



The

GENERAL BY-LAWS

of the

MANITOBA AND NORTHWESTERN ONTARIO COMMAND

of

The Royal Canadian Legion

AMENDED APRIL 22, 2017 at Provincial Executive Council Meeting

AMENDED APRIL 27, 2019 at Provincial Executive Council Meeting

As Amended by Provincial Command Convention June 2022

AMENDED APRIL 22, 2023 at Provincial Executive Council Meeting

Amended April 20, 2024, at Provincial Executive Council Meeting

TABLE OF CONTENTS

INTERPRETATIONS.....	3
PART I - ORGANIZATION.....	4
1. GENERAL.....	4
2. BRANCH.....	5
3. ZONE.....	6
4. DISTRICT.....	8
5. COMMAND.....	9
6. COMMAND COMMITTEES.....	11
7. FISCAL YEAR.....	12
PART II - SUB-EXECUTIVE COMMITTEE COMMAND OFFICERS.....	12
PART III - COMMAND CONVENTION.....	12
PART IV - ELECTIONS.....	15
PART V - FINANCE AND BANKING.....	15
PART VI - GENERAL.....	17
PART VII - COMPLIANCE WITH CANADIAN LAW.....	21
PART VIII - GENERIC BRANCH BYLAWS.....	22

**GENERAL BY-LAWS OF THE MANITOBA
AND NORTHWESTERN ONTARIO COMMAND
OF THE ROYAL CANADIAN LEGION**

INTERPRETATIONS

In these By-laws unless the context otherwise requires, the words:

1. "Dominion Command" shall mean the Dominion Command of The Royal Canadian Legion.
2. "Command" shall mean the Manitoba and Northwestern Ontario Command of The Royal Canadian Legion.
3. "Executive Council" shall mean the Provincial Executive Council of the Manitoba and Northwestern Ontario Command and is the Provincial Executive Council referred to in the General By-laws of The Royal Canadian Legion.
4. "Sub-Executive Committee" shall mean the elected officers of the Command and is the Sub-Executive Committee referred to in the General By-laws of The Royal Canadian Legion.
5. "Command Convention" shall mean the Convention of the Manitoba and Northwestern Ontario Command.
6. Words indicating the masculine import the feminine and words indicating the singular import the plural.
7. Whenever the word "shall" occurs in these By-laws the provisions of the clause in which it occurs must be interpreted as being mandatory, and when the word "may" occurs in these By-laws the provisions of the clause in which it occurs shall be interpreted as being permissive.

PART I - ORGANIZATION

1. GENERAL

- a) The Title of this organization as provided in the General By-laws is the Manitoba and Northwestern Ontario Command of The Royal Canadian Legion.
- b) The Command shall be comprised of the membership of all chartered Branches within Manitoba and within Ontario west of longitude eighty-five degrees west.
- c) The Command shall be organized into such Districts, and the Districts into such Zones as the Executive Council may from time to time determine.
 - (i) **ELIMINATION OF ZONES:** A Zone wishing to dissolve from a District shall obtain an affirmative vote at a regularly called and constituted meeting, with prior knowledge to the Branches within the said Zone that such a vote is being called for. If approved by the Zone, a request shall be forwarded to the District that the Zone wishes to dissolve, giving full reasons for the request to dissolve. The application shall be presented to a regular meeting of the District. If approved by the District, it shall be forwarded by the District Commander, with his comments to the Executive Council. The Provincial Executive Director shall notify the District Commander of the District from which the Zone wishes to dissolve, of the date and time of the meeting of the Executive Council at which the request to dissolve will be discussed so that he may object should he see fit.
- d) In the event of a Branch or Zone wishing to come under the jurisdiction of any other Zone or District it shall proceed as follows:
 - i) **BRANCHES:** A Branch wishing to transfer from one Zone to another shall obtain an affirmative vote at a regularly called and constituted general meeting with prior knowledge to its membership that such a vote is being called for. If approved by the Branch, a request shall be forwarded to the Zone to which the Branch wishes to transfer, giving full reasons for the request to transfer. The application shall be presented to a regular meeting of the Zone. If approved by the Zone, it shall be forwarded to the District Commander who shall transmit same, with his comments, to the Executive Council. The Provincial Executive Director shall notify the Zone and District Commander of the Zone and District, from which the Branch wishes to transfer, of the date and time of the meeting of the Executive Council at which the transfer will be discussed so that they may object should they see fit.
 - ii) **ZONES:** A Zone wishing to transfer from one District to another shall obtain an affirmative vote at a regularly called and constituted meeting, with prior knowledge to the Branches within the said Zone that such a vote is being called for. If approved by the Zone, a request shall be forwarded to the District to

which the Zone wishes to transfer, giving full reasons for the request to transfer. The application shall be presented to a regular meeting of the District. If approved by the District, it shall be forwarded by the District Commander, with his comments to the Executive Council. The Provincial Executive Director shall notify the District Commander of the District from which the Zone wishes to transfer, of the date and time of the meeting of the Executive Council at which the transfer will be discussed so that he may object should he see fit.

- e) **BRANCH OR ZONE:** In the event of a dispute relating to a Branch or Zone boundaries, the matter shall be decided by the District Commander who may refer same to Executive Council. Any Branch or Zone affected may appeal the decision of the District Commander to the Executive Council.
- f) **DISTRICT:** In the event of a dispute relating to District boundaries, the matter shall be decided by the Executive Council.

2. BRANCH

- a)
 - i) The Branch By-laws shown in Generic Bylaws hereto shall be the By-laws of the Branch unless a Branch has its own By-laws which have received the approval of the Provincial Command. Branch By-laws shall be submitted, in two copies, to the Command Executive Director. The Committee on Constitution and Laws is empowered to approve Branch By-laws that are constitutionally sound and do not contravene the By-laws of the Senior Commands. Such approval to be reported to the Executive Council for ratification at a later date. One copy of the approved By-laws will be returned to the Branch and one (1) copy will be retained at Command Office.
 - ii) By-laws shall not be amended except by a Notice of Motion which shall be given at the previous General Meeting to the one at which the amendment is to be considered. A two-thirds majority vote is required to make such amendments effective. Any amendment to these By-Laws shall not become effective until approved by the Manitoba & NW Ontario Command of the Royal Canadian Legion.
- b) Each Branch shall have an Executive Committee which shall consist of a President, Immediate Past President, Vice President, and such other officers and Executive Committee members as the Branch may determine from time to time. The Executive Committee shall meet monthly and shall transact the current business of the Branch, subject to the jurisdiction of the membership of the Branch assembled in General Meeting.

- c) A General Meeting of the Branch shall be held at least once each quarter at which the minutes of the previous General Meeting and Executive Committee meeting held subsequent to the previous General Meeting shall be read for approval.
- d) A financial report of the Branch shall be presented to a General Meeting of the members at least once a year, notice of which meeting shall be forwarded to every member at least one week in advance. A Branch may by By-law adopt a fiscal year of its choice. In default of such a By-law the fiscal year of the Branch shall be the calendar year.
- e) Excepting for the Immediate Past President, no elected Branch Officer shall hold office for more than two years without being re-elected.
- f) Election of Branch officers shall be held at a General Meeting of the members at least biennially, where incorporated in and authorized by branch by-laws and where written procedures have been established. Those members who are unable to attend said General Meeting may be given an opportunity to cast their ballot in person at an advance poll. Notice of the advanced poll shall be forwarded to every member at least two weeks in advance. Proxy voting is not permitted at branch elections.
- g) Standing Committees:
 - i) The Executive Committee shall appoint a Chairman for each of the following Standing Committees at the first meeting of the Executive Committee following its election: Finance; Entertainment; Membership and Ritual; House and Property; Sick Visiting; Sports and Games; By-laws and Legislation; Welfare; Poppy; or such Chairmen as the Branch may require.
 - ii) A member may be appointed to the Chairmanship of more than one Committee.
 - iii) Each Chairman so appointed shall select the members of his own Committee, submitting same to the Executive Committee for approval at its next meeting.
 - iv) All Chairmen of Standing Committees shall submit a written report to General Meetings.

3. ZONE

- a) The Zone is subject to the jurisdiction of the District.
- b) Each Zone shall hold a convention prior to the end of the month of February in each Command Convention year for the transaction of Zone business and in particular the following:

- i) Electing by ballot a Zone Commander, Deputy Zone Commander, and such other Zone officers as the convention may determine.
 - ii) Receiving Branch reports; and
 - iii) Receiving Zone Committee reports.
 - iv) Consideration of resolutions for presentation to District Conventions.
- c) A Zone Council shall consist of all elected Zone Officers, Immediate Past Zone Commander, and the Presidents of all its Branches, or in the absence or disability of a Branch President, a member of that Branch Executive Committee. It shall assist and advise the Zone Commander. It shall meet at the call of the Zone Commander who shall be its Chairman in the event that the Zone has not elected a Chairman for this purpose.
- d) Zone Conventions shall be held at the call of the Zone Commander at which the following shall have a vote:
- i) Members of the Zone Council.
 - ii) Branch delegates: - one for the first fifty eligible voting members or fraction thereof and one for each additional one hundred eligible voting members or fraction thereof (membership to be based on the per capita tax paid up to the end of the preceding calendar year), PROVIDED that any Zone may by resolution at any Zone Convention otherwise determine Branch representation keeping in mind it cannot be zero.
 - iii) Proxies: - Any delegate accredited by the Branch of which he is a member and attending a Zone Convention may carry not more than four proxy credentials from the Branch of which he is a member, or any other Branch or Branches in the Zone which has, or have, elected him to represent it or them. Such proxies shall be registered at the opening of the Convention and shall only be used when a ballot vote is required.
- e) The Zone Commander shall call all Zone Conventions and Zone Council meetings and exercise general supervision over Branches within the Zone; he shall ensure that all appeals for financial support directed to the public by the Branches are conducted so as to further the best interests of the Legion; he shall visit each Branch annually; he shall advise and assist the Branches and keep the District Commander informed on activities in the Zone and present written reports to all District Council meetings and District Conventions.
- f) The Deputy Zone Commander shall assist the Zone Commander in the performance of his duties, and in the absence or disability of the Zone Commander, all the rights and powers vested in the Zone Commander shall, for the time being, be vested in the Deputy.

- g} Zone Officers and members of the Zone Executive shall serve without remuneration other than such compensation and expense allowances as may be authorized from time to time by Zone Convention. Command shall not be responsible for expenses of Zone Commanders at Zone or District level or at Command Convention except as may be specifically authorized by Command from time to time.
- h}
 - i} All monies received by the Zone shall be deposited forthwith, in the name of the Zone, in such chartered bank or banks, trust company, or any of the following institutions authorized under provincial law: Credit Union, Caisse Populaire, or Treasury Branch, as the Zone may decide.
 - ii} All cheques issued by the Zone shall be signed by two duly authorized signing officers.
 - iv} All Zones shall maintain an adequate system of bookkeeping.

4. DISTRICT

- a} The District is subject to the jurisdiction of Command.
- b} Each District shall hold a Convention prior to the end of the month of March in each Command Convention year for the transaction of District business and in particular the following:
 - i} Electing by ballot a District Commander, Deputy District Commander, and such other District officers as the District Convention may determine.
 - ii} Receiving Zone reports; and
 - iii} Receiving District Committee reports.
 - iv} Consideration of resolutions for presentation to Command Convention.
- c} A District Council shall consist of all elected District officers, Immediate Past District Commander, and all Zone Commanders. It shall assist and advise the District Commander. It shall meet at the call of the District Commander who shall be its Chairman, in the event that the District has not elected a Chairman for this purpose.
- d} District Conventions shall be held at the call of the District Commander at which the following shall have a vote:
 - i} Members of District Council;
 - ii} Branch delegates: - one for the first fifty eligible voting members or fraction thereof, and one for each additional one hundred eligible voting members or fraction thereof (membership to be based on the per capita tax paid up to the end of the preceding calendar year}, PROVIDED that any District may by resolution at any District Convention otherwise determine Branch representation keeping in mind it cannot be zero.

- iii) Proxies: - Any delegate accredited by the Branch of which he is a member and attending a District Convention may carry not more than four proxy credentials from the Branch of which he is a member, or any other Branch or Branches in the District which has, or have, elected him to represent it or them. Such proxies shall be registered at the opening of the Convention and shall only be used when a ballot vote is required.
- e) The District Commander shall call all District Conventions and District Council Meetings and exercise general supervision over Zones within the District; co-ordinate sports and other Command programs within the District and inform and advise Zone Commanders on Legion activities. Submit any special reports requested by Command; present to each regular meeting of Executive Council a summary of Legion activity in the District.
- f) The Deputy District Commander shall assist the District Commander in the performance of his duties, and in the absence or disability of the District Commander all the rights and powers vested in the District Commander shall, for the time being, be vested in the Deputy.
- g) District Officers and members of the District Executive shall serve without remuneration other than such compensation and expense allowances as may from time to time be authorized by District Convention.
- h)
 - i) All monies received by the District shall be deposited forthwith, in the name of the District, in such chartered bank, or banks, trust company, or any of the following institutions authorized under Provincial Law: Credit Union, Caisse Populaire, or Treasury Branch, as the District may decide.
 - ii) All cheques issued by the District shall be signed by two duly authorized signing officers.
 - iii) All Districts shall maintain an adequate system of bookkeeping.

5. **COMMAND**

- a) Executive Council:
 - i) Shall consist of the Command Sub-Executive Committee and District Commanders.
 - ii) Not more than THREE (3) Honorary Chaplains may be appointed by the Executive Council; they may attend meetings of the Executive Council at the request of the Command President.

- iii) Subject to the control of Command Convention, shall administer the affairs of the Command.
 - iv) Shall meet at the call of the President within 30 days prior to the Command Convention and at least once during each twelve-month period.
 - v) Members shall serve without remuneration other than such compensation and expense allowances as may be authorized from time to time by the Executive Council.
 - vi) All matters shall be reported upon by the appropriate Committee before being dealt with by the Executive Council.
 - vii) Shall, at the call of the Sub-Executive Committee, meet to consider matters normally referred to Command Convention when an immediate decision is of paramount importance due to an emergency of national or similar importance. Such a meeting shall have the same power as a Command Convention to deal with the emergent 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.
- b) Sub-Executive Committee:
- i) Shall consist of the President, Immediate Past President, First Vice President, three (3) Vice Presidents, Honorary Treasurer, Chairman, Sergeant-at-Arms, all of whom shall be residents of this Command.
 - ii) Shall have the power to hold meetings to transact the ordinary business and administrative needs of Command between meetings of the Executive Council.
 - iii) Shall have the power to deal with special activities, provided that they shall not have the power to authorize an expenditure in excess of \$1,000.00 for each of any such activities.
 - iv) Shall meet at the call of the President.
 - v) Members shall serve without remuneration other than such compensation and expense allowances as may be authorized from time to time by the Executive Council.

6. COMMAND COMMITTEES

a) Standing Committees:

- i) Shall be appointed by the Executive Council as follows: Finance, Membership, Resolutions, Sports, Poppy, Constitution and Laws and Legislation, Public Relations, Veterans Services and Legions Seniors, Ways and Means and Honours and Awards.
- ii) Shall have as Chairman a member of the Sub-Executive Committee.
- iii) Shall report to all meetings of the Sub-Executive Committee and Executive Council and to Command Convention and in all cases shall file a copy of such report with the Executive Director.
- iv) All committees are to be made up of members of the Provincial Executive Council except;
 - (i) Ways and Means Committee shall consist of all District Commanders chaired by the Honourary Treasurer;
 - (ii) Finance Committee shall consist of the President, First Vice President, Immediate Past President, one other Executive Council member selected by the President and chaired by the Honourary Treasurer;
 - (iii) Honours & Awards Committee shall consist of four Executive Council members chaired by a member of the Sub-Executive Committee;
 - (iv) Constitution & Laws & Legislation Committee shall consist of four Executive Council members and chaired by member of the Sub-Executive Committee.
- v) The Ways and Means Committee and the Finance Committee shall meet independently under the Chairmanship of the Honorary Treasurer at the time of the Executive Council meeting before each Command Convention to examine the financial standing of the Command, recommend the per capita tax to be paid, and submit a balanced budget of estimated receipts and expenditures for the next ensuing term. No paid employee of the Command shall be eligible for appointment to this Committee.
- vi) The Command Honours and Awards Committee are empowered to grant approval to Life Membership application forms and Certificates of Merit. Such approval to be reported to the Executive Council for ratification at a later date.

b) Special Committees:

- i) May be appointed at any level of Command and shall report to that level of Command by which they were appointed.
- ii) May be required to report to Command Convention.

- c) Sub-Committees: May be appointed by the Executive Council or by a Standing or Special Committee, shall report to that level by which they were appointed.

7. **FISCAL YEAR**

The fiscal year of the Command shall be the calendar year.

PART II - SUB-EXECUTIVE COMMITTEE COMMAND OFFICERS

8. **Command Officers**

They shall conduct and transact such business as may by custom pertain to their office and other duties as set out in these By-laws, and in addition thereto, the following:

- a) **President:** Be an ex-officio member of all Command Committees and shall preside at the opening and closing of all Conventions and meetings of the Council.
- b) **Vice Presidents:** Assist the President in the performance of his duties, and in the absence or disability of the President, all the rights and powers vested in the President shall for the time being, be vested in the Vice Presidents in accordance with their seniority of office.
- c) **Honorary Treasurer:** Act as Chairman of the Command Finance Committee and report to all Command meetings on the Command financial position.
- d) **The Chairman** shall preside over the debate and transactions of business at all Command meetings and Conventions.
- e) **Sergeant-at-Arms:** Shall be responsible for the Command Colours and Colour Party.
- f) **The Command Sub-Executive Committee:** Shall appoint from its members the representatives to the Dominion Executive Council.

PART III - COMMAND CONVENTION

9. **When Held:**

- g) Shall be held biennially in the month of June.
- h) Shall be the supreme authority in the Command.
- i) In emergencies a Command Convention or Executive Council meeting may be called by two-thirds majority vote of those present at a duly constituted meeting of the Sub-Executive Committee.

10. **Delegates shall consist of:**

- a) Members of Executive Council who shall be accredited delegates by virtue of their office.
- b) Zone Commanders who shall be accredited delegates by virtue of their office.
- c) All Past Presidents of our Command, by virtue of their past service to Provincial Command shall be accredited delegates.
- d) Deputies - In the event that a District Commander or a Zone Commander is unable through absence or disability to attend a Command Convention, the Deputy Commander may attend the Command Convention as an accredited delegate in his place.
- e) Accredited delegates from Branches - one for the first fifty eligible voting members or fraction thereof, and one for each additional one hundred eligible voting members or fraction thereof (membership to be based on the per capita tax paid up to the end of the preceding calendar year).
- f) Employees - No member who is a paid employee of Command shall be an accredited delegate or vote at a Command Convention.

11. **Observer Delegates:**

Properly registered observer delegates may attend Command Conventions, but shall have no vote and shall only speak with permission of the Chair.

12. **Proxies:**

Any delegate accredited by the Branch of which he is a member, and **any Executive Council member who is accredited delegates by virtue of their office**, and attending a Command Convention may carry not more than four proxy credentials from the Branch of which he is a Member or other Branch or Branches in his District which has, or have, selected him to represent it or them. Such proxies shall be registered at the opening of the Convention and shall only be used when a ballot vote is required.

13. **Voting:**

- a) Only accredited delegates may vote.
- b) b) Other than a ballot vote, each delegate shall have one vote.

- c) On a ballot vote, the decision shall be made by the majority of votes cast, including proxies, excepting where otherwise herein stated.

14. Committees:

- a) At the opening business session, the Credential Committee shall be elected.
- b) The Command Executive Committee shall appoint the Procedure Committee prior to the Convention.

15. Resolutions:

- a) May be moved by Branches or a Standing Committee of Command.
 - b) If concurred in, and if requiring action by a higher level of Command, shall be referred to the next higher level of Command.
 - c) If not concurred in at any higher level of Command the resolution shall be returned to the level of Command at which the resolution originated with advice that it was not concurred in and that the originators of the resolution may reintroduce the resolution at the level of Command next higher than the level at which the resolution was non-concurred.
 - j) All resolutions shall be submitted to the Executive Director by March 31st, in a Command Convention year.
 - e) The Committee on Resolutions shall receive and review all resolutions submitted for the consideration of Convention. It may combine similar resolutions, amend any resolution for purposes of clarity, and consolidate into a composite resolution those which should be considered together; and it shall refer, with or without comments, a resolution which deals with a matter within the competence of another Committee, to such other Committee. In its report to Convention it will identify the resolutions which have been combined, consolidated or referred. Resolutions referred to a Committee shall indicate the concurrence or non-concurrence of the Committee and include the comments of the Committee. All combined resolutions to be printed in the Convention Book in the same manner as Non-Concurred resolutions for the benefit of all delegates.
 - f) Resolutions received after March 31st shall be referred to the first meeting of the Executive Council following the Convention. Branches submitting late resolutions shall be advised of the Executive Councils decision regarding their resolution.
- 16) All officers of the Command Sub-Executive Committee, excepting the Immediate Past President, shall be elected by ballot at the Command Convention.

- 17) At a time to be decided by the Procedure Committee, the Chairman shall call for nominations for all elective offices from the floor.
- 18) 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.

PART IV - ELECTIONS

- 19) Nominees for office shall be either present at the Convention or have filed with the Executive Director a letter of acceptance prior to the call for nominations. To seek office, all members must have knowledge to use e-mail, word documents and spreadsheets including internet access.
- 20)
 - a) When balloting is for the election of a single officer, the candidate receiving the majority of the votes cast shall be elected.
 - b) If no candidate receives a majority of the total votes cast on the first ballot, a second ballot shall be held, deleting the name of the candidate receiving the least number of votes on the first ballot.
 - c) However, if the total of the votes received by the two with the lowest number of votes is less than the votes received by the candidate with the next lowest number of votes, the names of the two with the lowest number of votes shall be deleted from subsequent ballots.
- 21)
 - a) When balloting is for the election of more than one officer in a multiple delegate position, delegates will use the simple majority voting system.
 - b) A delegate may not vote more than once on the ballot for any candidate.
 - c) The ballots shall be in the form approved by the Convention Committee.
 - d) Ballots not marked in conformity to this section shall not be counted.
- 22) All candidates accepting to hold office will be allowed two minutes for a nomination speech. No supporter of any candidate shall make a nomination speech.

PART V - FINANCE AND BANKING

- 23) All expenditures of the Command shall be regularly scrutinized by the Honorary Treasurer who shall give a full report on same to every meeting of the Sub-Executive Committee and Executive Council for approval.

- 24) All monies payable to Command shall be paid to the Executive Director who shall forthwith deposit all monies received by him in such Chartered Bank or Banks or Credit Unions as may from time to time be approved of by the Sub-Executive Committee. All withdrawals, cheques, promissory notes, bills of exchange, and any other instruments involving the liability of Command shall be signed by two of the signatories set at the first Executive Council Meeting following the Convention. All bank accounts into which Command monies are deposited shall be in the name of the Command and no cheque or other instrument shall be signed in blank.
- 25) The Executive Director may expend for emergency relief such sums as he deems advisable, provided that no more than \$500.00 shall be given to any one individual for such purposes without approval of the Honorary Treasurer.
- 26) All stationery issued and used by the Command shall bear the official crest of The Royal Canadian Legion.
- 27) Auditor:**
- a) No member of the Executive Council shall be eligible for such appointment though the membership in The Royal Canadian Legion shall not otherwise disqualify a Chartered Accountant from such appointment.
 - b) The Honorary Treasurer shall present a report from the Auditor to each Command Convention, prior to which copies shall have been filed with the President.
 - c) A copy of each current Auditor's Report shall be available for inspection by any voting Legion member at the Command Office.
- 28) Command shall pay the expenses of the members of the Executive Council while on authorized Command business.
- 29) a) Command shall pay the expenses of the Sub-Executive Committee for attendance at all Dominion Conventions.
- b) Command shall pay the expenses of District Commanders for attendance at all Dominion Conventions.
 - c) If the District Commander is unable to attend then the Command shall pay the expenses of the Deputy District Commander to attend, if available.
 - d) The Command President will be paid an honorarium each month to cover incidental expenses, the amount to be set by the Executive Council.

PART VI - GENERAL

30) Procedure:

- a) **RULES:** In all matters of procedure the provisions of the Rules of Procedure for Legion Meetings shall apply. Where the guide does not make adequate provision, "Robert's Rules of Order" shall apply.
- b) **QUORUMS:** A majority of the members of any council or committee shall constitute a quorum.

31) Guest Speakers:

- a) When a guest speaker attends any meeting, rally or convention at the request of any 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. Such authorization by the Sub-Executive Committee shall only be given at Branch and Zone level under exceptional circumstances which shall be stated at the time application for same is made.

32) Command Colour Party:

- a) The Sub-Executive Committee may appoint Legion members in good standing to act as a Colour Party for any Command functions.
- b) The costs of the Colour Party shall be paid by Command, which shall include such compensation and expense allowances to the members thereof as may from time to time be authorized by the Executive Council.
- c) The Colour Party may attend other than Command functions when authorized by the Sub-Executive Committee, in which case Command may require compensation to wholly or partially cover the costs of such attendance.

33) Command Staff:

- a) **Executive Director:**
 - i) The Executive Director shall be appointed by the Executive Council and shall keep a record of the proceedings of all Command Conventions and meetings of the Sub-Executive Committee and the Executive Council in books provided for that purpose.
 - ii) He shall give notice of, and shall attend all Command Conventions and meetings of the Sub-Executive Committee and the Executive Council and have with him

the necessary minutes, record books and correspondence relative to the business of the Convention or meeting.

- iii) He shall keep a just and true account of all monies received and paid out by Command, of all financial transactions including a full and complete statement of the credits and liabilities of Command. He shall deposit all funds of Command in a Bank or Credit Union and he shall pay out all monies owing by Command when duly authorized.
- iv) He shall be the custodian of the Command Seal.
- v) He shall keep his books and records in the Command Office, which shall be open to the inspection of the officers and voting members of the Command at all times.
- vi) Whenever required by the Executive Council, he shall furnish a detailed statement containing a summary of the property, assets and liabilities of the Command, and of all its financial dealings.
- vii) He shall act at times and in all respects entirely at the will and discretion of the Executive Council, and shall perform such duties and conform to such rules and regulations as the Executive Council may from time to time determine.
- viii) He shall be bonded in an amount to be fixed by the Sub-Executive Committee.
- ix) He shall have charge of the Command Office and shall be responsible for its efficiency.
- x) He shall have authority to engage and discharge such casual help as may be required, the remuneration and numbers to be determined by the Sub-Executive Committee.
- xi) He shall be paid a salary and such other remuneration as the Executive Council shall determine.
- xii)** He shall have the right to speak at any Command meetings but shall have no vote.
- xiii)** During the performance of assigned duties, salaried, permanent employees are not subject to complaints under Article III of the General By-Laws. All hiring, conditions of employment and terminations must be in accordance with Federal and Provincial Laws, including Act or Code respecting Human Rights. This includes notice of termination and pay in lieu of notice.

b) Staff

- i) The Executive Council may employ a permanent assistant to the Executive Director who shall be the second in command of the office administration, and in the absence of the Secretary shall assume his responsibilities.
- ii) The Executive Council shall employ such other permanent staff as may be required to competently carry out the administration of Command.
- iii) The Sub-Executive Committee may engage temporary help to do specific work either for the Executive Director or under the direction of the Sub-Executive Committee or a Committee of same.

34) Qualifications to Hold Office:

Any member in good standing of a Branch within the Zone or District is eligible to hold elected office on Zone or District Council respectively, providing he is present at the time of election or has expressed in writing his willingness to accept office if elected. Candidates for the office of District Commander shall have knowledge to use email, word documents and spread sheets including having internet access.

35) When Elected Officers Assume Duties:

Zone, District and Command officers shall assume office immediately upon the adjournment of the Command Convention next following their election excepting in cases of an election to fill a vacancy when duties shall be assumed immediately.

36) Vacancies in Elected Offices:

- a) Should any elected Zone, District or Command office become vacant by resignation or for any other reason, such office may be filled by appointment by the Sub-Executive Committee.
- b) Should circumstances warrant, the Sub-Executive Committee may order the election of any District Commander to be carried out by a mail vote. In such a case, nominations may be made by any Branch within the District concerned by forwarding the nomination, signed by either the President or Secretary of the Branch, together with the written consent of the candidate, to the Executive Director of the Command, clearly marking the outside of the envelope "NOMINATION". If more than one candidate is nominated, the Executive Director shall prepare a ballot and forward same to each Branch within the District concerned. Ballots shall be clearly marked by each Branch as to their choice of candidate and the voting strength claimed by the Branch, and be returned to the Executive Director, clearly marked "BALLOTING FOR COMMANDER, DISTRICT NO. _". Closing dates for nominations and balloting shall be fixed by the Sub-Executive

Committee, who shall appoint scrutinizers and count the ballots at the next meeting of the Committee.

- c) Should any elected Zone, District or Command officer fail to attend two consecutive meetings requiring his attendance without having been excused by such meetings, he shall forfeit his position and the office shall become vacant.
- 37) Command Consultations Without Meeting: Consultations of Sub-Executive Committee and Executive Council may be held by telephone or other means and subsequently confirmed by letter. A ballot of the Executive Council may be taken by mail.
- 38) Returns:
- a) Branches, Zones, and Districts shall make a return to the Executive Director of the Command, showing all officers, elected or appointed immediately following such election or appointment.
 - b) Any Branch or a group of Branches that conducts a Poppy Fund Campaign either singly, or as a group, or jointly with any other organization, shall, following the close of the campaign, complete a Poppy Return Form and forward it to the Provincial Command Office by the date specified by the Command Poppy Chairman.
- 39) Ladies' Provincial Council shall present an audited financial statement to Provincial Command at the end of each fiscal year.
- 40) Non-Voting Members: At no time shall the combined total of Non-Voting members (Non-voting Affiliates) exceed 50 % of voting members of the Branch.
- 41) Command Special Branch: The Provincial Command {Manitoba and Northwestern Ontario No. 000) Branch is the Special Branch of Provincial Command established under the provisions and for the purposes specified in Article VI, of the General By-laws.
- 42) Amendment to By-laws: These By-laws including Generic Bylaws may be amended at any Command Convention by a majority vote of the Convention, provided that the amendment is submitted as a resolution in accordance with these By-laws.
- 43) No complaint under Article III of the General By-Laws shall be received by the Manitoba and Northwestern Ontario Command from any branch or member unless accompanied by the filing fee of \$100.00. The filing fee for a complaint shall be returned to the complainant unless the complaint is dismissed in its entirety at the complaint hearing.
- 44) When business arises of which no advance notice has been given, the presiding officer may, if he considers it in the best interest of the Command, adjourn to the next meeting the debate of such question.

PART VII - COMPLIANCE WITH CANADIAN LAW

- 1) a) In order for our Command to comply with the Canada Not-For-Profit Corporation Act in the Dominion Convention year, our Command shall hold an Annual Meeting which will have as an agenda of the following:
 - i) Presentation of the audited Financial Statements.
 - ii) Approval of the auditors.

- b) This meeting will be held in October immediately prior to our regularly scheduled Provincial Executive Council Meetings and notice of this meeting with mention of written submissions may be provided to Legion Magazine not more than 90 days prior and not less than 21 days before the meeting. Documentation pertaining to this meeting may be made available on our Command website, www.mbnwo.ca at least 21 days prior to meeting.

- c) Quorum for this meeting shall be 15 members of the Royal Canadian Legion.

PART VIII - GENERIC BRANCH BY-LAWS

TO THE GENERAL BY-LAWS OF THE
MANITOBA AND NORTHWESTERN ONTARIO
COMMAND OF THE ROYAL CANADIAN LEGION

Introduction:

The Act to Incorporate, The Royal Canadian Legion Act {1965 and 1990} and the General By-Laws of the Commands, contain sections that are final insofar as a Branch is concerned. A Branch, however, may develop by-laws with respect to several general matters covered by a senior authority, and to provide some detail to its management. Section 17 of Part VIII outlines use of the Generic By-Laws which have been developed as a minimum standard of Branch By-Laws and/or for USE by Branches who do not have By-Laws

1. Title: The Branch shall be known as the " Branch No. of the Manitoba and Northwestern Ontario Command of The Royal Canadian Legion".
2. Membership: Branch Membership shall be comprised of members qualified in accordance with the General By-laws of The Royal Canadian Legion.
3. The Welcoming Ceremony Every new member shall be welcomed according to the Ritual, Awards and Protocol Manual.
4. Annual Dues:
 - (a) Every member shall pay annual dues in the amount to be decided upon by a General Meeting of the Branch which will include Dominion and Provincial Per Capita as laid out at the respective Conventions. With the exception that the Branch Executive shall have discretionary powers to recommend to the General Membership in regard to dues etc. of life Members, members who are retired and members warranting special consideration due to unusual circumstances.
 - b) Members whose dues are in arrears shall be dealt with in accordance with The General By-laws of The Royal Canadian Legion.
 - c) The Secretary shall annually present a list to the Executive, of the names of those whose membership has lapsed. Receipts will be issued to all members that pay their dues to the Branch to ensure an adequate paper trail is in place.
 - d) Dues of an "Early Bird" member who is deceased prior to January 1st of the coming year shall be refunded by his Branch upon the request of his dependents or the Executors of his Estate.

5. Executive Committee:

- a) The Branch Executive Committee shall be as follows: President, Immediate Past President., First Vice President, Second Vice President, Secretary and/or Secretary-Treasurer, Treasurer, Sergeant-at-Arms, or such officers and members as may be required for the operation of the Branch.
- b) With the exception of the Immediate Past President, all officers and members of the Executive Committee shall be elected and shall assume office on the first day of the month following the date of the election and installation. Term of office shall be determined by the Branch, i.e., one or two years.
- c) The Executive Committee shall meet monthly and shall transact the current business of the Branch, subject to the jurisdiction of the membership of the Branch assembled in General Meeting.

6. General Meetings:

A General Meeting of the Branch shall be held at least once each quarter at which the minutes of the previous General Meeting and Executive Committee meeting, held subsequent to the previous General Meeting, shall be read for approval.

7. Annual Meeting:

A meeting of the general membershi shall be held at least once every year for the receiving of a report of the Branch finances and for the election of Branch Officers, or in lieu thereof, for deciding the date and method of electing Branch Officers.

8. Special General Meetings:

In unusual or pressing circumstances a Special General Meeting may be called by the Branch Executive Committee or at the written request of a specified number of members. The Branch By-laws shall specify the number of signatures required to call such a meeting. In the absence of such a By-law, the specified number shall be 10% of the voting members of the Branch.

- a) Where the meeting is called by the Executive Committee, the members shall be notified by a notice posted in the Branch at least fourteen days prior to the meeting. Such notice shall contain, briefly, the purpose of the meeting.
- b) Where the meeting is called at the request of members, the written request shall contain the required number of signatures, as specified above, and the purpose of the meeting. Members shall be notified by a notice posted in the Branch at least fourteen days prior to the meeting.
- c) Only that business for which the Special Meeting has been called shall be dealt with.
- d) The minutes of Special Meetings shall be recorded and posted for the information of all members unless, for a special reason, the meeting directs otherwise.

9. Standing Committees:

- a) The Executive Committee shall appoint a Chair for each of the following Standing Committees at the first meeting of the Executive Committee following its election: Finance, Entertainment, Membership and Ritual, House and Property, Sick Visiting, Sports and Games, By-laws and Legislation, Welfare, Poppy, Ways and Means, Leadership and Development, or; such Chairs as the Branch may require.
- b) A member may be appointed to the Chair of more than one Committee.
- c) Each Chair so appointed shall select the members of his own Committee, submitting same to the Executive Committee for approval at its next meeting.
- d) All Chair of Standing Committees shall submit a written report to the Executive Committee and General Meetings as required.

10. Secretary:

- a) A Secretary, if not elected, shall be appointed by the Executive Committee at its first meeting following election, such appointment to be approved by the General Membership at its next meeting.
- b) The Secretary shall keep a record of the proceedings of all meetings and all Branch correspondence and shall be the custodian of all Branch records and the Seal of the Branch.

11. Treasurer:

- a) Shall keep a just and true account of all financial transactions of the Branch and shall present a statement of same to all Executive Committee and General Meetings of the Branch.
- b) Shall be prepared when called upon, to give a complete statement of the assets and liabilities of the Branch.
- c) He shall be a bonded officer of the Branch.

12. Bank:

All monies received on behalf of the Branch shall be deposited in a Chartered Bank or Credit Union in the name of the Branch, and all monies paid on behalf of the Branch shall be paid by cheque, signed by the Treasurer and by one other Branch officer as may be determined by the Executive Committee.

13. Auditors:

The Financial Records of the Branch shall be reviewed by a Financial Review Committee, prior to the Annual Meeting for report to the Annual Meeting. No member of the Executive Committee or salaried employee shall be eligible to conduct such financial review.

14. Vacancies:

- a) Resignations must be in writing. Any Branch officer, (except the Immediate Past President who is governed by Dominion General Bylaw# 613 b. "*Any branch immediate past president who is absent from three consecutive meetings of either the executive committee or the branch, or a combination of both, without due cause satisfactory to the executive committee, shall cease to hold office.*"), or Executive member absent from three consecutive Regular Executive Meetings without receiving the consent of the Executive, shall cease to hold office.
- b) Any vacancy occurring in the Executive of the Branch shall be filled by election at the General Meeting at which the vacancy is accepted. The President may appoint a member to fill the vacancy on a temporary basis pending the election.
- c) If the Election creates a vacant position on the Executive/Committee, (for example a Vice President is elected to the open President's position), the vacancy shall immediately be filled by Election, at this meeting, and sub section c) and d) shall apply.
- d) In the event that there is no successful candidate for election to a vacant position, the President may appoint a member to fill the position until the next Branch General Elections.
- e) Unless further restricted by a Branch's own By-Laws, a person must be a member of the Branch, and in good standing, to be Nominated and Elected to Office.

15. Quorums:

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 Branch By-Law Amendments.

16. Rules of Order: In all matters of procedure the provisions of the Legion's "Rules of Procedure for Legion Meetings" shall apply. In all cases where these rules do not make adequate provision then, and then only, "Robert's Rules of Order" shall apply.

17. General:

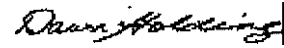
- (a) These By-Laws will not be altered or amended except on a written notice of motion. This notice of motion will be introduced at a Branch General meeting at least one month prior to the next General meeting. This notice of motion shall be posted on the Branch bulletin board for all members' consideration and will be signed by the proposer and seconder.
- (b) These By-Laws are intended for use by Branches who have not formulated a set of By-Laws and are intended for guidance in the conducting of Branch affairs. Where these By-Laws are not adequate to handle any situation which may arise, reference shall be made to the Provincial and/or Dominion General By-Laws, the articles of which have precedence.

GENERAL BY-LAWS
OF THE
MANITOBA AND NORTHWESTERN ONTARIO COMMAND
OF
THE ROYAL CANADIAN LEGION

Approved by
50th BIENNIAL CONVENTION
THUNDER BAY, ONTARIO
JUNE 2022



Ernie Tester
President



D. Golding
Provincial Executive Director