

**BRANCH BY-LAWS**  
**ALBERTA-NORTHWEST TERRITORIES COMMAND**  
**COLD LAKE (ALBERTA) BRANCH NO. 211**  
**OF THE ROYAL CANADIAN LEGION**

Subject to the provisions of the current General By-Laws of The Royal Canadian Legion and the Alberta-NWT Command By-Laws, the following By-Laws apply to Branch No. 211 of The Royal Canadian Legion.

Subject to the provisions of the [current Dominion Command Rules of Procedure for Legion Meetings](#), the following Rules of Procedure apply to Branch No. 211 of The Royal Canadian Legion.

Subject to the provisions of the current Dominion Command Branch Leadership Manual, the following Rules of Procedure apply to Branch No. 211 of The Royal Canadian Legion.

- Masculine words include the feminine
- Singular words include the plural

## **ARTICLE I - ORGANIZATION**

- 1) The Branch Executive Committee shall be as follows:
  - a) The Officers of the Branch shall be: President, Immediate Past President, First Vice-President, Second Vice-President, Treasurer, Recording Secretary, Service Officer and Sgt-at- Arms; and
  - b) The Executive Committee of the Branch shall consist of the Officers of the Branch and ten (10) Executive. They shall perform the duties outlined in these By-Laws, as amended from time to time, and perform such other duties as the good and welfare of the Branch shall dictate, subject only to the limitations placed upon the Branch powers by the Command Executive Council and the Dominion Executive Council of The Royal Canadian Legion.
- 2) The Executive Committee may hire a Branch/Bar Manager, an Executive Secretary, and a Treasurer. Selection and hiring or dismissal of personnel to these positions will be carried out by the Executive Committee and will require a two thirds (2/3) majority approval. The term of these positions are to be considered indeterminate.

### **DUTIES OF THE BRANCH OFFICERS AND MANAGER**

#### **President**

- 3) The President shall:
  - a) be familiar with and perform the duties as described in the Manual of Information and The Royal Canadian Legion Branch Leadership Manual;
  - b) shall allow the Executive and Executive Committee to act without interference. Delegation of responsibility for the good order and discipline has been placed with the Executive Committee as a whole by the membership and includes the authority to make decisions without interference;
  - c) shall be totally familiar with the Branch By-Laws and operating procedures and shall be willing to delegate responsibility while following up on all Committee actions or lack of same;
  - d) shall seek guidance from the Executive Committee while overseeing and providing advice. The President shall not dictate policy but be guided by the wishes of the Executive Committee;
  - e) shall ensure the continuous flow of information from all Executive levels to the membership. This is a mandatory requirement for autonomous Branch growth and membership trust. The President shall encourage Branch participation in all Legion functions including Branch, Provincial or Dominion;
  - f) preside to all General, Special General and Executive Meetings of the Branch;
  - g) may appoint a Branch Chairman whose duty shall be to preside at all General and Executive Meetings of the Branch or other meetings as may be deemed appropriate; and
  - h) call meetings of the Branch as provided herein or in the General By-Laws of The Royal Canadian Legion.

#### **Recording Secretary**

- 4) The Recording Secretary shall:
  - a) be familiar with and perform the duties as described in the Manual of Information; and
  - b) perform other such duties, from time to time, as required by the Executive Committee.

- 5) The Recording Secretary *is* an elected position, but in the case of an emergency, may be appointed by the President from the Executive Committee and ratified at the next General Meeting.

### **Treasurer**

- 6) The Treasurer shall:
  - a) be familiar with and perform the duties as described in the Manual of Information and The Royal Canadian Legion Branch Leadership Manual;
  - b) collect, receive and safely keep all monies belonging to the Branch;
  - c) deposit all monies received by him/her in the proper fund at a recognized financial institution designated by the Executive Committee;
  - d) faithfully prepare and submit any and all records and reports as may be required by the Executive Committee; and
  - e) perform such other duties, from time to time, as required by the Executive Committee.

### **Sergeant-at-Arms**

- 7) The Sergeant-at-Arms shall:
  - a) be familiar with and perform the duties as described in the Manual of Information and The Royal Canadian Legion Ritual, Awards and Protocol Manual; and
  - b) perform such other duties, from time to time, be required by the Executive Committee.

### **Service Officer**

- 8) The Service Officer shall:
  - a) be familiar with and perform the duties as described in the Manual of Information, The Royal Canadian Legion Service Officer Handbook and The Royal Canadian Ritual, Awards and Protocol Manual; and
  - b) perform such other duties, from time to time, as required by the Executive Committee.

### **Branch/Bar Manager**

- 9) The Branch / Bar Manager shall:
  - a) make recommendations to the Executive Committee concerning the employment for any position relevant to the operation and functioning of Legion affairs within the Branch and such employment shall include such assistants as shall be required for the proper functioning of clubrooms, premises and janitorial staff;
  - b) aide in Membership renewals as directed by the Membership Chairman;
  - c) perform such other duties, from time to time, as required by the Executive Committee, not inconsistent with the Office of Manager;
  - d) not employ a member of the Executive Committee where there is financial compensation; and
  - e) keep accurate records and receipts of all financial transactions. Receipts must include payee, payer, purpose and amount of each transaction. These records/receipts are to be submitted to the Branch Treasurer on a regular time interval not exceeding one week.

## **ARTICLE II – MEMBERSHIP**

- 10) The membership of the Branch shall be in accordance with the General By-Laws of The Royal Canadian Legion (Article 2). The investigating committee shall be the Membership Committee.
- 11) Every Ordinary, Associate, Affiliate-Voting and Affiliate Non-Voting member shall pay the annual dues on or before December 31<sup>st</sup>. The Branch Secretary shall send written notice to each member after he/she is in arrears for one month (January 31<sup>st</sup>).
- 12) Any member to whom such notice has been sent, and who continues more than one month thereafter (last day of Feb) in arrears, may at the end of that time, have their Branch privileges suspended. The Branch Secretary shall send written notice thereof to said member at the last known address. If said member pays arrears within one month after the day of loss of privileges, said member will be reinstated.
- 13) All Executive Committee members who are in arrears for a period of one month shall automatically cease to hold office without notice, unless there are extenuating circumstances, such as illness or being absent from the country.

### **Dues**

- 14) The dues of the Cold Lake Branch shall be as laid down by the Executive Committee and shall become due and payable in advance on the first day of that year. Such dues shall be subject to ratification at a General Meeting.

## **ARTICLE III - COMPLAINTS AND APPEALS**

### **Complaints and Appeals**

- 15) The procedure for lodging complaints against members and the subsequent disciplinary action shall be strictly in accordance with Article III of the current General By-Laws of The Royal Canadian Legion.

### **Suspension**

- 16) In addition to the procedure set out in the General By-Laws, any Branch Executive, the Branch Bar Manager or steward, shall have the authority to ask any member or guest to leave the premises, and shall report the matter forthwith to the Executive Committee. If the Executive Committee considers the offense sufficiently serious, the member shall be notified in writing that he/she is under suspension from clubroom privileges until the case is reviewed by the Executive Committee, who shall then exonerate or lodge a formal complaint against such member within fifteen days.

## **ARTICLE IV - MEETINGS**

### **Order of Business**

- 17) The Order of Business at all General Meetings and Special General Meetings of the Branch shall be in accordance with the Ritual, Awards and Protocol Manual and Rules of Procedure for Legion Meetings.

### **Meetings**

- 18) Meetings shall be held as in accordance with Rules of Procedure for Legion Meeting Dominion Command:
  - a) General Meetings of the Branch shall be held the second Monday of the months of: January, February, April, June, September, November and December; and

- b) the Annual General Meeting shall be held in the month of December on the second Monday; and
- c) the duties of the Chairman at any meeting (except Committee Meetings) are laid down in the Rules of Procedure for Legion Meetings Dominion Command (Para 4 a. thru u.) and shall be followed.

### **Executive Meetings**

- 19) Meetings of the Executive Committee should be held on the last Monday of the month or at such time and place as the Executive Committee shall decide.

### **Special General Meetings**

- 20) Special General Meetings of the Branch shall be held at such time or times, as the Executive Committee shall decide. The Executive Committee shall, on receipt of a request in writing, signed by not less than fifty (50) members of the Branch, exclusive of Affiliate Non-Voting and suspended members, convene a Special General meeting of the Branch for the purpose set out in such request. If the Executive Committee fails to convene a Special General Meeting pursuant to such a request, the requisitioners themselves may convene the meeting. Seven days' notice of such Special Meeting shall be given by mail.
- 21) No business shall be transacted at a Special General Meeting of the Branch except such business as is mentioned in the notice of such meeting.

### **Attendance**

- 22) Should any member of the Executive Committee be absent from three (3) consecutive Executive and/or General Meetings of the Branch without a reason satisfactory to the other members of the Executive Committee he/she shall, after notice, cease to hold office and his place shall be filled at the next Executive Committee Meeting.

### **Quorum**

- 23) At all General Meetings of the Branch, twelve (12) members of the Branch shall constitute a quorum, and at a meeting of the Executive Committee, six (6) members shall constitute a quorum.

### **Voting**

- 24) All matters voted upon at a General or Special General Meeting of the Branch, shall normally be decided upon by open vote and recorded in the Minutes and:
  - a) in the event that a majority of the members present, and entitled to vote, demand a secret ballot on any particular question, such shall be decided by secret ballot; and
  - b) at all meetings of the Branch or of the Executive Committee, the President, or other member acting as Chairman, shall have the casting vote in case of a tie, but shall otherwise not vote and will abstain from expressing personal opinions on any matter under discussion except when such matter pertains directly to a question of order.

## **ARTICLE V - INSTALLATION OF OFFICERS AND EXECUTIVE COMMITTEE MEMBERS**

### **Installation of Officers and Executive Committee Members**

25) The Installation of Officers and Executive Committee Members:

- a) shall take place during the December General Meeting; and
- b) Branch Officers and members of the Executive Committee shall take office and assume their duties effective immediately after the December General Meeting.

### **Nominations and Elections**

26) At the September General Meeting of the Branch, the President shall read out, to the meeting, sections 28 to 32 of this By-Law. The President shall announce upcoming nominations and for the Elections of a President, a First and Second Vice-President, Sgt-at-Arms, Service Officer and Executive Council. Prior to nomination commencement, the President shall also appoint an Election Chairman, and a Returning Officer, who may or may not be the same person, and two scrutineers.

### **Nomination Schedule**

27) The nomination schedule should be advertised and shall be as follows:

- a) nominations shall be open on the third (3<sup>rd</sup>) Tuesday of October at 2:00 p.m.;
- b) a list of eligible nominees shall be posted within the Branch not later than 5:00 p.m. on the day prior to the Elections Meeting. Copies of the nomination slips will be provided to any and all members upon request; and
- c) nominations will also be called for from the floor at the December meeting prior to elections.

### **Qualifications**

28) The following Qualifications will apply:

- a) only Ordinary, Life, Associate and Affiliate Voting Members, in good standing, may make or second a nomination;
- b) only Ordinary, Life, Associate and Affiliate Voting Members, in good standing, who have been a member of this Branch for the immediate twelve (12) months prior to nominations shall be eligible to accept nomination for office;
- c) a member must have served a minimum of one (1) year on the Branch Executive Committee before being eligible to accept a nomination for the Office of President, First Vice-President, and Second Vice-President; and
- d) qualified members may accept a nomination to more than one office, but shall accept the highest office to which he/she is elected.

### **Terms of Office**

29) The following are the Terms of Office:

- a) for Officers, shall be two years;
- b) Executive members shall be elected for a two (2) year term; and
- c) all vacant positions on the Executive Committee shall be elected each year.

### **Nomination Form**

30) Refer to Appendix "B".

## **Voting**

- 31) The following rules will apply:
  - a) the Election procedures listed in the Rules of Procedure for Legion Meetings will be strictly adhered to;
  - a) elections (if required) will be held at the December Annual General Meeting; and
  - b) members who cannot make the Elections meeting may vote by advance poll. They shall place their votes for all positions in a sealed envelope and address it to the Elections Chairman.

## **Duties of Election Officer/Returning Officer/Scrutineers**

- 46) See Appendix "A".

## **Vacancy**

- 33) Should a vacancy occur on the Executive Committee, an election for a replacement should be held as soon as possible after the vacancy occurs.
- 34) An elected Officer other than the President, First and Second Vice-Presidents may be appointed by the Executive depending on the circumstances, i.e., vacancy, death, resignation, transfer from area, suspension, or disqualification.
- 35) In the event of the President being unable to complete **his** term of office due to conditions aforementioned (para 34), the First Vice- President shall assume the duties of the President. This placement is to be ratified at the next General Meeting of the Branch.

## **ARTICLE VI - FINANCES**

- 36) At the Annual Meeting of the Branch, the Officers of the Branch shall submit a full statement of income and expenditures of the Branch and a balance sheet for the preceding year, duly certified by the auditors of the Branch.
- 37) At the General Meetings of the Branch, the Treasurer shall submit a statement of income and expenditure for the month immediately preceding such meeting.
- 38) All Cheques, Drafts or Orders of Payment of money to the Branch shall be endorsed in the name of the Branch by the Treasurer or Branch Manager thereof, or in his absence, such members of the Executive as the Executive Committee shall designate for that purpose and shall, together will all the money for the Branch be deposited regularly on receipt thereof, to the credit of the Branch in a recognized financial institution, as designated by the Executive Committee.
- 39) The Treasurer of the Branch shall keep a complete and proper set of books of account, after the most approved business methods. The Fiscal Year of the Branch shall be the calendar year. Payments of money shall be by cheque or cash from the petty Cash Fund. Payments in excess of Two Hundred dollars (\$200.00) shall be made by cheque only.
- 40) No Funds/Monies are to be locked into GIC or other long-term account without prior approval at the preceding General Meeting.
- 41) Discretionary spending up to and including the amount of \$1,500.00 per incident for normal Branch operation and up to and including \$5,000.00 for Branch emergencies will only be carried out with the approval of two-thirds (2/3) majority of the Executive Committee. All discretionary expenditures must be reported at the next General Meeting.
- 42) Any motion concerning the financial business in the operation of the Branch shall be submitted **in writing** to the Executive Committee for investigation and discussion.
- 43) Recommendations of the Executive Committee for concurrence or non-concurrence of the motion concerning financial business of the Branch will be presented at the next

General Meeting for ratification or rejection by the members present. Concurrence may only be approved by a two thirds (2/3) majority of the members present.

### **Audit Committee**

- 44) The Executive Committee, at their first meeting in January each year, shall appoint an Audit Committee. The Audit Committee shall be comprised of a minimum of two persons who are qualified to perform the duties of the Auditor as stated in the General By-Laws of The Royal Canadian Legion (Article 616).
- 45) All books, vouchers, cheques, documents and papers necessary to enable the Audit Committee to fully and completely audit the books and records of the Branch, and to prepare a report thereof, shall be accessible to the Auditor at all times, and shall be delivered to the Auditor not less than fourteen (14) days before the meeting of the members of the Branch in April of each year.
- 46) At least three (3) days before the monthly meeting last mentioned, the Treasurer shall post in the clubrooms or premises of the Branch, the monthly financial statement, and the Auditors Annual Report or true copies thereof, when applicable.

## **ARTICLE VII - GENERAL**

### **Committees**

- 46) The Executive Committee may appoint from time to time, such Standing Committees as may be deemed necessary to carry out the objectives of the Branch or to advise the Executive. The Executive Committee shall prescribe the duties and Terms of Reference of such Committees. Chairman of Committees shall be members of the Executive Committee and shall be appointed by the Executive Committee. These Committees, other than the Executive Committee, may include staff of the Branch as well as representatives of the community.
- 47) There may be such Ad Hoc Committees (for the case at hand) and for such purposes as the Executive Committee may determine from time to time by resolution. At least one Executive Committee member shall be a member of each Ad Hoc Committee and the Executive Committee member shall normally chair the meetings. Such Committees may include Branch staff as well as representatives of the community. The existence of each such Ad Hoc Committee shall be terminated upon:
  - a) the delivery of its report or completion of its assigned task;
  - b) a change in the membership of the Executive Committee by which it was constituted;
  - or
  - c) a resolution to that effect by the Executive Committee by which it was constituted.

### **Indemnity**

- 48) The Executive Committee of Branch No. 211 of The Royal Canadian Legion shall at all times be indemnified and saved harmless out of the funds of Branch No. 211 of The Royal Canadian Legion from and against all costs, charges and expenses whatsoever which the Executive Committee sustains or incurs ill or about any action, suit or proceedings which are brought, commenced or prosecuted against them for or in respect of any act, deed, matter of thing whatsoever made, done or permitted by his ill or about execution of the duties of his office, except the costs, charges or expenses occasioned by his own willful neglect or default.



### **Conflict of Interest**

49) An Executive Committee member shall disclose his interest in any material contract or transaction or proposed material contract or transaction with the Branch and the extent of this interest. Such a member shall not vote on any resolution to approve the same.

### **Oath of Confidentiality/Code of Ethics**

50) All members are expected to meet the Branch's standard of conduct. As a member of the Executive Committee, they shall:

- a) fulfill their obligations and responsibilities with integrity;
- b) serve in a conscientious, diligent and efficient manner;
- c) protect the privacy of members and hold in confidence all professionally acquired information concerning all members of the Branch. They shall disclose such information only when legally or professionally obligated to do so;
- d) treat all members and guests of the Branch with respect and work cooperatively with them; and
- e) treat the Branch, its services and programs with dignity, respect and conduct themselves in a manner conducive to the well-being of the Branch.

### **Remuneration**

51) The Executive Committee members shall serve without remuneration but may be paid or reimbursed for reasonable expenses incurred for Branch activities, aside from scheduled meetings. The Executive Committee shall review and approve such expenses as they arise.

### **Disillusionment of the Branch**

52) Upon disillusionment of the Branch or revoking of the Charter, the real and personal property of the Branch shall be used to pay or otherwise satisfy the liabilities of the Branch. Any surplus remaining shall, subject to the By-Laws of Alberta-Northwest Territories Command, be disposed of as Provincial Command sees fit, as set forth in Article 124 of the General By-Laws of The Royal Canadian Legion.

### **Amendments to By-Laws**

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

Any Notice of Motion must:

- a) be given in writing at the General Meeting prior to the General Meeting at which it will be given consideration;
- b) proposed recommendations shall be detailed and highlighted;
- c) must be signed by the Chairman of the Review Committee;
- d) copies of the Notice of Motion will be posted in detail within the Legion at least thirty (30) days prior to the General Meeting at which it will be given consideration; and
- e) receive a majority two thirds (2/3) of the voting members present at the General Meeting at which it is given consideration.

54) The Branch By-Laws should be reviewed every two years by a Standing Committee, comprising of the President or Vice-President and a minimum of two (2) Executive Committee Members and a minimum of one (1) member of the general membership.


**Effective Date of By-Laws**

55) These By-Laws shall not be in effect until approved by the Alberta-Northwest Territories Command of The Royal Canadian Legion.


**CERTIFICATION**

Certified to be true and correct-Copy of the By-Laws of the Cold Lake Branch No. 211, of The Royal Canadian Legion. As amended by a General Meeting of the Branch on the 8 day of June, 2015.

Branch Seal



Cde. T. Rorke  
President



Cde. H. Lauriks  
Secretary

Approved on behalf of the Alberta and Northwest Territories Command of The Royal Canadian Legion, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Command Seal

\_\_\_\_\_  
Command President  
Alberta-NWT Command

\_\_\_\_\_  
Chairman  
Constitution and Laws Committee  
Alberta-NWT Command

## **APPENDIX 'A'**

### **Duties of the Election Officer/Returning Officer/Scrutineers**

- 1) The Election Officer shall:
  - a) ensure that dates for nominations and Election are made known to the membership via General Meetings, Bulletin Boards, etc.;
  - b) ensure Nomination forms are available when required;
  - c) check qualifications of all nominees and nominators, as set forth in the Branch By-Laws (para. 28); and
  - d) compile a list of all nominees, and make it available to the General Membership within twenty-four (24) hours of close of nominations as set forth in Branch By-Law (para. 27).
  
- 2) The Returning Officer shall:
  - a) ensure availability of Ballot Boxes (locked), ballots and current membership list;
  - b) check off names of all members voting on the membership list;
  - c) ensure Ballot Box is locked until completion of voting;
  - d) arrange schedule for scrutineers and/or alternates;
  - e) appoint additional alternates if required;
  - f) at the appointed time set forth in these By-Laws under Article V, item 27, the Returning Officer, along with the required scrutineers, shall return with the Ballot Box and proceed to tally the votes;
  - g) declare "Void" and set aside all ballots which, in his opinion and that of at least one Scrutineer, have been spoiled;
  - h) only vote to cast the deciding vote in the case of a tie for any office;
  - i) along with at least two (2) Scrutineers, count the ballots;
  - j) compile two signed reports. Report one (1) will include a list of elected candidates to be submitted to the Branch President for release to the General Meeting. Report two (2) will include the total number of ballots cast and the number of spoiled ballots, to be filed securely in the Branch office;
  - k) make a motion at the General Meeting to accept Report one (1); and
  - l) make a motion for the destruction of ballots, as directed by the General Meeting.
  
- 3) The Scrutineers shall:
  - a) assist the Returning Officer in attending the Ballot Boxes; and
  - b) check off the names of voters on the membership list.

**APPENDIX "B"**

**NOMINATION FORM**

**DATE:**

**FOR OFFICE OF:** \_\_\_\_\_

**SIGNATURE OF NOMINEE:** \_\_\_\_\_

**NAME OF NOMINATOR: (print)** \_\_\_\_\_

**SIGNATURE OF NOMINATOR:** \_\_\_\_\_