeting of a New Legacy Club

1. The Chairman of the group of Legatees 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 the Board (of Legacy Australia Inc. or his/her nominee) to occupy the Chair.
3. The Chairman of the Board conducts the ceremony "Our Departed Comrades".
4. The Chairman of the Board advises that, following a recommendation to Legacy Australia Inc. 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 ofstating the aims and objects of Legacy.
6. The Chairman of the Board 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 2-E. The badge of Legacy will be handed to each one, either by the Chairman of the Board or with the assistance of visiting Legatees.
7. The Chairman of the Board 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 the Board 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 the Board, 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 2-D: Suggested Nomination Form for Membership

Legacy Clubs of _____
 Name of Proposer _____
 Name of Seconder _____
 Date _____

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

PERSONAL PARTICULARS

Surname:	Other Names: Preferred Name
Home address:	
Postcode: Phone:	Email:
Date of Birth/Age:	Professional qualifications:
Married/Partnered/Single:	Partner's Preferred First Name:
Children, if any, names	
Has nominee ever nominated for membership in a Legacy Club before?	If so, where and when?

OPERATIONAL SERVICE (if applicable)

Branch of Service:	War: (eg 1939-45, Vietnam)	Service Number:
--------------------	----------------------------	-----------------

OCCUPATION:

Nature of business:	
Name of employer:	
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:

STATEMENT BY NOMINEE**

I understand that the processing of my nomination is dependent upon successful screening relative to my role in Legacy and consistent with the legislation of my resident state or territory.

Note for Nominee: *This may include screening checks such as a National Criminal History Check, Working with Children Check, Working With Vulnerable People Check etc.*

..... /...../.....

Signature of Nominee

NOMINEES REFEREES**

Please provide details of three people we can contact and who have known you for at least 12 months, who can comment on your suitability for this position. The proposer and seconder can be included if you have known them for a sufficient period to provide an appropriate reference.

First Referee

Full Name _____

Residential Address _____

Home Phone _____ Mobile Phone _____ Work Phone _____

Email _____

Position & Organisation _____ Years known _____

Second Referee

Full Name _____

Residential Address _____

Home Phone _____ Mobile Phone _____ Work Phone _____

Email _____

Position & Organisation _____ Years known _____

Third Referee

Full Name _____

Residential Address _____

Home Phone _____ Mobile Phone _____ Work Phone _____

Email _____

Position & Organisation _____ Years 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:

- (a) he/she understands the responsibilities he/she may be expected to assume as an advisor to families in need of guidance;
- (b) 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.

I am aware that he/she qualifies for membership of Legacy in terms of the Code of Legacy Annex C.

SIGNATURE OF PROPOSER	
SIGNATURE OF SECONDER	

NB: 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:

- (a) accept a positive role of welcoming him/her into the comradeship of Legacy;
- (b) 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;
- (c) be available to advise on any matter associated with his/her Legacy duties.
- (d) ensure he/she is briefed on all policies and procedures of the relevant club and Legacy Australia Inc., including where they can be accessed on the Legacy’s website

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 _____

** Mandatory inclusion in any club Nomination Form for Membership

Appendix 2-E: Suggested Form for Induction

The Sergeant-at-Arms

"Will the Proposer and Secunder 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 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 2-F: Form of Charter for Foundation

We Legatees, who accepted the Legacy of service to the care of dependants of those who served their country; namely, veterans who gave their lives or health on operational service or subsequently, and Australian Defence Force members who die in service or 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 beneficiaries of those who served their country; namely, veterans who gave their lives or health on operational service or subsequently, and Australian Defence Force members who die in 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 Incorporated

on theday of 2....

on behalf of the Legacy Clubs of Australia.

..... **Chairman**

..... **Secretary**

LEGACY AUSTRALIA INCORPORATED

Appendix 2-G: Suggested Form of Funeral Service

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. .

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, or remembrance poppy or sprig of rosemary, 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,

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"

The President/Deputy may ask fellow Legatees to place a remembrance poppy or sprig of rosemary on the coffin.

Then shall the President/Deputy say:

"In silence and with thanks 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 Comrade"

SILENCE (One minute)

Then shall the President/Deputy say:

"Lest we forget."

and Legatees shall respond with the same words.

Bylaw 3. Administration Matters

3.1. Amendments to Bylaws

Refer to Bylaw 1.2.1.

3.2. Levies

- 3.2.1. Each club shall pay to Legacy Australia Inc. an annual levy that will be its share of the sum of the following components, each of which is to be listed separately:
- (a) administrative costs;
 - (b) premiums for Public and Association Liability insurances.
- 3.2.2. Each of the above levies shall be proposed by the Board and determined at a General Meeting in accordance with Rule 12.2 of the Constitution. Unless decided otherwise, levies shall be paid by 1 January each year.
- 3.2.3. For levies relating to AGMs and conferences refer to Bylaw 4.
- 3.2.4. Proposals for special purpose levies (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.
- 3.2.5. The amount of each levy for premiums for Public and Association Liability insurances shall be calculated per capita, based on club membership. The membership of a club shall be the total of all members, including ordinary members, reserve members and members of foundations and auxiliary workforces.
- 3.2.6. The amount of the levy for administrative purposes shall be calculated according to a formula proposed by the Board and determined at a General Meeting in accordance with Rule 12.2 of the Constitution of Legacy Australia Inc.
- 3.2.7. Levies may be paid from club welfare funds.

3.3. Statistics

3.3.1. Each Club shall forward to the Legacy Australia Inc., by 30 April each year, the beneficiary and club membership statistics as at 31 March in that year. The statistical information required may be adjusted from time to time by the clubs at a General Meeting or by the Board between General Meetings. Adjustments to statistics requirements are only to be made when needed in order to facilitate the functions of Legacy and to meet changing circumstances. Examples of statistics are listed below.

3.3.2. Widows(ers):

- a) under 50 years;
- b) 50 years to 75 years;
- c) 76 years to 89 years;
- d) 90 years to 99 years;
- e) 100 years and over;
- f) age unknown;
- g) total widow(er)s;
- h) the number of widow(er)s enrolled with Legacy and who receive a War Widow's Pension under the VEA;
- i) the number of widow(er)s enrolled with Legacy and who receive a benefit under the MRCA/SRCA;
- j) the number of widow(er)s enrolled with Legacy who receive a reversionary pension under the Military Superannuation Benefits Scheme, Defence Force Retirement & Death Benefit Scheme or Australian Defence Force Superannuation, and
- k) the number of widow(er)s enrolled with Legacy for whom the legislative basis for benefit is unknown.

3.3.3. Children of deceased veterans: (excluding those who are disabled and children of those who have given their health)

- a) under 5 years;
- b) over 5 years to under 12 years;

- c) over 12 years to under 18 years
- d) over 18 years to under 26 years and in tertiary or further education; and
- e) total children.

3.3.4. Beneficiaries who have a disability:

- a) under 15 years;
- b) 16 years to 25 years
- c) 26 years to 35 years
- d) 36 years to 59 years;
- e) 60 years and over;
- f) age unknown; and
- g) total disabled.

3.3.5. Partners of Veterans who have given their health:

- a) under 50 years;
- b) 50 years to 75 years;
- c) 76 years to 89 years;
- d) 90 years to 99 years;
- e) 100 years and over;
- f) age unknown; and
- g) total partners of veterans who have given their health;

3.3.6. Children of Veterans who have given their health

- a) under 5 years;
- b) over 5 years to under 12 years;
- c) over 12 years to under 18 years
- d) over 18 years to under 26 years and in tertiary or further education; and
- e) total children of veterans who have given their health.

3.3.7. Club Membership:

- a) the number of active members who are ex-military;
- b) the total number of active members;
- c) the number of inactive members (if any);
- d) the number of reserve members (if any); and
- e) total membership.

3.3.8. Legatee Membership

- a) under 50 years;
- b) 50 – 64 years;
- c) 65 – 84 years; and
- d) 85 years and over.

3.3.9. Welfare Disbursements

- a) Clubs will report by 30th April each year, total expenditure on welfare as reported in the Club's latest financial year.
- b) In calculating expenditure on welfare, clubs should take into account all related costs as well as direct expenditure. Related costs should include the full cost of Welfare Officers and a proportion of the salary costs of Office Managers and other employees, costs associated with the use of a motor vehicle and mobile telephone for welfare purposes, a proportion of the costs of maintaining an office and clubrooms which are used by dependants, social events for beneficiaries and other similar costs. Clubs should also be cognisant of Federal and/or State legislation which might limit the proportion of charitable income spent on related costs compared to direct welfare expenditure which may be spent in any year.

3.3.10. Pension Information

Legacy Australia Inc. is authorised to obtain statistics relating to lodgement and processing of pensions claims.

3.4. 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, Legacy Australia Inc. will select another suitable club in that State or adjacent State to undertake the required responsibility, duties or action.

3.5. Form of Charters for Clubs and Foundations

Refer Appendix 2-A to Bylaw 2: Form of Charter for a Legacy Club

Refer Appendix 2-F to Bylaw 2: Form of Charter for Foundation

Appendix 3-A: Specimen Special Resolutions and Motions

ANNUAL GENERAL MEETING LEGACY AUSTRALIA INC.

SPECIAL RESOLUTION

Albury New South Wales- 22nd/23rd October 2015

SUBJECT:	Special Resolution to Amend Rule 47.1(D) of the Constitution of Legacy Australia Inc.
SUBMITTED BY	<LEGACY CLUB NAME>
DATE:	22 nd JUNE 2015

SPECIAL RESOLUTION:

That rule . 47.1(d).of the Constitution of Legacy Australia Inc. be deleted and replaced by the following:

"That the Directors shall take office at the conclusion of the last Board Meeting of the outgoing Board in November or December and the new Board shall hold its first Board Meeting as soon as practicable after taking office and shall elect or confirm the office bearers of Legacy Australia Inc for the following year. "

REASON FOR THE SPECIAL RESOLUTION:

1. The changeover of Boards in the middle of the Christmas /New Year holiday season makes it problematic to hold a face to face meeting of the new Board to elect its Office Bearers.
2. Importantly this would leave Legacy Australia Inc. without a Chairman and Secretary from 1st January until the first meeting of the Board which traditionally occurs in early February.
3. This proposed amendment allows the new Board to hold a meeting immediately following the last meeting of the old Board (or shortly thereafter) particularly as it is envisaged that at least 50%, and likely more, of the old Board will be in the new Board and present at the meeting.
4. This amendment therefore provides a practical opportunity for continuity of a functioning Board, and importantly its Chairman and Secretary, with minimal effort and cost.

ANNUAL GENERAL MEETING LEGACY AUSTRALIA INC.

MOTION

Albury New South Wales - 22nd/23rd October 2015

SUBJECT:	Motion to Amend Bylaw of the Bylaws of Legacy Australia Inc.
SUBMITTED_BY	<LEGACY CLUB NAME>
DATE:	.22nd JUNE 2015

MOTION:

That all the words in paragraphof Bylawbe deleted and replaced by the following words:

“...insert proposed change here...”

REASON FOR THE MOTION:

1.

2.

2.1.

2.2.

2.2.1

2.2.2

2.2.3

3.

Bylaw 4. AGM and Conference Matters

*Refer Legacy Conference Handbook
for detail on processes and proceedings*

4.1. Frequency of Legacy Conferences

- 4.1.1 A Legacy Conference will be held at least triennially at such times as are determined by a General Meeting of Legacy Australia Inc.
- 4.1.2 Before 30 June in any non-Conference year or at any time because of an emergency or pandemic situation, the Board of Legacy Australia Inc may determine that the AGM that year will be held solely by the use of technology that allows all participating to clearly and simultaneously communicate with each other in accordance with Rule 32 of the Constitution of Legacy Australia Inc.

4.2. Attendance and Representation at National Conference

- 4.2.1 Attendance at the National Conference is open to:
 - 4.2.1.1 The Chairman and Board of Legacy Australia Inc;
 - 4.2.1.2 All Legatees of Clubs, Legacy Foundations and other Associated Members;
 - 4.2.1.3 Staff Members of Legacy Clubs with the approval of their Club;
 - 4.2.1.4 Observers from other organisations including kindred Ex-Service Organisations.
- 4.2.2 Each Club may be represented by two delegates to the National Conference who must be Legatees.

4.3. Appointment of Host Club

- 4.3.1. The conference will be organised and conducted by an individual club or combination of two or more clubs. Conference will determine such club(s) which shall be designated as the Host Club(s). Any club desiring to be a future host club should consider their intention not less than two years before the year the conference is to be held. Unless special circumstances exist, the conference will be held not earlier than 1st September and not later than 31st October.
- 4.3.2. The applications to conduct the conference should be lodged with the current host club and with Legacy Australia Inc. at least three months prior to the date of the conference at which the applications are to be considered. The applications shall be examined by Legacy Australia Inc. which will forward its report to all

clubs at least 14 days before the date of the AGM at which the applications are to be considered. A ballot shall be conducted, if necessary.

- 4.3.3. 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. In the event that Conference fails to determine the next host club by the specified time then Legacy Australia Inc. shall do so in consultation with clubs.

Refer Appendix 4-A to Bylaw 4: List of Past Conference Host Clubs

4.4. Time Place and Registration

- 4.4.1. The future host club shall confirm the exact time and place of the conference and shall advise Legacy Australia Inc. and all clubs.
- 4.4.2. 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 the conference.
- 4.4.3. The future host club, after consultation with Legacy Australia Inc. will notify clubs of the proposed registration fee no later than one year in advance of that conference.

4.5. National Conference Agenda

- 4.5.1. The future host club, in conjunction with Legacy Australia Inc. if necessary, will select a theme for the conference and advise all clubs. The theme should provide the stimulus for discussing current and future Legacy procedures, problems and challenges. Clubs should be invited to submit relevant discussion papers.
- 4.5.2. Clubs and Legacy Australia Inc. may submit reports, papers and proposals on a variety of topics for discussion.
- 4.5.3. Host clubs should take particular notice of any outcomes from previous conferences, General Meetings and any other outstanding matters.
- 4.5.4. The club, in conjunction with Legacy Australia Inc., should arrange the order of the agenda to best meet outcomes directed towards improving the service rendered by Legacy.

- 4.5.5. The agenda will be distributed to all clubs with discussion papers.
- 4.5.6. An updated agenda may be necessary if items are received after the discussion papers have been distributed. If so, this will be prepared and issued at the conference to all delegates and observers attending.

4.6. Conference Discussion Papers

All papers are to be submitted electronically.

Appendix 4-B to Bylaw 4: Specimen Conference Discussion Paper

4.7. Initiation of Conference Discussions

- 4.7.1. A Club delegate and Legacy Australia Inc. Chairman or nominee or any Legatee shall have the power to initiate discussion in general business.
- 4.7.2. Except where a specific period of notice is required by these Bylaws, discussions may be initiated from the floor of the conference.

4.8. Procedure at Conference

- 4.8.1. The Chairman at any session shall be the President of the host club or his/her nominee.
- 4.8.2. Unless delegates decide otherwise, the order of business shall be as set out in the published agenda.
- 4.8.3. In open forum or panel/syndicate discussion, any Legatee or observer may speak subject to the approval of the chair.
- 4.8.4. Papers are to be taken as read. Clubs presenting papers should, therefore, merely speak to them.

4.9. Voting at Conference

- 4.9.1. Conference is not a General Meeting but a poll may be called to convey to Legacy Australia Inc and Clubs the view of Conference on a particular subject.
- 4.9.2. Each club shall have one vote. Proxies shall not be accepted.

4.10. Conference Committees

Host clubs may establish committees to deal with the conduct of a National Conference.

4.11. Record of Proceedings

4.11.1 Legacy Australia Inc shall arrange for the recording of all proceedings of Conference. This record shall be edited into the final draft form as soon as possible after completion of Conference. The draft record of proceedings shall be forwarded to the Host Club.

4.11.2 After any amendments are agreed between the Host Club and Legacy Australia Inc., the record shall be circulated to all clubs as soon as possible.

4.12. Host Club Expenses

All costs associated with conducting the conference sessions 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 discussion 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 recommended accommodation and conference venue(s).

4.13. AGM and Conference Travel Costs

4.13.1. The reasonable cost of travel to and from the AGM or conference, but not accommodation or meals at the AGM or conference, of one delegate from each club, the Conference Chairman or nominee of any Ad Hoc Committee required to attend will be reimbursed through Legacy Australia Inc.

4.13.2. 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:

4.13.2.1 for air travel, the cost of the lowest discount fare reasonably available for the AGM or conference; and

4.13.2.2 for car travel, at the rate determined by the Department of Veterans' Affairs for travel for treatment.

4.13.3. For accommodation necessarily incurred getting to and from the AGM or conference, the cost of a reasonable standard motel room in the city/town where a break in journey is necessary.

4.13.4. The total of the above costs will be borne by all clubs on a per capita basis. Legacy Australia Inc. 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 AGM or conference levy.

4.14. Conference Social Expenses

The costs of social functions shall be the responsibility of those attending the conference and will be reimbursed to the host club through the imposition of a registration fee.

Appendix 4-A: List of Past Conference Host Clubs

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

National Conference No	Year	Held At
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
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 (now Coffs Coast)
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)

National Conference No	Year	Held At
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
77	2011	Port Macquarie Hastings
78	2013	Brisbane
79	2014	Melbourne
80	2015	Albury
81	2017	Wollongong & South Coast
82	2019	Bendigo
83	2021	Non-Held
84	2023	Melbourne

Appendix 4-B: Format for Conference Discussion Paper

NATIONAL CONFERENCE OF LEGACY CLUBS OF AUSTRALIA

DISCUSSION PAPER

<Conference Location and Date>

SUBJECT:	<Subject Title>
SUBMITTED BY:	<LEGACY CLUB NAME>
DATE:	<DATE SUBMITTED>

1. INTRODUCTION

1.1.

1.2.

2. THE SITUATION TODAY

2.1.

2.1.1

2.1.2.

2.2.

3. SUGGESTED IMPROVEMENTS

3.1.

3.2.

3.3.

3.4.

Bylaw 5. Legacy Benefits and Evidence of Service

5.1 Dependants of Members of the Australian Defence Force

5.1.1 A Legacy Club is obliged to make the Legacy Benefits available to the Dependants of:

5.1.1.1 deceased Veterans who had operational service;

5.1.1.2 deceased Veterans who died in service or as result of their service;

5.1.1.3 Veterans who were Incapacitated as a result of their service;

5.1.1.4 other deceased persons who were officially attached to the ADF who died in service regardless of the cause of death;

5.1.1.5 other deceased persons whose death is accepted by the Department of Veterans Affairs as service related.

5.1.2 Upon the death of the partner of a Veteran, a Legacy Club may offer assistance to that Veteran and may make Legacy Benefits available to their Dependant children, even though the deceased partner may not have had war service similarly defined.

5.2 Dependants of Allied Veterans

5.2.1 A Legacy Club is obliged to make Legacy Benefits available to Dependants of deceased or Incapacitated Allied Veterans whose qualifying service was outside the country in which those Allied Veterans enlisted, provided that:

5.2.1.1 they died on service and their Dependants were permanently resident in Australia at the time of their death, or

5.2.1.2 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

5.2.1.3 they died on service or later and their Dependants were Australian citizens resident in Australia at the time of their death or later.

5.3. Evidence of Eligibility to Receive Legacy Benefits

Receipt of a Service Pension by a Dependant of a former ADF member is conclusive evidence of eligibility.

5.4 Evidence of Service Within a War or Operational Area

5.4.1 Conclusive Evidence:

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

5.4.1.1 A Discharge Certificate which states a period of War or Operational Service.

5.4.1.2 Proof of the entitlement to the award of an appropriate British Australian War/Campaign Medal/Star/Decoration/Order; or

5.4.1.3 Proof of the entitlement to the award of an Australian Returned from Active Service Badge.

5.4.1.4 Evidence equivalent to the above for Allied Veterans.

5.4.1.5 Certification by the Personnel Officers of the ADF of service in a War or Operational Area.

5.4.2. Alternative or Supporting Evidence:

5.4.2.1 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 War Operational Area, but without accumulating sufficient length of service for the entitlement to a Campaign Medal/Star.
- Defence Members 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.

5.4.2.2 An acceptable War Area or Operational Area could include an area in which Defence Members 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.

5.5.3. Investigation to Establish Eligibility

Each non-conclusive case should be carefully investigated to determine all the circumstances of the deceased's service in order to establish possible eligibility for a dependant.

5.6. Equivalent Service

5.6.1 A Legacy Club may make Legacy Benefits available to the Dependant of a deceased or Incapacitated person whose service is accepted by the appropriate authority in that Legacy Club as equivalent to service in a War or Operational Area.

5.6.2 At a Legacy Club's discretion, however, it may accept cases which do not meet the 'equivalent service' criteria, but which warrant Legacy assistance.