

QUESTIONS AND 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 611 (a) and (b) and **NOTE** 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. See General Bylaws 311 (c) ii.

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

Yes. See General Bylaws 311 (c) i.

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 anyelective 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. **IN A PHONE CALL WITH DOMINION COMMAND, THIS WAS FOUND TO BE NOT SUPPORTED BY DOCUMENTATION. (October 16, 2018)***

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. 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.

21. 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 Bylaws.

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

When elections are held the chairs are vacant, so yes everyone has to be installed.

23. 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.

24. 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.

25. 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.

26. 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.

27. 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).

28. 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.

29. 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.

30. 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.

31. 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.

32. 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.

33. 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.

34. 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.

35. 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.

36. Where do you wear the "We Support Our Troops Pin" and for how long?

At the DEC meeting in 2012 and recorded in the minutes, this was approved and can be worn indefinitely. This has not been updated in the Rituals, Awards and Protocol Manual. (October 16, 2018)

37. 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.

38. Is there a membership computer program for branches available through Dominion Command?

Dominion Command only has one Electronic Membership Program and is not for Branch specific.

39. 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, Awards and Protocol Manual for Legion Members.

40. 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.

41. 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").

42. Was the 24 month waiting period eliminated for Affiliate Non-Voting Membership?

Yes.

43. 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.

44. 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.

45. 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.

46. 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.

47. 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.

48. 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.

49. 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.

50. 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.

51. 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

Canadian National flag of Canada

R.U.J. Royal Union Flag (Union Jack)

Legion Banner

52. What do I do if I have too many Bars for my P/O Medal; as I can only get 4 or 5 on?

There is only (1) Past Officer medal allowed at each level so I would suggest you put on the Bars you think are the most appropriate for you.

53. Can summer dress be worn by members of a Legion Colour Party in either a Legion or non-Legion parade/ceremony?

Summer dress as stipulated in Chapter 1, #103 of our Ritual, Awards and Protocol Manual most definitely includes members of Legion Colour Parties for any events. However, summer dress for Colour Parties is at the call of the Parade Commander as noted in the Ritual, Awards and Protocol Manual, Chapter 1 # 105(h).