

**NOVA SCOTIA/NUNAVIT
COMMAND**

HANTS COUNTY BR. 009

ROYAL CANADIAN LEGION



BRANCH BY-LAWS

AMENDED October 2016

Amendments

Date amendment approved at Branch General Meeting	Date amendment approved by NS/NU Command	Article Amended	Date By-Laws Updated	Signature
	Oct 2010	Article 1 – Branch Name		
	May 2012	Article 4 – Meetings, paragraphs d and i Article 6 – Officers, paragraphs c and d Article 7 – Executive Committee, paragraph b Article 12 – Duties of Officers & Paid Employees, paragraphs d and e Article 14 – Duties of Committees, paragraphs b, c and d Article 21 – Financial, paragraph b		
Feb 21, 2013	July 15, 2013	Article 4 – Meetings, paragraph c Article 6 – Officers, paragraph b Article 8 – Elections, paragraphs a & b Article 9 – Nominations, paragraphs a, c, d, e and f Article 10 – Voting, paragraphs a & b	July 23, 2013	AM Brooks, Secretary
May 21, 2015	Sept 25, 2015	Article 6 – Officers, paragraph a Article 7 – Executive Committee, paragraphs b and d	Oct 23, 2015	R. Ryan, Secretary
May 19, 2016	Sept 9, 2016	Article 4 – Meetings, paragraphs b, c, i Article 8 – Elections, paragraphs a, d Article 9 – Nominations, paragraphs b, e, and f Article 12 – Duties of Officers & Paid Employees, paragraphs a, d, j, and i Article 13 – Standing Committees, paragraph a Article 14 – Duties of Committees, paragraphs a, b, e, i, k, m, o and u Article 21 – Financial, paragraphs a and c	Oct 25, 2016	R. Ryan, Secretary
May 19, 2016	Oct 18, 2016	Article 12 – Duties of Officers & Paid Employees, paragraph e	Oct 25, 2016	R. Ryan, Secretary

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- h. Guests may attend General Meetings by invitation of the President or Branch. They will leave as soon as their business is complete.
- i. The Branch Manager or representative shall attend all General and Executive Meetings and any other as required. **(September 2016)**

ARTICLE 5 Quorums

- a. A quorum for an annual meeting shall be twenty (20) voting members.
- b. A quorum for an Executive Meeting shall be a majority (i.e. 50% plus 1) of the Executive Committee.
- c. A quorum for a general or special meeting shall be twenty (20) voting members.
- d. A quorum of all committee meetings must be (50% plus 1).

ARTICLE 6 Officers

- a. The Officers of the Branch shall be:

Immediate Past President	President	1st Vice President
2nd Vice President	Sgt at Arms	Service Officer
Chaplain	Honourary President	
- b. An Honorary President shall be appointed by the outgoing President for the following year.
- c. The positions of Service Officer and Chaplain shall be appointed by the incoming President and ratified by the incoming Executive. The outgoing Service Officer and Chaplain will remain in office until their replacements have been installed.
- d. The duties of the officers shall be as laid down in the Ritual and Insignia Manual of the Legion and Article 12 of these by-laws.
- e. In the event that the office of President becomes vacant, his/her duties shall be assumed by the 1st Vice President, and if not available, the 2nd Vice President. There shall be an election to fill the office of President at the next General Meeting.
- f. In the event of a vacancy in the office of either the 1st or 2nd Vice President, the position shall be filled by the Immediate Past President. In the event of a coinciding vacancy of both the office of 1st and 2nd Vice President, only one position shall be filled by the Immediate Past President. There shall be an election to fill the office of Vice President at the next General Meeting, or, if this occurs when the Executive is running the Branch (July & August) at their next meeting.
- g. In the event of a coinciding vacancy in the offices of President and both Vice Presidents, the position of President shall be filled by the Immediate Past President. There shall be an election to fill these positions at the next General Meeting, or if this occurs when the Executive is running the Branch (July & August), at their next meeting.
- h. All other officers' vacant positions will be filled at the next General Meeting.

- b. The duties of this committee shall be as described in the Rules of Procedure for Legion Meetings and Branch By-Laws except as follows:
 - I. Chairperson appointed by Executive; **(September 2016)**
 - II. Nominations for Branch offices shall be in writing and must be signed by the Nominating Committee. Each nominated candidate shall sign by their name to indicate their willingness to stand for the position for which they are nominated. This list will be posted after the September meeting. **(September 2016)**
- c. The deadline for written nominations by the Committee shall be one (1) day prior to the General Meeting in September.
- d. The duties of the Branch Nominating Committee cease after their list is presented to the September Meeting.
- e. There may be additional nominations from the floor after the September Meeting if required. Any nominee from the floor must be present when nominated, and signify that they will serve if elected or have a letter submitted at the meeting to indicate their willingness to stand for the position for which they are nominated. This letter must be signed by a member in good standing and the member being nominated. **(September 2016)**
- f. Any nominee that is nominated from the floor will have their name posted on the Branch Bulletin Board. **(September 2016)**
- g. Qualifications in the Branch for nominating or being nominated shall be as follows:
 - I. All voting members admitted under the General By-Laws of the Royal Canadian Legion may nominate members for Executive positions that are eligible for office in accordance with these By-Laws, and they themselves are a member in good standing.
 - II. Nominees for position of President or Vice President must have served a period of one (1) full year on the Branch Executive Committee and be a member in good standing.
 - III. Nominees for position of Executive-at-Large must have served a period of one (1) full year in the Branch and be a member in good standing.
 - IV. A nominee who is defeated for an office may be nominated for any other office.
 - V. No member shall hold more than one Executive position at any one time.

ARTICLE 10 Voting

- a. The Sergeant-at-Arms shall verify the number of members in good standing present at the October General Meeting, who are entitled to vote and communicate the number to the Presiding Officer.
- b. Voting at the October General Meeting shall be by closed ballot.
- c. A member in good standing not present when the vote for an office has started, shall not cast a vote for that office.

- d. The Presiding Officer may appoint scrutineers, comprising of members who are not running for any office. They shall count the votes and declare the winners to the Presiding Officer. The number of votes for each candidate will not be made known to the meeting. All ballots will be destroyed following the results of the vote.
- e. They must have 50% plus 1.
- f. To be elected as an Executive-at-Large, the seven (7) nominees receiving the greatest number of votes on one ballot shall be considered elected. In the event of a tie vote for the final Executive-at-Large position, a run-off vote with only the names of those nominees tied on the ballot will be held.

ARTICLE 11 *Installation*

- a. The installation of the Officers and Executive Committee will take place at the Annual General Meeting in December or as soon as possible thereafter following the elections.
- b. Any officer or past officer of the Royal Canadian Legion in good standing is authorized to perform the installation ceremonies.
- c. The installation officer will be appointed by the President Elect.

ARTICLE 12 *Duties of Officers & Paid Employees*

- a. President – The President shall preside at all meetings and enforce order and strict observance of the By-Laws. The President shall exercise a general supervision and control over the officers and business of the Branch and shall call meetings of the Executive Committee of the Branch when it is deemed advisable. The President shall be an ex-officio member of all committees, special or otherwise, and will not have a vote. **(September 2016)**
- b. Past President – The Past President shall assist the President when called upon.
- c. 1st & 2nd Vice Presidents – The duties and responsibilities of both the 1st and 2nd Vice Presidents shall be as designated by the President, with the major committees, (finance, poppy, house & properties, and any other committee as designated), being split among the two. Along with the major committees, each Vice President shall be responsible to oversee a designated share of all committees. In the absence or disability of the President, all rights and powers vested in the President shall, for the time being, be vested in the 1st Vice President, and in the absence or disability of both the President and 1st Vice President, all rights and powers vested in the President shall, for the time being, be vested in the 2nd Vice President. In the absence or disability of the President, the 1st Vice President and the 2nd Vice President, all rights and powers vested in the President shall, for the time being, be vested in a Past President of the Branch, appointed by the Executive Committee.
- d. Branch Manager – The Branch Manager shall be a paid position of the Branch and their duties will be as listed in the position’s job description. **(September 2016)**

available at the February General Meeting. The first name for each committee shall be the chairperson. **(September 2016)**

- b. There may be the following standing committees: Finance, Membership, Poppy, Poppy Trust Fund, Bar & Canteen, House & Property, Sick & Visiting, Ways & Means, Entertainment, Honours & Awards, Publicity, Zone Representatives, Sports, Audit, Leadership, Youth, Cemetery, Call to Remembrance, Seniors, Personnel, or any others that may be deemed necessary and passed at a General Meeting.
- c. All Committees should have a member of the Executive as a Chairperson.

ARTICLE 14 Duties of Committees

- a. Executive Committee -
 - I. The Executive Committee shall have all the powers of the Branch between General Meetings of the Branch except the power to rescind or alter the By-Laws.
 - II. The Executive Committee shall have the power to suspend or dismiss any salaried or hourly paid employee in accordance with the Nova Scotia Labour Laws.
 - III. Any salaried and hourly paid persons that may be necessary for the working of the Branch shall be hired and be under disciplinary control of the Executive Committee. The salaries and hourly pay rate shall be set by the Executive Committee at all times with advice from the Finance Committee.
 - IV. All Complaints lodged at the Branch shall be dealt with in accordance with the General By-Laws of the Royal Canadian Legion.
 - V. All financial transactions for expenditures or investments must be approved by the Executive Committee before being presented to the general meeting for approval. **(September 2016)**
- b. Finance Committee –
 - I. This committee will consist of the designated Vice President, Branch Manager, one Past President, and any other members that may be selected by the President and/or the Executive Committee. (May 2012)
 - II. It shall be the duty of this committee to oversee all financial aspects of the Branch and to recommend any changes in the financial structure of the Branch to the Executive for approval and thence to a General Meeting for approval or disapproval.
 - III. This committee shall submit a yearly budget to the General Meeting in March, for approval, amendment or otherwise.
 - IV. Mileage rates and per diem rates will be recommended by this committee to be paid to the members while traveling on Legion or Branch business and passed on to the Executive and General Meetings for approval. **(September 2016)**
 - V. Any paid employee of the Branch shall not have a vote on this committee.

- VI.** The Finance Committee will be responsible for the annual financial review. **(September 2016)**
- VII. The chair of any committee that raises funds or uses Branch funds, must submit a report to the Finance Committee prior to the Finance Committee submitting their annual budget. **(September 2016)**
- c. Poppy Committee – It shall be the duty of this committee to run the Poppy Campaign, to order and distribute poppies, wreaths and crosses, to establish outlets within the defined area of Branch 9, to collect unsold poppies, wreaths, crosses and monies at the conclusion of the Poppy Campaign; keep a record of all monies spent and collected. This record and monies will be turned over to the Branch Manager as soon as possible. (May 2012)
- d. Poppy Trust Fund Committee –

 - I. The Poppy Trust Fund Committee shall consist of the Trustees, Service Officer and Branch Manager. (May 2012)
 - II. They shall conduct themselves in accordance with the General By-Laws and the Royal Canadian Legion Poppy Manual.
- e. Bar and Canteen Committee –

 - I. The Bar and Canteen Committee shall supervise the day-to-day operation of the Bar and Canteen. eg. To compile and place stock orders with the assistance of the Bar Manager as frequent as is necessary to provide a workable balance of merchandise for resale.
 - II. This committee shall describe the duties and direct the conduct and appearance of all Bar Stewards. **(September 2016)**
 - III. This committee shall ensure that the bar stewards take a reading from the cash register at the end of each working shift. A physical inventory of all saleable merchandise shall be taken weekly. **(September 2016)**
 - IV. The Branch Manager shall deposit all monies at a local chartered bank at least weekly and pay all bills by cheque and turn profits over to the General Account at least once a month. The Branch Manager will keep a complete and accurate set of financial records that will be subject to a financial review. The committee chairperson shall provide a report to the General Meeting each month. **(September 2016)**
- f. Membership and Renewal Committee –

 - I. Shall be at least a three (3)-member committee, meeting when necessary at the request of the chairperson, to check applications for membership and transfer, and if found in order, to present same to the Executive and General Meetings for approval or otherwise.
 - II. This committee shall organize and conduct a program to encourage delinquent members to renew their membership.
- g. House and Property Committee –

 - I. This committee shall instruct and direct the duties of the persons employed in the general maintenance of the premises. This committee shall arrange for building repairs, maintenance or alterations as may be

- required upon approval of the Executive Committee and the General Meeting.
- II. The House and Property Committee may post rules and regulations for the building. These rules must be approved by the General Meeting.
 - III. Branch inventory to be upgraded by April 30th of each year.
 - IV. The Branch Manager shall be and the Bar Manager should be a member of the House and Property Committee.
- h. Sick and Visiting Committee –
- I. The chief concern of this committee is for the welfare of the members of the Branch; to make visits when possible; to distribute comfort where required and to make a report to the monthly General Meeting of their activities.
 - II. The committee chairperson should liaise closely with the Service Officer when member's welfare is a concern.
 - III. Branch members and Branch staff should assist this committee in keeping the Branch Sick Notice Board up to date.
- i. Ways and Means Committee –
- I. The chairperson or their appointee is responsible to operate bingo, video lottery terminals and any other fund raising ventures, conforming to Provincial Government Regulations.
 - II. This committee chairman or appointee shall pay all bills by cheque and turn profits over to the General Account at least once a month. This committee will keep a complete and accurate set of financial records that will be subject to a financial review. The Branch Manager shall deposit all monies at the local chartered bank at least weekly. **(September 2016)**
 - III. Reports shall be given to the General Meeting each month and a written statement will be submitted to the Executive Committee each month.
- j. Entertainment Committee – It is the duty of this committee to have concern for the social activities of the Branch and to submit to the Executive Committee for approval, a schedule of proposed events and an estimate of the financial support required.
- k. Honours & Awards Committee – This committee will bring forward for approval by the Executive Committee and/or the General Meeting, a list of persons or organizations they recommend for any Honours or Awards. **(September 2016)**
- l. Bulletin Editor & Publicity – A bulletin editor and publicity committee shall be appointed by the President and Executive Committee and information will be published in the local newspaper, the Torch and Legion Magazine as may be required.
- m. District & Zone Representatives – President, Vice President, Past president and Executive Member and any other members, however, only two Representatives of the branch may vote. **(September 2016)**

- n. Sports Committee -
 - I. The in house Sports Committee shall be given a budget to sponsor and promote sports for the branch at the local, zone and provincial levels. A report will be given to the Executive and General Meetings of the Committee's activity.
- o. Financial Review Committee – The Financial Review Committee shall be constituted and shall perform its duties according to the General By-Laws of the Royal Canadian Legion. If Branch members are appointed, they shall not be Executive Committee Members. Financial Reviews shall be approved by the Executive Committee and General Meeting. **(September 2016)**
- p. By-Laws Committee –
 - I. By-Laws Committee shall be responsible for these By-Laws, their revising, amending, and also the amending of the General By-Laws, Provincial, and any other publications that may affect the Branch By-laws and advise the President.
 - II. This committee will also be responsible for the Branch's House Rules and Regulations Book.
- q. Cemetery Committee –
 - I. Cemetery Committee shall be responsible to report to the Branch any problems with the Legion lots in Maplewood Cemetery.
 - II. The repair and replacement of Legion crosses in area cemeteries and they will ensure that new crosses are in stock.
- r. Seniors Committee – The Seniors Committee will represent the Branch at local seniors meetings groups. Pass on any Legion information to Senior Groups, etc.
- s. Personnel Committee – The Personnel Committee will discuss branch employees and/or employer concerns and bring them forward to the Executive Committee for considerations and action if required.
- t. Call to Remembrance Committee – The Call to Remembrance Committee will represent the Branch at Zone Call to Remembrance meetings, ensure that local schools have study materials and are informed of competition dates, etc.
- u. The chairs of all committees will be given a copy of their committee duties when they become chair. **(September 2016)**

ARTICLE 15 **Dues and Fees**

The fee for Annual dues of the Branch shall be reviewed by the Executive Committee from year to year and any recommendations will be taken to the General Meeting for approval/disapproval. Dues for the year shall be payable on or before 31 January.

ARTICLE 16 **Application for Membership**

- a. Applications for membership are to be submitted to the Membership Committee for proper scrutiny and presented to the Executive Committee thence to the General meeting for approval or disapproval.
- b. An applicant who has been accepted for membership in the branch must participate in the initiation ceremonies.
- c. An applicant having been accepted for membership but who does not present himself or herself for initiation within six months of acceptance will be required to file a new application for membership.
- d. An Applicant will be notified by mail that their application has been approved/disapproved. Approved applicants will be informed of the time and date of the General Meeting that they can be initiated. They will also be informed of the Branch Dress Regulations and Para. C of this article 15.

ARTICLE 17 **Order of Business**

The order of business to be followed as far as is practical at all General Meetings of the Branch is as set out in the handbook, *Rules of Procedure for Legion Meetings*, for the Royal Canadian Legion. In all cases where these rules do not make adequate provision, then and only then, *Robert's Rules of Order* shall apply.

ARTICLE 18 **Fiscal Year**

The fiscal year for the Branch shall be from January 1st to December 31st.

ARTICLE 19 **Expenditures**

No member of the Branch shall expend any grant of money for expenses without an expense account being tendered. This account must be itemized.

ARTICLE 20 **Limiting of Expenditures**

- a. The Executive Committee shall be authorized to allow expenditures up to \$2,000.00 per month. Each expenditure over \$ 2,000.00 must have prior approval of the General Meeting.
- b. The House and Property committee may spend up to \$5,000.00 for emergency repairs only that may endanger or hamper the operation of the building. (e.g. plumbing, heating, electrical, building leaks, etc.)
- c. Report to be given by Committee at Executive and General Meetings of any building repairs, maintenance or alterations carried out since last meeting.

ARTICLE 21 **Financial**

- a. All monies from Branch activities, shall be labeled and then be placed in a safe at the Branch until such time that it can be deposited in a chartered bank in Windsor, NS. Cheques shall be used to pay accounts. All cheques shall be signed by two duly authorized signing officers. No cheques shall be pre-signed.

All levels of the Branch shall maintain an adequate system of bookkeeping, subject to direction of the superior commands. **(September 2016)**

- b. Any member in good standing may upon request see and discuss with the Branch Manager any financial reports and audit reports within a reasonable time, at the Branch. Any information derived from these reports shall not be passed on to any members who are not in good standing or the media or general public without prior approval of the Branch Executive. Failure to comply with this By-Law could result in a complaint being laid.
- c. The Branch credit card will be in the name of both the Branch and Branch Manager. **(September 2016)**

ARTICLE 22 *Damage to Branch Property*

If any member or members of the Branch willfully or neglectfully cause damage to Branch property, the House and Property Committee shall assess the amount of such damage and the amount thereof assessed shall be paid to the Branch by such member or members.

ARTICLE 23 *Guests*

- a. When a member signs in a guest at the Branch, that member shall be responsible for the guests. This means in every way. (e.g. age, dress, conduct, etc.). If the guest breaks any rules or damages any Branch property, the member may be held responsible and may have a complaint registered against them under the By-Laws.
- b. Guests must leave the Branch when the member leaves. Guests may be limited to one sign in per calendar week, except by prior authorization.

ARTICLE 24 *Alteration or Amendment*

- a. These By-Laws shall not be altered or amended except upon a motion of which notice shall have been given at a meeting of the Branch held previously to the meeting in which the same is to be considered, which notice shall set out such alterations or amendments, signed by name of the member presenting same; and a two-thirds majority vote of the members present and entitled to vote at any General or Special Meeting of the Branch shall be required to make such proposed alteration or amendment effective. Said Notice of Motion shall be posted prominently in the Branch premises; or sent by post.

ARTICLE 25 **Date By-Laws in Effect**

These By-Laws shall become effective upon date of approval thereof Nova Scotia / Nunavut Command.

Date of General Meeting at which these By-Laws were approved as amended,



Branch By-Laws Chairperson



Branch President