



## **BC/YUKON COMMAND OF THE ROYAL CANADIAN LEGION**

Gibsons Branch No. 109

### **BRANCH MASTER BY-LAWS**

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## **ARTICLE I**

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### **GENERAL**

#### **INTERPRETATION**

Unless the context otherwise requires:

101. "Legion" or "Dominion Command" means "The Royal Canadian Legion" or "Dominion Command of The Royal Canadian Legion," respectively.
102. "The GBL's" means The General By-Laws of The Royal Canadian Legion. The national by-laws are the uppermost authority for the organization and shall have jurisdiction over all matters arising within them. The most current version is available on the Dominion Command website.
103. The "Act" means The Act to Incorporate The Royal Canadian Legion (1981) (Statutes of Canada 1948, Chapter 84, as amended). Legion branches are chartered under the authority of this Act. Booklet available on the Dominion Command website.
104. "Chapter 53" means The Royal Canadian Legion Act. Branches in British Columbia are governed by this provincial enabling legislation which was approved by the provincial government in 1956, with amendments in 1962, 1964 and 1980. Available on the BC/Yukon Command website.
105. "Branch" means "Gibsons (British Columbia/Yukon No. 109) of The Royal Canadian Legion." Reference to decisions made by the branch means all voting members in good standing, not just the executive committee.

106. "Member" means a person who has been duly admitted to any of the types of membership categories provided for in Article II of The GBL's and whose application has been approved at a general meeting.
107. "Member in Good Standing" means a member who has been initiated and who is not under suspension or is not in arrears in payment of dues.
108. In these by-laws, all reference to "general meetings" or "approval of the general membership" is to be considered a "duly constituted general meeting."
109. "Notice of Motion" – When the branch is recommending amendments to their by-laws or when a branch is recommending a change to the membership dues, a Notice of Motion shall be presented to a general meeting, and then voted on at a subsequent general meeting.
110. In these by-laws, words indicating the masculine, import the feminine and singular words include the plural.

See Article I of The GBL's for more interpretations.

## **ORGANIZATION**

### **GENERAL**

111. The corporate structure of the Legion as created by the Act, currently qualifies branches in Canada as part of a non-profit organization under the Income Tax Act of Canada. See Section 103.a of The GBL's.

### **POLICY STATEMENTS**

112. Only the branch president, or a person delegated by him, after consultation with the executive committee of the branch, shall make public any statement, oral or written, as to the policy of the branch, in connection with any question or matter declared as policy by a general meeting of the branch.

### **PROVINCIAL COMMAND**

113. BC/Yukon Command includes branches organized in British Columbia and the Yukon Territory and may include the States of Washington and Oregon in the USA.
114. Subject to powers of Dominion Command, and The GBL's, BC/Yukon Command has jurisdiction over all matters arising within its territorial limits.

115. The responsibility for organizing and supervising branches within the territorial jurisdiction of BC/Yukon Command, and their compliance with the purposes and objects of the Legion, rests with the command.

#### **BRANCH CHARTER**

116. When any branch fails to maintain the minimum membership required by this section, the charter of the branch may be withdrawn.
117. Every branch is limited in the exercise of its powers to its own territory, and any activities contemplated outside that territory must first be approved by BC/Yukon Command.
118. The jurisdiction of a branch refers specifically to those issues and activities which relate solely to the internal operations of the branch. A branch may not issue by-laws or policy statements or authorize activities which impinge on the image or operations of the Legion as a whole.
119. Only a duly constituted special general meeting of the branch or the Dominion president, after enquiry and for cause clearly stated, may revoke the charter of any branch.

#### **CHANNEL OF COMMUNICATION**

120. The normal channel of communication shall be from a member to the branch and from the branch through the zone commander or BC/Yukon Command.
121. The use of a member's private contact information is restricted to conducting the administrative affairs of the branch.
122. Copies of all branch minutes shall be retained in the branch office. All minutes shall be preserved in at least one of the following two forms; saved digitally and/or printed hard copy. All recorded minutes are the property of the branch and shall be secured at the branch.

#### **EXECUTIVE PROFESSIONAL AND ETHICAL BEHAVIOUR POLICY (CODE OF ETHICS)**

123. WorkSafeBC requires employers to establish procedures stating how they will deal with bullying and harassment incidents and complaints in the workplace. On behalf of branches and command, PEC has instituted the Code of Ethics Policy which governs all branches, members and employees.

### **PROHIBITION AGAINST DRINKING AT LEGION MEETINGS**

124. Where business meetings (executive and general), elections or installation ceremonies are held in the licensed area the bar must be closed no later than 30 minutes before opening the assembly and no alcohol will be consumed or be in evidence.

### **QUALIFICATION TO VOTE AND/OR HOLD OFFICE**

125. Except as otherwise provided in The GBL's, only voting members in good standing shall have the right to vote or hold office.
126. No person shall be nominated for any office in the Legion unless present or having signified in writing a willingness to accept such office and signed by a member in good standing.
127. All branch officers who form the branch executive committee shall have the right to vote at branch executive meetings.
128. Termination before the end of the ELECTED term may be acknowledged only by resignation or as a disposition or removal from office or position held as a result of a formal complaint hearing.
129. Termination before the end of the APPOINTED term may be done only for cause and only by the appointing authority. Appointees may appeal their removal for cause in the same manner as if the removal was a disposition of removal from office or position held as a result of a formal complaint hearing. The appeal committee may either confirm the removal or direct reinstatement.
130. No member who is an employee of any branch, or command, who receives directly or indirectly any salary or wages on any service rendered to the branch, shall be eligible to hold any executive position in the Legion. See Article I of The GBL's.
131. A member who provides unpaid volunteer services to a branch is not, by virtue of accepting tips from paying customers, considered to be receiving a salary or wages. See Article I of The GBL's.

### **HOLDING OF PROPERTY**

132. Except in the course of the ordinary and usual activities of the branch, a branch or the trustee(s) of a branch may not sell, lease, mortgage, pledge, hypothecate or alienate in any manner, any property held by them without the prior written

consent of BC/Yukon Command. In addition, see Holding of Property section 121 in Article I of The GBL's for the requirement of special general meeting approval for all of the above mentioned transactions proposed by the branch and/or trustee(s).

133. Any branch expenditures over \$5,000 must first be approved by BC/Yukon Command.

#### **BADGES, INSIGNIA**

134. No insignia, badge or other design shall be placed or worn on branch or command Legion colours, or on the official headgear or official dress of the Legion unless the said insignia, badge or design has first been authorized by Dominion Command.
135. Members of auxiliaries, past presidents, honorary officers, life members and other members who have rendered service to the Legion may wear badges of such design as have been approved by Dominion Command.
136. All membership badges and Legion insignia remain the property of the Legion and may be worn only by members in good standing or as authorized by Dominion Command. For more, see Article I of The GBL's.

#### **FUND RAISING**

137. No branch shall, at any time or in any manner, appeal for financial contributions or payments of money from the public or from the membership of the Legion, beyond the area in which such command or branch normally operates and exercises jurisdiction.
138. Where there are two or more branches in any urban area with the area of jurisdiction in question, BC/Yukon Command may allot the jurisdiction.

#### **FINANCIAL YEAR**

139. Except for the purposes of the poppy funds, the financial year for all branches shall commence on the first day of January and terminate on the 31st day of December.
140. The financial year for poppy funds shall commence on the first day of October in each year and terminate on the 30<sup>th</sup> day of September the following year, except for Dominion Command. See Article I of The GBL's.

**FINANCIAL ACCOUNTABILITY**

141. All monies received by any level of the Legion shall be deposited forthwith, in the name of such level of the Legion, in a chartered bank, trust company, or any other institution authorized under provincial law.
142. Branches are permitted to have the following accounts: General, Poppy Trust and whatever separate accounts are required from time to time by government or government agencies (i.e. gaming, BC Lottery Sales).
143. All cheques issued by the branch shall be fully completed and signed by two duly authorized signing officers.
144. Branches shall maintain an adequate system of accounting and financial reporting, subject to direction by BC/Yukon Command and Dominion Command.
145. BC/Yukon Command shall by by-law require branches to submit financial statements.
146. BC/Yukon Command may by by-law require a branch to conduct an external audit or an external review engagement of its financial records or Poppy Trust Fund. An external audit is performed by a member of the Chartered Professional Accountants of Canada in accordance with Canadian generally accepted auditing standards.

**SEAL**

147. Every branch shall have a seal which shall bear words identifying the command to which the branch belongs and the number of that branch.
148. The seal of the branch shall be in the custody of the respective secretary, who shall have authority to certify as to the authenticity of any and all documents in their custody.

**SPECIAL SECTIONS**

149. Dominion Command may establish special sections for the protection of particular sections of ex-service personnel.
150. The members of each special section may elect their own executive committee or pass by-laws for governing their own members or pass by-laws for governing their affairs, but such by-laws shall not be inconsistent with the GBL's or with the

purposes and objects of the Legion, and must be approved by Dominion Command before becoming effective.

See Article I section 137 of The GBL's for more information on recognized special sections.

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## ARTICLE II

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### MEMBERSHIP

#### GENERAL

201. All applicants for membership in the branch shall be subject to the restrictions and fall within the classes set forth in Article II of The GBL's.
202. Every new member shall be initiated according to the Ritual, Awards and Protocol manual and before receiving their first membership card.
203. Applications for original membership or reinstatement shall be dealt with as set forth in Article II of The GBL's.
204. Subject to the provisions respecting Tuberculous Veterans' Section (TVS) and Operational Stress Injury Section (OSI), no person may be a member of more than one branch of the Legion at the same time.
205. No member of the Legion may sign in or bring in to any Legion premises any person who was expelled from the Legion; and no member of the public who has been expelled from the Legion or who has had their membership revoked by the dominion president may enter any Legion premises.
206. No branch can decline a membership dues payment for a renewal from a member of their own branch who has been deprived of clubhouse privileges and/or suspended through the formal complaint process.
207. Any member leaving, suspended or expelled from membership in the Legion, shall have no claim upon the Legion or against any of its officers or officials.

#### PROHIBITION OF OTHER TYPES OF MEMBERSHIP

208. No branch shall permit any type of membership other than what is outlined in the GBL's. See section 221 of The GBL's for more details.

**APPLICATIONS FOR MEMBERSHIP**

209. Application for membership shall be in accordance with the requirements and procedures outlined in the Dominion Command Membership Manual.
210. No branch shall accept a membership or transfer application from any member currently under suspension or from any person who has been expelled from the Legion or from any other Veterans' organization.

**T.V. SECTION**

211. Dual branch membership is permitted only in the following circumstances:
- a. Any life, ordinary, associate or affiliate member of a TVS branch may become a life, ordinary, associate or affiliate member of any Legion branch upon presentation of his membership card and payment of branch dues less per capita tax.
  - b. Any life, ordinary, associate or affiliate member of any Legion branch may become a life, ordinary, associate or affiliate member of any branch of the TVS if they meet the membership criteria, and upon presentation of membership card and payment of branch dues less per capita tax.

See section 224 of The GBL's for more details.

**TRANSFERS**

212. It shall be the duty of the membership committee of the branch to which an application for transfer is submitted, to satisfy itself as to the correctness of the facts contained in the application, and to thoroughly investigate the applicant's character, eligibility and suitability for membership in the branch by contacting the member's previous branch, and to report its findings to the general meeting of the branch. The branch a member is transferring to, is to initiate the transfer.
213. Applications for transfer shall be presented to a general or special meeting of the branch for approval or otherwise, prior to submission to Dominion Command. The branch executive committee has the authority to approve applications for transfer when regular monthly general meetings of the branch are not held.
214. A branch has the right to refuse permission for a member to transfer into its branch. See Article II of The GBL's.



See Article II of The GBL's, Membership Manual and Membership Form Processing Guide on the Dominion Command website for more membership information.

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## ARTICLE III

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### COMPLAINTS AND APPEALS

301. See Article III of The GBL's for details on the formal complaint process. In addition, BC/Yukon Command will make available a Complaint Guidelines package that will be posted on the command website and included in the Branch Manual.
302. Complaints against a ladies auxiliary member may only be lodged by another member of the ladies auxiliary. Branch/Command is responsible for processing ladies auxiliary complaints as per Article III of The GBL's.
303. Where the member complained against is a member of the branch and the auxiliary, any penalties imposed will apply in respect of both the branch and the auxiliary.
304. Any member, not in arrears in their payment of dues, may lodge a formal complaint against another member. All members, including non-voting members are subject to the formal complaint process.
305. Dispositions outlined in section 311. of The GBL's can only be carried out by the branch or BC/Yukon Command through the formal complaint process.
306. Complaints against branch/auxiliary presidents are lodged with BC/Yukon Command.
307. Appeals as a result of a branch level complaint are lodged with BC/Yukon Command.

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## ARTICLE IV

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### DOMINION COMMAND

See Article IV of The GBL's for details.

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## ARTICLE V

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### BC/YUKON COMMAND

See Article V of The GBL's and BC/Yukon Command By-Laws for more details.

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## ARTICLE VI

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### BRANCHES

#### GENERAL

601. The branch is under the discipline of BC/Yukon Command.
602. BC/Yukon Command, name and the branch number, in that order, shall be shown in the designation of every branch.

#### BY-LAWS

603. Subject to the provisions of The GBL's and the Branch By-laws as approved by PEC, branches shall adopt by-laws to govern their affairs.
604. Branch By-Laws, including amendments, shall not become effective until approved by BC/Yukon Command.
605. Elected officers and executive committee members shall take office and assume their duties and functions on the 1st of January if elections are held in November/December or the 1st of July if elections are held in May/June.
606. Installation of executive committee members shall take place in accordance with The Ritual within 31 days of their election.
607. The branch may form organized groups within the branch providing the group is administered by the branch officers and that their funds are administered by the branch treasurer or appointed finance chair.

#### AMALGAMATION

Refer to section 615 of The GBL's.

**BRANCH FINANCIAL REVIEW COMMITTEE**

608. The branch shall ensure a financial review committee examines the accounts of the branch each year and performs a financial review as per BC/Yukon Command's Internal Control Checklist.
609. The report of the financial review committee shall be submitted to the branch executive prior to 31 March. The Internal Control Checklist, along with the financial statement must be presented to the general membership for adoption, along with the internally reviewed financial statement covering the previous calendar year's operation.

**NOMINATIONS FOR OFFICE/NOMINATING COMMITTEE**

610. At least two (2) months before the election meeting, the branch will elect a nominating committee of three (3) members, or a chairman, who will then appoint two (2) other members, which will form the nominating committee upon approval of the general membership. The members of this committee should have signified they do not intend to stand for office. However, after being stood down any member of the nominating committee can be nominated from the floor.
611. One month prior to the election meeting, the committee shall present a list of suitable candidates for office. These candidates must be voting members in good standing and not employed by the Legion. This shall not prevent nomination of similar candidates from the floor at that meeting or the election meeting.
612. If a nominee is unable to be present at the election meeting, he must have signified in writing, his willingness to stand for office for which he has been, or is being nominated.
- a. A locked box shall be provided in which nominations can be deposited, and if a member is unable to personally deposit a nomination form he may mail it to the secretary of the branch in a sealed envelope clearly marked "NOMINATIONS". It shall be the duty of the secretary to deposit nominations so received in the aforementioned box.
  - b. The nomination box shall be available to members on the branch premises, from the first day of the month prior to the elections until the day and time of the general meeting in which elections are held. It shall be the duty of the nominating committee to open the

nomination box this meeting to verify the prospective candidates and prepare a list of candidates for office.

- 613. No member shall be eligible to be elected president unless he has served one full term on the branch executive within the three terms, immediately preceding the elective term.
- 614. No member shall be eligible to be elected vice president unless he has served one full term on the branch executive within the three terms, immediately preceding the elective term.
- 615. No member shall be eligible for election to the branch executive, unless the nominee has been a member of the branch for the immediate preceding year, and has attended at least one general meeting in that period. The election meeting shall not count as one of the qualifying meetings.

## **ELECTIONS**

- 616. All branch elections shall be by secret ballot and conducted under the plurality vote procedure. Proxy voting is not permitted at branch elections.
- 617. The following officers and executive members shall be elected annually at the general meeting in the month of December, taking office January 1<sup>st</sup>, in the following consecutive order.
  - a. A President  
A First Vice President  
A Second Vice President  
A Treasurer (who by virtue of his office shall be chairman of the finance committee)  
A Secretary  
Six (6) Executive Members
  - b. Three (3) members shall be elected annually for two year terms.
- 618. The above elected members of the executive along with the immediate past president, all of who must be voting members of the branch in good standing and who are not employed by the Legion shall form the executive committee of the branch.

**VACANCIES**

619. All vacancies are to be filled with voting members of the branch who are in good standing and not employed by the Legion.
620. If a vacancy occurs in the office of the immediate past president, the position can be filled for the remainder of the term by the appointment of any former past president of the branch, by the branch executive committee subject to general meeting ratification, or the executive council of a command. See Article I (114.C) and Article VI (613.C) of The GBL's for more information.
621. Any vacancy on the executive committee except in the offices of president, vice-president or treasurer shall be filled by nomination and election at the next general meeting following the occurrence of the vacancy. The successful nominee will hold office until the end of the elective term. Provided however, that if the vacancy occurs during the last six months of any elective term, the executive committee may fill the vacancy by appointment subject to ratification by the general membership.
- a. A member presently serving on the executive may stand for a higher office if a vacancy occurs, without resigning his present positions (office). If said candidate is elected then a further election will be necessary to fill that vacated position on the executive.
622. If a vacancy occurs in the office of president or a vice-president, the vice-presidents will move up in accordance with their seniority of office. The lowest ranking vice-presidency position shall be filled by nomination and election at the next general meeting following the occurrence of the vacancy.
623. If a vacancy occurs in the office of treasurer, the position shall be filled by nomination and election at the next general meeting, following the occurrence of the vacancy and the successful nominee will hold office until the end of the elective term.
624. Should any member of the executive committee be absent from three (3) consecutive meetings of either the executive committee or the branch, or a combination of both, without a reason satisfactory to the committee, he shall cease to hold office and his place will be filled as laid down in these by-laws.
625. A member removed from the executive committee under the terms of Section 624 or a member, who resigns from the executive committee, shall not be eligible to be elected to branch office for the remainder of that elective term. A member

who has been elected to an executive position whose term has not yet begun, and steps down prior to the beginning of the term of office, is not considered resigned.

626. The branch executive committee is empowered to appoint any one of the branch's past presidents to hold office as the immediate past president, if that position should become vacant, for the remainder of the term subject to general meeting ratification.

#### **EXECUTIVE COMMITTEE DUTIES**

627. The executive committee of the branch shall have the power to administer the affairs of the branch and shall be subject to direction of and approval of the general membership.
628. Pursuant to Section 627 of this Article, the executive committee or any individual member thereof, and any standing or special committee or sub-committee of the branch shall not make any expenditures, changes in policy, nor borrow any money, or pledge any assets of the branch without the prior approval of a meeting of the general membership, save only for:
- a. The normal operating expenses of the branch such as payment for taxes, utilities, staff salaries and wages, and for those items previously approved by the branch general meeting as part of the yearly budget; or
  - b. Emergency repairs to, or replacement of, equipment required for continuance of the operation of the administration, amenities or programs of the branch and in respect of which such repair or replacement could not be held over to the next general meeting, subject to ratification by the general membership.
629. Whenever the cost of any repair or replacement exceeds two hundred dollars (\$200.00), and agreed upon by the executive, bids will be solicited from at least two (2) suppliers of the service and/or product.
630. The executive committee shall have the power to appoint a salaried Secretary/Manager and or such other employees as are necessary to the operation of the branch, provided the positions have been authorized at a general meeting of the branch. They may be dismissed for cause by the executive committee. However, the executive committee may delegate to the

Secretary/Manager, authority to dismiss for cause, any person(s) employed in the licensed premises operation.

a. No written agreement for hiring shall be for more than one year.

631. Such appointments must at all times conform to, and not be in conflict with, the branch officers named/identified in Article 6 of these by-laws and any change in the job description of any salaried employee must also conform to Article 6 of these by-laws and be authorized by the general membership.
632. It is the executive committee's responsibility to ensure the branch insurance policy is paid for the year and up to date.
633. The executive committee shall also ensure that the chairmen of all fund-raising campaigns submit at all times, immediately upon completion of a project, a complete report which shall include a detailed breakdown of all receipts and expenditures.

#### **OFFICERS DUTIES**

##### **634. PRESIDENT AND VICE PRESIDENT(S)**

- a. The president within fourteen (14) days after assuming office, shall appoint a service officer, a sergeant-at-Arms and a Padre, and may appoint a Chairman subject to the approval of the general membership.
- b. The president (unless there is an appointed chairman) shall preside at all meetings of the branch and the executive committee and shall conduct these meetings in accordance with the procedure laid down in the current edition of "Rules of Procedure for Legion Meetings." (Provisions of this section shall not, however, prevent the first vice-president from chairing a meeting on an occasional basis with the support and guidance of the president.)
- c. In the absence or disability of the president, all rights and powers vested in him shall, for the time being, be vested in the vice-presidents in accordance with their seniority of office.
- d. The president shall exercise general supervision and control over the affairs of the branch and with the secretary, shall sign all papers and documents requiring signatories on behalf of the branch.

- e. The person who is president of any branch of the Legion at the end of the elective term shall become the Immediate past president on the election of a successor.
- f. A president who resigns before the term of office is completed is not the immediate past president.
- g. In the event of the death, resignation, inability to act, or removal of the immediate past president, the position of immediate past president may be filled for the remainder of the term by the appointment of a former president by the branch executive committee.

**635. SECRETARY**

- a. The secretary shall keep a record of all proceedings of all meetings. He shall conduct all necessary correspondence and perform such duties as appertain to his position and shall act at all times at the will and direction of the executive committee. He shall be required at every meeting to have access to manuals, by-laws and previous minutes relative to the business being discussed. He receives and replies promptly to all correspondence and ensures all questionnaires, surveys and forms from dominion and provincial command are completed by passing that correspondence to the pertinent executive committee member or committee.
- b. Subject to Article I of The GBL's, the seal of the branch shall be in the custody of the secretary. The seal shall not be affixed to any instrument except as authorized by the executive committee, and when so authorized shall be affixed to any instrument by the president in the presence of the secretary.

**636. TREASURER**

- a. The treasurer shall ensure that a true account is kept of all monies received and paid out by the branch and of all financial transactions. He shall cause to be deposited all funds of the branch in a recognized financial institution approved by the executive committee. He shall assist in the preparation of a budget and act in an advisory capacity to the executive committee on all financial matters. Bookkeeping procedures shall be in accordance with Article I of The GBL's.
- b. All monies in excess of fifty dollars (\$50.00) including petty cash payable by the branch (with the exception of gaming and lottery payouts and in



accordance with any lottery contracts) shall be paid by cheque signed by two duly authorized signatories who will sign in connection with all branch accounts including the poppy trust account; as follows:

- c. The treasurer together with the president, provided however, that in the absence or disability of either of these regular signatories, the 1<sup>st</sup> vice president shall sign in place of either, and in the absence or disability of both regular signatories, the secretary, shall sign together with the 1<sup>st</sup> vice president.
- d. Electronic banking and telephone banking is permitted. To be consistent with the approval process of invoices paid by cheques the following should be noted. The duly authorized signatories must affix their signatures and date on the invoices paid electronically (internet or telephone). Only after the invoices have been authorized, can payments be made. Copies of the invoices paid electronically **MUST** have the confirmation of payment number recorded on the invoices to verify payment.

#### 637. **VETERAN LIAISON**

The position of veterans' liaison is not mandatory but is recommended. The president with consultation from the vice president(s) will appoint a veterans liaison subject to executive committee approval. The position would have all the voting rights of an executive position and represents the ordinary members' interests. It ensures a veteran will always be on the executive, even in branches with highly civilian membership.

### **COMMITTEES**

#### 638. **STANDING COMMITTEES**

- a. The following standing committees shall be appointed each year:
 

(1) Finance	(7) Poppy Fund
(2) Membership	(8) Public Relations
(3) Ways & Means	(9) Honours & Awards
(4) Benevolent	(10) House & Grounds
(5) By-Laws	(11) Entertainment
(6) Sports	
- b. Subject to executive committee meeting approval, the chairman of each of these standing committees (except finance) shall be appointed by the president.

- c. The chairman of each of these committees shall appoint their committee members, who shall be non-executive members, subject to the approval of the president.

**639. FINANCE COMMITTEE**

- a. The finance committee shall compile or cause to be compiled by either the treasurer or finance committee chairman, or other person responsible for branch funds, a monthly written operating and financial statement for distribution to the general membership.
- b. The finance committee shall compile, or cause to be compiled by the treasurer or the finance committee chairman, in cooperation with individual standing committee chairmen or other persons responsible for branch funds, a yearly budget for adoption at the annual meeting. In the event it is not available for the annual meeting, it shall be presented for adoption no later than the March general meeting.

**640. SPECIAL COMMITTEES**

- a. The president or executive committee may set up special committees as may be deemed necessary for the proper conduct of the branch subject to general meeting approval. All such committees shall automatically be discharged immediately upon the completion of their functions.
- b. The chairman of each of these committees shall be appointed by the president subject to executive committee approval. The chairman shall appoint their committee members, who shall be non-executive members subject to the approval of the branch president.

**EXECUTIVE COMMITTEE MEETINGS**

- 641. The executive committee shall meet at least once every month.
- 642. A quorum shall be a majority of the executive committee.
  - a. A special executive meeting shall convene at the call of the president on forty-eight (48) hours' notice.
- 643. Any three (3) members of the executive may, by writing, require the president to call a meeting of the executive, providing the reason for a "special" meeting is

conveyed to all executive committee members at the time the meeting is called. Such meeting to be held within seven (7) days of the request.

- 644. The minutes of all executive committee meetings shall be presented for information at the next general meeting of the branch.
- 645. Except for any material pertaining to Section 630 of these by-laws, any member shall have the right to question any item covered by these minutes for clarification.

## **BRANCH MEETINGS**

- 646. The usual meeting place of meetings shall be Gibsons Legion.
- 647. The annual meeting of the branch shall be held within the first three (3) months of each calendar year, at which written annual reports, a financial statement covering the previous calendar year's operation, and budget shall be presented for adoption. Financial review procedures shall be in accordance with the Branch By-Laws and Article VI of The GBL's. A financial statement examined by a branch financial review committee must be presented to a branch general meeting not later than March 31st of the current year.
- 648. Regular general meetings of the branch shall be held each month with the exception of July and August on a date set by the executive committee members.
- 649. Special general meetings of the branch may be called at any time by the president, but shall be called by him if requested by a majority of the members of the executive committee or by any 15 voting members of the branch who are in good standing.
- 650. When dealing with the disposition of property Section 121 of The GBL's requires distribution of written notice delivered not less than fourteen (14) days before the date set for the meeting and branch by-laws cannot supersede The GBL's.
- 651. At any meeting of the branch, either special or general, a quorum shall be 15 voting members of the branch who are in good standing. All questions shall be decided by a vote, the classification of which shall be as stipulated in the "Rules of Procedure for Legion Meetings" publication.

**BRANCH PROPERTY**

652. The real and personal property held or acquired by the branch shall be held in the name of the branch. This is in accordance with Chapter 53 of the Statutes of British Columbia, 1956, as amended and covering the holding of property by Legion branches.
653. If any member wilfully or negligently damages any property of the branch or by his actions is responsible for same, the executive committee shall assess the damage and he shall be required to pay for the damage or replacement. If not satisfied with the assessment, the member may appeal to the executive at their next meeting.
- a. If any guest of the branch willfully or negligently damages any property of the branch or by his actions is responsible for same, the executive committee shall assess the damage and the guest or his sponsor shall be required to pay for the damage or replacement. If not satisfied with the assessment, an appeal may be made in person to the executive committee at their next meeting.

See Article VI of The GBL's for further details.

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**ARTICLE VII**

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**ZONE REPRESENTATION**

701. Branch delegates to zone, who must be members in good standing, shall be elected or appointed either at a general meeting or by the executive committee.
702. All paid up members of any branch within the zone shall be eligible to attend any zone meeting and shall be recognized to speak, but shall hold no power of vote.
703. The branch shall notify their Zone Secretary of the dates of the regular general meetings, including changes in such dates.
704. The branch is expected to make an annual contribution to their zone. The per capita assessment for each year will be determined at the last zone meeting of each year, and shall be mandatory. Each branch's annual assessment is to be paid to zone by the end of February. The assessment will be based on the

branch's total membership on the 31st of December of the previous year as per the Dominion Command membership report issued in January of the current year.

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## ARTICLE VIII

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### AUXILIARIES

#### LADIES AUXILIARY

801. The branch may cause to be set up, a ladies auxiliary in accordance with Article VIII of The GBL's.
802. A ladies auxiliary to a branch shall be under the jurisdiction of the branch.
803. Membership in and the activities of an auxiliary shall be governed by by-laws passed by the auxiliary.
804. The by-laws of a branch auxiliary shall not become effective until approved by the branch and command concerned.
805. The branch shall require its auxiliary to provide a copy of its approved annual budget by 31 March each year.
806. The branch shall require its auxiliary to provide a copy of the annual financial statement on or before the 30<sup>th</sup> day of April each year.
807. For disciplinary measures, ladies auxiliary members are governed by Article III of The GBL's. All ladies auxiliary Article III complaints are to be processed by the branch/command involved.
808. Ladies auxiliary members employed by a branch or command may, at the discretion of the branch or command, hold office in the auxiliary.

#### YOUTH AUXILIARY

809. The branch may cause to be set up, a youth auxiliary, in accordance with Article VIII of The GBL's.

**DOMINION CONVENTION****DELEGATES**

901. Every branch shall be entitled to send to a dominion convention, one delegate for every 100 voting members or fraction thereof. In determining delegate entitlement, only voting members in good standing, whose per capita tax has been paid up to the end of the preceding calendar year may be included.
902. Where a branch has received its charter subsequent to the end of the preceding calendar year, it shall be entitled to one delegate.
903. Any delegate, accredited by the branch of which he is a member, may carry, in addition to his own credentials, up to four proxy credentials. Branch delegates, who must be members in good standing, shall be elected at a duly constituted meeting of the general membership.
904. Branch delegates, who must be members in good standing, shall be elected at a duly constituted meeting of the general membership.
905. A delegate may be a member of another branch within BC/Yukon Command, but may not carry proxies.

**RESOLUTIONS**

906. Resolutions submitted by a branch must be approved at a general meeting of the branch and submitted through BC/Yukon Command.
907. All resolutions shall be forwarded to BC/Yukon Command by the date provided each year prior to convention, and at least one hundred and twelve (112) days prior to the opening date of the convention.

Refer to Article IX of The GBL's for further information.

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**ARTICLE X**

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**BC/YUKON CONVENTION****DELEGATES**

1001. Every branch shall be entitled to send to a BC/Yukon Convention, one delegate for the first 50 voting members or faction thereof, and one for each additional 100 voting members or faction thereof.
1002. Where a branch has received its charter subsequent to the end of the preceding calendar year, it shall be entitled to one delegate.
1003. Any delegate, accredited by the branch of which he is a member, may carry, in addition to his own credentials, up to four proxy credentials.
1004. Branch delegates, who must be members in good standing, shall be elected at a duly constituted meeting of the general membership.
1005. A delegate may be a member of another branch within BC/Yukon Command, but may not carry proxies.

**RESOLUTIONS**

1006. Resolutions submitted by a branch must be approved at a general meeting of the branch and submitted through BC/Yukon Command.
1007. All resolutions shall be forwarded to BC/Yukon Command by the date provided each year prior to convention, and at least eighty (80) days prior to the opening date of the convention.
1008. BC/Yukon Command shall provide the convention resolutions to all branches at least 45 days prior to the opening date of convention.

See BC/Yukon Command By-Laws for further information.

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**ARTICLE XI**

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**POPPY FUND**

1101. All branches shall participate in Poppy Campaigns and Remembrance Day services. Poppy distribution to the general public will commence no earlier than the last Friday in October and conclude on 11 November.
1102. All monies received from a campaign shall be deposited into a separate trust account.
1103. A branch may hold Poppy Trust Funds for a short term in government or corporate bonds or other readily transferable securities authorized by the appropriate legislative body for the investment of trust funds.
1104. As stated in Subsection 130.b. of The GBL's, the Poppy Fiscal Years begins 1 October and ends 30 September of the following year.
1105. The branch is required to submit a poppy fund assessment to BC/Yukon Command (unless part of a group poppy fund) in two installments, using the Annual Branch Poppy Fund Income Assessment Remittance form, due January 31 and October 31 each year.
1106. The branch is required to submit an Annual Branch Poppy Fund Statement to BC/Yukon Command by 31 October each year.
1107. The branch is required to submit a request for approval for special use expenditures to BC/Yukon Command on a completed SUE form, prior to funds being used.
1108. When a branch poppy fund is limited and/or depleted and there aren't enough funds in the branch poppy trust account to assist a needy veteran and/or their family, branches are able to apply for a grant from the Command Central Poppy Fund.

See Article XI of The GBL's, the Poppy Manual and Replenishment of Branch Poppy Fund Policy for further information.



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**ARTICLE XII**

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**DUES, AFFILIATION FEES, PER CAPITA TAX****GENERAL**

1201. An enrolment fee may be charged by the branch.

**BRANCH DUES AND PER CAPITA TAX**

1202. Per capita tax, as levied from time to time by a Dominion Convention for Dominion Command, which includes payment for Legion Magazine, and by a Provincial Convention for BC/Yukon Command, shall form part of annual branch dues.

1203. The annual dues payable by the members shall be determined from time to time by a vote of the eligible members present at a general meeting, in accordance with Article VI of The GBL's.

1204. Notice of Motion addressing change in annual dues, to be presented and posted one (1) month prior to the meeting at which it is to be considered.

1205. The annual branch dues payable by all members shall be the same.

1206. The amounts of, and periods of payment of dues other than per capita tax may be fixed by the branch.

1207. A member in arrears as of 31 January of that year is not in good standing for any purpose. Once the yearly membership dues have been paid, the member is considered to be "in good standing".

1208. Members not in good standing under the foregoing provision who have allowed their membership to lapse may renew their membership upon payment of the unpaid dues for the current year and are also eligible to buy back any preceding years of unpaid dues at the current year's rate. Such renewal will qualify them for continuous years of service and long service awards.

1209. Each branch shall:

- a. Remit at least monthly to Dominion Command a per capita tax payment of all tax collected during the preceding month; and
- b. Supply forthwith such information relating to the affairs of the branch as may from time to time be required by BC/Yukon Command or by Dominion Command.

See Article XII of The GBL's for further details.

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## ARTICLE XIII

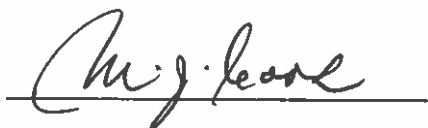
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### MISCELLANEOUS

#### MATTERS OF PROCEDURE

1301. In all matters of procedure not provided for in these by-laws, the provisions of the Legion's "Rules for Procedure for Legion Meetings" shall apply. In all cases where these rules do not make adequate provision, then and only then, the "Robert's Rules of Order" publication as amended shall apply.
1302. These by-laws shall not be repealed, altered or amended except upon a motion, due notice of which shall be given at the general meeting of the branch held previously to the meeting at which it is to be considered, setting forth the alteration or amendment signed by the member presenting it. The question shall be decided by a majority vote.
1303. These by-laws and such amendments as may be made from time to time shall come into force and be acted upon only when approved by BC/Yukon Command.

These By-laws as revised are approved by the Command Constitution and Laws Committee, on behalf of the Command Executive Council, effective 30 January, 2019.



Michael J. Cook  
Trustee Chair BC/Yukon Command

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