

## **TABLE OF CONTENTS**

### BRANCH BY-LAWS REVISED AUGUST 21, 2013

#### 1.0 ORGANIZATION

- 1.1 Name of Branch
- 1.2 Governing the Branch
- 1.3 House Rules
- 1.4 General Meeting
- 1.5 Masculine / Feminine importation

#### 2.0 MEETINGS

- 2.1 General Meeting
  - 2.1.1 Order of Business
  - 2.1.2 Time Limit
  - 2.1.3 Privilege of Ballot
  - 2.1.4 Summer Recess
  - 2.1.5 Transition Executive Meeting
- 2.2 Certain Months no Meeting
- 2.3 Special General Meeting
- 2.4 Notification of Meeting
  - 2.4.1 Meeting cancellation
- 2.5 Quorum
- 2.6 Annual General Meeting

#### 3.0 OFFICERS AND EXECUTIVE COMMITTEES

- 3.1 Branch Officers
- 3.2 Limitation of Office
- 3.3 The Executive Committee
- 3.4 Function of Executive Committee
  - 3.4.1 Special Executive Committee Meeting
- 3.5 Powers of Executive Committee
- 3.6 Bonding of Employees
  - 3.6.1 Contracting of services
- 3.7 Absence

#### 4.0 VACANCIES - OFFICERS AND EXECUTIVE COMMITTEE

- 4.1 Succession to Presidency
- 4.2 Succession to Vice-Presidency
- 4.2 Executive Members

## 5.0 DUTIES OF OFFICERS

- 5.1 President
- 5.2 Absence of President
- 5.3 Secretary
- 5.4 Treasurer
- 5.5 Vice-Presidents
- 5.6 Past President
- 5.7 Sergeant-at-Arms
- 5.7.1 Absence of Sergeant-at-Arms
- 5.8 Service Officer

## 6.0 FINANCIAL

- 6.1 Fiscal Year
- 6.2 Branch Funds
- 6.3 Cheques - General Account
- 6.4 Petty Cash
- 6.4.1 Limitation of Expenditures
- 6.5 Authorization re: Contracts
- 6.6 Auditors

## 7.0 COMMITTEES

- 7.1 Standing and Special
- 7.2 Reports
- 7.3 Limitation of Service

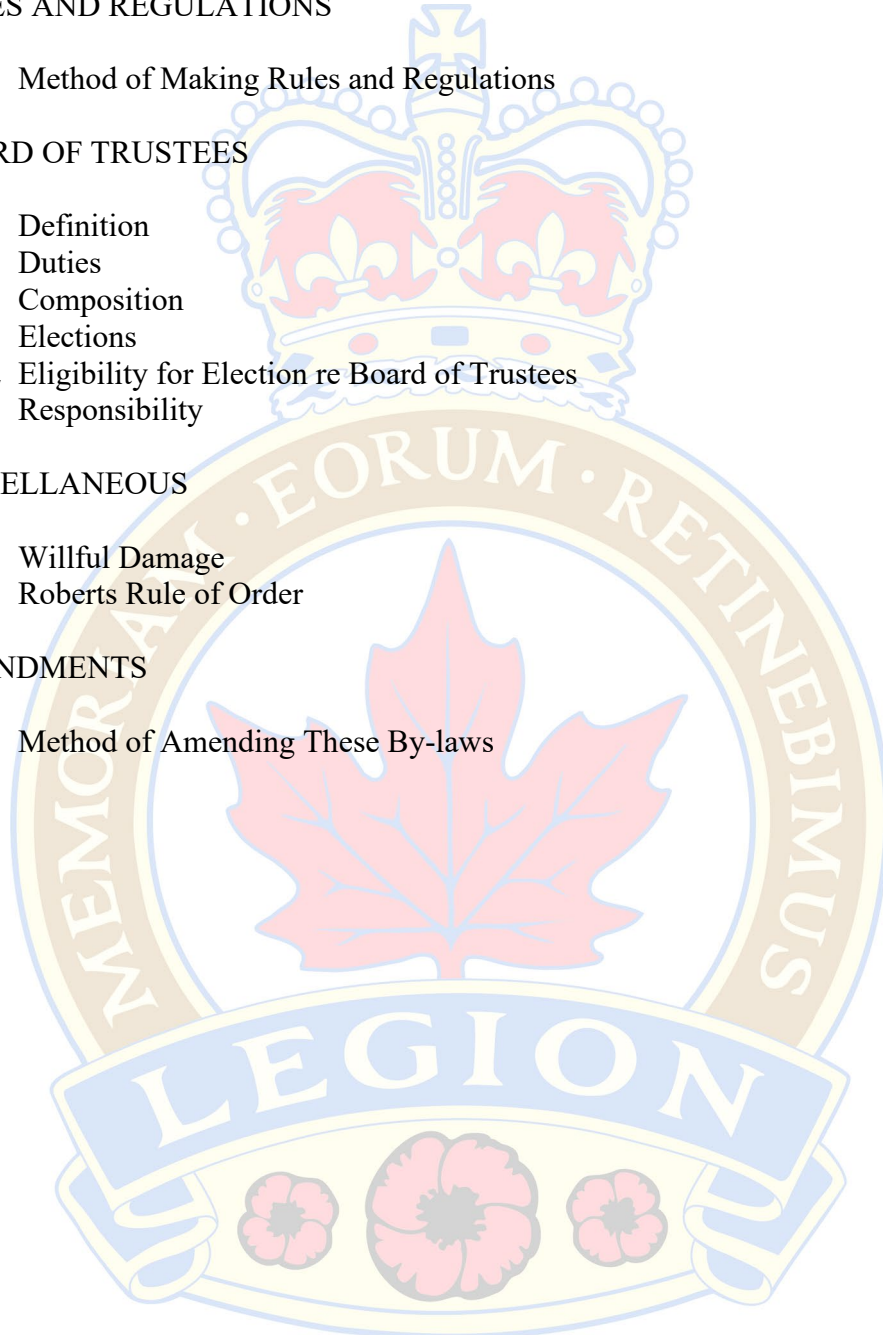
## 8.0 BRANCH DUES

- 8.1 Payment of Dues
- 8.1.1 New Members
- 8.2 Requirements with Applications

## 9.0 ELECTIONS

- 9.1 Chairman of Elections
- 9.2 Election Meeting
- 9.3 Nominated Members
- 9.4 Eligibility for Elections
- 9.4.1 Requirement for Elections
- 9.5 Order of Elections
- 9.6 Election Procedure
- 9.7 Lack of Nominations
- 9.8 Destruction of Ballot Papers

- 9.9 Installations
  - 9.9.1 Absence at Installation
  - 9.10 Proxy voting
- 10.0 RULES AND REGULATIONS
  - 10.1 Method of Making Rules and Regulations
- 11.0 BOARD OF TRUSTEES
  - 11.1 Definition
    - 11.1.1 Duties
  - 11.2 Composition
    - 11.2.1 Elections
    - 11.2.2 Eligibility for Election re Board of Trustees
  - 11.3 Responsibility
- 12.0 MISCELLANEOUS
  - 12.1 Willful Damage
  - 12.2 Roberts Rule of Order
- 13.0 AMENDMENTS
  - 13.1 Method of Amending These By-laws



**ROYAL CANADIAN LEGION  
BRANCH 251**

**OFFICIAL BY-LAWS  
Revised August 21, 2013**

**1.0 ORGANIZATION**

- 1.1 This Branch shall be known and designated as Chomedey (Quebec) No. 251, the name given to it in the Charter issued by Dominion Command, of The Royal Canadian Legion on the 11th day of December 1963, hereinafter referred to as the Branch.
- 1.2 The Branch shall be governed in respect to the Purposes and Objects, Membership, Qualifications and Disqualifications for Membership, Transfers, Discipline, and generally in respect to the conduct of its affairs by the Constitution and the General By-Laws of the Legion and the By-Laws of the Quebec Provincial Command, and by its District Commander.
- 1.3 House rules are promulgated by the Executive Committee and are based on General and Provincial By-Laws, but, are written to suit the particular needs of the Branch.
- 1.4 The General Meeting of the Branch shall be the governing body and supreme authority within its jurisdiction.
- 1.5 In these By-Laws, unless the context otherwise requires, words indicating the masculine import the feminine, and words indicating the singular import the plural.

**2.0 MEETINGS**

- 2.1 General meetings of the Branch shall be held at Branch Headquarters, 2000 Boulevard Curé-Labelle, Chomedey, City of Laval, at 14:00 hrs on the third Sunday of each month, with the exception of the months of July and August when no meetings shall be held. However, the General Meeting scheduled for the month of January shall be considered the Annual General meetings.
  - 2.1.1 The Order of Business at any General Meeting shall be as follows:
    - a) Opening Ceremony
    - b) Welcome to guests
    - c) Initiation of new members, acceptance of transfers and reinstated members.
    - d) Minutes - Previous General Meeting and acceptance thereof.
    - e) Minutes - Previous Executive Meeting and acceptance thereof.
    - f) Correspondence
    - g) Treasurer's Report

- h) Standing Committee Reports
- i) Special Committee Reports
- j) Unfinished Business
- k) New Business
- l) Adjournment
- m) Closing Ceremony

- 2.1.2 General Meetings shall start promptly at 14:00 hrs. and unless a motion to continue be accepted, such meetings shall adjourn not later than 16:00 hrs. of the same date. Unfinished new business shall be held over to the following General Meeting.
- 2.1.3 The President or Presiding Officer shall place a time limit, at his discretion, for debate on any motion. No member shall be permitted to speak more than once. However, upon appeal the Presiding Officer may grant a second hearing for clarification. When debate has ceased, he shall put this to a vote. In the event, however, of any member present demanding a ballot on any particular motion, such motion shall be decided by ballot.
- 2.1.4 At the June General Meeting, after the completion of the Meeting and before a motion for adjournment, a motion shall be called to authorize the Executive to conduct the business of the Branch during the summer recess, (namely the months of July and August). All expenditures must be approved by a quorum plus one of the Executives. A full account of the funds expended shall be made at the September General Meeting for approval by the membership.
- 2.1.5 Both the new Executive (Elect) and the outgoing Executives (Incumbent) shall attend all meetings called during the transition period from February to May. All meetings shall be chaired by the newly elected President.
- 2.2 The Executive Committee may decide not to hold General Meetings during certain months in the year but no more than three calendar months may elapse without the holding of a General Meeting.
- 2.3 Special General Meetings may be called by the President or by the Executive Committee, and it shall be the duty of the Secretary to call a Special General Meeting on receipt of a request in writing signed by not less than fifteen members in good standing which shall state the reason that such a meeting shall be called.
- 2.4 No notice need be given of regular monthly General Meetings which are held on a predetermined day at a predetermined place and time, but notice of the date, time and place of Special General Meetings must be given in writing to the members at least seven days in advance. The notice calling a Special General Meeting shall state the purpose for which it is being held.

- 2.4.1 No written notice of cancelled meetings need be mailed to the membership, but Notice of a General Meeting cancellation shall be posted on the bulletin board in the Branch.
- 2.5 At General Meetings, Special General Meetings and the Annual General Meeting of the Branch, a quorum shall be fifteen members in good standing and not less than three Executive Officers of the Branch.
- 2.6 The Annual General Meeting shall be held in lieu of the January General Meeting of the Branch in each year, for the presentation of reports, for the submission and consideration of unaudited financial statements for the year which ended thirty-first day of December, for the appointment of external auditors, and for the transaction of any other business which may be properly submitted before the meeting. At this meeting, the Executive Committee shall submit their reports, in writing, which shall include the reports on these committees for which they were responsible.

### **3.0 OFFICERS AND EXECUTIVE COMMITTEES**

- 3.1 The Branch Officers shall be the President, the First Vice-President, the Second Vice-President, the Third Vice-President, Secretary, Treasurer, Sergeant-at-Arms, Service Officer and the Immediate Past President.
- 3.2 With the exception of the President, any two of these Officers may be combined in the same person but no one person may hold the office of First and Second Vice-President.
- 3.3 The Executive Committee shall consist of the Officers plus three elected Executive members. A majority of its members shall be a quorum.
- 3.4 The Executive Committee shall meet at least once monthly in the week prior to the General Meeting or on a day fixed by the Committee or at the call of the President, for the passing of accounts, the transactions of current business, the examination and discussion of any suggestions made to them for the general welfare of the Legion and the Branch and such other business as may be introduced.
- 3.4.1 A Special Executive Meeting may be called at any time by the President.
- 3.5 The Executive Committee shall have all the powers of the Branch, except the power to rescind, alter or add to these By-Laws.
- 3.6 The Executive Committee may hire, suspend or dismiss any salaried employee or volunteer worker, and in the absence of a written agreement he shall be deemed to be employed on a monthly basis. The Committee shall establish the duties and fix the remuneration of any member who is to receive, directly or indirectly, any salary or wages for or on account of any service rendered to the Branch. All salaried

employees must be bonded.

3.6.1 The Executive Committee shall enter into contract for normal janitorial, maintenance, accounting and all other services. Such contracts may be entered into for a period not to exceed one year (1 yr.) with a provision for either party to vacate the contract after thirty (30) days written notice without penalty.

3.7 Should any member of the Executive Committee be absent from three consecutive meetings of either the Committee and/or the Branch without an excuse satisfactory to the other members of the Committee, he shall, if a resolution to that effect is passed by the Committee after notice to him, cease to hold office.

#### **4.0 VACANCIES - OFFICERS AND EXECUTIVE COMMITTEE**

4.1 In the event of the resignation, death or permanent incapacity of the President, he shall be succeeded by the First Vice-President.

4.1.1 In the event of the resignation, death or permanent incapacity of the First Vice-President, or in the event of the First Vice-President having succeeded to the Presidency, the succession to the office of First Vice-President shall be the Second Vice-President and after that the Third Vice-President.

4.2 Any vacancy in the Executive Committee shall be filled by this Committee from any member in good standing of the Branch and approved by the General Meeting.

#### **5.0 DUTIES OF OFFICERS**

5.1 The President shall preside at all meetings and enforce order and strict observance of the By-Laws. He shall exercise a general supervision and control over the officers and business of the Branch and shall call meetings of the Executive Committee, or the Branch, when he considers it advisable. He shall transact such other business as may be custom appertaining to his office, and he shall have the casting vote when there shall be an equal division on any question. He shall be ex-officio a member of all Committees.

5.2 In the absence or inability of the President, all the rights and powers vested in the President shall, for the time being, be vested in the First Vice-President. In the absence or inability of the President and all Vice-Presidents, at any meeting duly called, the Secretary shall call the meeting to order and the item of business shall be the election of a Chairman for that meeting.

5.3 The Secretary shall keep a record of the proceedings of all meetings, whether of the Branch or of the Executive Committee, in special books kept for that purpose. The Secretary shall be required, at every business meeting, to have with him/her the

proper minutes and record books and correspondence which he/she may have in his/her possession, relative to the business likely to be transacted at any meeting. The Secretary shall be custodian of the Seal of the Branch and shall perform such other duties as may, from time to time, be assigned to the office. The seal shall remain in the branch at all times.

- 5.4 The Treasurer shall keep a just and true account of all monies received and paid out by the Branch, and all its financial transactions of any and every kind whatsoever, including always a full and complete statement of the credits and liabilities of the Branch. The Treasurer shall submit a detailed balance sheet and statement of receipts/disbursements arranged in proper and business-like style, from time to time, as required by the Executive Committee, and the books shall be available and shall be open to the inspection of the Auditors, and any Branch member in good standing, the Executive Committee and the Board of Trustees at all times.
- 5.5 The First, Second and Third Vice-Presidents duties will be assigned by the President.
- 5.6 The primary function of the Past President shall be that of an adviser to the incumbent administration.
- 5.7 The Sergeant-at-Arms is responsible for all ceremonial functions, including the presentation of the Colors at Meetings and Legion Parades. He is also the Conducting Officer at Installation Ceremonies. He shall ensure that the governing House Rules of the Branch are adhered to.
  - 5.7.1 In the absence of the Sergeant-at-Arms, the person responsible for the bar shall assume some responsibilities and authority of the Sergeant-at-Arms.
- 5.8 The Service Officer's responsibilities are outlined in the reference manual entitled "Service Officer Handbook", as published by Dominion Command of The Royal Canadian Legion.
- 6.0 **FINANCIAL**
- 6.1 The fiscal year of the Branch shall be the calendar year.
- 6.2 All funds of the Branch shall be deposited in an account, or accounts opened and maintained in the name of the Branch in a chartered Canadian Bank, Caisse Populaire, Credit Union, or Trust company designated by resolution of the Executive Committee.
- 6.3 Cheques shall be signed by the Treasurer and President and/or a Vice-President against the General Account. No Officer shall sign a cheque in blank.
- 6.4 All payments by the Branch in excess of \$100.00 shall be paid by cheque. Less than



\$100.00 may be paid through the petty cash, at the discretion of the Treasurer.

6.4.1 No amount in excess of \$250.00 may be spent by any member or members of the Executive Committee without first being presented to the membership at a General Meeting for acceptance, except in the case of emergency repairs.

6.5 No Officer or member of the Branch shall have the right or power to enter into any contract or other form of commitment for, or on behalf of the Branch, unless such contract or commitment has been duly authorized by the Executive Committee or by Special or General Meeting of the Branch.

6.6 As soon as possible after the end of the fiscal year, the books of the Branch shall be Audited by the auditors as appointed at the Annual General Meeting and the audited statements given to the Branch Executive before March 31st., and the report of the Auditors shall be presented to the April General Meeting by the Board of Trustees.

## 7.0 COMMITTEES

7.1 The Executive Committee shall constitute such Standing or Special Committees as it considers necessary for the conduct of the business of the Branch as well as such Committees as have been authorized by a General Meeting. The Executive Committee shall appoint the members, designate the Chairman and establish or confirm the terms of reference.

7.2 All reports of Committees shall be presented in writing and signed by the members.

7.3 No member shall be obliged to serve on more than two Committees at one time.

## 8.0 BRANCH DUES

8.1 Branch Membership Dues shall be fixed for the following year at the September General Meeting and shall be due and payable on the first day of the year. Dues for the current year shall be paid by January 31st. and after this date a current membership card or Branch receipt must be presented in order to enjoy Branch Privileges or to attend any meeting of the Branch.

8.1.1 New members, Ordinary and Associate joining on or after July 1st, shall pay only half of the current dues. Any member who joins on or after September 1<sup>st</sup> in any year shall pay one-third of the current dues.

8.2 Dues and initiation fees must be deposited with an application for membership. These amounts will be returned if the application is not accepted.

## 9.0 ELECTIONS

- 9.1 The Elections will be by ballot and will be held under the direction and authority of a Chairman of Elections appointed by the Executive Committee, assisted by two scrutineers appointed by him. The Chairman of Elections and the scrutineers must be members of the Legion, but need not be members of the Branch.
- 9.2 Election Meeting: The Annual Election will take place at 14:00 hrs on the 3rd Sunday of February. The bar will be closed during the elections and only opened at the adjournment of the meeting.
- 9.3 Any member nominated for office who is present at the meeting, may if he so desires, declare his willingness to stand and if so, his decision will be recorded or he may declare his unwillingness to stand in which case the nomination will be deemed withdrawn.
- 9.4 To be eligible for elections as President, a member is required to have served one year on the Branch Executive. To be eligible for election to the Branch Executive a member is required to have held membership in the Branch for one full year.
  - 9.4.1 a) No member who has been nominated will be included in the ballot unless he declares his willingness to stand at the time of his/her nomination or
  - b) has advised the Secretary in writing that he is willing to stand.
- 9.5 The Offices will be filled in the following order: President, First, Second, and Third Vice-Presidents, Secretary, Treasurer, Sgt. at Arms and Service Officer. Then three of members of the Executive Committee as a unit.
- 9.6 The Procedures at the Elections shall be as follows: The Chairman shall call the office to be filled. He will then call for nominations from the membership and then proceed to the ballot, mentioning those who have declared themselves willing and eligible to stand. A majority vote will declare the nominee elected.
- 9.7 If there are no nominations for an office or if no one of the nominees is willing to stand, the Chairman will postpone the matter to the next Executive Meeting, when the Executive shall recommend a member or members to the office, who shall be elected at the following General Meeting.
- 9.8 After the final ballot, the Chairman of Elections will order the destruction of the ballots. He will call for a motion to this effect.
- 9.9 The newly elected officers shall be installed as soon as possible following the Election Meeting at a Special Branch ceremony called for the purpose.
  - 9.9.1 If one of the newly elected officers is unavoidably absent from the installation, he may assume his office subject to being installed as soon as possible.

9.10 No proxy voting will be accepted during the General Elections.

## 10.0 RULES

10.1 The Executive Committee may make, and from time to time amend, rules and regulations, governing the recreational and social activities of the Branch, its welfare and community projects. All such rules and regulations and amendments thereto shall be submitted for approval to the next General Meeting of the Branch.

## 11.0 BOARD OF TRUSTEES

11.1 Trustees to hold property on behalf of the Branch, as provided for in the General By-Laws, shall normally be elected at the February election Meeting. If they are to be elected at any other General Meeting, seven days notice of such meeting and of the election must be given.

11.1.1 The duties of the Board of Trustees shall be as follows:

- a) Monthly inventory and monitoring at all times of saleable merchandise in the Branch, with a report of discrepancies to the Branch Executive.
- b) Annual inventories of all movable property for insurance purposes, with a copy to the Branch Executive and a copy stored in the safety deposit box in the bank, as well as file copies for their use.
- c) Ensuring at all times, that fire protection is adequate and the installations, in particular electrical be in conformance with the law.
- d) In the event of Capital Expenditure on the part of the Branch, defined as a sum in excess of \$1,000.00, the Trustees shall call for three quotations and on receipt shall not be obliged to accept the lowest or any of these. They may go forward for further quotations. In any case, their recommendations shall be forwarded to the Executive for the membership approval before any money is spent or contracted, except in the case of emergency repairs.
- e) Cheques against the Operations Account shall be signed by the Treasurer and the Chairman of the Board of Trustees or an elected alternate.

11.2 The Board of Trustees shall consist of five members elected as follows:

- a) The Chairman for three years.
- b) Four members for two years.

For the purpose of continuity, the elections in b) category shall consist of two members elected alternate years.

11.2.1 Members in category b) when their period in office expires may stand for re-election in a higher category, otherwise, nominations will be called and an election held.

11.2.2 To be eligible for election to the Board of Trustees, the nominee must have been a member of the Branch for one full year prior to elections.

11.3 The Board of Trustees is considered the guardians of the Branch property and as such will work closely in conjunction with the Executive. The Chairman shall report to the Branch President on items detailed in preceding paragraph 11.1.

## 12.0 MISCELLANEOUS

12.1 If any member or members of the Branch willfully or negligently damage the property of the Branch, the Executive Committee shall assess the amount of such damage, and the amount so assessed shall be paid to the Branch by such member or members. Such member or members shall be barred and considered "Persona non Grata" to the Branch until all the outstanding amount is repaid to the complete satisfaction of the Branch Executive.

12.2 Questions of procedures arising at a meeting which are not covered or dealt with in the Constitution, the General By-Laws or in official Legion publications shall be settled by reference to Roberts Rule of Order.

## 13.0 AMENDMENTS

13.1 These By-Laws shall be amended by additions, deletions or alterations, by vote at three consecutive General Meetings of the Branch after which they shall be accepted. Such amendments must be accepted and promulgated by Provincial Command.

