



*The Royal Canadian Legion*

*Branch 32*

*Bay Roberts, NL*

***BRANCH BY-LAWS***

*Dated: May 19, 2009*

**The Royal Canadian Legion  
Branch 32 Bay Roberts, NL  
Branch By-Laws**

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**ARTICLE 1 – BRANCH NAME**

101. This Branch shall be known as Branch 32 Bay Roberts, hereinafter called “Branch 32” and shall be under the discipline of the Provincial Command of Newfoundland and Labrador.

102. The Aims and Objectives of this Branch shall be in compliance with the General By-Laws of the Royal Canadian Legion and By-Laws of Newfoundland and Labrador Command of The Royal Canadian Legion. The Dominion Command has supreme jurisdiction in all matters within the purposes and objects of Branch 32.

103. These Branch 32 By-Laws shall not become effective until approved by the Provincial Command of Newfoundland and Labrador.

**ARTICLE 2 – BRANCH OFFICERS**

104. The Officers of Branch 32 shall consist of:

1. A President
2. The Immediate Past President
3. A First Vice President
4. A Second Vice President
5. A Treasurer
6. A Secretary
7. A Chaplain
8. A Sergeant-At-Arms
9. A Service Officer
10. 6 executive members to serve as Executive Committee

The Branch Officers shall also be called the “Executive” of Branch 32.

105. The Elected Officers and the Executive shall be in the governing body of Branch 32, subject always to the rules and regulations of the Branch and the Royal Canadian Legion General By-Laws and By-Laws of the Provincial Command of Newfoundland and Labrador. Please refer to the Dominion Command By-Law Article IV, Section 401.

**ARTICLE 3 – DUTIES OF BRANCH OFFICERS**

106. President – it shall be the duty of the President to preside at all meetings of the Branch, including Executive body as directed, as defined by the General By-Laws to preserve order and see that all business of the Branch is conducted in a business-like and democratic manner.

The President shall appoint the Branch Service Officer, Sergeant-At-Arms and Chaplain and perform such other duties as may be required of the position. The President shall also be an ex-officio of all committees.

The President shall give an oral report of his individual activities to the Executive Body to ensure that all executive members are kept abreast of branch business.

The President shall give a written report to the general body at the Annual Meeting or when an emergency or any meeting is called. The President shall request that all executive members who attend any Royal Canadian Legion and affiliated conventions submit a written report to the President of the event happenings and activities.

107. Immediate Past Present – shall assist the President and his/her executive in the performance of their duties and in addition to being an officer of the Branch the Immediate Past President shall also be a member of the Executive Committee of the Branch.

108. First Vice President – Under the President’s direction it shall be the duty of the First Vice President to assist the President and the Executive in carrying out the business of the Branch. In the absence or inability of the President, the First Vice President shall exercise all duties, powers and privileges of the President’s office. The First Vice also shall provide the President with a written report of their activities for the year at least 30 days prior to the Annual meeting.

109. Second Vice-President – During the First Vice-President’s absence, the duties of the Second Vice-President shall be the same as the First Vice-President.

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110. Treasurer – The Treasurer shall keep a true and accurate account of all Branch monies. The Treasurer shall collect all monies belonging to the Branch from all sources and arrange to have same deposited in a chartered bank, which has been approved by the Executive. Trust Monies however shall be deposited in a separate account from that of general funds.

The Treasurer shall prepare a Financial Statement including a balance sheet and statement of income for all Branch 32 financial operations during the Branch fiscal year and present an audited copy to the membership at the Annual Meeting. A Financial Report shall also be read at every Executive Meeting.

111. Secretary – It shall be the duty of the Secretary to keep a complete and accurate record of all proceedings of Executive and General Meetings, Emergency Meetings, and Annual meetings and answer all communications pertaining to the business of the branch.

112. Chaplin – The religious elements of Legion activities involve many denominations and creeds and on some events, there may be several different beliefs represented in the same service. Branch 32 shall abide by the rules and regulations of The Royal Canadian Legion Chaplin Manual.

113. A Stg-At-Arms – It shall be the duty of the Stg-At-Arms to control the legion meetings to ensure peaceful events. The Stg-At-Arms will be responsible also for presenting the colour party during legion events and introduction of new members. The Stg-At-Arms shall also manage all flag duties required by the legion.

114. A Service Officer – The service officer shall be guided by The Royal Canadian Legion Service Officers Handbook and should always be aware of the mandate of the Veterans, Service and Seniors (VSS) Committee. The Service Officer will be appointed by the Branch Executive and not elected.

115. Executive Committee – It shall be the duties of the executive committee to assist the other officers where required and to report all activities to the President. All forming committees shall be appointed by the President and should consist of at least one executive officer.

116. Any executive member of Branch 32 may resign their elected position by submitting to the branch his or her resignation in writing to the President. Any vacant position in the executive committee shall be filled at the President's discretion in accordance with regulations as outlined by the General By-Laws.

117. Executive Committee members who fail to attend more than three executive committee meetings during a twelve-month period without prior approval by the President shall be removed from executive committee. Position may be filled at the President's discretion in accordance with regulations as outlined by the General By-Laws.

**ARTICLE 4 – ELECTION OF OFFICERS/EXECUTIVE BODY**

118. Nomination for office in Branch 32 will occur at the Annual General Meeting and be carried out by a Chairperson, preferably the District Commander or Provincial Commander. A notice of two weeks shall be given to all members for the Annual Meeting and a quorum shall consist of not less than 20% of the voting members in good standing of the Branch.

119. To be eligible for nomination, a member shall be present at the nomination meeting, or failing this shall convey to the Secretary in advance, a written notice of his/her willingness to accept nomination for a specific office and signed by a branch member in good standing. All nominated members must be fully paid-up members of Branch 32.

120. Branch 32 has elected to adapt to the simple majority count vote for all election purposes.

121. The Chairperson shall appoint at least three scrutineers, one of whom shall be a chief scrutineer from the members present and these together with the secretary shall conduct the election subject to the control of the chairperson.

122. No member shall be eligible for the office of President unless s/he has served on the Branch Executive for at least two years. No member shall be eligible for the office of Vice President unless s/he has served on the Branch Executive for at least one year.

122. During the nomination process, all members are requested to remain in the Branch building until the ballots are collected except in the case of an emergency. Re-admittance is acceptable.

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123. The Scrutineers shall provide each member present at the time of voting with a blank ballot paper for the member to write down the name of their chosen candidate.

The Scrutineers shall collect every ballot paper issued, whether marked or not, in a suitable receptacle and shall assist with the tabulation. This should be carried out in a separate area away from the voting members and the Chief Scrutineer shall notify the Chairperson of the result of the poll.

Once election of that particular office has been completed, the Chairperson shall announce the results filling in the offices in order of seniority commencing with the office of President.

124. The incoming Executives shall be installed not later than 2 weeks after the Annual Meeting and shall then meet no later than 2 weeks after the Installation Ceremony. This executive will hold Office until the next Annual General Meeting.

125. The secretary shall take minutes of the full nomination process and ensure that all nomination details have been documented.

**ARTICLE 5 - MEMBERSHIPS**

126. Membership in the Branch shall be in accordance with the General By-Laws of The Royal Canadian Legion as amended to June 2008 By-Law and will consist of:

- a) Life Membership
- b) Ordinary Membership
- c) Associate Membership
- d) Affiliate Voting Membership
- e) Affiliate Non Voting Membership.

Please refer to Article II in the General By-Laws in effect October 1, 2008 for details of above memberships.

**ARTICLE 6 – MEMBER DUES**

127. Every member of this Branch shall pay an annual Membership Fee, which shall be paid yearly in advance. All dues shall be paid by the 31<sup>st</sup> day of January of each year.

Provided that if any member can produce satisfactory evidence to the Executive of being unable, through ill health or economic hardship to pay his/her dues, the dues will be paid by Branch 32.

A member who has not paid their dues in accordance with regulations outlined by the General By-Laws will be considered a member not in good standing and have no Branch 32 privileges.

**ARTICLE 7 - MEETINGS**

128. Executive Meetings shall be held at least once monthly except from the Months June to September, at which the President and 1st Vice President will conduct branch affairs, or whenever deemed necessary by the President, or by written request signed by at least ten members in good standing stating the reason for the meeting.

129. General Meetings of the Branch shall be held at least on a quarterly basis unless otherwise scheduled by the President and a notice of two weeks shall be given to the members prior to the meeting. This notice should be published in the local newspaper and announced on local television station.

130. The Annual Meeting of the Branch shall be held in February each year and in addition to the presentation of reports and such other matters to be considered, the election of Officers and the Executive Committee of the Branch shall be held.

131. Fifteen percent of the Branch shall constitute a quorum at all General meetings of the Branch, and fifty percent plus one members of the Executive Committee shall constitute a quorum at all meetings of the Executive committee.

132. All meetings will adhere to the "Rules of Procedure for Legion Meetings and will have a suggested Order of Business. The President may transpose this Order at the time of the meeting.

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133. At the appointed hour, the President shall take the Chair and call the meeting to order and shall preside during the meeting. In case the President is absent, the First Vice-President shall take the chair and preside. In the absence of the President and Vice-Presidents, the Secretary or Treasurer shall call the meeting to order and a temporary chairperson shall be elected.

134. The Presiding Officer of any meeting shall rule out of order all matters pertaining to political or religious discussion or which do not refer to the well being of the legion. Meetings are not intended for the parade of technical niceties of procedure but rather for the advancement of Legion Principles. The presiding Officer will rule promptly on all matters of procedure and the decision shall be final, subject to any appeal sustained by a two-third vote of the meeting

135. The presiding Officer shall, when debate has ceased on any question, put the same to a vote, giving the words of the motion or resolution clearly, so that no member may misunderstand the question on which the vote to about to take place.

A member wishing to introduce a motion, or to speak, shall rise and address the Presiding Officer, and shall wait until acknowledgment is received before speaking.

136. Members are not to hold private meetings or separate conversations, or to talk of anything impertinently or in an unseemly manner, or which is not of general interest to the other members present. No member shall interrupt the Presiding Officer or member who is speaking without the permission of the Chair. No member shall use any unbecoming language upon any pretext whatsoever.

**ARTICLE 8 – COMPLAINTS AND APPEALS**

137. All complaints and appeals shall be filed in accordance with procedures set up in the General By-Laws and Provincial Command of Newfoundland and Labrador. Refer to Dominion Command By-Laws Article 111 for more details.

**ARTICLE 9 - FINANCE**

138. The Branch shall maintain an adequate system of bookkeeping and no money shall be paid on behalf of Branch 32 except by cheque signed by the authorized two signing officers. All major purchases and donations must have the approval of the Executive of Branch 32.

139. Cheques issued for Branch expenditure must be made payable to the person or persons concerned, the cheque stub is to show what the expenditure was for and to whom it was written. No cheques will be made out to cash and no credit whatsoever will be extended.

140. All monies will be deposited on a weekly basis in a Chartered Bank designated by the Branch and all money received or earned by the various committees shall be turned over to the Branch Treasurer and a receipt provided. The Treasurer will then proceed with a deposit into a general account, or special account of the Branch depending on what the money was earned or received for.

141. The Bar Manager shall be responsible for cash proceeds from the Bar and from any other source in which monies were collected by the Bar and the said proceeds shall be turned over to the treasurer.

142. Any member travelling on Legion business and has been given an expense account from Branch 32 must submit a detailed expense statement of all expenditures including receipts to the Treasurer upon return.

143. Finances are the responsibility of the Treasurer and all transactions dealing with monies must be directed to the Treasurer.

144. Branch 32 shall have a branch seal, which bear the words identifying the provincial command and the number of Branch 32. This seal should be in the custody of the Branch 32 secretary, who under such seal shall have full authority to certify as to the authenticity of any and all documents in her/his possession.

145. For audit procedures, please refer to the Provincial Command's By-Laws, Article 15.



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**ARTICLE 10 – PROPERTY OF BRANCH 32**

**Building**

146. Hours of operation will be decided on by the executive and may be changed from time to time to suit local conditions. Party Politics, religion, and gender characteristics shall not be discussed on Branch's premises.

147. Rental of the Building and facilities shall be managed by the First Vice President and Bar Manager. All Rental contracts shall have the approval of President and Executive prior to schedule of event.

148. No Major Branch Asset may be disposed of or loaned out without prior NL Provincial Command Approval. No Minor Branch Asset may be loaned out without reference to the executive in consultation with the President or 1st Vice President of Branch 32. The Treasurer shall record all asset depositions and loans and all documents must be signed by reciprocate of asset.

149. A member shall be liable for damage done to the Branch by their actions or the actions of their guests. Any person noticeably under the influence of alcohol will not be permitted to enter the Branch. Loud talking, unwarranted intrusion upon other members, profanity, and drunkenness are prohibited. No caps are to be worn by both genders inside the Branch Building.

150. Smoking in or on the patio of the building is prohibited. All alcoholic drinks served must be consumed in the Branch or on the Licensed Patio. Members or non-members may take no alcoholic beverages off the Branch premises.

151. The bartender is responsible for maintaining order and discipline, and if in her/his opinion an individual of the Branch is approaching a stage of intoxication whilst in the Branch, the bartender may refuse the serving of alcoholic beverages to this individual and if necessary may ask to leave the premises.

152. Should a member refuse to leave, or act in a disorderly manner, such member may have his/her membership revoked for a period of six months; however the matter of discipline must be approved by the President and executive and must comply with the Royal Canadian Legion General By-Laws.

153. Any person employed by the Branch who reports for duty in an apparent state of intoxication or consumes any alcoholic beverages during work hours shall be subject to dismissal.

**Veterans Quay**

154. The President shall appoint an executive officer to manage the operations of the Veterans Quay.

155. All monies received on behalf of Veterans Quay will be set up in a special account of the Branch and deposited on a weekly basis in a Chartered Bank of Canada designated by the Branch. Treasurer has full responsibility of management of this account.

156. All major repair work carried out at the Veterans Quay must have the full approval of the President and Executive Committee.

**ARTICLE 11 – LADIES AUXILIARY**

157. At the time of writing Branch By-laws, no Ladies Auxiliary existed at Branch 32. Upon creation of a Ladies Auxiliary, Branch by-laws should be updated to reflect this change and Branch shall adopt Ladies Auxiliary Provincial Command By-Laws, Article 19.

**ARTICLE 12 – BRANCH COMMITTEE**

158. The President and Executive may appoint or elect a chairperson to head up whatever committees deemed necessary by the Branch. These committees should consist of Membership, Poppy Campaign, Service Officer, Chaplain, Ways and Means, Building Repairs and Maintenance, Veterans Quay and Advisory Committees.

159. Committee Chairperson should be a member of the Executive; however committee members can be general voting and non-voting Branch members.

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**ARTICLE 13- BRANCH WELFARE**

160. All Branch 32 veterans 65 years of age or over and who have served overseas will have their yearly dues paid by the Branch. Veterans who receive this benefit must have been active Branch 32 members for more than 3 consecutive years prior to the age of 65.

161. In case of death to Branch members, or spouse, or Armed Service Personnel, Branch 32 will provide a wreath. Sympathy cards will be provided in the case of grandmother, grandfather, mother-in-law, father-in-law, brother-in-law, and sister-in-law.

162. Wreaths for other community leading citizens or Branch Member siblings to be at the discretion of the Branch President or Executive Committee.

163. When a Branch Member is in hospital, she/he is to be visited by Branch Service Officer, or a representative, and delivered a gift or a basket of fruit.

**ARTICLE 14 – BRANCH BY-LAWS**

164. Any article of this Branch may be altered, suspended or any new article added by the consent of two thirds of the members present at a general meeting, provided that not less than fifty members are present at such meetings and only after one month's notice of the amendment or desire to amend has been given to the Executive committee

165. Any proposed amendment or addition to the By-Laws, or any suspension of any article shall be specified in a notice posted on the Branch notice board at least seven days before the date of the general meeting at which it is to be considered. Nothing herein contained shall prevent amendment, addition or suspension at such meeting provided the substance, and spirit thereof is not lost.

166. The Branch is bound by the General By-Laws of the Royal Canadian Legion of the Dominion Command and the By-Laws of the Newfoundland/Labrador Command of the Royal Canadian Legion and these present are not in contravention of the said By-Laws. All items of business passed at an annual or general meeting must remain on the books until the following Annual Meeting or as outlined in Article 165.