

GENERIC BRANCH BY-LAWS
for
MANITOBA AND NORTHWESTERN ONTARIO COMMAND
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 membership 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 Chairs 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 audited by an Audit 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 audit.

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.