



**General By-Laws for Branches
of
Ontario Provincial Command
BRANCH 632 ORLEANS**



INTRODUCTION

Because so many Legions in Ontario did not have By-Laws, at the Provincial Convention in June 2009 the Convention passed the proposed new Provincial By-Laws for Branches (PBLB). These were subsequently approved by Dominion Command in March 2010. You will note that in these By-Laws many of the Articles have Sections that contain options or choices (ie Article V Section 501 (1) - a choice of whether to have 2 or 3 Vice Presidents). Branches were to make these choices by creating Branch Regulations. Our Branch Regulations were presented and approved at the General Meeting on June the 22nd 2010. The Province has reviewed them and after a few reviews we received approval in May 2013.

I will soon to able to post all that follows in separate files under Provincial By-Laws for Branches but until I figure out how to do this I have included all three new documents as one item as follows: **PROVINCIAL BY LAWS FOR BRANCHES, ORLEANS BRANCH REGULATIONS AND ORLEANS BRANCH BYLAWS WITH REGULATIONS** (there is a spacer page between each item). In the last item I have inserted the relevant Sections from our Branch Regulations to replace the relevant Sections in the Provincial General By-Laws for Branches thus **BRANCH BYLAWS WITH REGULATIONS** may be considered our new By-Laws. I have also now added **BRANCH RULES** as they are very relevant and this is our guide for conduct at the Branch.

RELEVANT LINKS

Provincial Command By-Laws link

<http://www.on.legion.ca/>

Once on this page click on “Member Resources” at top
under Manuals click on “General B-Laws of Ontario Provincial Command 2011 ”

Dominion Command By-Laws link

<https://www.legion.ca/docs/default-source/by-laws-and-policies/general-by-laws.pdf>

MEMORANDUM REGARDING
BRANCH BY-LAWS AND REGULATIONS

- (1) The General By-Laws for Branches that follows will be maintained and revised by Command, when necessary, and a current copy is available on the Command Website for reference purposes.
- (2) Some Branches pay their Secretary and/or Treasurer (or Secretary Treasurer), while others do not. Regardless, the positions are considered to be Officers of the Branch, and may be voting members of the Executive Committee, if unpaid. If paid, they do not have the authority to move or second motions or vote on any business at Executive Meetings. However, they do retain the aforementioned rights as Branch Members and may exercise those rights at General Meetings.
- (3) The Act to Incorporate, The Royal Canadian Legion Act (1965 and 1990) and the General By-Laws of Dominion and Ontario Commands contain sections that are final insofar as a Branch is concerned. A Branch, however, may legislate with respect to several general matters covered by a senior authority and in particular, to provide in some detail for its management.
- (4) The following items must be addressed by Branches:
 - (a) Accounts Payable (Minimum Paid by Cheque)
 - (b) Annual Meetings Date Identified
 - (c) Auditor or Audit Committee Approval
 - (d) Branch Signing Officers Identified
 - (e) Election Meeting Date Identified
 - (f) Executive Committee Members – Total number
 - (g) Expenditure Limit of Executive Committee
 - (h) General Meetings Date & Exclusion of Months (if applicable)
 - (i) Officers Identified – Elected vs. Appointed
 - (j) Quorum Declaration
- (5) The following Items may be addressed by Branches:
 - (a) Advance Poll Provisions
 - (b) Automatic Drop Down re Election of Senior Officers
 - (c) Clubs within Branches

- (d) Committees Etc. Duties / Terms of Reference
(Excluding Employees)
 - (e) Electronic Record Storage – Secretary
 - (f) Electronic Record Storage – Treasurer
 - (g) Expansion of Duties re Officers & Executive Committee Members
 - (h) Initiation of New Members at Annual Meetings
 - (i) **Ladies' Auxiliary to the Branch**
 - (j) New Member Enrolment Fee
 - (k) Order of Business Variation – Annual Meetings
 - (l) Order of Business Variation – General Meetings
 - (m) Other Committees Established
 - (n) Reschedule of Meeting re Statutory Holiday
 - (o) Secretary Duty re New Members
 - (p) Term of Office – Change to Two Years
 - (q) Vic-Presidents – Increase to 3 from 2
- (6) Forms and Templates are available for download from the Command Website to assist Branches in remaining current in this respect.

**THE GENERAL BY-LAWS FOR BRANCHES
OF
THE ONTARIO PROVINCIAL COMMAND**

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THE GENERAL BY-LAWS FOR BRANCHES

ARTICLE I – INTERPRETATION

101. Unless the context otherwise requires or is stated otherwise in the By-Laws.
- (1) BRANCH shall be a Branch of the Legion within the jurisdiction of the Ontario Provincial Command.
 - (2) BRANCH REGULATIONS approved by the Branch shall have the same authority and effect as these By-Laws and shall be a permissible extension to same.
 - (3) COMMAND shall be the Ontario Provincial Command of the Legion
 - (4) FISCAL YEAR shall be June 1 to May 31 of the following year except for Poppy Trust Funds which shall be October 1 to September 30 of the following year.
 - (5) LEGION shall be The Royal Canadian Legion.
 - (6) MASCULINE words shall include the feminine.
 - (7) MEMBER means a person who has been duly admitted to any of the membership categories provided for in the General By-Laws of the Legion.
 - (8) MEMBER IN GOOD STANDING means a Member who has been initiated and who is not under suspension or in arrears in payment of dues.
 - (9) SECRETARY-TREASURER shall be included when Secretary or Treasurer is mentioned.
 - (10) SINGULAR words shall include the plural where the context requires.
 - (11) TERM OF OFFICE shall commence on June 1 and end on May 31 of the following year, or if a two year term, shall end on May 31 of the second following year. This term of office shall also apply to all Standing Committee Chairmen with the exclusion of the Track and Field Chairman whose term shall commence on August 1 and end on July 31 of the applicable Branch term.

ARTICLE II – NAME AND OBJECTS

201. The Branch shall be known and identified with the Branch Name followed by the Branch Number and shown in the following format Name (Ont. No. _____) Branch.
202. The purposes and objects shall be as set forth in the following:
- The Act to Incorporate the Legion.
 - The General By-Laws of The Royal Canadian Legion.
 - The General By-Laws of The Ontario Provincial Command of the Legion.

ARTICLE III – MEMBERSHIP

301. Membership in the Branch is open to all categories permitted by the General By-Laws of the Legion which are Life, Ordinary, Associate, Affiliate and Affiliate Non Voting.
302. (1) All applications for original or reinstating membership shall be presented to a General or Special General Meeting for approval or otherwise.
- (2) The Executive Committee has the authority to approve applications for membership during the months when regularly scheduled General Meetings are not held.

ARTICLE IV – QUALIFICATION TO VOTE AND/OR HOLD OFFICE

401. Only Life, Ordinary, Associate and Affiliate-Voting Members, in good standing, shall have the right to vote or hold office. Meritorious Life Members shall only have the right to vote at the Branch level.
402. A voting member, to be eligible for election to any Branch Office, must be in good standing for the year in which the election is held.
403. A voting member will be required to have served at least one term on the Branch Executive Committee to be eligible to be elected President or Vice-President.
404. A voting member will be required to have been a member of the Branch for a period of one year prior to the date of the election to be eligible for election to the Branch Executive Committee.

405. (1) No member who is a full time, regular part time or elect to work employee of any Branch or Command, or any organization thereof, who receives directly or indirectly any salary or wages for or on account of any service rendered to the Branch or Command or organization thereof, shall be eligible to hold any Executive position in the Branch. Any employee as defined in this section who is successful in his bid for office must resign his paid position before his term of office can commence.
- (2) Notwithstanding the provisions of this section, members of the Ladies Auxiliary employed by a Branch or Command may, at the discretion of the Branch or Command, hold office in the Auxiliary.
406. No member shall hold more than one elected office in the Branch.
407. The offices of Secretary and Treasurer shall not be held by the President or any of the Vice-Presidents.
408. The President shall not hold the position of Ladies Auxiliary Liaison Officer.
409. The Term of Office shall be for one year unless Branch Regulations make provision for a two year term.

ARTICLE V – OFFICERS AND EXECUTIVE COMMITTEE

501. (1) The Senior Officers shall consist of the President, Immediate Past President and two (2) Vice-Presidents. Branch Regulations may make provision for three (3) Vice Presidents.
- (2) Branch Regulations shall identify which, if any, of the following offices are Officers and which of these offices are elected at the Election Meeting, or appointed by the President and ratified by the Executive Committee at its first meeting of the term with the subsequent approval of the Branch at the next General Meeting: Branch Chairman, Chaplain, Sgt. at Arms, Secretary or Treasurer.
502. The Executive Committee shall consist of the Officers and an approved number of Executive Committee Members as defined in Branch Regulations together with such other voting members as may be appointed in accordance with provisions found elsewhere in these By-Laws.

503. (1) The Executive Committee shall have the power to add to its numbers by motion at a meeting, such additional voting members as may be deemed advisable provided that such additions shall become effective only upon the approval of the Branch at its next General Meeting.
- (2) The effective date of any such appointment shall be deemed to be from the date of the Executive Committee Meeting at which the motion for appointment was made and approved.
504. Insofar as it may relate to the operation of the functions of the Branch, subject to the control of General, Special General or Annual Meetings, the Executive Committee shall have all the powers of the Branch, except to appoint Auditors, amend the Branch Regulations or amend the Branch Clubhouse Rules.
505. A majority of the Executive Committee shall constitute a quorum for the conduct of business at their meetings.
506. (1) Monthly meetings of the Executive Committee shall be held on a day fixed by the Committee, or at the call of the President.
- (2) The passing of accounts, transaction of current business, examination and discussion of any suggestions made for the general welfare of the Legion or the Branch and such other business as may be introduced shall form the monthly Executive Meeting Agenda.
507. The Executive Committee shall be required to see that all officers, members and employees handling funds of the Branch are properly bonded.
508. The Executive Committee may, from time to time, appoint committees or individuals to carry out any of the advisable or necessary functions of the Branch.
509. (1) Any Executive Committee Member; excluding the Immediate Past President; who absents himself from three (3) consecutive, or a maximum of any five (5) regular meetings of the Branch and/or Executive Committee within a twelve (12) month period shall cease to be a member of the Executive Committee unless granted a leave of absence by same.
- (2) Should the Immediate Past President be absent from three (3) consecutive meetings of either the Executive Committee or the Branch, or a combination of both, without due cause satisfactory to the Executive Committee, he shall cease to hold office.

510. The Executive Committee shall have the power to fill by appointment, any interim vacancy, other than a Senior Officer, which may occur on the Executive Committee during its tenure of office. Such appointment shall only become effective upon the approval of the Branch at its next General Meeting.
511. (1) Where a vacancy occurs in the office of President or Vice-President, the next ranking Vice-President shall succeed to the vacant office.
- (2) Where a vacancy is created within the Executive Committee Members by the aforementioned succession, the President shall fill such vacancy by appointment.
- (3) Where a vacancy is created within the Executive Committee Members by the aforementioned succession, the President shall fill such vacancy by appointment.
- (4) All appointments under these provisions shall only become effective upon the approval of the Branch at its next General Meeting.
- (5) A member who succeeds to any of the offices under these provisions shall hold his new office until the next election of Branch offices.
- (6) The above provisions may be employed on an interim basis when the President or a Vice-president is the subject of removal from office pending a disposition under Article III of the General By-Laws of the Legion.
512. In the event of the death, resignation, inability to act, or removal of the Immediate Past President, the Executive Committee shall appoint a former Branch President to fill the position for the remainder of the term.
513. (1) **Branch Regulations of every Branch with a Ladies' Auxiliary shall make provision for the appointment of a member of the Branch Executive Committee to act as the Liaison Officer to such Ladies' Auxiliary for the present Term of Office. The position shall not be held by the Branch President and where possible should not be held by a member of the said Ladies' Auxiliary.**
- (2) **Branch Regulations of every Branch with a Ladies' Auxiliary shall make provision for two meetings a year during the Term of Office of the Executive Committees of the Branch and Ladies' Auxiliary.**

ARTICLE VI – COMMITTEES

601. (1) The following Standing Committee Chairmen shall be appointed by the President for the approval of the Executive Committee at its first meeting of the new term:
- (a) Legion Seniors;
 - (b) Membership;
 - (c) Poppy;
 - (d) Public Relations;
 - (e) Sports;
 - (f) Track and Field;
 - (g) Training and Organizational Development;
 - (h) Veterans Services;
 - (i) Youth Education.
- (2) All Chairmen [(a) to (i)] inclusive shall be members of the Executive Committee and they shall be the official recipient of all correspondence relating to their respective committee.
- (3) The President shall appoint the Chairman of any other Committee established by Branch Regulations and such appointments shall only become effective upon the approval of the Branch at its next General Meeting.
602. The President may appoint such other members as he may deem advisable to any Standing Committee and he shall advise each Standing Committee of its duties and limitations.
603. The President may appoint, with the approval of the Executive Committee, as circumstances warrant, any voting member of the Branch to chair a Special Committee to take up any matter concerning the Branch.
604. Any Committee shall choose a Chairman of the meeting from those members present if the Committee Chairman is absent and no Acting Chairman has been previously identified for the meeting.
605. Committee Chairmen shall have the power to add to their committee, such other members of the Branch as may be necessary.
606. A majority of any Standing or Special Committee shall constitute a quorum for the transaction of business.

607. All reports of committees shall be presented in writing and those of:
- (1) Standing Committees must be signed by the Chairman or Acting Chairman.
 - (2) Special Committees must be signed by all members who concur with the report.
 - (3) Minority reports of Special Committees must be signed by those members who do not concur in the report and the report shall indicate that its existence is acknowledged by the majority of members of the committee.
608. The President may appoint any member of the Branch or any other person to act in the interest of ex-service personnel on any committee, inside or outside the Legion, requiring such representation. The term of office for this appointment shall expire at the first meeting of the new term of the Executive Committee. The member or other person appointed shall file all reports in writing and direct them to the Executive Committee.

ARTICLE VII – DUTIES OF OFFICERS AND EXECUTIVE COMMITTEE

701. (1) The President shall:
- (a) Preside at all meetings of the Branch and Executive Committee, unless the Branch has a Chairman, and enforce order and strict observance of the By-Laws, except that the Executive Committee may name some other voting member to act as the Chairman for the conduct of Branch Elections;
 - (b) If acting as the Presiding Officer at any meeting, have the deciding vote on any matter that has resulted in an equal division of votes provided that he has not already voted on the question;
 - (c) Exercise general supervision and control over the Executive Committee and business of the Branch;
 - (d) Call meetings of the Executive Committee or of the Branch, when considered advisable, subject to provisions found elsewhere in these By-Laws;
 - (e) Transact such other business as may pertain to his office;

- (f) Ensure that the Branch is represented at all Zone and District Conventions and Zone Council Meetings;
 - (g) Be ex-officio a member of all committees, except Complaint and Nomination Committees.
- (2) The President may designate another voting member to act as Presiding Officer of any meeting unless the Branch has a Chairman.
- (3) The rights and powers vested in the President shall, in his temporary absence or disability, be vested in the next senior Vice-president who is available for these duties.
702. (1) The Vice-Presidents shall:
- (a) Assist the President, upon his request, in the performance of his duties;
 - (b) Accept, if appointed, the Chairmanship of a Standing Committee;
 - (c) Attend other Branch Committee meetings, if not a member, upon request by the President;
 - (d) Attend other meetings and conventions upon the request of the President, when practicable.
- (2) The Vice-Presidents should become familiar with and maintain a good working knowledge of these By-Laws and the General By-Laws of Dominion and Provincial Commands.
703. (1) The Secretary shall:
- (a) Keep a record of the proceedings of all meetings of the Branch and Executive Committee;
 - (b) Be required, at every business meeting, to have the proper minute, records, correspondence and any other documentation that he may have in his possession relative to the business likely to be transacted at the said meeting;
 - (c) Be responsible for the maintenance, retention and safekeeping of all records;

- (d) Bring all correspondence, as soon as practicable, to the attention of the President or other appropriate Officer;
 - (e) Be the custodian of the Branch Seal;
 - (f) Be the recipient of all complaints against Branch members excluding those lodged by or against the Secretary and complete the duties as required under Article III of the General By-Laws of the Legion.
- (2) The Secretary shall act at all times and in all respects entirely at the will and direction of the Executive Committee. He shall conform to all such policies and procedures as the Executive Committee may determine.
 - (3) The Secretary shall be responsible for ensuring that all new members receive a current copy of the General By-Laws of the Legion and a Legion badge. Branch Regulations may make provision for another member to be tasked with this responsibility which may also include the supply of a current copy of the General By-Laws of the Ontario Provincial Command.
 - (4) Branch Regulations may make provision for the records referenced in this Section to be maintained and held in an electronic format with a backup copy held in a separate location for safekeeping.

704. (1) The Treasurer shall:

- (a) Keep an accurate account of all monies received or paid out by the Branch and a record of all other financial transactions;
- (b) Deposit all funds in an account held in the name of the Branch at a Branch of a Chartered Bank of Canada, Trust Company or Caisse Populaire, as approved and directed by the Branch;
- (c) Keep the books and other financial records at the Branch and they shall be open for inspection by the Executive Committee at all times;
- (d) When required by the executive Committee, submit a detailed balance sheet arranged in a proper and businesslike style containing a summary of the property and liabilities of the Branch along with all its financial dealings.

- (2) Branch Regulations may make provision for the records referenced in this Section to be maintained and held in an electronic format with a backup copy held in a separate location for safekeeping.
705. (1) The Sergeant at Arms shall:
- (a) Assist the Presiding Officer at any meeting of the Branch or Executive Committee in maintaining order;
 - (b) Ensure that only eligible members in good standing are permitted to attend meetings;
 - (c) Be responsible for the Branch Colours and Insignia;
 - (d) Be responsible for arranging and completing ceremonial duties as required;
- (2) The Sergeant at Arms, once installed, shall assume his role for the remainder of the installations.
- (3) The Sergeant at Arms shall complete such other duties as assigned by the President.
706. (1) The Branch Chairman, if provided for in the Branch Regulations, shall:
- (a) Preside at all meetings of the Branch and Executive Committee, and enforce order and strict observance of the By-Laws;
 - (b) Ensure that a quorum exists prior to calling the meeting to order;
 - (c) Have the deciding vote on any matter that has resulted in an equal division of votes provided that he has not already voted on the question;
 - (d) Perform such other duties as approved by the meeting of the Branch or Executive Committee.
- (2) The Executive Committee may name some other voting member to act as the Chairman for the conduct of Branch Elections.

707. The Executive Committee Members shall:
- (a) Accept, if appointed, the Chairmanship of a Standing Committee;
 - (b) Accept, if appointed, the Chairmanship of a Special Committee;
 - (c) Attend Committee Meetings as required or requested.
708. Branch Regulations may make provision to expand any of the above duties to accommodate Branch requirements provided that they refer specifically to those issues and activities which relate solely to the internal operations of the Branch.
709. Branch Regulations may make provision for the duties and Terms of Reference respecting any Committee other than the Executive Committee and any other Branch Position excluding employees.
710. All organized groups consisting of Legion members within the Branch as identified in the Branch Regulations, shall be administered by the Branch Officers and their funds shall be administered by the Branch Treasurer.

ARTICLE VIII – MEETINGS

801. All members in good standing may attend and speak at Branch Meetings.
802. The Branch shall hold monthly General Meetings on a day and time identified in the Branch Regulations which may also include a provision for the exclusion of certain months within the year in which monthly meetings will not be held.
803. General Meetings shall be held for the purpose of carrying out the activities of the Branch and for advance of the aims and objects of the Legion within the limits of and subject to the Act to Incorporate, The Royal Canadian Legion Act (1965 and 1990), these By-Laws, Branch Regulations to the By-Laws, the By-Laws of Dominion and Ontario Provincial Commands of the Legion and to any regulations issued by the aforementioned Commands.
804. The following Order of Business shall govern at all General Meetings unless Branch Regulations make provision for variation:
- (1) Call to order by the Presiding Officer;
 - (2) Opening Ceremony as determined by the Ritual approved by Dominion Command;
 - (3) Motion for Deviation from the agenda (if necessary);

- (4) Ceremony of Admission of new Members;
- (5) Minutes of the previous General Meeting, Executive Meeting(s) and any Special General Meeting held since the last General Meeting;
- (6) Business arising from the Minutes and unfinished business;
- (7) **President's Report;**
- (8) **Treasurer's Report;**
- (9) Correspondence;
- (10) Reports of Standing Committees;
- (11) Reports of Special Committees;
- (12) General and New Business including matters respecting the welfare of the Legion or the Branch;
- (13) Tabling of Notices of Motion;
- (14) Motion for Adjournment; and
- (15) Closing Ceremony.

805. (1) Special General Meetings shall be called by the Secretary within two weeks of the receipt of a written petition signed by not less than ten (10) percent of the paid up voting membership. A Special General Meeting may also be called by the Executive Committee.
- (2) Any Notice calling such Special General Meeting shall briefly describe the purpose of the meeting and all members shall be notified of said meeting at least seven (7) days before the date of the meeting.
- (3) Notice of any Special General Meeting held to discuss mortgaging, leasing or the conveying of Branch property shall be given to each member in good standing by mailing the notice to the last known address of the member at least ten (10) days before the date of the meeting.

806. The following Order of Business shall govern at all Special General Meetings:

- (1) Call to order by the Presiding Officer;
- (2) Opening Ceremony as determined by the Ritual approved by Dominion Command;
- (3) Special business for which the meeting has been called;
- (4) Motion for Adjournment; and
- (5) Closing Ceremony.

807. (1) Annual Meetings shall be held on a day and time identified in the Branch Regulations in conjunction with the monthly General Meeting; or Branch Regulations may make provision to hold the Annual Meeting on a day and time other than the monthly General Meeting.

- (2) Branch Regulations in respect of Annual Meetings held in conjunction with the monthly General Meeting may make provision to allow consideration of applications for membership or reinstatement and permit the initiation of new members.

808. The following Order of Business shall govern at all Annual Meetings unless Branch Regulations make provision for variation:

- (1) Call to order by the Presiding Officer;
- (2) Opening Ceremony as determined by the Ritual approved
- (3) Motion for Deviation from the agenda (if necessary);
- (4) Minutes of the previous General Meeting, Executive Meeting(s) and any Special General Meeting held since the last General Meeting;
- (5) Business arising from the Minutes and unfinished business;
- (6) **President's Annual Report (Maximum 10 minutes)**
- (7) **Treasurer's Report;**
- (8) Correspondence;
- (9) Reports of Standing Committees (Maximum five (5) minutes per Committee);
- (10) Reports of Special Committees (Maximum five (5) minutes per Committee);
- (11) Motions or Special Business of which Notice was previously given;
- (12) General and New Business including matters respecting the welfare of the Legion or the Branch;
- (13) Tabling of Notices of Motion;
- (14) Introduction of Election Chairman (**Note:** Election Process shall not start later than ninety (90) minutes after the established start of the meeting);
- (15) Report of Nominating Committee, if established;
- (16) Order of Election
 - (a) President
 - (b) 1st Vice-President
 - (c) 2nd Vice-President
 - (d) 3rd Vice-President (if applicable)
 - (e) Executive Committee Members
 - (f) Secretary (If elected)
 - (g) Treasurer (If elected)
 - (h) Sgt. at Arms (If elected)
 - (i) Chaplain (If elected)
 - (j) Branch Chairman (If applicable / If elected)

- (17) Installations
- (18) Motion for Adjournment; and
- (19) Closing Ceremony.

809. (1) Branch Regulations shall make provision for one of the two formulas listed herewith to apply to all General, Special General and Annual Meetings. The quorum shall be **either** five (5) per cent of the total eligible Branch voting membership **or** twice the number of members present at the meeting from the Executive Committee plus one (1).
- (2) In cases where there are less than twenty (20) active Members, Branch Regulations may include a provision of a quorum for the aforementioned meetings by establishing a number greater than the total of the Executive Committee.
810. Branch Regulations may make provision to hold any meeting on a day other than the day identified in the Branch Regulations when the original day occurs on a recognized statutory holiday.

ARTICLE IX – PROCEDURE

901. (1) In the absence or disability of the President, unless there is a Branch Chairman, the next senior Vice-president who is available shall act in his place.
- (2) In the absence or disability of the President, Branch Chairman, if applicable, and all Vice-Presidents, the Secretary shall call the meeting to order and a temporary Chairman shall be elected for that meeting.
902. The Presiding Officer of any meeting shall rule out of order all matters pertaining to political or religious questions which do not refer to the well being of the Legion.
903. The Presiding Officer of any meeting shall enforce order and strict observance of these By-Laws, the Branch Regulations and the General By-Laws of the Provincial and Dominion Commands.
904. The Presiding Officer shall have the right to decide all questions of order, subject to an appeal by the meeting, of which the said appeal must be sustained by a majority vote of the voting members present.

905. The Presiding Officer shall; when debate has ceased on any question; put same to an open vote, giving the words of the motion clearly so that no voting member may misunderstand the question on which he is about to vote. In the event, however, that a majority of the voting members present demand a secret ballot on any particular question, such question shall be decided by secret ballot.
906. A member wishing to introduce a motion, or to speak, shall stand and wait until he is recognized by the Presiding Officer before speaking.
907. Business, upon which a Notice of Motion has not been given, may be taken up at a General Meeting but not at a Special General or Annual Meeting.
908. Where business arises of which no Notice of Motion has been given, the Presiding Officer may, if he considers it in the interests of the Branch, table to the next meeting the debate on such business.
909. In all matters of procedure not provided for by these By-Laws or the Branch Regulations to these **By-Laws, the provisions of the Legion's "Rules of Procedure for Legion Meetings" shall apply.** In all cases where the aforementioned rules do not make adequate provision, then, and only then, shall the procedure be governed by the Rules of Order approved by Dominion Command.

ARTICLE X – NOMINATIONS AND ELECTIONS

1001. The Branch shall hold an Election Meeting on a date and time as provided for by Branch Regulation and it may be held in conjunction with a General or Annual Meeting.
1002. A nomination meeting may be held prior to the Election Meeting and may be held in conjunction with a General Meeting.
1003. Nominations for Branch offices may be re-opened at the Election meeting if no advance poll was held.
1004. No voting member may be nominated for an office unless he is present or has signified in writing his willingness to accept such office. This section shall not apply to any approval respecting the position of auditor.
1005. The Branch, through a provision in the Branch Regulations, may hold an advance poll on the date of the Election Meeting.

1006. The voting for election of the President, Vice-Presidents, Executive Committee Members and any other identified elected office in the Branch Regulations, shall be by ballot except in the case of acclamation.
1007. In order to be elected to office, a candidate must receive a majority of the total ballots cast and if there are more than two candidates and no one receives the required majority, the candidate receiving the least number of votes shall be withdrawn from the election and the voting shall continue until one candidate receives the required majority.
1008. The need for further nomination for subordinate offices of all defeated candidates for President or Vice-president may be eliminated by a provision in the Branch Regulations.
1009. The voting for election of Branch Executive Committee members shall be by ballot on a single vote unless there is a tie for the final position which will be decided through a further vote until there is a clear majority.
1010. The Chief Scrutineer shall report the results after each vote to the Election Chairman.
1011. The Election Chairman shall report to the meeting the total ballots cast, the number of spoiled ballots, the successful candidate(s) or, if no candidate has received the required majority, the name of the candidate who received the least number of votes. The latter candidate shall be removed from the ballot and the voting shall continue.
1012. All polling at the election meeting shall be continuous and completed on the date of the election meeting. The election meeting shall not be adjourned to the next or subsequent days to permit further balloting.

ARTICLE XI – MEMBERSHIP DUES, FEES AND LEVIES

1101. The fees and dues payable by Ordinary, Associate, Affiliate Voting and Affiliate Non-Voting Members shall be as follows:
 - (1) An enrolment fee, which should not exceed the cost of supplied materials, may be created by Branch Regulations and assessed to each new member.

(2) The Annual Branch Dues shall be as determined by minute at a General Meeting held prior to the month of September. Such dues shall include per capita tax to the Commands.

1102. The dues shall become payable annually, in advance of January 1st in each calendar year. A member in arrears as of January 31st of that year is not in good standing for any purpose. Once the yearly dues have been paid, the member is **considered "in good standing."**

1103. The Executive Committee shall have the power to levy an assessment on each and every member of the Branch to meet any extraordinary expenditure in any year, provided that such expenditure has been approved by two-thirds of those voting members present at any Special General Meeting called for the purpose of considering same and is in pursuance of the purposes and objects of the Legion.

ARTICLE XII – FINANCE

1201. (1) The financial accounts of the Branch shall be reviewed following the end of the fiscal year by a Financial Review Committee as identified in Branch Regulations.

(2) The Financial Review Committee need not be chartered accountants and may or may not be members, but shall not be members of the Executive Committee of the Branch or employees of the Legion or organization thereof.

1202. The Financial Review Committee, appointed and approved at a General Meeting designated by Branch Regulations, shall hold office for (1) one year unless dismissed by a Special General Meeting, which has been called for that purpose, and of which notice shall have been at the previous meeting and in the notice calling the meeting.

1203. The Financial Review Committee Report shall be presented to the Executive Committee within ninety (90) days after the end of the fiscal year and then to the next General Meeting for approval.

1204. Branch Signing Officers for all accounts including Poppy Trust Fund Accounts shall be identified within the Branch Regulations by their respective Office or position held.

1205. No cheque shall be signed in blank.

1206. All cheques must be signed by any two of the Branch Signing Officers and each signatory on any cheque shall not be related by blood, marriage or common-law relationship to any other signatory on that cheque.
1207. All accounts payable by the Branch in excess of an amount prescribed by Branch Regulation shall only be paid by cheque.
1208. (1) All expenditures other than normal operating or emergency expenses, in excess of an amount set out in Branch Regulations which may not exceed \$500.00, must be approved at a General, Special General or Annual Meeting, prior to any commitment for such expenditure being made by the Executive Committee.
- (2) Any expenditure, other than normal operating expenses, in excess of \$1000.00, shall be referred to the Executive Committee for its recommendation to the next General Meeting, prior to any commitment for such expenditure being made by the Branch.

ARTICLE XIII – AFFILIATE MEMBERS

1301. Affiliate Voting membership is open to any Canadian citizen or Commonwealth subject who is of federal voting age and is not eligible for Ordinary or Associate membership. Affiliate Voting members shall have the same rights as Ordinary or Associate members.
1302. (1) Affiliate Non-Voting Membership is open to any citizen from an Allied country, excluding Canada and the Commonwealth, who supports the purposes and objects of the Legion, is of federal voting age and is not eligible for Ordinary, Associate or Affiliate Voting Membership. He shall have the same rights as all other members except the right to vote or hold office.
- (2) A member admitted under Subsection (1) is not permitted to apply for voting status, unless otherwise qualified.
- (3) He shall have the right to:
- (a) Attend Branch Meetings and participate in debates, but cannot enter into the voting process, including motions.
- (b) Wear Legion dress and insignia.

- (c) Act on Branch Committees as a member only, but cannot serve on a Complaint Committee.
- (d) Transfer to other Branches.
- (e) Participate in Legion sports at all levels.
- (f) Participate in all Branch social activities, and on a privilege basis, those social activities of other Branches.
- (g) Nominate a member for office, but may not vote.

ARTICLE XIV – SALARIED OFFICERS AND EMPLOYEES

1401. All salaried officers and employees of the Branch shall be appointed by and be under the control of the Executive Committee.
1402. Notice of termination shall be in compliance with the current edition of the Employment Standards Act and any other relevant legislation of the Revised Statutes of Ontario.
1403. All hiring, terminations of employment and conditions of employment must be in accordance with all currently applicable Federal and Provincial laws including the Human Rights Code.
1404. Any notice of termination and pay in lieu of notice must be in accordance with the currently applicable Federal and Provincial laws.

ARTICLE XV – REAL PROPERTY AND TRUSTEES

1501. The real property that may be held or acquired by the Branch shall be held in the name of the Branch.
1502. The Branch cannot elect or appoint a Board of Trustees to manage its affairs or hold in trust any real property that it may hold or acquire.

ARTICLE XVI – BRANCH REGULATIONS

1601. Branch Regulations may only be created and maintained in reference to those situations as provided for in these By-Laws.

1602. The creation or amendment of any Branch Regulation shall be the subject of a motion of which notice shall have been given at the previous meeting of the Branch. Such Notice of Motion shall state the wording of the proposed addition or amendment and shall be dated and signed by the voting member presenting same. The President, or his Designate, shall act on behalf of the Executive Committee respecting any proposal originating from this body under this provision.

1603. A motion to create or amend the Branch Regulations must receive the approval of at least two-thirds of the voting members present at the meeting of the Branch to become effective.

1604. Any Branch Regulation may only be amended once during any Term of Office.

Approved at the 2009 Ontario Provincial Command Convention in Burlington, Ontario.

Ed Pigeau President

Dave Gordon Executive Director



ORLEANS BRANCH REGULATIONS

BRANCH REGULATIONS

Section Number	Regulation Wording
501. (1)	The Branch shall elect three (3) Vice-Presidents at the Election Meeting
501. (2)***	<i>Item (1)</i> - The following additional Office(s) shall be elected at the Election Meeting: the Secretary and the Treasurer.
501. (2)***	<i>Item (2)</i> - The following Office(s) shall be appointed by the President after the start of the new Term of Office: the Branch Service Officer and the Sergeant-at-Arms.
502.***	The Branch shall elect a total of ten (10) Executive Committee Members.
513. (1)	A member of the Branch Executive Committee shall be appointed in the new Term of Office at the General Meeting of the Branch in the month of June by the President to act as the Liaison Officer to the Ladies' Auxiliary to the Branch.
513. (2)	The Executive Committees of the Branch and its Ladies' Auxiliary shall hold two joint meetings a year on the third Tuesday in the months of October and February starting at 7:00 pm.
601. (3)	The President shall appoint a Chairman for each of the following <u>optional Standing Committee(s)</u> : Poppy Trust, Housing, Entertainment, Hospital Visiting, Veterans and Aging, Fund Raising, Bar, Discipline, Cadet Liaison, Special Events and Lottery.
703. (3)	<i>Item (1)</i> - The Membership Chairman shall be responsible for ensuring that all new members at the time of their initiation receive a current copy of the General By-Laws of the Legion and a Legion badge.
703. (4)	The Branch shall maintain the Records which fall under the responsibility of the Secretary in an electronic format with a back-up copy stored in a separate and secure location.
704. (2)	The Branch shall maintain the Records which fall under the responsibility of the Treasurer in an electronic format with a back-up copy stored in a separate and secure location.
802.***	The Branch shall hold its monthly General Meetings on the third Tuesday in June, September, January and April starting at 7:30 pm. The months of July, August, October, November, December, February, March and May shall be excluded.
807. (1)***	<i>Item (1)</i> - The Annual General Meeting shall be held in conjunction with the General Meeting held in the month of April.
807. (2)	The Branch may conduct initiations of new members at the Annual General Meeting held in conjunction with a monthly General Meeting.
809. (1)***	<i>Item (2)</i> - A quorum for all meeting shall be twice the number of members from Executive Committee <u>present</u> at the meeting plus one (1) additional eligible voting member.
810.	<i>Item (2)</i> - In the event that any scheduled Meeting of the Branch falls on a Statutory Holiday, it shall be rescheduled to the following Tuesday starting at the same as the original scheduled meeting.

Section	Regulation wording
1001.***	<i>Item (3)</i> - The Election Meeting shall be held in conjunction with the Annual General Meeting in the month of April.
1008.	All unsuccessful candidates shall be automatically nominated for the next subordinate Senior Elected Office.
1101. (1)	A one time enrolment fee of ten dollars (\$10.00) shall be payable with the Annual Dues by all persons at the time of submission of the application for membership in the Legion.
1201.***	The membership of the Financial Review Committee shall be comprised of the following non-Executive Committee Members: three (3) Branch members.
1202.***	The Financial Review Committee shall be appointed by the President and approved at the General Meeting of the Branch held in the month of June.
1204.***	<i>Item (1)</i> - The Signing Officers for Branch Accounts, <u>excluding the Poppy Trust Fund Account</u> , shall be the following identified by their Office or Position held: the President, First Vice-President, Second Vice-President, Third Vice-President and the Branch Manager.
1204.***	<i>Item (2)</i> - The Signing Officers for the Poppy Trust Fund Account shall be the <u>Poppy Committee Chairman</u> , the Poppy Trust Chairman and the Branch Service Officer.
1207.***	All accounts payable by the Branch in excess of one hundred dollars (\$100.00) shall only be paid by cheque.
1208. (1)***	The financial authority of the Executive Committee shall not exceed five hundred dollars (\$500.00).



ORLEANS BRANCH BY-LAWS WITH BRANCH REGULATIONS

Effective: May 2013

MEMORANDUM REGARDING
BRANCH BY-LAWS AND REGULATIONS

- (1) The General By-Laws for Branches that follows will be maintained and revised by Command, when necessary, and a current copy is available on the Command Website for reference purposes.
- (2) Some Branches pay their Secretary and/or Treasurer (or Secretary Treasurer), while others do not. Regardless, the positions are considered to be Officers of the Branch, and may be voting members of the Executive Committee, if unpaid. If paid, they do not have the authority to move or second motions or vote on any business at Executive Meetings. However, they do retain the aforementioned rights as Branch Members and may exercise those rights at General Meetings.
- (3) The Act to Incorporate, The Royal Canadian Legion Act (1965 and 1990) and the General By-Laws of Dominion and Ontario Commands contain sections that are final insofar as a Branch is concerned. A Branch, however, may legislate with respect to several general matters covered by a senior authority and in particular, to provide in some detail for its management.
- (4) The following items must be addressed by Branches:
 - (a) Accounts Payable (Minimum Paid by Cheque)
 - (b) Annual Meetings Date Identified
 - (c) Auditor or Audit Committee Approval
 - (d) Branch Signing Officers Identified
 - (e) Election Meeting Date Identified
 - (f) Executive Committee Members – Total number
 - (g) Expenditure Limit of Executive Committee
 - (h) General Meetings Date & Exclusion of Months (if applicable)
 - (i) Officers Identified – Elected vs. Appointed
 - (j) Quorum Declaration
- (5) The following Items may be addressed by Branches:
 - (a) Advance Poll Provisions
 - (b) Automatic Drop Down re Election of Senior Officers
 - (c) Clubs within Branches

- (d) Committees Etc. Duties / Terms of Reference
(Excluding Employees)
 - (e) Electronic Record Storage – Secretary
 - (f) Electronic Record Storage – Treasurer
 - (g) Expansion of Duties re Officers & Executive Committee Members
 - (h) Initiation of New Members at Annual Meetings
 - (i) **Ladies' Auxiliary to the Branch**
 - (j) New Member Enrolment Fee
 - (k) Order of Business Variation – Annual Meetings
 - (l) Order of Business Variation – General Meetings
 - (m) Other Committees Established
 - (n) Reschedule of Meeting re Statutory Holiday
 - (o) Secretary Duty re New Members
 - (p) Term of Office – Change to Two Years
 - (q) Vic-Presidents – Increase to 3 from 2
- (6) Forms and Templates are available for download from the Command Website to assist Branches in remaining current in this respect.

**THE GENERAL BY-LAWS FOR BRANCHES
OF
THE ONTARIO PROVINCIAL COMMAND**

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THE GENERAL BY-LAWS FOR BRANCHES

ARTICLE I – INTERPRETATION

101. Unless the context otherwise requires or is stated otherwise in the By-Laws.
- (1) BRANCH shall be a Branch of the Legion within the jurisdiction of the Ontario Provincial Command.
 - (2) BRANCH REGULATIONS approved by the Branch shall have the same authority and effect as these By-Laws and shall be a permissible extension to same.
 - (3) COMMAND shall be the Ontario Provincial Command of the Legion
 - (4) FISCAL YEAR shall be June 1 to May 31 of the following year except for Poppy Trust Funds which shall be October 1 to September 30 of the following year.
 - (5) LEGION shall be The Royal Canadian Legion.
 - (6) MASCULINE words shall include the feminine.
 - (7) MEMBER means a person who has been duly admitted to any of the membership categories provided for in the General By-Laws of the Legion.
 - (8) MEMBER IN GOOD STANDING means a Member who has been initiated and who is not under suspension or in arrears in payment of dues.
 - (9) SECRETARY-TREASURER shall be included when Secretary or Treasurer is mentioned.
 - (10) SINGULAR words shall include the plural where the context requires.
 - (11) TERM OF OFFICE shall commence on June 1 and end on May 31 of the following year, or if a two year term, shall end on May 31 of the second following year. This term of office shall also apply to all Standing Committee Chairmen with the exclusion of the Track and Field Chairman whose term shall commence on August 1 and end on July 31 of the applicable Branch term.

ARTICLE II – NAME AND OBJECTS

201. The Branch shall be known and identified with the Branch Name followed by the Branch Number and shown in the following format Name (Ont. No. _____) Branch.
202. The purposes and objects shall be as set forth in the following:
- The Act to Incorporate the Legion.
 - The General By-Laws of The Royal Canadian Legion.
 - The General By-Laws of The Ontario Provincial Command of the Legion.

ARTICLE III – MEMBERSHIP

301. Membership in the Branch is open to all categories permitted by the General By-Laws of the Legion which are Life, Ordinary, Associate, Affiliate and Affiliate Non Voting.
302. (1) All applications for original or reinstating membership shall be presented to a General or Special General Meeting for approval or otherwise.
- (2) The Executive Committee has the authority to approve applications for membership during the months when regularly scheduled General Meetings are not held.

ARTICLE IV – QUALIFICATION TO VOTE AND/OR HOLD OFFICE

401. Only Life, Ordinary, Associate and Affiliate-Voting Members, in good standing, shall have the right to vote or hold office. Meritorious Life Members shall only have the right to vote at the Branch level.
402. A voting member, to be eligible for election to any Branch Office, must be in good standing for the year in which the election is held.
403. A voting member will be required to have served at least one term on the Branch Executive Committee to be eligible to be elected President or Vice-President.
404. A voting member will be required to have been a member of the Branch for a period of one year prior to the date of the election to be eligible for election to the Branch Executive Committee.

405. (1) No member who is a full time, regular part time or elect to work employee of any Branch or Command, or any organization thereof, who receives directly or indirectly any salary or wages for or on account of any service rendered to the Branch or Command or organization thereof, shall be eligible to hold any Executive position in the Branch. Any employee as defined in this section who is successful in his bid for office must resign his paid position before his term of office can commence.
- (2) Notwithstanding the provisions of this section, members of the Ladies Auxilliary employed by a Branch or Command may, at the discretion of the Branch or Command, hold office in the Auxilliary.
406. No member shall hold more than one elected office in the Branch.
407. The offices of Secretary and Treasurer shall not be held by the President or any of the Vice-Presidents.
408. The President shall not hold the position of Ladies Auxiliary Liaison Officer.
409. The Term of Office shall be for one year unless Branch Regulations make provision for a two year term.

ARTICLE V – OFFICERS AND EXECUTIVE COMMITTEE

501. (1) The Senior Officers shall consist of the President, Immediate Past President and three (3) Vice-Presidents.
- (2) *Item (1)* - The following additional Office(s) shall be elected at the Election Meeting: the Secretary and the Treasurer.
- Item (2)* – The following Office(s) shall be appointed by the President after the start of the new Term of Office: the Branch Service Officer and the Sergeant-at-Arms.
502. The Branch shall elect a total of ten (10) Executive Committee Members.

503. (1) The Executive Committee shall have the power to add to its numbers by motion at a meeting, such additional voting members as may be deemed advisable provided that such additions shall become effective only upon the approval of the Branch at its next General Meeting.
- (2) The effective date of any such appointment shall be deemed to be from the date of the Executive Committee Meeting at which the motion for appointment was made and approved.
504. Insofar as it may relate to the operation of the functions of the Branch, subject to the control of General, Special General or Annual Meetings, the Executive Committee shall have all the powers of the Branch, except to appoint Auditors, amend the Branch Regulations or amend the Branch Clubhouse Rules.
505. A majority of the Executive Committee shall constitute a quorum for the conduct of business at their meetings.
506. (1) Monthly meetings of the Executive Committee shall be held on a day fixed by the Committee, or at the call of the President.
- (2) The passing of accounts, transaction of current business, examination and discussion of any suggestions made for the general welfare of the Legion or the Branch and such other business as may be introduced shall form the monthly Executive Meeting Agenda.
507. The Executive Committee shall be required to see that all officers, members and employees handling funds of the Branch are properly bonded.
508. The Executive Committee may, from time to time, appoint committees or individuals to carry out any of the advisable or necessary functions of the Branch.
509. (1) Any Executive Committee Member; excluding the Immediate Past President; who absents himself from three (3) consecutive, or a maximum of any five (5) regular meetings of the Branch and/or Executive Committee within a twelve (12) month period shall cease to be a member of the Executive Committee unless granted a leave of absence by same.
- (2) Should the Immediate Past President be absent from three (3) consecutive meetings of either the Executive Committee or the Branch, or a combination of both, without due cause satisfactory to the Executive Committee, he shall cease to hold office.

510. The Executive Committee shall have the power to fill by appointment, any interim vacancy, other than a Senior Officer, which may occur on the Executive Committee during its tenure of office. Such appointment shall only become effective upon the approval of the Branch at its next General Meeting.
511. (1) Where a vacancy occurs in the office of President or Vice-President, the next ranking Vice-President shall succeed to the vacant office.
- (2) Where a vacancy is created within the Executive Committee Members by the aforementioned succession, the President shall fill such vacancy by appointment.
- (3) Where a vacancy is created within the Executive Committee Members by the aforementioned succession, the President shall fill such vacancy by appointment.
- (4) All appointments under these provisions shall only become effective upon the approval of the Branch at its next General Meeting.
- (5) A member who succeeds to any of the offices under these provisions shall hold his new office until the next election of Branch offices.
- (6) The above provisions may be employed on an interim basis when the President or a Vice-president is the subject of removal from office pending a disposition under Article III of the General By-Laws of the Legion.
512. In the event of the death, resignation, inability to act, or removal of the Immediate Past President, the Executive Committee shall appoint a former Branch President to fill the position for the remainder of the term.
513. (1) A member of the Branch Executive Committee shall be appointed in the new Term of Office at the General Meeting in the month of June by the President to act as the Liaison Officer to the Ladies' Auxiliary to the Branch. The position shall not be held by the Branch President and where possible should not be held by a member of the said Ladies' Auxiliary.
- (2) The Executive Committees of the Branch and its Ladies' Auxiliary shall hold two joint meetings a year on the third Tuesday in the months of October and February starting at 7:00 pm.

ARTICLE VI – COMMITTEES

601. (1) The following Standing Committee Chairmen shall be appointed by the President for the approval of the Executive Committee at its first meeting of the new term:
- (a) Legion Seniors;
 - (b) Membership;
 - (c) Poppy;
 - (d) Public Relations;
 - (e) Sports;
 - (f) Track and Field;
 - (g) Training and Organizational Development;
 - (h) Veterans Services;
 - (i) Youth Education.
- (2) All Chairmen [(a) to (i)] inclusive shall be members of the Executive Committee and they shall be the official recipient of all correspondence relating to their respective committee.
- (3) The President shall appoint the Chairman for each of the following optional Standing Committee(s): Poppy Trust, Housing, Entertainment, Hospital Visiting, Veterans and Aging, Bar, Discipline, Cadet Liaison, Special Events and Lottery. Such appointments shall only become effective upon the approval of the Branch at its next General Meeting.
602. The President may appoint such other members as he may deem advisable to any Standing Committee and he shall advise each Standing Committee of its duties and limitations.
603. The President may appoint, with the approval of the Executive Committee, as circumstances warrant, any voting member of the Branch to chair a Special Committee to take up any matter concerning the Branch.
604. Any Committee shall choose a Chairman of the meeting from those members present if the Committee Chairman is absent and no Acting Chairman has been previously identified for the meeting.
605. Committee Chairmen shall have the power to add to their committee, such other members of the Branch as may be necessary.
606. A majority of any Standing or Special Committee shall constitute a quorum for the transaction of business.

607. All reports of committees shall be presented in writing and those of:
- (1) Standing Committees must be signed by the Chairman or Acting Chairman.
 - (2) Special Committees must be signed by all members who concur with the report.
 - (3) Minority reports of Special Committees must be signed by those members who do not concur in the report and the report shall indicate that its existence is acknowledged by the majority of members of the committee.
608. The President may appoint any member of the Branch or any other person to act in the interest of ex-service personnel on any committee, inside or outside the Legion, requiring such representation. The term of office for this appointment shall expire at the first meeting of the new term of the Executive Committee. The member or other person appointed shall file all reports in writing and direct them to the Executive Committee.

ARTICLE VII – DUTIES OF OFFICERS AND EXECUTIVE COMMITTEE

701. (1) The President shall:
- (a) Preside at all meetings of the Branch and Executive Committee, unless the Branch has a Chairman, and enforce order and strict observance of the By-Laws, except that the Executive Committee may name some other voting member to act as the Chairman for the conduct of Branch Elections;
 - (b) If acting as the Presiding Officer at any meeting, have the deciding vote on any matter that has resulted in an equal division of votes provided that he has not already voted on the question;
 - (c) Exercise general supervision and control over the Executive Committee and business of the Branch;
 - (d) Call meetings of the Executive Committee or of the Branch, when considered advisable, subject to provisions found elsewhere in these By-Laws;
 - (e) Transact such other business as may pertain to his office;

- (f) Ensure that the Branch is represented at all Zone and District Conventions and Zone Council Meetings;
 - (g) Be ex-officio a member of all committees, except Complaint and Nomination Committees.
- (2) The President may designate another voting member to act as Presiding Officer of any meeting unless the Branch has a Chairman.
- (3) The rights and powers vested in the President shall, in his temporary absence or disability, be vested in the next senior Vice-president who is available for these duties.
702. (1) The Vice-Presidents shall:
- (a) Assist the President, upon his request, in the performance of his duties;
 - (b) Accept, if appointed, the Chairmanship of a Standing Committee;
 - (c) Attend other Branch Committee meetings, if not a member, upon request by the President;
 - (d) Attend other meetings and conventions upon the request of the President, when practicable.
- (2) The Vice-Presidents should become familiar with and maintain a good working knowledge of these By-Laws and the General By-Laws of Dominion and Provincial Commands.
703. (1) The Secretary shall:
- (a) Keep a record of the proceedings of all meetings of the Branch and Executive Committee;
 - (b) Be required, at every business meeting, to have the proper minute, records, correspondence and any other documentation that he may have in his possession relative to the business likely to be transacted at the said meeting;
 - (c) Be responsible for the maintenance, retention and safekeeping of all records;

- (d) Bring all correspondence, as soon as practicable, to the attention of the President or other appropriate Officer;
 - (e) Be the custodian of the Branch Seal;
 - (f) Be the recipient of all complaints against Branch members excluding those lodged by or against the Secretary and complete the duties as required under Article III of the General By-Laws of the Legion.
- (2) The Secretary shall act at all times and in all respects entirely at the will and direction of the Executive Committee. He shall conform to all such policies and procedures as the Executive Committee may determine.
- (3) *Item (1)* - The Membership Chairman shall be responsible for ensuring that all new members at the time of their initiation receive a current copy of the General By-Laws of the Legion and a Legion badge.
- (4) The Branch shall maintain the Records which fall under the responsibility of the Secretary in an electronic format with a backup copy held in a separate location for safekeeping.

704. (1) The Treasurer shall:

- (a) Keep an accurate account of all monies received or paid out by the Branch and a record of all other financial transactions;
 - (b) Deposit all funds in an account held in the name of the Branch at a Branch of a Chartered Bank of Canada, Trust Company or Caisse Populaire, as approved and directed by the Branch;
 - (c) Keep the books and other financial records at the Branch and they shall be open for inspection by the Executive Committee at all times;
 - (d) When required by the executive Committee, submit a detailed balance sheet arranged in a proper and businesslike style containing a summary of the property and liabilities of the Branch along with all its financial dealings.
- (2) The Branch shall maintain the Records which fall under the responsibility of the Treasurer in an electronic format with a backup copy held in a separate location for safekeeping.

705. (1) The Sergeant at Arms shall:
- (a) Assist the Presiding Officer at any meeting of the Branch or Executive Committee in maintaining order;
 - (b) Ensure that only eligible members in good standing are permitted to attend meetings;
 - (c) Be responsible for the Branch Colours and Insignia;
 - (d) Be responsible for arranging and completing ceremonial duties as required;
- (2) The Sergeant at Arms, once installed, shall assume his role for the remainder of the installations.
- (3) The Sergeant at Arms shall complete such other duties as assigned by the President.
706. (1) The Branch Chairman, if provided for in the Branch Regulations, shall:
- (a) Preside at all meetings of the Branch and Executive Committee, and enforce order and strict observance of the By-Laws;
 - (b) Ensure that a quorum exists prior to calling the meeting to order;
 - (c) Have the deciding vote on any matter that has resulted in an equal division of votes provided that he has not already voted on the question;
 - (d) Perform such other duties as approved by the meeting of the Branch or Executive Committee.
- (2) The Executive Committee may name some other voting member to act as the Chairman for the conduct of Branch Elections.
707. The Executive Committee Members shall:
- (a) Accept, if appointed, the Chairmanship of a Standing Committee;
 - (b) Accept, if appointed, the Chairmanship of a Special Committee;

(c) Attend Committee Meetings as required or requested.

708. Branch Regulations may make provision to expand any of the above duties to accommodate Branch requirements provided that they refer specifically to those issues and activities which relate solely to the internal operations of the Branch.
709. Branch Regulations may make provision for the duties and Terms of Reference respecting any Committee other than the Executive Committee and any other Branch Position excluding employees.
710. All organized groups consisting of Legion members within the Branch as identified in the Branch Regulations, shall be administered by the Branch Officers and their funds shall be administered by the Branch Treasurer.

ARTICLE VIII – MEETINGS

801. All members in good standing may attend and speak at Branch Meetings.
802. The Branch shall hold its monthly General Meetings on the third Tuesday in June, September, January and April starting at 7:30 pm. The months of July, August, October, November, December, February, March and May shall be excluded.
803. General Meetings shall be held for the purpose of carrying out the activities of the Branch and for advance of the aims and objects of the Legion within the limits of and subject to the Act to Incorporate, The Royal Canadian Legion Act (1965 and 1990), these By-Laws, Branch Regulations to the By-Laws, the By-Laws of Dominion and Ontario Provincial Commands of the Legion and to any regulations issued by the aforementioned Commands.
804. The following Order of Business shall govern at all General Meetings unless Branch Regulations make provision for variation:
- (1) Call to order by the Presiding Officer;
 - (2) Opening Ceremony as determined by the Ritual approved by Dominion Command;
 - (3) Motion for Deviation from the agenda (if necessary);
 - (4) Ceremony of Admission of new Members;
 - (5) Minutes of the previous General Meeting, Executive Meeting(s) and any Special General Meeting held since the last General Meeting;
 - (6) Business arising from the Minutes and unfinished business;
 - (7) **President's Report;**
 - (8) **Treasurer's Report;**

- (9) Correspondence;
- (10) Reports of Standing Committees;
- (11) Reports of Special Committees;
- (12) General and New Business including matters respecting the welfare of the Legion or the Branch;
- (13) Tabling of Notices of Motion;
- (14) Motion for Adjournment; and
- (15) Closing Ceremony.

805. (1) Special General Meetings shall be called by the Secretary within two weeks of the receipt of a written petition signed by not less than ten (10) percent of the paid up voting membership. A Special General Meeting may also be called by the Executive Committee.
- (2) Any Notice calling such Special General Meeting shall briefly describe the purpose of the meeting and all members shall be notified of said meeting at least seven (7) days before the date of the meeting.
- (3) Notice of any Special General Meeting held to discuss mortgaging, leasing or the conveying of Branch property shall be given to each member in good standing by mailing the notice to the last known address of the member at least ten (10) days before the date of the meeting.

806. The following Order of Business shall govern at all Special General Meetings:

- (1) Call to order by the Presiding Officer;
- (2) Opening Ceremony as determined by the Ritual approved by Dominion Command;
- (3) Special business for which the meeting has been called;
- (4) Motion for Adjournment; and
- (5) Closing Ceremony.

807. (1) *Item (1)* - The Annual General Meeting shall be held in conjunction with the General Meeting held in the month of April.

(2) The Branch may conduct initiations of new members at the Annual General Meeting held in conjunction with a monthly General Meeting.

808. The following Order of Business shall govern at all Annual Meetings unless Branch Regulations make provision for variation:

- (1) Call to order by the Presiding Officer;
- (2) Opening Ceremony as determined by the Ritual approved
- (3) Motion for Deviation from the agenda (if necessary);
- (4) Minutes of the previous General Meeting, Executive Meeting(s) and any Special General Meeting held since the last General Meeting;
- (5) Business arising from the Minutes and unfinished business;
- (6) **President's Annual Report (Maximum 10 minutes)**
- (7) **Treasurer's Report;**
- (8) Correspondence;
- (9) Reports of Standing Committees (Maximum five (5) minutes per Committee);
- (10) Reports of Special Committees (Maximum five (5) minutes per Committee);
- (11) Motions or Special Business of which Notice was previously given;
- (12) General and New Business including matters respecting the welfare of the Legion or the Branch;
- (13) Tabling of Notices of Motion;
- (14) Introduction of Election Chairman (**Note:** Election Process shall not start later than ninety (90) minutes after the established start of the meeting);
- (15) Report of Nominating Committee, if established;
- (16) Order of Election
 - (a) President
 - (b) 1st Vice-President
 - (c) 2nd Vice-President
 - (d) 3rd Vice-President (if applicable)
 - (e) Executive Committee Members
 - (f) Secretary (If elected)
 - (g) Treasurer (If elected)
 - (h) Sgt. at Arms (If elected)
 - (i) Chaplain (If elected)
 - (j) Branch Chairman (If applicable / If elected)
- (17) Installations
- (18) Motion for Adjournment; and
- (19) Closing Ceremony.

809. (1) A quorum for all meeting shall be twice the number of members from Executive Committee present at the meeting plus one (1) additional eligible voting member.
- (2) In cases where there are less than twenty (20) active Members, Branch Regulations may include a provision of a quorum for the aforementioned meetings by establishing a number greater than the total of the Executive Committee.
810. In the event that any scheduled Meeting of the Branch falls on a Statutory Holiday, it shall be rescheduled to the following Tuesday starting at the same as the original scheduled meeting.

ARTICLE IX – PROCEDURE

901. (1) In the absence or disability of the President, unless there is a Branch Chairman, the next senior Vice-president who is available shall act in his place.
- (2) In the absence or disability of the President, Branch Chairman, if applicable, and all Vice-Presidents, the Secretary shall call the meeting to order and a temporary Chairman shall be elected for that meeting.
902. The Presiding Officer of any meeting shall rule out of order all matters pertaining to political or religious questions which do not refer to the well being of the Legion.
903. The Presiding Officer of any meeting shall enforce order and strict observance of these By-Laws, the Branch Regulations and the General By-Laws of the Provincial and Dominion Commands.
904. The Presiding Officer shall have the right to decide all questions of order, subject to an appeal by the meeting, of which the said appeal must be sustained by a majority vote of the voting members present.
905. The Presiding Officer shall; when debate has ceased on any question; put same to an open vote, giving the words of the motion clearly so that no voting member may misunderstand the question on which he is about to vote. In the event, however, that a majority of the voting members present demand a secret ballot on any particular question, such question shall be decided by secret ballot.

906. A member wishing to introduce a motion, or to speak, shall stand and wait until he is recognized by the Presiding Officer before speaking.
907. Business, upon which a Notice of Motion has not been given, may be taken up at a General Meeting but not at a Special General or Annual Meeting.
908. Where business arises of which no Notice of Motion has been given, the Presiding Officer may, if he considers it in the interests of the Branch, table to the next meeting the debate on such business.
909. In all matters of procedure not provided for by these By-Laws or the Branch Regulations to these By-Laws, **the provisions of the Legion's "Rules of Procedure for Legion Meetings" shall apply.** In all cases where the aforementioned rules do not make adequate provision, then, and only then, shall the procedure be governed by the Rules of Order approved by Dominion Command.

ARTICLE X – NOMINATIONS AND ELECTIONS

1001. The Election Meeting shall be held in conjunction with the Annual General Meeting in the month of April.
1002. A nomination meeting may be held prior to the Election Meeting and may be held in conjunction with a General Meeting.
1003. Nominations for Branch offices may be re-opened at the Election meeting if no advance poll was held.
1004. No voting member may be nominated for an office unless he is present or has signified in writing his willingness to accept such office. This section shall not apply to any approval respecting the position of auditor.
1005. The Branch, through a provision in the Branch Regulations, may hold an advance poll on the date of the Election Meeting.
1006. The voting for election of the President, Vice-Presidents, Executive Committee Members and any other identified elected office in the Branch Regulations, shall be by ballot except in the case of acclamation.
1007. In order to be elected to office, a candidate must receive a majority of the total ballots cast and if there are more than two candidates and no one receives the required majority, the candidate receiving the least number of votes shall be

withdrawn from the election and the voting shall continue until one candidate receives the required majority.

1008. All unsuccessful candidates shall be automatically nominated for the next subordinate Senior Elected Office.

1009. The voting for election of Branch Executive Committee members shall be by ballot on a single vote unless there is a tie for the final position which will be decided through a further vote until there is a clear majority.

1010. The Chief Scrutineer shall report the results after each vote to the Election Chairman.

1011. The Election Chairman shall report to the meeting the total ballots cast, the number of spoiled ballots, the successful candidate(s) or, if no candidate has received the required majority, the name of the candidate who received the least number of votes. The latter candidate shall be removed from the ballot and the voting shall continue.

1012. All polling at the election meeting shall be continuous and completed on the date of the election meeting. The election meeting shall not be adjourned to the next or subsequent days to permit further balloting.

ARTICLE XI – MEMBERSHIP DUES, FEES AND LEVIES

1101. The fees and dues payable by Ordinary, Associate, Affiliate Voting and Affiliate Non-Voting Members shall be as follows:

- (1) A onetime enrolment fee of ten dollars (\$10.00) shall be payable with the Annual Dues by all persons at the time of submission of the application for membership in the Legion.
- (2) The Annual Branch Dues shall be as determined by minute at a General Meeting held prior to the month of September. Such dues shall include per capita tax to the Commands.

1102. The dues shall become payable annually, in advance of January 1st in each calendar year. A member in arrears as of January 31st of that year is not in good standing for any purpose. Once the yearly dues have been paid, the member is **considered "in good standing."**

1103. The Executive Committee shall have the power to levy an assessment on each and every member of the Branch to meet any extraordinary expenditure in any year, provided that such expenditure has been approved by two-thirds of those voting members present at any Special General Meeting called for the purpose of considering same and is in pursuance of the purposes and objects of the Legion.

ARTICLE XII – FINANCE

1201. (1) The financial accounts of the Branch shall be reviewed following the end of the fiscal year by a Financial Review Committee. The membership of the Financial Review Committee shall be comprised of the following non-Executive Committee Members: three (3) Branch members.

(2) The Financial Review Committee need not be chartered accountants and may or may not be members, but shall not be members of the Executive Committee of the Branch or employees of the Legion or organization thereof.

1202. The Financial Review Committee shall be appointed by the President and approved at the General Meeting of the Branch held in the month of June and shall hold office for (1) one year unless dismissed by a Special General Meeting, which has been called for that purpose, and of which notice shall have been at the previous meeting and in the notice calling the meeting.

1203. The Financial Review Committee Report shall be presented to the Executive Committee within ninety (90) days after the end of the fiscal year and then to the next General Meeting for approval.

1204. *Item (1)* - The Signing Officers for Branch Accounts, excluding the Poppy Trust Fund Account, shall be the following identified by their Office or Position held: the President, the First Vice-President, the Second Vice-President, the Third Vice-President and the Branch Manager.

Item (2) - The Signing Officers for the Poppy Trust Fund Account shall be the Poppy Committee Chairman, the Poppy Trust Chairman and the Branch Service Officer.

1205. No cheque shall be signed in blank.

1206. All cheques must be signed by any two of the Branch Signing Officers and each signatory on any cheque shall not be related by blood, marriage or common-law relationship to any other signatory on that cheque.
1207. All accounts payable by the Branch in excess of one hundred dollars (\$100.00) shall only be paid by cheque.
1208. (1) The financial authority of the Executive Committee shall not exceed five hundred dollars (\$500.00). All expenditures, other than normal operating or emergency expenses, in excess of this amount, must be approved at a General, Special General or Annual Meeting, prior to any commitment for such expenditure being made by the Executive Committee.
- (2) Any expenditure, other than normal operating expenses, in excess of \$1000.00, shall be referred to the Executive Committee for its recommendation to the next General Meeting, prior to any commitment for such expenditure being made by the Branch.

ARTICLE XIII – AFFILIATE MEMBERS

1301. Affiliate Voting membership is open to any Canadian citizen or Commonwealth subject who is of federal voting age and is not eligible for Ordinary or Associate membership. Affiliate Voting members shall have the same rights as Ordinary or Associate members.
1302. (1) Affiliate Non-Voting Membership is open to any citizen from an Allied country, excluding Canada and the Commonwealth, who supports the purposes and objects of the Legion, is of federal voting age and is not eligible for Ordinary, Associate or Affiliate Voting Membership. He shall have the same rights as all other members except the right to vote or hold office.
- (2) A member admitted under Subsection (1) is not permitted to apply for voting status, unless otherwise qualified.
- (3) He shall have the right to:
- (a) Attend Branch Meetings and participate in debates, but cannot enter into the voting process, including motions.
- (b) Wear Legion dress and insignia.

- (c) Act on Branch Committees as a member only, but cannot serve on a Complaint Committee.
- (d) Transfer to other Branches.
- (e) Participate in Legion sports at all levels.
- (f) Participate in all Branch social activities, and on a privilege basis, those social activities of other Branches.
- (g) Nominate a member for office, but may not vote.

ARTICLE XIV – SALARIED OFFICERS AND EMPLOYEES

1401. All salaried officers and employees of the Branch shall be appointed by and be under the control of the Executive Committee.
1402. Notice of termination shall be in compliance with the current edition of the Employment Standards Act and any other relevant legislation of the Revised Statutes of Ontario.
1403. All hiring, terminations of employment and conditions of employment must be in accordance with all currently applicable Federal and Provincial laws including the Human Rights Code.
1404. Any notice of termination and pay in lieu of notice must be in accordance with the currently applicable Federal and Provincial laws.

ARTICLE XV – REAL PROPERTY AND TRUSTEES

1501. The real property that may be held or acquired by the Branch shall be held in the name of the Branch.
1502. The Branch cannot elect or appoint a Board of Trustees to manage its affairs or hold in trust any real property that it may hold or acquire.

ARTICLE XVI – BRANCH REGULATIONS

1601. Branch Regulations may only be created and maintained in reference to those situations as provided for in these By-Laws.

1602. The creation or amendment of any Branch Regulation shall be the subject of a motion of which notice shall have been given at the previous meeting of the Branch. Such Notice of Motion shall state the wording of the proposed addition or amendment and shall be dated and signed by the voting member presenting same. The President, or his Designate, shall act on behalf of the Executive Committee respecting any proposal originating from this body under this provision.

1603. A motion to create or amend the Branch Regulations must receive the approval of at least two-thirds of the voting members present at the meeting of the Branch to become effective.

1604. Any Branch Regulation may only be amended once during any Term of Office.

Approved at the 2009 Ontario Provincial Command Convention in Burlington, Ontario.

Ed Pigeau President

Dave Gordon Executive Director

NOTES ON BRANCH RULES

BACKGROUND

Branch Rules originated and came into effect when Tom Morrice was President during the period 1999 to 2000. As his 1st Vice President and Special Projects Chairman it fell to me to work with Tom developing these “house rules”. I can’t remember which General Meeting where they were approved and came into effect but once issued in print in 2000 they were never modified or updated (therefore they remained in effect and were used as a guide for what the Branch wanted in the way of behavior, dress, etc.

As Past President I took on the portfolio of By Laws Chairman and the first item I took on was updating the Branch Rules. Since I just lost what I had written next I will make a long story short. After consulting with some Past Presidents a number of changes were suggested. Those that involved only minor revision were put into a copy of the Rules and put in Italics. These were made to reflect change by clarifying some areas and to reflect changes in Branch operations. It was also decided that para 6 no longer was necessary. These proposed changes were put forward at the General Meeting on the 19th of January 2010. The changes were approved at the meeting and the new Branch Rules became effective that date.

Two changes have been made since:

- As a result of a Provincial Command review of our Branch Rules the term “summary disposition” was removed from para 5 as it is no longer part of the disciplinary process.
- As our new Branch By Laws has reduced our number of General Meetings from five to four a year (now being January, April, June and September). This change was made to para 17.

Included in the hard copy file and in the electronic file is:

- The new Branch Rules in PDF format suitable for printing



Bud Dion

To All Members

The purpose of this pamphlet is to inform all members of the standard of conduct and discipline expected when they are in attendance at the Branch. Every member's understanding and conformance to these rules will spare any embarrassment to members and/or guests.

Your observance of these rules will ensure all members and guests derive the greatest enjoyment in pleasant surroundings and a relaxed atmosphere.

Branch Rules (Effective - 19 January 2010)

1. The bar hours will be from 1100 hrs to 0100 hrs Monday through Saturday and from 1200 hrs to 1800 hrs on Sunday *or as amended by the Branch Executive*.
2. The Bar Steward on duty shall:
 - a) have absolute authority to enforce the rules of the L.L.B.O. and these Branch House Rules;
 - b) ensure that guests are signed in by their sponsors and that out-of-town guests to the Branch sign in the guest book;
 - c) *if in doubt about customer's age*, not serve the customer without proper identification (Proof of Majority Card or current Driver's License or Military ID Card); and
 - d) refuse to serve any individual who, is under the influence of alcohol or some other substance to such an extent so as to endanger their own safety or the safety of others (this will be at the Bar Steward's judgement and discretion).
3. Subject to Rule #2, all members of The Royal Canadian Legion *visiting from outside the Ottawa/Carleton Region*, upon showing proof of membership, will be accorded all privileges of Branch #632.
4. All members must conduct themselves in a manner that will not offend their fellow members. Obnoxious behavior, abusive or foul language will not be tolerated. Persons engaged in fighting will be escorted from the premises immediately. Anyone contravening this rule will be dealt with through a disciplinary hearing and a summary disposition.

5. Members and guests will show the proper respect for the furnishings and fittings of the Branch, including all items on display. Any person who causes willful damage shall be assessed the cost of repair or replacement and will be subject to a disciplinary hearing.

6. No member or guest or any other person may bring or remove any alcoholic beverage to or from the Branch.

7. Dress for members and guests using the members' lounge shall at all times be neat, clean and tidy. Members and guests attending the Branch after work in soiled work clothes are encouraged to use the Ernie Schnubb pub area. Patrons engaged in team sports activities are allowed in uniform in the Ernie Schnubb Pub (games room area) and Sverre Aas Patio only (less headdress unless otherwise posted for special events).

- a) Cut-offs (jeans or otherwise) are not a recognized form of attire for the Branch;**
- b) Shirts must be devoid of vulgar slogans or illustrations;**
- c) Men are not allowed to wear "muscle shirts" or tank tops at any time in the Branch;**
- d) Specific summer dress regulations for a designated period between 1 May and 1 October will be posted at the Branch and published in the Banner.**
- e) Sport shorts or bathing trunks\swim suits are not proper dress at any time in the Branch;**
- f) All members are to wear foot covering in the Branch;**
- g) Males with open sandals or similar type of foot covering are encouraged to wear socks. In any situation, health and sanitary considerations will prevail over personal choice or comfort; and**
- h) Any dress regulation laid down for a specific event by the Executive Committee shall take precedence over the normal dress regulation and will be strictly enforced.**

8. *At no time will the members' lounge be totally out-of-bounds to members. Any other part of the building which has been rented out shall be out-of-bounds to all members with the exemption of the Sgt-at-Arms and guests of the renter.*

9. No animals or pets shall be permitted in the building with the exemption of guide dogs.

10. All members utilizing the facilities of the bar are requested to return empty glasses and bottles to the bar. Members and guests can also assist in maintaining the Branch in a neat and tidy manner by returning pool cues to the racks provided. The partitions separating the members's lounge and the dining area are not to be used for setting drinks and ashtrays.

11. All clientele must vacate the premises no later than one half hour after the bar has been closed.

12. All members are to respect the rights of each other and are not to interfere with the social pastimes of others unless specifically invited to do so.

13. On those occasions when the members' (Don Hallman) lounge must be set up for an evening function, members are to retire to the Ernie Schnubb Pub (games room area) on the upper level for continued service.

14. Members are expected to use the parking area on either side of the building. The driveways around the sides and rear of the building are fire lanes and are to be kept clear at all times. Vehicles left in these lanes will be towed at the owner's expense. Vehicles parked in the signed handicap parking areas and not displaying proper handicap identification are liable to ticketed and/or towed at the owners expense.

15. All members are expected to renew their membership no later than December 31st for the following year.

16. All members are expected to donate freely of their time, a minimum of four hours per year, for Legion tasks.

17. All members are advised that the second Tuesday of every month is an Executive Meeting and the third Tuesday of *September, January, April, and June* is a General Meeting of the Branch. The General Meeting in *April* of each year is the Annual General Meeting when members will elect the Officers of the Branch for the next year.

18. Members are advised that gentlemen, except for medical or religious reasons, are not to wear headdress of any kind in those areas of the Branch being used exclusively by members of the Branch.

19. Under normal circumstances, children under the age of thirteen, unless under the direct supervision of a member, are not allowed in the Don Hallman Lounge or the Ernie Schnubb Pub. Children, when allowed in these areas or public access areas of the Branch during special events, are guests of the Branch, but their sponsors are responsible to ensure they are under control at all times. No guests under the legal drinking age are permitted to use the games room equipment unless under the strict supervision of a member. Members who do not properly supervise their under age guests may be requested to leave by the duty bar staff.

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