



Peninsula Branch #62 By-Laws

Approved: General Meeting: October 5, 2020

Peninsula Branch # 62 By-Laws

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PENINSULA BRANCH # 62

By-Laws

ARTICLE 1

Name, Principles, Policy Aims and Objectives

1. The name of the Branch shall be Peninsula Branch # 62 of the New Brunswick Command of the Royal Canadian Legion herein after called the Branch.
2. The principles, policy, aims and objects shall be as laid down and defined in the constitution.
3. The constitution shall mean the Act and Amendments thereto and the general by-laws and amendments as ratified by Dominion Convention.
4. Reference in these by-laws to masculine words shall include the feminine as applicable. The singular shall indicate the plural where applicable.

ARTICLE 2

Membership

1. Membership shall be as laid down in the General By-Laws of The Royal Canadian Legion.

ARTICLE 3

Annual General Meeting

1. The Annual General Meeting of the Branch shall be held in conjunction with the General Meeting in January.
2. Not less than ten percent (10%) members of the Branch in good standing shall constitute a quorum for the purpose of the Annual General Meeting.
Note: You must have an up to date membership list (from the web site of Dominion Command) at every meeting. It will need to be recorded in the minutes what the required number of members are to form a quorum.
3. Notification of the Annual General Meeting and December General Meeting shall be by way of notice sent to every member in good standing through notice or printed in the local newspaper a minimum of seven (7) days in advance of the meeting.

4. The President shall present a report of the activities of the Branch for the past year and his recommendations as to Policy for the coming year.
5. The Secretary shall present a report of his office with recommendations.
6. The Treasurer shall present a report of his office with recommendations.
7. The Treasurer shall together with the Sergeant-at-Arms ensure the tendering of the official annual audit.
8. The books of the Branch shall be closed on 31st of December each year to facilitate the rendering of the official annual audit. The audited financial statement shall be presented at a General meeting within eighty (80) days after the end of the fiscal year. A copy of the audited statement shall be forwarded to New Brunswick Command within ninety (90) days after the end of the fiscal year.
9. The Service Officer, Honorary President and Chaplain shall be appointed by the Executive Committee prior to the December General Meeting.
10. Such appointments shall become effective only upon approval of the December General Meeting. Such appointments shall have all the rights as a member of the Executive including the right to vote as their membership applies.

ARTICLE 4

General Meeting

1. There shall be a General Meeting of the Branch on the first (1st) Monday of each month at 7:00 PM except that by a decision of the Branch that meetings may be discontinued for the summer months of July and August.
2. At the December General Meeting of the Branch, there shall be elected the Executive Committee which shall consist of the President, Chairman, 1st. Vice-President, 2nd Vice-President, Secretary, Treasurer and Sergeant-At-Arms. There shall also be six (6) members of the Executive.
3. Under Article (4) paragraph Ten (10), additional appointees shall serve as members of the Executive Committee.
4. Not less then ten (10%) percent members in good standing shall constitute a quorum for the purpose of all General Meetings, including the Annual General Meeting.

Note: You must have an up to date membership list (from the web site of Dominion Command) at every meeting. It will need to be recorded in the minutes what the required number of members are to form a quorum.

5. A General Meeting may be called at anytime by the President or by the majority of the Executive or by the request of five (5) members in good standing.
6. The request of the five (5) members shall be in writing and signed by all five (5) stating clearly the reason for calling the meeting. Such request shall be handed to the Secretary. The reason for holding such a meeting shall be included in the published "Notice of Meeting".
7. The Executive Committee shall fix the time for holding of the meeting called by request of the five (5) members and such meeting shall be held not later than seven (7) days after notice to the Secretary. Notification shall be published in the local Newspaper or by direct mail to all members in good standing.

ARTICLE 5

Meeting Procedure

1. The Chairman shall preside at all meetings and enforce order and strict observance of the By-Laws. He/she shall have casting vote when there is an equal division on any question.
2. In the absence of the Chairman (or his refusal to act) all the rights and powers vested in the Chairman shall for the time being be vested in the President and on his disability or refusal the 1st Vice-President or 2nd Vice-President. In the absence, disability or refusal of all the fore mentioned at the meeting the Secretary shall call the meeting to order and a temporary Chairman elected.
3. The presiding officer at any meeting shall rule out of order all matters of Political Questions, which do not refer to the well being of the Legion, and also all matters of Religious Discussion. He shall have the right to decide all questions of order subject to an appeal to the meeting sustained by a two-third (2/3) majority vote of those present.
4. Members wishing to introduce a motion or to speak shall rise and address the chair and shall wait until recognized before speaking.
5. 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 he is about to vote. Twenty (20%) percent of the members present may demand a vote by secret Ballot.
6. Members shall not hold private discussions during a meeting or talk on any subject in an unseemly manner. In matters not conducted on parliamentary lines the rules contained in "Roberts Rules of Order" shall govern unless covered by "Legion Rules of Procedure for Legion Meetings".

ARTICLE 6

Order of Business

1. Opening Ceremony by the President as per Ritual and Insignia Manual
 - (a) Introduction of guests
 - (b) Initiation of New Members
 - (c) Admission of transferred and reinstated Members
 - (d) Minutes of the last general meeting and intervening meetings
 - (e) Business arising from the minutes
 - (f) President's report
 - (g) Treasurer's report
 - (h) Correspondence
 - (i) Reports of Standing Committees
 - (j) Reports of Special Committees
 - (k) General Business and new Business
 - (l) General welfare of the Branch and/or Legion
 - (m) Special feature (Speaker etc).
 - (n) Motion for adjournment and Closing Ceremony
2. Closing Ceremony by the President as per Ritual and Insignia Manual.
3. Where there has been a Notice given to all members specifying the business of a meeting or where notice of motion has been given at a previous meeting, the business of which the "Notice" has been given shall have "Right-of-Way."
 - a. Where business arises of which no Notice has been given as aforesaid, the presiding officer may, if he considers it "In the Best Interest of the Branch" adjourn to the next meeting the debate and action of such business.
 - b. A motion to suspend the regular order of business shall always be in order and shall be carried if supported by a two-thirds (2/3) vote of members present.
 - c. The President shall ensure that a proper date is set in advance, to cover postponed General Meetings falling on a Civic holiday. This is to be advertised as called for in the case of meetings.

ARTICLE 7

Branch Elections

1. Election for all Branch Officers shall be held at the December General Meeting;

- and installed at the December General Meeting; and shall assume office effective January 1st.
2. A Nomination Committee shall be appointed by the President at the October General Meeting.
 - a. This committee shall not nominate members of the nomination committee.
 - b. All nominees must be in good standing.
 - c. Nominations procedures to start a minimum of forty-five (45) days before the date of the election.
 - d. The nominating Committee is responsible for establishing the eligibility of the Nominees.
 - e. any nominee not in attendance at the election of officers December General Meeting and wish to let their name stand for a position must provide the nominating committee with written notice of intention.
 - f. To be eligible for election as President, Chairman, Vice-President or to be eligible to run for such office, a member must have served on the Branch Executive for one (1) year in the last five (5) calendar years, preceding the election.

ARTICLE 8

Officers of the Branch and Committees

1. The officers of the Branch shall consist of the President, Immediate Past President, Chairman, 1st Vice President, 2nd Vice President, Secretary, Treasurer (these two may be combined and classed as Secretary/Treasurer) and Sergeant-at-Arms. The officers will be elected for a one year term except for the Chairman who will serve a two year term.
2. The duties and responsibilities of Officers shall be set out in the General By-Laws of The Royal Canadian Legion.
3. Officers shall also be guided by their "Oath of Office" in accordance with The Royal Canadian Legion "Ritual and Insignia Manual" (published periodically by Dominion Command).
4. The Duties of the President: the President shall exercise a general supervision and control over the officers and all business of the Branch. He shall transact such other business as may pertain to his office.

- a. The President shall preside at all Committee Meetings which he is the chairman and may attend all other meetings pertaining to Branch business.
 - b. The President shall ensure that By-Laws (Dominion, Provincial, and Branch) are strictly observed in all phases of Branch business and activity.
5. Duties of the Secretary: The Secretary shall keep the record of all meetings both Branch and Executive in a book kept for that purpose. He shall be required at every business meeting to have with him the proper minute and Record Books and all necessary papers and correspondence which he may have in his possession relative to business that is likely to come before the meeting.
- a. He shall have custody of the Branch Seal.
 - b. He shall keep all correspondence properly filed, and shall conform to all such rules and regulations as the Executive Committee may determine.
6. Duties of the Treasurer: The 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.
- a. He shall deposit all funds in a chartered Canadian Bank as directed by the Branch and the account shall be kept in the name of the Branch.
 - b. The Treasurer books' shall be open for inspection by the Executive Committee at all times. 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 business-like style to each General Meeting and Executive Committee Meeting.
 - c. In no event shall any cheque be signed in blank by any officer. Signing officers will be the President, Treasurer and any of the following: 1st or 2nd Vice-Presidents, Poppy Chairman or another designated person. Any two (2) signatures are required for each cheque.

7. Standing Committees

- | | |
|-----------------------|-----------------------|
| A. House | H. Poppy |
| B. Membership | I. Honours and Awards |
| C. Canteen | J. Publicity |
| D. Sports | K. Ways and Means |
| E. Entertainment | L. Cadet Rep. |
| F. Benevolent | M. Vets & Friends |
| G. Hospital & Funeral | N. Finance |

- a. The President in consultation with the Vice-Presidents shall appoint the Chairman of these Committees and approve the further selection of members with the exception of the Welfare Committee. The names of the Committee Chairmen as appointed shall be posted on the bulletin board within two (2) weeks of the Annual General Meeting.
- b. In addition, the Executive Committee or a General Meeting may appoint a committee for a special purpose.
- c. A General Meeting may dismiss any or all members of a special committee and others appointed in their stead for cause.
- d. Any member of the Executive Committee or a Standing Committee failing to appear at three (3) consecutive meetings of Committee or Branch may be removed from office and replaced if he cannot provide in writing an excuse acceptable to the Executive Committee.
- e. The Executive Committee must approve all expenditures over one hundred fifty dollars \$150.00 (not including tax and other than regular operating expenses).
- f. The Canteen Committee shall be the complete charge of the canteen account. The Committee shall have charge of the Steward and shall ensure that the duties of the Steward are performed in the most proper manner. The Committee shall establish a set of rules governing the canteen and stewards, this with the approval of two-thirds (2/3) majority of the Branch Executive Committee.
- g. The Benevolent Committee: shall consist of five (5) members. The President, Service Officer, Treasurer, Poppy Chairperson and Chaplain. The Benevolent Committee shall have the power to issue, grant, spend or for relief work to Veterans and their family members to an amount not to exceed (\$500.00) five hundred dollars in any one case. The Service Officer shall keep an accurate and confidential record of all Benevolent work performed by the Benevolent Committee, showing in detail the history of each case undertaken.
- h. The Hospital and Funeral Committee shall be responsible for the sending of wreaths to the family on the death of a Legion member and Auxiliary Member. For sending sympathy cards to members of the Legion or Auxiliary on the death of a spouse, child, grandchild, parent, brother or sister.
8. The Executive Committee shall lay down the duties of all committees and on appointment the rules and duties together with "Terms of Reference" shall be given in writing to the Chairman of the said Committees.
 - a. The Executive shall have all the powers of the Branch between meetings of the Branch except the power to rescind or alter the Branch By-Laws. The majority of the Executive shall constitute a Quorum

- b. The Executive shall have the power to expel members save as otherwise provided for in the General By-Laws of Dominion Command.
- c. The Executive may from time to time appoint committees or individuals to carry out any of the advisable or necessary functions of the Branch.
- d. The Executive shall have the power to fill by appointment any vacancy, which may occur on the Executive during its tenure. Appointments shall become effective upon approval of the Branch at its next General Meeting.
- e. The Executive Committee of the Branch may suspend or dismiss any employee with the approval of two-thirds (2/3) majority of the Executive Committee.
- f. The immediate Past President shall be an Officer and member of its Executive Committee with full voting rights and obligations.
- g. Two-thirds (2/3) concurrence of the Executive must be obtained to confirm the salaries and fees paid to all employees.
- h. At a meeting of the Executive Committee of the Branch held in August of each year, with due notice to them in writing stating the purpose. The Executive shall set the dues for the next year. Two-thirds (2/3) majority shall be required to confirm. Sustained by a majority concurrence of the Branch membership.
- i. A majority of the Executive Committee shall constitute a quorum.
- j. The Executive Committee shall meet on the last Monday of each month or at the call of the President, for passing of accounts, transaction of current business, examination and discussion of suggestions made for the general welfare of the Branch and any other such business as introduced.

ARTICLE 9

Membership Fees

1. A list of fully paid members of the Branch shall be made up by the Secretary and kept up-to-date and available upon request.
2. An annual membership fee shall be set by the October General meeting and charged by the Branch, which will be known as Dues. These dues will include the per capita tax levied by Dominion Command and the Provincial Command.

- These dues will become due and payable to Branch as laid down in the General By-Laws of the Dominion Command Article # 12 (XII).
- 3. An initiation fee of not less than five dollars (\$5.00) for all new members.

ARTICLE 10

Finance

1. An Audit Committee shall audit the books of the Branch at the end of the fiscal year. The Branch fiscal year runs January to December.
2. The audit committee of the Branch need not be Chartered Accountants and may or may not be members of the Branch or employees of the Legion. They shall not be members of the Branch Executive. The report of the Audit Committee shall be submitted within 3 months following the end of the fiscal year.

ARTICLE 11

Delegates and Representatives

1. Delegates to any Conventions, rallies or similar functions must "Without Exception" supply receipts for any monies received from the Branch.
2. A rebate may be paid to a member using his car for Legion business authorized, prior to attending such Legion business, by the Executive Committee or by two thirds (2/3) majority of members at a General Meeting.
3. All Delegates shall be elected at the General Meeting.

ARTICLE 12

Policy and Procedures Manual

1. The Branch will maintain a "Policy and Procedure Manual".
 - a. Each item in this manual will record the policy or procedure date of minutes which it was passed and whether by a General Meeting or Special Meeting.
 - b. The policy section will record such items as employee wages, bar prices, hall rentals, security deposits, hours of operation, travel re-imbursement and other matters pertaining to the policy of the Branch.

- c. The procedure section will record such things as Terms of Reference for Committees, Statement of Duties and Responsibilities of paid employees or other such matters as applicable to the operation of the Branch.
- d. Amendments to the Policy and Procedure Manual may be made on motion, duly moved and seconded at any General Meeting. Such motion to amend the "Policy and Procedure Manual" shall require a two-thirds (2/3)-majority vote, of those present and eligible to vote, to enact such a change.

ARTICLE 13

Branch By-Laws

1. Branch By-Laws shall be passed at a General Meeting on notice of motion given at a previous meeting and supported by two-thirds (2/3) majority of members present.
2. No additions, substitutions or alterations may be made to the Branch By-Laws unless notice of motion is given at a previous meeting containing specific amendments as tendered.
3. The Branch By-Laws when passed by the Branch and approved by Provincial Command shall be made available to all Branch members.
4. The Branch Secretary shall make available to all Branch members any amendments made and approved by Provincial Command.

ARTICLE 14

Real Property

1. The real property that may be held or acquired by the Branch shall be held in the name of the Branch and shall not be removed from the premises without signed authorization.

ARTICLE 15

Indemnity Clause

The Branch shall indemnify each director and officer of the Branch and each former director and officer of the Branch and their heirs and legal representatives, against all costs, charges and expenses, including any amount paid to settle an action or

satisfy a judgment, reasonable incurred by them in respect of any civil, criminal or administrative action or proceeding to which they are made a party by reason of being or having been a director or officer of the Branch as the case may be, if

- a. They act honestly and in good faith with a view to the best interest of the Branch; and
- b. In the case of criminal or administrative action or proceeding that is enforced by a monetary penalty, they had reasonable grounds for believing that their conduct was lawful.

Peninsula Branch # 62

Approval



Branch President, Kathy Campbell



Acting Branch Secretary, Terry Campbell

2020-10-13

Date

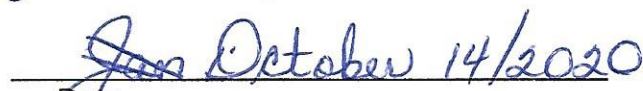
New Brunswick Command
The Royal Canadian Legion
Approval



Provincial President



Provincial Secretary EXECUTIVE DIRECTOR



Date