

The Royal Canadian Legion



Kingsway Branch No. 175

Alberta - NWT Command

AS AMMENDED TO SEPTEMBER 25, 2018

BRANCH BY-LAWS
ALBERTA-NORTHWEST TERRITORIES COMMAND
KINGSWAY BRANCH NO. 175
OF THE ROYAL CANADIAN LEGION

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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

1.1 Unless the context otherwise requires:

- (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 (Dominion Command) 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.

1.2 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.

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

ARTICLE II Membership

2.1 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.

2.2 All applications for membership or reinstatement shall be dealt with as set forth in Article II of the General By-Laws.

ARTICLE III Dues

3.1 The annual dues payable by members shall be determined from time to time by the vote of the members present at the General Meeting of the Branch; in the case of an Ordinary Member who is totally dependent upon Old Age Security or W.V.A; his annual dues shall be equal to the per capita tax assessment.

3.2 Branch Dues shall become due and payable on (or by) the 31st day of December in each calendar year.

3.3 Branch dues for new members are payable in advance for the current calendar year, and shall be remitted prior to initiation.

3.4 A member who has not paid his dues in accordance with clause 3.2 shall be deemed to be in arrears on the day following.

3.5 The Branch Secretary or Membership Chair shall send written notice to each member forthwith after he is in arrears, showing the amount of dues owing.

3.6 Any situation or case not dealt with in these By-Laws shall be dealt with in accordance with the General By-Laws.

ARTICLE IV Complaints Against Members

4.1 All complaints against members shall be dealt with in accordance with the General By-Laws of the Royal Canadian Legion Article III Complaints and Appeals.

ARTICLE V Officers and Executive Members

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.

5.1 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.

5.2 There are 10 Executive Member positions that need to be filled.

(a) 5 will be elected each year for a 2 year term and 5 will remain for a 1 year term to complete their 2 years providing continuity.

(b) If more than five Executive vacancies exist, the 5 candidates obtaining the most votes will be elected for a two year term and the remaining filling out the 1 year openings.

(c) Should a vacancy occur on the Executive for any reason a member will be appointed by the President and ratified by the executive.

5.3 Should a vacancy occur in the office of the President or Vice President, refer to the Dominion Bylaws.

5.4 The Branch Elected Officers and Executive shall assume office immediately upon installation and shall hold office in accordance with articles 5.2(a) and 5.2 (c).

5.5 The quorum for an Executive Committee meeting shall be eight (8) members.

5.6 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.

(c) 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 5.2(c) of these By-Laws,

5.7 When a member of the Executive Committee submits his resignation in written form it shall be effective immediately and shall be final and irrevocable.

ARTICLE VI Nominations and Elections

6.1 The General Elections of Officers and Executive for the Branch shall be held at the November General Meeting

6.2 Voting members must be in good standing and be in possession of the current year, or their early bird membership card and be on the Branch nominal roll to be eligible to vote.

6.3 At the General Meeting in September of each year, the Branch shall elect a Nomination Committee of six members.

(a) The Nominations Committee shall select its own chairman, and shall within one week be prepared to accept such nominations as may be made by the members for anyone wanting to run and unable to attend the November meeting.

(b) All nominations must be signed by one Voting member in good standing, and must further be signed by the nominee, stating that he accepts the nomination and will, if elected fulfill to the best of his ability the duties of the office to which he may be elected.

(c) Nomination forms shall be made available to all Voting members in good Standing at the September General Meeting.

(d) Nominations will be held open until 1600 hours on the Saturday preceding the November General Meeting. At the November General Meeting the duties of the nomination Committee cease upon submission of their final report of a full list of those nominated (to the November General meeting.) as of 1600 hours on the Saturday preceding the November General meeting. Further nominations may be made from the floor at this meeting, but will be confined to members present. Any member of the Nomination Committee may be nominated from the floor, but may not be nominated by any member of the Nomination Committee.

(e) No member shall stand for nomination who has not been a Voting member in good standing of the Branch for one year prior to November 1st in any year, except for New or Transfer members.

(f) Except for Branch Past Presidents, no member shall stand for the office of President, or First or Second Vice President who has not served on the Branch Executive Committee for a minimum of one (1) year within the preceeding three (3) years.

(g) Except for new transfers 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.

(h) A candidate may stand for more than one office provided that:

- i. A candidate may be elected to one position only.
- ii. A candidate contesting more than one position must accept the highest position to which he is elected.

6.4 Nomination Committee

(a) 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 November *General Meeting*, will be excluded and replacement member(s) shall be elected following the closing of the floor nominations.

(b) 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.

6.5 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
- (j) Resolutions and By-Laws
- (k) Honours and Awards
- (l) Executive Secretary (May be by appointment)

7.1 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.

- (a) 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.

7.2 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.

ARTICLE VIII Duties of the President

8.1 The President shall be the Chief Executive Officer of the Branch. At his discretion, he shall preside at the Executive Committee Meetings.

8.2 The President shall appoint an honorary President and Padres, subject to the approval of the General membership.

8.3 The President shall appoint the Chairman of the Standing Committees, as set out in Article VII of these By-Laws.

8.4 The President shall appoint a Sergeant-at Arms, who shall perform all duties assigned by the President.

8.5 The President may appoint an Executive Secretary who shall keep an accurate record of all Branch Meetings, both General and Executive.

8.6 The President shall be ex official (an ex-officio) member of all committees meetings.

8.7 The President may appoint a Branch Chairman, whose duties shall be to preside at General Meetings of the Branch.

8.8 In the absence or disability of the President all rights and powers vested in him shall for the time being, be vested in the First Vice President if available, and if not, in the Second Vice President.

8.9 The President, together with the Secretary shall sign all papers and documents requiring signatures on behalf of the Branch, unless someone else is designated by the Executive Committee to do so.

8.10 The President shall transact such other business as by customer, and not contrary to these By-Laws, appertaining to the office of the President.

ARTICLE IX Executive Committee

9.1 The executive Committee shall meet at least once a month, on a day fixed by the Executive Committee, for the purpose of conducting business as may be necessary; or at the call of the President.

9.2 The executive Committee shall administer the affairs of the Branch, subject to the direction by, and approval of the General Membership.

9.3 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).

9.4 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.

9.5 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

10.1 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.

10.2 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.

10.3 At any meeting of the Branch, Special or General, the quorum shall be those members in good standing who are present and questions shall be decided by majority vote of those present.

10.4 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.

10.5 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
- (e) Roll Call of Officers and Executive members
- (f) Initiations and Installations as required
- (g) Minutes of last General Meeting
- (h) Business arising from minutes
- (i) Minutes of last Executive Committee Meeting
- (j) Business arising from minutes
- (k) Reports of Standing Committees
- (l) Correspondence
- (m) Old Business
- (n) New business for the Good and Welfare of the Legion
- (o) Adjournment
- (p) Branch Chairman yields control of the meeting to the President
- (q) Closing Ceremony
- (r) "God Save the Queen"

ARTICLE XI Finance

11.1 The Financial year of the Branch shall be the calendar year.

11.2 The Finance Committee shall consist of not less than three members, and shall at its first meeting appoint, subject to the approval of the Executive Committee, an Auditor who shall be a chartered accountant.

11.3 The Chairman of the Financial Committee shall meet at least once a month with his committee, before the Executive Committee meeting.

11.4 The proposed standing committee budgets for the current year shall be presented at the February General Meeting.

(a) The Chairman of the Financial Committee shall, with the assistance of the Branch Manager, prepare an annual budget covering all the financial activities of the Branch for presentation at the March General Meeting, and in conjunction with the Finance Committee endeavour to see that the budget is adhered to.

11.5 The Finance Chairman (Treasurer) shall ensure that an accurate and true account of all monies received or paid out by the Branch is kept; also a complete record of all financial transactions, including a full and complete statement of credits and liabilities of the Branch. Bookkeeping and auditing shall be in accordance with the General By-Laws.

11.6 The Finance Chairman shall work in conjunction with other committees handling Branch funds.

11.7 All monies in excess of \$100.00 payable by the Branch shall be paid by cheque signed by the Branch President together with the Branch Manager, provided however, that in the absence or disability of either of these regular signing officers, the First Vice President shall sign in place of either, and in the absence of both regular signing officers, the First Vice President shall sign together with the Second Vice President or the Immediate past President.

11.8 The Branch books shall be kept at the Branch office and shall be open to the inspection of the Executive Committee at all times.

11.9 At the regular General Meeting, the Finance Chairman shall submit a statement of income and expenditure for the month (or months, if there is a summer recess) 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 Bylaws, 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

12.1 Unless otherwise stipulated by the President, the Branch Chairman shall preside at all General Meetings of the Branch. ·

12.2 When presiding, the Branch Chairman shall enforce order, and strict observance of the By-Laws, The Provincial (Command) By-Laws and the General (Dominion) By-Laws.

(a) He shall have the right to decide all questions of order, but on an appeal being made from his decision, the vote of the majority shall decide.

(b) When a debate has ceased on any question, he shall put the same to an open vote giving the words of the motion or resolution clearly, so that no members may misunderstand the question on which he is to vote. In the event that a majority of the members present demand a secret ballot on any question, such question shall be decided by secret ballot.

(c) In matters of procedure the Branch Chairman shall be guided by Section 13.3 of the General By-Laws.

ARTICLE XIII Branch Manager

13.1 The Branch Manager shall be responsible to the President or his designate.

13.2 Notwithstanding the generality of the foregoing, the Branch Manager shall:

(a) Carry out such duties and responsibilities as set out elsewhere in these By-Laws;

(b) Be solely responsible for the direction of all hired staff at the Branch. Such staff shall be answerable to him.

(c) Have the authority to eject from the premises one day at a time any person for disorderly conduct, or conduct prejudicial to the normal peace of the Branch. He shall submit a written report immediately to the President or his designate. In the absence of the Branch Manager, or his designate, the designated duty supervisor shall act in his stead.

(d) Perform such other duties as may from time to time be directed by the Executive Committee.

13.3 The Branch Manager may be dismissed for just cause by a majority vote of the executive Committee, as provided for in Article 9.03 (9.3) (e) of these By-Laws, but the Branch Manager may dismiss any full time or part-time staff for just cause.

13.4 The Branch Manager shall be empowered to hire all staff as required.

ARTICLE XIV Ladies Auxiliary

14.1 There shall be a Ladies Auxiliary of this Branch. Such Ladies Auxiliary is hereby authorized in accordance with the provisions of the General By-Laws.

14.2 The Ladies Auxiliary of this Branch, as set out in the General By-Laws, shall not come under the direction or control of the Auxiliary to the Command.

14.3 The By-Laws passed by the Auxiliary must conform to the purposes and objects of the Legion, and shall not become effective until they are approved by the Branch and the Provincial Command.

14.4 The Clubhouse privileges of the Branch shall be extended to the members of the Ladies Auxiliary.

ARTICLE XV General

15.1 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.

15.2 Within the guidelines of the General By-Laws, Article IX 903(1), Article X 1001, 1002 and Branch By-Laws 15.2(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.

(a) 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.

(b) 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.

(c) 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.

(d) Attendance determination shall be made from the Executive Roll Call records and the General Meeting attendance books.

15.3 The Area and District Voting Delegates shall be the President and one other Voting Member.

15.4 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.

15.5 The Ladies Auxiliary members employed by a Branch or Command may, at the discretion of the Branch or Command hold office in the Auxiliary.

15.6 Public Statements in connection with Branch Policy shall be restricted in accordance with Article I 104(2) of the General By-laws.

15.7 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.

Certified to be a true and correct copy of the By-Laws of Kingsway Branch No. 175 of the Royal Canadian Legion, as approved by the General Meeting of Kingsway Branch No. 175 on September 25, 2018.

THE ROYAL CANADIAN LEGION

KINGSWAY BRANCH NO. 175

THE ROYAL CANADIAN LEGION

PRESIDENT

BY-LAWS CHAIRMAN

ALBERTA - N.W.T COMMAND PRESIDENT

COMMAND CHAIRMAN / CONSTITUTIONAL OFFICER