



**MEN'S AUXILIARY  
BY-LAWS  
DEPARTMENT OF SOUTH CAROLINA  
VETERANS OF FOREIGN WARS OF THE UNITED STATES**

**ARTICLE I – FORMATION OF MEN'S AUXILIARY**

***Sec. 101 - Formation, Chartering and Instituting.***

- (a) No Men's Auxiliary shall be formed until approved by a two-thirds (2/3) vote of the members of the Post present at a stated meeting or special meeting, due notice of proposed formation having been given to the entire membership of the Post one week prior to such meeting. Each Men's Auxiliary shall be assigned the name and number of the Post with which it is affiliated and subject to the control of the Post whose name and number it bears.
- (b) A letter requesting an Application for Charter shall be made in writing. It shall contain the name and number of the proposed Men's Auxiliary and its location, which shall be the same as the name, number and location of the Post with which it is affiliated. The request for an Application for Charter must be approved by the Post Commander and forwarded to the State Commander for approval, accompanied by a charter fee of Twenty-Five Dollars (\$25.00).
- (c) A charter kit will be ordered and forwarded to the Post upon approval of the request for an Application for Charter. This kit will contain all forms necessary for the formation of the new Men's Auxiliary.
- (d) Upon signing an Application for Charter for a new Men's Auxiliary, each prospective new member shall pay an annual per capita tax, which shall not be less than the minimum amount required to cover Department per capita tax. Before obligation, each applicant shall execute and submit an application card and pay per capita tax in full as required for the current calendar year.
- (e) Once the Application for Charter is completed with the required information of at least twenty-five (25) duly qualified members for a Men's Auxiliary, the charter application shall be submitted to Department Headquarters.
- (f) Upon the authorization of a charter to a Men's Auxiliary, the State Commander shall authorize the institution of said Men's Auxiliary in accordance with the regulation usages of this organization. The Post Commander of the Post having jurisdiction over the Men's Auxiliary shall designate the instituting officer, who shall make certain the officers of the new Men's Auxiliary are instructed in their respective duties.
- (g) Each new Men's Auxiliary shall be instituted within sixty (60) days of the date of charter as authorized by the State Commander. If not instituted within sixty (60) days from the date of authorization, such authorization shall be rescinded, in which event the total charter fee shall be forfeited.
- (h) No Men's Auxiliary shall be instituted with less than ten (10) qualified members present. However, per capita tax of at least twenty-five (25) members must be paid and transmitted to the State Quartermaster.

- (i) A meeting may be held immediately following the institution for the purpose of electing officers. If a selection of officers is made prior to institution, such selection must be ratified at a meeting before the officers are installed.
- (j) Following the institution of the Men's Auxiliary, the instituting officer shall certify to the Department that the Men's Auxiliary has been instituted in due form. This confirmation should include time and date of meetings, name and address of all officers installed and number of men obligated. The instituting officer shall also assist the Men's Auxiliary Treasurer in preparing the first transmittal for forwarding Department per capita tax for each member with the transmittal form provided in the installation kit.

***Sec. 102 – Eligibility***

- (a) Membership in the Men's Auxiliary to the Veterans of Foreign Wars shall be limited to husbands, widowers, fathers, grandfathers, sons, grandsons, brothers and half brothers (who attain the status prior to age sixteen (16) of persons who were or are eligible for membership in the Veterans of Foreign Wars of the United States).
- (b) Must be sixteen (16) years of age or older.
- (c) Men eligible for membership in the Veterans of Foreign Wars of the United States are not eligible for membership in the Men's Auxiliary.

***Sec. 103 - Application for Membership***

- (a) All applications for membership shall be in writing and be in detail and complete on application forms supplied by the Department.
- (b) In all cases where the veteran, whose service used by the applicant for eligibility in the Men's Auxiliary is not a member of the parent Post of the Veterans of Foreign Wars of the United States, the applicant must submit proof that the said veteran is eligible for membership in the Veterans of Foreign Wars of the United States.
- (c) The application forms must be accompanied by the required per capita tax.

**ARTICLE II - BY-LAWS**

***Sec. 201-By-Laws***

- (a) The Men's Auxiliary may by a two-thirds (2/3) vote of the members present and voting at a regular meeting adopt By-Laws governing the Association as are deemed necessary, provided each member had been notified and provided a copy of the proposed By-Laws at least (7) days in advance by first class mail, such By-Laws do not conflict with the Congressional Charter, By-Laws, Manual of Procedure, Ritual or laws and usage of the Veterans of Foreign Wars of the United States or the By-Laws of the Post or Department of South Carolina.
- (b) Such proposed By-Laws shall be submitted to the Post Commander-who shall review them for compliance with Post By-Laws and shall forward them, with a recommendation, to the State Commander within fifteen (15) days, certifying that there is no conflict in the proposed Men's Auxiliary By-Laws with the Post By-Laws.
- (c) The State Commander or his designee shall review them for compliance with the Department By-Laws.
- (d) No By-Laws adopted by the Men's Auxiliary shall become effective until signed by the State Commander with the official seal of the Department of South Carolina.

**ARTICLE III - REGULAR AND SPECIAL MEETINGS;  
QUORUM; AUTHORIZED ATTENDEES.**

***Sec. 301 - Regular Meetings***

- (a) Men's Auxiliary shall hold at least one regular meeting each month.
- (b) The appointed day and time for such meeting shall be as provided in the Men's Auxiliary By-Laws or if not provided in Men's Auxiliary By-Laws, shall be established or changed by a two-thirds (2/3) vote of the members present at any regular meeting.

***Sec. 302 - Special Meetings***

- (a) The Men's Auxiliary President shall call a special meeting upon the signed written request of seven (7) members or upon the vote of a majority of the members present at a regular meeting.
- (b) The Men's Auxiliary President may call a special meeting of the Men's Auxiliary whenever in his opinion it may be necessary for the welfare of the Men's Auxiliary.

***Sec. 303 - Quorum***

- (a) The Men's Auxiliary By-Laws may specify the minimum number of members required to constitute a quorum for the transaction of business at a regular or special meeting.
- (b) In no case shall the quorum be less than five (5) members in good standing.

***Sec. 304 - Authorized Attendees***

- (a) Any member in good standing of said Men's Auxiliary may attend and take part in said Men's Auxiliary meeting.
- (b) Post Commander or his appointed representative may attend said Men's Auxiliary meeting, providing that the Men's Auxiliary President has been notified of planned attendance prior to said meeting.
- (c) State Commander or his appointed representative may attend said Men's Auxiliary meeting, provided that the Post Commander has been notified of planned attendance prior to said meeting.

**ARTICLE IV - SUSPENSION, DISCONTINUANCE OF CHARTER AND  
DISPOSITION OF PROPERTY.**

***Sec. 401 - Suspension of Charter***

- (a) The State Commander may suspend, for a period not to exceed sixty (60) days the charter of a Mens Auxiliary upon the written recommendation, stating reasons for recommendation for suspension, of the Post Commander to which Men's Auxiliary is affiliated.
- (b) The State Commander may suspend, for a period not to exceed sixty (60) days tinder conditions as may be provided in the Department of South Carolina By-Laws.
- (c) While the Charter of a Men's Auxiliary is suspended, said Men's Auxiliary shall not be permitted to function and officers thereof shall be without authority.

***Sec. 402 - Discontinuance of Charter***

- (a) A Post may, by vote of eighty (80) percent of its members present at a meeting following a written notice mailed or delivered to each member of the Post, in good standing at least ten (10) days before said meeting, vote to request cancellation of the charter of its Men's Auxiliary.
- (b) The Post Commander shall certify the action in writing and forward same to the State Commander.
- (c) The State Commander may cancel the charter of a Men's Auxiliary based on the recommendation of the Post Commander or under conditions as may be provided in the Department of South Carolina By-Laws.

***Sec. 403-Disposition of Property***

In the event of a surrender, cancellation or forfeiture of a Charter of a Men's Auxiliary, all official records, money and other property shall immediately become property of the Post.

***ARTICLE V - NOMINATION ELECTION And  
INSTALLATION OF OFFICERS.***

***Sec. 501 - Nomination of Officers***

- (a) All members of the Men's Auxiliary, in good standing, are eligible for nomination and election to any office within the Men's Auxiliary.
- (b) Nominations will be conducted during the first meeting in April each year for the office of President, Senior Vice President, Junior Vice President, Treasure, Judge Advocate, Chaplain, and Trustees.
- (c) Nominations will remain open until elections are conducted.
- (d) Member must be present to accept nomination or have provided the Men's Auxiliary Secretary with a written statement that he will accept the nomination in his absents.

***Sec. 502 - Election of Officers***

- (a) Elections will be conducted at the first meeting in May of each year for the office of President, Senior Vice President, Junior Vice President, Treasure, Judge Advocate, Chaplain, and Trustees.
- (b) Officers shall be elected for a term of one (1) year except that three trustees shall initially be elected for terms of one (1), two (2) and three (3) years and thereafter one (1) trustee shall be elected each year for a term of (3) years.
- (c) No member shall hold more than one elective Men's Auxiliary office at the same time.

***Sec. 503 - Installation of Officers***

- (a) Men's Auxiliary officers shall be installed in their respective offices at a regular or special meeting.
- (b) The installing officer shall be a Past Men's Auxiliary President or the Post Commander of the VFW Post that the Men's Auxiliary is chartered under or the VFW State Commander of South Carolina or an officer appointed by the State Commander;
- (c) Officers will assume their duties at the same time as the VFW Post officer assume theirs.

## ARTICLE VI - DUTIES OF OFFICERS

### *Sec. 601-President*

- (a) Preside at all meetings of the Men's Auxiliary
- (b) Enforce strict observance of the laws and usage of this organization including Post and Department By-Laws, and all lawful orders from proper authorities.
- (c) Insist that Men's Auxiliary business and activities be conducted in such a manner that they do not violate any applicable governmental law, ordinance or regulation nor bring or tend to bring opprobrium or embarrassment upon the Men's Auxiliary, Post, Department of South Carolina, its members or the Veterans of Foreign Wars of the United States.
- (d) Shall, within thirty (30) days after induction into office submit to the Post Commander an itemized report of the financial status of the association over which he is presiding officer. Such reports shall be acknowledged by the Post Commander during the next regular meeting and may be read to the members assembled.
- (e) Shall provide the Post with the names and addresses of Men's Auxiliary members. At least annually, The Post shall provide the names and addresses of Men's Auxiliary members, and such other information as may be required by By-Laws to the Department issuing the Charter, which information shall also be provided to National Headquarters.
- (f) Appoint officers, committee chairmen and committees not otherwise provided for. He may remove such appointed officers, committee chairmen and committees at his pleasure. He shall by virtue of his office, be a member of <sup>x</sup> all committees.
- (g) Approve all orders drawn upon the Treasurer for the disbursement of money or property.
- (h) Assure that all per capita tax and other monies due the Post and the Department of South Carolina are forwarded promptly.
- (i) Assure that the Men's Auxiliary is incorporated with the Secretary of State, State of South Carolina.
- (j) Assure that the Men's Auxiliary has a proper Employer Identification Number.(use IRS for SS-4 to apply for EIN)
- (k) Assure that the Men's Auxiliary applies for and maintains a current Tax Exempt status from the Internal Revenue Service.
- (l) Comply with and perform all of the duties required by the laws and usages of this organization, the provisions of these By-Laws, Department of South Carolina and Post By-Laws pertaining to the duties and obligations of a Men's Auxiliary President and lawful orders from proper authority and perform such other duties as are usually incident to the office.

### *Sec- 602 - Senior Vice President*

The Men's Auxiliary Senior Vice President shall assist the President in preserving order, preside in the absence of the President, provide such advice or assistance as may be required and perform such other duties as are usually incident to such office or may from time to time be required by the laws and usages of the organization or lawful orders from proper authority.

### ***Sec. 603 — Junior Vice President***

The Men's Auxiliary Junior Vice President shall assist the President in preserving order, preside in the absence of the President and Senior Vice President, provide such, advice or assistance as may be required and perform such other duties as are usually incident to such office or may from time to time be required of him by the laws and usages of the organization or lawful orders from proper authority.

### ***Sec 604 – Secretary***

- (a) Under the direction of the President, prepare all reports and returns required of him.
- (b) Attest by his signature all official actions of the Men's Auxiliary.
- (c) Maintain proper file of Men's Auxiliary By-Laws.
- (d) Maintain proper file of the original application of every member admitted to the Men's Auxiliary.
- (e) Maintain a proper record of all the proceedings of each meeting of the Men's Auxiliary after the same have been corrected and approved.
- (f) Maintain a file of all orders of the Men's Auxiliary, Post and Department of South Carolina.
- (g) Transfer to his successor, without delay, all books, papers, records, monies and other records and property of the Men's Auxiliary in his possession or under his control.
- (h) Comply with and perform all duties required of him by the laws and usages of this organization, applicable By-Laws and orders from lawful authority and perform such other duties as are usually incident to such office.

### ***Sec. 605 - Treasurer***

- (a) Receive and hold all monies, securities, vouchers, and other personal property of the Men's Auxiliary.
- (b) Collect all monies due the Men's Auxiliary giving receipt therefore.
- (c) Pay out or expend monies only after the Men's Auxiliary has authorized payment by motion made and passed at a meeting of the Men's Auxiliary. All checks for the expenditures of Men's Auxiliary funds shall be numbered in sequence, the number of each check to correspond with the voucher authorizing the same, and in addition to the signature of the Treasurer shall be countersigned by the Men's Auxiliary President.
- (d) He should be bonded in a sum at least equal to the amount of the liquid assets for which he may be accountable, the cost of which shall be paid from Men's Auxiliary funds.
- (e) Maintain the books and records at all times in a neat and efficient manner. Books and records shall be available for inspection by authorized officers at all reasonable times,
- (f) Deliver to his successor in office or to anyone designated by the Men's Auxiliary or higher authority all books, records, vouchers, monies, securities and other property of the Men's Auxiliary in his possession or under his control.
- (g) Serve as Treasurer of all Men's Auxiliary committees handling funds.
- (h) Comply with and perform all duties required of him by the laws and usages of this organization, applicable By-Laws and order's from lawful authority and perform such other duties as are usually incident to such office.

### ***Sec. 606 - Judge Advocate***

The Men's Auxiliary Judge Advocate shall give the President such legal assistance, incident to his office, as he may request, and perform such other duties as may be usually incident to the office or as may from time to time be required of him by the laws and usages of this organization or lawful orders from proper authority.

***Sec, 607-Chaplain***

The Men's Auxiliary Chaplain shall with the assistance of such other members shall visit the sick and disabled members of the Men's Auxiliary and make a report to the Men's Auxiliary concerning same. He shall perform such other duties as may be usually incident to the office or as may from time to time be required of him by the laws and usages of this organization or lawful orders from proper authority.

***Sec. 608-Trustees***

- (a) At the end of each quarter, (March, June, September, December) properly audit the books and records of the Treasurer and the records of the Secretary.
- (b) Submit a written itemized report of said audit to the President of the Men's Auxiliary and the VFW Post Commander. This report must be verified by the signatures of all three trustees.
- (c) Audit the records and accounts of all committees, officers and members having to do with the receipt and expenditure of Men's Auxiliary funds.
- (d) Trustees shall not serve on committees or as officers whose books, records and accounts are audited by the Trustees.

***ARTICLE VII - VACANCIES AND REMOVAL FROM OFFICE.***

***Sec. 701 - Officer Vacancies***

- (a) In the event of a vacancy in the office of President the Senior Vice President shall at once, and without further formality, succeed to the title and duties of such office.
- (b) In the event of a vacancy in the office of Senior Vice President the Junior Vice President shall at once, and without further formality, succeed to the title and duties of such office.
- (c) The membership shall be informed that the office of an elected officers is vacant and the vacant office shall be filled at the next regular meeting.
- (d) Should a vacancy occur in the office of Treasure the President may appoint a Pro Tempore Treasure to carry out the duties incident to that office until elections can be held to fill the office.

***Sec. 702 - Removal of Officers***

- (a) A Men's Auxiliary at a regular meeting, if notice of intent to do so has been given at a prior regular meeting, may by two-thirds (2/3) vote of the members present declare vacant the position of any elective officer who has absented himself from two (2) consecutive meetings or who has failed to fulfill the duties of office.
- (b) The State Commander with the concurrence of the Post Commander declare vacant the position of any Men's Auxiliary office who fails to fulfill the duties of his office. Such action and reasons therefore, shall be in writing in the form of a Special Order and delivered to the removed officer by certified United States mail at the last known address.
- (c) Any Men's Auxiliary officer whose office is vacated by the State Commander, by reason of failure to pay current dues or by vote of the Men's Auxiliary shall not be eligible to serve in any Men's Auxiliary office in the same administrative year in which the office is vacated.

## **ARTICLE VII - ORDER OF BUSINESS**

### ***Sec. 801-Order of Business***

The order of Business for Men's Auxiliary meetings shall be as follows:

- 1) Opening in due form (prayer and pledge of allegiance to the flag)
- 2) Roll call of Officers (President, Sr. Vice President, Jr. Vice President, Secretary, Treasurer, Judge Advocate, Chaplain and Trustees)
- 3) Reading of membership applications
- 4) Report of investigating committee
- 5) Ballot on candidates
- 6) Reading of minutes
- 7) Treasurer's report (receipts and disbursements)
- 8) Reading of bills
- 9) Report of Chaplain
- 10) Report of all committees
- 11) Unfinished business
- 12) New business
- 13) Good of the order
- 14) Closing in due form (closing prayer)

## **ARTICLE IX - AMENDMENTS**

### ***Sec. 901 - Amendments***

These By-Laws may only be amended or altered by the Department Convention by a two-thirds vote of the members present; provided that such amendments have been proposed by a Men's Auxiliary and/or Post, District or State Officer and been forwarded, through channels in typed form to the State Adjutant at least forty five (45) days prior to the start of the Department Convention.

*These By-Laws were approved by the delegates at the State Convention 7 June 2003.*