



GENERAL REGULATIONS

of the

ERIN ONTARIO - BRANCH # 442

of

THE ROYAL CANADIAN LEGION

2011

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MISSION STATEMENT
OUR MISSION IS
TO SERVE VETERANS AND THEIR DEPENDANTS, PROMOTE
REMEMBRANCE AND ACT IN THE
SERVICE OF CANADA AND ITS COMMUNITIES

ARTICLE - I

NAME AND OBJECTS

101. This organization shall be known and designated as Erin (Ont. # 442) Branch of the Ontario Provincial Command of The Royal Canadian Legion and may be hereinafter referred to as "The Branch" and the Royal Canadian Legion may be hereinafter referred to as "The Legion".

102. The Purposes and Objects shall be as set forth in The Act to Incorporate The Legion, The General Regulations of The Legion. The General Regulations of Ontario Provincial Command of The Legion.

ARTICLE - II

MEMBERSHIP

201. Membership in the Branch is open to all classes permitted by the General Regulations of the Legion.

202. No anarchist, communist or fascist shall be permitted to become a member, nor shall any person who advocates the destruction by force of the duly constituted government of Canada, or any person proven to advocate, encourage or participate in subversive action or subversive propaganda, be permitted to become or remain a member of the Legion. Dominion Command may define the terms anarchist, communist, fascist and subversive.

203. Only Life, Ordinary, Associate and Affiliate Voting Members in good standing shall have the right to attend meetings, vote or hold an office at any level of the Legion. Meritorious Life Members shall have the right to vote at branch level only. Affiliate Non-Voting Members can attend and speak at meetings but cannot move or second a motion, vote or hold office, chair a committee or sit on a complaint committee.

204. (1) No member who is a full-time, regular part time, or elect-to-work employee (formerly known as casual) of any Branch or Command, or any organization thereof, who receives directly or indirectly any salary or wages for, or on account of any service rendered to the Branch or Command or any organization thereof, shall hold any executive position in the Legion. If an employee is successful in his bid for office, he must resign his paid position before his term of office can commence.

(2) No person shall be nominated for any office unless he is present or has signified in writing his willingness to accept such office. This section shall not apply to any election respecting the position of Auditor.

ARTICLE - III

OFFICERS AND EXECUTIVE COMMITTEE

301. (1) The officers shall consist of President, Immediate Past President, 1st Vice President, 2nd Vice President, Secretary, Treasurer or a Secretary/Treasurer

(2) The Secretary, Treasurer or Secretary/Treasurer of the Branch may be a paid position or an unpaid volunteer position.

302. The Executive Committee shall consist of all unpaid officers and four Executive Members, together with such other members as may be appointed in accordance with the section noted hereunder.

303. The Executive Committee shall have the power to add to its numbers, by motion at a meeting; such additional voting members as may be deemed advisable provided that such additions shall become effective only upon the approval of the Branch at its next General Meeting. The effective date of appointment shall be deemed to be from the date of the Executive Meeting to which the appointment was made.

304. (1) The President, the two Vice-Presidents, the four Executive Members shall be elected by ballot at the Annual Meeting.

(2) The Auditor (Chartered Accountant) of the Branch is a paid position. In lieu of an Auditor a Financial Review Committee may be appointed. The Financial Review Committee may be a company or a group that may or may not include Legion members.

(3) The Financial Review Committee will use the Ontario Command Financial Review Committee Guidelines.

(4) An Auditor or Financial Review Committee shall be appointed by a recommendation from the Executive Committee and shall become effective only upon the approval of the membership at the Branch Annual Meeting.

305. The Secretary, Treasurer or Secretary/Treasurer, Sgt.-at-Arms, Chaplain and Veterans Service Officer shall be appointed by the President at the first Executive Committee meeting. Such appointments shall become effective only upon approval of the Branch at its next General Meeting.

306. A member will be required to serve one term on the Branch Executive Committee to be eligible to be elected President or Vice President. In order to qualify for the Branch Executive Committee, the member must be a voting member in good standing for the year in which the election is held, and have held membership in the Branch for a period of one year prior to the date of the election meeting.

307. Insofar as it may relate to the operation of the functions of the Branch, subject to the control of General, Special General or Annual Meetings, the Executive Committee shall have all the powers of the Branch except to appoint Auditors/Financial Review Committee or amend the Regulations.

308. A majority of the Executive Committee shall constitute a quorum.

309. The Executive Committee shall meet at least monthly, on a day to be fixed by the committee, or at the call of the President, for the passing of accounts, the transaction of current business, the examination and discussion of any suggestions made to it for the general welfare of the legion, or the Branch, and such other business as may be introduced.

310. (1) Notice of termination shall be in compliance with the latest edition of the Employment Standards Act and any other relevant legislation in Ontario.

(2) All hiring, terminations and conditions of employment must be in accordance with federal and provincial laws, including the Human Rights Code; this includes notice on termination and pay in lieu of notice.

311. In the absence of a written agreement, a salaried officer or employee shall be deemed to be hired from month to month and notice of dismissal or resignation shall be in compliance with the Labour and the Employment Standards Acts of Ontario. No written agreement shall provide for hiring any salaried officer or employee for a period longer than one year and, where, such person is given a notice of dismissal or resigns, this shall also be in compliance with the two Acts.

312. The Executive Committee shall be required to see that all members and employees handling funds of the Branch are properly bonded.

313. The Executive Committee may, from time to time, appoint committees or individuals to carry out any of the advisable or necessary functions of the Branch.

314. Any member of the Executive Committee who absents himself from five (5) consecutive regular meetings of the Branch and/or Executive Committee within any twelve (12) month period, unless granted leave of absence by the Executive Committee, shall cease to be a member or the Executive Committee.

315. The Executive Committee shall have the power to fill by appointment, any casual vacancy which may occur on the Executive Committee during its, tenure of office. Such appointment shall become effective only upon the approval of the Branch at its next General Meeting.

316. (1) Vacancies in the offices of President or 1st Vice-President shall be filled by the next ranking Vice President.

(2) Vacancies in 2nd Vice President or Executive Member shall be filled by appointment, by the President subject to confirmation by the membership of the Branch at the next General Meeting.

(3) In the event of the death, resignation or inability to act of the Immediate Past President, the position shall be filled for the remainder of the term by the appointment of a former Branch President by the Executive Committee.

ARTICLE - IV COMMITTEES

401. (1) The following Standing Committee Chairmen shall be either elected or appointed at the first meeting of the newly elected Executive Committee

- (a) Membership
- (b) Poppy
- (c) Youth Education
- (d) Public Relations
- (e) Track & Field
- (f) Leadership & Planning
- (g) Legion Seniors
- (h) Veterans Services
- (i) Sports.

(2) All Chairmen (a) to (i) inclusive shall be members of the Executive Committee, other committees, i.e. Finance, Hospital, Property, etc. may be appointed at the discretion of the Executive Committee.

402. The President may appoint the Chairman and such other members as he may deem advisable to any Standing Committee and he shall advise each Standing Committee what are its duties and limitations.

403. The Executive may appoint as circumstances warrant, any voting members of the Branch to form a Special Committee to take up any matter concerning the Branch.

404. Each Committee shall elect its Chairman, unless the President or the, Executive Committee has appointed him but if he is not present at any meeting of the Committee; the members present shall choose a Chairman of the meeting.

405. The Chairman of Standing Committees shall have the power to add to their committee, such other members of the Branch as may be needed.

406. A majority of any Standing or Special Committee shall constitute a quorum for the transaction of business.

- 407.** All reports of committees shall be presented verbally at General Meetings, and:
- (1) Each Chairman will present a written and signed summary report to the Secretary.
 - (2) Reports of Special Committees shall be signed by all members who concur in the report.
 - (3) Those members who do not concur in the report must sign minority reports of Special Committees, and the report shall indicate that its existence is acknowledged by the majority of members of the committee.
- 408.** The President may appoint any member of the Branch, or any other person to act in the interest of ex-service men or women on any committee, inside or outside the Legion, requiring such representation and such member's term of office shall expire at the first meeting of the newly elected Executive Committee. This member or other person appointed shall report in writing to the Executive Committee, as required.

ARTICLE - V

DUTIES OF OFFICERS

- 501.** The President shall preside at all meetings and enforce order and strict observance of the Regulations, except that, the Executive Committee may name some other voting member to act as Chairman for the conduct of elections at the Annual Meeting and such member may act. 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 (Subject to Section 309) or of the Branch, when he considers it advisable. He shall transact such other business as may pertain to his office, and he shall have the casting vote when there shall be an equal division on any question, provided that he has not already voted on that question. He shall be ex-officio a member of all committees.
- 502.** The rights and powers vested in the President shall, in his absence or disability, be vested in the next senior Vice President who is available for these duties.
- 503.** (1) (a) The Secretary/Treasurer shall keep a record of the proceedings of meetings, whether of the Branch or the Executive Committee, in special books kept for that purpose.
- (b) He shall be required, at every business meeting, to have with him the proper Minute and Record Books, and all necessary books and correspondence which he may have in his possession, relative to the business likely to be transacted at any meeting.
- (c) He shall be the custodian of the Branch Seal and be responsible for maintaining proper minute and record books. Also he shall act at all times and in all respects entirely at the will and direction of the Executive Committee and shall conform to all such rules and regulations as the Executive Committee may determine.

(d) He shall be the recipient of all complaints of Branch members.

(2) He shall supply to each new member upon initiation:

(a) A copy of the General Regulations of The Royal Canadian Legion.

(b) An official Royal Canadian Legion Badge.

(c) A copy of the Ontario Provincial Command Regulations.

(d) A set of Branch Regulations when prepared.

504. (1) The Secretary/Treasurer shall keep a just and true account of all monies received and paid out by the Branch and of all financial transactions of any and every kind whatsoever, including always a full and complete statement of the credits and liabilities of the Branch.

(2) He shall deposit all funds in a Branch of a Chartered Bank of Canada or Trust Company, as directed by the Branch and the account shall be kept in the name of the Branch.

(3) The Treasurer shall keep his books at the office of the Branch and they shall be open for inspection by the Executive Committee at all times. When, and as often as the Executive Committee requires, he shall submit a detailed balance sheet containing a summary of the property and liabilities of the Branch and of all its financial dealings, arranged in a proper and businesslike style.

ARTICLE - VI MEETINGS

601. Any Life, Ordinary, Associate and Affiliate Voting Member in good standing may attend and vote at General, Special General and Annual Meetings of the Branch. Affiliate Non-Voting members may attend and speak at any General meeting but may not vote.

602. (1) General Meetings of the Branch shall be held monthly for the purpose of carrying out the activities of the Branch and for prosecuting the aims and objects of the Legion within the limits of and subject to the Act to Incorporate, The Royal Canadian Legion, Statutes of Canada, 1948, and amendments thereto; the Regulations of Dominion and of the Ontario Provincial Commands of The Legion and to any regulations issued by the aforementioned Commands.

(2) The normal monthly General Meeting of the Branch shall be held on the first Wednesday of each month at 7:30 pm. The Executive Committee may put a recommendation on the floor, for approval from the membership, to change or postpone the day, the date or the time of the General Meeting.

603. The Branch may by minute exclude the months of July and August from the schedule of monthly meetings as is indicated in Section 602.

604. The following order of business shall govern at General Meetings:

- (1) Call to order by Chairman
- (2) Opening Ceremony as determined by the Ritual approved by the Dominion Command
- (3) Minutes of previous General Meeting, Executive Meeting and of any Special General Meeting held since the last General Meeting
- (4) Business Arising from Minutes
- (5) Treasurer's Report
- (6) Ceremony of Admission of New Members
- (7) Unfinished business
- (8) Correspondence
- (9) Reports of Standing Committees
- (10) Reports of Special Committees
- (11) General business welfare of the Legion or the Branch
- (12) New Business
- (13) Tabling of notices of motion
- (14) Motion for Adjournment
- (15) Closing Ceremonies

605. (1) Special General Meetings of the Branch may be called by the Executive Committee or shall be called within two weeks by the Secretary, upon receiving a petition, in writing, signed by not less than 10 per cent of the paid-up voting membership. Any notice calling such meeting, shall briefly set out the general purpose for which the meeting is called and all members shall be notified of the Special General Meeting, at least seven (7) days prior to the holding of said meeting.

(2) Notice of any Special or General meeting held to discuss mortgaging, leasing or conveying of Branch real property, shall be given to each member in good standing, by mailing to the last known address of the member, at least ten (10) days before the meeting.

606. The following order of business shall govern at Special General Meetings:

- (1) Call to order by Chairman
- (2) Opening Ceremony as determined by the Ritual approved by the Dominion Command
- (3) Special business for which meeting has been called
- (4) Closing ceremony

607. Annual Meetings of the Branch shall be held on the first Wednesday in May at 7:30 pm at the Branch 12 Dundas St. E. Erin Ontario. All members are to be notified of the date, seven (7) days prior to that date. Applications for membership or initiation of new members shall not be considered at the Annual Meetings.

608. The following order of business shall govern at Annual Meetings:

- (1) Call to order by Chairman
- (2) Opening Ceremony as determined by the Ritual approved by the Dominion Command
- (3) Introduction of guests
- (4) Minutes of previous General Meeting, Executive Meeting and of any Special General Meeting held since the last General Meeting
- (5) Business Arising from Minutes
- (6) Treasurer's Report
- (7) Reports of Standing Committees - the time taken for each Committee Chairman to present his report shall not exceed five minutes and the President's Annual Report shall be limited to not more than ten minutes
- (8) Reports of Special Committees
- (9) Correspondence
- (10) General Business
- (11) New Business
- (12) Introduction of Chairman of Elections
- (13) Report of Nominating Committee (if such a committee was appointed)
- (14) Further nominations made from the floor of the meeting
- (15) Order of Election:

President;

1st Vice President

2nd Vice President

Executive Committee Members (4)

(16) Installation of Branch Officers and Executive

(17) Return of Outgoing Executive

(18) Motion for Adjournment

(19) Closing Ceremony.

QUORUM

609. A quorum for all General, Special and Annual meetings shall consist of the voting members of the Branch present at the meeting time, provided that voting members present outnumber executive members by at least one.

ARTICLE - VII PROCEDURE

701. (1) In the absence or disability of the President, the next senior Vice President who is available shall act in his stead.

(2) In the absence or disability of the President and all Vice Presidents, the Secretary or Secretary/Treasurer shall call the meeting to order and a temporary Chairman shall be elected.

702. The Presiding Officer of any meeting shall rule out of order, all matters pertaining to political or religious questions, which do not refer to the well being of the Legion.

703. The Presiding Officer of any meeting shall enforce order and strict observance, of these Regulations and the Regulations of the Provincial and Dominion Commands. He shall have the right to decide all questions of order, subject to an appeal by the meeting, which appeal must be sustained by a majority vote of those voting members present.

704. The Presiding Officer shall, when debate has ceased on any question, put same to an open vote, giving the words of the motion clearly, so that no voting member may misunderstand the question on which he is about to vote. In the event, however, of a majority of the voting members present demanding a secret ballot on any particular question, such question shall be decided by secret ballot.

705. A member wishing to introduce a motion, or to speak, shall arise and address the Presiding Officer, and shall wait until he is recognized before speaking.

706. Business upon which a notice of motion has not been given may be taken up at a General Meeting but not at a Special General or Annual Meeting.

707. Where a business arises of which no notice of motion has been given, the Presiding Officer may, if he considers it in the interests of the Branch, adjourn to the next meeting the debate on such business.

708. In all matters of procedure not provided for by these Regulations, the provisions of The Legion's "Rules of Procedure for Legion Meetings" shall apply. In all cases where these rules do not make adequate provision, then, and then only, the procedure shall be governed by the Rules of Order approved by Dominion Command.

ARTICLE - VIII

NOMINATIONS AND ELECTIONS

801. (1) The Branch shall hold an election meeting in conjunction with the Annual Meeting, at the May General meeting.

(2) The voting for election of Branch President and Branch Vice Presidents shall be by ballot except in the case of acclamation. In order to be elected to office, a candidate must receive a majority of the total ballots cast and if there are more than two candidates and no one receives the required majority, the candidate receiving the least number of votes shall be withdrawn from the election and the voting shall continue until one candidate receives the required majority.

(3) The voting for election of Branch Executive Committee members shall be by ballot with the four candidates receiving the most votes being declared elected.

(4) The chief scrutineer for such elections shall report to the meeting after each vote, the total ballots cast, the number of spoiled ballots, if any, the name of the successful candidate(s) or, if no candidate has received the required majority, the name of the candidate who received the least number of votes.

(5) All polling at the election meeting shall be continuous and completed on the date of the election meeting. The election meeting shall not be adjourned to the next or subsequent days to permit further balloting.

(6) The Branch shall not hold an advance poll.

ARTICLE - IX

FINANCE

901. The fees and dues payable by all members, Ordinary, Associate and Honourary Members shall be as determined by Minute, adopted at a General Meeting of the Branch. Such dues shall include per capita tax to the Commands where applicable.

902. The dues shall become payable annually, in advance of January 1st in each calendar year. A member in arrears as of January 31st of that year is not in good standing for any purpose (including participating in sporting activities).

903. The Executive Committee shall have the power to levy an assessment on each and every member of the Branch to meet any extraordinary expenditure in any year, provided that, such expenditure has been approved by two-thirds of those voting members present at any Special General Meeting called for the purpose of considering same and is in pursuance of the purposes and objects of the Legion.

904. The fiscal year of the Branch shall be June 1st to May 31st.

905. An auditor or Branch Financial Review Committee that has been approved by the membership (Article 304. (2)) shall audit or review the books of the Branch at the end of the fiscal year.

906. The audited/reviewed financial statement shall be presented by the Auditor/Review Committee or the Treasurer to the Executive Committee within 90 days after the end of the fiscal year and then to the next General Meeting of the Branch for approval.

907. (1) The Branch signing officers for all accounts shall be any two of the President, Past President, 1st Vice President and the Secretary/Treasurer, and no cheque shall, in any case, be signed by an Officer in blank. The Poppy Trust Fund account shall require the Poppy Chairman plus one of the above named officers.

(2) No cheque shall be signed by any two officers, who are related by blood, marriage or any common law relationship.

(3) All monies in excess of \$ 100.00 payable by the Branch shall be paid by cheque.

908. (1) All expenditures, other than normal operating expenses, in excess of \$500.00 must be approved by the Branch at a General, Special General or Annual Meeting, prior to any commitment for such expenditures being made by the Executive Committee of the Branch.

(2) Any expenditure, other than normal operating expenses, in excess of \$500.00, shall be referred to the Branch Executive Committee for its recommendation to the next general meeting, prior to any commitment for such expenditure being made by the Branch.

ARTICLE - X AFFILIATE NON-VOTING MEMBER

1001. Affiliate non-voting membership is open to any citizen from an Allied country, excluding Canada and the Commonwealth, who is of federal voting age and who is not eligible for ordinary, associate or affiliate voting membership and who supports the purposes and objects of The Royal Canadian Legion.

1002. Affiliate Non-voting members shall have the same rights as all other members except the rights to vote and hold office.

ARTICLE - XI REAL PROPERTY

1101. The real property that may be held or acquired by the Branch shall be held in the name of the Branch.

ARTICLE - XII REGULATIONS

1201. These Regulations:

(1) Shall not be amended or altered, except upon a motion of which notice shall have been given at the previous meeting of the Branch. Such notice shall state the change desired and shall be signed by the voting member presenting it. At least two-thirds of the voting members present and entitled to vote shall be required to vote in favour of such proposed alterations and amendments to make / them effective.

(2) These Regulations may require amendments from time to time as a result of amendments approved to the General Regulations by Dominion or Provincial Conventions. Such amendment will automatically supersede Branch Regulations and must be incorporated therein.

(3) These Regulations and all amendments thereto, shall become effective only upon approval of the Ontario Provincial Command.

Following a Notice of Motion on 09 February 2011 the foregoing amended Regulations have been accepted and approved by the members of the Erin Branch No. 442 of The Royal Canadian Legion at the General Meeting held on the second day of March in the year 2011 at 12 Dundas St. E., Erin Ontario.

The foregoing Regulations of the Erin Branch No. 442 of The Royal Canadian Legion have been:

Approved: _____

Date: _____

Ontario Provincial Command -The Royal Canadian Legion

_____ **President**

_____ **Provincial Secretary**