



# Returned & Services League of Australia (Queensland Branch)

## STATE BY-LAWS 2008

**Legislation & Awards Committee**

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## **BY-LAW 1      SERVICE MEMBERSHIP**

### **Theatres of Conflict**

- 1.01 Since 1983 admission to Service Membership of the League has been open to any member of the Australian Defence Force who in general terms has completed 6 months service. Prior to that, membership was generally related to service in a theatre of conflict
- 1.02 The following shall be eligible to apply to be admitted as Service Members:
- a. a person who was a member of the Australian Defence Force during World War I or World War II including those who served in the Volunteer Defence Corps (VDC);
  - b. a person who was a member of the Armed Forces of:
    - (i) any country presently or formerly a member of the Commonwealth of Nations;
    - (ii) any country or place presently or formerly a Crown Colony of the United Kingdom; or
    - (iii) the United States of America;
    - (iv) during World War I or World War II;
  - c. a person to whom paragraphs 1.02a. and 1.02.b. do not apply; but who, during World War I or World War II in a theatre of conflict, either served with or supported or was otherwise engaged with the Australian Defence Force or the Armed Forces of those countries or places referred to in paragraph 1.02.b. and who is an Australian citizen or a citizen of any of those countries or places;
  - d. a person who is an Australian citizen and who during World War 1:
    - (i) was a member of the Armed Forces of another county or place which during that War was an ally of the Commonwealth; or
    - (ii) in a theatre of conflict either served with or supported or was otherwise engaged with the Armed Forces of such county or place;
  - e. a person who is an Australian citizen and who during World War 1:
    - (i) was a member of the Armed Forces of another county or place which during that War was an ally of the Commonwealth; or
    - (ii) in a theatre of conflict either served with or supported or was otherwise engaged with the Armed Forces of such country or place.

### **Service Members - Eligible Service in a Theatre of Conflict**

- 1.03 The following shall also be eligible to apply to be admitted as Service Members:
- a. a person who has been a member of the Australian Defence Force and has served in a theatre of conflict:
  - b. a person who has been a member of the Armed Forces of.
    - (i) any country presently or formerly a member of the Commonwealth of Nations;
    - (ii) any country or place presently or formerly a Crown Colony of the United Kingdom: or
    - (iii) the United States of America; and has served in a theatre of conflict:
  - c. a person to whom paragraphs 1.03.a. and 1.03.b. do not apply, but who, in a theatre of conflict, either served with, supported or was otherwise engaged with the Australian

Defence Force or the Armed Forces of those countries or places referred to in paragraph 1.03.b. and who is an Australian citizen or a citizen of any of those countries or places;

- d. a person who is an Australian citizen and who was a member of the Armed Forces of another country or place which in a theatre of conflict was an ally of the Commonwealth provided that that person shall have served in that theatre of conflict: or
- e. a person who is an Australian citizen and who in a theatre of conflict either served with, supported or was otherwise engaged with the Armed Forces of a country or place referred to in paragraph 1.03.d.

### **Service Members - Other Eligible Service**

1.04 The following shall, in addition, be eligible to apply to be admitted as Service Members:

- a. a person who for a period of not less than 6 months has been a member of the Australian Defence Force or a person who for less than 6 months was such a member but who was honourably discharged either for medical reasons or for reasons outside his control;
- b. any person who for a period of not less than 6 months has been a member of the Armed Forces of:
  - (i) any country presently or formerly a member of the Commonwealth of Nations;
  - (ii) any country or place presently or formerly a Crown Colony of the United Kingdom; or
  - (iii) the United States of America;
- c. a person who is an Australian citizen and who for a period of not less than 6 months served outside the Commonwealth as a member of a peace-keeping force declared by the National Executive to be such a force;
- d. a person who for a period of not less than 6 months was a member of the Australian Women's Land Army during World War II;
- e. Any person who is not otherwise eligible to be admitted as an Service Member but who is an Australian Citizen and who for a period of not less than 6 months served in the armed forces of any other country or place not included in those countries or places previously referred to in this By-Law provided however that at no time during such service, the country or place in the armed forces of which he served, was in conflict in war or war-like operations against the Commonwealth;
- f. a person who served for a period of not less than 6 months in Military and Convalescent Hospitals as a member of a Voluntary Aid Detachment during World War II; and
- g. a person who is not otherwise eligible to be admitted as an Service Member but who for a period of not less than 6 months had been formally accredited and administered by the Australian Defence Force.
- h. an Officer of Cadets or Instructors of Cadets, after completing 10 years of aggregate service in such an appointment.

1.05 The decision of the Sub-Branch Committee to reject an application shall be recorded in the minutes of the meeting at which the decision was made. The applicant shall be notified in writing of the decision and the grounds upon which the application was rejected and the right of appeal to RSL (Queensland Branch), within 14 days of the Committee meeting.

1.06 Within 28 days after the date of the notification in writing of their rejection, the applicant may appeal in writing to RSL (Queensland Branch). Such an appeal shall be lodged with the Sub-Branch

concerned, which shall forward it, together with the grounds for rejection and all other relevant papers and documents to the RSL (Queensland Branch) CEO.

- 1.07 RSL (Queensland Branch) may direct the Sub-Branch concerned to admit the applicant as a Service Member if RSL (Queensland Branch) is of the opinion the applicant should be admitted or RSL (Queensland Branch) shall reject the appeal if it is satisfied the applicant is not eligible, or is not, in the interests of the League, a fit and proper person to be admitted as a Service Member. The decision of RSL (Queensland Branch) shall be final.
- 1.08 If RSL (Queensland Branch) directs a Sub-Branch to admit an applicant as a Service Member, the applicant shall thereupon be deemed to have been admitted as a Service Member and a member of that Sub-Branch.
- 1.09 If an applicant seeks to become a member of RSL (Queensland Branch) only, then RSL (Queensland Branch) is responsible for processing the application, the applicant shall be admitted as a Service Member and a member of the Branch. RSL (Queensland Branch) shall thereupon include the applicants name on the Unattached List of Members. RSL (Queensland Branch) may only reject an application upon the grounds set forth in paragraph 1.07.
- 1.10 If RSL (Queensland Branch) has rejected an application, it shall within 14 days after the rejection notify the applicant in writing of the fact and the grounds for rejection, namely that the applicant is not eligible, or is not, in the interests of the League; a fit and proper person to be admitted as a Service Member and a member of RSL (Queensland Branch). In so doing it shall advise the applicant in writing of the right of appeal to the RSL National Executive.

### **Applications for Transfer**

- 1.11 The procedure to be adopted for a Request for Transfer is detailed in the Manual of Membership Administration.

## **BY-LAW 2      STANDING ORDERS - CONDUCT OF MEETINGS**

2.01 All proceedings at meetings of the State Congress; State Council, District Branch and General and Committee meetings of Sub-Branched and at all other- meetings held under and in pursuance of the foregoing Rules of RSL (Queensland Branch) shall be governed by the following Standing Orders for the conduct of such meetings:

### **Order of Business**

2.02 The business at such meetings, after the Roll Call and receipt of apologies, shall be conducted in the following order, as far as is applicable:

- a. One minutes silence should be observed, in “Memory of Fallen and Departed Comrades”, followed by the recitation of the “ODE” by the Chairman;
- b. Roll call and receipt of confirmed apologies;
- c. Acceptance and formal reception of new members;
- d. Reading, with a view to their confirmation, all minutes not previously confirmed;
- e. Business arising out of minutes;
- f. Reading and dealing with correspondence;
- g. Financial reports
- h. Discussion of business of which notice has been given;
- i. Business left over from previous meeting;
- j. Reports of Secretary, Committees and Delegates;
- k. Notices of motion for next meeting;
- l. Other items on Agenda; and
- m. General business.

### **Addressing Chair**

2.03 A member desiring to speak shall rise in his place and address the Chairman. If two or more members rise at the same time, the Chairman shall call upon the member who, in his opinion, rose first to speak.

### **Respect to Chair**

2.04 Any member speaking shall at once resume his seat if the Chairman rises to speak or if a point of order is raised, and shall not resume his speech until the Chairman shall resume his seat or the point of order has been decided.

### **Discussion Confined to Motions, Amendments**

2.05 Subject to the Chairman's right to permit discussion upon any matter lie deems of importance to the meeting, no discussion shall take place except on a motion or amendment moved and seconded, and put in writing if so requested.

## Motions

- 2.06 All motions and amendments shall if so required by the meeting concerned be submitted in writing, signed by the mover and seconder, and (a) shall be of an affirmative character (b) once having been submitted shall be the property of the meeting, and shall be withdrawn only by leave of the meeting or by amendment. No motion vitally affecting the policy interests of the League shall be submitted to a meeting without adequate notice.

## Motions Not Seconded

- 2.07 A motion not seconded shall not be debated, and no entry thereof shall be made in the Minutes of the Meeting.

## Restriction Upon Speeches

- 2.08 The mover of an original motion shall be allowed four minutes to introduce flee motion and two minutes for the right of reply and the speakers for or against such proposal shall be limited to three minutes, except that at any tune the Conference may resolve, on the motion of a delegate, that the speaker's time be extended by a specified number of minutes and any such proposal for an extension of time shall be put to the Conference concerned without debate.
- 2.09 No member shall propose more than one amendment upon a motion, and no member shall speak more than once upon a motion or once upon each amendment thereto, except with the permission of the Chairman or except he be the mover of the motion, who shall be entitled to the right of reply; provided that, for the purpose of this Rule, an amendment that has become the substantive motion shall be deemed to be a separate motion. Notwithstanding, however, the right to reply given to the mover in the foregoing, the Chairman may, should he consider that there is no practical difference of opinion among the members, stop the discussion and submit the proposition to the meeting.

## Seconding Without Remarks

- 2.10 A member who uses the words "I second the motion" or "amendment", as the case may be, shall not be deemed to have spoken to the question before the Chair and may exercise his right to speak at a later stage, always providing he is not the third consecutive speaker on the one side. For the general purpose of debate, however, he shall be deemed the second speaker in the affirmative.

## Debate

- 2.11 When a motion has been duly proposed and seconded, the Chairman shall proceed to take the votes, unless some member arises to oppose it or to propose an amendment. No more than two members shall speak in succession either for or against any question before the meeting, and if, at the conclusion of the second speaker's remarks, no member rises to speak on the other side; the motion or amendment shall be at once put to the meeting.

## Time of Amendment

- a. A motion may be amended at any time during the debate thereon by:
- (1) Striking out certain words;
  - (2) Adding certain words; or
  - (3) Striking out certain words and inserting others in their place.

- b. Any member who wishes to propose a further amendment to the motion shall have power to give notice of amendment and state its nature before the amendment before the Chair has been put to the vote.

### Amendments

- 2.12 Only one amendment shall be debated at the one time. If the amendment be carried, it shall become the substantive motion, the original motion lapsing, and there shall be no necessity to put the original motion to the meeting.

### Other Amendments

- 2.13 Whether an amendment is carried or not, other amendments may be submitted, and at a time, to be decided in like manner until the subject is finally disposed of

### Amendments Lost

- 2.14 In the case of all amendments being lost, the Chairman shall put the original motion to the vote.

### Motion Discharged From Agenda

- 2.15 A motion may be superseded at any time:
  - a. By another that it be discharged from the notice paper;
  - b. By a motion for the adjournment of the question under consideration;
  - c. By the adjournment of the meeting; or
  - d. By a motion "That the next business be proceeded with", being resolved in the affirmative.

### Frequency of Speech

- 2.16 A member shall not speak more than once upon any motion before the meeting, except:
  - a. In reply upon an original motion:
  - b. In committee of the whole;
  - c. In explanation; or
  - d. Upon a point of order raised during a debate.

### Explanation

- 2.17 Any member who has spoken to a motion may again be heard to explain himself in regard to some part of his speech which the Chairman agrees may have been misquoted or misunderstood but such member shall not introduce any new matter or interrupt any, delegate who may be speaking, and no debatable matter shall be brought forward or debate arise upon such explanation.

### Motion for Question to be Put

- 2.18 A motion "that the question be now put" may be moved at any stage of a debate, and shall be put immediately to the meeting without discussion. If lost, the debate shall continue as if such motion had not been moved. If carried, the mover shall have the right to reply, then the amendment, if there be an amendment, or motion, if no amendment has been moved thereon, or all amendments have been disposed of shall be put to the meeting without further discussion. No

delegate who has spoken to the motion or amendment immediately before the Chair shall be permitted to move "That the question be now put".

### **Restriction on Moving that Question be Put**

2.19 At any Conference, no motion that the question be now put shall be proposed or seconded by a Delegate from the same District or Sub-Branch as that represented by the Proposer or seconder of the original motion.

### **Notice of Motion**

2.20 A member may, at any meeting, give a notice of motion for a future meeting by reading such notice to the meeting and handing a copy thereof to the Chairman. Such notice of motion shall take precedence in the order in which it stands in the minute book in relation to other similar notices, unless otherwise ordered by the meeting, and will lapse if the member, or some member on his behalf, be not present when the order for notice is read.

### **Delegate's Absence**

2.21 If the Chairman of the Conference declares that an item on the Conference agenda paper may lapse because of the absence of the Delegate proposing the item, the Chairman may accord to another Delegate the right to propose such item to the Conference.

### **Precedence of Business Adjourned Meeting**

2.22 When a motion for the adjournment of the meeting has been carried, the business then undisposed of shall have precedence in its order at the next meeting.

### **Rescinding Resolutions**

2.23 Any member wishing to rescind a resolution which has been previously passed by the meeting, must give notice of motion that, at the next meeting, he will move that such a resolution be rescinded. Such notice of motion shall require a majority of two thirds of the votes of members present at the meeting to rescind the resolution in question.

### **Cannot Represent Two Sub-Branches**

2.24 No Delegate shall, at the one time, or in connection with the one motion and/or any amendments thereto, represent or vote on behalf of more than one Sub-Branch or District.

### **Conducting Vote**

2.25 The chairman shall put all questions in a distinct and audible voice to the meeting by asking the "Ayes" to vote first and, afterwards, the "Noes", and shall, thereupon, give his opinion as to which are in the majority, and shall declare a show of hands or a ballot if same is asked for.

### **No Debate During Voting**

2.26 No members shall speak to any question after it has been put by the Chairman, nor during a vote, except to a point of order.

### **Voting Procedure**

2.27 No member shall be allowed to vote on any show of hands or ballot who was not present when the question was first put. Every member present must vote, but in the event of a member's refusal

to vote, he shall be assumed to have voted in the negative. No member shall be allowed to enter or leave the room while a vote is being taken.

### **Introduction of Authorised Subjects Only**

2.28 No member shall be allowed to obtain a discussion upon any subject through the medium or correspondence, but he may introduce the matter, in his place at the meeting, by moving the suspension of Standing Orders.

### **Meeting to Resolve as Committee**

2.29 The meeting may, at any time, resolve- itself into a Committee of the whole, and such resolution may include the exclusion of the press. So far as possible, however, business to be dealt with in Committee shall be held over until all other business has been transacted.

### **Adjournment of Meeting or Debate**

2.30 A motion for the adjournment of the meeting may be proposed at any time during a meeting, or for the adjournment of a debate at any time during such debate, and shall be, at once, put to the meeting by the Chairman.

### **Disorderly Conduct**

- 2.31 if any member at any such meeting -
- a. Persistently and wilfully obstructs the business of any meeting;
  - b. Is guilty of disorderly conduct;
  - c. Uses objectionable words and refuses to withdraw such words;
  - d. Persistently and wilfully refuses to conform to these Standing Orders or any one or more of them;
  - e. Persistently and wilfully disregards the authority of the Chair; the Chairman may report to the meeting that such member has committed an offence.

### **Apology or Explanation for Offence**

2.32 When any member has committed an offence, he shall be called upon to stand up in his place and make any explanation or apology he may think fit and, afterwards, a motion may be moved - "That the member be suspended for the sitting of the meeting". No amendment, adjournments or debate shall be allowed on such motion, which shall be immediately put by the Chairman.

### **Suspension**

2.33 If any member be suspended, his suspension on the first occasion shall be for the remainder of that sitting; on the second occasion for the sitting of two consecutive meetings; and on the third occasion may, in the case of a member of the State Congress, State Council, District Branch or Sub-Branch Committees, have his seat thereon declared vacant.

### **Points of Order**

2.34 In all cases where a point of order is raised, the member raising the same shall state his point of order clearly and distinctly and with the omission of any irrelevant details. If a member be speaking, such member shall take his seat until the point of order is decided. The Chairman shall decide the matter promptly, and his decision shall be final. Unless his ruling is disagreed with.

Points of order shall deal with the conduct or procedure of the debate. The member rising to put the point of order shall be required to prove one or more of the following:

- a. that the speaker is using unparliamentarily language;
- b. that he is speaking beside the question;
- c. that he is transgressing some Rule of the Branch or Sub-Branch; or
- d. that he is infringing the Standing Orders or, in the absence of a Standing Order bearing on the point, is acting contrary to the general custom of debate (Points of correction, such as a protest that a speaker is not stating the truth, are not points of order).

### Disagreement with Chairman's Ruling

2.35 When a motion is moved and seconded "That the Chairman's ruling be disagreed with," the Chairman shall forthwith leave the Chair and the debate on the original question then before the Chair shall be suspended. Another Chairman shall then be appointed by the meeting and the question. "That the Chairman's ruling be disagreed with" shall be discussed and decided, after which the former Chairman shall resume the Chair and the debate on the original question shall be proceeded with as if the same had not been suspended.

### Suspension of Standing Orders

2.36 It shall be competent, by a two-thirds majority<sup>o</sup> vote of the members present and voting, to suspend the Standing Orders, provided the effects of such suspension shall not be the rescission of paragraph 2. 36, and provided, further, that the suspension of the Standing Orders shall be limited in its operation to the particular purpose for which the suspension has been sought.

### Re-Committing Resolution

2.37 No resolution passed by a meeting shall be again debated or re-committed at the same meeting unless two-thirds of the members present and entitled to vote so agree.

### Objection to Validity of Vote

2.38 Subject to these Rules, the Chairman shall be sole and absolute judge as to the validity of any vote cast on any question, and unless objection to the validity of any vote is raised immediately after the Chairman has declared the result of the vote thereon, its validity cannot be again raised at any subsequent stage of the meeting.

### Voting Majorities

2.39 A rule which calls for either 3/4 or 2/3 majority, simply means that 3/4's or 2/3rds respectively of the members present at a meeting shall be in favour.

2.40 The following rules call for either 3/4 or 2/3 majority:

- |              |     |  |
|--------------|-----|--|
| 3/4 Majority | (1) | - Expulsion of Sub-Branch                |
|              | (2) | - Special Resolutions (General Meetings) |
| 2/3 Majority | (1) | - Suspension Standing Orders at Congress |
|              | (2) | - Removal of Sub-Branch Officers         |
|              | (3) | - Alteration of Resolution               |
|              | (4) | - Dismissal of CEO                       |

- (5) - Amendment of Rules
- (6) - Rescinding Resolutions
- (7) - Suspension of Standing Orders
- (8) - Re-committing of Resolution

## **BY-LAW 3      ELECTION OF STATE BRANCH OFFICERS**

- 3.01 Subject to Rule 4.23, the President, Deputy President, Vice-Presidents and Honorary Treasurer of RSL (Queensland Branch) shall be elected at the Annual Meeting of the State Congress from nominations submitted by Sub-Branches.
- 3.02 Nominations for the positions of State President, Deputy President, Vice-Presidents, and State Treasurer shall be called from all Sub-Branches. Such nominations must include a completed copy of Annex A to this By-Law and shall close two months prior to the meeting of State Congress. A person may be nominated for more than one position. Nominees are to indicate in writing their acceptance of the nomination.
- 3.03 The CEO shall advise all District Branches and Sub-Branches within seven days after such closing date of the nominations received and provide a copy of the nominee's history provided under paragraph 3.02.
- 3.04 For the purposes of an election a Returning Officer and scrutineers appointed as required.
- 3.05 If there are only sufficient nominations for the number of vacancies for a particular State office position, then those nominees will be declared elected.
- 3.06 If the number of nominees exceeds the number of vacancies a secret ballot of all District Branch and Sub Branch Delegates, attending Congress, will be held.
- 3.07 A Ballot paper for each position listing the nominees in an order drawn by lot will be provided to each delegate during State Congress registration.
- 3.08 The nominations for RSL (Queensland Branch) elections are to be considered at a Sub-Branch general meeting and voted upon by those members present.
- 3.09 The delegate will complete and lodge the ballot papers in the ballot box at State Congress, in accordance with the Sub Branch resolution.
- 3.10 The ballots will be counted in the following order:
- a. State President
  - b. Deputy President
  - c. State Vice Presidents
  - d. State Treasurer (if unpaid)
- 3.11 In the case of a tied vote, the name drawn from a suitable receptacle by the Returning Officer in the presence of the scrutineers will be declared elected.
- 3.12 After a candidate is elected to an office his name is to be excluded from subsequent ballots for which they had been nominated.

Passport Photo

**NOMINATION FOR  
STATE EXECUTIVE**

**RSL QUEENSLAND BRANCH**

APPLICANTS PARTICULARS

***SURNAME***

***CHRISTIAN NAMES***

***SUBBRANCH***

***DISTRICT***

Nominate for the position of

**1**

**2**

**3**

**4**

**LEAGUE DETAILS PERIOD  
OF MEMBERSHIP**

Date From

Date To

Sub Branch

**LEAGUE SERVICE**

To include Committee Appointments and service as a Delegate or Councillor. **SUBBRANCH**

| Date From | Date To | Appointment |
|-----------|---------|-------------|
|-----------|---------|-------------|

**DISTRICT BRANCH**

| Date From | Date To | <u>Appointment</u> |
|-----------|---------|--------------------|
|-----------|---------|--------------------|

**NATIONAL AND STATE BRANCH**

Date From    Date To    Appointment

**RSL SERVICE AND COMMUNITY**  
**RELATED ACTIVITIES Fundraising**

**Repatriation**

**Community**

**EDUCATIONAL QUALIFICATIONS and/or  
COMMERCIAL QUALIFICATIONS / EXPERIENCE THAT MAY ASSIST THE LEAGUE**

**BRIEF MILITARY HISTORY**

| Service | Dates Served From | To |
|---------|-------------------|----|
|---------|-------------------|----|

The nomination was accepted at a meeting of the Sub Branch at \_\_\_\_\_ location  
on \_\_\_\_\_ Date.

**Sub Branch President**

**Sub Branch Secretary**

**Date**

**Date**

**Nominees Agreement**

I \_\_\_\_\_ accept the nominations listed on page one of this  
submission

**Signature**

**Date**

## **BY-LAW 4      PRINCIPLES & GUIDELINES FOR RE-IMBURSEMENT OF EXPENSES**

### **General**

4.01 Re-imbusement of expenses to members of RSL Queensland Branch are made to defray the substantiated expense that members may incur in the authorized conduct of their duties.

### **Principles**

4.02 The principles to be applied in the payment of members expenses are contained in the Policy and Procedures Manual.

### **RSL (Queensland Branch) Executive**

#### **Guidelines**

4.03 The guidelines relating to Executive expenses are:

- a. All submissions for reimbursement of expenses or travel allowance are to be submitted to the CEO or other authorised person for verification, authorization and payment.
- b. The rate of Travel Allowance will be determined and amended from time to time by State Council.
- c. All RSL (Queensland Branch) Credit Card accounts, complete with copies of the relevant dockets, are to be submitted to the CEO for verification.
- d. All airline travel is to be booked and purchased as directed by the CEO. Other issues relating to air travel are:
  - (i) All air travel is to be logged on the one account.
  - (ii) Where possible all travel is to be by advance purchase or discount economy class tickets.
  - (iii) Upgrading to Business Class for extended flights will be considered on a case by case basis. Such decision will be made by the State Council on the advice of the CEO.

4.04 Air travel by the spouse of the State President will be paid by RSL (Queensland Branch) when accompanying the State President on authorised RSL business.

4.05 All car rentals by members of the State Council will be undertaken as approved by the CEO unless otherwise directed by State Council.

4.06 Subject to State Council approval, individual members of State Council may be issued with an agreed RSL (Queensland Branch) Credit Card. This is to be organised by the CEO.

4.07 Legitimate expenses incurred whilst on RSL business are to be paid where possible by the individual using their RSL (Queensland Branch) Credit Card.

### **National Congress**

4.08 The principles to be applied in the payment of Executive expenses for National Congress are:

- a. At National Congress the following are representatives of and hence the responsibility of RSL (Queensland Branch):
  - i. State President; and

ii. CEO.

- b. RSL (Queensland Branch) shall pay accommodation and travel expenses for the RSL (Queensland Branch) representatives at the daily rate of accommodation expenses as provided for in the Rules & By-Laws of the League.

## State Congress

4.09 The principles to be applied in the payment of Executive expenses for State Congress is as provided for in this By Law:

- a. At State Congress the following are the responsibility of RSL (Queensland Branch):
- (i) State Executive,
  - (ii) CEO,
  - (iii) Girl in a Million and Golden Girl,
  - (iv) Any other person approved by State Council,.
- b. RSL (Queensland Branch) will book and pay for accommodation and reasonable travel expenses for RSL (Queensland Branch) representatives at the daily rate of accommodation expenses.
- c. Additionally, RSL (Queensland Branch) shall pay accommodation and travel expenses required for the attendance of each District President or a representative appointed in the absence of the District President by the District Council.

## District Annual Conferences

4.10 The principles to be applied in the payment of expenses for District Annual Conferences are:

- a. The State President will attempt to attend all District Conferences if he is unable to attend, a member of the State Executive or a Committee Chairman may attend in his place. RSL (Queensland Branch) will not pay travel, accommodation or meal expenses for other attendees unless previously agreed to by State Council.
- b. At District Conferences the following are regarded as the responsibility of RSL (Queensland Branch):
- (i) State President or in his absence his representative;
  - (ii) CEO or in his absence his representative;
  - (iii) Girl in a Million and/or Golden Girl; and
  - (iv) Where appropriate, the associated RSL (Queensland Branch) Advocate.

## Other Visits to Districts/Sub Branch

4.11 On occasions Districts and/or Sub Branches may issue invitations to the State President to attend functions or meetings. Where a member of the Executive represents the State President, RSL (Queensland Branch) will meet all legitimate expenses.

4.12 Expenses will not be reimbursed in respect of personal invitations to attend or speak at meetings or social functions unless the executive member is officially representing the State President or unless otherwise approved by State Council.

## Other situations

- 4.13 Any other situation not covered above will be considered on a case-by-case basis by the State Council.

## RSL (Queensland Branch) Non Executive Members

### Guidelines

- 4.14 The guidelines relating to expenses for members of State Council, Committees and members appointed for specific tasks by RSL Queensland Branch that involve travel and/or accommodation and meals are:
- a. All submissions for reimbursement of expenses or travel allowance are to be submitted to the CEO for authorisation.
  - b. The rate of Travel Allowance will be determined and amended from time to time by State Council .
  - c. State Council Members are not to be issued with credit cards without the express approval of State Council.
  - d. All airline travel and accommodation is to be booked and purchased as approved by the CEO.

### RSL (Queensland Branch) Employees

### Guidelines

- 4.15 The guidelines relating to Employee expenses are as covered in the State Council approved Policy and Procedures Manual.

## BY-LAW 5 THE RECRUITING BONUS

- 5.01 RSL (Queensland Branch) will provide a bonus award system each year to Sub Branches that achieve an increase in membership as shown in this By-Law
- 5.02 The award provides any Sub Branch that increases its net membership by ten percent over a calendar year, 1 January to 31 December with a cash bonus.
- 5.03 The net increase is to be decided from information provided by the RSL (Queensland Branch) database. The Sub Branch must have been in existence for more than two years to qualify.
- 5.04 The cash bonuses are offered on a scale of membership numbers with a ten percent increase as follows:

| <u>Sub Branch Membership</u> | <u>Cash Bonus</u> | <u>Notes</u>                                    |
|------------------------------|-------------------|---|
| a. 10 to 50 members          | \$100.00          | less than ten member Sub Branches not included. |
| b. 51 to 200 members         | \$150.00          |   |
| c. 201 to 500 members        | \$300.00          |   |
| d. 501 to 900 members        | \$500.00          |   |
| e. 901 and above             | \$1,000.00        |   |

- 5.05 Special Bonus. Decided by State Branch for Sub Branches that have achieved a net increase of ten percent in membership each year for three consecutive years, only to be awarded for each new group of three consecutive years.
- 5.06 The awards are to be presented annually in April and are to include a Certificate of Achievement.
- 5.07 The award bonus may be varied from time to time on the recommendation of State Council.

## **BY-LAW 6 RSL AUXILIARIES**

### **RSL Auxiliaries**

- 6.01 This By-Law shall apply to all Auxiliaries formed under the jurisdiction of the State Branch. Each Auxilliary shall comply with such lawful directions as are given from time to time by the District Branch or Sub Branch having jurisdiction over it. This By-Law shall apply to both the Women's Auxiliary and the Citizen's Auxiliary equally.
- 6.02 An Auxiliary Branch may adopt By-Laws, providing they shall be first submitted to the District Council for consideration before adoption.

### **Formation**

- 6.03 RSL Auxiliaries may be formed as follows:
- a. A Sub-Branch may apply to the District Branch for the formation of an Auxiliary.
  - b. The By-Laws of each Auxiliary shall not have effect until approved by the District Council and no alteration shall be made unless they have been approved by the District Council.
  - c. The By-Laws of each Auxiliary shall be consistent with the Rules and By-Laws of RSL (Queensland Branch).
  - d. Each Auxiliary shall carry out and further the Objects of the League and be bound by its Standing Policy. In addition, it shall promote that Standing Policy within its jurisdiction.
  - e. The Purposes and Rules under which an Auxiliary is to be conducted are as provided for in this By-Law and State Branch Rules and By-Laws.
- 6.04 An Auxiliary shall consist of a minimum of 5 members willing to give practical service to the Sub-Branch, all of whom shall be eligible to hold office in the Auxiliary.
- 6.05 A Sub-Branch may form an Auxiliary for the purpose of supporting the Sub-Branch in the carrying out of the Objects of the League and the social and welfare aspects of the Sub-Branch.
- 6.06 Upon the formation of any Auxiliary Branch, the Sub-.Branch forming it shall, notwithstanding anything contained in the Auxiliary Branch By-Laws, continue to control, assist and guide it in its activities.
- 6.07 Should a difference or dispute arise between a Sub-Branch and its Auxiliary on any aspect relating to the operations or activities of the Auxiliary or the Sub-Branch control of its Auxiliary, the committee of either may refer matters in dispute to the District Council for determination and each shall be bound by the decision of the District Council.

### **Boundaries**

- 6.08 The formation of Auxiliary Branches lie with each of the Sub-Branches of the Queensland Branch; but no Auxiliary Branch shall be deemed as being properly formed if the boundaries of the area wherein it is proposed to operate differ from those of the Sub-Branch forming it.

### **Sub-Branch May Suspend or Disband an Auxiliary**

- 6.09 A Sub-Branch Committee may recommend to a general meeting of the Sub-Branch the suspension or disbandment of an Auxiliary where, in its opinion, a continuance of its activities would not be in the best interest of the Sub-Branch, the District Branch or State Branch.

- 6.10 The Auxiliary will be advised of any such recommendation and offered the opportunity for its representatives to attend such meeting and speak in its defence.
- 6.11 Where the General Meeting resolves to suspend the Auxiliary for a period longer than three months or to wind up the Auxiliary, the decision must be notified to the District Secretary and the Auxiliary will have a right of appeal to the District Council, whose determination shall be final.

### **Winding Up of Auxiliaries**

- 6.12 Any Auxiliary may be wound up if at a meeting specially called for the purpose, a majority of member's present vote in favour of such winding up. An Auxiliary can be compulsorily wound up in accordance with Rule 6.11. The date of commencement of winding up is the date of the resolution.
- 6.13 Where a Sub Branch is either compulsorily or voluntarily wound up in accordance with State Rules the resolution is to be deemed to include any Auxiliary supporting the Sub Branch and this will take precedence over paragraph 6.12. The winding up of the Auxiliary is to be completed prior to the winding up of the Sub Branch.
- 6.14 The winding up process must be completed within three calendar months from the commencement date.
- 6.15 Once all of the actions are taken all Auxiliary members may transfer to another Auxiliary.
- 6.16 All monies and property of whatever nature and of which it shall stand possessed shall, after satisfying all its creditors and meeting all other obligations, be taken over and held by the Sub Branch or if the Sub Branch shall have been wound up, the District Branch shall take over, and hold, the money and property in trust for a period of two years.
- 6.17 Further, the Trustees of any Auxiliary in whom lands or property shall be vested, shall sign all documents and do all such acts and things as may be necessary to transfer the same to the Sub Branch or District Branch or to dispose of, or otherwise deal with the same and the proceeds thereof, as the Sub Branch or District Branch shall direct.

### **Eligibility - Women's Auxiliary**

- 6.18 The following persons shall be eligible for membership in any Women's Auxiliary Branch:
- a. Any adult female relative of a serving, discharged or deceased member of a Commonwealth or Allied military force. Relative to include those persons in, or who were in, a de-facto relationship;
  - b. Any woman eligible for membership of the League shall be eligible for full membership in any Auxiliary Branch;
  - c. The members of any Women's Auxiliary Branch may, by resolution, admit to membership any adult woman not coming within the above categories.

### **Eligibility - Citizen's Auxiliary**

- 6.19 Any person within the local community may be eligible to be a member of the Citizen's Auxiliary. The minimum age for Citizen's Auxiliary membership shall be eighteen (18) years
- 6.20 The Citizen's Auxiliary may admit Junior Members under the following conditions:
- a. the minimum age shall be twelve (12) years
  - b. the Junior Member must be related to a parent or child guardian who is a current member of the Citizen's Auxiliary

- c. the current member must sign the Membership Application Form providing consent for the Junior Membership.
- d. Junior membership is to cease at eighteen years of age.

### Junior Member Participation

- 6.21 A Junior Member can only participate in a Sub Branch or Citizen's Auxiliary activity under the following Queensland Government Child Protection Legislation:
- a. a parent who is a member of the Citizen's Auxiliary may act as the supervisor on the condition that they are the parent or child guardian of a Junior Member present at the activity and will be present for the duration of the activity, or,
  - b. Junior members may participate if they are supervised by an adult member of the Citizen's Auxiliary who has been issued with a current Suitability Card (Blue Card) and will be present for the duration of the activity.
  - c. Junior Members are not to pay fees, vote or be elected to Citizen's Auxiliary Committees  
Sub-Branch Veto of Members
- 6.22 A person is eligible to be a member of an Auxiliary if they are an Australian Citizen and have signed an Auxiliary Membership Application Form in the form from time to time approved by the Committee of the Sub-Branch which requires the Auxiliary Member to be bound by the Rules and By,-Laws of the Sub-Branch, State Branch and the National Rules and By-Laws.
- 6.23 A person who is a member of the League or eligible to be a member of the League may be eligible to be a member of an Auxiliary.
- 6.24 No candidate shall be admitted to any Auxiliary or, having been admitted, be allowed to remain as a member, whose admission, or continuance of membership, would be, in the opinion of the Sub-Branch, prejudicial to the best interests of the Sub-Branch or the Auxiliary.

### Discipline of Members

- 6.25 Auxiliary members shall be subject to the same disciplinary rules of suspension or expulsion from an Auxiliary as are members of a Sub-Branch. Disciplinary action may be commenced by the Sub-Branch or the Auxiliary in accordance with By-Law 7.

### Appeal Regarding Removal or Suspension

- 6.26 With the written consent of the Sub-Branch responsible for the formation and guidance of the Auxiliary Branch concerned, any, or all, of the parties may appeal to the District Council against their removal or suspension and any decision given shall be final,

### Resignation

- 6.27 Any member may resign from membership by giving notice in writing to the Secretary.

### Membership Fees

- 6.28 The Annual Membership fee for Auxiliaries shall be set by the Sub Branch and is to be reviewed annually and is to be no more than fifty percent of the Annual League Subscription.
- 6.29 Membership fees shall be payable in advance on 1<sup>st</sup> day of January in each year, and any member whose subscription remains unpaid after the expiration of two clear months from the aforesaid date shall be deemed unfinancial and their name shall be removed from the register of members.

## Allocation of Fees

- 6.30 No portion of the annual membership fee shall be claimable by, or payable to, any Sub-Branch, District Branch or State Branch, but any Auxiliary Branch may, by resolution of which notice has been given, vote moneys, from such membership fees, to any of the bodies aforesaid.

## Auxiliary Badges

- 6.31 The badges of Auxiliaries shall be in such form as the National Executive shall determine. Each member of the Auxiliary shall, on payment of the first subscription, be issued, a badge of the Auxiliary for which they have been approved for membership.

## Supply of Badges

- 6.32 Badges shall be obtained by each Auxiliary Secretary from the membership office of State Branch.

## Auxiliary Meetings

### Annual General Meeting

- 6.33 The Committee shall be elected each year at the Annual General Meeting of the Auxiliary. Nominations for all offices of the Auxiliary, shall be taken at the Annual General Meeting (except for the office of President who must be nominated in writing prior to the Annual General Meeting), unless the Auxiliary shall have decided that all nominations are to be submitted in writing prior thereto.
- 6.34 The Management Committee of an Auxiliary is to be elected in total each year.
- 6.35 The Auxiliary Committee shall determine the date upon which nominations will close, and reasonable notice of such dates shall be given to members at such time and in such manner as the Auxiliary Committee shall determine. Failing such determination or notice, nominations shall close at the Annual General Meeting.
- 6.36 Nominations shall be signed by the Auxiliary members who propose and second any nomination and shall be endorsed by the nominee. In the event of no nominations in writing for the office of President being received, nominations for the office of President shall be called for from the floor of the Meeting.
- 6.37 The Annual General Meeting shall be the controlling body of the Auxiliary.
- 6.38 Each Annual General Meeting must be held within 6 months after the end of the previous financial year.
- 6.39 The following business must be transacted at every Annual General Meeting:
- a. the presentation and adoption of the President's Annual Report;
  - b. the receiving of the statement of income and expenditure,
  - c. the receiving of the auditor's report on the financial affairs of the Auxiliary for the last financial year;
  - d. the presenting of the audited statement to the meeting for adoption;
  - e. the election of the Auxiliary committee; and
  - f. the appointment of an auditor.

## Meeting Procedure

### Auxiliary Officers

- 6.40 The Annual General Meeting of an Auxiliary shall elect from its financial members a President, a Vice-President, Secretary and Treasurer. These officers and not less than two other financial members of the Auxiliary elected at the Annual General Meeting shall comprise the committee empowered to attend to the business of the Auxiliary between the General Meetings of members.
- 6.41 If it is not practicable for an Auxiliary to elect both a Secretary and a Treasurer both positions may be filled by one member.

### Election of Officers

- 6.42 The election of Officers of an Auxiliary shall be in accordance with the Rules for the election of Sub Branch Officers.
- 6.43 The Sub-Branch President, or nominated representative, shall take the chair during the annual election of office bearers of an Auxiliary

### Notification of Election

- 6.44 The Secretary of the Auxiliary shall, within 14 days of an election, furnish to the Sub-Branch Secretary a list of the duly elected officers.

### Meetings

- 6.45 An Auxiliary shall meet regularly at such times as determined by each Annual General Meeting but at no lesser period than 3 monthly, including: the Annual General Meeting. The quorum for meetings shall be twice the Executive plus one.

### Special Meeting - Committee

- 6.46 A requisition; from a minimum of four (4) members of an Auxiliary Committee, for the purpose of calling any Special Meeting of an Auxiliary Committee must specify the objects of the meeting required and be delivered to the Auxiliary Secretary a reasonable time before the date of the required meeting. The requisition may consist of several documents in similar form. Each signed by one or more members requiring the calling of such meeting, and the same must be convened only for the purposes specified in the requisition.
- 6.47 Should the Auxiliary Committee fail, within 21 days, to convene a Special Meeting after receipt of the requisition, the signatories, may convene the Special Meeting on giving to the members entitled to be present reasonable notice.
- 6.48 The members present at the meeting, unless specified otherwise in their respective By-Labs shall determine the method of voting at the meeting.

### Special General Meeting - Auxiliaries

- 6.49 Such meetings shall be convened on receipt of a requisition signed by at least twenty percent of the members of the Auxiliary. Such requisition shall specify the object/s of the meeting and be deposited with the Secretary, who shall convene a Special General Meeting within two (2) months from receipt of such requisition.
- 6.50 In the event of the President of an Auxiliary not convening a Special General Meeting of members within two (2) months, all of the members who signed the requisition may petition in writing to the Sub Branch President requesting a Special General Meeting of the Auxiliary, the Sub Branch

President may convene a Special General Meeting which shall have the same powers as if it were convened by the Auxiliary President, notwithstanding the absence of any Auxiliary officer.

- 6.51 Any of the officers of an Auxiliary may be removed from office on a resolution passed by at least two-thirds of the members present at a Special General Meeting of the Auxiliary called for that purpose, provided that the notice convening the meeting, and stating the purpose, shall have been sent to all financial members of the Auxiliary at their last known place of address.

### **Convening**

- 6.52 All meetings shall be convened by the Secretary of the Auxiliary at the direction of the President of the Auxiliary.

### **Vacancies - Officers and Committee**

- 6.53 Where the President is absent or the office otherwise becomes vacant, the Vice-President shall assume that office.
- 6.54 Except as above, any temporary vacancy may be filled by the committee.
- 6.55 Upon a vacancy occurring on the Auxiliary committee subsequent to the Annual General Meeting, a Special Meeting may, be convened to elect a member of the Auxiliary to fill the vacancy.
- 6.56 On a change of officers being made between Annual Meetings, the Auxiliary Secretary shall notify the Sub-Branch details of the new appointee(s), and shall do so within 14 days of the appointment being made.

### **Office Bearers Shall Be Financial**

- 6.57 No person shall hold office in an Auxiliary if they are, or become non-financial.

### **Removal from Office**

- 6.58 The Committee, or any member, may be removed from office, by resolution passed to that effect, at a Special General meeting called for that purpose, but no such resolution may be passed unless notice in writing, to that effect, has been served on, or posted to, the member or members, whom it is proposed to remove from office, seven clear days prior to the date fixed for the holding of such meeting.

### **Veto of Officers by Sub-Branch**

- 6.59 No officer shall be appointed or, having been appointed, be allowed to remain as an officer whose appointment or continuance of office, would be, in the opinion of the Sub-Branch, prejudicial to the best interests of the Auxiliary or Sub-Branch.

### **Management and Sub-Branch Representation**

- 6.60 The affairs and management of every respective Auxiliary Branch shall be vested in the members, subject to these Rules and By-Laws, but the parent Sub-Branch shall have the right to nominate the President, Treasurer and/or Secretary of such Sub-Branch as ex-officio members of the Auxiliary Branch and its management committee, with the right to speak but not to vote nor be elected to any office.

### **Right to Address Meetings**

- 6.61 The Sub-Branch President, Secretary, Treasurer or other authorised representative of the Sub-Branch shall be entitled to address any meeting of their respective Auxiliary.

## Receipt of Monies

- 6.62 The monies and property of the Auxiliary shall be under the control of the Sub-Branch and shall be used, invested, disposed of, as the Sub-Branch may determine.

## Disbursements

- 6.63 The funds raised by an Auxiliary, including fund raising and the Auxiliary fees are to be retained in a separate sub-account of the Sub Branch. The Sub Branch may approve distribution of funds from time to time on the recommendation of the Auxiliary. No funds shall be distributed to an organization outside the Sub Branch, District Branch or State Branch without the approval of the Sub Branch.

## Auditors and accounts

- 6.64 The accounts of the Auxiliary shall form part of the accounts of the Sub-Branch and be audited as such.

## Auditors

- 6.65 An Auditor or Auditors shall be appointed at every Annual meeting, who shall certify as to the correctness, or otherwise, of the accounts kept by the Treasurer and Secretary, and shall sign, if correct, the Annual Financial Statement presented to the Annual meeting.

## FINANCE GENERAL

### Inspection of Books and Minutes

- 6.66 The CEO, District or Sub Branch Secretary, or any person authorised by their respective Executive, shall have power to inspect and/or take possession of the books, papers and correspondence or other documents in the possession of, or belonging to, any Auxiliary Branch and report to their respective Executive, which shall have the power to do all matters and things it may deem necessary to rectify anything brought before it by such report.

## Indemnity

- 6.67 The Executive, Treasurer, Secretary, every Trustee and all officers and members of all Auxiliaries shall be indemnified out of the funds of the Sub Branch against all losses and expenses incurred in the discharge of their duties, except such as shall happen through their own wilful acts or default, and each one shall be responsible only for so much money or property as they shall actually receive for or in the discharge of the business of the Auxiliaries and each one shall be answerable only for their own acts, neglects or defaults, and not for those of any other person nor for the insufficiency of any security for money invested or of title to any estate or property acquired nor for any loss or damage which may happen in the discharge of their duties, unless the same shall happen through their own wilful neglect or default, and, in particular, where any such person, by resolution is recorded in the minutes, shall accept or incur pecuniary or other liabilities on behalf of any Auxiliaries, they shall be indemnified by the respective Sub Branch against loss, in respect of such liabilities.

## Trustees

- 6.68 The trustees of the Sub-Branch shall also be the Trustees of the Auxiliary.

## Duties of the Secretary

- 6.69 The Auxiliary Secretary is to carry out the following duties on behalf of the Auxiliary:

- a. attend all meetings of the Auxiliary and of the committee;
- b. enter, or cause to be entered, accurate minutes of the proceedings of such meetings in the minute book of the Auxiliary;
- c. keep proper accounts in a manner to be prescribed by the Sub-Branch, including a Cash Book Ledger to record the receipt and disbursement of all monies of the Auxiliary;
- d. receive all monies payable for the Auxiliary Branch and ensure that these are paid into the Sub-Branch General account in the manner laid down by the Sub Branch;
- e. issue a receipt for all monies received;
- f. certify to the correctness of an account before such account is recommended to be paid;
- g. produce all books to each general meeting of the Auxiliary;
- h. attend the Sub-Branch when required and explain any matter concerning the Auxiliary that the Sub Branch Executive may require;
- i. furnish the Sub-Branch with all necessary information concerning the affairs of the Auxiliary following each general meeting;
- j. prepare and sign all documents required under the rules of the Auxiliary;
- k. enter into a record book the names and addresses of all members and the date and the amount of the subscription paid by the member;
- l. under the direction of the President or Committee, handle all correspondence for the Auxiliary;
- m. perform such other duties as the Auxiliary or Committee may from time to time require.

### Duties of the Treasurer

6.70 Ensure that the following financial requirements are met:

- a. supervise the receipt of all monies;
- b. examine regularly and at least once a month, pay-in slips, accounts and other books of the Auxiliary and ensure that such documents, accounts and books are properly kept and that financial transactions of the Auxiliary are conducted in a regular manner.
- c. prepare a report for the general meeting of the Auxiliary showing the financial position of the Auxiliary as disclosed by the documents, accounts and books.
- d. examine all accounts submitted for payment certify to their correctness for presentation to the members.
- e. cause to be prepared and shall submit to the annual meeting of the Auxiliary an annual Statement of receipts and expenditure together with a balance sheet showing assets and liabilities of the Auxiliary. Such Statement and balance sheet to be forwarded to the Sub-Branch at least fourteen days prior to its being presented to the Auxiliary annual meeting.

### Correspondence

6.71 No correspondence is to be sent direct to the State President, the CEO or the District Branch, or to any non-League organisation, except through the Sub-Branch.

## Sub-Branch Procedure to Apply

- 6.72 Where no rule exists concerning the control, conduct, or guidance of an Auxiliary in its activities, the rules of State Branch for control, conduct or guidance of Sub-Branches shall be held to be applicable to Auxiliaries. In the absence of any existing Sub Branch or State Branch rule, a ruling in writing by the District Branch shall be binding.

## By-Laws Binding

- 6.73 These By-Laws and any resolutions conforming thereto, duly passed at a properly convened meeting of any Auxiliary Branch, shall be binding upon all members affected, whether they shall be present and have voted or not.

## Amendment of By-Laws

- 6.74 These By-Laws may be altered or amended by resolution passed at any State Council meeting of the Returned & Services League (Queensland Branch).

## Life Membership

- 6.75 A special award, known as "The Gold Badge of Life Membership", may be granted to members of the Auxiliary, subject to the following conditions:
- a. approval of the grant shall be the prerogative of State Council only.
  - b. when the recommendation is submitted by an Auxiliary, the same shall, in the first instance, be forwarded to the Sub-Branch for approval and then to the District Branch, supported by a written Citation of the member's qualifications. If, after due consideration, the recommendation shall be approved by District Branch, it shall be presented to the next State Council for final approval.
  - c. the Auxiliary concerned shall pay State Branch the prescribed fee of \$5.50 plus the cost of the Gold Badge.
  - d. no person shall be eligible for the award who has not been a financial member of the Auxiliary, continuously, for a period of at least ten years immediately prior to date of the citation, and has rendered seven years honorary services of outstanding nature to the League.
  - e. financial membership and outstanding service to an Auxiliary can count toward this award where the female member has transferred to or from a Women's Auxiliary or Citizen's Auxiliary and maintained continuity.
  - f. the award shall only be made to members, who in the opinion of State Council; have performed services to the Auxiliary and/or League so outstanding as to merit special recognition.
  - g. the membership of such Life Member shall be subject to the Rules of the State and Sub-Branch concerned. A copy of the nomination form is contained in the Manual of Membership Administration.

## Long Service Awards

- 6.76 A special award, known as "The Long Service Award", may be granted to members of the Auxiliary, subject to the following conditions:
- h. approval of the grant shall be the prerogative of State Council only;

- i. when the recommendation is submitted by an Auxiliary, the same shall, in the first instance, be forwarded to the Sub-Branch for approval and then to the District Branch, supported by a written Citation of the member's qualifications. If, after due consideration, the recommendation shall be approved by District Branch, it shall be presented to the next State Council for final approval;
- j. no person shall be eligible for the award who has not been a financial member of the Auxiliary, continuously, for a period of at least thirty years immediately prior to date of the citation;
- k. financial membership and outstanding service to an Auxiliary can count toward this award where the female member has transferred to or from a Women's Auxiliary or Citizen's Auxiliary and maintained continuity.

### **Auxiliary Life Member Badges**

6.77 The badges of Auxiliaries shall be in such form as the State Council shall determine.

### **Supply of Badges**

6.78 Badges shall be obtained by each Auxiliary Secretary from the membership office of State Branch.

### **Auxiliary Burial Ritual**

6.79 "We assemble to honour a former Member of our Auxiliary (name of person) who served the Auxiliary and RSL with distinction and faithfully observed the pledge undertaken at the time they joined as a member. (Auxiliary membership details here). We will remember (name) with affection. In acknowledging their long and devoted service. I place here this flower/poppy (to be selected by Auxiliary) the emblem of service to the Auxiliary, in their Memory. I invite Members of the Auxiliary and RSL to join me in doing so. Would you please stand in silence as a tribute to (name). LEST WE FORGET".

6.80 The Service should be conducted by the President of a Sub-Branch or their nominated representative.



If the subject of the complaint is a member of the Sub Branch Committee then the matter is to be referred directly to the State Branch Tribunal (Tribunal).

- 7.1.03 If a Sub-Branch Committee decides to convene a meeting in accordance with paragraph 7.1.01, it must provide to the member notice in writing (“the Notice”) containing:
- (a) details of the conduct engaged in by the member (including where possible the date, time and location at which the member engaged in such conduct) which the Committee believes may amount to conduct of the nature of the conduct referred to in By-Law 7.1.01;
  - (b) a direction that the member attend a meeting of the Sub-Branch Committee to show cause why he or she should not be disciplined in respect of such conduct;
  - (c) the time, date and place at which the meeting will be convened;
  - (d) a statement that the member is entitled to request of the Sub-Branch Committee any further information the member considers appropriate to the particular conduct identified in the Statement and/or the manner in which the Sub-Branch Committee will conduct the meeting, the subject of the notice; and
  - (e) a statement that the member will be invited at the meeting to present to the Sub-Branch Committee either verbally or in writing (including by way of statements signed by the member and any other relevant individuals) such information as the member considers relevant to the issues to be considered at the meeting by the Sub-Branch Committee.
- 7.1.04 If the member to whom a Notice is given pursuant to paragraph 7.1.03 concedes that he has engaged in such conduct, he should include in any submission made to the Sub-Branch Committee the reasons why he believes that the Sub-Branch Committee should adopt a certain course of action in dealing with the matter, identifying that course of action.
- 7.1.05 In the event that the member requests further information from the Sub-Branch Committee prior to the meeting, the Sub-Branch Committee will as soon as reasonably practicable after receipt of the request provide that information (where it is possessed of it) to the member or alternatively, inform the member in writing that it is unable to provide the information, including the reasons for not being able to provide the information.
- 7.1.06 A Notice referred to in paragraph 7.1.03, must be provided to the member to whom it is directed at least fourteen (14) days prior to the date on which it is intended to convene the meeting of the Sub-Branch Committee referred to in the Notice.
- 7.1.07 Proceedings before Sub-Branch Committees pursuant to By-Law 7.1.01 must be conducted informally and the rules of evidence do not apply.
- 7.1.08 The Sub-Branch Committee must, after considering all of the material presented and submissions made to it by the member at the meeting, decide whether the member engaged in the conduct identified in the Notice, and if it is satisfied that the member

is engaged in such conduct, it must take any one or more of the following courses of action:

- (a) reprimand the member;
- (b) warn the member that any further instances of such conduct may result in further disciplinary action being taken against the member; and/or
- (c) suspend the member from membership of the Sub-Branch for a period not exceeding 6 months.

7.1.09 Within fourteen (14) days of the conclusion of the meeting of the Sub-Branch Committee, the Sub-Branch Committee must forward to the member a notice in writing containing:

- (a) its decision;
- (b) the reasons for its decision;
- (c) the discipline imposed on the member and the reasons for imposing such discipline on the member; and
- (d) details of the members rights of appeal to the Tribunal, duly certified by the Sub-Branch Committee Chairman.

## 7.2 State Branch Tribunal

7.2.01 The State Branch will establish a State Branch Tribunal consisting of no fewer than five (5) Service or Life Members to hear and determine the following matters:

- (a) appeals from decisions of Sub-Branch Committees pursuant to By-Law 7.1.01;
- (b) disciplinary matters referred to it by the Registrar;
- (c) appeals or hearings in relation to applications for membership, transfer of membership or as otherwise set out in the State Branch Rules and By-Laws; and
- (d) any other matters referred to it from time to time by the Registrar concerning complaints, disputes or other grievances received by the Registrar from Service or Life Members.

7.2.02 The Tribunal does not have power to deal with any matter which falls within the jurisdiction of a Sub-Branch Committee unless it is an Appeal from a decision of a Sub-Branch Committee instituted pursuant to By-Law 7.3.

7.2.03 The Tribunal must discharge its functions in accordance with this By-Law and the State Branch Rules.

7.2.04 A member of the Tribunal will be deemed to have vacated office if that person:

- (a) ceases to be a Service or Life Member;
- (b) ceases to be a member of the State Branch which appointed him/her or ceases to be a member of a Sub-Branch subject to the jurisdiction of the State Branch;
- (c) becomes an employee of the League or any of its District or Sub-Branches;
- (d) becomes of unsound mind or becomes a person liable to be dealt with under any law relating to mental health;
- (e) is declared bankrupt or enters into a scheme of arrangement with his creditors;  
or
- (f) resigns his office by notice in writing to the Chief Executive Officer.

7.2.05 The State Branch may prescribe:

- (a) the term of office for each of the members of the Tribunal; and
- (b) subject to By-Law 7.2.01, the number of Service or Life Members who will from time to time be appointed as Tribunal members.

7.2.06 At each hearing of the Tribunal, the Tribunal must be constituted by at least three (3) or more Tribunal members, chaired by the Chairman or the Deputy Chairman or other authorized person, selected by the Tribunal.

7.2.07 Members of the Tribunal who have a conflict because:

- (a) by previous association, being professional, personal and/or social or having knowledge of any of the parties, they have formed a view about one or more of the parties which may impact upon their ability to be impartial;
- (b) they have a financial, pecuniary, personal or other interest which could affect their ability to act impartially;
- (c) they are related to or in a personal relationship with one of the parties; or
- (d) they are for any other reason biased in favour of, or against, one or more of the parties or might be perceived to be biased in favour of, or against, one or more of the parties, must declare the conflict and will immediately be disqualified from being involved in dealing with any matters before the Tribunal concerning those parties.

7.2.08 In all matters before the Tribunal involving the State Branch, the State Branch will be represented by a Service or Life Member nominated for that purpose by State Council.

7.2.09 The Tribunal must consider all of the information presented to it at each Hearing and make its decision based on that information. The information presented, in whatever form, must be with the Registrar, at least ten (10) days prior to the conduct of the

Hearing, to allow for sufficient time for dissemination to all parties involved in the matter. Information or material presented immediately prior to the conduct of the Tribunal Hearing will not be included in that Hearing.

- 7.2.10 Proceedings before the Tribunal will be conducted with as little formality as possible and the rules of evidence do not apply.
- 7.2.11 Prior to any Tribunal hearing, including Appeals under By-Law 7.3, the Tribunal Member appointed as Chairman for that particular hearing may convene a meeting of the parties involved to:
- (a) explain the manner in which the proceedings will be conducted;
  - (b) ensure that all directions issued by the Registrar have been complied with and that the parties are ready to proceed.
- 7.2.12 Notwithstanding the provisions of By-Law 7.2.11, all Members of the League who appear before the Tribunal must abide by all directions issued by the Registrar under By-Law 7.8 and 7.9 in connection with the conduct of the proceedings in which they are involved and will treat all Members of the Tribunal and all other parties appearing before the Tribunal with dignity and respect.
- 7.2.13 Where a Member of the League repeatedly fails to comply with directions issued by the Registrar of the Tribunal under By-Laws 7.8 and 7.9 in connection with the conduct of any proceedings in which they are involved, the Tribunal may, upon written notice to the Member, elect to proceed with the hearing and the Member may in that case be precluded by the Tribunal from submitting evidence and documents not previously made available to the Tribunal and other Members involved in the proceedings to the Tribunal.
- 7.2.14 All proceedings before the Tribunal will be recorded electronically and a copy of such recording will be provided to the parties to the proceedings upon request to the Registrar and upon the payment of such fee as the Registrar considers reasonable, Such fee must not exceed the cost to the State Branch of providing the copy to the member.

### **7.3 Appeals from decisions of Sub-Branch Committees**

- 7.3.01 A member who has been subject to disciplinary action under the provisions of By-Law 7 and is aggrieved by the decision of a Sub-Branch Committee, including the disciplinary measures imposed by a Sub-Branch Committee, may appeal to the Tribunal against that decision by Notice in writing addressed to the Registrar
- 7.3.02 All Notices of Appeal lodged pursuant to By-Law 7.3 must be in the form contained in Schedule A and must be lodged with the Registrar within twenty one (21) days of receipt by the member of the Notice of the decision of the Sub-Branch Committee pursuant to By-Law 7.1.09.
- 7.3.03 If a Notice of Appeal is not received by the Registrar within the time specified in By-Law 7.3.02, the member will have lost his right to appeal.

- 7.3.04 All Notices of Appeal submitted to the Registrar under this By-Law must be accompanied by a remittance in the sum determined by the State Council from time to time.
- 7.3.05 The right to Appeal under By-Law 7.3 is limited to an Appeal on one or more of the following grounds:
- (a) the Sub-Branch Committee meeting lacked procedural fairness;
  - (b) the Sub-Branch Committee breached the rules of natural justice;
  - (c) the decision of the Sub-Branch Committee was not reasonable having regard to the evidence before the Sub-Branch Committee;
  - (d) the discipline imposed by the Sub-Branch Committee is excessive having regard to the circumstances of the matter; or
  - (e) in reaching its decision and in imposing the discipline the Sub-Branch Committee failed to take into account certain relevant facts.
- 7.3.06 Notices of Appeal must identify those parts of the decision of the Sub-Branch Committee which give rise to the appeal, the reasons why the member considers those aspects of the decision to be flawed and the decision the member considers the Sub-Branch Committee should have made.
- 7.3.07 At the hearing of an appeal under By-Law 7.3, the Sub-Branch Committee shall be represented by its Chairman.
- 7.3.08 Neither party to the appeal is otherwise entitled to representation, including legal representation.
- 7.3.09 The Registrar will write to the parties within fourteen (14) days of receipt of a Notice of Appeal:
- (a) providing a copy of the Notice of Appeal to Respondent;
  - (b) issuing directions for the conduct of the Appeal in accordance with By-Law 7.8; and
  - (c) informing the parties on the date, time and place at which the Tribunal will hear the Appeal.
- 7.3.10 The Tribunal will hear and determine the appeal as soon as reasonably possible after receipt by the Registrar of the Notice of Appeal.
- 7.3.11 At the hearing of the appeal, the appellant and the respondent will be entitled to speak to and expand upon their written submissions but will not be entitled to present any new evidence without the leave of the Tribunal.

- 7.3.12 The Tribunal must not grant leave to either party to present new evidence on the hearing of an appeal unless that party did not know, despite having made reasonable inquiries, of the existence of the evidence prior to the meeting of the Sub-Branch Committee convened pursuant to By-Law 7.1.02 and the evidence is relevant to and may have a bearing upon the issues in the appeal.
- 7.3.13 As soon as reasonably practicable after the conclusion of a Tribunal hearing convened under By-Law 7.3, the Tribunal must publish its decision, including the reasons for reaching its decision and, through the Registrar, make a copy of such decision available to both the appellant and the respondent.

#### **7.4 Other Proceedings before the State Branch Tribunal**

- 7.4.01 If the State Council forms the view that a member of the State Branch:
- (a) may have engaged in conduct subversive to the objects of the League;
  - (b) may have engaged in conduct prejudicial to the interests of the League;
  - (c) may have falsely represented himself or herself as a soldier, sailor or airman; or
  - (d) has been wearing a service medal, award or decoration that he/she is not entitled to wear and is not authorised by the Commonwealth Government of Australia;

State Council may appoint a Service or Life Member to submit a complaint to the Registrar on its behalf and to represent it at any subsequent hearing convened by the Tribunal.

- 7.4.02 All complaints lodged with the Registrar under By-Law 7 must be in the form contained in Schedule B and contain all of the information set out in the form contained in Schedule B.
- 7.4.03 Upon receipt of a complaint, the Registrar must, subject to By-Law 7.9, write to the parties within fourteen (14) days of receipt of the complaint:
- (a) providing a copy of the complaint to the other party or parties as the case may be;
  - (b) setting out directions in accordance with By-Law 7.8; and
  - (c) informing the parties on the date, time and place at which the Tribunal will hear the complaint.
- 7.4.04 The Tribunal will hear and determine the complaint as soon as reasonably possible after receipt by the Registrar of the complaint.
- 7.4.05 At the hearing of the complaint the parties will be entitled to:

- (a) call witnesses to give evidence;
- (b) cross examine witnesses called by the other parties;
- (c) present relevant documents to the Tribunal; and
- (d) make submissions to the Tribunal concerning the complaint and the evidence presented to the Tribunal.

7.4.06 As soon as reasonably practicable after the conclusion of a Tribunal hearing convened under By-Law 7.4, the Tribunal must publish its decision, including the reasons for reaching its decision and, through the Registrar, make a copy of such decision available to the parties.

7.4.07 In the event that the Tribunal finds a party guilty of the conduct or some of the conduct set out in a complaint, the Registrar will, in addition to providing that party or those parties a copy of the Tribunal's decision, inform those parties:

- (a) of the date, time and place at which the Tribunal will impose the discipline it considers appropriate; and
- (b) of their right to appear before the Tribunal on that occasion to inform the Tribunal of and/or to submit to the Tribunal in writing any facts, matters or circumstances the parties consider the Tribunal should take into account in deciding what discipline to impose.

## 7.5 Disciplinary Powers of the State Branch Tribunal

7.5.01 If in the opinion of the Tribunal, a member:

- (a) has willfully refused or neglected comply with the provisions of a Sub-Branch Rules and By-Laws, or constitution as the case may be or the State Branch Rules and By-Laws;
- (b) has been found guilty of conduct unbecoming a member;
- (c) has been found guilty of conduct subversive to the objects of the League;
- (d) has been found guilty of conduct prejudicial to the interests of the League;
- (e) has been found guilty of conduct detrimental to the interests of a Sub-Branch of which they are a member;
- (f) has been found guilty of conduct detrimental to the interests of the Returned & Services League of Australia, to which, their Sub-Branch is affiliated;
- (g) has been found guilty of falsely representing himself or herself as a soldier, sailor or airman; or

- (h) has been found guilty of wearing a service medal, award or decoration that he/she is not entitled to wear and is not authorised by the Commonwealth Government of Australia ;

the Tribunal may resolve to impose a penalty on the member of the kind set out in By-Law 7.6.

## 7.6 Discipline

7.6.01 Having considered all of the circumstances of the conduct complained of, including any mitigating circumstances, and subject to By-Law 7.6.02, the Tribunal may impose upon a member, one or more of the following penalties:

- (a) a reprimand;
- (b) suspension from a membership for such period (not exceeding 6 months) as it thinks fit;
- (c) transfer to the State Branch Miscellaneous List of Members indefinitely or for such period as it determines (transfer to the State Miscellaneous List of Members is mandatory where a member is disqualified from holding office for the period of the disqualification);
- (d) disqualification from holding office for an indefinite period or for such period as it determines in any Sub-Branch or District Branch under the jurisdiction of the State Branch or from holding office in the State Branch itself or
- (e) expulsion from membership

7.6.02 In relation to a finding that a member has engaged in conduct of the nature of that set out in By-Law 7.5.01 (a) to (f), the Tribunal may impose any one or more of the penalties set out in By-Law 7.6.01. In relation to a finding that a member has engaged in conduct of the nature of that set out in By-Law 7.5.01 (g) and (h), the State Branch Tribunal must impose the penalty set out in By-Law 7.6.01(e).

## 7.7 Appeals from Decisions under By-Law 7.4.

7.7.01 Members aggrieved by a decision of the Tribunal in respect of a complaint made under By-Law 7.4 or by the discipline imposed under By-Law 7.6 following a decision of the Tribunal in respect of a complaint under By-Law 7.4 may appeal to the Chairman of the Queensland State Branch Appeal Panel, (Appeal Panel). See 7.10.

7.7.02 An appeal to the Chairman of the Appeal Panel under this By-Law must be in writing in the form contained in Schedule C to this By-Law and must be lodged with the Registrar within twenty eight (28) days of receipt by the member of the discipline imposed by the Tribunal.

7.7.03 If a Notice of Appeal is not lodged with the Tribunal within the time stipulated in By-Law 7.7.02, the member will have lost the right to appeal.

- 7.7.04 All Notices of Appeal submitted to the Registrar under this By-Law must be accompanied by a remittance in the sum determined by State Council from time to time.
- 7.7.05 An appeal to the Chairman of the Appeal Panel under this By Law must identify:
- (a) those parts of the decision of the Tribunal which give rise to the appeal;
  - (b) the reasons why the member considers those aspects of the decision to be flawed;
  - (c) the decision the member considers the Tribunal should have made.
- 7.7.06 The right to appeal under By-Law 7.7 is limited to an appeal on one or more of the following grounds:
- (a) the Tribunal proceedings lacked procedural fairness;
  - (b) the Tribunal breached the rules of natural justice;
  - (c) the decision of the Tribunal was not reasonable having regard to the evidence before the Tribunal;
  - (d) the discipline imposed by the Tribunal is excessive having regard to the circumstances of the matter; or
  - (e) in reaching its decision and imposing the discipline the Tribunal failed to take into account certain relevant facts.
- 7.7.07 Upon receipt of the Notice of Appeal and upon payment of the prescribed fee, the Registrar must forward the Notice of Appeal to the Chairman of the Appeal Panel and to all other parties to the appeal. The Registrar must also provide a copy of the Tribunal's file to the Chairman of the Appeal Panel including a copy of the record of the transcript of the proceedings.
- 7.7.08 The Appeal Panel may proceed to resolve the appeal in such a way as the Chairman of the Appeal Panel considers appropriate including:
- (a) inviting the parties to the appeal to make such written submissions to the Chairman of the Appeal Panel as they consider appropriate;
  - (b) inviting the parties to the appeal to attend before the Appeal Panel to make such verbal submissions to the Appeal Panel as they consider appropriate;
  - (c) taking such external counsel, including but not limited to legal advice as the Chairman of the Appeal Panel considers appropriate; and

- (d) making such enquiries as the Chairman of the Appeal Panel considers reasonable in order to inform himself of all of the relevant facts and circumstances as the Chairman of the Appeal Panel considers appropriate.
- 7.7.09 Appeals to the Chairman of the Appeal Panel under this By-Law will be conducted informally and the rules of evidence will not apply.
- 7.7.10 The Chairman of the Appeal Panel will as soon as reasonably practicable after making such enquiries as he considers appropriate and after considering all submissions made to the Appeal Panel by the parties to the Appeal, decide whether to allow or dismiss the Appeal and, where appropriate the discipline to be imposed on the member, but which cannot be more severe than that imposed by the Tribunal.
- 7.7.11 In circumstances where the Chairman of the Appeal Panel forms the view that the decision of the Tribunal lacked procedural fairness, that the Tribunal breached the rules of natural justice or the Tribunal failed to have proper regard to some of the evidence presented to it, he may at his discretion direct the Tribunal, constituted by three members not involved in the original hearing to rehear the Complaint.
- 7.7.12 No provision of this By Law 7.7 disturbs the Right of Appeal of any member of the Queensland State Branch under the National Constitution of the League.
- 7.7.13 Any appeal, by any member, made under the National Constitution will automatically trigger the involvement of the Appeal Panel, which will act according to the provisions of this By Law. All appeal documents provided to the Queensland State Branch by the National Appeals Tribunal, will be forwarded to the Appeal Panel, for consideration and recommendation. No fee from the Appellant, payable to the Queensland State Branch, will be required in this case.

## **7.8 Appointment of State Branch Tribunal Registrar and Registrar's Responsibilities**

- 7.8.01 The State Branch will appoint a person to act as the Registrar of the State Branch Tribunal.
- 7.8.02 The Registrar will act as a liaison between the parties to all matters before the Tribunal, ensuring that all parties to matters before the Tribunal have complied with their obligations under By-Law 7 and are ready to proceed with the hearing at the appointed time and on the appointed day.
- 7.8.03 In carrying out his duties the Registrar must at all times act impartially.
- 7.8.04 Upon receipt of an appeal pursuant to By-Law 7.3, the Registrar will liaise with the Chairman of the Tribunal to set a hearing date and then write to the parties in the following terms:
  - (a) requiring the Appellant to lodge detailed written submissions, (together with copies of relevant documents including but not limited to statements, letters, file notes, memoranda and any other relevant documents relied upon by the Appellant at the Sub-Branch Committee Meeting) with the Registrar, by not later

than the date set out in the letter and to forward a copy of the detailed written submissions to the Respondent's Representative at the same time;

- (b) requiring the Respondent to lodge detailed written submissions, (together with copies of relevant documents including but not limited to statements, letters, file notes, memoranda and any other relevant documents relied upon by the Sub-Branch Committee at the Sub-Branch Committee Meeting) in response to the Appellant's submissions by the date specified in the letter and to forward a copy of the detailed written submissions to the Appellant at the same time;
- (c) requiring the Appellant to lodge any submissions in response to the Respondent's submissions with the Registrar by not later than the date specified in the letter and to forward a copy of the submissions (if any) to the Respondent at the same time, and
- (d) notifying the parties of the time, date and place at which the Tribunal will consider the appeal.

7.8.05 Prior to the date upon which the appeal has been set down for hearing, the Registrar may contact the parties to ensure that all directions issued by the Registrar have been complied with.

7.8.06 In the event that the Registrar's directions have not been complied with, the Registrar may upon the direction of the Chairman of the Tribunal, adjourn the hearing of the appeal until the directions have been complied with.

7.8.07 Upon receipt of a complaint from a Service or Life Member appointed by the State Council for that purpose, the Registrar will:

- (a) ensure that the complaint is properly drafted and contains sufficient detail to enable the member or members to whom the complaint relates to properly understand the complaint and respond;
- (b) if the complaint is not properly drafted, assist the member appointed by the State Council for that purpose to properly draft the complaint; and
- (c) upon the complaint being properly drafted, forward the complaint to the member or members to whom the complaint relates and otherwise proceed in accordance with By-Law 7.8.05.

7.8.08 Upon the Registrar being satisfied under By-Law 7.8.07 that a complaint received by the Registrar is properly drafted, the Registrar must at the time the complaint is forwarded to the Member or Members to whom the complaint relates and the Service or Life Member appointed by the State Council to make the complaint in the following terms:

- (a) where the Registrar forms the view that the complaint is one that could be dealt with through mediation, directing the parties to endeavor to resolve the matter through mediation in accordance with By-Law 7.09 before the matter proceeds any further;

- (b) where the Registrar forms the view that the matter is **not** one that could or ought to be resolved through mediation,
  - (i) the parties are entitled to call witnesses to give evidence before the Tribunal;
  - (ii) the parties are entitled to submit to the Tribunal documents they intend to rely upon at the hearing;
  - (iii) where the parties intend calling witnesses to give evidence before the Tribunal, those witnesses are required to sign statements of the evidence they propose giving;
  - (iv) the parties will be entitled to cross examine each others witnesses at the hearing;
  - (v) for the purpose of this By-Law, the term ‘document’ includes but is not limited to letters, file notes, memoranda, emails, diary entries, accounting and financial records, books of account and all other books, papers and commercial documents of whatsoever nature;
  - (vi) the Complainant must lodge with the Tribunal and deliver to the members about whom the complaint has been made copies of the Witnesses Statements, a list of the documents the complainant intends to rely upon and copies of those documents by a date to be determined by the Registrar;
  - (vii) the members about whom the complaint have been lodged must be lodged with the Tribunal and deliver to the complainant copies of the Witnesses Statements, a list of the documents the member intends to rely upon and copies of those documents by a date to be determined by the Registrar;
  - (viii) the Complainant must lodge such further Witness Statements and documents in response to the material submitted by the Member or Members against whom the complaint is made, and provide copies to those members by a date to be determined by the Registrar;
  - (ix) the parties may approach the Registrar for further time to comply with the Registrar’s directions in the event that they are unable to comply with them in first instance.

7.8.09 The Registrar will contact all parties after the times stipulated in the directions issued by the Registrar have passed, to ensure that all parties have fully complied with the directions and are ready to proceed to a hearing.

7.8.10 Upon satisfying himself that the parties are ready to proceed to a hearing, the Registrar will liaise with the Chairman of the Tribunal to ascertain a suitable date for the hearing and then write to the parties advising them of the following:

- (a) the date, time and place at which the hearing will be commenced;

- (b) the names of the members of the Tribunal who will hear the matter, and
- (c) that the Chairman of the Tribunal may contact the parties prior to the hearing to discuss with them the manner in which the Tribunal proposes conducting the hearing.

## 7.9 Mediation

- 7.9.01 In the event that a complaint is referred by the Registrar to mediation the parties must, within seven (7) days of the date of the referral, appoint a mediator to conduct the mediation and provide to the mediator the following:
- (a) details of the complaint;
  - (b) a statement of the issues relevant to the complaint; and
  - (c) copies of any documents relevant to the complaint.
- 7.9.02 The mediation must take place within thirty (30) days of the date of the appointment of the Mediator on a date and at a time and place convenient to all of the parties.
- 7.9.03 The parties must attend, participate in and act reasonably and genuinely in the mediation.
- 7.9.04 Where a fee is payable to the Mediator for convening the mediation, the parties will share equally that fee.
- 7.9.05 At the conclusion of the mediation, the Mediator will forward a certificate to the Registrar advising the Registrar whether the matter has been resolved or alternatively, whether a dispute still exists.
- 7.9.06 In the event that the complaint is not resolved at mediation, the Registrar will issue directions to the parties for the further conduct of the complaint in the manner prescribed in By-Law 7.8.08.
- 7.9.07 The Mediator may conduct the mediation in any way the mediator considers appropriate including:
- (a) gathering information about the nature and facts of the complaint in any way the mediator considers appropriate;
  - (b) deciding whether the parties can be represented during the mediation and if so, by whom; and
  - (c) during the mediation, seeing the parties, with or without representatives, together and/or separately;
  - (d) seeking advice about the dispute from independent third parties.

7.9.08 The mediation will be conducted on a 'without prejudice' basis and nothing said by any of the parties participating in the mediation, including the Mediator, can be disclosed or used at any subsequent hearing of the Tribunal.

## 7.10 Queensland State Branch Appeal Panel

7.10.01 The State Branch will establish a State Branch Tribunal Appeal Panel, consisting of no fewer than three individuals with broad legal or military experience who, whilst not necessarily members of the State Branch, are familiar with and sympathetic to the objects of the State Branch.

7.10.02 The members of the Appeal Panel will be appointed annually by State Council.

7.10.03 The Appeal Panel must discharge its functions in accordance with the provisions of this By Law 7.10 and By Law 7.7

7.10.04 A member of the Appeal Panel will be deemed to have vacated office if that person:

- (a) becomes an employee of the League or any of its District or Sub-Branches;
- (b) becomes of unsound mind or becomes a person liable to be dealt with under any law relating to mental health;
- (c) commits an indictable offence;
- (d) is declared bankrupt or enters into a scheme of arrangement with his creditors;  
or
- (e) resigns his office by notice in writing to the Chief Executive Officer.

7.10.05 Where a member of the Appeal Panel vacates his office, State Council will replace that member as soon as is reasonably practicable.

7.10.06 The Appeal Panel as well as discharging its functions under By Law 7.7, will be required to review the operations of the Tribunal annually and to make recommendations to State Council concerning the ongoing operations of the Tribunal.

7.10.07 In conducting its review, the Appeal Panel may review individual complaints heard and determined by the Tribunal, and may consider, comment upon and make recommendations concerning:

- (a) in the case of matters before the Tribunal as a result of appeals from decisions of Sub-Branch Committees, the conduct of the proceedings before the Sub-Branch Committee Meetings;
- (b) adherence to directions issued by the Registrar;
- (c) the reasonableness of the directions issued by the Registrar including the time allocated by the Registrar for compliance;

- (d) the complaints referred by the Registrar to mediation including the appropriateness of the referrals and whether there were other matters the Appeal Panel considers should have been referred to mediation;
- (e) whether in its view the hearing has been conducted fairly and openly and in accordance with the rules of natural justice;
- (f) whether the venue at which the hearing was conducted was in its view suitable and if not why not;
- (g) whether the recording procedures used at any hearing are appropriate or whether others should be used in the future;
- (h) the manner in which the Tribunal heard evidence and used exhibits and whether that could be improved;
- (i) the nature of any penalties imposed;
- (j) the consistency with which penalties are imposed;
- (k) the regard had by the Tribunal for penalties imposed in other cases, when deciding an appropriate penalty;
- (l) the process adopted for notifying parties of the outcome of a hearing, the penalties imposed and the appeal rights if any; and
- (m) any other matter which the Appeal Panel considers appropriate including, but not limited to recommending appropriate training for members of the League and the Tribunal, including the Registrar.

7.10.08 Upon the conclusion of the annual review, the Appeal Panel will submit a report to State Council setting out in detail the manner in which it conducted its review, the outcome of its review and any recommendations it has for improving the operations of the Tribunal and State Council may act on the report in any manner it sees fit.



**TRIBUNAL USE ONLY**

FEE LODGED / NOT LODGED

APPEAL ACCEPTED / DECLINED.

IF DECLINED - REASON

\_\_\_\_\_

**FINDING:**

The State Branch Tribunal finds the Appeal:           DISMISSED / UPHELD

Signature of Tribunal Chairman.....

Date:

APPELLANT ADVISED: .....   SUB BRANCH ADVISED.....

Signature of Registrar.....

Date:



SCHEDULE 'B'

## RSL (QUEENSLAND BRANCH)

### COMPLAINT & OFFENCE REPORT

#### COMPLAINT AGAINST

NAME: \_\_\_\_\_ RSL QLD.

No \_\_\_\_\_

SUB BRANCH: \_\_\_\_\_

| Complaint No | Particulars of Complaint | State Rule or By-Law | National Rule |
|--------------|--------------------------|----------------------|---------------|
|              |                          |                      |               |
|              |                          |                      |               |
|              |                          |                      |               |
|              |                          |                      |               |
|              |                          |                      |               |
|              |                          |                      |               |

#### THE COMPLAINT(S)

The Complaint should be simple and contain at a minimum the information contained in the Annex. Use additional sheets if required.

**STATEMENTS**

Statements supporting the complaint are to be attached to the Complaint & Offence Report.

**WITNESSES**

| Qld RSL Number | Name of Witness | Sub Branch |
|----------------|-----------------|------------|
|                |                 |            |
|                |                 |            |
|                |                 |            |

**FINDING**

The State Branch Tribunal finds the Complaint **PROVED/ NOT PROVED**. If **PROVED** the following penalty is awarded:

|  |
|--|
|  |
|  |
|  |
|  |

\_\_\_\_\_

Signature of Chairman

Date of Finding \_\_\_\_\_



# RSL (QUEENSLAND BRANCH)

SCHEDULE 'C'

## NOTICE OF APPEAL

(BY-LAW 7.7)

### APPELLANT DETAILS

NAME: \_\_\_\_\_ RSL QLD. No. \_\_\_\_\_

SUB BRANCH: \_\_\_\_\_

PENALTY AWARDED: \_\_\_\_\_

DATE OF TRIBUNAL HEARING: \_\_\_\_\_

PARTICULARS OF APPEAL: (Refer By Law 7.7)

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If insufficient space, attach separate statement.

### APPEAL PANEL USE ONLY

FEE LODGED / NOT LODGED

APPEAL ACCEPTED / DECLINED.

IF DECLINED - REASON

\_\_\_\_\_

**FINDING:**

The State Branch Appeals Panel finds the Appeal:            **DISMISSED / UPHELD**

Rehearing Ordered        YES/NO

Signature of Appeals Panel Chairman.....

Date:

APPELLANT ADVISED: .....    TRIBUNAL ADVISED.....

SUB BRANCH ADVISED: .....

## **BY-LAW 8 AWARDS FOR RSL MEMBERS**

### **Life Membership and Gold Badges**

- 8.01 The award of Life Membership and Gold Badge of the RSL is earned through years of unselfish and dedicated work performed by an individual. The award is limited each year to one member per 750 members of the League.
- 8.02 Other than in exceptional circumstances, RSL (Queensland Branch) shall not propose a Service Member over whom it has jurisdiction, for election by the National Executive to the class of Life Member unless that Service Member shall have been a Service Member for at least 15 continuous years and shall have rendered not less than 10 years' outstanding service to the League.
- 8.03 A guide to the nomination process and the nomination form is shown in the Manual of Membership Administration.
- 8.04 When it is considered that a member is worthy of nomination for the award the following procedure is to apply:
- a. The member is nominated at any meeting of the Sub Branch, District Branch or State Branch. Those present, either may decide to proposal by open ballot or secret ballot, depending on the members wishes.
  - b. If the proposal is carried, a citation in accordance with the MMA, is to be prepared, signed by both the President and Secretary of the responsible Branch.
  - c. A Sub Branch nomination is to be forwarded to the District Branch for consideration at either a District Council Meeting or the Annual District Congress and, if passed is then forwarded to State Branch. A nomination passed by a District Branch is to be forwarded direct to State Branch.
  - d. After due consideration by the State Branch Legislation and Awards Committee, recommendations will be considered at either a State Council Meeting or the State Congress.
  - e. Successful nominations are to be forwarded to the National Headquarters for consideration.
- 8.05 The Sub Branch, District Branch or State Branch concerned shall pay State Branch the prescribed fee in accordance with paragraph 8.06, plus the cost of the badge and Certificate of Life Membership. The badge may be in gold at the discretion of the nominee Sub Branch or Branch and this option must be shown on the nomination form.
- 8.06 The cost of this Award is based on the age of the recipient, the Annual Subscription plus the cost of the badge and certificate. The current cost is:

|                                  |          |
|----------------------------------|----------|
| Up to and including age 39 years | \$300.00 |
| Age 40 to 44 years               | \$260.00 |
| Age 45 to 49 years               | \$220.00 |
| Age 50 to 54 years               | \$180.00 |
| Age 55 to 59 years               | \$140.00 |
| Age 60 to 64 years               | \$120.00 |
| Age 65 years and over            | \$100.00 |

- 8.07 Where a Life Subscriber's nomination is successful the costs described in paragraph 8.06 are not to apply and only the cost of the badge and certificate are to be charged.

### **Meritorious Service Medal**

- 8.08 The RSL Meritorious Service Medal is the highest award that can be made available to a member over and above Life Membership in accordance with RSL (Queensland Branch) Rule 3.07.
- 8.09 A Life Member who has been a member continuously for a period of not less than 30 years and who during that period has given not less than 25 years outstanding service to the League, may, on the recommendation of the National Executive, be awarded a Meritorious Service Medal by the National Congress.
- 8.10 The award of such medal may be made posthumously provided a Sub-Branch has nominated a Life Member for receipt of the award and such nomination has been received by RSL (Queensland Branch) and provided further that RSL (Queensland Branch) recommends the award to the National Executive and it in turn recommends to the National Congress that the award be made.
- 8.11 A guide to the nomination process and the nomination form is shown in the Manual of Membership Administration.

### **Long Service Award**

- 8.12 A Service or Life Member, who has given not less than 50 years cumulative service as a member of the League, may be granted a Long Service Award by the National Executive.
- 8.13 The National Executive may delegate to RSL (Queensland Branch) the power to grant a Long Service Award to a Service or Life Member who has given not less than 50 years cumulative service as a member of the League and whom RSL (Queensland Branch) has jurisdiction.
- 8.14 The number of Long Service Awards that may be granted by the National Executive in any one calendar year shall not be limited.
- 8.15 For the purposes of this By-Law, service as a member of a Women's Auxiliary may be taken into account.
- 8.16 A Long Service Award may be granted to a Sub-Branch's late member's family provided that according to the Sub-Branch records, the late member had fulfilled cumulative membership of the League, but had died without making application for the Certificate.
- 8.17 A late member's family may be posthumously awarded the Certificate, provided a statutory declaration sworn on the late member's behalf, by both the President and Secretary of the late member's Sub-Branch, confirming the eligibility of such application within a 24 month period of the eligible member's demise.

### **RSL (Queensland Branch) Certificate of Appreciation**

- 8.18 The RSL (Queensland Branch) may award an RSL (Queensland Branch) Certificate of Appreciation to members of the League who have rendered outstanding service or assistance to the League.
- 8.19 When it is considered that a member is worthy of nomination for the award, the following procedures apply:
- a. The member is proposed and seconded at any meeting of the Sub-Branch, District Branch or RSL (Queensland Branch) Executive. The proposal may be decided by those present, either by open vote or secret ballot.

- b. If the proposal is carried, a letter of recommendation has then to be prepared, signed by both the President and Secretary, and forwarded to RSL (Queensland Branch) for consideration by State Council.

### Death of Life Members

8.20 On the Death of Life Members, Sub Branch Secretaries are requested to notify their District Office, when any Life Member in their particular Sub Branch has passed away, as both State and District Branches should have a representative present at the funeral.

District office will notify State Office of the passing of any Life Member so that arrangements may be made, if at all possible, to have someone representing State Branch at the funeral of the deceased Life Member.

## **BY-LAW 9 AWARDS FOR NON - RSL MEMBERS**

### **RSL (Queensland Branch) Certificate of Appreciation**

- 9.01 RSL (Queensland Branch) may award an RSL (Queensland Branch) Certificate of Appreciation to non-members of the League who have rendered outstanding service or assistance to the League.
- 9.02 When it is considered that a non-member is worthy of nomination for the award, the following procedures apply:
- a. The non-member is proposed and seconded at any meeting of the Sub-Branch, District Branch or State Council. The proposal may be decided by those present, either by open vote or secret ballot.
  - b. If the proposal is carried, a letter of recommendation has then to be prepared, signed by both the President and Secretary, and forwarded to the State Branch for consideration by the State Council.

### **Honorary Membership**

- 9.03 The National Executive may award Honorary Membership to:
- a. Any representative of the Sovereign in the Commonwealth;
  - b. Any person who ordinarily resides in the Commonwealth and who has been awarded the Victoria Cross, the George Cross, the Cross of Valour or the Star of Courage;
  - c. Any person who is a citizen of any country forming part of the Commonwealth of Nations and who in the opinion of the National Executive has rendered long, continued and outstanding service to the said Commonwealth of nations; and
  - d. Such other persons as the National Executives sees fit.
- 9.04 If an Honorary Member is a Service Member or Life Member at the time he is awarded Honorary Membership, his rights, privileges and obligations as a Service Member or Life Member shall, subject to paragraph 9.03, not be disturbed by the award to him of Honorary Membership.
- 9.05 An Honorary Member may attend as an observer at any National Congress but shall not be entitled to vote or receive notices nor shall be liable to pay any annual subscriptions or other sums to the League.
- 9.06 **CERTIFICATE OF MERIT AND GOLD BADGE OF MERIT**

The National Congress of the RSL may award Certificates of Merit with Gold Badge to men and women non-members of the League who have rendered outstanding service to ex Servicemen and ex Servicewomen and their dependents.

This award is also available to members of the Women's Auxiliary, who have held the award of Life Membership and Gold Badge of the Auxiliary for a period of three or more years, prior to the nomination for the above award.

The maximum number awarded, to cover all sections as outlined above, is eight per year for each State.

Ex-Service members of Auxiliaries are eligible for this award; Paragraph 1 notwithstanding.

Citations of recommendation from Sub Branches or Districts are submitted to Annual District Conferences and, if successful, to State Congress for final approval at National Headquarters.

This is the highest award the League has in its power to bestow on non-members.

## **BY-LAW 10    The RSL SIR RAYMOND HUIISH CBE MEMORIAL GRANT**

10.01    Until varied by State Congress the conditions shall be as follows:

- a.    The annual grant is to be up to \$2,000
- b.    The grant is to be available to any suitable appeal, project, organisation or individual.
- c.    State Council is to appoint a sub-committee to recommend the recipient for ratification by State Congress.
- d.    All nominations to be forwarded by Sub Branches to Districts who will decide an order of priority and forward the nominations to the CEO prior to 1<sup>st</sup> May each year.

## **BY-LAW 11      LIFE SUBSCRIPTION**

### **General**

- 11.01      Sub Branches may, on behalf of their members, or members may on their own behalf purchase Life Subscription in accordance with State Rules 3.08 and 3.09.
- 11.02      RSL (Queensland Branch) will award Life Subscriber Status to those attaining the age of 80 years, as an act of grace, providing they have been League Members for the preceding 10 years or more.
- 11.03      RSL (Queensland Branch) will award Life Subscriber Status, as an act of grace, to Members of the League suffering from Dementia or Alzheimer's disease.
- 11.04      Details of requirements, Life Subscription fees and eligibility are shown in the Manual of Membership Administration.

## **BY-LAW 12 RSL SUB BRANCH CHAPTERS**

### **The RSL Chapter System**

- 12.01 The RSL Chapter System is designed to allow small Sub Branches the opportunity to retain an RSL presence in their town, to retain their name in part and to continue to promote the objects of the League if they are unable to continue to operate and function as a Sub Branch.
- 12.02 The Sub Branch would cease to function and operate as a Sub Branch and become a component of a larger Sub Branch in the area. An Incorporated Sub Branch would need to wind up prior to becoming a Chapter. To ensure that the name is retained the word "Chapter" would apply to that group of RSL members. An example would be:
- Fortitude Valley Chapter of Brisbane RSL Sub Branch.
- 12.03 A new RSL Chapter may be raised in an area where there is no RSL presence but shows potential for the raising of a Sub Branch in the future. The Chapter is to be raised in accordance with Rule 6.115, however, the Chapter is to seek approval to raise a chapter from the closest geographically located Sub Branch or a Sub Branch approved by the District Branch.
- 12.04 A Sub Branch wishing to raise a new chapter is to seek approval from RSL (Queensland Branch). All applications are to be ratified by the District Branch of which the Sub Branch is a member prior to seeking approval.

### **Administrative Requirements**

- 12.05 The Chapter is not required to administer itself in accordance with RSL (Queensland Branch) Rules and all administration will become the responsibility of the foster Sub Branch. The Chapter is to appoint a member to represent their interests who would automatically become a member of the foster Sub Branch Committee representing the interests of the chapter at all foster Sub Branch meetings. This member would not have voting rights unless he elected to become a voting associate member of the foster Sub Branch.
- 12.06 There will be no requirement for the Chapter to appoint any committee members other than their representative. They may appoint a President and Secretary, if available, to represent them in the local community. The representative would conduct meetings in the local area to keep members up to date with RSL matters.
- 12.07 Representation at both District and RSL (Queensland Branch) level would be vested in the foster Sub Branch and the Chapter would have no voting rights at this level.

### **Financial Requirements**

- 12.08 Upon the creation of a Chapter all property is to be transferred to the foster Sub Branch and held in trust for the Chapter until the Chapter ceases to function in accordance with paragraph 12.10 or is re-established as a Sub Branch in accordance with paragraph 12.15. Where disposal of property is to occur Sub Branches are required to resolve by special resolution that the surplus assets shall be disposed of in accordance with RSL (Queensland Branch) Rule 6.111, however, the assets are to be transferred to the foster Sub Branch.
- 12.09 Where the continued holding of property is undesired or can only be retained at considerable cost, the property is to be disposed of, in accordance with RSL (Queensland Branch) Rules, before the Chapter is formed.

- 12.10 All cash assets are to be transferred to the foster Sub Branch and are to be maintained in a separate sub account operated by the foster Sub Branch on behalf of the Chapter.
- 12.11 Cash received from the sale of property is to be used to finalize Chapter debt and any remaining moneys are to be transferred to the Sub Account. All transactions are to be agreed to by the foster Sub Branch Committee.
- 12.12 Where a new Chapter is raised in accordance with this By-Law, the fostering Sub Branch is responsible for the financial management of the Chapter. The foster Sub Branch is to maintain a separate sub account on behalf of the new Chapter.

### Chapter Identity

- 12.13 The Chapter would be required to return its charter or may apply to retain the charter for historical reasons. Whichever the case a new charter would be issued detailing the new name of the Chapter.

### Chapter Management

- 12.14 Where a Chapter decides to cease to function or operate, the procedure to be employed is detailed in RSL (Queensland Branch) Rule 6.108 to 6.114.
- 12.15 The Chapter may re-establish itself as a viable Sub Branch in its own right. However, the Chapter will have to justify its viability by exhibiting an ability to financially and administratively manage itself for a period of twelve months under the administration of the foster Sub Branch before it can apply for re-instatement RSL (Queensland Branch) as a Sub Branch in its own right.
- 12.16 The District can only approve the re-raising of the Chapter to Sub Branch status after a viability report has been provided by the supporting Sub Branch and, in accordance with current rules this could be vetoed by RSL (Queensland Branch) Branch.
- 12.17 The authority to change a Sub Branch to Chapter status is vested in the District Branch. However, when considering the change, the District must not only consider the ability for the entity to continue to exist as a Chapter rather than closing but must also decide which Sub Branch will be tasked with fostering that Chapter based on its Administrative and Financial situation and administrative ability.
- 12.18 Where a suitable Sub Branch is not available within the vicinity, a Chapter can be fostered by a District Branch.
- 12.19 The District Branch, where paragraph 12.18 applies, is to accept the responsibility of financial and administrative management of the Chapter. The Chapter representative would attend District Council meetings as an observer without voting rights to ensure that up to date information is provided to the Chapter members.
- 12.20 The Chapter would not have voting rights or provide representation at RSL (Queensland Branch) Congress.

### Raising New Sub Branches from Chapters

- 12.21 The District Branch may raise a Chapter for the first twelve months under a foster Sub Branch. After that period the Chapter may be granted Sub Branch status based on the viability assessment of the foster Sub Branch, however, Sub Branches may still be formed in accordance with RSL (Queensland Branch) Rule 6.04 to 6.10 if it is believed that the new Sub Branch would be viable from establishment.