

The Royal Canadian Legion



Kingsway Branch No. 175
Albert - NWT Command

AS AMMENDED TO OCTOBER 21, 2015

BRANCH BY-LAWS

ALBERTA-NORTHWEST TERRITORIES COMMAND

KINGSWAY BRANCH NO. 175

OF THE ROYAL CANADIAN LEGION

INTRODUCTION

Purposes and Objects

The purposes and objects of the Branch shall be those set forth in the Act to Incorporate of The Royal Canadian Legion and in the introduction to the General By-Laws of The Royal Canadian Legion.

ARTICLE 1

Interpretation

Unless the context otherwise requires:

1.01.1.1

- (a) "the Act" to incorporate The Royal Canadian Legion (Statuettes of Canada 1948, Chapter 84, as amended).
- (b) "General By-Laws" means the By-Laws of The Royal Canadian Legion (as amended from time to time).
- (c) "Provincial By-Laws" means the By-Laws of the Alberta and Northwest Territories Command (as amended).
- (d) "Dominion Command" means the supreme authority of the Legion, that is the Dominion Convention, and when it is not in session, the Dominion Executive Council.
- (e) "Provincial Command" means the Provincial Convention, and when it is not in session, the Provincial Executive Council.
- (f) "Branch" means the Alberta and Northwest Territories Command, Kingsway Branch No. 175.
- (g) "Member" means any person who has been duly admitted to any types of membership provided by the General By-Laws.
- (h) "Members in good standing" is in accordance with provisions of Article I Subsection 101 (c) of the General By-Laws.

1.02 The General By-Laws of The Royal Canadian Legion (as amended) shall be and are hereby accepted, together with the Act, as the constitution of this Branch. In all cases not covered by these By-Laws the General By-Laws and/or the Provincial By-Laws shall apply.

- (a) Notwithstanding the generality of the foregoing nothing in these By-Laws shall contradict and/or contravene any provision(s) of the General By-Laws and/or the Provincial By-Laws. Any clause in these By-Laws that is adjudged to contradict and/or contravene the General or Provincial By-Laws shall be null and void.

1.03 In these By-Laws, words indicating masculine import the feminine.

ARTICLE II

Membership

2.01 All applications for membership in the Branch shall be subject to the restrictions and fall within the classes set forth in Article II of the General By-Laws.

ARTICLE V
OFFICERS AND EXECUTIVE MEMBER

The Executive Committee of the Branch shall consist of the President, First Vice President, the Second Vice President, ten (10) Executive Members and the Immediate Past President.

- 5.01 The Officers of the Branch shall be: the President, the First Vice President, the Second Vice President and the Immediate Past President.
- (a) Save and except the Past President, the Officers of the Branch shall be elected to the office for one year.
- 5.02 There shall be elected by ballot ten (10) Executive Members.
- (a) One half of the Executive Members shall be elected each year for a term of two years.
- (b) If more than five (5) Executive vacancies exist, the five (5) candidates obtaining the most votes will be elected for a two year term and the unexpired one year term.
- (c) Position will be filled by another candidate or candidates, in accordance with the number of votes received in ascending order.
- (d) In any current year, five Executive Members will be serving a term of two (2) years and five (5) an unexpired term of one (1) year.
- (e) Should a vacancy occur on the Executive for any reason, a member will be elected by majority vote of the Executive Committee, and such member shall serve for the remainder of the current year.
- 5.03 Should a vacancy occur in the office of the President or Vice President, the following shall be followed:
- (a) Should the office of the President become vacant, the First Vice President shall become President.
- (b) Should the office of First Vice President become vacant, the Second Vice President shall become First Vice President and the office of Second Vice President shall become vacant.
- (c) Any vacancy in the office of the Second Vice President shall be filled by nomination and election by secret ballot, at the next General Meeting of the Branch.
- (d) If as a result of the foregoing a vacancy occurs in the position of an Executive Member, the position shall be filled in accordance with Article 5.02(e) of these By-Laws,
- 5.04 The Branch Elected Officers and Executive shall assume office immediately upon installation and shall hold office in accordance with articles 5.02(a) and 5.02(d).
- 5.05 The quorum for an Executive Committee meeting shall be eight (8) members.
- 5.06 In the event that an Executive Committee member verbally tenders his resignation from office he will be allowed a maximum period of 48 hours to review his decision and shall, on or before the expiration of the 48 hour period, either:
- (a) Advise in writing that he will not be resigning; or
- (b) Submit his resignation in written form.

Branch Executive Committee for a minimum of one (1) year within the proceeding three (3) years.

- (h) Any member aspiring to run for office on the Executive Committee must have attended a minimum of four (4) Branch General Meetings during the 12 full calendar months preceding the October General Meeting in the year of the election.
- (i) A candidate may stand for more than one office provided that:
 - 1. A candidate may be elected to one position only.
 - 2. A candidate contesting more than one position must accept the highest position to which he is elected.
 - 3. An Executive Member who is elected as a Branch Officer must resign his Executive position.

6.04 Nomination Committee

- 1. The elected nomination Committee shall be the Election Committee, and shall assume duties of Returning Officers and Scrutineers. However, any member(s) of this Committee nominated from the floor at the October General Meeting, will be excluded and replacement member(s) shall be elected following the closing of the floor nominations.
- 11. The Returning Officers shall ensure the ballot box is locked and sealed at all times and remains so until voting on General Election days as provided in Section 6.01 of these By-laws, is concluded.

6.05 No member of the Branch Ladies Auxiliary may be elected to an office of the Branch and Ladies Auxiliary simultaneously.

ARTICLE VII Standing Committees

The following Standing Committees shall be established:

- (a) Finance
- (b) Ways and Means
- (c) Membership
- (d) Publicity
- (e) Sports
- (f) Buildings and Grounds
- (g) Sick and Visiting
- (h) Entertainment and Special Events
- (i) Poppy
- G**) Resolutions and By-Laws
- (k) Honours and Awards
- (l) Executive Secretary (May be by appointment)

7.01 Additional Committees may be established by the President or the Executive Committee as may be deemed necessary, from time to time, for the proper conduct of the Branch. All such 'ad hoc' Committees shall be discharged on the completion of their duties.

- (c) When, due to the lack of a quorum at any General Meeting, proposals for the expenditures of monies for the benefit of the Branch cannot be dealt with and approved by the General Membership, the Executive shall have the extraordinary powers to direct or expend, monies of the Branch, but will be held accountable to the General Membership at the next properly constituted General Meeting.
 - (d) The Executive Committee shall have the power to appoint a salaried Branch Manager (whose duties are hereinafter described).
 - (e) By majority vote, the Executive Committee shall have the power to dismiss the Manager of the Branch.
- 9.03 Any member of the Executive Committee who is absent from three (3) meetings of the General Membership and/or the Executive Committee without being excused for just cause by the Executive Committee, shall cease to hold office and his office shall be filled as provided in Article 5.02(e).
- 9.04 No Executive Committee member shall be excused from Committee work unless the majority of those present at an Executive Meeting agree. However, no Executive Committee Member shall be obliged to serve on more than two Committees at one time.
- 9.05 The minutes of the Executive Committee Meeting shall be ratified at the next General Meeting of the Branch. Any Voting Member shall have the right to question any item covered by these minutes.

ARTICLE X

Meetings

- 10.01 The Annual General Meeting of the Branch shall be held in the month of February each year, at which time Annual Reports and a review Financial Statement covering the previous calendar year's operation will be presented for adoption. In the event that a review statement is not available at the time, it shall be presented at the March General Meeting.
- 10.02 The regular monthly meeting of the Branch will be held on the last Tuesday of each month with the exception of the months of July, August and December.
- 10.03 At any meeting of the Branch, Special or General, the quorum shall be thirty-five (35) and questions shall be decided by majority vote of those present.
- 10.04 Special General Meetings of the Branch may be called as follows:
- (a) By the President
 - (b) By a majority of the Executive Committee; or
 - (c) By thirty-five (35) Voting Members in good standing.
- Any notice calling such a meeting shall briefly set out the general purpose for which the meeting is called, and seven (7) days notice in writing shall be given of any such meeting. Only that business for which the Special Meeting has been called shall be dealt with.
- 10.05 The order of business for a regular General Meeting shall be:
- (a) Call to Order by the President
 - (b) "O Canada"
 - (c) Opening Ceremony
 - (d) The President may yield control of the Meeting to the Branch Chairman

immediately preceding such a meeting. This statement shall have been checked and verified by the Finance Committee.

- 11.10 Under the direction of the Finance Chairman, the Branch Manager shall cause to be kept a true account of all monies received and paid out by the Branch. He shall cause to be deposited all funds of the Branch in a Chartered Bank, Treasury Branch, Credit Union or other bona fide banking institute as may be approved by the Executive Committee. He shall also ensure that the funds of all Clubs and Sports Leagues operating under the auspices of the Branch shall be administered by the Branch with a separate account for each operation. All cheques deposited shall be marked "For Deposit Only" to the account of the Branch.
- 11.11 No money shall be obtained by way of loan, mortgage or pledge, and no realty or assets of the Branch shall be sold or disposed of without approval by the majority vote of a General Meeting.
- 11.12 The Real and Personal property held or acquired by the Branch shall be held in the name of the Branch.
- 11.13 No expenditure of funds, except as may be authorized elsewhere in these By-Laws, shall be made by the Branch without referral to the Finance Committee for a report, unless such expenditure is authorized by a majority vote at a General Meeting.
- 11.14 Notwithstanding the previous section 11.13, all charitable donations will be handled in the following manner:
- (a) All requests for donations must be in written form, and be presented at either a General or Executive Meeting.
 - (b) The Ways and Means Committee will be responsible for analyzing the request as to the monies available, and to ensure that the Charitable Organization falls within the guidelines of the Alberta Liquor and Gaming Commission and the Branch Permits. The Ways and Means Committee will then make a recommendation to the Executive Committee. The Executive Committee will be responsible to judge the merit of the request, and make a recommendation to the next General Meeting for final approval or otherwise.
- 11.15 No raffle will be held using the Kingsway Legion name or no raffle tickets will be sold on Kingsway Legion property without the permission of the President or his designate.
- 11.16 All financial statements may be accessed by any voting Branch member in the presence of one of the following:
- (a) Branch President
 - (b) Branch Manager; or
 - (c) Finance Chairman

ARTICLE XII

Branch Chairman

- 12.01 Unless otherwise stipulated by the President, the Branch Chairman shall preside at all General Meetings of the Branch.
- 12.02 When presiding, the Branch Chairman shall enforce order, and strict observance of the By-Laws, the Provincial By-Laws and the General By-Laws.

ARTICLE XV

General

- 15.01 All Officers, members and staff who handle Branch funds shall be covered by a blanket bond, except those persons with financial signing authority, shall be individually bonded for the amount not less than \$100,000.00. The cost of bonding shall be borne by the Branch. No two (2) family members (which includes Common Law spouses) shall have signing authority.
- 15.02 (a) Within the guidelines of the General By-Laws, Article IX 903(1), Article X 1001, 1002 and Branch By-Laws 15.02(2), the financial state of the Branch funds shall govern the number of delegates elected to attend Dominion and Provincial Conventions paid for by the Branch.
- (b) Recommendations of Branch financial obligations for delegates' expenses shall be made by the Financial Committee, and be subject to ratification by the Executive Committee and General Membership.
 - (c) The President shall be the only automatic delegate as first named. Any additional delegates shall be nominated and elected at a General Meeting in

- the month following the month in which the convention call is received.
- (d) To attain eligible delegate status, a member must have attended four (4) General and/ or Executive Meetings and one each of District 2 and Area B rallies in the calendar year immediately prior to the Convention call, and be a Member in good standing.
 - (e) Attendance determination shall be made from the Executive Roll Call records and the General Meeting attendance books.
- 15.03 The Area and District Delegates shall be the President and one other Voting Member in good standing, elected at a General Meeting.
- 15.04 No salary shall be paid to any member of the Executive Committee, nor shall any salaried Officer or staff be a member of the Executive Committee. The Ladies Auxiliary members employed by a Branch or Command may, at the discretion of the Branch or Command hold office in the Auxiliary.
- 15.05 Public Statements in connection with Branch Policy shall be restricted in accordance with Article I 104(2) of the General By-laws.
- 15.06 Public statements in connection with the Legion affairs shall be restricted in accordance with the provisions of the General By-Laws at Article I 104.

AMENDMENTS TO BY-LAWS

These By-Laws shall not be altered, amended, varied, or added to except by Notice of Motion.

- (a) Any Notice of Motion must:
 - (i) be given in writing at the General Meeting prior to the one at which it will be given consideration;
 - (ii) detail such alteration, amendment, variation, deletion, or addition;
 - (iii) be signed by the member presenting the Notice of Motion; and
 - (iv) receive a majority of two-thirds (2/3) of the voting members present at the Meeting at which it is given consideration.