The General *By-Laws*

As Amended to February 2015

Legion

86 AIRD PLACE • OTTAWA, ON • CANADA • K2L 0A1 • 1-888-556-6222 • WWW.LEGION.CA

Table Of Contents

PURPOSES AND OBJECTS . . . iv

TESTAMENT - ARTICLES OF FAITH . . . vii

THE GENERAL BY-LAWS OF THE ROYAL CANADIAN LEGION

ARTICLE I

GENERAL . . . 1
- Interpretation . . . 1

ORGANIZATION . . . 3
- General . . . 3
- Policy Statements . . . 3
- Provincial Commands . . . 3
- Branch Charter . . . 4
- Channel of Communication . . . 5
- Qualification to Vote and/or Hold Office . . . 5
- Command Auditors . . . 7
- Holding of Property . . . 8
- Badges, Insignia . . . 11
- Fund Raising . . . 11
- Financial Year . . . 12
- Financial Accountability . . . 12
- Seal . . . 12
- Special Sections . . . 13
- Old Comrades' Associations . . . 14

ARTICLE II

MEMBERSHIP . . . 15
- General . . . 15

CATEGORIES OF MEMBERSHIP . . . 16
- Life Members . . . 16
- Ordinary Members . . . 17
- Associate Members . . . 18
- Affiliate Voting Members . . . 19
- Affiliate Non-Voting Members . . . 19

MEMBERSHIP IN USA BRANCHES/POSTS . . . 19
- Ordinary Members - USA Branches/Posts Only . . . 19
- Associate Members - USA Branches/Posts Only . . . 20
- Affiliate Voting Members - USA Branches/Posts Only . . . 21

MEMBERSHIP IN EUROPE BRANCHES . . . 21
- Ordinary Members - Europe Branches Only . . . 21
- Associate Members - Europe Branches Only . . . 22
- Affiliate Voting Members - Europe Branches Only . . . 22

PROHIBITION OF OTHER TYPES OF MEMBERSHIP . . . 23

APPLICATIONS FOR MEMBERSHIP . . . 23

T.V. SECTION . . . 23

TRANSFERS . . . 24

ARTICLE III

COMPLAINTS AND APPEALS . . . 26
- Definitions . . . 26
- Ladies Auxiliary Members . . . 27
- Proof of Complaint . . . 27
- Complaint Procedure . . . 28
- Procedure . . . 28
- Complaints at Command Levels . . . 30
- Mediation . . . 30
- Hearing Procedures . . . 31
- Decision . . . 32
- Dispositions . . . 33
- Failure to Deal with Complaint . . . 34
- Withdrawal . . . 34
- Appeals . . . 34

ARTICLE IV

DOMINION COMMAND . . . 38
- Executive Council . . . 38
- Honorary Officers . . . 38
- Vacancies . . . 38
- Meeting and Quorum . . . 40
- Powers and Duties . . . 40
- Levy . . . 41
- Senior Elected Officers . . . 41
- Committees . . . 41
- Special Powers of the Dominion President . . . 41
- Salaries and Expenses . . . 45
- Employees . . . 45

ARTICLE V

PROVINCIAL COMMANDS . . . 46
- Executive Councils . . . 46
- Officers and Members . . . 46
- Powers and Duties . . . 47
- Zones and Districts . . . 47
- Sub-Executive committee . . . 48
- Provincial Command By-Laws . . . 48

ARTICLE VI

BRANCHES . . . 49
- General . . . 49
- By-Laws . . . 49
- Amalgamation of Branches . . . 51
- FINANCIAL REVIEW COMMITTEE . . . 52
- By-Laws for Command Special Branches . . . 53

ARTICLE VII

ZONES AND BRANCHES/POSTS IN THE USA AND EUROPE . . . 54
- Obligations of Membership . . . 54

Branches /Posts . . . 54
Zones . . . 54

ARTICLE VIII

AUXILIARIES . . . 56
Ladies Auxiliaries . . . 56
Youth Auxiliaries . . . 57

ARTICLE IX

DOMINION CONVENTION . . . 58
When Held . . . 58
Delegates . . . 58
Quorum . . . 59
Voting and Proxies . . . 59
Resolutions . . . 61
Committee on Resolutions . . . 61
Duties of Convention and Other Committees . . . 62
Convention Committees . . . 63
Expenses of Committee Members . . . 63
Compliance with canadian law . . . 63

ARTICLE X

PROVINCIAL CONVENTIONS . . . 65
When Held . . . 65

ARTICLE XI

POPPY FUND . . . 66
Campaigns . . . 66
Purposes . . . 67
Central Fund . . . 71

ARTICLE XII

DUES, AFFILIATION FEES PER CAPITA TAX . . . 73
General . . . 73
Branch Dues & Per Capita Tax . . . 73
Branch Returns . . . 74
Provincial Command Returns . . . 74

ARTICLE XIII

MISCELLANEOUS . . . 75
Distribution of LEGION Magazine . . . 75
Centennial Fund . . . 75
Matters of Procedure . . . 75
Amendments . . . 76
Repeal . . . 76

APPENDIX "A"

GUIDE TO ELIGIBILITY TO MEMBERSHIP . . . 77
Duration of Hostilities . . . 77
Non-military Services . . . 77

Purposes And Objects

The purposes and objects of the Legion shall be:

a. to constitute an association of those who have served or are serving in Her Majesty's armed forces or any auxiliary force and of others who support the purposes and objects of the Legion, which association shall be democratic and non-sectarian, and shall not be affiliated to or connected directly or indirectly with any political party or organization;

b. to bring about the unity of all who have so served;

c. to further among them the spirit of comradeship and mutual help and the close and kindly ties of active service;

d. to pass on to their families and descendants the traditions for which they stand;

e. to perpetuate the memory and deeds of the fallen and of those who die in the future;

f. to promote and care for memorials to their valour and sacrifice, to provide suitable burial if required, to keep an annual memorial day, to preserve the records and memories of their service and to see that such services shall not be forgotten by the nation;

g. to ensure that proper attention shall be paid to the welfare of all who have served and the welfare of their dependants and to see to the maintenance and comfort of those who require special treatment, particularly the disabled, sick, aged and needy, and to promote the welfare of their dependants;

h. to educate public opinion regarding national duties to the dead, the disabled and others who have served, and their dependants;

i. to foster loyalty among the public and education in the principles of patriotism, duty and unstinted public service;

j. to strive for peace, goodwill and friendship among all nations, at the same time advocating the maintenance by Canada of adequate and sufficient forces on land, sea and in the air for the defence of our country and for the discharge of those obligations which rest upon us by virtue of our partnership in the Commonwealth;

k. to support suitable undertakings for the training, employment and settlement of ex-service personnel, and the education of their children;

l. to preserve their statutory, acquired and legitimate rights, and those of their dependants and, in so doing, to offer the Legion's co-operation to those officially charged with the responsibility of administering such rights by federal or other governments;

m. to assist comrades now serving, especially in connection with their return to civil life, and to safeguard the interests of their dependants whilst they are in service;

n. to assist ex-service personnel to secure not less than the recognized standard rates of wages;

o. to secure adequate pensions, allowances, grants and war gratuities for ex-service personnel, their dependants, and the widows, children and dependants of those who are dead, and to labour for honourable provision being made for those who, in declining years, are unable to support themselves;

p. to cooperate with the Commonwealth and allied associations of similar aims and objects;

q. to establish, organize and regulate provincial, district and local bodies, or commands and branches in convenient centers throughout Canada and elsewhere;

r. to establish, organize and regulate provincial, district and local bodies of women for the purpose of assisting the Legion in seeing to the maintenance and comfort of disabled, sick, aged and needy ex-service personnel and their dependants, and to cooperate with the Legion in the promotion and carrying out of all aims and objects of the Legion, such a group to be known as a Ladies' Auxiliary of The Royal Canadian Legion;

s. to acquire, hold, sell or lease real and immovable, personal and movable property;

t. to raise and coordinate funds for assisting those mentioned in the preceding paragraphs, to provide for the administration of the Legion and its authorized Provincial and District Commands, branches and ladies' auxiliaries, and to see that these and other funds raised for such purposes are applied to those purposes and none other;

u. to act generally on behalf of all those who have served in Her Majesty's forces;

v. to encourage, promote, engage in or support all forms of national, provincial, municipal or community service, or any charitable or philanthropic purpose; and

w. to engage only in activities which will be to the credit and benefit of the Canadian community and which will encourage and promote the positive reputation of the Legion.

MISSION STATEMENT

OUR MISSION IS TO SERVE VETERANS, WHICH INCLUDES SERVING MILITARY AND RCMP MEMBERS AND THEIR FAMILIES, TO PROMOTE REMEMBRANCE AND TO SERVE OUR COMMUNITIES AND OUR COUNTRY.

The material provided in this publication is the sole property of The Royal Canadian Legion and shall not be reproduced in any form without the expressed written permission of Dominion Command, The Royal Canadian Legion. This manual amplifies Legion policy and is produced under the authority of the Dominion Executive Council as per Article 408 of the General By-Laws.

The Royal Canadian Legion Testament - Articles Of Faith

Whereas The Royal Canadian Legion was founded upon principles, which endure today, and will serve well all who belong or may belong in the future including, among others -

- A solemn remembrance of Canadians who gave their lives so that our nation might be free.
- Loyalty to the sovereign and to Canada.
- Safeguarding the rights and interests of the disabled, the widows or widowers and dependants and all who served.
- Maintaining our right to encourage our people and nation to every reasonable support to peace at home and throughout the world.
- Maintaining in and for Canada the rule of law - encouraging the national and united spirit - ordered government - and striving for peace, goodwill and friendship between Canadians and among all nations.
- Advocating the maintenance in and by Canada of adequate defences.
- Retaining the spirit of comradeship forged in wartime and nurtured in peacetime to the benefit of the history and unity of the nation.

And whereas throughout the history of the Legion certain values have endured to the benefit of the veteran segment, the Ladies Auxiliary and their chosen successors, all to the credit and benefit of the Canadian community.

And whereas it is the recognized duty of each segment, the one to the other, to perpetuate The Royal Canadian Legion and its principles, facilities and programs for the general welfare of our nation now and in the future.

We, the undersigned, for ourselves and representative of our segment of The Royal Canadian Legion, covenant and renew our obligations to each other and to the nation and do solemnly declare.

REMEMBRANCE

That those who died in the service of the nation will always be remembered together with their widows and widowers. We will remember them.

That Remembrance Day shall remain and be reverently observed on the 11th hour of the 11th day of the 11th month of each year by us and our successors. Lest We Forget.

That the sacrifice made by so many shall not be in vain and we shall strive to maintain unity in our nation, together with our constant endeavour to promote and maintain peace, goodwill, and friendship within our country and throughout the world, so that all citizens may be worthy of the sacrifice they made.

JUST RIGHTS

That those who survive and need our aid may be assured of reasonable and adequate assistance.

LOYALTY

That we maintain our loyalty to the reigning sovereign and to Canada and its people - to stand for ordered government in Canada and decline membership or to continue any membership to anyone who is a member of or affiliated with any group, party or sect whose interests conflict with the avowed purposes of The Royal Canadian Legion or support any organization advocating the overthrow by force of organized government in Canada or which encourages or participates in subversive activity or propaganda.

COMRADESHIP - SERVICE

That our original basis of common service and sacrifice expressed in comradeship shall survive among us and our community so that the ideals for which so many laid down their lives will be fulfilled.

MEMBERSHIP

That The Royal Canadian Legion remain strong and united. That those who served or are serving or have served in the armed forces of our country together with their widows or widowers and dependants and such others as from time to time are admitted and subscribe and continue to subscribe to our purposes and objects, shall be encouraged to belong provided always that we shall remain democratic and non-sectarian and not affiliated to or connected directly or indirectly with any political party or organization. That so long as veterans remain, or

their widows or widowers, they shall be fully and adequately represented in all the councils of The Royal Canadian Legion. Future ex-service persons shall enjoy the same privileges in perpetuity.

SYMBOLS

The Poppy is our emblem of supreme sacrifice and must forever hold an honoured place in our hearts and image immortalizing as it does our remembrance and honouring of those who laid down their lives for ideals which they, we and all Canadians rightfully cherish. It shall challenge us to serve in peace, as in war, to help those who need our help, and to protect those who need and deserve our protection. The cross of sacrifice, on appropriate occasions, is symbolic of the same worthy principles of remembrance.

The Torch shall remain symbolic of justice, honour and freedom throughout our land. These were the principles for which our comrades fought and died. We of today and tomorrow covenant to hold it high lest we break faith with those who died. Justice, honour and freedom are our charge for now and forever. We serve best by fostering these principles in ourselves, our children and their children so long as The Royal Canadian Legion shall survive.

Our Badge is symbolic of our loyalty to our sovereign, our support to our nation in our worthy citizenship and our remembrance for our fallen comrades and fellow Canadians of like principles.

Our Flag, being the Canadian Flag, is representative of our nation both at home and abroad. We will uphold it ourselves and forever teach respect for it by our successors, within and without the Legion. At the same time, we will remember our historical association with the Union Flag and the Red Ensign.

Our successors shall themselves learn and pass to their successors these principles including, when necessary, our best services in times of great need, our unique strengths to our family and community, and the worthiness of remembering their contributions in their continuing time.

We, individually and collectively, guarantee we will be true to these principles and subject only to the limits prescribed by democratic law teach and hand down them to our continuous successors without reduction but with enhanced values.

The following General By-Laws are in effect from 1 October 2014 until 1 October 2016

The General By-Laws Of The Royal Canadian Legion

Article I

GENERAL

INTERPRETATION

101. Unless the context otherwise requires:

a. THE ACT means The Act to Incorporate The Royal Canadian Legion (Statutes of Canada 1948, Chapter 84, as amended).

b. MEMBER means a person who has been duly admitted to any of the types of membership provided for herein.

c. MEMBER IN GOOD STANDING means a member who has been initiated and who is not under suspension or is not in arrears in payment of dues. However, a member's rights and privileges may be limited or restricted in circumstances described herein.

d. VETERAN: A Veteran is any person who is serving or who has honourably served in the Canadian Armed Forces, the Commonwealth or its wartime allies, or as a regular member of the Royal Canadian Mounted Police, or as a Peace Officer in a special duty area or on a special duty operation, or who has served in the Merchant Navy or Ferry Command during wartime.

e. SPOUSE means either:

i. either of two persons who are married to each other; or

ii. either of two persons who are not married to each other and who, at the date of the application for membership, is cohabiting and has cohabited with the other person for a period of not less than one year, prior to the date of such application.

f. CHARTER means the document granted by Dominion Command on the formation of a branch or Provincial Command or ladies auxiliary attached thereto.

g. BRANCH means a body of persons fulfilling the qualifications of membership who, having made petition to the proper Provincial Command or, in the case of independent branches, to Dominion Command, have been granted a charter by Dominion Command.

h. POST may relate to a branch located in the United States of America.

i. ZONE means the branches/posts in a specified area within a command formed by that command into a unit for administrative purposes.

j. DISTRICT means two or more zones, or in any command where there are no zones, a number of branches/posts, in a specified area within a command formed by that command into a unit for administrative purposes.

k. PROVINCIAL CONVENTION means the accredited delegates within the territory of the Provincial Command assembled in a general meeting at a time and place specified by that command.

l. PROVINCIAL COMMAND means the provincial convention and, when it is not in session, the provincial executive council.

m. 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.

n. DOMINION CONVENTION means the accredited delegates assembled in general meeting at a time and place specified by the Dominion Executive Council.

o. Masculine words include the feminine.

p. Singular words include the plural.

102. This by-law, together with any amendments enacted thereto, constitutes the General By-Laws of The Royal Canadian Legion, herein generally referred to as the Legion.

ORGANIZATION

GENERAL

103.

a. The Corporate structure of the Legion as created by the Act, currently qualifies Commands and Branches in Canada as non-profit organizations under the Income Tax Act of Canada.

b. Dominion Command has supreme jurisdiction in all matters within the purposes and objects of the Legion. Its decisions on questions of policy and on the course of action to be taken in respect thereof shall be authoritative and binding upon all commands, councils and branches.

POLICY STATEMENTS

104. Only the Dominion President, or a person delegated by him, after consultation with the Senior Elected Officers of the Dominion Executive Council, shall make public any statement, oral or written, as to the policy of the Legion, in connection with any question or matter, unless or until such policy has been declared:

a. by a meeting of the branch affected, or by the executive committee of such branch, as to matters of local character and within the jurisdiction (see Section 109) of the branch;

b. by a provincial convention or provincial executive council, as to matters of a provincial character and within the jurisdiction of such Provincial Command; and

c. by a Dominion Convention or the Dominion Executive Council, as to all other matters and questions and particularly those of a national character.

PROVINCIAL COMMANDS

105. Dominion Command may organize and constitute only one command in each of the provinces of Canada, subject to the following exceptions:

a. The command in the Province of Manitoba may include all of the Province of Manitoba and that part of the Province of Ontario west of longitude eighty-five degrees west, and in that event shall be designated the Manitoba and Northwestern Ontario Command.

b. The command in the Province of British Columbia includes branches organized in the Yukon Territory and may include the States of Washington and Oregon in the United States of America. It shall be designated the British Columbia/Yukon Command.

c. The command in the Province of Prince Edward Island includes the Magdalen Islands.

d. The command in the Province of Alberta includes branches organized in the Northwest Territories and it shall be designated the Alberta-Northwest Territories Command.

e. The command in the province of Nova Scotia includes branches organized in the Territory of Nunavut and it shall be designated the Nova Scotia/Nunavut Command.

106.

a. Subject to the powers of Dominion Command and these By-Laws, the respective Provincial Commands shall have jurisdiction over all matters arising within their territorial limits.

b. In the development of Provincial Command's policy on matters or issues which could impact on the Legion as a whole, Provincial Commands shall secure Dominion Command approval in advance.

107.

a. The responsibility for organizing and supervising branches within the territorial jurisdiction of a Provincial Command, and their compliance with the purposes and objects of the Legion, rests with that command.

b. Dominion Command may, upon notice to the Provincial Command concerned, make arrangements and carry out, any necessary work or organization effort in any area.

c. In areas outside the territorial jurisdiction of any Provincial Command, the responsibility for organizing branches rests with Dominion Command.

BRANCH CHARTER

108.

a. Upon the application of fifty or more persons within an urban area, or ten or more persons in any other areas, who desire to form a branch, and who fulfill the qualifications for voting

membership, the Provincial Command, after being satisfied that the petitioners will be able to maintain a satisfactory branch, may recommend its formation to Dominion Command.

b. A Provincial Command, after due investigation, may recommend the formation of a branch within its jurisdiction having less than the stated minimum number of members.

c. On receiving a recommendation, Dominion Command may grant a charter to form such a branch.

d. When any branch fails to maintain the minimum membership required by this section, the charter of the branch may be withdrawn.

e. Upon dissolution of a branch, Dominion Command is to be notified accordingly and the charter of the branch, if applicable, its auxiliary will be surrendered to Dominion Command or retained by Provincial Command for action.

109.

a. Every branch and command is limited in the exercise of its powers to its own territory, and any activities contemplated outside that territory must first be approved by the command having jurisdiction.

b. The jurisdiction of a branch refers specifically to those issues and activities which relate solely to the internal operations of the branch. A branch may not issue By-Laws or policy statements or authorize activities which impinge on the image or operations of the Legion as a whole.

CHANNEL OF COMMUNICATION

110.

a. The normal channel of communication shall be from a member to the branch and from the branch through its command.

b. The use of a member's private contact information is restricted to conducting the administrative affairs of the branch or command.

QUALIFICATION TO VOTE AND/OR HOLD OFFICE

111.

a. Except as otherwise provided in these By-Laws, only ordinary, life, associate and affiliate-voting members in good standing

(see 101.c.) shall have the right to vote or hold office at any level of the Legion.

b. No person shall be nominated for any office in the Legion unless present or having signified in writing a willingness to accept such office and signed by a member in good standing.

c. All branch officers, elected or appointed, shall have the right to vote at branch executive meetings.

d. Unless otherwise provided at the time of appointment or in branch or command by-laws, the duration of an appointment is for a term as specified by the appointing authority for that position. Termination before the end of the term may be done only for cause and only by the appointing authority. Appointees may appeal their removal for cause in the same manner as if the removal was a disposition of removal from office or position held as a result of a complaint hearing. The appeal committee may either confirm the removal or direct reinstatement.

112.

a. No member who is a full-time, regular part-time or casual employee 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 organization thereof, shall be eligible to hold any executive position in the Legion.

b. For the purposes of this Article, a member who provides unpaid volunteer services to a branch is not, by virtue of accepting tips from paying customers, considered to be receiving a salary or wages.

c. Notwithstanding the provisions of this section, ladies auxiliary members employed by a branch or command may, at the discretion of the branch or command, hold office in the auxiliary.

113. Where any member of the executive of a branch or command transacts business or performs any service for which a fee or commission is paid by any branch or command, the executive office or position shall immediately be forfeited and become vacant, unless such transaction has been approved in advance, such approval to be given by the executive of the branch or command as the case may be.

114.

a. The person who is president of any command or branch of the Legion at the end of the elective term shall become the immediate past president on the election of a successor.

b. A president who resigns before the term of office is completed is not the immediate past president.

c. In the event of the death, resignation, inability to act, or removal of the immediate past president, the position of immediate past president may be filled for the remainder of the term by the appointment of a former president by the branch executive or the executive council of a command.

COMMAND AUDITORS

115.

a. At every Dominion or provincial convention, an auditor or auditors shall be appointed to hold office until the next convention.

b. The executive council may fill any vacancy in the office of auditor.

c. The remuneration of the auditors shall be determined by the executive council.

116. The following persons do not qualify for appointment as auditors:

a. A member of Dominion or Provincial Executive Council.

b. An employee of the Legion or organization thereof.

117. The auditors shall provide a report to Dominion and Provincial Command conventions on the accounts examined by them, and the report shall state:

"We have examined the balance sheet of The Royal Canadian Legion - Dominion/Provincial Command - as at December 31, 20— and the statements of revenue and expense and surplus - General Funds, reserves - Special Funds and changes in financial position for the year then ended. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests and other procedures as we considered necessary in the circumstances. In our opinion, these financial statements present fairly the financial position of Dominion/ Provincial Command as at December 31, 20— and the results of its

operations and the changes in its financial position for the year then ended in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding year."

118. Every auditor of the command shall have a right of access at all times to all records, documents, books, accounts and vouchers of the command, and shall be entitled to require from the officers and members of the executive council and any employee such information and explanation as may be necessary for the performance of duties of auditors.

119. The auditors of the command shall be entitled to attend a convention at which any accounts, which have been examined or reported on by them, are to be read or considered, for the purpose of making any statement or explanation they may require or may be requested to make with respect to the accounts.

HOLDING OF PROPERTY

120.

a. The real property that may be held or acquired by any branch or command may be held in the name of such branch or command, or may be held in trust by a board of trustees duly appointed by such branch or command for that purpose.

b. The appointment, rights, powers and duties of trustees shall in each case be fixed and determined as hereinafter set forth.

c. A board of trustees may take, hold, possess and acquire by purchase, lease, exchange, gift, devise, bequest, endowment or otherwise, real or immovable property necessary or useful for carrying out the purposes and objects of the branch or command.

d. Except in the course of the ordinary and usual activities of the branch, a Branch or the trustees of a branch may not sell, lease, mortgage, pledge, hypothecate or alienate in any manner, any property held by them without the prior written consent of the Provincial Command.

e. A Provincial Command in determining whether to consent to the alienation of branch property as provided in Subsection (d) shall consider whether such alienation will benefit the Legion or the community in which the branch is located.

121.

a. Every Provincial Command, and every branch with the approval of the Provincial Command having jurisdiction, may by by-law establish the procedure to be followed for dissolving or winding up the branch or command, or for hypothecating, mortgaging, pledging, leasing, selling, conveying or otherwise disposing of its real or personal property except in the ordinary and usual course of its activities.

b. The by-law shall require written notice to all voting members of the place, date and time of the meeting at which the transaction will be brought up for decision, and shall specify the minimum period of such notice, the quorum and the minimum favourable vote, not less than two-thirds of those present at the meeting and entitled to vote, that must be obtained to make the transaction valid.

c. The proposed By-law or any procedure that the commands or branches use must incorporate the following criteria:

   i. The proposed transaction shall be presented for consideration in the case of a command to the provincial convention or the provincial executive council exercising the powers conferred upon it between conventions pursuant to Section 505, and in the case of a branch to a duly called meeting of the members of a branch. In order that the matter may be presented, there must be present a quorum of voting members according to the rules of the command or branch.

   ii. Written notice of the proposed transaction, setting out the reasons for its proposal, also its nature, terms and conditions, and having attached thereto or enclosed therewith a copy of the by-law or resolution which is proposed for adoption by the meeting for the purpose of carrying out the proposed transaction, shall be delivered by the command or branch to, or sent by post addressed to the last known address of every person entitled to vote on the proposal not less than 14 days before the date set for the meeting.

   iii. At the meeting, prior to any vote being taken, the purpose, nature and effect of the proposed transaction shall be explained and considered.

   iv. The number of voting members present shall be recorded.

v. The vote may be taken by show of hands, by standing vote or by ballot, as provided in any rules of the command or branch. If there are no such rules, the method of voting shall be determined by the meeting.

vi. For the adoption of the by-law or resolution, not less than two-thirds of the members present and entitled to vote must vote in favour of its adoption.

vii. Where the matter is dealt with by resolution, the resolution shall be recorded in full in the minutes of the meeting. Where it is dealt with by by-law, a copy of the by-law shall be attached to the minutes. The number of members voting for or against the motion to adopt the by-law or resolution or any amendment thereto shall be recorded in the minutes of the meeting.

122.

a. Except as provided in this section, no Provincial Command or branch may become incorporated under the laws of Canada or any province thereof for the purpose of holding property or otherwise, nor may any command or branch cause a corporation to be formed for the purpose of holding or administering any of its property.

b. A Provincial Command, or with the approval of the Provincial Command, a branch or group of branches may become incorporated or cause a corporation to be formed for the purpose of undertaking a housing and/or domiciliary care program, provided that if the total cost of any such program is to exceed $500,000 the approval of Dominion Command must first be obtained. In all cases the approval of Dominion Command must be obtained for the use of the name 'Legion' in connection with the program.

c. A command, or with the approval of the Provincial Command, a branch may set up a corporation to hold property for the purpose of operating a sports training plan.

d. Dominion Command may set up a corporation to operate The Royal Canadian Legion Centennial Foundation.

e. A Provincial Command, or with the approval of the Provincial Command having jurisdiction, a branch or group of branches may cause a corporation to be formed in such a manner that it qualifies under the Income Tax Act as a non-profit, charitable entity, to raise funds for charitable purposes.

f. With the approval of Provincial Command, a branch may stratify or otherwise partition its property as provided by the appropriate provincial or territorial legislation.

123. In areas outside Canada, Dominion Command may make further exceptions to the prohibitions in the preceding section.

124.

a. The real and personal property of any branch which has been wound up or dissolved or the charter of which has been revoked shall vest in the Provincial Command concerned and shall be used to pay or otherwise satisfy the liabilities of the branch. Any surplus remaining shall, subject to these By-Laws and the By-Laws of such Provincial Command, be disposed of as such Provincial Command sees fit.

b. In disposing of property pursuant to Subsection 124.a., a Provincial Command shall have regard to any clearly expressed wish of the branch for its use for the benefit of the community where the branch is located, and may consent to its disposition for such purpose only where it is satisfied:

   i. that a responsible continuing community organization exists to which the property can be transferred or otherwise disposed of to or for the benefit of the community, and

   ii. such community organization has agreed in writing to maintain and use the property for the benefit of the community subject to such terms and conditions as the Provincial Command shall deem desirable in the circumstances.

c. Upon the winding up or dissolution of any branch, its property shall not be distributed to or for the benefit of the members thereof.

BADGES, INSIGNIA

125. Dominion Command shall establish all official badges and other insignia, official colours, official headgear and official dress of the Legion.

126. No insignia, badge or other design shall be placed or worn on branch or command Legion colours, or on the official headgear or official dress of the Legion unless the said insignia, badge or design has first been authorized by Dominion Command.

127. Members of auxiliaries, past presidents, honorary officers, life members and other members who have rendered service to the Legion may wear badges of such design as have been approved by Dominion Command.

128. All membership badges and Legion insignia remain the property of the Legion and may be worn only by members in good standing or as authorized by Dominion Command.

FUND RAISING

129.

a. No Provincial Command or branch shall, at any time or in any manner, appeal for financial contributions or payments of money from the public or from the membership of the Legion, beyond the area in which such command or branch normally operates and exercises jurisdiction.

b. For the purposes of this section, where there are two or more branches in any urban area, such area shall be such portion of the urban area and area adjacent thereto as the Provincial Command having jurisdiction may allot to such branch.

FINANCIAL YEAR

130.

a. Except for the purposes of poppy funds, the financial year for all branches and commands shall be as determined by each Provincial Command.

b. The financial year for poppy funds shall commence on the first day of October in each year and terminate on the 30th day of September the following year, except for Dominion Command.

FINANCIAL ACCOUNTABILITY

131. All monies received by any level of the Legion shall be deposited forthwith, in the name of such level of the Legion, in a chartered bank, trust company, or any other institution authorized under provincial law.

132. All cheques issued by any level of the Legion shall be signed by two duly authorized signing officers.

133.

a. All levels of the Legion shall maintain an adequate system of accounting and financial reporting, subject to direction by superior commands.

b. Provincial Commands may by by-law require branches to submit financial statements.

c. Provincial Commands may by by-law require a branch to conduct an external audit or an External Review Engagement of its financial records or Poppy Trust Fund.

SEAL

134.

a. The corporate seal of the Legion shall be in the custody of the Dominion Secretary, who, under such seal, shall have full and complete authority to certify as to the authenticity of any and all documents in his possession.

b. The seal of the Legion may be affixed to any document requiring execution by Dominion Command over the signature of any of the following persons: the Dominion President, the Dominion First Vice President, the Dominion Treasurer or the Dominion Secretary. The Dominion Executive Council may confer similar authority upon other officers.

135. Every branch and Provincial Command shall have a seal which shall be according to such designs as may be determined by Dominion Command but which, in the case of a branch, shall bear words identifying the command to which the branch belongs and the number of that branch and, in the case of a command, naming that command.

136. The seals of the branches and Provincial Commands shall be in the custody of the respective secretaries thereof, who shall have authority to certify as to the authenticity of any and all documents in their custody.

SPECIAL SECTIONS

137.

a. Dominion Command may establish special sections for the protection of particular sections of ex-service personnel.

b. The members of each special section may elect their own officers or pass By-Laws for governing their own officers or pass By-Laws for governing their affairs, but such By-Laws

shall not be inconsistent with these By-Laws or with the purposes and objects of the Legion, and must be approved by Dominion Command before becoming effective.

c. Representation of special sections on the Dominion Executive Council may be approved by Dominion Convention on the recommendation of the Dominion Executive Council but such representation, if approved, shall be limited to one individual. Representation of special sections on Provincial Executive Council may be approved by Provincial Convention on the recommendation of the Provincial Executive Council but such representation, if approved, shall be limited to one individual.

d. The Tuberculous Veterans' Section for the purpose of safeguarding the special interests of tuberculous veterans and veterans suffering from respiratory ailments is a recognized Special Section of The Royal Canadian Legion with authorized representation on the Dominion Executive Council.

e. The Imperial Veterans' Section is a recognized special section of The Royal Canadian Legion. Although inactive at this time, the Legion will continue to protect the interests of Imperial Veterans in perpetuity.

OLD COMRADES' ASSOCIATIONS

138. Old Comrades' Associations and similar organizations for maintaining a particular tradition and fellowship, and other organizations of ex-service personnel in Canada, may be affiliated with the Legion on such terms and conditions as Dominion Command may decide. Individual members of such organizations may become ordinary members only on application to a branch of the Legion.

139. Nothing in these By-Laws shall amend the Articles of Faith of the Tuberculous Veterans' Section nor the Imperial Veterans' agreement as it appeared at the date of incorporation of the Legion by special act of Parliament.

Article II

MEMBERSHIP

GENERAL

201.

a. Except as hereinafter otherwise provided, to become a member of the Legion one must become a member of a branch.

b. The approved categories of membership are: Life, Ordinary, Associate, Affiliate Voting and Affiliate Non-Voting.

c. Members of the Canadian Forces may be accepted as military members at large in the Dominion Command special branch.

d. Subject to the provisions respecting Tuberculous Veterans' Section, no person may be a member of more than one branch of the Legion at the same time (see Sections 224 - 226).

202. No person who advocates the destruction by force of the duly constituted government of the country where the branch may be, or any person proven to advocate, encourage or participate in subversive action or subversive propaganda shall be permitted to become a member.

203. Any person prohibited by the preceding section from being a member of the Legion, and who is a member of the Legion, shall upon this fact being proved by trial, or admitted by him, forthwith and without further process, cease to be a member.

204. Any member leaving, suspended or expelled from membership in the Legion, shall have no claim upon the Legion or against any of its officers or officials.

CATEGORIES OF MEMBERSHIP

LIFE MEMBERS

205. Life Membership may be awarded to any Ordinary, Associate or Affiliate Voting member for outstanding service. The membership period required is ten (10) consecutive years immediately prior to the date of nomination.

a. Nomination for this award must be made by the member's current branch and approval is required by the Provincial Command. Payment of Dominion and provincial per capita tax shall be made as per the following schedule, after proof of age has been established to branch satisfaction:

59 years of age and under	— 15 years per capita tax
60-64 years of age inclusive	— 10 years per capita tax
65-69 years of age inclusive	— 7 years per capita tax
70 years of age and over	— 5 years per capita tax

i. If a member dies between the time a Life Membership is approved by the Provincial Command and submission to Dominion Command, no per capita tax is required. A certificate will then be produced and sent to the family.

NOTE: A branch will not be refunded if a life member dies after the per capita tax has been submitted to Dominion Command.

b. A meritorious life member who is a Canadian citizen or a Commonwealth subject and who held this category of membership as at 1 October 1998, may be nominated for a change of category to life membership by the branch of which he is a member. After approval at a branch general meeting the change of category should be submitted to Dominion Command for processing. The fifteen (15) years per capita tax paid upon becoming a meritorious life member will be applied to the life membership fee and no further payment of per capita tax will be required.

c. A life member of the Legion shall be recognized as a life member irrespective of place of residence. On transferring from one branch to another such life member may be required to pay branch dues to remain in good standing, but shall not be required to pay either Dominion or Provincial per capita tax.

d. The provisions set forth in this section as to life members shall not affect the validity of life membership granted to members of the Great War Veterans Association of Newfoundland before the said Association ceased to exist and the said members shall be and are life members of the Legion.

e. Membership in the Great War Veterans Association of Newfoundland shall be counted in computing length of ordinary membership for the purpose of this section.

ORDINARY MEMBERS

206. Ordinary membership is open to any Canadian citizen or Commonwealth subject who is of federal voting age and whose service was terminated under conditions other than dishonourable or for reasons of misconduct and who served or is serving in:

a. the Canadian Forces or Her Majesty's Forces, including Regular or Reserve Forces under class "C" service; or

b. the Forces or Underground Forces of any of Her Majesty's allies in any war, conflict or police action in which Canada was involved (Provincial and Dominion Command approval is required for underground service); or

c. an actual theatre of war in any of the non-military services, during any war in which Canada was involved, (i.e. Merchant Navy) see Appendix "A"; or

d. Her Majesty's Reserve Forces including Cadet Instructors on the Cadet Cadre, for not less than one year; or

e. The Royal Canadian Mounted Police or The Royal Newfoundland Constabulary, for not less than one year; or

f. the Forces of a country while that country was a member of NATO or NORAD in alliance with Canada; or

g. the Forces of the United States; or

h. the Vietnam War in the Forces of the United States, Australia, New Zealand, the Republic of Korea or South Vietnam and who was a Canadian citizen or Commonwealth subject at time of service; or

i. the Canadian Coast Guard as an officer or crew member, and who has two or more years of active service on the high seas or inland waterways; or

j. a city, municipal or provincial police force, as a police officer, for not less than one year.

ASSOCIATE MEMBERS

207. Associate membership is open to any Canadian citizen or Commonwealth subject, who is of federal voting age and who is not eligible for ordinary membership, and who:

a. is the child, adopted child, stepchild, grandchild, sibling, niece, nephew, widow/er, parent, or spouse (as defined in these by-laws), of a person who is or was eligible to be an ordinary member; or

b. is the spouse, parent or sibling of an associate who qualified under Subsection 207.a. or Subsection 207.c. to h. In the case of divorce or legal (documented) separation, a spouse who is an associate member through marriage to an associate member, retains the right to membership unless such membership lapses; or

c. is the child of an associate member; or

d. served as a Cadet civilian instructor for not less than 3 years; or

e. served in The Royal Canadian Sea, Army or Air Cadets, for not less than 3 years; or

f. served as an officer in the Navy League of Canada, for not less than 2 years; or

g. served below the rank of officer, in the Polish Forces after WWII, and whose services were terminated under conditions other than dishonourable or for reasons of misconduct; or

h. served in a city, municipal, volunteer, unorganized territories, provincial or federal Emergency Response Service for not less than one year.

AFFILIATE VOTING MEMBERS

208. Affiliate voting membership is open to any Canadian citizen or Commonwealth subject who is of federal voting age and who is not eligible for ordinary or associate membership.

AFFILIATE NON-VOTING MEMBERS

209.

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

b. A member admitted under Subsection (a) is not permitted to apply for voting status, unless otherwise qualified.

Note: Affiliate Non-voting members are allowed to attend branch meetings and participate in debates but cannot enter into the voting process, including motions.

MEMBERSHIP IN USA BRANCHES/POSTS

210. Membership in USA Branches/Posts is only open to Canadian citizens and Commonwealth subjects who meet the eligibility criteria stated in Sections 205-208, as well as United States citizens who meet the criteria stated in Sections 211-213.

ORDINARY MEMBERS - USA BRANCHES/POSTS ONLY

211.

a. Ordinary membership is open to any United States citizen who is of federal voting age and whose service was terminated under conditions other than dishonourable or for reasons of misconduct and who served or is serving in:

i. Her Majesty's Forces in any conflict in which Canada was involved; or

ii. the Forces or Underground Forces of any of Her Majesty's Allies in any conflict in which Canada was involved (Zone and Dominion Command approval is required for underground service); or

iii. the United Nations or Commonwealth police action in Congo, Gaza, Cyprus or in any other area that may be specified by Dominion Command; or

iv. the Forces of the United States and who is the parent, spouse or child of a person who is or was eligible to be an ordinary member; or

v. the Forces of the United States in a theatre of war under the command of a Commonwealth Naval, Military or Air Force Commander, for not less than three months. Members admitted under this section shall not exceed 30% of the total branch membership.

b. A member admitted under Subsection 211.a. is permitted to transfer membership to a branch of the Legion in Canada. However, a mandatory change of membership category, to Affiliate non-voting, would be required.

ASSOCIATE MEMBERS - USA BRANCHES/POSTS ONLY

212.

a. Associate membership is open to any United States citizen, who is of federal voting age and who is not eligible for ordinary membership, and who:

i. is the child, adopted child, stepchild, grandchild, niece, nephew, spouse, widow/er, sibling or parent of a person who is or was eligible to be an ordinary member in a United States branch/post, pursuant to Section 211; or

ii. is the spouse, parent or sibling of an associate member who qualified under Subsection 212.a.i or Subsection 212.a.iii. In the case of divorce or legal (documented) separation, a spouse who is an associate member through marriage to an associate member, retains the right to membership unless such membership lapses; or

iii. is the child of an associate member.

b. A member admitted under Subsection 212.a. is permitted to transfer membership to a branch of the Legion in Canada. However, a mandatory change of membership category, to Affiliate non-voting, would be required.

AFFILIATE VOTING MEMBERS - USA BRANCHES/POSTS ONLY

213.

a. Affiliate voting membership is open to any USA citizen who is of federal voting age and who is not eligible for ordinary or associate membership and who supports the purposes and objects of The Royal Canadian Legion.

b. A member admitted under Subsection 213.a. is permitted to transfer membership to a branch of the Legion in Canada. However, a mandatory change of membership category, to Affiliate non-voting, would be required.

214. Notwithstanding the provisions of Sections 205 to 213, any person who was qualified and became an ordinary, associate or affiliate member of a branch in Canada shall retain such qualification notwithstanding that the member has become a citizen of the United States of America.

MEMBERSHIP IN EUROPE BRANCHES

215. Membership in Europe Branches is open to Canadian citizens and Commonwealth subjects who meet the eligibility criteria stated in Sections 205 to 208, as well as any NATO country citizen who meets the criteria stated in Sections 216 to 218.

ORDINARY MEMBERS - EUROPE BRANCHES ONLY

216.

a. Ordinary membership is open to any NATO country citizen who is of federal voting age and whose service was terminated under conditions other than dishonourable or for reasons of misconduct and who served or is serving in:

i. Her Majesty's Forces in any conflict in which Canada was involved; or

ii. the Forces or Underground Forces of any of Her Majesty's Allies in any conflict in which Canada was involved (Zone and Dominion Command approval is required for underground service); or

iii. United Nations or Commonwealth police action in the Congo, Gaza, Cyprus or in any other area that may be specified by Dominion Command; or

iv. the Forces of a country while that country was a member of NATO or NORAD in alliance with Canada.

b. A member admitted under Subsection 216.a. is permitted to transfer membership to a branch of the Legion in Canada. However, a mandatory change of membership category to Affiliate Non-Voting would be required.

ASSOCIATE MEMBERS - EUROPE BRANCHES ONLY

217.

a. Associate membership is open to any NATO country citizen, who is of federal voting age and who is not eligible for ordinary membership, and who:

i. is the child, adopted child, stepchild, grandchild, niece, nephew, spouse, widow/er, sibling or parent of a person who is or was eligible to be an ordinary member in a branch in Europe, pursuant to Section 216; or

ii. is the spouse, parent or sibling of an associate member who qualified under Subsection 217.a.i or Subsection 217.a.iii. In the case of divorce or legal (documented) separation, a spouse who is an associate member through marriage to an associate member, retains the right to membership unless such membership lapses; or

iii. is the child of an associate member.

b. A member admitted under Subsection 217.a. is permitted to transfer membership to a branch of the Legion in Canada. However, a mandatory change of membership category to Affiliate Non-Voting would be required.

AFFILIATE VOTING MEMBERS - EUROPE BRANCHES ONLY

218.

a. Affiliate voting membership is open to any NATO country citizen who is of federal voting age and who is not eligible for ordinary or associate membership in a branch in Europe.

b. A member admitted under Subsection 218.a. is permitted to transfer membership to a branch of the Legion in Canada. However, a mandatory change of membership category to Affiliate Non-Voting would be required.

219. Notwithstanding the provisions of Sections 205 to 208 and 215 to 218 any person who was qualified and became an ordinary, associate or affiliate member of a branch in Canada shall retain such qualification notwithstanding that the member has become a citizen of another NATO country.

PROHIBITION OF OTHER TYPES OF MEMBERSHIP

220. No branch shall permit any type of membership other than life, ordinary, associate, affiliate and meritorious life (prior to June 2000 only).

APPLICATIONS FOR MEMBERSHIP

221. Application for membership shall be in accordance with the requirements and procedures outlined in the Membership Manual.

222. No branch shall accept a membership or transfer application from any member currently under suspension or from any person who has been expelled from the Legion or from any other Veterans' Organization.

T.V. SECTION

223. Applicants for Legion membership who also meet the more restrictive criteria at Section 224 may choose to be assigned to the Tuberculous Veterans Section. Subject to the consent of such applicants individually, their membership shall be included in the nearest Tuberculous Veterans Section branch. Application forms of such applicants shall be clearly endorsed "Tuberculous Veterans Section".

224. Membership in the Tuberculous Veterans Section is restricted as follows:

a. Life, ordinary and associate membership in the Tuberculous Veterans Section is open only to a person who is:

   i. tuberculous or respiratory disabled; or

   ii. the child, adopted child, stepchild, grandchild, sibling, niece, nephew, widow/er, parent or spouse of a tuberculous or respiratory disabled, life or ordinary member; or

   iii. the spouse of an associate member who qualified under Subsection a.ii.

b. Affiliate membership in the Tuberculous Veterans Section is only open to a person who is:

   i. tuberculous or respiratory disabled; or

   ii. a professional who is or was engaged in treatment or research of tuberculosis or other related respiratory disability.

225. Dual branch membership is permitted only in the following circumstances:

a. Any life, ordinary, associate or affiliate member of a Tuberculous Veterans Section branch may become a life, ordinary, associate or affiliate member of any branch of the Legion upon presentation of his membership card and payment of branch dues less per capita tax.

b. Any life, ordinary, associate or affiliate member of any branch of the Legion may become a life, ordinary, associate or affiliate member of any branch of the Tuberculous Veterans Section if he meets the membership criteria, upon the presentation of his membership card and the payment of branch dues less per capita tax.

TRANSFERS

226.

a. Any ordinary, associate or affiliate member in good standing or whose membership has lapsed for a period of less than 3 years and any life member, may transfer membership to another branch in accordance with Subsection 1204.a. and the procedures laid down by Dominion Command. The branch a member is transferring to, is to initiate the transfer.

b. It shall be the duty of the membership committee of the branch to which an application for transfer is submitted, to satisfy itself as to the correctness of the facts contained in the application, and to thoroughly investigate the applicant's character, eligibility and suitability for membership in the branch by contacting the member's previous branch, and to report its findings to the general meeting of the branch.

c. Applications for transfer shall be presented to a general or special meeting of the branch for approval or otherwise, prior to submission to Dominion Command. The Branch Executive Committee has the authority to approve applications for transfer when regular monthly General Meetings of the branch are not held.

d. Notwithstanding Subsection 226.a., a branch has the right to refuse permission for a member to transfer to that branch.

Article III

COMPLAINTS AND APPEALS

DEFINITIONS

301. For the purposes of this article the following definitions will apply:

a. Clubhouse: the premise occupied by a Legion branch.

b. Committees:

i. Complaint Committee: This committee comprises a Chairman and two other voting members appointed by the President of the Branch or Command. At Branch level, only one member of the Executive may be appointed to hear a complaint against a member. It hears evidence, renders a decision and informs both parties to the complaint and the Secretary of the Branch/Command involved.

ii. Appeal Committee: This Command Committee is appointed by the President, and comprises a Chairman and two other voting members, the majority of whom must be members of the Executive, and none of whom have served on the Complaint Committee in the matter under appeal.

iii. Should the President be the complainant, then the senior Vice-President shall exercise the powers of the President as set out in this section.

c. Conflict of Interest: Is deemed to exist when a member has, through his office, influence or knowledge, a real or perceived interest in, or effect on the outcome of any complaint or appeal made under the provisions of this Article. No member shall sit, or continue to sit, upon any committee herein for the purposes of Article III where a conflict of interest exists.

d. Complainant: Is a member who lodges a complaint under this Article.

e. Complaint: Is a formal written allegation made by one member against another member, that the member against whom the allegation is made, has violated one or more of the provisions of Subsection 304.a.

f. Document: Includes any written complaint or notice provided for by this Article.

g. Lodge or Lodged: Means the physical receipt of a document by the intended recipient.

h. Party: The parties to any proceedings under this Article, are the member who lodged the complaint and the member against whom the complaint was lodged.

i. Serve or Service: The service of any document required to be served under this Article shall be effected:

   i. On any member required to be served by:

      (1) enclosing a copy of the document in an envelope addressed to the member at his last known address and forwarding same by certified or registered mail or prepaid courier;

      OR

      (2) delivery of the document to the member personally, in the presence of a witness.

   ii. on any Branch or Command by service on the Secretary thereof, as provided in Subsection 301.i.i.

LADIES AUXILIARY MEMBERS

302.

a. Complaints against an L.A. member may only be lodged by another member of the L.A.

b. The provisions of Article III shall apply in respect of procedures and dispositions.

c. Where the member complained against is a member of the branch and the L.A., any penalties imposed will apply in respect of both the branch and the L.A.

PROOF OF COMPLAINT

303. In proceedings before any committee under this Article, the onus shall be on the complainant to establish the probability of the allegations made in his complaint, to the satisfaction of the

members of the Committee, failing which, the complaint must be dismissed. The benefit of any doubt must be given to the person against whom the complaint is lodged.

COMPLAINT PROCEDURE

304.

a. Any member, not in arrears in payment of dues, may, on reasonable and probable grounds, initiate complaint proceedings against another member, alleging one or more of the following offences:

   i. breach of clubhouse rules or privileges;

   ii. profane or disorderly conduct in or about any place where any event is being carried on under Legion auspices or control;

   iii. breach of his obligations to the Legion or of these By-Laws;

   iv. knowingly lodging a false complaint against a member;

   v. conduct which in any way brings or tends to bring the Legion into discredit; and/or

   vi. theft or misappropriation of Poppy funds, Legion funds or property.

PROCEDURE

b. To properly initiate complaint proceedings, a member must:

   i. ensure that the complaint contains a brief account of the incident or circumstances which forms the basis of the complaint;

   ii. specify the clause under Subsection 304.a. that applies;

   iii. sign the complaint;

   iv. enclose payment of a complaint filing fee in the amount of $100 payable to the Branch or Command with which the complaint is filed. The complainant will have the $100 returned in all but one circumstance. That circumstance

is where there is a final disposition at a hearing (after all appeals, if any, are heard) and at that hearing the entire complaint is completely dismissed. Then and only then will the $100 filing fee be forfeited; and

v. address it to and lodge it with the Secretary of the appropriate branch or command within 15 days from the date the complainant in good faith, first had knowledge of sufficient facts of the alleged offence having been committed.

A complaint which complies with the requirements of this Section (304.b.), shall be deemed to be properly lodged. Any complaint which does not comply with the requirements of this section shall be dismissed by the President on the report of the Secretary.

---

c. To properly lodge a complaint:

i. Where a complaint alleges theft or misappropriation of Poppy funds or Legion funds or property it must be lodged within 15 days from the time the complainant has knowledge of sufficient facts of the offence to constitute a valid complaint, regardless of when the alleged offence occurred.

ii. In all other cases, the complaint must be lodged within 15 days from the time the complainant has knowledge of sufficient facts of the offence to constitute a valid complaint, and within one year from the time the offence was allegedly committed.

d. Except as hereinafter provided, where the complaint is against a Branch member, it must be lodged with the Secretary of the Branch to which the member against whom the complaint is made belongs.

e. Where the complaint is against a current or former Branch President, Zone, District or Provincial Command officer, and where it relates to an alleged offence arising out of their duties while serving or having served in this position, it must be lodged with the Provincial Secretary.

f. Where the complaint is against a current or former Provincial President or a Dominion Command Officer, and where it relates to an alleged offence arising out of their duties while serving or having served in this position, it must be lodged with the Dominion Secretary.

g. The reasonable and probable grounds referred to in Subsection 304.a. may be on the basis of the member's personal knowledge, or on information supplied to him by some other person.

h. Where a complaint has been properly lodged in accordance with Subsection 304.b. and pending the final disposition of such complaint, the President of the command or branch may deprive the member against whom the complaint is lodged, of clubhouse privileges and remove him from office or position held. Such deprivation and/or removal is not appealable. However, if the complaint is withdrawn or found to be unsubstantiated upon completion of the hearing, the member shall be immediately reinstated for all purposes and any removal from office is deemed to have never occurred.

COMPLAINTS AT COMMAND LEVELS

305. Upon receipt of a complaint at Provincial or Dominion Command level, the Command President or designate shall consult with the appropriate Chairman of the Constitution and Laws Committee to determine if the complaint has been properly lodged and is valid in accordance with this Article. If the complaint has been improperly lodged, it shall be dismissed by the Command President, otherwise it shall be proceeded with, in accordance with this Article.

MEDIATION

306.

a. Upon the lodging of a complaint at any level, the President of the respective Branch or Command may cause the parties to be contacted to determine whether mediation should be attempted to resolve the complaint.

b. Where it appears that mediation may resolve the complaint, the President of a Branch or Command shall appoint a mediator or a mediation team for this purpose.

c. Either party, the mediator or the mediation team may terminate the mediation process at any time by giving written notice to the President.

d. Where a mediator or mediation team is appointed, the time periods set out in Article III continue to apply.

e. A mediated resolution may include any disposition as set out in Section 311.

f. Any resolution by mediation must be in writing and signed by both parties and the mediator(s). The complaint is then deemed to be concluded for the purpose of this article and there is no appeal from the result.

HEARING PROCEDURES

307. Where, at any stage during the Hearing Procedure set out in Sections 308 and 309 civil or criminal proceedings are commenced, the Hearing Procedure shall be suspended until a judgement is rendered in the civil or criminal proceedings, at which time the Hearing Procedure will continue, upon notice being served to the parties, at the point at which it was suspended.

308.

a. In all complaints the Secretary shall immediately bring it to the attention of the President and acknowledge receipt to the complainant as either being properly lodged or not as determined by the President. The Secretary shall serve (see Subsection 301.i.) a copy of the properly lodged complaint on the member against whom the complaint was lodged within seven days.

b. Within 21 days of receiving the complaint the President shall appoint a Complaint Committee.

c. In accordance with Subsection 301.b.i. the Complaint Committee shall be formed and two additional members shall be appointed as waiting members.

d. The Committee Chairman shall decide on a date and place of a hearing to be held not later than 45 days after the appointment of the Chairman.

e. At least 21 days before the hearing the Committee Chairman or his designate shall serve (see Subsection 301.i.) notice on the parties advising them of the date, time and place of the hearing, their right to be heard, to call witnesses and the names of the Committee members including the members in waiting.

f. Each party shall have the privilege of one peremptory challenge of any one of the members except for the Chairman, by serving notice thereof on the Chairman at least 10 days prior to the hearing. No challenge will be allowed at the hearing.

g. The provisions of Subsection 301.c. must be strictly observed.

309.

a. The Complaint Committee shall hear the evidence in support of the complaint in the presence of the member complained against and his agent if the member desires. Both parties or their agents (but not both), shall have the right to introduce evidence, cross-examine witnesses and to call witnesses on their behalf.

b. Evidence should normally be given under oath/affirmation when practical to do so. Examples of an oath and an affirmation follow.

   Oath: Do you swear that the evidence you shall give to this Committee will be the truth, the whole truth and nothing but the truth so help you God?

   Affirmation: Do you solemnly affirm that the evidence you shall give to this Committee will be the truth, the whole truth and nothing but the truth?

c.

   i. If the member complained against does not appear, without due cause and notification, the committee, upon proof of service to that member, may proceed in his absence.

   ii. If the complainant does not appear, without due cause and notification, the Committee upon proof of service on the complainant, shall dismiss the complaint and may assess costs.

   iii. The Chairman for due cause and with notification may postpone the hearing for a period not to exceed 60 days from the date originally scheduled.

d. A record of the proceedings shall be prepared and supported by either a voice or video recording or, where feasible, by a qualified court reporter.

DECISION

310.

a. The decision of the Complaint Committee shall be forwarded to the Secretary of the Branch/Command, and served (see Subsection 301.i.) on both parties to the complaint, within 30 days of the hearing. The decision is final unless appealed under Section 314.

b. Where the decision provides for expulsion from the Legion, the decision shall be served (see Subsection 301.i.) immediately

on the next superior Command and shall not become effective until it has been considered under Subsection 314.g.

DISPOSITIONS

311.

a. The Complaint Committee may either dismiss the complaint or if proven, impose one or more of the following:

   i. reprimand (may require a letter of apology);

   ii. deprivation of clubhouse privileges for any period up to 24 months;

   iii. removal from any office or position held and prohibition from running for and holding any office, for a period of up to 24 months;

   iv. suspension for a period up to 12 months; and/or

   v. expulsion from the Legion.

b. Where a complaint alleges only a breach of clubhouse rules or privileges, the committee may dismiss the charges, or, if proven, impose one or more of the following:

   i. deprivation of clubroom privileges for a period not to exceed 12 months; and/or

   ii. issue a reprimand that may also require a letter of apology to the Branch and/or if applicable, to the individual or individuals that may have been aggrieved.

c.

   i. Deprivation of clubhouse privileges means that for the time specified, except to attend meetings of the branch or in connection with the performance of his duties, the member may not enter any branch premises nor participate in sports or social events.

   ii. Suspension means that the member is not in good standing for any purpose including meetings and sporting events and is prohibited from entering any branch premises of the Legion.

   iii. Expulsion from the Legion means that the person's membership has been rescinded in accordance with Subsection 314.g., and the Dominion Secretary shall be notified accordingly by Provincial Command.

iv. In all cases where a penalty of expulsion has been imposed,a copy of the decision shall be forwarded to the next superior Command.

FAILURE TO DEAL WITH COMPLAINT

312.

a. Where a complaint has not been proceeded with in accordance with the time limits required by these By-Laws, the complainant or the member complained against may send a copy of the complaint to the next superior Command which shall initiate the necessary action.

b. Where a superior Command has dealt with a complaint under Subsection (a) and has determined that the Branch or Command was at fault or negligent in not dealing with the complaint within the time prescribed, it may deal with the complaint and at its discretion assess its costs of dealing with the complaint against such Branch or Command.

WITHDRAWAL

313. A complaint made under Section 304 may be withdrawn by the complainant at any time by written notice given to the appropriate Secretary.

APPEALS

314.

a. Where a Complaint Committee:

i. has imposed a penalty of:

(1) expulsion from the Legion;

(2) removal from any office;

(3) suspension for a period of more than 180 days; or

ii. did not conduct the proceedings according to the provisions of this Article; or

iii. made significant errors which affected the fundamental fairness of the hearing or the final decision;

either party to the complaint may appeal as provided by this section.

b. The member against whom a complaint has been lodged may:

   i. appeal the decision of the Complaint Committee and the penalty imposed;

   ii. appeal the decision of the Complaint Committee without appealing the penalty imposed; or

   iii. appeal only the penalty imposed by the Complaint Committee.

c. The complainant may:

   i. appeal the decision of the Complaint Committee dismissing the complaint; and

   ii. not appeal the penalty imposed by the Complaint Committee.

d. Decisions of the Complaint Committee with respect to penalty may only be appealed on the ground that the penalty is excessive in view of all of the circumstances of the complaint.

e. The Party appealing, shall within 30 days of the notice of decision, serve (see Subsection 301.i.) the appeal on:

   i. where the complaint committee was appointed by the branch, the secretary of the Provincial Command;

   ii. where the complaint committee was appointed by the Provincial Command, the secretary of the Provincial Command; or

   iii. where the complaint committee was appointed by Dominion Command, the Dominion Secretary.

   The appeal shall state and explain the grounds for the appeal and shall include any evidence and documents submitted to the complaint committee. No new evidence shall be accepted.

   The decision of the appeal committee is final unless the appeal committee has upheld or imposed the penalty of expulsion, in which case the member against whom the complaint was made, may appeal only the penalty to Dominion Command.

APPEALS AT COMMAND LEVELS

f. Upon receipt of an appeal at Provincial or Dominion Command level, the Command President or designate shall consult the Chairman of the Constitution and Laws Committee to determine if the appeal has been properly lodged and has sufficient merit to justify the appointment of an Appeal Committee. If the appeal does not meet the requirements it shall be dismissed by the president, otherwise it shall proceed in accordance with this Article.

g. Where a penalty of expulsion is imposed, and no appeal has been filed within the 30 day appeal period, the decision shall be examined in accordance with Subsection 314.f. to determine if there is any basis for referring the matter to an Appeal Committee. If there is no basis for an appeal to proceed, the expulsion shall be confirmed. If there is a basis for an appeal, the matter shall be referred to an Appeal Committee. If an expelled member files an appeal this section does not apply.

h. Once it has been determined that an appeal will proceed, the Command Secretary shall serve (see Subsection 301.i.) notice on both parties to the complaint and advise the Secretary of the Branch/Command. The Command President shall appoint an Appeal Committee as specified in Subsection 301.b.ii.

i. The Appeal Committee shall consider the matters raised on the appeal and render a decision on the material before it.

j. The Appeal Committee may make any of the following decisions as appropriate:

   i. where the appeal is against the decision or the decision and penalty:

      (1) confirm the decision and penalty;

      (2) confirm the decision but vary the penalty;

      (3) reverse the decision and revoke any penalty imposed; or

      (4) where none of the above are appropriate, return the matter to the original level for a new hearing.

ii. where the appeal is against a dismissal of the complaint, reverse a dismissal and return the matter to the original level for a new hearing.

iii. where the appeal is against penalty only, the penalty may be varied or confirmed.

k. The decision of the Appeal Committee shall be final and binding on all parties.

l. Where a matter is returned to the original level for a new hearing, the Appeal Committee shall provide any direction it deems appropriate. Further, the provisions of Section 308 apply with time commencing on the date that the notice of the decision is served (see Subsection 301.i.) on the secretary of the Branch/Command concerned.

m. A copy of the decision shall be served (see Subsection 301.i.) on:

i. the parties;

ii. the Secretary of the Branch or Command to which the member complained against belongs; and

iii. the Secretary of the Command which established the Appeal Committee.

n. The Command shall be responsible only for the expenses of the Chairman and members of the Appeal Committee.

o. If the records disclose that the Appeal Committee concerned made an error in the proceedings under this section a request to review such proceedings may be made to the President who in his discretion may direct such request to a Dominion Command Appeal Committee. Such request must be made not later than 90 days from the date of the service of the decision of the Appeal Committee.

Article IV

DOMINION COMMAND

EXECUTIVE COUNCIL

401. The Dominion Executive Council shall consist of:

    a. Eight elected officers consisting of a Dominion President, a Dominion First Vice-President, three Dominion Vice-Presidents, a Dominion Treasurer, a Dominion Chairman and the Dominion Immediate Past President. Their term of office shall be from the conclusion of the Dominion Convention at which they are elected to the conclusion of the next Dominion Convention.

    b. One representative from each Provincial Command for a total of 10 representatives.

    c. One representative from the Tuberculous Veterans' Section.

    d. Other members as appointed by the Dominon President who shall be non-voting members and who would attend meetings at the call of the Dominion President.

402. In the event of a command or special section representative being unable to attend a meeting of the Executive Council, the respective Provincial Command shall, upon notification to the Dominion Secretary, name a substitute for that particular meeting.

HONORARY OFFICERS

403. The term of office of the Grand President and all honorary officers as appointed by the Dominion President will be from Dominion Convention to Dominion Convention and may be extended as circumstances warrant.

VACANCIES

404. In the event of the resignation, death or incapacity of the Dominion President, he shall be succeeded by the Dominion First Vice-President, in accordance with the policy adopted by the Dominion Executive Council.

405.

a. In the event of the resignation, succession to the Dominion Presidency, death, or permanent incapacity of the Dominion First Vice-President, the succession to this office will be open to the three Dominion Vice-Presidents.

b. The Dominion Chairman shall ascertain which of the three Dominion Vice-Presidents wish to be candidates for this office, and shall then conduct a vote of the members of the Dominion Executive Council to determine which of the Dominion Vice-Presidents shall succeed to this office. A mail vote may be conducted if there is no Dominion Executive Council meeting or Dominion Convention within the specified period. This provision is not mandatory if the vacancy occurs within six (6) months of the next Dominion Convention.

c. The Dominion Vice-President receiving the greatest number of votes shall be elected Dominion First Vice-President. In the event of a tie, the Dominion Vice-President receiving the least number of votes shall be eliminated and another vote taken.

406.

a. In the event of the resignation, death or permanent incapacity of both the Dominion President and Dominion First Vice-President, a full meeting of the Dominion Executive Council shall be called immediately. This meeting will elect a Dominion President and Dominion First Vice-President from among the Dominion Vice-Presidents.

b. Whenever a vacancy occurs among the three Dominion Vice-Presidents for any reason, including election to higher office, the Dominion Executive Council shall fill the vacancy by electing, from among its members, a new Dominion Vice-President. This provision is not mandatory if the vacancy occurs within six months of the next Dominion Convention.

c. Whenever a vacancy occurs in the office of Dominion Chairman for any reason, the Dominion Executive Council shall fill the vacancy for the balance of the term by nominating a candidate for appointment by the Dominion President until elections are held at the next Dominion Convention.

d. Whenever a vacancy occurs in the office of Dominion Treasurer for any reason, the Dominion Executive Council shall fill the

vacancy for the balance of the term by nominating a candidate for appointment by the Dominion President until elections are held at the next Dominion Convention.

MEETING AND QUORUM

407. The Dominion Executive Council shall meet twice yearly in February/March and in September of each non-convention year. In a convention year, the Dominion Executive Council will also meet at the convention. A majority of the voting members of the Dominion Executive Council shall form a quorum.

POWERS AND DUTIES

408. The Dominion Executive Council shall have power to perform and carry to completion work entrusted to it by the last convention or these By-Laws, to supply any omissions of the convention, and generally to carry on the business of the Legion in any manner consistent with the expressed will of the convention.

409.

a. The Dominion Executive Council, between meetings of the Dominion Convention, shall exercise any of the powers conferred on the Dominion Convention by Section 6 (1) of the Act of Incorporation. Such powers shall only be effective if supported by at least two-thirds of all voting members of the Dominion Executive Council.

b. Dominion Executive Council shall conform to the resolutions passed by Dominion Convention, as outlined in Subsection 409.a. (except in the case of the implementation of Section 417).

410. Any amendment of the General By-Laws or rules of the Legion made by the Dominion Executive Council shall forthwith be made known by mailing a copy to all Provincial Commands and branches.

411.

a. Where any act or decision of the Dominion Executive Council affects any Provincial Command, and that command believes the act or decision to be "inconsistent with the expressed will of the convention", such act or decision shall, upon request of the Provincial Command, be reviewed by an Appeals Committee, whose decision on the matter shall be final.

b. Notice in the request for review under Subsection 411.a. shall be given by the Provincial Command involved to the Dominion

Secretary who shall refer it to the Dominion President who shall initiate appropriate action.

c. Upon any review held pursuant to this section, representatives for the Dominion Executive Council, the Provincial Command involved and any other persons required by the chairman of the Appeals Committee shall be heard.

LEVY

412.

a. If circumstances require, Dominion Executive Council shall have power to make levy or assessment upon branches.

b. Failure on the part of any branch to pay its levy or assessment shall render the branch liable to suspension.

SENIOR ELECTED OFFICERS

413. The Senior Elected Officers of the Dominion Executive Council will be the Dominion President, the Dominion First Vice-President, the three Dominion Vice-Presidents, the Dominion Treasurer, the Dominion Chairman and the Dominion Immediate Past President.

414. The duties of the Senior Elected Officers shall be as defined from time to time by the Dominion Executive Council and shall include the appointment of committee chairmen and members.

415. The Senior Elected Officers shall meet at the call of the Dominion President for specific purposes only to include the budget and matters of Dominion Command staffing. A majority of members of the Senior Elected Officers shall form a quorum.

COMMITTEES

416. The Dominion Executive Council may establish committees as required.

SPECIAL POWERS OF THE DOMINION PRESIDENT

417. If a decision, directive or mandate made or ordered by a Dominion Convention cannot or should not be carried into effect, the Dominion President may suspend the operation of the decision, directive or mandate pending receipt of direct instructions from the Dominion Convention, or, if it is not in session or about to be

convened in session, from the Dominion Executive Council, by way of a two-thirds majority vote.

418.

a. The Dominion President may, after enquiry and for cause clearly stated, revoke or suspend the charter or powers of any command, branch or auxiliary, or suspend any officer thereof, or revoke the membership of any member, or take any other action necessary or advisable for the good of the Legion, and shall report to the Dominion Executive Council upon the action taken.

b. An appeal to Dominion Command may be made by any command, branch, auxiliary, officer or member affected by such action. The following applies to an appeal from a decision made on the authority of subsection 418 a. or section 505 of The General By-Laws:

   i. Senior Executive Officers, Past Dominion Presidents and Presidents of Provincial Commands shall be eligible to serve on an Appeal Committee. The Dominion Executive Council shall designate an individual from the above to be Chairman of Appeals. The Chairman shall be tasked by the Dominion Secretary to name three members to an Appeal Committee from among a list of those eligible and who are available to hear a particular case. None of those named shall have any specific knowledge, or actual or perceived bias as to the particular case to be heard;

   ii. An appeal under the above provision must be made in writing and served on the Dominion Secretary within 30 days of the notice of decision. Service must be made by registered mail or prepaid courier or personal delivery in the presence of a witness;

   iii. The appeal shall state and explain the grounds for the appeal and shall include any evidence and documents relevant to the enquiry which has formed the basis for the decision being appealed. Where required to provide a fair hearing, oral and/or written submissions and such evidence as the committee may find relevant to the appeal, may be received by the Appeal Committee;

   iv. On receipt of the appeal at Dominion Command, it shall be referred by the Dominion Secretary to the Chairman of the Constitution and Laws Committee to determine if the

appeal has been properly lodged and has sufficient merit to justify the appointment of an Appeal Committee. If the appeal does not meet the necessary requirements it shall be dismissed by the President (or in the case where the appeal is against a decision of the Dominion President, the Dominion First Vice President) and the person appealing shall be advised accordingly by the Dominion Secretary. Otherwise the appeal shall proceed as indicated below.

v. The Chairman of Appeals shall name three members to the appeal committee from among those eligible and available as listed in sub subsection 418.b.i. The Dominion Secretary shall serve notice of the Appeal Committee, as specified in sub subsection 301.b.ii of The General By-Laws, on the affected parties including the Provincial Command President, when applicable;

vi. The Appeal Committee shall meet either in person or by teleconference, or such means considered appropriate, to hear the matters raised by either party to the appeal and render a decision based on the submissions made and any relevant evidence received;

vii. The Appeal Committee may make any of the following dispositions:

(1) confirm the decision of the Command President;

(2) substitute their decision for that of the Command President, based on the submissions at the appeal hearing;

(3) reverse the decision of the Command President; or,

(4) return the matter to the Command President for a decision after directing further enquiry by the Command President.

viii. A copy of the decision shall be served on the parties affected by the decision in accordance with subsection 301.i of The General By-Laws.

ix. Dominion Command shall be responsible only for the expenses of the Chairman and members of the Appeal Committee.

x. Subsection 314.0 of The General By-Laws shall apply. In the case of an appeal against a decision of the Dominion President, the Dominion First Vice President shall perform the duties of the Dominion President.

419.

a. The Dominion President may appoint a trustee or trustees to act in the name of and on behalf of any command, branch or auxiliary, the powers or charter of which has been revoked or suspended or of which the officers have been suspended, in order to preserve all property and to administer the affairs of such command, branch or auxiliary for such period of time as may be designated in such appointment.

b. Every trustee appointed pursuant to Subsection 419.a. shall be indemnified and saved harmless by Dominion Command from and against:

i. all costs incurred by such trustee as a result of any action brought against him in respect to any act done or permitted by him in the execution of the duties of his office except such costs as are occasioned by his own wilful neglect; and

ii. all other costs, charges and expenses which he sustains or incurs in or about in relation to the affairs of the command, branch, or auxiliary;

except such costs, charges or expenses as are occasioned by his own willful neglect or default.

420. Upon the revocation or suspension of the charter of any branch, the property of such branch shall be used to cover the liabilities of the branch, and any surplus shall vest in the Provincial Command concerned, in trust, to be disposed of in accordance with Section 124 and the By-Laws of that command. If the charter of any Provincial Command is revoked or suspended, the property of the Provincial Command concerned shall vest in and be dealt with by Dominion Command in accordance with the General By-Laws.

SALARIES AND EXPENSES

421.

a. No salary shall be paid to any member of Dominion Executive Council.

b. Council members shall not receive any money for their services, other than such compensation and expense allowances as may be authorized by Dominion Executive Council.

EMPLOYEES

422.

a. The Dominion Secretary shall be appointed by the Senior Elected Officers. The Dominion Secretary shall report through the Dominion President to the Dominion Executive Council.

b. The Dominion Secretary shall be responsible for the management and administration of the staff at Dominion Command and shall report any actions to the Senior Elected Officers.

c. The Senior Elected Officers shall make certain that all officers and employees handling funds of the command are adequately bonded.

Article V

PROVINCIAL COMMANDS

EXECUTIVE COUNCILS

501. Subject to these By-Laws, the provincial convention, and when it is not in session, the provincial executive council, shall be the governing body within its territorial jurisdiction.

OFFICERS AND MEMBERS

502. Each provincial executive council shall consist of:

   a. A president, one or more vice-presidents, the treasurer, the immediate past president and the Dominion Executive Council members of the command. All of these officers, with the exception of the immediate past president, shall be elected by the provincial convention by a majority of the total votes cast or as otherwise provided by provincial By-Laws. Notwithstanding the foregoing, the Dominion Executive Council representatives shall consist of members selected or appointed in accordance with provisions contained in the Provincial Command By-Laws.

   b. Such other officers and members as the Provincial Command By-Laws may provide, elected or appointed in the manner prescribed by those By-Laws.

   c. One representative of each of the special sections charged with watching over the interests of special classes of ex-service personnel as set forth in these By-Laws, provided there is a branch or are branches of such special sections within the command. (See Section 137)

503. Provincial Command By-Laws may provide rules under which vacancies occurring among provincial officers or Provincial Command members of Dominion Executive Council shall be filled.

504. No person shall be a member of a provincial executive council unless such person is a member in good standing.

POWERS AND DUTIES

505. Subject to Section 5 of the Act and these By-Laws and except with respect to the revocation of charters and the revocation of membership, the provincial president and the provincial executive council shall exercise within their jurisdiction like powers to those granted to the Dominion President and the Dominion Executive Council under Article IV, subject to any obligation contained therein, including measures set out in Sections 419 and 420 of these By-Laws.

506. A Command shall make provision in its By-Laws for implementation and management of administration fees for lodging complaints and may do so for appeals under Article III of these By-Laws.

ZONES AND DISTRICTS

507. A Provincial Command, for purposes of administration, may group branches in a specified area within the command into a unit to be known as a Zone, and provide for the election of a presiding officer to be known as Zone Commander, and for the election or appointment of other officers and a Zone Council or Zone Committee.

508. A Provincial Command, for purposes of administration, may group two or more zones in a specified area within the command into a unit to be known as a District, and provide for the election of a presiding officer to be known as District Commander, and for the election or appointment of other officers and of a District Council or District Committee. In commands where there are no zones, two or more branches in a specified area within the command may likewise be grouped into a District.

509.

a. Provincial Commands are solely responsible for the administration of Zones and Districts within their jurisdiction (i.e. meetings, voting rights, eligibility for election, property rights, per capita taxes, etc.).

b. Conversely, Zones and Districts shall operate only as administrative agents of the Provincial Command.

SUB-EXECUTIVE COMMITTEE

510.

a. If authorized by the provincial convention, the provincial executive council, for reasons of convenience or economy, may appoint from among its members a sub-executive committee consisting of such members as the command may decide.

b. The sub-executive committee has power to hold meetings, transact business and carry out the duties between meetings of the provincial executive council.

PROVINCIAL COMMAND BY-LAWS

511. Subject to the provisions of these By-Laws, Provincial Commands shall adopt By-Laws to govern their affairs.

512.

a. By-Laws of Provincial Commands shall not become effective until approved by the Dominion Command Constitution and Laws Committee.

b. A Provincial Command may submit a draft of any by-law or amendment to an existing by-law to the Dominion Command Constitution and Laws Committee for approval. If any by-law or amendment approved by that Constitution and Laws Committee is subsequently passed by the Provincial Command, it shall immediately come into full force and effect.

513. Provincial Commands shall provide standard branch By-Laws which shall govern the affairs of all branches within that command that have not adopted By-Laws of their own.

514. A Provincial Command may, by its By-Laws, prescribe rules to determine the date on which elected officers and executive committee members of a branch in that command shall take office and assume their duties and functions.

515. Each Provincial Command shall have power to legislate with respect to voting by proxy.

Article VI

BRANCHES

GENERAL

601. Each branch shall be under the discipline of its Provincial Command.

602. The command, name and the branch number, in that order, shall be shown in the designation of every branch.

BY-LAWS

603. Subject to the provisions of these By-Laws, branches shall adopt By-Laws to govern their affairs.

604. Branch by-laws shall not become effective until approved by the provincial command having jurisdiction over the branch.

605. By-Laws of independent branches shall not become effective until approved by Dominion Command Constitution and Laws Committee.

606.

a. Branch By-Laws should provide rules under which vacancies among branch officers or executive committees shall be filled.

b. Branch By-Laws should provide for the removal of an executive committee member who fails to attend a specific number of executive committee meetings.

607. Branch By-Laws shall include a provision for an annual meeting and for annual or biennial election of officers and executive committee members.

608. If Provincial Command By-Laws do not so provide, branch By-Laws should determine the date on which elected officers and executive committee members shall take office and assume their duties and functions.

609. Branch By-Laws should make provision for the installation of officers and executive committee members.

610. In the event that neither the Provincial Command By-Laws, nor the By-Laws of a branch determine these matters, branch officers and members of the executive committee shall take office and assume their duties and functions on the first day of the month following that in which they are elected, and shall be installed in accordance with The Ritual within 31 days of their election.

611.

a. A branch may, by By-Law, provide that a member be required to serve one term on the branch executive to be eligible to be elected president, a vice-president or chairman and that a member be required to hold membership in the branch for a period of one year to be eligible for election to the branch executive.

b. A branch may, by By-Law, provide that, in order to be eligible for election to office, a member must have attended a minimum number or minimum percentage of general branch meetings. A by-law for this purpose should specify the required minimum or percentage of meetings and the period of time during which the minimum attendance must have been maintained.

NOTE: Where a branch enacts a by-law for this purpose, it will be necessary that it keep an accurate record of attendance of all members present at general meetings.

612.

a. The amounts of, and periods of payment of dues other than per capita tax may be fixed by the branch.

b. The annual branch dues payable by all members shall be the same.

613.

a. Each branch shall provide that its immediate past president shall be an officer and member of its executive committee.

b. Any branch immediate past president who is absent from three consecutive meetings of either the executive committee or the branch, or a combination of both, without due cause satisfactory to the executive committee, shall cease to hold office.

c. The Branch Executive Committee is empowered to appoint anyone of the branch's past presidents to hold office as the

immediate past president for the remainder of the term subject to general meeting ratification. (See Subsection 114.c.)

614. Branch By-Laws may provide for the formation of organized groups within the branch providing they are administered by the branch officers and that the funds are administered by the branch treasurer.

AMALGAMATION OF BRANCHES

615.

a. Under this by-law, "branches" means those existing branches which desire to amalgamate into one branch; "amalgamated branch" means the new branch resulting from the amalgamation, and "Provincial Command" shall mean both a provincial and a state command.

b. Two or more branches in the same Provincial Command may amalgamate into an amalgamated branch subject to the provisions of this by-law.

c. Branches desiring to amalgamate shall each call a special general meeting to present a resolution to amalgamate the branches. If there is agreement between the branches for a new name for the amalgamated branch, a resolution shall be presented at each special general meeting to accept that name. Each branch shall also present a resolution to nominate three (3) members as the branch's representatives on the first executive committee of the amalgamated branch. If the branches cannot agree on a name for the amalgamated branch, that name shall be determined by the Provincial Command.

d. Each branch shall deliver a certified copy of the resolutions passed at the special meeting of the branch to the Provincial Command together with the branch's charter. The Provincial Command will advise the branch as to the requirements to transfer the branch's assets to the amalgamated branch and each branch shall attend to complete all the documents to transfer the assets and advise the Provincial Command of the transfer of them to the amalgamated branch.

e. Upon receipt of the certified copies of the resolutions from each branch, the Provincial Command shall advise Dominion Command that the branches are to be amalgamated and request that a new charter be prepared forthwith under the name of the amalgamated branch and that the Provincial

Command shall hold the charters of the branches pending the transfer of their assets to the amalgamated branch.

f. Upon being satisfied that the assets have been transferred to the amalgamated branch, the Provincial Command shall deliver the charters of the branches to Dominion Command and Dominion Command shall deliver the charter of the amalgamated branch to the Provincial Command.

g. The Provincial Command shall advise the branches to give notice to their members of the time and place of an inaugural meeting of the amalgamated branch at the time the Provincial Command has been satisfied that the assets have been transferred to the amalgamated branch. The charter of the amalgamated branch shall be delivered to it at the inaugural meeting. The nominees of the branches referred to in (c) shall be the first executive committee of the amalgamated branch.

h. The first order of business of the amalgamated branch shall be to adopt By-Laws.

i. The amalgamated branch shall be responsible for all outstanding liabilities and obligations of the branches as of the date of amalgamation. All the members of the branches shall become members of the amalgamated branch as of the date of amalgamation.

j. The years of service of the branch with the longest history in that community will be given to the amalgamated branch. There shall be no loss of years of service as a result of the amalgamation process.

FINANCIAL REVIEW COMMITTEE

616.

a. A branch shall ensure a Financial Review Committee examines the accounts of the branch.

b. The Financial Review Committee of a branch need not be chartered accountants and may or may not be members, but shall not be members of the executive committee of the branch or employees of the Legion or organization thereof.

c. The report of the Financial Review Committee shall be submitted within three months following the end of the fiscal year, or such other period as may be approved by Provincial Command.

BY-LAWS FOR COMMAND SPECIAL BRANCHES

617.

a. Any command, including Dominion Command, may form a special branch under its name and jurisdiction.

b. Membership in a special branch is limited to eligible members whose special status restricts them from joining a regular Legion branch.

c. Members shall be transferred to the branch of their choice when their special status no longer exists.

d. A special branch will not hold meetings, elect officers or appoint delegates and is not affiliated with a subordinate command, District or Zone.

e. The command president and secretary will administer the affairs of the special branch, under the direction of the command executive.

f. Per capita tax shall be collected from all members of special branches, and will be remitted to its superior command in accordance with Section 1205.

g. The command name and the branch number, in that order, shall be shown in the designation of command special branches.

h. The provisions of other sections of Article VI do not apply to command special branches.

i. Initiation of members of command special branches may be deferred until such time as they transfer to a regular branch.

j. The Royal Canadian Legion military member at large program shall be incorporated under this section of the General By-Laws.

Article VII

ZONES AND BRANCHES/POSTS IN THE UNITED STATES OF AMERICA AND EUROPE

OBLIGATIONS OF MEMBERSHIP

701. Members of The Royal Canadian Legion resident in the United States of America and Europe shall maintain and uphold the purposes, objects and principles of the Legion, insofar as the same are consistent with the allegiance which they owe to their country.

BRANCHES /POSTS

702. All branches/posts of the Legion in the United States of America and in Europe shall be authorized by Dominion Command in conformity with these By-Laws.

703.

a. All branches/posts shall be administered by and be under the jurisdiction of a recognized USA Zone or a Europe Zone.

b. Recognized zones are as set out in Section 704 and all branches/posts within the designated area of a zone shall be under the jurisdiction of that zone.

c. Branches/posts shall be governed by these By-Laws in the same manner as branches in Canada.

ZONES

704. Zones may be established as follows:

a. the Western Zone of USA;

b. the Eastern Zone of USA;

c. the Europe Zone;

d. such other zones as may be decided upon by Dominion Command; and

e. the jurisdiction of zones shall be as authorized by Dominion Command and any new branches/posts formed under this article shall be under the jurisdiction of the zone designated.

705. All zones constituted in the United States of America and Europe shall be governed by these By-Laws as they relate to Provincial Commands in Canada, and may pass By-Laws consistent with these By-Laws.

AUXILIARIES

LADIES AUXILIARIES

801.

a. Branches and commands may set up ladies auxiliaries and charters may be granted to such auxiliaries by Dominion Command.

b. A ladies auxiliary to a Provincial Command shall be under the jurisdiction of the Provincial Command.

c. A ladies auxiliary to a branch shall be under the jurisdiction of the branch.

802.

a. Membership in and the activities of an auxiliary shall be governed by By-Laws passed by the auxiliary.

b. The By-Laws of a command auxiliary shall not become effective until approved by the command concerned. The By-Laws of a branch auxiliary shall not become effective until approved by the branch and command concerned.

803.

a. A female member of the Legion or an ex-servicewoman who is eligible to be a member may also be a member of a ladies auxiliary.

b. A member of a ladies auxiliary may transfer to another auxiliary provided she is eligible for membership in the auxiliary to which transfer is sought.

804. For disciplinary measures, Ladies Auxiliaries are governed by Article III of these By-Laws.

YOUTH AUXILIARIES

805.

a. The formation and operation of youth auxiliaries is permitted under the jurisdiction of Provincial Commands and as organized by individual branches. Youth auxiliaries will not be chartered as the predominant membership is expected to be below the federal voting age.

b. Membership in and the activities of youth auxiliaries shall be governed by By-Laws passed by the branch sponsoring such youth auxiliary, but shall not become effective until approved by the Provincial Command concerned.

Article IX

DOMINION CONVENTION

WHEN HELD

901. A Dominion Convention shall be held at least once in every two years at such time and place as the Dominion Executive Council may decide; provided that, with the unanimous consent of all Provincial Commands, a three-year interval may be allowed between conventions.

902.

a. The Dominion Executive Council may call a special Dominion Convention at any time deemed necessary.

b. The Dominion Executive Council shall call a special Dominion Convention at any time upon the request of seven of the Provincial Commands.

DELEGATES

903.

a. Every branch shall be entitled to send to a convention, one delegate for every 100 voting members or fraction thereof.

b. In determining delegate entitlement, only members whose per capita tax has been paid up to the end of the preceding calendar year may be included.

c. Where a branch has received its charter subsequent to the end of the preceding calendar year, it shall be entitled to one delegate.

d. Where, as a result of the amalgamation of two or more branches, a new branch is formed and a charter has been issued to it on or after January 1st in a convention year, the new branch shall be entitled to the number of delegates based upon the total number of voting members of the former branches paid up as at the 31st day of December of the previous year.

904. A delegate may be a member of another branch within the same Provincial Command, but may not carry proxies.

905. Every delegate must be a member in good standing of a branch with dues paid to the end of the current year.

906. Dominion Command employees cannot vote at Dominion Convention.

907.

a. Voting members of the Dominion Executive Council who are not accredited branch delegates shall be accredited delegates to Dominion Convention.

b. All PAST Dominion Presidents who are not accredited branch delegates shall be accredited delegates to Dominion Convention.

QUORUM

908. Before any Dominion Convention may be opened, there shall be present duly accredited delegates, excluding proxies, from at least 10 percent of the branches.

909.

a. A quorum for the transaction of business at any Dominion Convention shall be the presence on the floor of the convention chamber of at least 25 percent of the accredited delegates registered for that convention.

b. If the required quorum is not present, the chairman shall adjourn the convention for the purpose of obtaining a quorum.

VOTING AND PROXIES

910. Other than on a ballot vote for election purposes, delegates to the convention shall have one vote each.

911. Any delegate, accredited by the branch of which he is a member, may carry, in addition to his own credentials, up to four proxy credentials. These proxies may be from any branch or branches within his own Provincial Command.

912. Proxies must be registered at the opening of the convention and may only be used when an election ballot vote is required.

913. Every proxy, to be valid, shall include a credential certificate naming the delegate entitled to register such proxy.

914. Only accredited delegates may vote at conventions.

915. Except for election of officers, the vote of the convention will be by card indication YES or NO, unless a vote by ballot is directed by the chairman or is demanded by at least 20 percent of the delegates on the floor of the convention. In such instances, proxies cannot be used.

916.

a. When balloting is for the election of a single officer, the candidate receiving the majority of the votes cast shall be elected.

b. If no candidate receives a majority of the total votes cast on the first ballot, a second ballot shall be held, deleting the name of the candidate receiving the least number of votes on the first ballot.

c. However, if the total of the votes received by the two with the lowest number of votes is less than the votes received by the candidate with the next lowest number of votes, the names of the two with the lowest number of votes shall be deleted from subsequent ballots.

917.

a. When balloting is for the election of more than one officer in a multiple delegate position, delegates will use the First Past the Post voting system.

b. A delegate may not vote more than once on the ballot for any candidate.

c. The ballots shall be in the form approved by the Convention Committee.

d. Ballots not marked in conformity to this section shall not be counted.

e. The candidates receiving the most votes shall be elected into the positions.

918. Dominion Convention may, by resolution carried by two thirds majority of the total votes cast, amend or adopt such rules to govern voting as may be necessary.

RESOLUTIONS

919.

a. Resolutions to be dealt with at a Dominion Convention shall be submitted from a branch through Provincial Command.

b. Resolutions may be submitted by a branch or branches, command or standing committee of Dominion Command.

c. All resolutions shall be forwarded to Dominion Command so as to be received at its head office at least one hundred and twelve (112) days prior to the opening date of the convention.

d. Resolutions received less than one hundred and twelve (112) days prior to the opening date of the convention shall be referred to the Dominion Executive Council. Those resolutions of a routine nature will be returned to Provincial Commands. Urgent resolutions will be retained for immediate review and consideration.

e. A copy of the book containing all resolutions for the convention shall be forwarded to each branch and command at least six weeks prior to the convention.

920. Provincial Commands shall report all resolutions to Dominion Command, with appropriate comment.

921. All changes of Legion policy and administrative procedures resulting from resolutions passed or by-law amendments enacted by conventions shall, unless otherwise specified, take effect on the first day of October following the convention.

COMMITTEE ON RESOLUTIONS

922.

a. The Standing Committee on Resolutions shall meet in Ottawa at least 100 days prior to the opening date of the convention and shall consider all resolutions.

b. Where a resolution is applicable to the work of a committee, it shall be referred to that committee for consideration and recommendation.

c. Where a resolution is not applicable to the work of any other committee, it shall be referred to the Convention Resolutions Committee.

DUTIES OF CONVENTION AND OTHER COMMITTEES

923.

a. Each of the committees to which resolutions have been referred shall combine similar resolutions into one and prepare a report containing all resolutions referred to such committee.

b. Each report shall identify the resolutions that have been combined and will contain such comments as the committee deems necessary.

c. Each committee shall submit its report to the chairman of the Convention Resolutions Committee at least 80 days prior to the opening date of the convention.

924.

a. The Convention Resolutions Committee shall report to the Convention on all resolutions. Such resolutions in which it has not concurred will appear in an appendix to the Convention Book.

b. When reporting to convention, the Convention Resolutions Committee shall call upon other committees to present such resolutions as are relevant to those committees.

925.

a. In the event that any committee reporting to the convention does not concur in or does not report on any resolution duly submitted for its consideration, any accredited delegate may, subject to the following conditions, request that such resolution emanating from within his own command be presented to the convention:

   i. The request has the support of a majority vote of the caucus from that delegate's command, such majority support to be proved by a written certificate to that effect, signed by the president of the command or the chairman of the caucus.

   ii. The request to introduce such resolution has been submitted in writing, on a form provided by Dominion Command.

   iii. The request shall be submitted to the Convention Chairman not later than one hour prior to the end of the business session on the second business day of the convention.

b. These conditions having been completed, such delegate may present the resolution while resolutions dealing with the general topic with which the resolution is concerned are before the convention.

CONVENTION COMMITTEES

926. Any committee provided for in the Act or deemed necessary by Dominion Command shall report to the convention. The powers and duties of the committees provided for in the Act shall be as set out in committee terms of reference.

927. The powers and duties of the convention committees terminate with the convention, unless the convention otherwise orders.

EXPENSES OF COMMITTEE MEMBERS

928. Dominion Command will not be responsible for transportation costs of committee members to convention except for those who might be invited in accordance with Section 929.

929. The Dominion Executive Council may authorize payment of the travel and per diem expenses of a chairman of a committee who reports to convention but who is not a member of council, and of any person invited by council to attend a convention, such payment to be made on the same basis as if he were a member of Dominion Executive Council. COMPLIANCE WITH CANADIAN LAW The Royal Canadian Legion will be governed by *An Act to Incorporate The Royal Canadian Legion* and these By-Laws.

COMPLIANCE WITH CANADIAN LAW

930. The Royal Canadian Legion will be governed by *An Act to Incorporate The Royal Canadian Legion* and these By-Laws.

931. To comply with the *Canada Not-for-Profit Corporations Act*, in an off-Convention year at Command level, there shall be an annual meeting held which will have as a minimum the following agenda:

    a. Presentation of the audited financial statements.

    b. Approval of the auditors.

NOTICE OF ANNUAL MEETING

932. In the case of Dominion Command, notice shall be provided in a Legion Magazine issue not more than 90 days and not less than 30 days before the annual meeting.

Notice shall specify:

The Dominion Executive Council of The Royal Canadian Legion hereby gives notice of an Annual General Meeting of the organization which will take place at (time), (date), (location).

Agenda for the meeting:

a. Presentation of the audited financial statements.

b. Approval of the auditors for (years).

This meeting is being held to fulfill the requirements of the Canada Not-For-Profit Corporations Act. Members wishing to make comment or raise questions on these two items may do so by ***written submission*** *to Dominion Command, 86 Aird Place, Ottawa, ON K2L 0A1 to be received no later than (date 30 days prior to the meeting).*

Documentation pertaining to the annual meeting shall be made available on the Legion website at www.legion.ca at least 21 days prior to the annual meeting or upon written request by a member enclosing a self-addressed stamped envelope received at Dominion Command at least 14 days prior to the annual meeting.

933. Members may make submissions on the agenda items in writing to Dominion Command which will be considered at the meeting if received at least 15 days prior to the meeting.

934. A quorum for the meeting shall be 15 members of The Royal Canadian Legion.

PROVINCIAL COMMANDS

935. Every Provincial Command shall make provisions in its By-Laws for notice of and the holding of an Annual Meeting in the off-Provincial Convention year which will have as a minimum the following agenda:

a. Presentation of the audited financial statements.

b. Approval of the auditors.

Article X

PROVINCIAL CONVENTIONS

WHEN HELD

1001. A provincial convention for each Provincial Command shall be held annually or biennially as determined by the Provincial Command, at such time and place as the Provincial Command may decide.

1002. Provincial Commands, by by-law, must provide for:

a. the holding of special conventions;

b. the number and selection of delegates; and

c. voting procedures.

POPPY FUND

CAMPAIGNS

1101.

a. Where a Command, District, Zone, Branch or group of branches conducts a Poppy Campaign as a group or jointly with any other organization, that Command, District, Zone, Branch or group of branches shall be responsible for all aspects of the campaign.

b. All branches shall participate in Poppy Campaigns and Remembrance Day services.

c. Poppy distribution to the general public will commence no earlier than the last Friday in October and conclude on 11 November.

d. The ceremonial presentation of the National First Poppy to the Governor General by the Dominion President will be coordinated by Dominion Command for an appropriate date prior to the actual campaign start date. When possible, the date for the ceremonial presentation of the First Poppy will be advised by 1 September to all Provincial Commands.

   Presentation of Provincial First Poppies by Provincial Commands to Lieutenant Governors and any other First Poppy presentations by branches shall be actioned at a convenient date subsequent to that for the presentation of the National First Poppy to the Governor General.

1102.

a. All monies received from a campaign shall be deposited in a separate trust account in one or more of the banks, trust companies or other institutions referred to in Section 131.

b. With the exception of promotional materials, Provincial Commands and branches shall use only Poppy Campaign material supplied by Dominion Command.

1103. A Command, District, Zone, Branch or group of branches may hold Poppy Trust Funds for a short term in government or corporate bonds or other readily transferable securities authorized by the appropriate legislative body for the investment of trust funds.

PURPOSES

1104. The Command, District, Zone, Branch or group of branches may withdraw or expend monies from the Poppy Trust account only for the purposes set out in these By-Laws.

a. The basic purpose and obligations of Poppy Trust Fund are to assist:

i. a Veteran and their family who are in need of assistance.

ii. Merchant Navy personnel who are eligible for and who have been awarded campaign stars or decorations, and their dependants who are in need of assistance;

iii. ex-service personnel of Commonwealth countries, other than Canada, and of allied countries, resident in Canada, and their dependants, who are in need of assistance; and

NOTE: The funds may only be used for emergency assistance which is defined as shelter, food, fuel, clothing, prescription medicine and necessary transportation. Assistance cannot be continued over an extended period.

Comforts, as defined in the Poppy Manual, may be provided for ex-service personnel and their widows/widowers who are hospitalized, in long-time care facilities or in their homes.

b. Other authorized uses are:

i. prizes for promotional contests, having direct connection with the campaign or for the promotion of Remembrance such as the Literary and Poster contest;

ii. Funding of the "Two Minute Wave of Silence" program at all levels;

iii. payment of the costs of operating a service bureau or its equivalent;

iv. granting of bursaries to children, grandchildren and great-grandchildren of any of the personnel as identified in sub subsections 1104.a.i, ii and iii; and

v. Occasional day trips for Veterans.

NOTE: A bursary is given for need, unlike a scholarship, which is awarded for scholastic achievement only.

c. Payment of the expenses of the poppy fund campaign, including:

i. the purchase and predetermined storage costs of poppies and wreaths;

ii. the purchase and predetermined storage costs of promotional aids;

iii. the purchasing and predetermined storage costs of canvassing supplies;

iv. reasonable expenses of poppy committee members and poppy chairmen;

v. reasonable campaign advertising expenses; and

vi. telephone, telegraph, postage and stationery expenses.

1105. A command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches may allot not more than fifty percent of the balance in a poppy trust account, except in the case of a registered veterans' organization whose aims and objectives are for providing accommodation or care facilities for veterans and dependants, on the thirtieth (30th) day of September in the year preceding the allotment for the purchase, construction, reconstruction, maintenance, renewal, repair, furnishing or refurnishing of housing accommodation or care facilities for elderly or disabled persons and their dependants.

NOTE: It is a condition of any such allotment of poppy funds that, prior to any Poppy Campaign in which such funds are collected, notice was given to the public that a portion of the monies then collected might be used for such purposes.

It is a further mandatory condition of any such allotment of poppy funds that provision shall have been made for ex-service personnel and their dependants to receive priority in the use of such housing accommodation or care facilities.

1106. The Command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or a group of branches, may expend a portion of the monies in its Poppy Trust account, not exceeding fifty percent of the total available in the account on the date prior approval is requested preceding the expenditure for the following purposes:

a. medical training and medical research directed to geriatric support, or for community medical appliances which will assist the care of veterans;

b. support of drop-in centres for the elderly or support of meals on wheels services only as long as these provide known support of veterans in the community;

c. donations for relief of disasters declared by the federal or provincial governments; and

d. transportation for veterans as necessary for medical appointments and for compassionate reasons.

1107. A command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches, may expend a portion of the monies in its poppy trust account, not exceeding twenty-five percent of the total available in the account on the date prior approval is requested preceding the expenditure, for the purpose of assisting ex-service personnel of Commonwealth countries or allied countries and their dependants, in necessitous circumstances, who are residing outside Canada. Notice prior to the collection must be given to the public that monies collected thereafter may be so expended.

1108. A Command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches, may, for the purpose of constructing, maintaining or preserving local monuments to veterans, expend a portion of the monies in its poppy trust account, not exceeding twenty-five percent of the total available in the account on the thirtieth (30th) day of September in the year preceding the expenditure, provided that the twenty-five percent does not exceed fifty percent of the total funds required to construct, maintain or preserve local monuments for which funds are allocated.

1109. A Command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches, may, for the purpose of supporting Cadet units which have assisted with the Poppy Campaign, expend a portion of the monies in its poppy trust account, not exceeding twenty percent of the total available in the account on the thirtieth (30th) day of September in the year preceding the expenditure.

1110. A command, or subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches, may sponsor a visit to one or more branches for veterans, who may or may not be Legion members, to offer a meal and camaraderie. For this purpose poppy funds may be expended in accordance with the restictions published in the Poppy Manual provided

that alcoholic beverages not be included in such expenses. This authorization also extends to a spouse/caregiver accompanying a Veteran or a Veterans' widow/widower accompanied by a caregiver.

1111. A command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches may, for the purpose of conducting the Call to Remembrance program, expend a portion of the monies in its poppy trust account, not exceeding ten percent of the total available in the account on the thirtieth (30th) day of September in the year preceding the expenditure.

1112. A command, or, subject to the prior approval of the Provincial Command, a District, Zone, Branch or group of branches may, for the purpose of acquiring a coin sorting/counting/wrapping machine to assist with the Poppy Campaign, expend a portion of the monies in its poppy trust account not exceeding 10 percent the cost of the machine.

1113. A Command, or, subject to the prior approval of the Provincial Command, a district, zone, branch or group of branches may make an allotment not exceeding 50 percent of the balance in a Poppy Trust Fund on September 30 in the Poppy Year preceding the expenditure, to cover the cost of installation, maintenance and repair to personal lifting devices installed in branches for the purpose of assisting ex-service personnel, their dependants and other persons with disabilities. Furthermore, subject to prior approval by Provincial Command, branches are authorized to use Poppy Trust Funds to provide accessibility to the branch itself by ex-service personnel, their dependants and other persons with disabilities through the installation of an access ramp to the branch entrance and by installing or retrofitting the branch's main entrance with a handicap door operator. If necessary, funding for a replacement door in this instance only is also authorized.

In addition, subject to the prior approval of the Provincial Command, a district, zone, branch or group of branches may make an allotment not exceeding 50 percent of the balance in the Poppy Trust Fund on the thirtieth (30th) day of September in the Poppy Year preceding the expenditure, to cover the cost of installation of a washroom door, toilet and sink for the purpose of assisting Veterans, their dependants and other persons with disabilities.

1114. A Command or, subject to prior approval of the Provincial Command, a District, Zone, Branch or group of Branches may, for the purposes of supporting Canadian Military Family Resource Centres (MFRC's), expend a portion of the monies in its poppy trust account not exceeding ten percent of the total available in the Poppy Trust Fund on the thirtieth (30th) day of September in the Poppy Year preceding the expenditure for site specific, non-funded programs.

1115. A Command or, subject to prior approval of the Provincial Command, a District, Zone, Branch or group of Branches may, for the purpose of funding a Veterans' Reading Program for students, expend a portion of the monies in its poppy trust account not exceeding five percent of the excessive funds after all expenses are paid for as of the thirtieth (30th) day of September in the year preceding the expenditure.

1116. A Command or, subject to the prior approval of the Provincial Command, a district, zone, branch or group of branches may, for the purpose of funding Veterans Transition Programs partnered with registered institutions that are directly related to the training, education and support needs of Veterans, make an allotment not exceeding twenty-five percent of the total available in the account on the date prior approval is requested preceding the expenditure.

1117. A Command or, subject to the prior approval of the Provincial Command, a district, zone, branch or group of branches may, for the purpose of supporting costs associated with service dogs, expend a portion of the monies in its poppy trust account not exceeding 25 percent of the total available in the account on the 30th day of September in the year preceding the expenditure.

CENTRAL FUND

1118.

a. Each Provincial Command shall establish a Central Provincial Poppy Trust Fund from which sums may be made available to branches whose Poppy Trust Funds are depleted, and to which contributions may be made by Districts, Zones, Branches or groups of branches whose Poppy Trust Funds are in excess of their requirements.

b. Dominion Command shall establish a Central Dominion Command Poppy Trust Fund.

c. A command may transfer sums from its central Poppy Trust Fund to the central Poppy Trust Fund of another command.

NOTE: As stated in Subsection 130.b. of these By-Laws, the Poppy Fiscal Year begins 1 October and ends 30 September of the following year.

Article XII

DUES, AFFILIATION FEES PER CAPITA TAX

GENERAL

1201. Except as otherwise provided in these By-Laws, this article applies to all categories of Legion membership.

1202. An enrolment fee may be charged by any branch.

BRANCH DUES & PER CAPITA TAX

1203.

a. Per capita tax, as levied from time to time by a Dominion Convention for Dominion Command and by provincial conventions for Provincial Commands, shall form part of annual branch dues.

b. Per capita tax due to Dominion Command includes payment for Legion Magazine.

c. Per capita tax shall become due and payable on the 1st day of January in each calendar year.

d. A member in arrears as of 31st January of that year is not in good standing for any purpose. Once the yearly membership dues have been paid, the member is considered to be "in good standing".

e. Where a new member joins the Legion after the 30th day of June in any year, the per capita tax payable to Dominion and Provincial Commands by such member for the year shall be one-half the per capita tax levied by the appropriate conventions for that year.

f. Where a new member joins the Legion after the 31st day of August in any year, the per capita tax payable to Dominion Command and Provincial Commands by such member for the year shall be one-third the per capita tax levied by the appropriate conventions for that year.

1204.

a. Members not in good standing under the foregoing provisions who have allowed their membership to lapse may renew their

membership upon payment of the unpaid dues for the current year and are also eligible to buy back any preceding years of unpaid dues. Such renewal will not restore any office which may have been forfeited but will qualify them for continuous years of service and long service awards.

b. Unpaid dues and per capita tax may be remitted by any branch.

BRANCH RETURNS

1205. Each branch shall:

a. remit at least monthly to Dominion Command a per capita tax payment of all tax collected during the preceding month; and

b. supply forthwith such information relating to the affairs of the branch as may from time to time be required by its Provincial Command or by Dominion Command.

PROVINCIAL COMMAND RETURNS

1206. Each command shall:

a. submit to Dominion Command annually by the 30th day of April an audited financial statement for the previous year;

b. submit to Dominion Command annually by the 31st day of December an audited statement of its poppy trust account for the previous fiscal year;

c. establish rules to ensure that poppy fund campaign returns are made to it with reasonable promptness by Districts, Zones, Branches and groups of branches in that command; and

d. forward annually to Dominion Command a summary of the Poppy Campaign statistics in that command for the preceding year.

Article XIII

MISCELLANEOUS

DISTRIBUTION OF LEGION MAGAZINE

1301.

a. Every member in good standing shall be entitled to receive LEGION magazine.

b. Any member may elect by notice to LEGION Magazine to receive a French-language insert in the LEGION Magazine.

CENTENNIAL FUND

1302.

a. The Centennial Fund was established to provide a perpetual memorial to those who have fallen in the service of Canada by continuing the activities of The Royal Canadian Legion consistent with the purposes and objects of the Legion.

b. The capital of the fund as on the 16th day of June 1988 shall remain intact.

c. Expenditure of the accumulated interest shall be controlled by the Dominion Convention on recommendation of the Ways and Means Committee.

d. Change in the policy shall require a two-thirds majority of voting delegates to a Dominion Convention.

MATTERS OF PROCEDURE

1303. In all matters of procedure not provided for in the By-Laws of any command or branch, 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 "Robert's Rules of Order" shall apply.

AMENDMENTS

1304. These By-Laws may be amended, repealed or re-enacted at any Dominion Convention by a majority vote of the whole convention, provided that one month's notice has been given to Dominion Command of such proposed amendment, unless such notice is waived by a two-thirds vote of the convention.

REPEAL

1305. By-law Number 1 being the General By-law of The Royal Canadian Legion, together with all amending By-Laws hitherto adopted are hereby repealed. This repeal does not affect the validity of any appointment made or thing done under the authority of the repealed By-Laws while in force.

Appendix "A"

GUIDE TO ELIGIBILITY TO MEMBERSHIP

This Guide is supplementary to and does not restrict the generality of the provisions of Article II of the General By-Laws.

DURATION OF HOSTILITIES

1. South African War	11 Oct. 1899 - 31 May 1902
2. World War I	4 Aug. 1914 - 11 Nov. 1918
3. World War II	3 Sept. 1939 - 14 Aug. 1945
4. Korean War	25 June 1950 - 27 July 1953
5. Persian Gulf War	16 Jan. 1991 - 27 Feb. 1991

NON-MILITARY SERVICES

Canadian citizens or commonwealth subjects who served in an actual theatre of war in which Canada was engaged are eligible for ordinary membership, for example:

Air Raid Wardens
Civil Nursing Reserve
Corps of Canadian Fire Fighters
Ferry Command
Fishery patrol
Home Guard
Knights of Columbus
Legion War Services
Merchant Navy
National Fire Services
Naval auxiliaries
Overseas forestry units
Red Cross
Reserve and deep sea salvage tugs
Saint John Ambulance
Salvation Army
War correspondents
Women's Land Army
Y.M.C.A.

Explanatory Note Re Section 205

Article 15:01 of Queen's Regulations - Reason for Release

ITEM 1: MISCONDUCT

a. Sentenced to Dismissal - Applies to the release of a member of the Forces when sentenced by a Court Martial to dismissal or dismissal with disgrace.

b. Service Misconduct - Applies when a member of the Forces is convicted by a service tribunal of a serious offence, or offences, or when convicted by a civil power of a serious offence related to the performance of his duties, that warrants release under this category.

c. Illegally Absent - Applies when a member of the Forces has been illegally absent and will not be required for further service under existing service policy.

d. Fraudulent Statement on Enrolment - Applies when a member of the Forces, at time of enrolment, made a fraudulent statement which having regard to the circumstances under which it was made and its effects, warrants release under this item. False statement as to age or a minor oversight or ambiguous statement made through enthusiasm to join the forces should not result in release under this category.

The General *By-Laws*

FEBRUARY 2015

Dominion Command

86 Aird Place, Ottawa, ON
Canada K2L 0A1

legion.ca

Available on the App Store

You Tube