

**Manitoba and Northwestern Ontario Command
of
The Royal Canadian Legion**



**Manual of Information
for the use of
Branch, Zone, District
and
Command Officers
January 2003**

Part VII Command Executive Council updated May 6, 2004
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FOREWORD

This Revised Manual of Information is intended to supplement all other Legion manuals and Publications. Where there is a conflict in the information found in this manual and the information supplied by Dominion Command, that supplied by Dominion Command shall take precedence. The By-laws of Dominion Command and this Command shall take precedence over this manual. Amendments made to Dominion and Provincial Command By-laws by conventions will outdate sections of this manual and owners are advised to delete or amend such sections as necessary.

Where the context requires -

- (a) Masculine words include the feminine
- (b) Singular words include the plural.

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TABLE OF CONTENTS

PART I.....	6
THE BRANCH.....	6
<i>BRANCH AUTONOMY</i>	6
<i>BRANCH PRESIDENT</i>	7
<i>BRANCH IMMEDIATE PAST PRESIDENT</i>	7
<i>BRANCH VICE-PRESIDENTS</i>	8
<i>BRANCH SECRETARY</i>	8
<i>BRANCH TREASURER</i>	9
<i>BRANCH EXECUTIVE COMMITTEE</i>	9
<i>BRANCH SERVICE OFFICER</i>	10
<i>BRANCH CHAPLAIN</i>	12
<i>BRANCH SERGEANT-AT-ARMS</i>	12
<i>BRANCH BY-LAWS</i>	12
<i>BRANCH ELECTIONS</i>	13
<i>COMMITTEES</i>	13
<i>QUORUM</i>	14
RULES OF ORDER AT BRANCH MEETINGS.....	15
<i>DUTIES OF BRANCH CHAIRMAN</i>	15
<i>POWERS AND RIGHTS- WITH RESPECT TO THE HOLDING OF PROPERTY</i>	16
<i>PROCEDURE FOR SURRENDER OF A CHARTER BY A BRANCH OR A LADIES'</i>	17
<i>AUXILIARY TO A BRANCH</i>	17
<i>PROCEDURE FOR THE AMALGAMATION OF BRANCHES</i>	18
<i>BRANCH LADIES AUXILIARIES</i>	19
<i>PROVINCIAL COUNCIL - LADIES AUXILIARIES</i>	19
<i>BRANCH FINANCIAL YEAR AND AUDIT</i>	19
<i>BRANCH POPPY CAMPAIGNS</i>	20
<i>THE BRANCH POPPY FUND</i>	20
<i>PUBLIC STATEMENTS ON LEGION POLICY</i>	21
<i>AREA OF BRANCH JURISDICTION</i>	21
<i>BRANCH RESOLUTIONS FOR PROVINCIAL CONVENTIONS</i>	21
<i>BRANCH RESOLUTIONS FOR DOMINION CONVENTION</i>	21
<i>BRANCH DELEGATES TO PROVINCIAL COMMAND CONVENTIONS</i>	21
<i>BRANCH DELEGATES TO DOMINION CONVENTIONS</i>	22
<i>VISITS TO BRANCHES-BY COMMAND OFFICERS</i>	22
PART II.....	23
MEMBERSHIP	23
LIFE MEMBERS	23
BRANCH HONORARY PATRON:	24
PER CAPITA TAX AND BRANCH DUES	24
MEMBERSHIP APPLICATION FORMS	24
PROCESSING OF MEMBERSHIP APPLICATION FORMS	25
TRANSFERS	25
PART III.....	25
APPLICATIONS FOR AWARDS	25
<i>i.e. LIFE MEMBERSHIPS, MERITORIOUS SERVICE MEDAL. PALM LEAF TO M.S.M.</i>	25

PART IV.....	26
PROCEDURE FOR HANDLING COMPLAINTS AND APPEALS.....	26
<i>Notes for Committees appointed to hear complaints for consideration Prior to, and during the hearing.</i>	<i>26</i>
<i>Notes for Hearing of a Complaint.....</i>	<i>27</i>
COMPLAINTS AND APPEALS PROCEDURES.....	29
THE FOLLOWING ARE EXAMPLES OF:.....	31
FINAL MEDIATION AGREEMENTS,.....	31
- BOTH RESOLVED OR TERMINATED.....	31
ALSO: LETTERS SENT TO;.....	31
- COMPLAINING MEMBER,.....	31
- MEMBER COMPLAINED AGAINST,.....	31
- COMMITTEE MEMBERS,.....	31
- WAITING MEMBERS, ETC.	31
PART V.....	40
THE ZONE	40
ZONE CONVENTIONS.....	40
ZONE COUNCIL.....	40
THE ZONE COMMANDER.....	40
DEPUTY ZONE COMMANDER.....	42
ZONE FINANCES.....	42
VACANCIES IN ZONE OFFICES	42
ABSENCES OF ZONE OFFICERS FROM MEETINGS.....	43
WHEN ZONE OFFICERS ASSUME DUTIES.....	43
PART VI.....	43
THE DISTRICT.....	43
SCHOLARSHIPS AND BURSARIES.....	43
DISTRICT-CONVENTIONS.....	44
DISTRICT COUNCIL.....	44
VOTING AT DISTRICT CONVENTIONS.....	44
DISTRICT COMMANDERS.....	45
DEPUTY DISTRICT COMMANDER.....	45
VACANCIES IN DISTRICT OFFICES.....	45
ABSENCES OF DISTRICT OFFICERS FROM MEETINGS.....	45
WHEN ELECTED OFFICERS ASSUME DUTIES.....	46
INSTALLATION OF DISTRICT COMMANDERS.....	46
COMMAND POLICY RE: EXPENSES.....	46
PART VII.....	46
PROVINCIAL COMMAND.....	46
COMMAND EXECUTIVE COUNCIL.....	46
COMMAND SUB-EXECUTIVE COMMITTEE.....	47
COMMAND STANDING COMMITTEES.....	47
SPECIAL COMMITTEES.....	47
COMMAND CONVENTION.....	47
INSTALLATION OF OFFICERS.....	48
APPLICATIONS TO HOST COMMAND CONVENTIONS.....	48
COMMAND HEADQUARTERS.....	48
COMMAND COLOUR PARTY.....	49
COMMAND SERVICE BUREAU.....	49

PART VIII.....	49
THE "LEGION" MAGAZINE	50
PART IX.....	51
LAST POST FUND.....	51
PART X.....	52
VETERANS' ENTITLEMENTS	52
SERVICE BENEVOLENT FUNDS	52
<i>Royal Canadian Navy Benevolent-Fund.....</i>	<i>52</i>
<i>Army Benevolent Fund.....</i>	<i>52</i>
<i>Royal Canadian Air Force Benevolent Fund.....</i>	<i>52</i>
<i>Allied or Commonwealth Benevolent Funds</i>	<i>52</i>
<i>Method of Application</i>	<i>52</i>
VETERANS LAND ACT.....	53
ORGANIZATIONAL CHART OF THE ROYAL CANADIAN LEGION	54
ORGANIZATIONAL CHART OF THE MANITOBA AND NORTHWESTERN ONTARIO COMMAND OF THE ROYAL CANADIAN LEGION.....	55
PART XI.....	56
QUESTIONS AND ANSWERS	56
WHAT PRECEDENCE IS USED WHEN BRANCHES USE THREE COLOURS ONLY, I.E., NATIONAL FLAG, UNION JACK AND BRANCH BANNER?.....	62

FOR HISTORICAL INFORMATION ONLY

MANITOBA AND NORTHWESTERN ONTARIO COMMAND
Of
THE ROYAL CANADIAN LEGION
MANUAL OF INFORMATION FOR THE USE OF BRANCH,
ZONE, DISTRICT AND COMMAND OFFICERS

PART I

THE BRANCH

BRANCH AUTONOMY

The primary unit of the Legion is the Branch and each Branch exercises autonomy with regard to its affairs. The Branch has power to make By-laws and regulations to govern its activities so long as they are consistent with the Act to Incorporate, General By-laws of The Royal Canadian Legion and the By-laws of the Manitoba and Northwestern Ontario Command. Before taking effect, Branch By-laws or amendments shall have prior approval by Provincial Command.

Any Branch may sue or be sued in its own name.

The channel of communication shall be from the Branch Secretary to Provincial Command.

Dominion and Provincial Commands do not have rights in the assets of any Branch, nor are the Commands liable for any debts or obligations of any Branch. However, the assets and liabilities of a Branch whose Charter has been suspended are turned over to Provincial Command in trust, to be disposed of in accordance with Dominion Command General By-laws.

Branches are empowered to borrow money upon their own credit, issue bonds or debentures, mortgage real or personal property, and invest their funds in such manner as they deem advisable, but shall not appeal to the public or Legion membership, beyond the area over which the Branch has jurisdiction without Provincial Command approval.

A Branch, except in the course of the ordinary and usual activities of the Branch, *the branch or the trustees*, 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. It should be pointed out that the Provinces of Ontario and Manitoba both have statutory provisions concerning the sale of real property. These must be taken into account. As statutes are amended from time to time you must be sure of your position.

HOWEVER, ALL AFFAIRS OF BRANCHES SHALL BE OPERATED IN SUCH A MANNER THAT THEY DO NOT CONFLICT WITH THE ACT TO INCORPORATE, DOMINION BY-LAWS AND PROVINCIAL BY-LAWS.

BRANCH PRESIDENT

The President is the chief Executive Officer of the Branch. If the Branch does not have an elected or appointed Chairman the President is by virtue of his office, the presiding officer at all its meetings.

The President typifies to the community the Branch itself, that he is its representative as well as its leader. He personifies and represents the Branch, declaring its will. While he exercises leadership, he also accepts direction from the Branch with dispatch. He must become familiar with legion by-laws and regulations and direct his executive committee to do the same.

The President sets an example of fairness, courtesy and obedience to the rules, enforces order and strict observance of the By-laws. He calls the meeting to order promptly at the specified time, provided a quorum is present, announces the business, states and puts all questions brought before the meeting. He informs the members on points of order, preserves order and controls debate. When presiding he takes no part in the debate. If, for any reason, he wishes to take part in the discussion, he shall vacate the Chair temporarily to the next ranking officer present, and does not resume the Chair until the question at issue has been disposed of. He guides the debate but does not dominate it. He exercises his authority to terminate aimless discussion, and his rulings are given with accuracy, firmness, confidence, and discretion.

The President is, by virtue of his office, an ex officio member of all Committees.

The President is by the General By-laws of this Command a member of Zone Council and is, therefore, obligated to attend all its meetings as well as Zone Meetings. If the President is unable to attend he should appoint a member of the Branch Executive Committee to attend on his behalf.

The President is also responsible to ensure that the Branch is fully represented at Zone and District Meetings.

BRANCH IMMEDIATE PAST PRESIDENT

The President becomes the immediate Past President when his successor assumes office. A president who resigns shall not be permitted to continue on the Executive Committee as Immediate Past President, such position shall be filled in accordance with the General By-laws.

The Immediate Past President is by virtue of his office a member of the Branch Executive Committee and enjoys the same rights and powers as the other elected members of that Committee. This automatic appointment provides for the continuity of administration. His knowledge and experience is thus not lost to the Branch. The Immediate Past President may be appointed to chair one or more Committees.

Any immediate past president who is absent from three (3) consecutive meetings of either the executive or the branch, or a combination of both, without due cause shall cease to hold office. Gen. By-laws Section 614 (b).

BRANCH VICE-PRESIDENTS

There may be one or more Vice Presidents, and their importance should not be underestimated. The Vice Presidents are usually appointed to chair one or more important committees.

In the absence of the President all rights and powers vested in him are for the time being transferred to the Vice President, or if there is more than one, then according to seniority of office. Such Vice President then sits as presiding officer or otherwise represents the Branch.

BRANCH SECRETARY

The office of Secretary is a very important one. In fact, he is the "key person" in any organization. The Secretary is the "doer" and carries out the directives of the Branch and Executive Committee.

The Secretary is responsible for keeping a complete and accurate record of business transacted at all general, special and executive meetings.

The essentials of the record are:

- (a) The kind of meeting (regular, special, executive).
- (b) The time, place and date of meeting.
- (c) Name of presiding officer and those of the other officers and executive members present.
- (d) Disposition of the minutes of the previous meeting *and correspondence received since the last meeting*.
- (e) The names of the movers and seconders of motions, the motion written out fully, and a notation indicating whether the motion was carried or not carried, together with a short resume of the discussion that took place.
- (f) Time of adjournment.

While the Minutes are a record of things done, or to be done, and not a record of what has been said, it is advisable to give a short outline of the discussion out of which the motion arose. This will refresh the memory of members when the minutes are read at the next meeting.

When the minutes of the previous meeting have been adopted, they should be signed by the President, Secretary, and dated.

The Secretary receives and replies to all official correspondence promptly after consultation with the proper authority.

The Secretary carries out his duties in accordance with the wishes of the Branch and Executive Committee.

Before a meeting, it is the responsibility of the Secretary to see that all members are advised in ample time as to the nature of the meeting, the date, time and place clearly stated.

The Secretary and President prepare an agenda for the use of the President or Chairman.

The Secretary shall have on hand at the meeting the Minute Book, correspondence, By-laws, and other records pertinent to the business of the meeting.

At the request of the Chair the Secretary shall read the minutes of the previous meeting, and the correspondence, and shall reply to points of information.

The Secretary shall complete all forms, reports, questionnaires and advise the Executive Committee of all circulars and directives received from all Legion levels. If the Branch has a Service Officer such forms, etc. shall go to such Service officer if related to the Service work of the Branch.

The Secretary shall advise the Provincial Command Secretary the names of the Branch President, Secretary, Treasurer, Service officer and Membership Chairman immediately following their election or appointment.

If the Secretary is a full time or regular part time employee of the Branch receiving salary or wages for services, the Secretary is not eligible to hold an executive position or vote at Executive meetings and can only speak on a topic when asked.

BRANCH TREASURER

The responsibility of the Treasurer is to keep a true and accurate account of all monies received and paid out by the Branch.

The Treasurer shall deposit funds of the Branch in a Chartered Bank, Trust Company or Credit Union designated by the Branch.

The Treasurer shall keep the books of account current and be ready to produce them when called for by the Branch or the Branch auditors.

Cheques issued shall bear the signatures of two of the persons authorized to sign on behalf of the Branch by the Executive Committee. No cheques shall be signed in blank. All cheques should be pre-numbered.

Those authorized to sign cheques or handle Branch funds shall be bonded in an amount determined by the Executive Committee.

The Treasurer shall make a financial report at such intervals as considered necessary by the Branch.

BRANCH EXECUTIVE COMMITTEE

The Executive Committee is the governing body of the Branch, between General Meetings. All recommendations made must be approved at the next General Meeting.

The Executive Committee is composed of the President, Immediate Past President, the Vice President(s) and the elected members necessary for the successful operation of the Branch. The Executive Committee shall be responsible for the execution of policies authorized by the general membership, providing such policies are consistent with the General Bylaws, rules, and principles of The Royal Canadian Legion. All new business requiring the approval of a General Meeting should be considered by the Executive Committee prior to the presentation to the members for approval.

Any member who is a full time or regular part time employee of The Royal Canadian Legion shall not be eligible to hold any elected Executive Office.

Two methods of electing members to the Executive Committee are commonly used in Legion Branches.

The first, which is the more common method, is for the Branch to decide upon the size of the Executive Committee and to incorporate this into its Branch By-laws. The Executive Committee members are then elected at the Annual General Meeting.

The second method is to elect one member from the floor to chair each Standing Committee. The number of Standing Committees in this case determines the number of Executive Committee members.

If the first method is used, the Executive Committee as a group appoints the various elected members to chair the Branch Committees taking into consideration the suitability of each member. It is not a hard and fast rule that Committee Chairmen shall be appointed from the membership of the Executive Committee, but it is advisable that the executive members be given jobs to do, the Executive is then more closely acquainted with the work being done by the various committees.

After determining the chairmanships of the various committees it is the duty of each chairman to appoint members to their committees and carry out the work assigned to them.

Each Committee Chairman should report on his Committee's activities at the Executive and General Meetings of the Branch.

BRANCH SERVICE OFFICER

The Branch Service Officer is usually appointed from the membership. He will be a member to the Poppy Committee.

All cases of distressed veterans, widows and dependents shall be directed to him. Matters regarding entitlement to pensions, War Veterans Allowances, treatment, hospitalization, etc., are also referred to him.

The Service Officer should acquaint himself with all legislation affecting ex-service personnel and their dependents so that he can ably assist them and their dependents. Generally speaking benefits available fall into four main classifications:

- (1) Disability pensions, other pension benefits and Civilian War Pensions;
- (2) War Veterans Allowance (W.V.A. - sometimes referred to as the Burnt Out Pension), Civilian War Allowances, and Veterans Independence Benefits;
- (3) Treatment or Burial; and
- (4) Benevolent Funds - Army, Navy, Air Force and Imperial Benevolent Fund - more information on these funds may be found in another part of this manual.

Federal, Provincial and Municipal Benefits should also be considered, including Old Age security and Old Age Assistance.

Disability Pensions - (Wartime, Special Forces or Special Duty Areas). Pension entitlement is awarded to or in respect of members of the forces when death, injury or disease or aggravation resulting in a disability was attributable to or incurred during such service.

Peace Time Service (Non-Permanent Active Militia, Reserves during World War II or Military Service in Peace Time)

When the injury or disease or aggravation thereof resulting in disability or death arose out of or was directly connected with such military service, pension entitlement may be awarded.

- (a) Wartime;
- (b) Korea (Special Force); and
- (c) Special Duty areas such as Egypt, Lebanon, Israel, Syria, Jordan, Congo, Cyprus, Yugoslavia, Afghanistan, International border between Pakistan and India, etc.

There are certain Special Benefits, such as Supplementary Pensions (Allied Forces), exceptional Incapacity Allowance, Ex-Prisoners of War, Attendant's Allowance, Clothing Allowance, Gallantry Awards, and burial expenses.

The Royal Canadian Naval Benevolent Fund is for all naval personnel, including peacetime service, who served in the Royal Canadian Navy (Regular Force).

The Army Benevolent Fund is for the benefit of army Veterans of World War II (1 September 1939 to 30 September 1946) and their dependents.

The Canadian Forces Personnel Assistance Fund provides assistance to ex service personnel who were enrolled in the Canadian Army since October 1, 1946 to the present and in the Canadian Forces since 1 February 1968, and their dependents.

The Royal Canadian Air-Force Benevolent Fund is for all Air Force personnel including peacetime service.

Imperial Benevolent Fund was set up for all Imperial Veterans.

Applications for benevolent funds are usually made because of an emergency financial situation. Therefore, it is essential to give adequate initial information immediately to save unnecessary delay. The following information will be useful.

- (1) Service eligibility - i.e. Service number, Unit or Corp, date of enlistment, date of discharge and theatre of service';
- (2) Proof of distress - Provide a short statement of the problem to the Service officer, an estimate of costs for services to be performed;
- (3) Financial statement - Should be included in Item (2)
- (4) Reviewers Recommendations

BRANCH CHAPLAIN

One or more Chaplains may be elected or appointed. The Chaplain is vested with the spiritual leadership of the branch.

The Chaplain should enjoy the confidence of the President and other duties compatible with his office as the President may request.

The Chaplain is a member of the Executive Committee as he is elected or appointed, unless branch by-laws state otherwise.

BRANCH SERGEANT-AT-ARMS

Dependent upon provisions of the Branch By-laws, the Sergeant-at-Arms may be appointed or elected.

When on duty his position is at the entrance door of the hall or meeting room. He assists the President in maintaining order during the meeting. He ensures that only those who are entitled may attend, and to perform other duties assigned to him by the President.

The Sgt-at-Arms ensures that the Colour Party carries the appropriate colours.

When escorting dignitaries, the escort at all times will be on the left hand side.

BRANCH BY-LAWS

Every Branch has the authority to enact By-laws to regulate its affairs. However, before taking effect they shall be approved by the Provincial Command.

All Branch By-laws shall be consistent with the provisions of the Act of Incorporation, General By-laws of The Royal Canadian Legion, and General By-laws of Manitoba and Northwestern Ontario Command.

In the event there is any conflict in the provisions between Branch and a Superior Command By-laws, the provisions contained in the By-laws of the Superior Command shall apply.

If a Branch does not have By-laws or have missed certain points in branch by-laws that were duly approved by Provincial Command, the Branch By-laws shown in Appendix "A" of the By-

laws of Manitoba and Northwestern Ontario Command shall be the By-laws of the Branch, and Branches are required to regulate their affairs in accordance with the provisions of the said Appendix "A".

BRANCH ELECTIONS

Election of Branch Officers and Executive Committee shall be held at a General Meeting of the Branch. All members shall be made aware of the date of this meeting.

It is usual to appoint a Nominating Committee at least one month prior to the holding of the election meeting. This Committee is instructed to bring in a slate of officers and executive committee members.

The names brought in by the Nominating Committee are placed in nomination at the meeting and further nominations are requested from the floor by the Chairman. The Nomination Committee members shall not be nominated by the Committee. There are no proxy votes allowed at Branch level.

The duties of the Nomination Committee cease upon the filing of their final report which shall be prior to any election. Nothing shall prevent a member of the nominating committee from being nominated from the floor after its final report has been given.

Nominations do not require to be seconded, nor should a motion to close nominations be accepted by the Chair. The Chair should call three times for nominations to each office and then declare that nominations are closed.

The General By-laws of the Legion require that only ordinary, life, Associate and Affiliate Voting members are eligible to vote and hold elected office. Meritorious Life may vote at Branch level only. No person may be nominated unless he is present at the meeting or has signified in writing his willingness to accept such office.

No member who is a full time or regular part time employee of the Branch or Command who receives any salary or wages for any service rendered is eligible to hold any Executive Office.

It is usual to carry out the election of officers by secret ballot, with scrutineers being appointed to distribute ballots, recover them from the members after they have been marked, count them, and the Chairman announce the successful candidate. It is not usual for the number of votes accorded the candidates to be announced unless a motion to that effect is received from the floor and approved by the meeting. Following the elections, the Secretary should record the results of the election. A motion to destroy the ballots shall be entertained by the Chair at the close of the elections.

COMMITTEES

The Branch President is wholly responsible to present each Committee Chairman with explicit guidelines and terms of reference for its operation.

The purpose of the Committee is to do all the preliminary work on matters to be prepared for action. There are two types of committees - Standing and Special.

A Standing Committee is usually wholly or partially elected or appointed annually, and it is immediately organized by electing a Chairman. The Committee report periodically on everything referred to it, and continues to function until the next annual meeting when it is reorganized by electing or appointing its personnel to carry out its work in the succeeding term.

A Special or Ad Hoc Committee is appointed for a specific purpose and continues to exist until the duty assigned to it is accomplished, when the Committee is then dissolved.

In small Special Committees the Chairman usually acts as Secretary, but in larger ones, and in the case of all Standing Committees, it is customary for the Committee to elect a Secretary.

It is the duty of the chairman to call his Committee together, but if he is absent or neglects to call a meeting it is the duty of the Committee to meet on the call of a majority of its members.

During deliberations of the Committee no one has a right to be present except the members of the Committee, subject to the right of the Committee to invite others to attend for the purpose of giving necessary information to the Committee. Where this is done the Committee should consider the matter in question and come to a decision after the invitees have left the meeting.

The general formalities of meetings are not necessary in Committee sessions. Instead of the Chairman refraining to speak on questions, he is often the most active participant in discussion and the work of the Committee.

It must be remembered that the President of the Branch is a member of each Committee, whether Standing or Special, by virtue of his office.

QUORUM

A quorum is the minimum number of members who must be present, and shall be maintained throughout the meeting, in order to constitute a valid meeting in order that business may be legally transacted.

In the Manitoba and Northwestern Ontario command, any Branch which does not have its own By-laws shall abide by the provisions of Appendix "A" of the General By-laws of Manitoba and Northwestern Ontario Command. This appendix provides that a majority shall form a quorum at all meetings of the Executive committee. Quorums for all other meetings of the Branch shall be set by resolution at the Branch Annual Meeting.

Quorums are established in Command approved Branch By-laws. A majority shall form all meetings of the Executive Committee.

Quorums for all other meetings of the Branch shall have a set number to form a quorum by resolution, the Branch Annual Meeting.

If by chance the Branch has invited a Guest Speaker, who is present at the meeting, and there are not sufficient members present to constitute a quorum the scheduled meeting may only conduct the opening and closing exercises. In addition, new candidates for membership may be initiated. The Guest Speaker may make his presentation. The only motion which can be accepted at the meeting is a motion to adjourn the meeting. There is no objection to an informal discussion with the speaker on his topic or any other topic. (Remember no commitment of the Branch can be made to do, or not to do, whatever was intended) It is preferable to have the discussion, if any, after the meeting is concluded.

IT IS IMPORTANT THAT THE QUORUM FOR MEETINGS BE FIRMLY ESTABLISHED. MANY BRANCHES MEET WITH ONLY A SMALL PERCENTAGE OF THEIR MEMBERS PRESENT. THEY MAY PASS VERY IMPORTANT MOTIONS, SOME SPENDING THOUSANDS OF DOLLARS. HOLDING MEETINGS WITHOUT A QUORUM PRESENT IS UNCONSTITUTIONAL.

RULES OF ORDER AT BRANCH MEETINGS

The General By-laws of The Royal Canadian Legion provide that in all matters of procedure not provided for by the Bylaws of the Branch, the provisions of the Legion booklet "Rules of Procedure for Legion Meetings" shall apply. The Branch President should make himself thoroughly acquainted with By-laws and the "Rules of Procedure for Legion Meetings".

Copies of the "Rules of Procedure for Legion Meetings" may be purchased from Dominion Command Office. "Robert's Rules of Order" may be purchased at most stationery and book stores.

The Legion is not a debating society, nor is it a business organized for profit. Its purpose is service to the men and women who were engaged in war and to the dependents of those who were killed or suffered disabilities, and further to assist in any manner possible the society in which we live. To govern a meeting of such a democratic organization the Chair shall apply the rules with discretion and should be influenced in his judgements by the principle involved rather than by the letter of the law.

DUTIES OF BRANCH CHAIRMAN

The main duties of the Chairman, whether appointed or elected, including the Branch President when in the Chair, are:

1. To have in his possession an agenda for the meeting. The agenda should be prepared by the Secretary and President together. The purpose of the agenda is to make sure that no business is forgotten or overlooked.

A typical agenda takes the following form:

- (1) opening Ceremony; (see Ritual & Insignia manual)
- (2) Introduction of Guests;
- (3) Applications for Membership and initiation of New members;

- (4) Admission of Transferred and Reinstated members.
- (5) Minutes of last General Meeting and intervening meetings and business arising therefrom;
- (6) Report of the Treasurer;
- (7) Correspondence;
- (8) Reports of Standing Committees;
- (9) Reports of Special Committees;
- (10) General Business and New Business;
- (11) General Welfare of the Branch and/or Legion;
- (12) Special Feature (speaker, film, etc.);
- (13) Motion of Adjournment;
- (14) Closing Ceremony (see Ritual & Insignia manual)

2. To ascertain that a quorum is present
3. To observe all ceremonies customary to Legion meetings;
4. To establish the correctness of the minutes of the previous meeting(s);
5. To enforce the observance of all rules for the orderly conduct of the meeting;
6. To exercise tact and Judgment at all times;
7. To put the question on every motion when debate on the motion is complete and to declare the will of the meeting expressed in the vote;
8. To give every member present reasonable opportunity of participating in discussion of the question before the meeting;
9. To refuse any member the opportunity to engage in discussion of political Policies or religion;
10. To preserve order, and if necessary, order any disorderly member to retire from the meeting. The Chairman may instruct the Sergeant-at-Arms to remove any disorderly person, and he should not proceed with further business until this order is complied with;
11. To abstain from expressing his personal opinion on any matter under discussion except when the matter pertains directly to a question of order;
12. To assure that complete and accurate records of the meeting are kept;
13. To state each motion clearly as it comes before the meeting; if the motion requires seconding he shall not state the motion until it has been seconded;
14. To refuse to entertain motions that are meant to prolong the meeting or are frivolous;
15. To speed the business of the meeting without infringing on the rights of members;
16. To ensure that the Sergeant-at-Arms is on duty to assist in maintaining order, ceremonials, etc.

POWERS AND RIGHTS- WITH RESPECT TO THE HOLDING OF PROPERTY

Real property belonging to the Branch shall be held in the name of such Branch.

Both Manitoba and Ontario permit property to be registered in the name of the Branch. The advantage of title in the name of the Branch is that present members can deal with the property directly. The provisions of dealing with property in the name of the Branch may vary

in the two provinces. However, if you are dealing with real property your lawyer can advise in this regard.

PROCEDURE FOR SURRENDER OF A CHARTER BY A BRANCH OR A LADIES' AUXILIARY TO A BRANCH

1. Requires a Notice of Motion at a General or Special General Meeting, that "the Charter be surrendered".
Note: If a Special General Meeting is called for this purpose, the procedures specified in the "Rules of Procedure for Legion Meetings" shall be followed.
2. All members shall be notified of the Notice of Motion at least FOURTEEN (14) days prior to date of the General or Special General Meeting at which the motion of which notice was given is to be considered. Section 121 c. ii.
3. Copies of the Notice of Motion and the date of the meeting at which the motion is to be considered shall be forwarded to the Zone and District Commanders and the Provincial Secretary. In the case of the Ladies' Auxiliary, a copy shall also be forwarded to the Branch President.
4. At the meeting at which the motion is to be considered, prior to any vote being taken, the purpose, nature, and effect of the proposed transaction shall be explained and considered.
5. A Quorum shall be present and the number of voting members present shall be recorded.
6. The vote may be taken by a show of hands, by a standing vote, or by ballot, as provided in the By-laws of the Branch or Ladies' Auxiliary concerned. If there is no such By-law, the method of voting shall be determined by the meeting.
7. For the approval of the motion that "the Charter be surrendered", not less than two-thirds of the members present and entitled to vote must vote in favour of its adoption. The number of votes for and against the motion shall be recorded in the minutes of the meeting.
8. If the motion to surrender the Charter is approved the Charter shall not be surrendered until all real and personal property has been disposed of in accordance with the procedure specified in Article I of the General By-laws and approved by the Provincial Executive Council or the Provincial Sub-Executive Committee.
9. The Signing Officers of the Branch or Ladies' Auxiliary shall remain members of the Branch or Ladies' Auxiliary concerned until the Surrender of the Charter is finally approved by the Provincial Executive Council.

10. Upon the Surrender of the Charter, any assets concerned shall not be dispersed amongst the members.
11. Upon the surrender of the Ladies' Auxiliary Charter all its property shall remain the property of the Branch.
12. Upon the surrender of the Branch Charter its Ladies' Auxiliary Charter (if applicable) shall also be surrendered.
13. Upon final approval by the Provincial Executive Council of the Surrender of the Charter and the final disposition of its assets, the Charter shall be delivered to the Command District Commander who shall deliver it to the Provincial Secretary.
14. The Provincial Secretary shall issue a receipt for the Charter and if the Charter is for a Ladies Auxiliary shall advise the Secretary of the Ladies' Council of the receipt of the Charter.

PROCEDURE FOR THE AMALGAMATION OF BRANCHES

Step 1....Be familiar with the proper procedures to follow.

- 2....Both branches hold a special meeting and present three (3) resolutions
 - (a) to agree to amalgamate
 - (b) to agree on a new name for the amalgamated branch
 - (c) to nominate three (3) members as branch representatives

3....Both branches wishing to amalgamate - Deliver certified copies of the resolutions passed, to Provincial Command, together with branch charters and copy of the minutes of the Special General Meeting.

(At this point, the six nominees form the first executive of the new branch and shall draft new branch by-laws and co-ordinate any recommendations brought forward from the two branches.)

Provincial command responsibilities:

- 4.....Both branches will be instructed to transfer funds to the amalgamated branch
- 5.....Provincial command will advise Dominion Command of the amalgamation and request a new charter be drafted forthwith.

Branches responsibilities:

- 6.....Advise provincial command that all assets have been transferred to amalgamated branch under the new branch name.

(At this point, the branch shall adopt Provincial Command by-laws under Appendix 'A' until such time that their new branch by-laws are approved by Provincial Command.)

Provincial Command responsibilities:

7.....Being satisfied assets have been transferred; provincial command may forward the branch charters to Dominion command. Dominion command will then deliver the new charter to provincial command.

8.....Provincial Command will advise the branches to give notice to their members of the time and place of the inaugural Meeting. The charter of the amalgamated branch will be present at the inaugural meeting.

Branch responsibilities:

9.....Set a time and place of inaugural meeting and advise all members and Provincial Command.

10 ...The six (6) nominees will be the first executive committee of the amalgamated branch and the first order of business shall be:

- to have the branch members adopt new branch by laws.
- the members hold a regular election for a branch President and an Executive Committee and/or appoint the required number of chairmen needed to operate the branch.

(There is no requirement that the elected officers of the NEW branch must come from the six nominees of the first Executive.)

BRANCH LADIES AUXILIARIES

The General By-laws provide for the formation, control and operation of Ladies' Auxiliaries within the Provincial Command.

In the event of any differences arising between the Branch and its Auxiliary, the decision of the Branch is final.

PROVINCIAL COUNCIL - LADIES AUXILIARIES

The Ladies' Auxiliaries in this Command are organized into a Command wide organization known as the Provincial Council of Ladies' Auxiliaries of Manitoba and Northwestern Ontario Command. The objects of this organization are to co-ordinate the work of the Auxiliaries within this Command and co-operate with the Legion in all its purposes and objects.

Under the guidance of this organization District rallies are usually held during the spring of each year and a Provincial Convention is held at the same time and place as the Convention of Manitoba and Northwestern Ontario Command. District rallies are not confined to spring as there may be a good reason to hold a Rally at another time of year.

BRANCH FINANCIAL YEAR AND AUDIT

The financial year for all Branches is the calendar year (January 1st to December 31st) except where Branch By-laws state otherwise.

Each Branch is required to elect an Audit Committee who shall not be members of the Executive Committee. The Auditors may, if the Branch so decides, be chartered accountants and may or may not be Branch members.

The report of the Audit Committee shall be submitted not later than March 31st in the following year. In accordance with General By- Laws Section 617.

BRANCH POPPY CAMPAIGNS

One of the obligations and responsibilities accepted by a Branch when it is given its Charter is to organize and carry out each year a Poppy Campaign. The object is to raise funds for the relief of distress among Veterans and their dependents, and to preserve the memory of those who died in the service of their country.

To organize an effective campaign, plans should be made well in advance. The Branch President, together with his Executive Committee, shall select a Poppy Chairman and Committee as early in the year as possible. The branch Service Officer will be a member of the Poppy Committee. It is important that this Committee be composed of members suitable for this type of work.

In the case of larger Branches sub-committees could be appointed such as (a) Street Taggers; (b) Wreaths - taking orders from business houses; (c) Wreaths - taking orders from house-holders; (d) Publicity; and (e) Finance.

All children should be given a poppy to wear on Remembrance Day, whether they donate or not. However, they should be encouraged to give what they can afford.

The Poppy year covers the period 1 October to 30 September and the report includes the most recent Poppy Campaign and the disbursements made up until the following September.

Release to local news media Re: expenditures and receipts, and an expression of thanks for contributions should also be issued.

THE BRANCH POPPY FUND

The Poppy Fund is Public money. It is raised from the public through the organization of The Royal Canadian Legion which is the only authorized custodian of the Fund. The funds shall be kept in an account separate from general funds of the Branch.

The main purpose of the Poppy Fund is to provide emergency relief to needy ex-service personnel and their dependents who reside in the area over which the Branch has jurisdiction. The ex-service personnel need not be, or have been, members of the Legion. Keeping in mind the grants are Confidential, this Command directs that the Branch Poppy Trust Fund Committee keep a confidential record of all transactions to be available for audit by the proper authority. The names of the recipients will not be released outside the committee records without the expressed written consent of the recipients, their parents or guardians, as applicable.

POPPY FUNDS SHALL NOT BE USED FOR GENERAL PURPOSES. Relief is the need for food, clothing, fuel, and shelter. No continuing grants may be made. Donations may be made from the Poppy Fund for bursaries, providing the rules governing the awarding of such bursaries are such as to ensure that only the children and grandchildren of ex-service personnel are recipients of the awards and need is one of the main considerations. See General By-laws.

Poppy funds are also approved for certain allied uses; such as, providing housing, and for the benefit of allied Veterans. There is also a provision for medical equipment. The purposes for which such funds can be used can be found in the General By-laws. Current copies of the Poppy Manual are available from Command Office.

Branches which have a larger poppy fund than they need can send funds to the Central Fund of Command.

PUBLIC STATEMENTS ON LEGION POLICY

All matters affecting the policy of the Branch shall first be approved by a General Meeting of the Branch. No public statement shall be made on any question affecting policy unless it has had the approval of the level of Command concerned.

AREA OF BRANCH JURISDICTION

Branches are not permitted to make appeals for contributions from the public or membership in the Legion outside of the area in which they normally operate and exercise jurisdiction.

If a Branch wishes to conduct any type of activity outside of its own territory, permission shall first be obtained to do so from Provincial Command.

BRANCH RESOLUTIONS FOR PROVINCIAL CONVENTIONS

IT IS VERY IMPORTANT THAT ALL RESOLUTIONS BE CLEARLY WORDED SO THAT THEIR INTENTION IS UNMISTAKABLE, AND THE PREAMBLE TO THE RESOLUTION SHOULD SHOW THE REASON FOR THE RESOLUTION.

BRANCH RESOLUTIONS FOR DOMINION CONVENTION

In every Dominion Convention year the Command Provincial Secretary advises the Branches of the final date by which Dominion Convention Resolutions shall be received at the Provincial Command Office.

BRANCH DELEGATES TO PROVINCIAL COMMAND CONVENTIONS

Every Branch is entitled to send to a Provincial Convention to represent its members one delegate for the first fifty eligible Voting members or fraction thereof, and one for each additional one hundred voting members or fraction thereof, based on the per capita tax paid up to the end of the preceding calendar year.

Any delegate accredited by the Branch of which he is a member may carry not more than four Proxies from his own Branch or any other Branch or Branches in his District. The proxies shall be registered at the opening of the Convention and may be used only when a ballot vote is required.

BRANCH DELEGATES TO DOMINION CONVENTIONS

Every Branch is entitled to send to a Dominion Convention to represent its member's one delegate for every hundred Voting members or fraction thereof based on the per capita tax paid up to the end of the preceding calendar year.

Any delegate accredited by his Branch may carry not more than four proxy credentials from his own Branch or any other Branch or Branches in Manitoba and Northwestern Ontario Command. The proxies shall be registered at the opening of the Convention and may be used only when a ballot vote is required.

VISITS TO BRANCHES-BY COMMAND OFFICERS

Branch Presidents, Program Chairmen, and others frequently ask what should be done by the Branch and its members in regard to reception, entertainment, etc. on the occasion of a requested official visit from Command or District officers.

Branches should carefully plan a program and make the visit one of real importance. Their procedure may be somewhat as follows:

1. When a Command Officer attends any meeting, rally or convention at the request of a Branch, Zone or District., the Branch, Zone or District making the request shall be responsible for all expenses, and may be assessed for same by Command, except that the Sub-Executive Committee upon proper application being made may authorize the attendance of a guest speaker wholly or partly at Command expense.
2. If the visiting officer is the main speaker, ensure sufficient time is allotted for his address.
3. The guest speaker shall be given a preferred spot on the agenda, with only introduction of guests and words of welcome prior to his address. On the completion of his address, impromptu speeches, entertainment, etc. follows.
4. If the visitor is from out of town, arrangements should be made for a small delegation to meet the visitor at the airport or depot, or at the hotel if he is coming by car.
5. A room should be reserved at the hotel at the expense of the branch requesting his attendance.

6. If the visitor arrives early and has a few hours to spend he should be taken to points of interest, or taken on a tour of the main industries, etc. In other words, play the part of host to the best advantage.
7. Someone should express thanks of the Branch at the conclusion of the address, and a gift may be given as a memento of the visit.
8. Arrangements should be made to meet with the visiting officer before the meeting. This is important because he may wish to discuss matters pertaining to the welfare of the organization as a whole.
9. If the visitor is attending a Branch General Meeting, he should be seated on the platform at the President's right.

PART II

MEMBERSHIP

The General By-laws contains details of eligibility for membership in the Legion. In cases of doubt contact Command office.

It is strictly a Branch responsibility to see that care is taken in the examination of discharge certificates or other proof of service of prospective members, and see that only those eligible are admitted to membership. See Sections of the General By-laws re: Membership.

LIFE MEMBERS

Ordinary and Associate Voting members, for outstanding service, may be admitted to Life Membership upon the nomination of the Branch to which he is a member. The membership required is at least ten years of consecutive membership immediately prior to the date of nomination.

Payment of Dominion and Provincial Command per capita tax shall be made according to the schedule after proof of age has been established by the Branch.

A Life member of the Legion shall be recognized as a Life member irrespective of where he may reside. On transferring from one Branch to another such Life member may be required to pay Branch dues, but shall not be required to pay either Dominion or Provincial Command per capita tax.

BRANCH HONORARY PATRON:

Any branch may honour local dignitaries and community leaders by granting them a branch honorary membership for outstanding service. No per capita tax shall be payable in connection with branch honorary memberships and no records will be maintained at Dominion Command. Honorary membership will only be recorded in the Honours and Awards manual

PER CAPITA TAX AND BRANCH DUES

Per capita tax is a charge on each member yearly. The amount is determined at Provincial and Dominion Conventions and by the Branch at its annual meeting. The tax provides funds for Provincial and Dominion Commands and is included in the Branch membership fees. The Branch portion provides funds for the Branch to operate. Dominion and Provincial Commands per capita tax varies as in both cases the respective Conventions set the amount.

The per capita tax paid to Dominion Command includes the subscription fee for the "Legion Magazine" which is the Legion's publication- The Dominion Command's per capita tax is used for general administration of the Dominion office, including the work of the Dominion Service Bureau. The Provincial Command per capita tax goes to the general fund of the Manitoba and Northwestern Ontario Command and is used for the administration of Command Headquarters, District Grants, Convention expenses, Command Sub-Executive Committee and Executive Council meetings, out of pocket expenses of elected officers, organizing expenses, etc.

Both Dominion and Provincial Command per capita tax and Branch dues become due and payable on the first day of January in each calendar year. A member in arrears as of 31st of January of that year is not in good standing for any purpose (including participation in sporting activities). If a new member joins the Legion after June 30th in any year only one-half the per capita tax for that year is payable.

Members not in good standing under the foregoing provisions who have allowed their membership to lapse for the current and/or immediate preceding year only, may renew their membership upon payment of the 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.

MEMBERSHIP APPLICATION FORMS

An official membership application form shall be completed for all new or reinstated Ordinary, Associate, Voting Affiliate and Non-Voting Affiliate members. Completed application forms should be retained at the Branch for their records.

Also, an application form should be completed when a change of status involves changing from one membership category to another. Branch should retain the form for their records.

The information contained on the forms is necessary and important for the records of the Branch.

Member Registration forms and Member Data Change forms should be processed in accordance with the Membership Processing Guide.

PROCESSING OF MEMBERSHIP APPLICATION FORMS

Applications for membership shall be in writing on a form approved and supplied by Dominion Command. The form shall be signed by the applicant and by his proposer and seconder. The proposer and seconder shall be Voting members in good standing of the Branch which the applicant wishes to join. The Secretary upon receipt of the application shall deliver it as soon as possible to the Membership Chairman. The Membership Committee shall satisfy itself as to the correctness of the facts contained in the application and investigate his character and eligibility for membership and report its findings to the Branch. All applications for new membership or reinstatement shall be presented in the form of a motion, at a Regular or Special General Meeting of the Branch for approval or otherwise. Upon approval a Member Registration Form, Transmittal Form and per capita tax should be forwarded to Dominion Command for processing.

All applicants for original membership shall be initiated by the Branch as soon as possible after the applications have been approved. Such initiation shall include a declaration of loyalty to the Crown and obedience to the General By-laws. Every member so initiated shall receive from the Branch a copy of the General By-laws.

TRANSFERS

Any ordinary, Associate, or affiliate member in good standing or whose membership has lapsed for less than 2 years and any Life member, may transfer to another branch in accordance with section 229.

The Branch a member is transferring to, is to initiate the transfer.

Applications for transfer must be approved by a general meeting of the Branch prior to submission to Dominion Command.

Completed application forms for, transferring members should be kept on file at the Branch.

Any branch has the right to refuse permission for a member to transfer to that branch.

PART III

APPLICATIONS FOR AWARDS

i.e. LIFE MEMBERSHIPS, MERITORIOUS SERVICE MEDAL. PALM LEAF TO M.S.M.

Application forms must be completed in full and must quote the exact wording of the motion which was presented and approved by the General Meeting. The motion must include the name

of the recipient for whom the award is intended. The date of the General Meeting, Mover and Secunder must also be included.

The criteria to be applied to the applicant and the citation are fully covered in the manual "Honours and Awards Regulations".

These should be read in full by all preparing citations for forwarding to Provincial Command. Remember, that if no mention is made of offices held, committees chaired or served on, outstanding service performed to either the Legion or the community, then it is assumed that there was none. The number of years a member has been a member, does not qualify him for any award other than his long service lapel badge. Those Branches which wish to honour their members who have reached a certain age should do so at Branch level and not use that age as a criteria for applying for a Life Membership which is only awarded for "outstanding service".

Where there has been concerns towards the methods used for awards within a branch, it is advisable that branch by-laws may set down a procedure that major awards be carried out by a Notice of Motion so as not to intimidate any member's decision on how to vote for the award presented. It will also allow the members to review the motion of this important award that is being considered.

PART IV

PROCEDURE FOR HANDLING COMPLAINTS AND APPEALS

Presidents and Committees dealing with complaints are advised that it is mandatory that the procedure detailed in Article III of the General By-laws be followed exactly.

Notes for Committees appointed to hear complaints for consideration Prior to, and during the hearing.

1. The member complained against is presumed innocent until judged otherwise by the Committee conducting the hearing.
2. The member complained against is entitled to full details of the complaint against him to enable him to gather the evidence for his defence, only those charges detailed in the complaint shall be heard.
3. It is the responsibility of the complaining member to substantiate the charge he has laid, the member complained against should receive the benefit of any doubt.
4. Where possible the evidence of witnesses should be given in person; if not possible, then a notarized statement may be accepted.
5. The complaining member and/or the member complained against may be represented by an agent.
6. No prior complaints or convictions shall be allowed to be presented, discussed, or form any part of the hearing of the charge against the member.

7. The decision of the complaints committee is final and shall be forwarded to the Secretary and served on both parties within 30 days of the hearing.

Notes for Hearing of a Complaint

1. Both parties or their agents (if present) shall be asked if they are satisfied that "all formalities have been complied with", (i.e. Constitution of Committee, advised of rights, correct procedure followed). Note any complaints or objections.
The Committee Chairman may decide to proceed regardless of any complaints or objections by either party
2. When the record of the proceeding is being taped, both parties and all witnesses should be so advised. The tape is the exclusive property of the Complaint Committee
3. The complaint shall be read to those present. The member complained against, or his agent, if present, shall be asked if he understands the complaint and to admit or deny the offence.
4. The complaining member or his agent shall state the nature of the complaint.
5. The complaining member shall call any supporting witnesses to the complaint in order of sequence.
6. All witnesses giving verbal evidence shall (at the discretion of the Chairman) give oath or affirmation regarding the truth of the evidence.

OATH - Do you swear that the evidence given by you is true, so help you God?

AFFIRMATION - Do you solemnly affirm that the evidence given by you is true?
7. Written or typed statements should conclude with "I hereby certify that the statement given by me is correct."
The witness shall sign the statement after it is read by him.
8. The Complaint committee shall hear the evidence in support of the complaint in the presence of the member complained against and his agent (if desired). 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. Sec. 309 a.

NOTE: Witnesses identifying documents shall sign them so.
9. After all witnesses supporting the complaint have been heard, the member complained against shall be advised of his right to call witnesses on his behalf. In accordance with Sections 309 a.
10. The Chairman or Secretary should sign and date all evidence offered and note all objections made.
11. After all witnesses have been heard ask both parties if they wish any witnesses recalled.

12. Before concluding the hearing the Chairman shall ask both parties if they have anything further to add that is relevant to the hearing.

FOR HISTORICAL INFORMATION ONLY

COMPLAINTS AND APPEALS PROCEDURES

<p><u>LODGING OF COMPLAINTS:</u> Section 304(b) - It must be in writing and signed by a Member. Must be lodged with the Secretary of the branch to which the member complained against belongs within 15 days of the incident or knowledge thereof. Ensure complaint contains a brief account of the offence and circumstances which forms the basis of Complaint. Specify the clause under subsection 304(a).</p> <p>Complaints against an L.A. member can only be lodged by another L.A. member. Sec. 302</p>	<p>Section 304 (c) - within ONE (1) year. Section 304 (a) - complaint laid based on reasonable and probable grounds, i.e., guest or staff.</p> <p><u>Lodged</u> means physical receipt of a document by the intended recipient. A complaint cannot be lodged by FAX (a Dominion Command ruling.) Only one member can lodge a complaint, not a group or a committee.</p>
<p><u>Branch Secretary:</u> 308(a) Shall acknowledge and record date of receipt of complaint, confirm it is signed by a member of the Legion, advise branch President immediately.</p>	<p>The Secretary shall serve a copy of the complaint on the member against whom the complaint was lodged.</p>
<p><u>Branch President:</u> Section 308(b) - within 21 days of receiving complaint, shall appoint a Complaint Committee to conduct the hearing</p>	<p>Note Section 301 (c) - Conflict of Interest must be strictly observed. The President may deprive member of clubhouse privileges & remove from any office or position held - Not appeal able</p>
<p><u>Mediation:</u> Sec. 306 - Both parties to be contacted to determine</p>	<p>Either party or the mediator(s) may terminate the mediation process at any time by giving written notice to the</p>

<p>whether mediation should be attempted to resolve the complaint. If agreeable to both parties, a mediator or a mediation team shall be appointed.</p>	<p>President. Any resolution of mediation must be in writing and signed by both parties and the mediator(s). A resolution may include any disposition as set out in Section 311.</p>
<p><u>Complaint Committee:</u> Section 308(d)& (e). The Chairman or his delegate shall decide on the date, time & place of the hearing no later than <u>45 days</u> after the appointment. At least <u>21 days</u> before the hearing, notice shall be served on both parties advising of their rights</p>	<p>Section 310(a) The Decision of the Committee shall be forwarded to the Secretary of the Branch within <u>30 days</u> of the hearing. Section 314 The decision shall take effect immediately, except in a case of expulsion, which will be forwarded to the Appeals Committee for further action. NOTE: 311 (b) breach of clubhouse rules or privileges, maximum penalty, deprivation of clubhouse privileges for 12 months</p>
<p><u>FAILURE TO DEAL WITH COMPLAINT</u></p> <p><u>APPEAL COMMITTEE:</u> Either Party to a complaint dealt with under Section 304, may appeal a decision under section 314 within <u>30 days</u> of the serving of the notice of the decision.</p>	<p>Note Section 312</p> <p>Section 314(e) The Command Secretary shall serve notice on both parties and the Secretary of the branch.</p>

THE FOLLOWING ARE EXAMPLES OF:

FINAL MEDIATION AGREEMENTS,

- BOTH RESOLVED OR TERMINATED.**

ALSO: LETTERS SENT TO;

- COMPLAINING MEMBER,**

- MEMBER COMPLAINED AGAINST,**

- COMMITTEE MEMBERS,**

- WAITING MEMBERS, ETC.**

- DECISION OF COMPLAINT COMMITTEE**

THEY ARE SHOWN FOR GUIDANCE ONLY.

A COMPLEX COMPLAINT MAY REQUIRE A DIFFERENT FORMAT ENTIRELY.

FOR HISTORICAL INFORMATION ONLY

MEDIATION

Mediation Resolution:

Mediator/Mediation Team: _____

Complaint: Comrade _____ vs. Comrade _____

Lodged: _____ Alleging violation (s) of Article III of the General By-laws of The Royal Canadian Legion;

The complaint reads; (with applicable Sections of the General By-laws)

On _____ at _____, mediation was carried out resulting in the following agreement being made by both parties involved;

Date:

(Complainant)

(Member complained against)

(Mediator/Mediation Team)

MEDIATION TERMINATED:

Date: _____

To the President of _

Mediator/Mediation Team:

On _____ at _____ Mediation was attempted, but it is with regret that I/we must report that Mediation in this case, had to be terminated because;

(Complainant)

(Member complained against)

(Mediator/Mediation Team)

FOR HISTORICAL INFORMATION ONLY

LETTER TO THE MEMBER COMPLAINED AGAINST—Sample

REGISTERED MAIL

Date:

NAME & ADDRESS OF
(MEMBER COMPLAINED AGAINST)

Dear Comrade:

Re: Complaint Lodged Against you
by Comrade

Enclosed herewith is a duplicate copy of the complaint lodged against you by

Comrade _____.

Branch President, Comrade _____ has appointed
a Complaint Committee to deal with the complaint in accordance with the General By-laws, Section 308(b)

(STATE SECTION)

The Complaint Committee will consist of:

- Comrade Chairman
- Comrade Member
- Comrade Member
- Comrade Waiting Member
- Comrade Waiting Member

The hearing dealing with this complaint will take place on (day, month, Year) at (time) in the (state location). Those attending the hearing are responsible for their own expenses.

At least 10 days prior to the hearing, the member complained against and the complaining member may each, by prepaid certified registered mail or courier, have the privilege of one preemptory challenge of any of the members. The chairman may not be challenged. No challenge will be allowed at the hearing, Section 308(f).

The Complaint Committee shall hear the evidence in support of the complaint in the presence of the member complained against and his agent, (if desired). 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. Section 309(a).

Comrade:

Page: 2.

If you do not appear at the hearing without due cause and notification, the Committee upon proof of service on the member may proceed in your absence, Section 309(c)(i).

If it is your intention to call witnesses to attend the hearing on your behalf, their statements should be prepared prior to the hearing.

Having such statements prepared in advance will alleviate any discrepancies when the transcript is prepared and will also enable the hearing to proceed without delay.

Witnesses must be present to read and sign their statements in the presence of the Complaint Committee.

Thanking you in advance for your cooperation in this matter.

Yours fraternally,

C.C. letter + complaint - to Chairman and 2 Members (Name them)
c.c. letter - to Complainant

(NOTE: Sections quoted are from the 2002 General By-laws.)

FOR HISTORICAL INFORMATION ONLY

LETTER TO COMPLAINING MEMBER– SAMPLE

REGISTERED MAIL

Date:

**NAME & ADDRESS OF
(COMPLAINING MEMBER)**

Dear Comrade

Re: Complaint Lodged Against Comrade
by You.

This to acknowledge receipt of the complaint dated _____ ,
I now advise that the Branch President, Comrade _____ has
appointed a Complaint Committee to deal with the complaint (copy enclosed).

The Committee will consist of:

- Comrade Chairman Member
- Comrade Member
- Comrade Member
- Comrade Waiting Member
- Comrade Waiting Member

The hearing dealing with this complaint will take place on (day, month, year) at (time) in the (state location). Those attending the hearing are responsible for their own expenses.

At least 10 days prior to the hearing, the member complained against and the complaining member may each, by prepaid certified registered mail or courier, have the privilege of one peremptory challenge of any of the members. The chairman may not be challenged. No challenge will be allowed at the hearing, Section 308(f).

The Complaint Committee shall hear the evidence in support of the complaint in the presence of the member complained against and his agent, (if desired). 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

If you do not appear at the hearing without due cause and notification, the complaint shall be dismissed, Section 309(c)(ii).

Comrade

Page 2

If it is your intention to call witnesses to attend the hearing on your behalf, their statements should be prepared prior to the hearing.

Having such statements prepared in advance will alleviate any discrepancies when the transcript is prepared and will also enable the hearing to proceed without delay.

Witnesses must be present to read and sign their statements in the presence of the Complaint Committee.

Thanking you in advance for your cooperation in this matter.

Yours fraternally,

C.C. Chairman and 2 Members (Name them)
c.c. Name of Comrade complained against

(NOTE: Sections quoted are from the 2002 General By-laws.

LETTER TO MEMBERS OF COMPLAINT COMMITTEE – SAMPLE

DATE

NAME AND ADDRESS
(OF MEMBER TO SIT ON COMPLAINT COMMITTEE)

Dear Comrade

You have been selected to sit on the Complaint Committee to hear the complaint against Comrade

The Committee will meet (day, month, year) at (state time) in the (state location).

Please find enclosed copies of all correspondence relating to the complaint. The correspondence is private and confidential and no copies of it may be made, nor may it be shown to, or discussed with, any person other than the Chairman of the Complaint Committee or members of the Complaint Committee.
NOTE: Waiting Members are not members of the Committee. Following the hearing of the complaint this correspondence must be returned to the Chairman of the Complaint Committee.

Yours fraternally,

Enc.

LETTER TO WAITING MEMBERS – SAMPLE

DATE

**NAME AND ADDRESS
(OF WAITING MEMBER)**

Dear Comrade

You have been selected to be a waiting member to the Complaint Committee which will be meeting (day, month, year) at (time) in the (state location) to hear the complaint against Comrade

The complaining member and the member complained against have the privilege of ONE (1) peremptory challenge of any of the Committee members, the challenge to be made at least TEN (10) days prior to the hearing. If a member is challenged and you are selected to replace him, you will be so advised and will receive a copy of the correspondence relating to the complaint.

Yours fraternally,

DECISION OF COMPLAINT COMMITTEE: Section 310(a)

Following are TWO (2) samples of the type of letter which should be forwarded to the Secretary of the Branch/Command and both parties to the complaint. The letter should be signed by all members of the Complaint Committee and a copy of the complaint attached.

Sample letters on next page

COMPLAINT SUBSTANTIATED:

The Complaint Committee met (give time and Place) to hear the _____ complaint lodged against comrade _____ by Comrade _____ .

The Committee heard the evidence submitted in support of the complaint, _____ and that refuting the complaint (if applicable). The finding of the _____ Committee was that the complaint was substantiated and that Comrade _____ was guilty of the complaint lodged against him. The decision of the Committee is that Comrade _____ be (*specify any penalty listed in Section 311 (where applicable)*).

(Signed.....)

COMPLAINT NOT SUBSTANTIATED:

The Complaint Committee met (give time and place) to hear the complaint lodged against Comrade by Comrade _____ .

The Committee heard the evidence submitted in support of the complaint, and that refuting the complaint (if applicable). The finding of the Committee was that the complaint was not substantiated and that Comrade _____ was not guilty of the complaint lodged against him. The recommendation of the Committee is that the complaint be dismissed. Section 311(a)

(Signed.....)

NOTE: The letters above are based on the two parties appearing at the hearing, if not, the text of the letters will vary.

LETTERS FROM THE COMPLAINT COMMITTEE TO BOTH PARTIES TO THE COMPLAINT

The letters should state the finding and recommendation of the Complaint Committee and also advise that appeals may be made under Sections 312 and 314 of the General By-laws, when applicable.

NOTE: Sections quoted are from the 2002 General By-laws.

FOR HISTORICAL INFORMATION ONLY

PART V

THE ZONE

The Provincial Command, for purposes of better administration may group Branches in a specified area into a Zone. Such Branches are usually located in reasonably close proximity to one another in order that closer inter-Branch relationships may develop and thereby foster comradeship, co-operation and mutual assistance.

The Zone is subject to the jurisdiction of its District. A Zone is not a chartered body of The Royal Canadian Legion.

ZONE CONVENTIONS

Zone conventions may be held periodically as agreed to by its member Branches, but it is mandatory to hold a convention prior to the end of the month of February in each Command Convention year for the following purposes:

1. To transact Zone business.
2. To elect by ballot a Zone Commander, Deputy Zone Commander and such other officers as the rally may determine. These officers assume office immediately following the Provincial Convention and serve for a period of two years until the close of the succeeding Provincial Convention.

ZONE COUNCIL

The Zone Council consists of all elected Zone Officers, the Immediate Past Zone Commander, the Presidents of all member Branches.

In the absence or inability of a Branch President to attend the Zone Council meeting a member of the Branches Executive Committee should attend on his behalf.

The Zone Council assists and advises the Zone Commander.

All members of Zone Council shall be entitled to vote at Zone Council Meetings and Zone Conventions.

Branch voting power is determined as follows: - one delegate for the first fifty eligible Voting members or fraction thereof, and one for each additional one hundred voting members or fraction thereof, with membership to be based on the per capita tax paid up to the end of the preceding calendar year. A ZONE IS FREE TO ADOPT AN ALTERNATE METHOD BY RESOLUTION AT A ZONE CONVENTION. Some Zones, for example, have found it effective to grant equal voting powers to all Branches in the Zone regardless of the size of the member Branches. The voting delegates shall be Voting members.

THE ZONE COMMANDER

A Zone is not a corporate body and shall not make decisions as to Legion policy or administration inconsistent with those already established. It may, of course make recommendations and suggestions to the respective Branches in the Zone.

A Charter shall not be issued to any Zone. Zones shall operate as an administrative agent of Provincial Command.

The Zone Commander calls all Zone Conventions and Zone Council Meetings, and exercises general supervision over Branches within the Zone. He ensures that all appeals for financial support directed to the public by Branches are conducted so as to further the best interests of the Legion. He should visit each Branch annually and advise and assist them. He should keep the District Commander informed on activities in the Zone and present written reports to all District Council meetings. He is an accredited delegate to Provincial Conventions by virtue of his office.

There are certain points which Provincial Command expects him to pay particular attention to:

1. He should check with Branch Presidents and Secretaries to see that all correspondence and circular letters emanating from Command receive attention, and that their purpose is conveyed to the general membership of the Branch.
2. He should check with Branch Presidents and Secretaries to see that all reports, statements and questionnaires are dealt with promptly.
3. He should impress upon Treasurers or Secretary Treasurers the need and importance of prompt payment of Branch accounts and the payment of the per capita tax which keeps members in good standing.
4. He shall assist Branches to organize membership drives, paying particular attention to the number of members who are in arrears of current Branch dues, ensure that the Branch does something about it. He should assist in special activities and give particular assistance to any Branch whose activities appear to be on the decline.
5. He shall ensure that the Poppy Fund is maintained in a separate account and that records of expenditures are in accordance with the General By-laws.
6. Shall ensure the bonding of Branch officers and employees handling funds.
7. Shall encourage all member Branches to be fully represented at Zone and District meetings.
8. Unless a Branch has its own Branch By-laws shall encourage Branches to become familiar with and follow the By-laws set out in Appendix "A" of the Provincial Command By-laws. Remember alternate Branch By-laws must be approved by Provincial Command.
9. Where it applies, shall advise Branches of their obligation to conform to the Liquor Licence Act and regulations to protect the prestige of the Legion.
10. When contributions are required as determined by a Dominion Convention or by a Provincial Convention or Command Council shall encourage Branches to participate.

11. Shall ensure all Branches advise Provincial Command Office of the names and addresses of the Branch President, Secretary, Treasurer, Service officer, Membership Chairman, etc. immediately following Branch elections.
12. No Zone Commander is entitled to visit outside of his own Zone without obtaining Zone meeting approval in regard to any expenses to be charged against Zone Funds.
13. To ensure all Branches adhere to Provincial and Dominion General By-laws in their entirety.
14. To make certain that Branches participate in Command Programs and Projects.
15. To forward a copy of minutes of all Zone meetings to the District Commander.
16. To notify Command Office and the District Commander of names, addresses and phone numbers of new Zone Officers and also to notify the District Commander of the names, addresses and phone numbers of new Branch Presidents, Secretaries, Treasurers, and Service Officers.

DEPUTY ZONE COMMANDER

It is the duty of the Deputy Zone Commander to assist the Zone Commander in the performance of his duties. In the absence or inability of the Zone Commander, all rights and powers of the latter are, for the time being, assumed by the Deputy.

The Deputy Zone Commander is not an accredited delegate to Provincial command conventions or to District meetings by virtue of his office.

ZONE FINANCES

A Provincial Command may authorize and empower a District or Zone to raise money for the carrying out of its duties, powers and functions, such money to be raised by the methods authorized.

All real and personal property possessed, held or used by a District or Zone, including all money raised as indicated in the preceding section, shall be the property of the Provincial Command within whose territory the District or Zone operates, and shall be possessed, held or used by the District or Zone as an administrative agent of the Provincial Command.

VACANCIES IN ZONE OFFICES

At the discretion of the Command Executive Council a Zone may be authorized to conduct an election by ballot to fill the vacancy. It may be expedient to fill such office immediately and not wait for an election. The Executive Council may make an appointment. If it is deemed advisable, and if the Zone Council suggest an appointee, it is often followed. However, if there is more than one candidate an election will be the appropriate procedure.

ABSENCES OF ZONE OFFICERS FROM MEETINGS

Should any elected Zone officer fail to attend TWO consecutive meetings requiring his attendance without adequate reason, his office is forfeited and the office is declared vacant.

WHEN ZONE OFFICERS ASSUME DUTIES

Zone officers assume office immediately upon adjournment of the Provincial Command Convention following their election, except in the case of an election or appointment to fill a vacancy when duties are assumed immediately.

Zone officers are required to be installed in their respective offices as soon as possible after their election or appointment. Procedure for so doing may be found in the "Ritual and Insignia" Manual.

PART VI

THE DISTRICT

Manitoba and Northwestern Ontario Command is divided into nine Districts, numbered consecutively from District 1 North and District I South to District 8. Each District is administered by a District Commander who is a member of the Provincial Executive Council.

The District is subject to the jurisdiction of Provincial Command.

The District is not a chartered body of The Royal Canadian Legion.

SCHOLARSHIPS AND BURSARIES

Dominion command provides an amount of money each year to be divided equally between the Manitoba and Northwestern Ontario sections of our Command. From this money each section awards several scholarships in varying amounts to students selected.

Further Provincial Command grants are made available to each District for Scholarships and Bursaries.

Scholarships are awarded for scholastic achievement. Poppy Funds cannot be used for this purpose.

Bursaries are granted to children and grandchildren of ex-service personnel, as specified in Section 1104 b. iv. of the General By-laws. Poppy Funds can be used for this purpose.

The Northwestern Ontario portion of Command have their own Committee who look after scholarships and bursaries in that portion of the Command. In Manitoba the District Commanders handle scholarships and bursaries. One District Commander is elected as Chairman. In either Manitoba or Northwestern Ontario the Command Office can advise who to contact in regard to information and application forms.

DISTRICT-CONVENTIONS

District Conventions may be held periodically at the call of the District Commander, but it is mandatory to hold a Convention prior to the end of the month of March in each Command Convention year for the following purposes:

1. To transact District business, including Command approved projects.
2. To elect by ballot a District Commander, a Deputy District Commander, and such other District Officers as the Convention may decide.
3. Receiving Zone Reports in writing.
4. Receiving District Committee Reports in writing.
5. The District, like the Zone, is not a corporate body and shall not make decisions as to Legion policy or administration inconsistent with Provincial or Dominion Command By-laws.
6. To carry out and coordinate seminars at District and Zone level.
7. To supervise Command programs and activities at District, Zone and Branch levels.
8. District Commanders are to meet with the newly elected Zone Commanders to outline their duties and responsibilities. When on Legion business approved by his District he is entitled to out of pocket expenses up to the limit of the District grant from Provincial Command.
9. The Newly elected District Commander (Elect) is responsible for his own expenses to a Provincial Command Convention or be accredited and paid by his branch. For that reason, **the District** Commander elect shall be installed at the time of the District convention, in case he should not be able to attend the Provincial Convention.

DISTRICT COUNCIL

The District Council consists of all elected District officers, the Immediate Past District Commander and all Zone Commanders.

VOTING AT DISTRICT CONVENTIONS

Each member of the District council is entitled to a vote at District Conventions.

Branch voting power is determined as follows: one delegate for the first 50 eligible Voting members, or fraction thereof, and one for each additional 100 voting members or fraction thereof, with membership to be based on the per capita tax paid up to the end of the preceding calendar year. THIS METHOD OF DETERMINING BRANCH VOTING POWER IS NOT MANDATORY AND IF A DISTRICT WISHES AN ALTERNATE METHOD OF BRANCH REPRESENTATION IT IS FREE TO ADOPT THE -ALTERNATE METHOD BY RESOLUTION AT A DISTRICT CONVENTION. As in the case of Zones some Districts

have found it effective to grant equal voting power to all Branches in the District regardless of Branch size. Other Districts have other procedures.

DISTRICT COMMANDERS

The District Commander calls all District Conventions and District Council Meetings and exercises general supervision over Zones and Branches within his District. He maintains liaison between the various units in his District and Provincial Command.

It is his duty to ensure that Zone Officers carry out their duties in the best interests of the Legion, fully and completely servicing their Branches and conducting their Zone meetings as required

In addition, the District Commander co-ordinates sports and other Command programs within the District, submits special reports requested by Command, and presents to each regular meeting of Provincial Executive Council a written summary of activity within his District.

A District Commander shall exercise general supervision over Zones and Branches within his District. The District Commander can often explain Command policy on matters which have been established at Convention, Executive Council, and Sub-Executive Committee meetings.

DEPUTY DISTRICT COMMANDER

It is the duty of the Deputy District Commander to assist the District Commander, and in the absence of the District Commander to assume his duties.

The Deputy District Commander is not by virtue of his office a delegate to a Provincial Command Convention.

VACANCIES IN DISTRICT OFFICES

Should any elected District Office become vacant for any reason, the office may be filled by appointment by the Command Executive Council. While the Command Executive Council makes the appointment, the Council often requests recommendations from the lower level and if the District Commander suggests an appointee such suggestion is often followed. The appointment of the District officer should be confirmed at the next District Convention. However, if there is a split in the District it is wise to have a ballot vote controlled by the Provincial Executive Council.

ABSENCES OF DISTRICT OFFICERS FROM MEETINGS

Should any elected District officer fail to attend two consecutive meetings requiring his attendance without excuse, his office is forfeited and the office is declared vacant.

WHEN ELECTED OFFICERS ASSUME DUTIES

District Officers assume office immediately upon the adjournment of the Provincial Command Convention following their election, except in the case of an election or appointment to fill a vacancy when duties are assumed immediately.

INSTALLATION OF DISTRICT COMMANDERS

District Commanders shall be installed in office as soon as possible after their election or appointment. (Just in case he cannot attend the Provincial Convention) He will be installed again at the Provincial Convention. Procedure for so doing may be found in the "Ritual and insignia" Manual.

COMMAND POLICY RE: EXPENSES

Provincial Command provides grants to each District, to help defray expenses incurred in the operation of the District. When on Legion business approved by his District, he is entitled to out of pocket expenses up to the limit of the District grant from Provincial Command, for example:

1. Air, train, bus fare or car expenses, provided total claimed does not exceed air economy fare.
2. Hotel where necessary.
3. Meals where necessary and at reasonable costs.
4. Reasonable long distance telephone calls.
5. Reasonable postage

PART VII**PROVINCIAL COMMAND****COMMAND EXECUTIVE COUNCIL**

The Command Executive Council of the Manitoba and Northwestern Ontario Command consists of the President, Immediate Past President, 1st Vice President, three Vice Presidents, Honorary Treasurer, Chairman, Sergeant-at-Arms, and the nine District Commanders.

A maximum of THREE (3) Honorary Chaplains may be appointed by Command Executive Council, they may attend meetings of Command Executive Council at the request of the command President. Honorary Chaplains do not have a vote at Provincial Executive Council meetings.

The Command Executive Council meets at the call of the President. The Council meets not less than twice yearly. The Council also meets immediately prior to a Provincial Command Convention and immediately thereafter.

The Council performs and carries out the work entrusted to it by the Command Conventions and the By-laws of the Command, and in general, administers the affairs of Command.

The Council may, at the call of the President, meet to consider matters normally referred to Command Conventions when an immediate decision is of paramount importance due to an emergency of national or

similar importance. Such an emergency meeting has the same powers as a Command Convention to deal with the emergency matters for which it was called, and a full report of any such meeting shall be forwarded to each Branch in the Command immediately following its conclusion.

COMMAND SUB-EXECUTIVE COMMITTEE

The Command Sub-Executive Committee consists of the President, Immediate Past President, 1st Vice President, three Vice Presidents, Honorary Treasurer, Chairman, and Sergeant-at-Arms.

It has power to hold meetings to transact the ordinary business and administrative needs of Command between meetings of the Command Council. It meets at the call of the President. The Committee has the power to deal with special projects. It does not have the power to authorize an expenditure in excess of \$1,000.00 for each of such projects.

COMMAND STANDING COMMITTEES

Standing Committees are appointed by Command Council. The Committees are Finance, Membership, Resolutions, Sports, Poppy, Constitution and Laws and Legislation, Public Relations, Ways and Means, Honours and Awards, Veterans Services and Legions Seniors and other committees that may be approved at Command Convention from time to time.

Each Standing Committee shall have a member of the Command Sub Executive Council as Chairman.

Each Standing Committee reports to all meetings of the Command Sub-Executive Committee, Command Executive Council and Command Convention.

The Ways and Means Committee is composed of the Honorary Treasurer as its Chairman, and all District Commanders. The By-laws state that the Ways and Means Committee and the Finance Committee shall meet jointly under the Chairmanship of the Chairman of the Ways and Means Committee at the time of the Executive Council Meeting before each Provincial Command convention to examine the financial standing of the command, recommend the per capita tax to be paid, and submit a budget of estimated receipts and disbursements for the ensuing term. No paid employee of the Command shall be eligible for appointment to this Committee.

SPECIAL COMMITTEES

Special Committees may be appointed as required, and they shall report to Command Executive Council, and if deemed necessary, to Command Convention.

Chairmanship and membership of Special Committees is not restricted to members of Command Executive Council.

COMMAND CONVENTION

The Command Convention shall be held every two years in the month of June. Such a Convention is the supreme authority in the Command and its mandates shall be obeyed by every Branch in the Command.

Members of Command Executive Council, and Zone Commanders are accredited delegates to Command Conventions by virtue of their office. Details concerning accredited delegates from Branches are to be found in Part I of this Manual covering Branches.

Observers may attend Command Conventions, but have no vote, and may speak only with the permission of the Chair.

At the opening session of the Convention, the following Committees are appointed: Credentials, Appeals and Nominating. The Command Sub-Executive Committee appoints the Procedure Committee. In addition, each District shall appoint two whips.

Each District names Two members to the Nominating Committee and the members of this Committee shall appoint a Chairman from outside their numbers who shall not vote except to cast a deciding ballot.

No member of any Branch shall be eligible for election as an officer or member of the Provincial Sub-Executive Committee unless he is an accredited delegate.

Nominees for office shall be either present at the Convention or have filed with the Provincial Secretary a letter of acceptance prior to the call for nominations.

INSTALLATION OF OFFICERS

Officers at all levels shall be installed in office as soon as possible after their election or appointment. Procedure for so doing may be found in the "Ritual and Insignia Manual".

APPLICATIONS TO HOST COMMAND CONVENTIONS

Branches wishing to host a Provincial Convention shall apply to the Command Provincial Secretary for a copy of the "Plan and Requirements" which details the responsibilities of the Host Branch and of the Provincial Command.

Branches who wish to host a Command Convention are advised that the Command Executive Council gives the final approval as to time and place of holding any Command Convention. Consideration is given to, accommodation for delegates, adequate floor space and caucus rooms, registration of delegates and other matters of responsibility.

COMMAND HEADQUARTERS

Command Headquarters is located at 563 St. Mary's Road, Winnipeg, Manitoba R2M 3L6. The Command office is administered by the Provincial Secretary assisted by the Office Staff.

All correspondence to Command should be addressed to the Provincial Secretary.

A stock of Poppy supplies is maintained at Command Headquarters and all orders should be placed by the Branch Secretaries and directed to the Command office. Care should be taken to order early. Invoices for these materials are submitted to Branches and shall be paid within thirty days.

COMMAND COLOUR PARTY

The Command President may authorize the Command Colour Party to attend functions other than those sponsored by Command, but the cost of such attendance may have to be borne by the host of the Function.

COMMAND SERVICE BUREAU

The Service Bureau located at Provincial Command Headquarters, 563 St. Mary's Road, Winnipeg, MB. R2M 3L6, is set up to assist ex-service persons and dependants in all matters pertaining to service such as Disability Pensions, War Veterans Allowance, Treatment, Housing, Benevolent Funds, Welfare, Last Post Burials and other burials.

Provincial Command does not have a Legal Department, and therefore is not in a position to give advice on matters of law.

Where feasible every Branch should have a Service Officer to handle all cases of distressed veterans, ex-service persons, widows and dependents. In many instances it is possible for the Branch Service Officers to handle cases relating to pensions, W.V.A. and Treatment, while assisting those in need of assistance. Cases requiring expert advice should be referred to the Command Service Officer to help bring such cases to a satisfactory conclusion.

PART VIII

LEGION BOOKLETS AND PUBLICATIONS

Available from Provincial Command upon request or off the Command Web site.

1. Provincial Command By-Laws – contain all by-laws enacted by the Prov. Convention under which all Branches in the Command are governed.
2. Provincial Command Revised Manual of Information – a guide for Branch Officers.
3. Provincial Command Sports Guide – a guide to all Command Sports.

Available from Dominion Command or review on Dominion Command Web site now includes a 'MEMBERSHIP SECTION' into which only users with Legion membership numbers can enter. http://www.legion.ca/asp/docs/home/home_e.asp The button for Member Login is found at the top of all pages on the site and will bring up the login page.

1. An Act to Incorporate – establishes the organization of the Legion and its powers; sets out the Purposes and aims of the Legion; authorizes Dominion Conventions from time to time to make, amend or re-enact by-laws.
2. General by-laws – contain all by-laws enacted by Dominion Convention under which

all branches in the Command are governed.

3. Ritual and Insignia Manual - contains the procedures for ceremonies such as conduct of a meeting, initiation of new members, installation of officers, funerals, carrying of colours, Remembrance Day Services.
4. Honours and Awards Manual – contains regulations governing honours and awards, eligibility and information regarding citations.
5. Rules of Procedure for Legion Meetings - outlines duties and responsibilities of the Chairman, procedures for motions, amendments, debates and voting.
6. Poppy Manual – gives information on the organization of the Poppy Campaign. Lists what committees are organized at National, Provincial and Branch levels. Establishes for what purpose Poppy funds are used. Defines Legion responsibilities regarding Poppy Campaigns; Remembrance Day and the disbursements of Poppy funds.
7. Branch News Guidelines – is offered as a guide to the Legion member who is called upon to report the activities of his Branch for publication in the Legion Magazine.
8. Legion Supply Catalogue – lists all items stocked at Dominion Command for sale. All Branches must submit their order as set down in Command Policy.
9. Branch Leadership Manual – to provide all members with a better knowledge of the Legion.
10. Dominion Command Sports Guide – a guide to all Command Sports.
11. Protocol Manual – official formalities and etiquette.

THE "LEGION" MAGAZINE

The "Legion" is the national magazine of the Legion, published in Ottawa. Every paid-up member of the Legion receives a copy of the magazine.

All Branches of the Command are urged to submit photographs and material of their activities for publication in the "Legion". News items should be brief, typewritten, and double spaced and of interest to other Branches. Photos should be of good quality, and not less than 5" x 7" in size. Negatives or ordinary amateur snapshots will not be accepted. Colour prints may also be submitted.

Electronic Submissions by e-mail to Provincial Command Office are also accepted.

Materials should be forwarded to the appropriate appointed Legion News correspondent in your area.

PART IX

LAST POST FUND

The Last Post Fund was formed in the belief that no man or woman who has offered life itself, in service to Canada and its allies, should be deprived in death of an honourable burial no matter what the circumstances. The Federal Government provides annual grants from public funds to help meet the death problems of the "Returned" Ex-Service person. The Fund operates by authority of an Order In Council of the Parliament of Canada. The accounts of the Fund are regularly audited by Veteran's Affairs Canada.

The Last Post Fund is a non-profit Corporation sponsored by Veteran's Affairs Canada and private donations. Its purpose is to ensure, insofar as possible. That no war veterans who meet the wartime service eligibility criteria, are denied a dignified funeral and burial for lack of sufficient funds at the time of their death.

To be eligible for funeral assistance from the Last Post Fund, the deceased Veteran of the Canadian Armed Forces or similar forces raised in Newfoundland must have served in the following:

- World War I, from August 4, 1914 to August 14, 1921;
- World War II, from September 1, 1939 to September 30, 1947; or
- Military operations undertaken by the United Nations to restore peace in the Republic of Korea at anytime prior to October 31, 1953.

In addition, deceased Merchant Navy Veterans as defined in subsection 6 (1) of Merchant Navy Veteran and Civilian War related Benefits Act or Allied Veterans who have been paid an allowance under section 4 or 5 of the War Veterans Allowance Act on or at any time before February 27, 1995.

The Last Post Fund will pay a fixed amount for:

- (a) services normally provided by one or two funeral directors;
- (b) burial costs including perpetual care in a section of a cemetery designated as a "Field of Honour" or "Veterans Section"; or in a plot designated as a Veteran's plot; or in a plot acceptable for a Veteran's dignified burial within the local area; and
- (c) provide a military marker.

An application may be accepted for funeral and burial services when sufficient information is available to establish that the following conditions are met:

- (a) Service eligibility;
- (b) Financial eligibility;
- (c) Application is received within one year of death.

PART X**VETERANS' ENTITLEMENTS****SERVICE BENEVOLENT FUNDS**

Eligibility for Service Benevolent Fund is described as follows:

Royal Canadian Navy Benevolent-Fund

Any service in the Royal Canadian Navy (Regular Service) from 1910 to date, provided that service in the Regular Force since 1 of October 1946, has been of one year duration (release on medical grounds excepted). Any Service in the Royal Canadian Navy (Reserve) provided that service since 1 October 1946 has been of five years duration. Post World War II Reservists still in service may apply after three years.

Army Benevolent Fund

World War II Veterans: Service in the Canadian Army (Active Force) from 3 September 1939 to 30 September 1946, Had a 50yr mandate which disbanded in 1997.

Former members of the Canadian Army who served during the period 1 October 1946 to 31 January 1968, including Korea Veterans, can receive assistance from the Canadian Army Welfare Fund.

Members of the Regular Forces from 1 February 1968 to present are eligible for assistance from the Canadian Forces Personnel Assistance Fund.

Royal Canadian Air Force Benevolent Fund

Any Service in the Royal Canadian Air Force.

Allied or Commonwealth Benevolent Funds

Service in the forces of Allied or Commonwealth countries may entitle veterans to assistance from the Benevolent Fund of that country. Application may be made through Dominion Command of The Royal Canadian Legion who will forward it to the agency of the country concerned.

Method of Application

If you wish to apply to any of the foregoing Service Benevolent Funds for financial assistance, application may be made through, or information obtained from, any of the following agencies:

Veterans Affairs Canada - District Offices,

Veteran officers at local National Employment Service Offices,

Dominion or Provincial Service Bureau's,

The Royal Canadian Legion Branches, which have active Service officers,

Social Welfare Agencies,

Serving members of the Canadian Armed Forces - through their Commanding Officers.

If none of the foregoing described agencies are available in your community, an enquiry could be addressed to the appropriate Service Benevolent Fund Head office listed hereunder, where direction can be provided as to the method of application.

The General Secretary
Royal Canadian Navy Benevolent Fund
P. O. Box 505, Station B
OTTAWA, Ontario
K1P 5P6

The Secretary Manager
Royal Canadian Air Force Benevolent Fund
424 Metcalfe Street
OTTAWA, Ontario
K2P 2C3

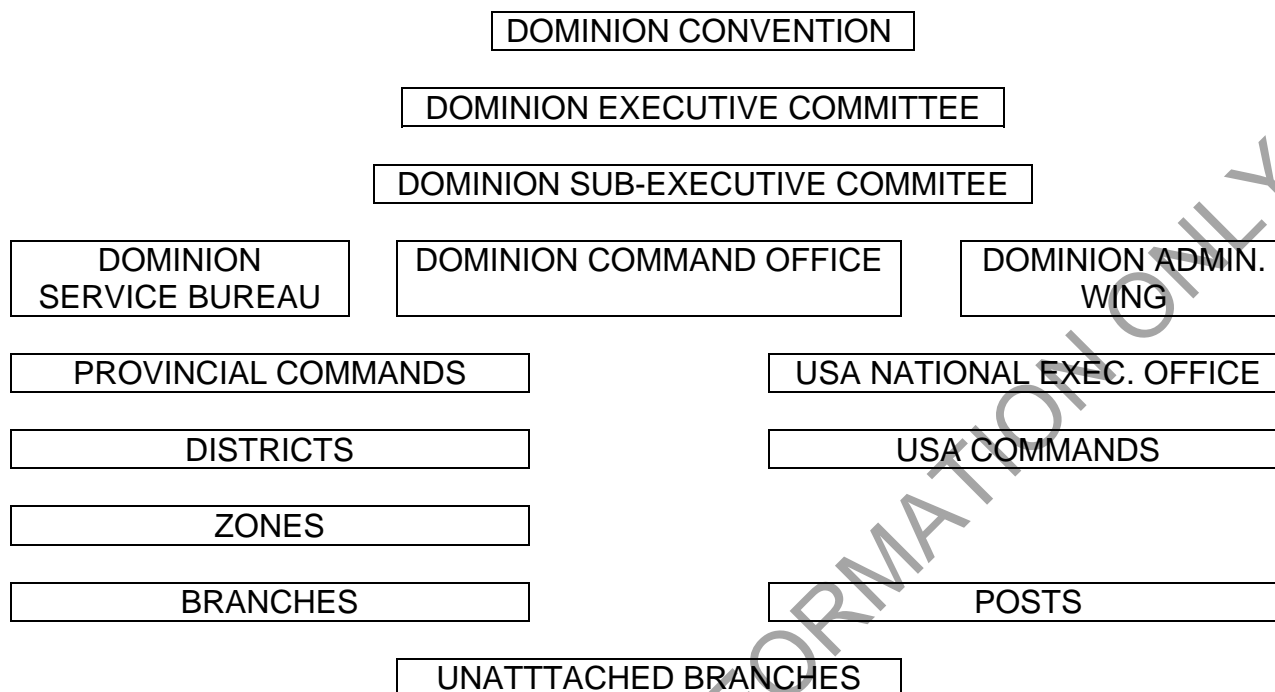
The National Secretary
Army Benevolent Fund
Veterans Affairs Building
OTTAWA, Ontario
K1A 0P4

It must be mentioned that Service Benevolent Funds are not government agencies. Their source of funds is derived from individuals as well as contributions from Messes and Institutes of the Regular Forces, and are established to provide financial relief on behalf of eligible persons and their dependants.

VETERANS LAND ACT

The only reason the Veterans Land Act maintains a small number of offices across Canada is to service the Veterans who are established under the Veterans' Land Act mainly for the purpose of collecting payments on property and for Veterans who wish to sell land or his or her home.

ORGANIZATIONAL CHART OF THE ROYAL CANADIAN LEGION



The Dominion Convention is the supreme authority of the Legion.

The Convention may issue directives to the Dominion Executive Council and/or the Dominion Command office. Dominion Executive Council and/or the Sub-Executive Committee of the Council may issue directives to the Dominion Command Office.

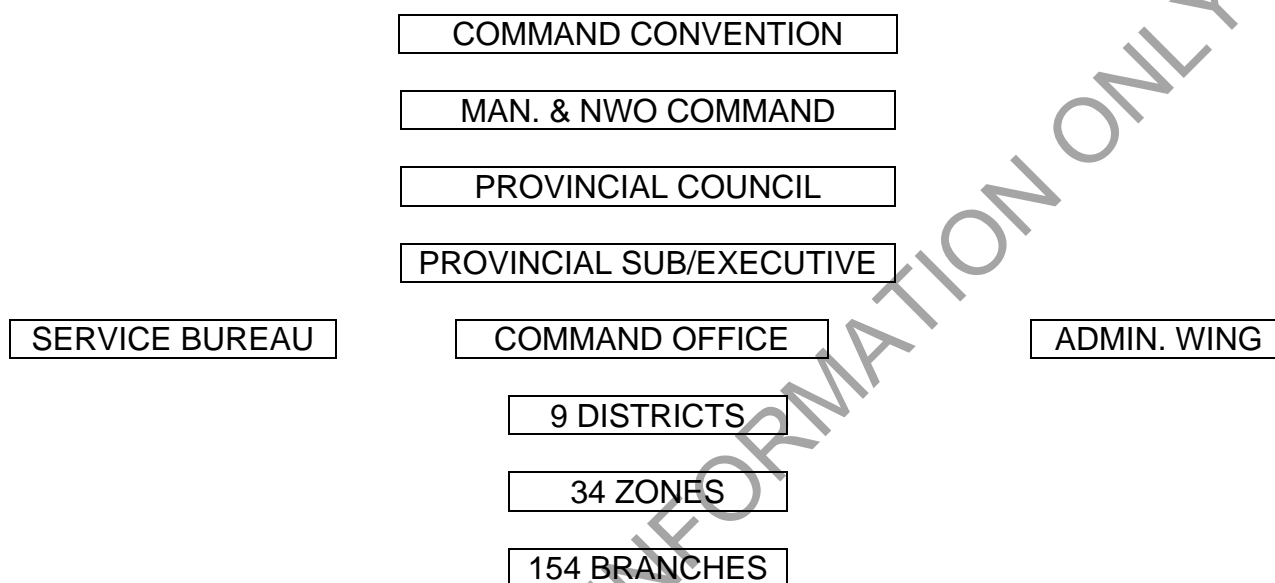
The Dominion Command Office consists of an Administration Wing and a Service Bureau.

Communications may be directed from the Dominion Command Office to the Provincial and State Command Offices and in some cases direct to the Branches.

The Dominion Executive Council may pass By-laws which may be confirmed by the next Dominion Convention. If not confirmed by the next Dominion Convention, the By-law lapses.

The composition of the Dominion Executive Council and the Sub-Executive Committee of Council is given in the Dominion Command General By-laws of The Royal Canadian Legion.

**ORGANIZATIONAL CHART OF THE MANITOBA AND NORTHWESTERN
ONTARIO COMMAND OF THE ROYAL CANADIAN LEGION**



(stats as of March 2010)

The Convention is the supreme authority of the Command.

The Convention may issue directives to the Provincial Executive Council and/or Command Office.

The Provincial Executive Council and/or the Provincial Sub-Executive Committee may issue directives to the Command Office.

The Command Headquarters consists of an Administration Wing and a Service Bureau.

Communications may be directed from the Command Office to Districts, Zones and Branches.

The composition and duties of the Provincial Executive Council, Provincial Sub-Executive Committee, Command Headquarters Office, Districts, Zones and Branches are shown in the Provincial Command General By-laws.

PART XI**QUESTIONS AND ANSWERS****Questions: Answers**

1. What may disqualify a member from running for elective office at Branch level?
He may be disqualified if he is not a voting member or is not in good standing.
2. What happens when there is no one willing to run for the Branch Executive Committee?
The Provincial Command would establish a Board of Trustees at the Branch to manage all branch operations. The responsibility of the Trustees would be to work with the members to overcome this deficiency. The Command President will determine how long the Board will be in place. In the unfortunate situation of no resolution to this problem, the process to cancel the Branch Charter would be initiated.
3. Are there any restrictions a Branch may impose upon those running for elective office at Branch level?
A Branch may by Branch By-law impose those provisions. Note: Section 612 (a) and (b) of the General By-laws.
4. May a paid employee of the Legion run for elective office and resign his paid employment
Yes, Section 112 (a) of the General By-laws.
5. Can a paid member of a branch hold a position on the executive 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.
6. May a member hold more than one elected office in The Royal Canadian Legion?
Yes - a member may, if qualified, hold one elective office at each level of Command in The Royal Canadian Legion.
7. How many levels of Command are there in The Royal Canadian Legion?
There are THREE (3) levels - Branch, Provincial Command, and Dominion Command. These are the levels for which Charters are issued.
NOTE: Zones and Districts are administrative arms of Provincial Command, and operate under the Provincial Command Charter.
8. Can a Branch prevent a female member from holding elective office in the branch and Ladies Auxiliary simultaneously?
A Branch may not prevent an executive member of the Ladies' Auxiliary from running for elective office if qualified - see answer to Question 2; however, the Ladies' Auxiliary to a Branch is under the jurisdiction of the Branch, therefore, a Branch may, by By-law, restrict members of their Executive Committee from holding elective office simultaneously in the Ladies' Auxiliary to their Branch.
9. Does a member holding elective office have to resign that office to run for a higher office?
No. (Only after he is elected)

10. A Branch President upon the election of his successor becomes a member of the Executive Committee, as the Immediate Past President - can he also run for another office such as 1st Vice President, Sgt-at-Arms, etc?

Yes - see answer to Question 2; however if elected, he must resign as immediate Past President which position may be filled in accordance with Section 114 (a) (b) and (c).

11. Can a member who is suspended from the Branch run for office whilst under suspension?

No - a member under suspension is a member who is not in good standing for any purpose.

12. Can a member run for office when deprived of Clubroom Privileges?

Yes.

13. Can a Branch limit the size of its membership?

Yes - but cannot specify the type of membership (Ordinary, Associate, etc.) used to replace transfers out, deaths, etc. Replacement members shall be accepted in the sequence of application.

14. Can a Branch limit the consecutive terms of office that a member can hold any elective office.

No.

15. Can a Branch limit the types of membership that hold office or sit on Committees, i.e. ordinary, Life, Associate or Voting Affiliate?

*No - All Voting members except Meritorious Life may hold Office. NOTE: Honorary, Non Voting Affiliate & Meritorious Life members may be appointed to sit as Committee members except under Article III.
(Note: eligibility guide)*

16. What is an Honorarium?

Revenue Canada recognizes honorariums as a payment for services rendered - An honorarium may not be greater than \$500.00 per annum, "honorariums" in excess of \$500.00 per annum are considered to be wages earned under the Income Tax Act.

17. Many Branch Presidents receive an "Honorarium" or President's Allowance in excess of \$500.00 per annum, why is he not classed as receiving wages?

It was determined by Dominion Command and approved by Dominion Convention that a "President's Allowance" would not be considered to be the salary or wages referred to in the General By-laws.

18. Can appointed members of an Executive Committee (i.e. secretaries, treasurers, etc.) vote at the Executive Committee Meetings?

Yes. All Branch Officers, ELECTED OR APPOINTED, shall have the right to vote at Branch Executive meetings. Note: Section 111 (c) General By-laws.

19. When the By-laws state that "any Branch officer or Executive member absent from three consecutive Executive meetings without approval shall cease to hold office". Does this apply to the Immediate Past President?

No - BUT - Section 614 General By-law provided for the removal of a delinquent Immediate Past President who is absent from three consecutive Executive or Branch Meetings or a combination of both, without due cause.

20. Who accepts the resignations of elected or appointed officers or members of the Executive Committee?

Whoever elected or appointed them, or if the appointment was subject to approval, whoever approved the appointment.

21. Are female members who chair meetings or committees referred to as "Chairperson"?

No - the member holding such office is addressed as Comrade Chairman regardless of the member's sex. They are also never addressed as Comrade Chairlady or Comrade Chairwoman. Those in the Ladies' Auxiliaries are addressed as Madam Chairman.

22. Can a General Meeting remove an Executive Committee from office by a vote of "no confidence"?

No - Officers or Executive Committee Members who fail to perform their duties to the best of their abilities should be so charged under Article III of the General By-laws.

23. When a Branch is installing new officers do they install everyone or can they skip the ones that have been re-elected?

No, because when elections are held the chairs are vacant, so yes everyone has to be installed.

24. At some Branches the Officers at the head table turn to face the picture of Her Majesty during the playing of the Queen, is this correct?

No - it is not correct for them to turn their backs to the members or the Colours; it could also be an embarrassment to visitors sitting at the head table who are unaware of such a procedure.

25. Can a widow, child, etc. of a deceased Veteran wear his medals?

No - It is an offence under Section 419 of the Criminal Code of Canada.

26. Can a Notice of Motion be amended?

Not at the meeting at which it is first presented. Yes - at the subsequent meeting at which the motion is to be considered, the amendment must be germane to the proposed motion and may not go beyond the boundaries of the status quo and what is proposed in the motion.

i.e.; if the Branch membership dues are \$20.00 and the Notice of Motion is to raise the dues to \$30.00, then any amendment to have dues set at any amount between \$20.00 and \$30.00 is acceptable.

NOTE: Although the Notice of Motion may require a 2/3 majority for approval, amendments to such motions only require a majority for approval.

27. How is a Notice of Motion presented?

When a Notice of Motion is presented to a General Meeting, the member presenting it shall state, "At the next General Meeting (state month), I shall move or cause to move the following motion". The motion shall then be read out in its entirety and signed by the member presenting it and is not open to discussion until the next meeting, it should then be posted on the Branch bulletin board for information of all Branch members.

28. Can a Notice of Motion be dealt with if the mover of the motion is not in attendance at the meeting at which it is to be considered?

Yes. Another member may move its adoption, (cause to move).

29. Can the members who move and second a motion speak against the motion or vote against it?

The mover of the motion may vote against it but may not speak against it; the seconder of the motion may speak and vote against it.

30. Can Branch members employed by the Branch be branch delegates to Zone, District, Provincial Command or Dominion Command Conventions?

Yes, Branch employees may be Branch delegates. Provincial Command employees shall not be Branch delegates to a Provincial Convention, Dominion Command employees shall not be delegates to a Dominion Convention

31. Can a member in good standing attend a "Zone" meeting which is being held at their branch?

Anyone can attend the meeting, they would not be a delegate with a vote they would be an observer without a vote.

32. May paid employees of the Legion receive Honours and Awards at the level at which they are employed?

Yes - provided that the award is for service rendered other than for duty as a paid employee.

33. How many members are required to form a Ladies' Auxiliary to a Branch?

There is no specified number - this is left to the discretion of the Branch concerned.

34. Is it in order for a nominating committee to submit two names for the same office?

Yes - If the committee is unable to choose between two candidates they should submit both.

35. Can a member who joins the Legion at the end of a year paying dues only for the following year vote in elections in the current year?

No - members must have paid dues for the year in which the election is held.

36. Does a branch have the authority to expend branch funds for their members' annual dues or donate branch funds for gifts or cash to a deceased member's estate?

No - The use of Branch funds for the direct benefit of a member or his estate contravenes our status as a non profit organization. No member can benefit financially from membership. Section 112 & 113 convey the same general intent.

37. Where do you wear the We Support Our Troops Pin and for how long?
The pin should be worn on the right lapel of Legion Dress. Sub-Executive further proposes that authority for wear of the pin commence on 1 Jan. 2007 and continues until reviewed by DEC no later than Feb. 2011.
38. Does the number of votes cast for a candidate have to be declared?
No it is not customary within the Legion for the number of votes cast for each candidate to be declared.
39. Is there a membership computer program for branches available through Dominion Command?
Dominion Command does not have a computer program for branches nor cannot recommend one.
40. Does a Branch have to perform a funeral service for a Veteran even if he isn't a member of the Branch?
If requested by the next of kin of an ex-service personnel who is a Non-Legion Member, we urge all Branches to participate in providing the same Legion Tribute as laid down in the Ritual and Insignia Manual for Legion Members.
41. Can the Poppy Fund be used for donating to the RCEL (Royal Commonwealth Ex-Service League)?
Yes you can donate to the Royal Commonwealth Ex-Service League (RCEL) from the Poppy Fund.
42. What does the cancel date on the branch register mean?
This is the date that Canada Post returned a member's LEGION MAGAZINE to Dominion Command due to either an undeliverable address ("P") or an incomplete address ("I").
43. Was the 24 month waiting period eliminated for Affiliate Non-Voting Membership?
*It was eliminated under Resolution #61 - Affiliate Non-Voting Membership. This resolution has eliminated the 24-month waiting period Canadian citizens and Commonwealth subjects who are eligible to join the Legion as Affiliate Voting Members. This was changed as of October 1, 2006. **Non-Canadian citizens are not eligible for voting status.***
44. What is the Privacy Act?
The Privacy Act is a Federal Government policy (Bill C-7). According to the Federal Government, Dominion Command is permitted to release the names and addresses of all members who belonged to our organization prior to Jan. 1, 2004, unless we have been notified otherwise by the member. However, new members who have joined after this date are required by law to give their permission, via the privacy statement, for Dominion Command to release their information.
45. How do you dispose of a flag?
When a flag becomes tattered and is no longer in a suitable condition for use, it should be destroyed in a dignified way by burning it privately.
46. What is the Legion stance on lowering the flag on the death of Canadian Forces member?

The Legion has always supported the lowering of the national flag on the Peace Tower and government buildings to half-mast only on November 11, Remembrance Day. Its General By-Laws, however, do allow its branches to make their own decision on the lowering of the Canadian Flag at their facilities on the death of a local military member.

47. Where do you go to get sponsorship for the Legion Athletic Camp?

You can go to your nearest branch of the Royal Canadian Legion for sponsorship. You could also phone the Athletic Camp for information at #204-661-5448.

48. Is it permissible for more than one eligible person to work on a poster e.g. students in one class?

It is not permissible for more than one person to work on a single poster, essay or poem. All entries are individual efforts.

49. Are Home School Education pupils eligible to enter the Remembrance Day poster and essay contest?

Yes home schooled children are eligible to enter the Legion's annual Poster and Literary contest.

50. What medals would one display at a deceased Veteran's tribute?

In reference to medals means the service medals of the deceased, assuming that the deceased is a Veteran. It can also include Legion Medals, if applicable. If both types are authorized by the next of kin, place the service medals above the Legion ones. The intention of this aspect of the tribute is to display the medals that the deceased would be wearing on his Legion Dress.

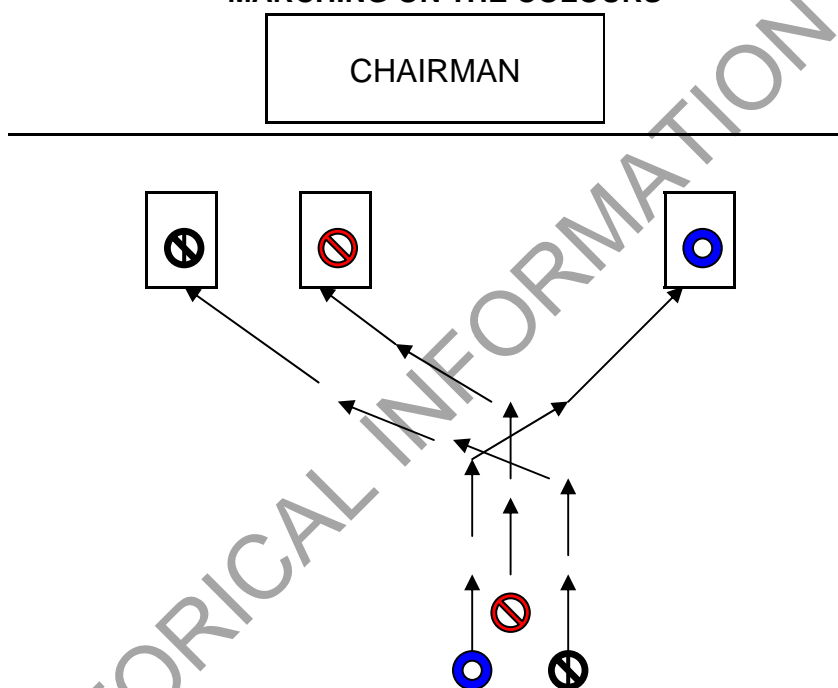
51. How do you half mast a flag?

The flag is brought to the half-mast position by first raising it to the top of the mast then immediately lowering it slowly to the half-mast position. A satisfactory position for half-masting is to place the centre of the flag exactly half-way down the staff.




FOR HISTORICAL INFORMATION ONLY

What precedence is used when Branches use three colours only, i.e., National flag, Union Jack and Branch Banner?

FIGURE 1
MARCHING ON THE COLOURS



LEGEND

-  Cdn. National flag of Canada
-  R.U.J. Royal Union Flag (Union Jack)
-  Legion Banner