

ALBERTA-NWT COMMAND

SPRUCE GROVE BR. NO 281

OF THE ROYAL CANADIAN LEGION

BY-LAWS

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INTRODUCTION

The purposes and objects of the Branch shall be those set forth in the Act to incorporate The Royal Canadian Legion, and in the General By-Laws of The Royal Canadian Legion. In part, these are:

- (a) To constitute an association of those who have served or are serving in Her Majesty's armed forces or any other 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 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 future.
- (f) To promote and care for memorials to their valour and sacrifice, to provide suitable burial, 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 dependents and to see that the maintenance and comfort of those who require special treatment, particularly the disabled, sick, aged and needy, and to promote the welfare of their dependents.

The General By-Laws of The Royal Canadian Legion (as amended) shall be and are hereby accepted, together with the Act, as the Constitution of this Branch. In all cases not covered by the Branch By-Laws, the General By-Laws and/or the Alberta- Northwest Territories Command By-Laws shall apply.

Notwithstanding the generality of the foregoing, nothing in these By-Laws shall contradict and/or contravene any provision(s) of the General By-Laws and/or the Alberta-Northwest Territories Command By-Laws. Any clause in these By-Laws which is adjudged to contradict and/or contravene the General or Alberta-Northwest Territories Command By-Laws shall be null and void.

Article I. INTERPRETATION

1.01 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) "General By-Laws means the General By-Laws of The Royal Canadian Legion (as amended).
- (c) "Provincial By-Laws" means the By-Laws of the Alberta and Northwest Territories Command (as amended).
- (d) "Dominion Command" means the supreme authority of the Legion, that is the Dominion Convention, and when it is not in session, the Dominion Executive Council.
- (e) "Branch" means the Alberta and Northwest Territories Command, Spruce Grove Branch No. 281.
- (f) "Member" means any person who has been duly admitted to any of the types of membership provided in the General By-Laws.
- (g) "Member in good-standing" means a member who is not under suspension, and is not in arrears of dues as of January 31st. However, a member's rights and privileges may be limited or restricted in accordance with such manner and circumstances as may be described herein.

Article II. NAME

2.01 This Branch shall be known as the Alberta-NWT Command, Spruce Grove Branch No. 281, of The Royal Canadian Legion.

Article III. MEMBERSHIP

- 3.01 All applications for membership in the Branch shall be subject to the restrictions and fall within the clauses set forth in Article II of the General By-Laws.
- 3.02 All applicants for original membership or reinstatement shall be dealt with as set forth in Article II of the General By-Laws.
- 3.03 All members admitted to the membership in this Branch, who have been properly initiated in accordance with the Ritual, Awards and Protocol Manual, and all Affiliates upon acceptance to the membership will receive a copy of the Branch By-Laws.

Article IV. AFFILIATES

- 4.01 "Affiliate" means a person who is not eligible for ordinary or associate membership but has been admitted as an affiliate in accordance with the General By-Laws Article II.
- 4.02 Subject to the General By-Laws and the Provincial By-Laws, the Branch authorizes the acceptance of the affiliates.

Article V. DUES

- 5.01 The annual dues payable by members shall be determined by a vote of the members present at a General Meeting of the Branch. If an ordinary or associate member is wholly dependent upon Old Age Security or War Veterans Allowance their annual due shall be equal to the per capita tax assessment. Annual dues shall not be changed more than once a year.
- 5.02 Branch dues shall be paid by the 31st day of December in each calendar year. Branch dues for new members are payable in advance for the current calendar year and shall be remitted prior to initiation.
- 5.03 A member who is in arrears in payment of dues on January 31st of the membership year is not in good standing for any purpose in accordance with General By-Laws Article XII.
- 5.04 Any situation or case not dealt with in these By-Laws shall be dealt with in accordance with the General By-Laws.

Article VI. COMPLAINTS AND DISCIPLINE

- 6.01 The procedure for lodging complaints against members and the subsequent disciplinary action shall be strictly in accordance with Article III of the General By-Laws.

Article VII. OFFICERS AND EXECUTIVE MEMBERS

- 7.01 The Executive Committee of the Branch shall consist of the President, the First Vice-President, the Second Vice-President, the Treasurer, up to fifteen Executive Committee members and the immediate Past-President.
- 7.02 The Officers of the Branch shall be: The President, the First Vice-President, the Second Vice-President, the Treasurer and the immediate Past-President.
- (a) Except for the Past-President, the Officers of the branch shall be elected to office for one year.

- 7.03 The Executive Committee members shall be elected by secret ballot.
- (a) The Executive Committee members shall be elected each year for a term of one year.
 - (b) Should a vacancy occur on the Executive Committee for any reason, the President shall appoint a member in good standing and ratify the appointment at the next executive meeting. Such member shall serve for the remainder of the current term.
- 7.04 The Branch Elected Officers and Executive Committee Members shall assume office after installation.
- 7.05 Should a vacancy occur in the office of the President or Vice-President the following procedure shall be followed:
- (a) Should the office of President become vacant, the First Vice-President shall assume the duties of the President.
 - (b) The Second Vice-President shall assume the duties of the First Vice-President should this office become vacant for any reason.
 - (c) Any vacancy in the office of the Second Vice-President shall be filled by nomination and election at the next General Meeting. Installation shall take place at the first available opportunity.
 - (d) If, as a result of the foregoing, a vacancy occurs in the position of an Executive Member, the position shall be filled in accordance with Section 7.03(b) of these By-Laws.

Article VIII. NOMINATIONS AND ELECTIONS

- 8.01 At the September General Meeting a Nomination Committee of Life, Ordinary, Associate or Affiliate Voting Members shall be nominated from the floor of the meeting. These members shall have signified that they do not intend to stand for any office.
- 8.02 Advance nominations must be signed by two Life, Ordinary, Associate or Affiliate Voting Members in good standing and must also be signed by the nominees stating that they accept the nomination and will, if elected, fulfill to the best of their ability, the duties of the office to which they may be elected.

- 8.03 The general election of Officers and Executive Members of the Branch shall be held at the Annual General Meeting in November. The Nominating Committee shall also serve as the Election Committee and shall assume the duties of Returning Officers and Scrutineers. Further nominations may be made from the floor at this time, but must be confined to members present.
- 8.04 No member shall stand for nomination who has not been a Life, Ordinary, Associate, or Affiliate Voting Member in good standing of the Branch for one year prior to November 1st of that year.
- 8.05 No member shall stand for office of President, First Vice-President, Second Vice-President or Treasurer unless the member has served a minimum of one year on the Branch Executive Committee and has attended at least three General Meetings in the year prior to November 1st of that year.
- 8.06 On being duly nominated, a candidate may stand for a Branch Officer position and as well for the Executive Committee provided that:
- (a) A candidate may be elected to one position only.
 - (b) A candidate contesting more than one position must accept the highest position to which he/she is elected.
- 8.07 The Nomination Committee shall automatically cease to function immediately after the results of the Election have been announced and all ballots have been destroyed.

Article IX. STANDING COMMITTEES

- 9.01 The following Standing Committees shall be established:
- (a) Finance.
 - (b) Ways and Means/Fundraising.
 - (c) Membership.
 - (d) Public Relations.
 - (e) Sports.
 - (f) House and Grounds.
 - (g) Service Officer.
 - (h) Poppy and Remembrance.
 - (i) By-Laws.
 - (j) Honours and Awards.

- 9.02 Additional committees may be established by the President or the Executive Committee as may be deemed necessary, from time to time, for the proper conduct of the business of the Branch.
- 9.03 All such 'ad hoc' committees shall be discharged upon completion of their duties.
- 9.04 Any member in good standing may be appointed chairman of an 'ad hoc' committee, but the chairman of any Standing Committee shall be appointed from the Executive Committee.

Article X. DUTIES OF THE PRESIDENT

- 10.01 The President shall be the Chief Executive Officer of the Branch.
- 10.02 The President shall preside at all Executive Committee meetings.
- 10.03 The President may appoint one or more Padres.
- 10.04 The President shall appoint the Chairmen of all Standing Committees, as set out in Article IX of the Branch By-Laws.
- 10.05 The President shall appoint a Sergeant-at-Arms, who shall perform all duties as pertains to that position.
- 10.06 The President shall appoint a Service Officer, who shall perform all duties as pertains to that position.
- 10.07 The President shall appoint one member of the Executive Committee as Executive Secretary. The Executive Secretary shall keep an accurate record of all Branch meetings, both General and Executive.
- 10.08 The President shall be an ex-officio member of all committees, and on request will be informed of all committee meetings.
- 10.09 In the absence or disability of the President, all rights and powers vested in him/her shall, for the time being, be vested in the First Vice-President if available, and if not, in the Second Vice-President.
- 10.10 The President, together with the Secretary, shall sign all papers and documents requiring signatures on behalf of the Branch, unless someone else is designated by the Executive Committee to do so.
- 10.11 The President shall transact such other business as by custom, and not contrary to these By-Laws, as pertain to the office of President.

10.12 The Branch President or designate shall preside at all General Meetings of the Branch.

- (a) When presiding, the Branch President shall enforce order, and the strict observance of the Branch By-Laws, the Provincial By-Laws and the General By-Laws.
- (b) The President shall have the right to decide all questions of order, but on an appeal being made, the vote of the majority shall decide.
- (c) When debate has ceased on any question, the President shall put the same to an open vote, giving the words of the motion or resolution clearly, so that no member may misunderstand the question to be voted on. In the event that a majority of the members present demand a secret ballot on any question, such a question shall be decided by secret ballot.

Article XI. EXECUTIVE COMMITTEE

11.01 The Executive Committee shall meet once each month, for the purpose of conducting business. The President may call an additional Executive Meeting, if needed.

11.02 The quorum for an Executive Committee Meeting shall be those members present.

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

11.04 Notwithstanding the generality of Section 11.03 the Executive Committee shall not make any expenditures, borrow any money, or pledge the assets of the Branch without prior approval of the General Membership except as follows:

- (a) The normal operating expenses of the Branch, such as payment of taxes, rents, and utilities, staff salaries and wages, and any other expenditures previously approved by the General Membership as part of the yearly budget.
- (b) Emergency repairs to, or replacement of, equipment required for the continued operation or administration of programmes of the Branch, when such expenditures cannot be held over to the next General Meeting.

11.05 Any member of the Executive Committee who is absent from three meetings of the General Membership and/or Executive Committee, without being excused for just cause by the Executive Committee, shall cease to hold office, and that office shall be filled as provided in Section 7.03(b) of the Branch By-Laws.

- 11.06 No Executive Committee member shall be excused from committee work unless the majority of those present at an Executive Committee meeting agree. However, no Executive Committee member shall be obliged to serve on more than two committees at one time.
- 11.07 The minutes of the Executive Committee shall be ratified at the next General Meeting of the Branch. Any Life, Ordinary, Associate or Affiliate Voting Member shall have the right to question any item covered in these minutes.

Article XII. MEETINGS

- 12.01 The Annual General Meeting of the Branch shall be held in November of each year, at which time any Annual Reports will be presented, and the annual Election of Officers for the following year will take place.
- 12.02 The General Meetings of the Branch shall be held once each month of January, March, May, June, September and November; the date of the meeting may be changed if approved at a previous General Meeting. Such changes shall be posted in the Branch.
- 12.03 The quorum for all General and Special General Branch Meetings shall be five (5) members present, and motions shall be decided by majority vote.
- 12.04 Special General Meetings of the Branch may be called as follows:
- (a) By the President.
 - (b) By a majority of the Executive Committee.
 - (c) By twenty-five voting members in good standing.
- A notice calling the meeting shall briefly set out the general purpose of the meeting, and seven days written notice shall be posted in the Branch. Only that business for which the Special Meeting has been called shall be dealt with.
- 12.05 The rules of procedure for all General Meetings shall be as set down in "Rules of Procedures for Legion Meetings" issued by Dominion Command.

Article XIII. FINANCE

- 13.01 The Financial Year of the Branch shall be the Calendar year.
- 13.02 The Treasurer shall appoint, subject to the approval of the Executive Committee, an audit committee to examine the accounts of the Branch, according to the General By-Laws Article VI.

- 13.03 The Audit Committee of the 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.
- 13.04 The report of the Audit 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.
- 13.05 The Treasurer shall prepare an annual budget covering all of the financial activities of the Branch, and endeavour to see the budget is adhered to.
- 13.06 The Treasurer shall ensure that an accurate and true account is kept of all monies received and paid out by the Branch, and a complete record is kept of all financial transactions, including a full and complete statement of credits and liabilities of the Branch.
- 13.07 The Treasurer shall work in conjunction with other committees handling Branch funds.
- 13.08 All monies in excess of \$75.00 payable by the Branch shall be paid by cheque signed by any two of the Branch President, Treasurer, First Vice-President, Second Vice President or Immediate Past President. No two authorities may be related to each other or live in the same domicile.
- 13.09 The Branch books shall be kept at the Branch office, and shall be open, by appointment and with notification to the President, to the inspection of any member in good standing.
- 13.10 At the regular General Meeting, the Treasurer shall submit a statement of income and expenditure for the month (or months, if there is a recess) immediately preceding the General Meeting.
- 13.11 The Treasurer shall ensure all funds of the Branch are deposited in a Chartered Bank, Treasury Branch, Credit Union or other bona fide banking institution as may be approved by the Executive Committee. All cheques deposited shall be marked "For Deposit Only" to the account of the Branch.
- 13.12 No money shall be obtained by way of loan, mortgage or pledge, and no realty or assets of the Branch shall be sold or disposed of without approval by majority vote at a General Meeting.
- 13.13 The real and personal property held or acquired shall be held under the authority of the Branch.
- 13.14 No expenditure of funds, except as authorized elsewhere in these By-Laws, shall be made by the Branch unless authorized by a majority vote at a General Meeting. If General Meetings are recessed, authorization shall be a majority vote of the Executive Meeting.

Article XIV. LADIES AUXILIARY

- 14.01 There may be a Ladies Auxiliary of this Branch. Such Auxiliary is hereby authorized in accordance with the provisions of the General By-Laws.
- 14.02 The Ladies Auxiliary of this Branch, as set out in the General By-Laws, shall not come under the direction or control of the Auxiliary to the Command.
- 14.03 The By-Laws passed by the Auxiliary must conform to the purposes and objects of the Legion, and shall not become effective until they are approved by the Branch and the Provincial Command.
- 14.04 The clubhouse privileges of the Branch shall be extended to members of the Ladies Auxiliary.
- 14.05 A member of the Ladies Auxiliary may lay a complaint on the grounds of misconduct that is contrary to Club House Rules. If the complaint is against a Life, Ordinary, Associate or Affiliate Voting Member, it must be in accordance of the General By-Laws.

Article XV. AMENDMENTS TO BY-LAWS

- 15.01 These By-Laws shall not be altered, amended, varied, or added to, except by Notice of Motion.
- 15.02 Any Notice of Motion must:
 - (a) Be given in writing at the General Meeting prior to the one at which it will be given consideration.
 - (b) Detail such alteration, amendment, variation, deletion, or addition.
 - (c) Be signed by the member presenting the Notice of Motion.
 - (d) Receive a majority of two-thirds (2/3) of the voting members present at the General Meeting at which it is given consideration.
 - (e) These By-Laws and such amendments as may be made from time to time shall come into force, and be acted upon, only when approved by the Alberta-NWT Command.

ARTICLE XVI. GENERAL

- 16.01 All officers, members and staff who handle Branch funds shall be bonded. The individual designation of those required to be bonded shall be at the discretion of the Executive Committee. The cost of the bonding shall be borne by the Branch.
- 16.02 Within the guidelines of the General By-Laws, the financial state of the Branch funds shall govern the number of delegates elected to attend conventions.

- 16.03 Recommendation of the Branch financial obligations for delegates expenses shall be made by the Treasurer and be subject to ratification by the Executive Committee and the General Membership.
- 16.04 The President shall be the only automatic delegate, as first named. Any additional delegates shall be nominated and elected at the first General Meeting, following the receipt of the Convention call.
- 16.05 To attain eligible delegate status, a member shall have attended 75% of General and/or Executive Meetings in the year immediately prior to the Convention call.
- 16.06 Attendance determination shall be made from the Executive roll call records and the General Meeting attendance book.
- 16.07 The Area Delegates shall be the President, and may be one other member in good standing.
- 16.08 No salary shall be paid to any member of the Executive Committee, nor shall any salaried Officer or Staff be a member of the Executive Committee, with the exception of the Ladies Auxiliary. Ladies Auxiliary members employed by a Branch or Command may, at the discretion of the Branch or Command, hold office in the Auxiliary.
- 16.09 Public statements in connection with Legion affairs shall be restricted in accordance with the provisions of the General By-Laws Article I.

EFFECTIVE DATE OF BRANCH BY-LAWS:

These By-Laws shall not be in effect until approved by Alberta-NWT Command.

Certified to be a true copy of the By-Laws of the Alberta-NWT Command Spruce Grove Branch No. 281 of The Royal Canadian Legion, as amended and approved by a General Meeting of the Branch on the 25th day of January 2023.




Branch Seal


BRANCH PRESIDENT



BRANCH SECRETARY

Approved on behalf of the Alberta-NWT Command of The Royal Canadian Legion, this

27th day of July, 2023.


COMMAND PRESIDENT
ALBERTA-NWT COMMAND

Command Seal


CHAIRMAN OF THE COMMAND
CONSTITUTION AND LAW COMMITTEE