

VETERANS' ADVISORY COUNCIL

TERMS OF REFERENCE

1. Introduction

- 1.1 The Veterans' Advisory Council comprises members of the veteran community appointed by the Premier.
- 1.2 For the purposes of the Veterans' Advisory Council, and in accordance with the Australian Defence Force Total Workforce Model, a "veteran" is a person who is serving or has served in the Australian Defence Force as a Regular/permanent or Reserve/part time member.
- 1.3 The "veteran community" is inclusive of veterans and their families with a direct link to a Service or a veteran. This includes spouses, widows, widowers, partners, former partners, carers, children, parents, siblings and relatives of serving or ex-serving members, and should include anyone with an evident link to, or interest in, matters associated with veterans' welfare or wellbeing.

2. Establishment

- 2.1 The Veterans' Advisory Council is established by the Premier as a non-statutory advisory body.

3. Objectives of the Veterans' Advisory Council

- 3.1 Promote the wellbeing of all members of the veteran community in South Australia.
- 3.2 Promote co-operation across all veterans' organisations in South Australia.
- 3.3 Provide veterans an avenue to communicate directly to the highest levels of State Government through the Premier and, as appropriate, through the Premier to Commonwealth Ministers concerned with veterans' affairs.
- 3.4 Monitor and provide advice about matters relating to the recognition and commemoration of the service of veterans.
- 3.5 Act as an advocate for serving ADF members posted to South Australia.

4. Functions of the Veterans' Advisory Council

- 4.1 Ensure the objectives of the Veterans' Advisory Council are met.
- 4.2 Provide advice at a strategic and policy level to the State Government on behalf of the veteran community.
- 4.3 Provide advice on matters about the ageing, health and welfare needs of veterans and the veteran community.
- 4.4 Investigate matters referred to the Veterans' Advisory Council by the Premier for response on behalf of the veteran community.
- 4.5 Provide advice to the public on behalf of the Premier on veteran related events, programs, projects and funding opportunities.
- 4.6 The Veterans' Advisory Council may request that the Premier present any recommendation or query about a Commonwealth responsibility to the relevant Commonwealth Minister on its behalf.
- 4.7 Liaise with the Prime Ministerial Advisory Council on Veterans' Mental Health on veteran and veteran community mental health and associated matters.
- 4.8 Advise the Premier on the disbursement of the Anzac Day Commemoration Fund.
- 4.9 To carry out such other functions as may be assigned to the Veterans' Advisory Council by the Premier.
- 4.10 Receive reports from the Chair of the Jamie Larcombe Centre Governing Committee.
- 4.11 Wide dissemination of themes and general non-attributable discussions to the veteran community.

5. Membership of the Veterans' Advisory Council

- 5.1 The Veterans' Advisory Council shall comprise a Chair and up to sixteen members appointed by the Minister.
- 5.2 In addition to the above the Premier may appoint a representative nominated by each of the Royal Australian Navy, Australian Army and the Royal Australian Air Force as ex-officio members of the Veterans' Advisory Council with full voting rights.
- 5.3 Subject to the suitability and availability of candidates, membership is to seek an appropriate gender balance.
- 5.4 The Veterans' Advisory Council will be headed by an independent Chair.

5.5 The Premier will give consideration to choosing members so as to provide as broad a range of knowledge, skills, qualifications and experience relevant to the veteran community. Members should demonstrate an understanding of the matters that affect veterans and their families. Members should also possess the ability and motivation to make a positive contribution within the veteran community.

6. Conditions of Membership

6.1 Members have a duty to act honestly and in good faith, exercise reasonable skill, care and diligence in carrying out their duties, and not make improper use of information.

6.2 An appointed member who has a direct or indirect, real or apparent conflict of interest in a matter under consideration by the Veterans' Advisory Council must disclose the nature of the interest to the Chair, and at all times act in accordance with the *Honesty and Accountability for Members of Government Boards* prepared by the Boards and Committees Unit of the Department of the Premier and Cabinet, March 2011.

6.3 A member will be appointed for a term not exceeding three years specified in an instrument of appointment from the Premier.

6.4 The Premier may remove an appointed member from office:

- (a) for misconduct;
- (b) for failure or incapacity to carry out the duties of his or her office satisfactorily;
- (c) for failure to attend the Veterans' Advisory Council at three consecutive meetings of which he or she has received notice, without the approval of the Chairman or the Veterans' Advisory Council; and
- (d) for being convicted of an indictable offence that, if committed in South Australia, would be an indictable offence.

6.5 The office of an appointed member becomes vacant if the member:

- (a) dies;
- (b) resigns by written notice to the Premier;
- (c) is removed from office under section (6.4); or
- (d) at the expiry of his or her term of appointment.

6.6 If the office of an appointed member of the Veterans' Advisory Council becomes vacant, a person may be appointed by the Minister to the vacant office.

6.7 Members may not nominate proxies or representatives to attend meetings in their absence.

7. Vacancies or defects in appointment of members

- 7.1 An act of the Veterans' Advisory Council is not invalidated by reason only of a vacancy in its membership or a defect in the appointment of a member.

8. Allowances and expenses

- 8.1 Allowances and expenses will be paid to members of the Council on a sessional (per half day) basis at a rate to be determined by the Premier after consultation with the Chief Executive, Department of the Premier and Cabinet.
- 8.2 Allowances and expenses will be paid in accordance with *Department of the Premier and Cabinet Circular 16 - Remuneration for Government Appointed Part-Time Boards and Committees, February 2014 revision*.

9. Authority to Act

- 9.1 The Veterans' Advisory Council is established as a non-statutory advisory body only. The Veterans' Advisory Council does not have any delegated powers to act on behalf of, or to commit, the Premier or Government to any actions.
- 9.2 The Veterans' Advisory Council is not a legal entity in its own right, does not have any South Australian Public Sector financial, procurement, contracting or human-resource delegations and cannot make any pledges in these areas.
- 9.3 Decision-making within the Veterans' Advisory Council is limited to the manner in which it examines the issues pertinent to the Terms of Reference.

10. Proceedings of the Veterans' Advisory Council

- 10.1 The Chair will preside at each meeting of the Veterans' Advisory Council at which he or she is present. The Chair shall exercise a casting vote only.
- 10.2 A Deputy Chair is to be appointed from the membership of the Veterans' Advisory Council by the Minister. If the Chair is absent, the Deputy Chair will preside at the meeting.
- 10.3 The Veterans' Advisory Council must meet no less than six times per calendar year.
- 10.4 The Veterans' Advisory Council may, with the approval of the Premier, establish sub-committees as required.
- 10.5 The Veterans' Advisory Council may, after consultation with the Executive Officer, call for expert advice and/or evidence as required.

- 10.6 The Veterans' Advisory Council must have accurate minutes kept of its meetings.
- 10.7 A quorum of the Veterans' Advisory Council shall comprise eight members plus the Chair.

11. Observers

- 11.1 Legal or other representatives for the South Australian Government or interested parties may, by invitation of the Chair, attend a meeting of the Veterans' Advisory Council as observers.
- 11.2 Observers to a Veterans' Advisory Council meeting may be invited by the Chair to speak to the Council. Observers may be asked by the Chair to absent themselves from any discussion of the Council.

12. Confidentiality

- 12.1 Members should be aware that all VAC discussions are subject to normal Board confidentiality.
- 12.2 Members should only contribute publicly available information (e.g. not that obtained through confidential sources) to the Veterans' Advisory Council.
- 12.3 Members should be aware that all written material associated with the Veterans' Advisory Council is subject to the *Freedom of Information Act 1991* and may be made available to the public (refer 15.2).

13. Annual Report

- 13.1 The Veterans' Advisory Council must, on or before 30 September each year, provide a report to the Premier on the performance of its functions during the year ending on the previous 30 June.

14. Executive Officer / Secretarial support

- 14.1 An Executive Officer will be appointed by the Premier. The role of the Executive Officer is to represent the Minister on the Veterans' Advisory Council as required. The Executive Officer will not have voting rights but shall have full speaking rights. The Executive Officer is the appropriate contact person for Veterans' Advisory Council members' enquiries between meetings.
- 14.2 The Department of the Premier and Cabinet will provide Secretarial support for the operation of the Veterans' Advisory Council and finance its budget approved operations.

15. Records Management

- 15.1 Records of the Veterans' Advisory Council must be maintained in accordance with the *State Records Act 1997*. Records should be made available for inspection by members upon request.
- 15.2 The Department of the Premier and Cabinet will make any necessary determinations pursuant to the *Freedom of Information Act 1991* on the Veterans' Advisory Council's behalf.

16. Terms of Reference

- 16.1 The Terms of Reference of the Veterans' Advisory Council may be varied by the Premier, after consultation with the Council.

17. Dissolution / Review Date

- 17.1 The Premier may dissolve the Veterans' Advisory Council by notice in writing to members.



Hon Steven Marshall MP
Premier of South Australia

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