Scout Association Act 1983

No. 9878

An Act to provide for the Change of Name of the Boy Scouts Association (incorporated by Royal Charter) Victorian Branch (Australia) and of the Governing Body of that Association, to amend the Boy Scouts Association Act 1932 and for other purposes.

[Assented to 3 May 1983]

WHEREAS the Boy Scouts Association (in these recitals called "the British Association") was incorporated in the United Kingdom of Great Britain and Ireland by Royal Charter dated 4 January 1912:

And whereas in pursuance of the power granted to the British Association by the Royal Charter dated 4 January 1912 to form local branches and committees in all parts of the Dominions of the Crown, the British Association formed a local branch in and for the State of Victoria by the name of the Australian Boy Scouts Association (in these recitals called "the Victorian Association"): And whereas by an instrument known as "the amended Constitution" adopted at a special general meeting of the Council of Control of the Victorian Association held on 26 May 1924 it was provided that the name of the Victorian Association should from that date be "The Boy Scouts Association (incorporated by Royal Charter) Victorian Branch (Australia)" and that the governing body of the Victorian Association should be a State Council which should
should direct and control the general policy and affairs of the Victorian Association:

And whereas by the Boy Scouts Association Act 1932 the State Council of the Victorian Association was incorporated by the name of “The Boy Scouts Association, Victorian Branch” (in these recitals called “the Corporation”) and powers and duties were conferred and imposed upon the Corporation and certain property of the British Association in Victoria was vested in the Corporation and it was provided that the Corporation should govern the affairs of the Victorian Association in accordance with that Act and the amended Constitution as from time to time amended:

And whereas the amended Constitution provided for the constitution of an Executive Committee to manage the affairs of the Corporation:

And whereas branches of the British Association were formed in each of the other States of Australia and in the then territory of Papua New Guinea and those branches and the Victorian Branch of the British Association jointly requested the British Association to create as a branch of that association a new branch by the name of “The Australian Boy Scouts Association” for the co-ordination and organization of the boy scout movement throughout Australia and on 15 December 1958 an unincorporated body known as “The Australian Boy Scouts Association” was formed as a branch of the British Association:

And whereas the Branches of the British Association which made the request to the British Association hereinbefore mentioned purported by agreement to become branches of the Australian Boy Scouts Association and subject in all matters relating to the policy of the scout movement and the control of scouting to the direction of that association:

And whereas by a supplementary Royal Charter dated 5 May 1967 the name of the British Association was changed to “The Scout Association”:

And whereas by Royal Charter dated 23 August 1967 the Australian Boy Scouts Association was incorporated by the name of “The Australian Boy Scouts Association” (in these recitals called “the Australian Association”) and clause 1 of the Charter conferred upon the incorporated body the power to change its name:

And whereas by clause 3 of the Royal Charter dated 23 August 1967 the seven branches of the unincorporated body known as The Australian Boy Scouts Association were declared to be the first branches
branches of the Australian Association, and by clause 9 of the Charter it was provided that nothing in the Charter should in any way abrogate, prejudice, limit or adversely affect any existing right of any existing branch in respect of name, property or otherwise under the laws of the respective State or Territory, except as otherwise provided by the Charter, and clauses 5 and 6 of the Charter established a National Council at a National Executive Committee of the Australian Association, and clause 11 of the Charter empowered the National Council to make by-laws in accordance with the Charter, and clause 16 of the Charter declared that the Australian Association should be a local branch of the British Association for the purposes of that clause in the Royal Charter incorporating the British Association which empowered the British Association to form local branches in the Dominions but should not otherwise be subject to any provisions of the Royal Charter dated 4 January 1912 or the by-laws made under that Charter so far as they related to local branches:

And whereas on 1 May 1972 pursuant to the power conferred by clause 1 of the Royal Charter dated 23 August 1967 the Australian Association changed its name to “The Scout Association of Australia”:

And whereas pursuant to the power conferred by clause 11 of the Royal Charter dated 23 August 1967 the National Council of the Australian Association has made by-laws including provisions relating to the appointment, election and tenure of Chief Scouts and Chief Commissioners of Branches of the Association and the management by the National Executive Committee of the business of the Australian Association and the National Council has issued a document known as “The Policy, Organization and Rules of the Scout Association of Australia” for the purpose of regulating the practice of scouting in Australia:

And whereas at an extraordinary general meeting of the Corporation held on 24 April 1979 a document dated 19 March 1979, a copy of which is set out in the Schedule to the Boy Scouts Association Act 1932, was adopted as the Constitution of the Victorian Association and at an annual meeting of the National Council of the Australian Association held on 24 November 1979, the adoption of the Constitution was approved:

And whereas it is desirable to make provision—

(a) to authorize the Victorian Association to operate as a branch of the Australian Association and the Corporation to operate subject to the direction and control of the National...
National Council and the National Executive Committee of the Australian Association and to declare that the Victorian Association and the Corporation are no longer subject to the control of the British Association;

(b) to validate acts done by the Victorian Association and the Corporation since 15 December 1958 pursuant to the directions of the Australian Association, the National Council and the National Executive Committee or the provisions of the by-laws made by the National Council or "The Policy, Organization and Rules of the Scout Association of Australia";

(c) to give effect to the new Constitution of the Victorian Association;

(d) to change the name of the Victorian Association and the Corporation; and

(e) for or with respect to further matters as hereinafter enacted.

BE IT THEREFORE ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in the present Parliament assembled and by the authority of the same as follows (that is to say):

1. (1) This Act may be cited as the Scout Association Act 1983.

(2) In this Act the Boy Scouts Association Act 1932 is called the Principal Act.

(3) This Act shall come into operation on the day on which it receives the Royal Assent.

2. (1) On and from the date of commencement of this Act—

(a) the name of "The Boy Scouts Association (incorporated by Royal Charter) Victorian Branch (Australia)" shall be "The Scout Association of Australia, Victorian Branch"; and

(b) the name of the body incorporated by the Principal Act by the name of "The Boy Scouts Association, Victorian Branch" shall be "The Scout Association of Australia, Victorian Branch Council".

(2) Except
(2) Except as is expressly provided by the Principal Act as amended by this Act—

(a) a body mentioned in sub-section (1) shall be deemed to be the same body after as before the change in its name effected by that sub-section;

(b) the body mentioned in paragraph (a) of sub-section (1) continues to have the same status as a local branch of the Scout Association and as a branch of the Scout Association of Australia after as before the date of commencement of this Act; and

(c) nothing in sub-section (1) affects any right, title or interest that a body mentioned in that sub-section has or may have in relation to any property or any power, right or obligation conferred or imposed upon that body.

(3) The members of the body mentioned in sub-section (1) holding office immediately before the date of commencement of this Act shall, subject to the Principal Act, continue in office on and from the date of commencement of this Act for the remainder of the terms for which they were each appointed, but if the appointed day falls before the expiration of that term, the term shall expire on the appointed day.

(4) On and from the date of commencement of this Act, the name of the Executive Committee of the body mentioned in paragraph (b) of sub-section (1), being the Executive Committee constituted in accordance with the document known as the amended Constitution, shall be “The Branch Executive Committee”.

(5) Except as is expressly provided by the Principal Act as amended by this Act—

(a) the change of name of the name of the Executive Committee does not affect its identity;

(b) the Branch Executive Committee shall until the appointed day have the same powers, functions and duties as it had under its former name;

(c) the members of the Executive Committee holding office immediately before the date of commencement of this Act shall, subject to the Principal Act as amended by this Act, continue as members of the Executive Committee under its new name for the remainder of the terms for which each of them was appointed but if the appointed day falls before the expiration of that term, the term shall expire on the appointed day.

(6) No act, matter or thing shall be affected or abated by reason of the provisions of sub-section (1) or sub-section (3).

(7) A reference
(7) A reference in any instrument or document other than this Act or the Principal Act or in any legal proceedings to a body mentioned in sub-section (1) by its former name shall on and from the date of commencement of this Act be deemed to be a reference to that body by its new name.

(8) A reference in this section to “appointed day” is a reference to the day fixed by Order made and published pursuant to section 4B (3) of the Principal Act as amended by this Act.

3. For section 2 of the Principal Act there shall be substituted the following section:

2. In this Act, unless inconsistent with the context or subject-matter—

“Appointed day” means the day fixed by Order made and published pursuant to section 4B (3).

“Australian Association” means the Scout Association of Australia (formerly known as “the Australian Boy Scouts Association”) incorporated by Royal Charter dated 23 August 1967.

“Branch” means the Scout Association of Australia, Victorian Branch.

“Branch Executive Committee” means the Executive Committee established under the document, a copy of which is set out in the Schedule, as from time to time amended.

“British Association” means the Scout Association (formerly known as “the Boy Scouts Association”) incorporated by Royal Charter dated 4 January 1912.

“Constitution” means the Constitution of the Branch, a copy of which is set out in the Schedule and includes any amendments from time to time made to that document.

“Corporation” means the body incorporated by this Act.

“National Council” means the National Council of the Australian Association established under Royal Charter dated 23 August 1967.

“National Executive Committee” means the National Executive Committee of the Australian Association established under Royal Charter dated 23 August 1967.

“Sponsored group” means a group registered with the Corporation as a sponsored group by any organization approved by the Australian Association or the Corporation responsible.
“Sponsoring authority” means the person or committee appointed by an organization which has registered a group as a sponsored group to exercise the functions of the organization in respect of the group.

4. Section 3 of the Principal Act is amended as follows:

(a) After the expression “3.” there shall be inserted the expression “(1)”;

(b) At the end of the section there shall be inserted the following sub-sections:

‘(2) On and from the date of commencement of the Scout Association Act 1983, a reference in sub-section (1) to “The Boy Scouts Association, (incorporated by Royal Charter) Victorian Branch” shall be deemed to be a reference to “The Scout Association of Australia, Victorian Branch Council”.

(3) The body corporate mentioned in sub-section (1) has under its new name the same capacity as it had under its former name.’.

5. For section 4 of the Principal Act there shall be substituted the following sections:

“4. (1) All acts, matters and things transacted or done by or on behalf of the Corporation or in relation to the Branch on or after 15 December 1958, being acts, matters or things which were done or transacted in purported pursuance of a direction, decision or ruling of the Australian Association, the National Council or the National Executive Committee or of the Royal Charter dated 23 August 1967 or any by-law or instrument made thereunder, shall notwithstanding anything to the contrary in this Act or in the Royal Charter dated 4 January 1912 be deemed to have been validly and effectually done or transacted and to have been within the capacity and powers of the Branch or the Corporation (as the case requires).

(2) The provisions of—

(a) the Royal Charter dated 4 January 1912, other than the provision empowering the British Association to form local branches and committees in the Dominions; and

(b) any by-laws made under the Royal Charter mentioned in paragraph (a)—

shall, so far as they relate to local branches of the British Association, cease to apply to the Corporation and the Branch.

(3) For
(3) For the purposes of that provision of the Royal Charter dated 4 January 1912 which empowers the British Association to form local branches and committees in the Dominions, the Branch shall be regarded as a local branch.

4A. (1) The Branch Executive Committee may change the name of the Corporation or the name of the Branch by resolution of the Committee passed at a meeting of the Committee by a majority of the members of the Committee.

(2) The Branch Executive Committee shall not resolve to change the name of the Corporation or the Branch pursuant to sub-section (1) unless the proposal to change the name of the Corporation or the Branch has been approved by the National Council at a general meeting.

(3) Any change of the name of the Corporation or the Branch shall not affect the identity of the Corporation or the Branch or any rights or obligations of the Corporation or the Branch or any legal proceedings by or against the Corporation or the Branch, and any legal proceedings that might have been commenced or continued by or against the Corporation or the Branch by its former name may be commenced or continued by or against the Corporation or the Branch by its new name.

(4) Where the name of the Corporation or the Branch is changed pursuant to this section, any reference in this Act or in any Royal Charter or other instrument or document or in any legal proceedings to the Corporation or the Branch by its former name shall from the date on which the change takes effect be deemed to be a reference to the Corporation or the Branch by its new name.

4B. (1) The Corporation and the Branch are subject to—

(a) the provisions of—

(i) the Royal Charter dated 23 August 1967;
(ii) by-laws for the time being in force under the Royal Charter mentioned in sub-paragraph (i); and
(iii) any decision or ruling of the National Council or the National Executive made pursuant to the Royal Charter mentioned in sub-paragraph (i) or the by-laws mentioned in sub-paragraph (ii)—

which relate to the policy of the scout movement and the control of scouting or to the branches of the Australian Association generally or the Branch or the Corporation in particular; and

(b) the direction and control of the National Council and the National Executive Committee.

(2) Where
(2) Where a provision or direction mentioned in sub-section (1) is inconsistent with a provision of the Constitution, the provision of the Constitution shall, to the extent of the inconsistency, be inoperative.

(3) Subject to sub-section (2), the provisions of the Constitution and the documents mentioned in the Constitution shall on and from a day to be fixed by Order of the Governor in Council published in the Government Gazette have effect in relation to the Branch, the Corporation and the Executive Committee.

(4) The Corporation shall keep at a place appointed by it—

(a) a copy of the Royal Charter dated 23 August 1967 and any subsequent Royal Charter relating to the Scout Association of Australia;

(b) the documents comprising the Constitution; and

(c) a copy of each document referred to in the Constitution—

and shall certify each of those documents under the seal of the Corporation and shall cause notice of the place at which the documents are kept to be published in the Government Gazette and a newspaper circulating generally throughout Victoria.

(5) In any proceedings the production of a document purporting to be a copy of a document kept pursuant to this section and certified to be a copy of that document under the seal of the Corporation shall be conclusive evidence of the contents of the document of which it purports to be a copy.”.

6. In section 5 of the Principal Act—

(a) After the expression “5.” there shall be inserted the expression “Subject to this Act, the Royal Charter dated 23 August 1967, the by-laws in force under that Charter and any decision, direction or ruling of the National Council or the National Executive Committee in force under that Charter or those by-laws,”;

(b) In paragraph (a) the word “Boy” is repealed;

(c) In paragraph (b)—

(i) Before the word “Association” (where twice occurring) there shall be inserted the word “Australian”;

(ii) for the words “the Royal Charter aforesaid” there shall be substituted the expression “the Royal Charter dated 23 August 1967”.

7. (1) In
7. (1) In section 6 (1) of the Principal Act—

(a) for the expression "the Association or any branch thereof or any county council local association" there shall be substituted the expression "the British Association or the Australian Association or a branch of the British Association or the Australian Association or any area or county council or district or local association or"; and

(b) for the words "Association or any committee thereof" there shall be substituted the words "British Association or Australian Association or any committee of the British Association or the Australian Association".

(2) After section 6 (1) of the Principal Act there shall be inserted the following sub-section:

"(1A) Where pursuant to this section or an order made under this section property is transferred, conveyed or assigned to or vested in the Corporation upon trust or subject to the condition that the property be held for or on behalf of or for the benefit of the British Association, the Corporation may notwithstanding that trust or condition apply and use the property for or on behalf of or for the benefit of the Australian Association but otherwise in accordance with the trust or condition as if a reference in the trust or condition to the British Association were a reference to the Australian Association, and the trust or condition shall have effect accordingly, unless an order under this section provides in respect of particular property that this sub-section shall not apply.".

(3) In section 6 (2), 6 (3) and 6 (4) of the Principal Act—

(a) for the words "controlled group" (wherever occurring) there shall be substituted the words "sponsored group"; and

(b) for the words "controlling authority" (wherever occurring) there shall be substituted the words "sponsoring authority".

(4) In section 6 (5) of the Principal Act—

(a) for the words "controlling authority" (wherever occurring) there shall be substituted the words "sponsoring authority";

(b) in paragraphs (a) and (b) for the words "chief clerk" there shall be substituted the word "Prothonotary"; and

(c) in sub-paragraph (i) of paragraph (b) for the words "Association or any branch thereof or any county council local association" there shall be substituted
the words “British Association or the Australian Association or a branch of the British Association or the Australian Association or any area or county council, district or local association or”.

(5) In section 6 (6) of the Principal Act—
(a) for the words “Association or of any branch thereof or of any county council local association” there shall be substituted the words “British Association or the Australian Association or of any branch of the British Association or the Australian Association or of any area or county council, district or local association or”; and
(b) for the words “Association or branch thereof county council local association” there shall be substituted the words “British Association or Australian Association or branch of the British Association or the Australian Association or area or county council or district or local association”.

(6) In section 6 (8) of the Principal Act—
(a) before the word “Association” there shall be inserted the words “British Association or Australian”;’ and
(b) at the end of the sub-section there shall be inserted the following expression:
“on behalf of the British Association or the Australian Association (as the case may be).

(9) For the purposes of this Act—
(a) a group that was a controlled group within the meaning of this Act as in force immediately before the date of commencement of the Scout Association Act 1983 shall on and from that date be deemed to be a sponsored group; and
(b) a person or committee that was a controlling authority within the meaning of this Act as in force immediately before the date of commencement of the Scout Association Act 1983 shall on and from that date be deemed to be a sponsoring authority.”.

8. For section 7 of the Principal Act there shall be substituted the following section:

“7. (1) The Corporation may lease, mortgage, sell or otherwise deal with the real or personal property vested in it in such manner, subject to any special trust affecting the property, as the Branch Executive Committee thinks fit.

(2) In
(2) In any proceedings, production of a resolution of the Branch Executive Committee specifying the manner in which any real or personal property vested in the Corporation is to be leased, mortgaged, sold or otherwise dealt with, sealed with the common seal of the Corporation, shall be conclusive evidence of the due passing of the resolution and compliance with the provisions of this Act and the Constitution relating to the resolution.

(3) The Branch Executive Committee may in the name and on behalf of the Corporation exercise in relation to the Corporation and the Branch such powers as are conferred on the Committee by the Constitution.”.

9. In section 8 of the Principal Act—

(a) after the expression “8.” there shall be inserted the expression “(1)”; 

(b) in paragraph (a) before the word “Association” (wherever occurring) there shall be inserted the word “Australian”; and 

(c) at the end of the section there shall be inserted the following expression: 

“and the directions (if any) of the Australian Association.

(2) Subject to sub-section (3)—

(a) the provisions of sub-section (1) as amended by the Scout Association Act 1983 apply to any gift, grant or contribution received by the Corporation on or after the date of commencement of that Act; and 

(b) the provisions of sub-section (1) as in force immediately before that date of commencement continue to apply to any gift, grant or contribution received by the Corporation before that date.

(3) Where before the date of commencement of the Scout Association Act 1983 the Corporation has received a gift, grant or contribution and at the date of commencement of that Act any part of that gift, grant or contribution has not been applied or used by the Corporation, the Corporation may if it thinks fit, notwithstanding the terms, provisions and conditions of the gift, grant or contribution, apply the gift, grant or contribution in accordance with the objects of the Australian Association and the directions (if any) of that Association.
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Association, and a gift, grant or contribution so applied shall have effect as if any reference in a term, provision or condition to the British Association were a reference to the Australian Association.

(4) The Corporation shall be deemed on and from 15 December 1958 to have had power to receive gifts, grants of money and contributions to the Australian Association and to apply them in accordance with any terms, conditions or provisions to which they were subject and otherwise for the objects and in accordance with the directions (if any) of the Australian Association.

10. In section 9 of the Principal Act—
(a) in sub-section (1) for the expression “executive committee” there shall be substituted the expression “Branch Executive Committee”; and
(b) for sub-section (2) there shall be substituted the following sub-section:

“(2) The affixing of the common seal of the Corporation to a document shall be attested in such manner as is prescribed by the Constitution.”

11. In section 11 of the Principal Act—
(a) before the word “Association” (wherever occurring) there shall be inserted the word “Australian”;
(b) in the proviso to sub-section (1) after “this Act” there shall be inserted the expression “or the Scout Association Act 1983”;
(c) after sub-section (1) there shall be inserted the following sub-section:

“(1A) Nothing in sub-section (1) affects the continuity of status, operation or effect of any Order made under this section before the date of commencement of the Scout Association Act 1983.”;
(d) in sub-section (4)—

(i) for the words “Ten Pounds” there shall be substituted the expression “2 penalty units”; and
(ii) in the proviso after the word “pageant” there shall be inserted the expression “or television production”.

12. After section 11 of the Principal Act there shall be inserted the following section and Schedule:

“12. (1) The Corporation may at any time submit to the Governor in Council a scheme for the winding-up of the Corporation, sealed with the common seal of the Corporation.

(2) Where
(2) Where a scheme is submitted to the Governor in Council under sub-section (1), the Governor in Council if he is satisfied that the scheme makes proper provision for—

(a) the discharge of the debts and liabilities of the Corporation or incurred in relation to the Corporation;

(b) the disposal of the assets held by or on behalf of the Corporation that may remain after discharge of the debts and liabilities mentioned in paragraph (a), not being assets to which paragraph (c) applies;

(c) the transfer to a person or body of persons as trustee or trustees of any property held by the Corporation on trust;

(d) the dissolution of the Corporation;

(e) contracts, legal proceedings and other matters to which the Corporation is a party or in which the Corporation has an interest; and

(f) such other matters as the Governor in Council thinks ought to be provided for in relation to the winding-up of the Corporation—

may by Order published in the Government Gazette approve and give effect to the scheme.

(3) An Order under sub-section (2)—

(a) shall set out a scheme approved by the Order;

(b) may contain such other provisions as the Governor in Council thinks necessary or proper in relation to the dissolution of the Corporation and the dissolution or government of the Branch; and

(c) shall have effect according to its tenor and notwithstanding anything to the contrary in this Act.

(4) The Governor in Council on the application in writing by the Corporation under the Corporation's common seal may by Order published in the Government Gazette amend or vary an Order under sub-section (2).

SCHEDULE
CONSTITUTION OF THE SCOUT ASSOCIATION OF AUSTRALIA
VICTORIAN BRANCH
DEFINITIONS
1. The Constitution of the Branch is set out in the following By-laws.
2. The provisions of the Act shall be strictly observed and in the event of any inconsistency between the provisions of the Act and the provisions of these By-laws the provisions of the Act shall prevail.
3. In these By-laws unless the context otherwise requires—
   "The Act" shall mean The Boy Scouts Association Act 1932 as amended by the Scout Association Act (Amendment) Act 1979 or any amendment or re-enactment thereof.
   "The Australian Association" shall mean The Scout Association of Australia (incorporated by Royal Charter 1967).
   "The Branch" shall mean the Branch as defined in the Act.
   "Chief Commissioner" shall mean Chief Commissioner of the Branch.
   "Chief Commissioner Designate" shall mean the Chief Commissioner Designate of the Branch.
   "The Chief Scout" shall mean the Chief Scout for the time being of Victoria.
   "The Committee" shall mean the Branch Executive Committee for the time being appointed under or in accordance with these By-laws or such number of members of such committee as under the By-laws shall for the time being be entitled to act for such committee.
   "The Council" shall mean the State Council for the time being of the Branch, being the body incorporated by the Act under the name "The Scout Association of Australia, Victorian Branch Council", and operating also under these By-laws.
   "Lay Member" shall mean a member not being a Scouter.
"Warrant" shall have the same meaning as is ascribed thereto by the Policy Organisation and Rules.

"Policy Organisation and Rules" shall mean the Policy Organisation and Rules of the Scout Association of Australia 1976 and any amendment or re-enactment thereof.

"The Royal Charter" shall mean the Royal Charter dated 23 August 1967 whereby the Australian Association was incorporated and any amendment thereof.

"Scouter"—
(a) shall mean a person holding a Warrant from the Branch, but also;
(b) shall include the Chief Commissioner notwithstanding that his Warrant is issued by the Chief Scout of Australia.

"Scout" shall have the meaning given to it from time to time by the Policy Organisation and Rules.

Words importing the singular number only shall include the plural number and vice versa and words importing persons shall include Corporations and words importing the masculine gender shall also include the feminine gender.

THE COUNCIL

MEETINGS AND DUTIES INCLUDING MEETINGS OF THE BRANCH

4. The Council shall consist of—
(a) The Chief Scout;
(b) The persons for the time being respectively holding the following offices, namely President of the Branch, two Vice Presidents of the Branch, Honorary Treasurer, Chief Commissioner, Deputy Chief Commissioner, Assistant Chief Commissioners and all other Commissioners and Assistant Commissioners with the exception of Honorary Commissioners and Assistant District Commissioners;
(c) Area Presidents;
(d) General Secretary;
(e) Such other persons, not exceeding thirty-six in number, as may be elected by the Council from time to time as lay members;
(f) Two additional members from each Area Council approved by the Committee, one only of whom may be a Scouter. These additional members shall be respectively elected by the Area Council which they are to represent.

5. The Committee shall have power at any time to appoint any person to fill a vacancy in lay members elected from time to time as members pursuant to Clause 4 (e) and may appoint additional lay members for this purpose but so that there shall be no more than thirty-six in number of such lay members in this classification. Any person so appointed shall hold office only until the next following Annual Ordinary General Meeting of the Council.

6. The members of the Council holding office on the coming into operation of these By-laws shall continue to hold office but shall retire as provided by these By-laws.

DUTIES OF THE COUNCIL

7. The Council shall in accordance with Section 5 of the Act control the Scout Movement in Victoria and may do all things necessary or requisite for providing and maintaining an efficient organisation for the purposes of the Branch including and without restricting the generality of the foregoing provisions of this Clause the performance and exercise of all such powers and duties as are delegated to it by the Australian Association under the provisions of the Royal Charter.

8. The Council shall regulate its functions and duties in accordance with the Policy Organisation and Rules.

SCHEDULE
MEETINGS OF THE BRANCH

9. Once in each year the Council shall hold a Meeting of the members of the Council and Scouters and other persons interested in the Branch and such Meeting shall be called the Annual Meeting of the Branch. The business of this Meeting shall be to receive a report on the state or condition of the Branch and the progress of its work and to make recommendations to the Council. Such Meetings shall be called at such time and place as the Committee shall prescribe by notice thereof published in a newspaper circulating throughout the State of Victoria not less than fourteen days prior to the date of the said Meeting.

10. Any person attending such Meeting may having given seven days prior notice in writing to the General Secretary of his intention so to do submit any matter to the Meeting for its consideration.

MEETINGS OF THE COUNCIL

11. An Annual Ordinary General Meeting of the Council shall be held once in every year at such time and place as the Committee may prescribe and such Meeting shall be called the Annual Meeting of the Council. Extraordinary General Meetings of the Council may be called at any time by the Chief Scout or President of the Branch and shall be called by the General Secretary on receipt by him of a requisition signed by at least ten members of the Council for the calling of such Meeting. If the General Secretary shall fail to call a Meeting within fourteen days after the receipt by him of such requisition the members signing such requisition may themselves convene a Meeting of the Council.

12. Fourteen days' notice at the least of every Meeting of the Council (exclusive of the day on which the notice is served but inclusive of the day for which the Meeting is called) specifying the place day and hour of Meeting and (in case of special business) the general nature of the business to be transacted shall be given by notice sent by post in a prepaid letter envelope or wrapper addressed to each member at his last known address.

13. The accidental omission to give notice of a Meeting of the Council to any member thereof entitled to receive notice shall not invalidate anything done at such Meeting.

PROCEEDINGS AT MEETINGS OF THE COUNCIL

14. The ordinary business of the Annual Ordinary General Meeting of the Council shall be to receive and consider an income and expenditure statement and balance sheet prepared in accordance with Clause 62 to elect members of the Council and of the Committee, to appoint a President, two Vice Presidents, Honorary Treasurer, Auditors and Solicitors and to consider such matters as are submitted by the Committee or by a Meeting of the Branch of which notice shall have been given in the notice calling the Meeting. All other business transacted at an Ordinary Meeting and all business transacted at an Extraordinary Meeting shall be deemed special.

15. Fifteen members of the Council personally present shall be a quorum.

16. No special business shall be submitted to a Meeting of the Council except with the consent of the chairman of such Meeting or unless within seven days after service of the notice calling the Meeting notice shall have been given to the General Secretary of the Branch of the intention to submit such special business to the Meeting. On receipt of such notice the General Secretary shall forthwith give notice thereof to each person entitled to receive such notice of Meetings.

17. The President of the Branch shall be entitled to take the chair at every Meeting. If the President of the Branch shall not be present within fifteen minutes after the time appointed for such Meeting the members of the Council present shall choose one of their number to take the chair.

18. If within half an hour after the time appointed for the Meeting a quorum is not present the Meeting shall stand adjourned until such day and at such time and place as the chairman may decide and if at such adjourned Meeting a quorum is not present those members who are present shall be a quorum and may transact the business for which the Meeting was called.

19. Except as hereinafter provided every question submitted to a Meeting shall be decided by a show of hands. In case of an equality of votes the chairman shall have a casting vote in addition to the vote to which he is entitled as a member of the Council.
20. At any Meeting a declaration by the chairman that a resolution has been carried or carried by a specified majority or lost or not carried by a specified majority and an entry to that effect in the books of the Branch shall be conclusive evidence of the fact without proof of the number or relative proportion of the votes recorded in favour of or against such resolution.

21. The chairman of the Meeting may with the consent of the Meeting adjourn it from time to time and from place to place.

22. Subject to the provisions of Clause 19 every member of the Council personally present shall have one vote. No votes shall be given by proxy.

THE COMMITTEE AND MANAGEMENT OF THE BRANCH

23. The management of the business of the Branch and of the Council shall be vested in the Committee which in addition to the powers and authorities by these By-laws or otherwise expressly conferred upon it may exercise all such powers and do all such acts and things as may be exercised or done by the Branch or the Council and are not by the Act or by these By-laws expressly directed or required to be exercised or done by the Council but subject nevertheless to the provisions of the Royal Charter and of these By-laws and to any regulations or directions from time to time made or given by the Council provided that no regulation so made shall invalidate any prior act of the Committee which would have been valid if such regulations had not been made or given.

24. Without prejudice to the general powers conferred by the last preceding Clause of to any other powers conferred by these By-laws but subject nevertheless to the provisions of the Royal Charter and of these By-laws and to any regulations or directions from time to time made or given by the Council provided that no regulation so made shall invalidate any prior act of the Committee which would have been valid if such regulations had not been made or given it is hereby expressly declared that the Committee shall have power—

(a) to receive and accept donations, endowments and gifts of any property or assets whatsoever for the Branch or the Council and either subject, or not subject, to any special trusts or conditions;

(b) to purchase, take on lease or in exchange, hire or otherwise acquire and hold, any real and personal property and any rights or privileges which the Committee may think necessary or convenient for the purposes of the Branch, and, in particular, any land, buildings, easements, machinery, plant and stock in trade;

(c) to construct, improve, maintain, develop, work, manage, carry out or control any buildings, works, roads, ways, bridges, stores, plant and things which may seem calculated, directly, or indirectly, to advance the Branch's interests; and to contribute to, subsidise or otherwise assist, or take part in the construction, improvement, maintenance, development, working management, carrying out or control thereof;

(d) to invest and deal with all moneys, funds and assets of the Branch, or the Council, not immediately required for its purposes, in such manner as, from time to time, the Committee may determine;

(e) to borrow or raise money, with or without security, for any of the objects of the Branch or the Council, and to secure the same, or the repayment or performance of any debt, liability, contract, guarantee or other engagement, incurred or entered into by the Branch or the Council, in any way and, in particular by the issue of debentures charged upon all or any of the property of the Branch or the Council (both present and future) and to purchase, redeem or pay off any such securities;

(f) to pay salaries, honoraria, gratuities and other sums in consideration or in recognition of services, as may, from time to time, be thought fit;

(g) to draw, make, accept, endorse, execute, discount and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments;

(h) to sell or dispose of any part of the assets of the Branch or the Council for such consideration as the Committee may think fit;
SCHEDULE—continued

(i) to sell, improve, manage, develop, exchange, lease, dispose of, turn to account, or otherwise deal with, all or any part of the property and rights of the Branch or the Council;

(j) to take or hold mortgages, liens and charges to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the property of the Branch or the Council, of whatsoever kind sold by the Branch or the Council or any moneys due to the Branch or the Council from the purchasers or others;

(k) to apply for, secure, acquire (by grant, legislative enactment, assignment, transfer, purchase or otherwise) and to exercise, carry out and enjoy, any charter, licence, which any Government or Authority or any Corporation or other public body may be empowered to grant; and to pay for; aid in, and contribute towards carrying the same into effect;

(l) to apply for and obtain any statute, order, regulation or other authorisation or enactment which may be deemed expedient for any of the purposes of the Branch or the Council;

(m) to organise classes and lectures and to publish and sell or distribute papers, books, pamphlets and information for the purposes of creating or stimulating interest in, and promoting the objects of, the Branch or the Council, and to take all other measures which may seem necessary for providing and maintaining an efficient organisation for the purposes of the Branch or the Council;

(n) to encourage, aid and facilitate the formation of other bodies or organisations of Scouts and the enrolment as members or officers thereof, of persons of all ages and their instruction in the duties of citizenship generally, in Scouting, in handicrafts and technical knowledge, and the provision of classes, lectures and entertainments for their benefit and the establishment and provision of prizes, badges, certificates and other awards of merit, to be competed for, or awarded to them;

(o) to supply (with or without charges) and deal in, goods of all kinds for the use of Scouts provided that every Scout shall be left entirely free to obtain his equipment and every part thereof (whether of an official pattern or not), other than badges and decorations, from any persons, firm or corporation willing to supply the same and shall not be obliged to obtain such equipment, or any part thereof from the Branch;

(p) to assist past or present Scouts in establishing themselves in life, whether by means of apprenticeship or immigration or in any other manner and to form, contribute to, and administer special funds for that purpose;

(q) to accept and take by way of gift, and absorb upon any terms, the undertakings and assets of any society or body whether incorporated or not, carrying on work similar to any work for the time being carried on by the Branch and to undertake all, or any of the liabilities of any such society or body;

(r) to make and carry out any arrangements for joint working or co-operation with any other society or body, whether incorporated or not, carrying on work similar to any work for the time being carried on by the Branch or the Council;

(s) to undertake, execute and perform any trusts or conditions effecting any real or personal property of any description acquired by the Branch or the Council;

(t) to enter into any arrangement with any educational authorities or any department of the Government of the Commonwealth of Australia or of the State of Victoria; and

(u) to appoint such managers secretaries officers clerks agents and servants for permanent temporary or special services as may from time to time be thought fit and to determine their powers and duties and fix their salaries or emoluments and to require security in such instances and to such amount as may be thought fit, and to remove or suspend them or any of them therefrom;
SCHEDULE—continued

(v) Subject to the Act The Royal Charter and the By-laws and the Policy Organisation and Rules to make and vary and repeal orders for the regulation of the affairs of the Branch or of the Groups or bodies of Scouts for the time being controlled by the Branch or the Council or any of them;

(w) to enter into contracts and do all such other acts and things as are incidental or conducive to the attainment of any of the objects of purposes of the Branch or the Council or to the exercise of any of its said powers.

CONSTITUTION OF THE COMMITTEE

25. Until otherwise determined at a Meeting of the Council the number of the members of the Committee other than ex officio members as hereinafter defined shall not be less than five nor more than fifteen.

26. The persons for the time being respectively holding the following offices, namely President of the Branch, two Vice Presidents of the Branch, Honorary Treasurer, Chief Commissioner, Chief Commissioner Designate, Deputy Chief Commissioner, Assistant Chief Commissioners and such other Branch Commissioners as the Committee may from time to time determine shall be ex officio members of the Committee.

27. The persons other than ex officio members of the Committee at the coming into operation of these By-laws shall continue to be members of the Committee but shall retire as provided in these By-laws.

28. The Council shall have power from time to time to remove any member of the Committee other than an ex officio member and subject to Clauses 25, 29 and 30 to appoint any other person to be a member of the Committee, to fill the vacancy caused by removal or as an addition to the Committee.

29. (a) No person other than an ex officio member of the Committee of or over the age of 65 shall be appointed or act as a member of the Committee but nothing in this Clause prevents a person from acting as a member of the Committee during the period commencing on the day on which he attains the age of 65 years and ending at the conclusion of the Annual Ordinary General Meeting of the Council commencing next after that day.

(b) The office of a member other than an ex officio member of the Committee shall become vacant at the conclusion of the Annual Ordinary General Meeting of the Council at which the office became vacant.

(c) Any act done by a person as a member of the Committee shall be valid notwithsanding that it is afterwards discovered he was of or over the age of 65 years at the time of his appointment or that his appointment had terminated by virtue of sub-clause (b) of this Clause.

(d) If any such vacancy has not been filled at the Annual Ordinary General Meeting of the Council at which the office became vacant the office may be filled as a casual vacancy pursuant to Clause 5 hereof;

(e) Notwithstanding anything in this Clause contained the provision hereof shall not apply to a person of or over the age of 65 years on 1 January 1979.

30. No person other than an ex officio member of the Committee shall be appointed or elected a member of the Committee unless he is at the time of his appointment or election a lay member of the Council. Provided nevertheless that the Committee shall have power at any time and from time to time to appoint any person other than a Scouter (whether a member of the Council or not) to be a member of the Committee to fill a casual vacancy or as an addition to the Committee, provided that the total number of members of the Committee exclusive of ex officio members shall not exceed the maximum number fixed as above and that any person so appointed shall hold office only until the next following Annual Ordinary General Meeting of the Council, but shall then be eligible for appointment or election to the Council if necessary and re-election to the Committee.

PROCEEDINGS OF THE COMMITTEE

31. The Committee may meet together for the despatch of business and adjourn and otherwise regulate its meetings and proceedings as it may think fit and may determine the quorum necessary for transaction of business and notice if any which is to be given of any such meeting. Until otherwise determined seven members of the Committee shall form a quorum.

SCHEDULE
32. The Committee may elect from its members a Chairman and a Vice-Chairman of its meetings and determine the period for which they respectively are to hold office. The Chairman so appointed shall take the chair at meetings of the Committee, but if he is unable or unwilling to act at any such meeting the Vice-Chairman shall take the Chair at that Meeting. If at the time fixed for holding any Meeting neither the Chairman nor the Vice-Chairman shall be present or being present shall be unable or unwilling to act the members of the Committee present shall choose one of their number to be Chairman of the Meeting.

33. Questions arising at any Meeting shall be decided by a majority of votes and in case of any equality of votes the Chairman shall have a casting vote.

34. The Committee may delegate any of its powers to sub-committees consisting of two or more members of the Committee. Every such sub-committee shall in the exercise of the powers so delegated conform to any regulations that may from time to time be imposed upon it by the Committee. Any such sub-committee may with the approval of the Committee appoint any person a member of such sub-committee.

35. The Meetings and proceedings of any such sub-committee shall be governed by the provisions herein contained for regulating the Meeting and proceedings of the Committee so far as the same are applicable thereto and are not superseded by any regulations made by the Committee under the last preceding Clause.

36. All acts done by any Meeting of the Committee or by any sub-committee shall notwithstanding that it shall afterwards be discovered that there was some defect in the appointment of all or any of the members be valid as if such member or members had been duly appointed.

VACATION OF OFFICE BY MEMBERS OF THE COUNCIL AND COMMITTEE

37. (a) The office of a member of the Council shall become vacant—
(i) if he becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;
(ii) if by notice in writing to the Branch he resigns;
(iii) if the Council by a majority of two thirds of such of its members who shall be present at a Meeting duly convened for the purpose shall resolve that such member shall retire.

(b) The office of a member of the Committee shall become vacant:
(i) if he becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;
(ii) if he is absent from three consecutive Meetings of the Committee without leave and the Committee determines that his office shall become vacant;
(iii) if by notice in writing to the Branch he resigns;
(iv) if the Committee by a majority of two-thirds of such of its members who shall be present at a Meeting duly convened for the purpose shall resolve that such member shall retire;
(v) if his office becomes vacant pursuant to Clause 29.

RETIREMENT OF MEMBERS OF COUNCIL AND COMMITTEE

38. (a) At each Annual Ordinary General Meeting of the Council one third of the lay members of the Council holding office under Clause 4 (e) and one third of the members of the Committee other than ex officio members shall retire from office.

(b) If the number of the aforesaid lay members of the Council or the members of the Committee other than ex officio members is not three or a multiple of three, then the number nearest the one-third referred to in sub-clause 38 (a) shall retire from office.

39. Subject to Clause 4 the one-third or other nearest number to retire in each year shall be those who have been longest in office since their last election and as between two or more who have been in office an equal length of time the member to retire shall in default of agreement between them to be determined by lot. The length of
time a member has been in office shall be computed from his last election or appointment where he has previously vacated office. A retiring member shall be eligible for re-election. For the purpose of this rule the length of time a member has been in office will include the period during which he has been a member of the Council or Committee of the Branch prior to the coming into operation of these By-laws.

40. Subject to Clauses 4, 29 and 30 the Council at any Annual Ordinary General Meeting thereof at which any members of the Council or Committee retire in manner aforesaid may fill up the vacated offices by electing a like number of persons to be members of the Council or Committee (as the case may be).

41. If at any Annual Ordinary Meeting of the Council at which an election of members of the Council or Committee ought to take place the places of the retiring members are not filled the retiring members of the Council or Committee or such of them as have not had their places filled shall if willing continue in office until the Annual Ordinary General Meeting of the Council in the next year and so on from year to year until their places are filled unless (in case of the Committee) it shall be determined at such Meeting on due notice to reduce the number of the members of the Committee.

42. The Council may from time to time increase or reduce the number of the members of the Committee and may also determine in what rotation such increased or reduced number is to go out of office.

43. A person who is a retiring member of the Committee or who is recommended by the Committee for election shall be eligible for re-election or election to the Committee as the case may be. No other person shall be eligible for election as a member of the Committee unless he is proposed by some member of the Council and he or the member of the Council proposing him has, at least seven clear days before the Meeting, left with the General Secretary of the Branch a nomination in writing duly signed by the member of the Council and the candidate.

44. Ex officio members shall not be liable to retirement by rotation or be taken into account in determining the order of retirement.

45. Any election under these By-laws may be on a show of hands or by ballot as the Chairman of the meeting at which such election shall be held may determine.

APPOINTMENT OF CHIEF COMMISSIONER DESIGNATE

46. The Committee shall recommend the appointment of a Chief Commissioner Designate in accordance with these By-laws.

47. To enable it to make such recommendation the Committee shall appoint an Advisory Committee from amongst its members.

48. (a) The General Secretary of the Branch shall notify all persons who hold any one of the following offices, that is to say:

(i) A member of the Committee;
(ii) A Branch Commissioner;
(iii) An Area Commissioner;
(iv) A Regional Commissioner—

that the Advisory Committee is about to consider a recommendation for the office of Chief Commissioner Designate and shall invite those persons to submit nominations by the method set out in Clause 49.

(b) Save as provided in Clauses 52 and 55 such recommendation shall be made as nearly as possible six months prior to the date upon which the person for the time being holding the office of Chief Commissioner is due to relinquish that office. The date upon which such recommendation is to be made is hereinafter referred to as “the recommendation date”.

49. (a) Thirty days prior to the recommendation date (or within seven days after the occurrence of the events referred to in Clauses 52 and 55) the General Secretary shall forward to each of the persons referred to in Clause 48 a nomination form in a form and containing such information as the Committee may from time to time require with advice that in order to be valid the form duly completed shall be lodged with the General Secretary by a specified date, which date shall be not less than fourteen nor more than twenty-one days thereafter.

SCHEDULE
(b) Any nomination shall be in the form provided for in sub-clause (a) of this Clause signed by the person submitting the same, and the person so nominated shall endorse upon the nomination form a statement of his willingness to accept the office.

c) The nomination form duly completed as set out in sub-clause (b) of this Clause shall be forwarded to the General Secretary by the specified date, in a sealed envelope marked on the face thereof "Confidential—Nomination of the Chief Commissioner Designate".

d) The Advisory Committee shall consider the names submitted, and table the nomination forms at a Meeting of the Committee, together with its recommendation.

e) The Committee shall then determine the person who shall be recommended for approval pursuant to Clause 50. In so doing it shall accept or reject the recommendation of the Advisory Committee. In the event the Committee rejects the recommendation of the Advisory Committee it may decide upon one of the names submitted, if there be any others, and if it does not so decide shall refer the matter back to the Advisory Committee for further recommendation.

(f) If any of the members of the Committee is amongst those nominated, such member or members shall retire from the Meeting of the Committee during the period the Committee is deliberating upon the matter referred to in sub-clause (e) of this Clause.

50. The President on behalf of the Committee shall advise the Chief Scout the name of the person recommended by the Committee for appointment as Chief Commissioner Designate immediately following such recommendation and shall seek his approval. Upon such approval the person so recommended shall act as Chief Commissioner Designate.

51. The Chief Commissioner Designate, whilst holding the office of Chief Commissioner, with such powers as the latter may delegate to him and notwithstanding that at the same time there may be another person also acting as Deputy Chief Commissioner.

52. In the event of a vacancy occurring in the office of a Chief Commissioner Designate, the procedure referred to in Clauses 47, 48, 49 and 50 shall immediately become operative.

RECOMMENDATION FOR THE APPOINTMENT OF CHIEF COMMISSIONER

53. Two months prior to the date upon which the person holding office of Chief Commissioner is due to relinquish that office, the President on behalf of the Committee shall submit the name of the Chief Commissioner Designate to the Chief Scout in order that the latter may convey such name to the Chief Scout of Australia as a recommendation for appointment by the Chief Scout of Australia as Chief Commissioner on and from the date upon which the office becomes vacant. If the Chief Scout of Australia accepts such recommendation the Chief Commissioner Designate shall become Chief Commissioner from that date.

54. A Chief Commissioner shall hold office initially for a term of three years, but the Committee may, with the concurrence of the person holding the office and subject to the approval of the Chief Scout of Australia extend the term from time to time provided that such extension is for a period of not more than three years and that the extension is made after nominations have been called and a recommendation made in the manner set out in Clauses 47, 48 and 49 for an appointment as Chief Commissioner Designate and that no other person has been approved as Chief Commissioner Designate pursuant to Clause 50.

CASUAL VACANCIES IN OFFICE OF CHIEF COMMISSIONER

55. In the event of a vacancy occurring in the office of Chief Commissioner, while he is holding that office, the following procedure shall apply:

(a) If the vacancy occurs before the appointment of a Chief Commissioner Designate—

(i) the procedure referred to in Clauses 47, 48 and 49 if not already in operation shall become operative;

(ii) the Committee shall appoint a suitable person as Acting Chief Commissioner and he shall act as Chief Commissioner until the appointment of the Chief Commissioner Designate; and
SCHEDULE—continued

(iii) as soon as a recommendation for the appointment of a Chief
Commissioner Designate has been made by the Committee the President
on behalf of the Committee shall submit a recommendation through
the Chief Scout to the Chief Scout of Australia to proceed immediately
with the appointment of the Chief Commissioner Designate as the
Chief Commissioner; and

(b) If the vacancy occurs after the appointment of a Chief Commissioner
Designate, the latter shall act as Chief Commissioner and the President
on behalf of the Committee shall submit the name of the Chief
Commissioner Designate to the Chief Scout for appointment by the Chief
Scout of Australia as Chief Commissioner.

CHIEF COMMISSIONER—POWER AND DUTIES

56. (a) The Chief Commissioner is the Chief Executive Scouter of the Branch and
(subject to the Royal Charter, the By-laws made thereunder and the Policy
Organisation and Rules promulgated by the National Council under the
Charter) is responsible to the Council for all Scout Activities within the
Branch.

(b) The Chief Commissioner shall with the approval of the Committee appoint
a Deputy Chief Commissioner and such if any Assistant Chief
Commissioners, Branch Commissioners, Assistant Branch Commissioners
and Field Commissioners, with such respective duties, as the Chief
Commissioner may from time to time determine.

CHIEF COMMISSIONER'S POWER TO DELEGATE

57. During the absence of the Chief Commissioner for Victoria or his temporary
inability from any other cause to carry out his duties of Chief Commissioner the
Committee with the approval of the Chief Scout and of the Chief Commissioner if
he is within Victoria and able to act may appoint the Deputy Chief Commissioner or
failing him another Commissioner to act as his delegate for such period as he shall
specify.

HONORARY TREASURER

58. The Honorary Treasurer shall be appointed in accordance with Clause 14 and
his duties shall be determined by the Committee.

GENERAL SECRETARY

59. The Committee shall appoint a General Secretary and may from time to time
where the General Secretarieship is vacant or the General Secretary is unable to act
appoint an Acting General Secretary who shall for the purpose of the Act and these
By-laws be deemed the General Secretary.

SEAL

60. The General Secretary shall provide for the safe custody of the Common Seal
of the Branch and it shall not be used except pursuant to a resolution of the Committee
and every instrument to which the Seal is affixed shall be signed by two members of the
Committee and shall be countersigned by the General Secretary or some other person
appointed by the Committee for the purpose.

ACCOUNTS

61. The Committee shall cause true accounts to be kept of the income and
expenditure of the Branch and the matters in respect of which such income and
expenditure take place and of the assets, liabilities and funds of the Branch.

62. At the Annual Ordinary General Meeting of the Council in every year the
Committee shall lay before the Council an income and expenditure account and
balance sheet made up to the year ending date of the year being reviewed at that
meeting and duly audited by an Auditor or Auditors appointed in accordance with
these By-laws.

63. The Committee shall lay before every meeting of the Branch a report on the
state and condition of the Branch and the progress of its work.
64. An Auditor or Auditors shall be appointed by the Council and the remuneration of such Auditor or Auditors shall be fixed by the Committee.

65. It shall be the duty of every officer and servant of the Branch to give to the Auditor or Auditors such information and explanations as may reasonably be required.

66. Every member of the Council or the Committee and other officer or servant of the Branch shall be indemnified and kept indemnified by the Branch from and against all costs and losses for which he may become liable by reason of any act or thing reasonably done by him in the discharge of his duty and any paid officer or servant shall similarly be indemnified from and against any costs losses or expenses which he may reasonably incur or become liable to by reason of any act or thing reasonably done by him in the discharge of any duty performed for and with the authority of the Committee.

67. The General Secretary shall keep and maintain a Register of Members of the Council and Members of the Committee in which shall be entered the full names and addresses and dates of election of every member and such other details as the Committee may from time to time determine.

68. Any notice sent by post shall be deemed to have been served on the third working day following that on which the envelope or wrapper containing the same is posted and in proving such service it shall be sufficient to prove that the envelope or wrapper containing the notice was properly addressed prepaid and posted.

69. These By-laws or any of them may at any time and from time to time (subject to the provisions of the Act) be added to, abrogated or varied by a resolution passed by a majority of not less than two-thirds of the members of the Council present and voting at a meeting of the Council duly convened for the purpose.

13. (1) The Boy Scouts Association Act 1932 shall hereinafter be known and cited as the Scout Association Act 1932.

(2) In section 1 of the Principal Act for the expression "Boy Scouts Association Act 1932" there shall be substituted the expression "Scout Association Act 1932".

(3) Any reference in any other Act or in any proclamation, appointment, Order in Council, order, rule, regulations, legal proceedings, instrument, document or writing of any kind whatsoever to the Boy Scouts Association Act 1932 shall be deemed and taken to refer to the Scout Association Act 1932.