
Returned & Services League of Australia

(Queensland Branch)



RSL
Queensland

STATE BY-LAWS 2021

Table of Contents

BY-LAW 1 MEMBERSHIP	1
Eligibility for Service membership	1
Eligibility for Family membership	2
Eligibility for Community membership.....	2
Eligibility for Supporter membership	2
Term of membership.....	2
Voting rights	2
League Matters	2
Fees	3
Admission to membership	3
Fit and proper.....	4
Rejection of application for membership	4
Applications for transfer.....	5
Member representative	5
Auxiliary members	5
Associate members	5
Interpretation.....	6
BY-LAW 2 STANDING ORDERS – CONDUCT OF MEETINGS.....	7
Delegates.....	7
Observer applications	7
Order of business.....	7
Addressing the meeting	8
Motions.....	8
Debate	8
Amendments.....	9
Voting.....	9
Notice of future motion	10
Adjourned meetings	10
Rescinding resolutions	10
Cannot represent two District Branches or Sub Branches.....	10
Meeting to resolve as committee.....	10
Adjournment of meeting or debate	10
Disorderly conduct.....	10
Points of order.....	11
Disagreement with chairperson's decision.....	11

Suspension of Standing Orders	11
Voting majorities.....	11
Interpretation.....	12
BY-LAW 3 ELECTION OF EXECUTIVE DIRECTORS AND ADDITIONAL DIRECTORS	13
BY-LAW 4 PRINCIPLES & GUIDELINES FOR REIMBURSEMENT OF EXPENSES.....	14
General	14
RSL Queensland Board	14
National Conference	14
AGM.....	14
Other situations	15
BY-LAW 5 APPOINTMENT OF APPOINTED DIRECTORS	16
BY-LAW 6 RSL AUXILIARIES AND JUNIOR MEMBERS	17
Auxiliaries.....	17
Junior Membership Participation.....	17
BY-LAW 7 DISCIPLINE & DISPUTES	18
GENERAL PRINCIPLES	18
Natural justice	18
Interested person	18
Resolution.....	18
Informality	18
Decision making.....	18
Minors	18
DISCIPLINARY POWERS OF THE BOARD.....	18
RSL QUEENSLAND STATE TRIBUNAL.....	18
Appointment of members	18
Ceasing membership	19
Quorum	19
Registrar	19
DISCIPLINE - GENERAL.....	19
Referral to police.....	20
SUB BRANCH COMMITTEE DISCIPLINARY HEARINGS.....	20
Disciplinary powers of Sub Branches.....	21
Sub Branch discipline hearing appeal process	22
TRIBUNAL DISCIPLINARY HEARINGS	23
Presentation of complaints to the Tribunal	23
Tribunal hearings	23

Disciplinary powers of the Tribunal	24
Tribunal disciplinary hearing appeal	24
DISPUTE RESOLUTION	25
Tribunal dispute resolution hearing appeal	26
INVESTIGATIONS	26
INTERPRETATION.....	26
Annex A to By-Law 7	29
PENALTY DETAILS AND CONSEQUENCES	29
Annex B to By-Law 7	30
FRAMING COMPLAINTS.....	30
SCHEDULE ‘A’	33
SCHEDULE ‘B’.....	34
BY-LAW 8 AWARDS FOR RSL MEMBERS.....	35
Life Membership Award and Gold Badges	35
Meritorious Service Medal.....	35
Long Service Award	36
RSL Queensland Certificate of Appreciation	36
New awards	36
Death of Service Members with Life Award	36
BY-LAW 9 AWARDS FOR NON-RSL MEMBERS	37
RSL Queensland Certificate of Appreciation	37
Honorary Life Membership	37
New awards	38
BY-LAW 10 THE RSL SIR RAYMOND HUIH CBE MEMORIAL GRANT.....	39
BY-LAW 11 RESERVED FOR FUTURE USE.....	40
BY-LAW 12 RSL SUB BRANCH CHAPTERS AND CHAPTERS OF INTEREST.....	41
The Chapter system	41
Administrative requirements.....	41
Financial requirements.....	41
Chapter identity	42
Chapter management.....	42
Raising new Sub Branches from Chapters	43
Chapters of Interest	43
BY-LAW 13 PUBLIC COMMENT BY MEMBERS.....	44
No criticism via Media permitted.....	44
Comment on RSL policy	44
Social Media	45

Comment on Protected Attributes or contentious issues forbidden.....	45
Interpretation.....	45
BY-LAW 14 WEARING OF HONOURS AND AWARDS	47
The Order of Wearing Australian Honours and Awards	47
Foreign awards	47
Other awards.....	47
Returned from Active Service Badge	47
Wearing of awards on the right breast	48
Wearing of awards where there is no entitlement	48
BY-LAW 15 CODE OF CONDUCT.....	49
PREAMBLE	49
Who this Code of Conduct applies to	49
Purpose.....	49
RSL Values	49
CODE OF CONDUCT.....	50
Our Conduct.....	50
PROCESS AND PROCEDURES	56
What to do if you have any concerns?.....	56
Breach of this Code of Conduct.....	56

FINAL DRAFT

Amendment Status				
Level	Comment	Date	Drafted By	Approved By
	Rewrite to comply with the State Constitution	15 Dec 2011	L&A Committee	Board
AL1	By-Law 6 – Clause 6.63 Reword first paragraph	20 April 2012	L&A Committee	Board
AL2	Insert new By-Law 13	25 October 2012	L&A Committee	Board
AL3	By-Law 7 - Clause 7.3.1 Amend last paragraph to show correct clause reference. Clause 7.4.17 delete (d) and renumber	25 October 2012	L&A Committee	Board
AL4	Rewrite of By-Law 7	28 February 2013	Board Matters	Board
AL5	Insert new By-Law 14	18 April 2013	L&A Committee	Board
AL6	Insert new By-Law 13	24 June 2013	Tribunal	Board
AL7	Insert new By-Law 6	24 Oct 2013	L&A Committee	Board
AL7	Insert new By-Law 8	12 Dec 2013	L&A Committee	Board
AL8	Insert new By-Law 7	27 Feb 2014	Tribunal	Board
AL9	Insert new By-Law 10	27 Feb 2014	L&A Committee	Board
AL10	Insert new By-Law 5	23 June 2014	L&A Committee	Board
AL11	Insert new By-Law 6	27 August 2014	L&A Committee	Board
AL12	Insert new By-Law 14	27 August 2014	L&A Committee	Board
AL13	By-Law 8 - Clause 8.9 Reword sentence	12 Dec 2014	L&A Committee	Board
AL14	Insert new By-Law 10	12 Dec 2014	L&A Committee	Board
AL15	By-Law 3 - Amend clause 3.3	17 August 2017	C & A Committee	Board
AL16	By-Law 3 - Amend clause 3.3, 3.5 and Annexure A	24 January 2018	C & A Committee	Board
AL17	By-Law 1 – Amend clause 1.1, 1.2, 1.3	16 July 2020	State Branch	Board
AL18	Rewrite of By-Law 7	16 July 2020	Tribunal	Board
AL19	By-Law 13 – insert new 13.3A	20 August 2020	State Branch	Board
AL20	Insert new By-Law 15	22 April 2021	Board	Board
AL21	Rewrite to comply with new RSL Queensland Constitution	[insert] 2021	Constitution Working Group with assistance from external legal advisors	[Board]

BY-LAW 1 MEMBERSHIP

Eligibility for Service membership

- 1.1 A person may only become a Service Member if the person:
- a. has signed a declaration that he or she is prepared to swear or affirm (as the case may be) loyalty to Australia and its Sovereign and that he or she will uphold the Constitution of Australia and the RSL National Constitution; or
 - b. is not an Australian citizen, the person proves to the satisfaction of the League that by making the declaration he or she would or would be likely to lose his or her citizenship of a foreign country;
- AND:
- c. will uphold the RSL Rules;
- AND:
- d. is or was a member of the Australian Defence Force with at least one day's service (fulltime equivalent); or
 - e. was a member, with at least six months' service, of the armed forces of an Ally; or
 - f. satisfies both of the following:
 - (i) has served with, supported or was engaged with the Australian Defence Force, the Australian Federal Police, the police force of an Australian state or territory, or such other units which may be deployed as part of Australia's peacekeeping commitment for at least six months in a theatre of conflict or the armed forces of an Ally; and
 - (ii) is an Australian citizen or a citizen of an Ally; or
 - g. is an Australian citizen, and:
 - (i) was a member of the armed forces of another country or place for at least six months, which was an ally of the Commonwealth in a theatre of conflict; or
 - (ii) served with, supported or engaged with the armed forces of such a country or place for at least six months; or
 - h. has completed 10 years of aggregate service as an Officer of Cadets or Instructor of Cadets; or
 - i. was a member of the:
 - (i) Australian Defence Force; or
 - (ii) armed forces of an Ally,but was honourably discharged either for medical reasons or for reasons outside their control; or
 - j. was a member of a SEATO Surgical and Medical Team in Vietnam during the conflict in Vietnam or other surgical or medical team in any theatres of operation to which Australians were deployed or in support of the Australian Defence Force; or
 - k. is an Australian citizen, and served for at least six months in the armed forces of any other place not specified in this clause and at no time during the service, the armed forces of that place was in conflict against a member of the Commonwealth or the United States of America; or
 - l. was for not less than six months a member of a philanthropic organisation formally

accredited to and administered by the Australian Defence Force for that period.

Eligibility for Family membership

- 1.2 A person may only become a Family Member if the person:
- a. will uphold the RSL Rules; and
 - b. either:
 - (i) has been correctly nominated as an Eligible Family Member by a Service Member; or
 - (ii) is an Eligible Family Member of:
 1. a current Service Member; or
 2. a Veteran who would qualify as a Service Member.

Eligibility for Community membership

- 1.3 A person may only become a Community Member if the person:
- a. will uphold the RSL Rules;
 - b. is a member of the Australian community; and
 - c. is over 12 years of age.

Eligibility for Supporter membership

- 1.4 A person or organisation may only become a Supporter Member if the person (and their representative, if applicable):
- a. will uphold the RSL Rules;
 - b. has shown a commitment to the objects of RSL Queensland; and
 - c. in the case of a natural person, is over 12 years of age.

Term of membership

- 1.5 Service Members and Family Members will be members for life of RSL Queensland.
1.6 Community Members and Supporter Members must renew their membership annually by paying any applicable annual subscription fee as prescribed by the Board from time to time.

Voting rights

- 1.7 Service Members (other than Service Members whose names have been placed on the Miscellaneous Members List or on the RSL Queensland List) will exercise their voting rights in RSL Queensland through their respective representative at the AGM and General Meetings, being a Delegate appointed by their respective District Branch (being a District President or member of the District Branch board) and their respective Sub Branch (from the Service Members of the Sub Branch).
- 1.8 For the avoidance of doubt, Service Members whose names have been placed on the Miscellaneous Members List or on the RSL Queensland List will not be represented at the AGM and General Meetings as they are not attached to a District Branch or Sub Branch.
- 1.9 Only Service Members, other than Service Members whose names have been placed on the Miscellaneous Members List or on the RSL Queensland List, have a right to vote at Sub Branch meetings on League Matters.

League Matters

- 1.10 For the purposes of this By-Law and the Constitution, League Matters include any matter relating to the League, or its activities or objects, including, without limitation, relationships with and representation on any committee or board of any League bodies, the wellbeing of Veterans or those serving with the Australian Defence Force and commemorative events and, subject to clause 14.18 of the Constitution, the sale of any capital assets of a League body.
- 1.11 For the avoidance of doubt, the Board has full discretion to determine whether a matter or decision is a League Matter from time to time.

Fees

- 1.12 For the avoidance of doubt, the Board has full discretion to waive any applicable application fees or annual subscription fees for specific Members. For example, the Board may choose to waive the application fees or annual subscription fees of a Member that has made a significant volunteering contribution or provided an in-kind or monetary donation to RSL Queensland, a District Branch or Sub Branch.
- 1.13 Unless otherwise specified, application fees and annual subscription fees are quoted inclusive of any applicable GST (as defined by the *A New Tax System (Goods and Services Act) 1999* Cth) and:
- a. if GST is or becomes payable on a taxable supply (as defined by the *A New Tax System (Goods and Services Act) 1999* Cth) made under or in connection with the Constitution or the By-Laws, the party providing consideration for that taxable supply must pay an additional amount equal to the GST payable on the taxable supply; and
 - b. the additional amount payable under clause 1.13a must be paid at the same time as the consideration for the taxable supply or on the date on which the party making the supply delivers a tax invoice (whichever is later).

Admission to membership

- 1.14 **RSL Queensland List membership**
- a. An applicant may apply to become a Member on the RSL Queensland List electronically via the RSL Queensland Public Access Web Site or through RSL Queensland.
 - b. Once an applicant has submitted an application in accordance with clause 1.14a, they will be deemed a provisional member of RSL Queensland.
 - c. RSL Queensland must complete the appropriate eligibility checks on the applicant in accordance with the RSL Rules.
 - d. If the applicant is deemed eligible for membership, RSL Queensland must submit the application to the Board for consideration.
 - e. If the Board approves the application, the applicant will automatically receive full membership status in the appropriate membership class.
 - f. If the applicant is ineligible for membership or their application is rejected by the Board, RSL Queensland must:
 - (i) notify the applicant of the rejection and the grounds for this rejection; and
 - (ii) revoke their provisional membership of RSL Queensland.
- 1.15 **Sub Branch membership**
- a. An applicant who wants to become a member of a Sub Branch may apply in person at a Sub Branch or electronically via the RSL Queensland Public Access Web Site.
 - b. If the applicant applies in person at a Sub Branch, the Sub Branch must assist the applicant to make their application via RSL Queensland's customer relationship management system.
 - c. Once an applicant has submitted an application in accordance with clauses 1.15a and 1.15b, they will be deemed a provisional member of the applicable Sub Branch.
 - d. The applicable Sub Branch must complete the appropriate eligibility checks on the applicant in accordance with the RSL Rules. RSL Queensland may assist the Sub Branch with completing eligibility checks from time to time.
 - e. If the applicant is deemed eligible for membership, the applicable Sub Branch must submit the application to the Sub Branch board for consideration at the next Sub Branch board meeting.
 - f. If the Sub Branch board approves the application, the applicant will automatically receive full membership status in the appropriate membership class of the Sub Branch

- and in the corresponding membership class of RSL Queensland.
- g. If the applicant is ineligible for membership or their application is rejected by the Sub Branch board, the Sub Branch must:
- (i) notify the applicant of the rejection and the grounds for this rejection;
 - (ii) notify the applicant of their rights of appeal under these By-Laws; and
 - (iii) revoke their provisional membership of the Sub Branch.
- 1.16 Provisional members of either RSL Queensland or a Sub Branch have no voting rights in connection with such provisional membership but may otherwise enjoy the benefits associated with full membership in the appropriate membership class. For the avoidance of doubt, despite an applicant holding full Sub Branch membership they do not have any voting rights at RSL Queensland meetings or in relation to voting on League Matters at Sub Branch meetings until they receive full membership of RSL Queensland (and then only to the extent that their membership class provides such rights).

Fit and proper

- 1.17 When assessing whether an applicant is a fit and proper person to be admitted to membership, the following considerations are the only considerations to be taken into account for that assessment:
- a. if the applicant has been found guilty of an indictable offence;
 - b. if the applicant has demonstrated via previous conduct that they would not be capable of upholding the RSL Rules;
 - c. any previous conduct of the applicant that would be considered unbecoming a Member under the Constitution or the By-Laws; and
 - d. whether the applicant has the attributes of good character, diligence, honesty, integrity and judgement.
- 1.18 When considering the factors in clause 1.17, the assessing party must ensure that all applicable anti-discrimination laws and requirements are complied with.

Rejection of application for membership

- 1.19 An application for membership may only be rejected upon the grounds 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 member of a Sub Branch or RSL Queensland.
- Sub Branch membership**
- 1.20 The decision of a Sub Branch board to reject an application shall be recorded in the minutes of the meeting at which the decision was made. If a Sub Branch board rejects an application, the applicant shall be notified in writing by the Sub Branch of the decision and the grounds upon which the application was rejected and the right of appeal to RSL Queensland, within 14 days of the applicable meeting.
- 1.21 Within 14 days after the date of the notification in writing of their rejection, the applicant may appeal in writing to RSL Queensland. 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 documents to the Board.
- 1.22 RSL Queensland may direct the Sub Branch concerned to admit the applicant as a member of the Sub Branch if RSL Queensland is of the opinion the applicant should be admitted or RSL Queensland 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 member of the Sub Branch. The decision of RSL Queensland shall be final.

- 1.23 If RSL Queensland directs a Sub Branch to admit an applicant as member of the Sub Branch, the applicant shall thereupon be deemed to have been admitted as a Member of RSL Queensland and a member of that Sub Branch.

RSL Queensland membership

- 1.24 If the Board has rejected an application for membership, RSL Queensland shall within 14 days of 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 Member. In so doing RSL Queensland shall advise the applicant in writing of the right of appeal to the RSL National board.

Applications for transfer

- 1.25 A Member may apply to transfer between Sub Branches or between the RSL Queensland List and a Sub Branch (or vice versa). The applicable form to request a transfer will be published on the RSL Queensland Public Access Web Site.
- 1.26 The procedure to be adopted to manage a Member application to transfer is detailed in RSL Queensland's customer relationship management system, and is available upon request from RSL Queensland.

Member representative

- 1.27 Any Member that is not a natural person may authorise a natural person to act as its representative to exercise any and all powers the Member may exercise as a Member or a member of a Sub Branch.
- 1.28 The Member must notify RSL Queensland and its Sub Branch (if applicable) in writing of its appointed representative from time to time.
- 1.29 The appointment may set out restrictions on the representative's powers.
- 1.30 A Member may appoint more than one representative but only one representative may exercise the Member's powers at any time.
- 1.31 The form and other requirements of appointment will be as determined by the Board from time to time.

Auxiliary members

- 1.32 A person who is a member of an Auxiliary may apply to become a Family Member, Community Member or Supporter Member, provided they meet the applicable eligibility criteria set out in the Constitution and these By-Laws.

Associate members

- 1.33 For the purposes of this clause, 'associate member' means a person who met the applicable eligibility criteria and is recorded as such by a Sub Branch in accordance with the Sub Branch's constitution.
- 1.34 On and from the adoption of these By-Laws, a Sub Branch must not accept any new associate members. Members will instead be encouraged to transfer their membership to their desired Sub Branch from time to time in accordance with the applicable transfer procedure.
- 1.35 Any person that was an associate member prior to the adoption of these By-Laws will retain their classification as an associate member and any rights associated with such classification immediately before the adoption of these By-Laws.
- 1.36 Existing associate members are only entitled to be an associate member of one Sub Branch and

must relinquish any other associate membership they hold.

Interpretation

1.37 In this By-Law:

Eligible Family Member means any immediate family member including spouses, domestic partners, ex-spouses, ex-partners, siblings (natural, adoptive, foster or step), parents, grandparents or great grandparents (natural, adoptive, foster or step) and children, grandchildren and great grandchildren (natural, adoptive, foster or step); and

RSL Rules means the Constitution, the By-Laws, the RSL National Constitution, the RSL National by-laws, the constitutions and by-laws of District Branches and Sub Branches, the RSL Queensland Code of Conduct and Code of Conduct for Directors.

FINAL DRAFT

BY-LAW 2 STANDING ORDERS – CONDUCT OF MEETINGS

2.1 All proceedings at meetings held under or in pursuance of the Constitution, the By-Laws or the constitutions and by-laws of District Branches and Sub Branches shall be governed by the following By-Law.

Delegates

2.2 Each District Branch and Sub Branch may appoint a Service Member of that District Branch or Sub Branch to act as its Delegate on a once-off or reoccurring basis.

2.3 The appointing District Branch or Sub Branch must notify RSL Queensland in writing of its appointed Delegate, prior to the meeting the Delegate wishes to attend or the decision the Delegate wishes to vote on, for such appointment to be effective.

2.4 All other terms of appointment are at the discretion of the appointing District Branch or Sub Branch, providing that all such terms comply with these By-Laws and the Constitution.

Observer applications

2.5 Members who are not Delegates may request to attend the AGM or a General Meeting as an observer pursuant to the procedure in clause 12.4.3 of the Constitution. Such members shall be notified of the outcome of the request by electronic mail sent to the email address nominated by the Member. There may be limits on the number of observers who may attend the AGM or a General Meeting set by the Board from time to time.

Order of business

- 2.6 The business at meetings, will be conducted in the following order, as far as is applicable:
- a. One minute's silence should be observed, in "Memory of Fallen and Departed Comrades", followed by the recitation of the "ODE" by the chairperson;
 - 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 the meeting

- 2.7 A member may address the meeting by standing up if attending the meeting in person or by respectfully alerting the chairperson if attending the meeting via technology. If two or more members attempt to address the meeting at the same time, the chairperson will call upon the member who in their opinion attempted to address the meeting first, to speak.
- 2.8 Any member addressing the meeting must pause if requested to do so by the chairperson or if a point of order is raised. The member must not resume speaking until the chairperson advises or the point of order has been decided.

Motions

- 2.9 Only motions moved and seconded (and put in writing if requested) will be discussed at the meeting, unless the chairperson otherwise decides the matter is important to the meeting.
- 2.10 Motions must be:
- submitted in writing and signed by the mover and seconder (if requested for the applicable meeting); and
 - expressed using affirmative language.
- 2.11 A motion vitally affecting the policy interests of the League must not be submitted for discussion at the meeting unless the chairperson has received written notice of the motion in accordance with any requirements for submission of motions specified in the applicable governing document for such meeting or in all other cases, at least seven days prior to the applicable meeting.
- 2.12 A motion that has not been seconded will not be debated at the meeting and will not be entered in the minutes of the meeting.
- 2.13 A motion may be superseded by:
- a second motion resolving that the first motion be discharged from the notice of the meeting;
 - a second motion for the adjournment of the first motion;
 - adjournment of the meeting the motion was to be considered at; or
 - a second motion resolving that the meeting move on to considering the next item of business.
- 2.14 If the member proposing an item on the meeting agenda is absent from the meeting, the chairperson may:
- declare that the item has lapsed; or
 - allow another member the right to propose such item to the meeting.

Debate

- 2.15 When a motion has been proposed and seconded, the chairperson will proceed to take the votes, unless a member opposes the motion or amendment or proposes an amendment.
- 2.16 The mover of a motion will be allowed four minutes to introduce the motion and two minutes for the right of reply. Speakers for or against will be allowed to speak for three minutes each, however if a motion has been proposed by a Delegate, the members present at the meeting may resolve to extend the speaker's time by a specified period. Any such proposal for an extension of time must be put to the meeting without debate.
- 2.17 No more than two members can speak in succession either for or against any motion or amendment. At the conclusion of the second speaker's remarks, if no member speaks for the other side; the motion or amendment will immediately be put to the meeting for a vote.
- 2.18 A member must not propose more than one amendment to a motion except with the permission of the chairperson.
- 2.19 A member must not speak more than once in total about a motion or an amendment to that motion, except:
- with the permission of the chairperson;

- b. if that member is the mover of the motion, and is entitled to the right of reply;
 - c. in a committee of the whole;
 - d. in explanation of the motion; or
 - e. upon a point of order raised during the debate.
- 2.20 For the purposes of clauses 2.18 and 2.19, an amendment that is a substantive motion will be deemed a separate motion.
- 2.21 A member who seconds a motion or amendment will not be taken to have spoken to the motion or amendment and may otherwise speak to it in accordance with this By-Law. However, for the purpose of debate, a member seconding a motion or amendment will be deemed the second speaker in the affirmative.
- 2.22 During debate, a member may request that a motion or amendment be put to a vote, unless that member is presently speaking, or was the previous member to speak, to the motion or amendment. Upon such a request the motion or amendment must immediately be put to a vote. If the vote is lost, the debate will continue as if such motion had not been requested. If the vote is carried, the mover will have the right to reply, then the amendment, if there was an amendment, or motion, if no amendment has been moved, or all amendments have been disposed of the vote must be put to the meeting without further discussion.
- 2.23 Despite clause 2.22, a Delegate from the same District Branch or Sub Branch as the proposer or seconder of the original motion must not request that the motion or an amendment to the original motion be put to a vote.
- 2.24 No resolution passed by a meeting will be debated or re-committed again at the same meeting unless two-thirds of the members present and entitled to vote agree otherwise.
- 2.25 Despite the other clauses in this By-Law:
- a. the chairperson may move a motion or amendment to a vote if there is no practical difference of opinion among the members debating the motion or amendment; and
 - b. a member who has spoken to a motion may speak again to explain themselves if the chairperson deems they have been misquoted or misunderstood, however the member must not introduce any new matter or interrupt any member.

Amendments

- 2.26 A member may propose an amendment to a motion before the motion has been put to a vote.
- 2.27 Only one amendment will be debated at a time. If the amendment is carried, it will become the substantive motion and the original motion will lapse.
- 2.28 Regardless of whether or not an amendment is carried, other amendments may be submitted and debated in accordance with this By-Law until the subject is finally disposed of.
- 2.29 If all amendments related to a motion are lost, the chairperson must put the original motion to a vote.

Voting

- 2.30 The chairperson will put all questions to a vote in a distinct and audible voice to the meeting and following the vote will give their opinion as to the outcome, and will declare a show of hands or a ballot if required.
- 2.31 Members must not speak to any question after it has been put to a vote by the chairperson, nor during a vote, except to a point of order.
- 2.32 A member is not allowed to vote on any show of hands or ballot if they were not present when the question was first put to a vote. Every member present must vote, but in the event of a member's refusal to vote, they shall be assumed to have voted in the negative. No member is allowed to enter or leave the meeting while a vote is being taken.
- 2.33 Subject to other clauses in this By-Law, the chairperson is the sole authority on the validity of a vote cast on any question. Unless a member objects to the validity of a vote immediately after the chairperson has declared a result, the validity of the vote cannot be raised again.

Notice of future motion

- 2.34 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 to the chairperson. The notice of motion will take precedence over other similar notices in the relevant minute book, unless otherwise ordered by the meeting. The notice of motion will lapse if the member, or a member on their behalf, is not present when the notice is read at the future meeting.

Adjourned meetings

- 2.35 If a meeting is adjourned, the outstanding business from the adjourned meeting will have precedence at the next applicable meeting.

Rescinding resolutions

- 2.36 Any member wishing to rescind a resolution which has been passed, must give notice of motion that they will move to rescind the resolution at the next applicable meeting. Such a notice of motion requires a majority of two thirds of the votes of members present at the meeting to rescind the resolution in question.

Cannot represent two District Branches or Sub Branches

- 2.37 A Delegate cannot represent or vote on behalf of more than one District Branch or Sub Branch.

Meeting to resolve as committee

- 2.38 The meeting may, at any time, resolve- itself into a committee of the whole. Such a resolution may include the exclusion of the press. However, where possible, business to be dealt with in a committee of the whole will be delayed until all other business of the meeting has been dealt with.

Adjournment of meeting or debate

- 2.39 A motion for the adjournment of a meeting or a debate may be proposed by a member at any time during the relevant meeting or debate. The chairperson must put such a motion immediately to a vote.

Disorderly conduct

- 2.40 If a member at any meeting:
- a. Persistently and wilfully obstructs the business of the 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; or
 - e. Persistently and wilfully disregards the authority of the chairperson;

the chairperson may report to the meeting that such member has committed an offence.

- 2.41 If a member commits an offence, they will be given the opportunity to offer an explanation or apology. After such explanation or apology, a motion may be moved - "That the member be

- suspended for the remainder of the meeting". No amendment, adjournment or debate is allowed on such motion, and the motion must immediately be put to a vote by the chairperson.
- 2.42 If a member is suspended, their suspension on the first occasion will be for the remainder of that meeting; on the second occasion for the next two consecutive meetings; and on the third occasion may, in the case of a member of the AGM, Board, District Branch or Sub Branch Committees, have their seat for all such future meetings declared vacant.

Points of order

- 2.43 A member who raises a point of order must state it clearly and distinctly and with the omission of any irrelevant details. If a member is speaking when a point of order is raised, the member must take their seat until the point of order is decided. The chairperson must decide the matter promptly, and their decision will be final. Points of order must deal with the conduct or procedure of the debate. The member a point of order will be required to prove one or more of the following:
- a. that the speaker is using unparliamentarily language;
 - b. that the speaker is speaking beside the question;
 - c. that the speaker is transgressing a rule of the meeting; or
 - d. that the speaker is infringing the Standing Orders or, in the absence of a Standing Order bearing on the point, is acting contrary to the general customs of debate (points of correction, such as a protest that a speaker is not stating the truth, are not points of order).

Disagreement with chairperson's decision

- 2.44 If a motion is moved and seconded regarding disagreement with the chairperson's decision, the chairperson must vacate the position of chairperson, and the debate on the original question before the meeting will be suspended. Another chairperson will then be appointed by the meeting, in accordance with any applicable rules or governing documents for the meeting. The meeting must vote on whether the chairperson's decision was correct. After such vote the former chairperson will resume the role of chairperson and the debate on the original question will proceed.

Suspension of Standing Orders

- 2.45 The Standing Orders in this By-Law may be suspended by a resolution passed by two thirds of the members present and voting, provided the suspension does not restrict clause 2.44, and provided, further, that the suspension of the Standing Orders is limited to the particular purpose for which the suspension was sought.

Voting majorities

- 2.46 A rule which calls for a two thirds majority, simply means that two thirds respectively of the members present and entitled to vote at a meeting must be in favour of the relevant proposal.
- 2.47 The following rules call for two thirds majority:
- (1) - Expulsion of Sub Branch
 - (2) - Special Resolutions (General Meetings)
 - (3) - Suspension Standing Orders at the AGM
 - (4) - Removal of Sub Branch Officers

- (5) - Alteration of Resolution
- (6) - Dismissal of CEO
- (7) - Amendment of Constitution
- (8) - Rescinding Resolutions
- (9) - Suspension of Standing Orders
- (10) - Re-committing of Resolution

Interpretation

2.48 In this By-Law:

- a. **chairperson** means the person appointed to chair the applicable meeting in accordance with the relevant rules or governing documents for that meeting; and
- b. **member** means a person entitled to vote at the applicable meeting in accordance with the relevant rules or governing documents for that meeting, and includes Delegates if the context requires.

FINAL DRAFT

BY-LAW 3 ELECTION OF EXECUTIVE DIRECTORS AND ADDITIONAL DIRECTORS

- 3.1 This By-Law applies to candidates for election as Directors in the positions of State President, Deputy President, Vice President or a Director identified in clause 13.2.1(d) of the Constitution.
- 3.2 These candidates will be required to satisfy the requirements of any skills matrix and/or position description relevant to such position that is published on the RSL Queensland Public Access Web Site.
- 3.3 Any published skills matrix will be reviewed by the Board on an annual basis by reference to the strategic requirements of RSL Queensland from time to time.
- 3.4 Calls for nominations of these candidates will be made via the RSL Queensland Public Access Web Site at least five months prior to the AGM.
- 3.5 Nominations of these candidates must be submitted in writing in the form approved by the Board (as published on the RSL Queensland Public Access Web Site from time to time) and must evidence that the candidate has the requisite skills and qualifications referred to in any applicable skills matrix and/or position description. Nominations must be received by the Company Secretary not later than 5pm on the day which is three months prior to the AGM at which the candidate seeks election.
- 3.6 Nominations received by the Company Secretary in accordance with this By-Law and clause 13.8 of the Constitution will be assessed against any applicable skills matrix and/or position description in order for a committee appointed by the Board to identify a shortlist of Eligible Candidates to be recommended to the Board as eligible for election.
- 3.7 The Board must send its list of approved Eligible Candidates (and if applicable, categorised by reference to the particular Director position for which the Eligible Candidate is eligible) to the District Branches and Sub Branches at least one month prior to the AGM.
- 3.8 If the number of Eligible Candidates exceeds the number of the vacancies for the relevant Director position a ballot of all Delegates attending the AGM will be held for the election of the Eligible Candidates to the relevant Director positions.
- 3.9 Ballot papers in respect of the relevant Director positions (either in paper or electronic form, at the discretion of the Board), listing the names of the Eligible Candidates in alphabetical order by surname, will be provided to each Delegate during registration at the AGM.
- 3.10 The Delegate will complete and lodge the ballot papers (either in the ballot box or via electronic ballot submission, as applicable) at the AGM.
- 3.11 In the case of a tied vote in respect of any relevant Director position, the names of the Eligible Candidates who received the same number of votes must be put to further ballots (either in paper or electronic form, at the discretion of the Board) until such time as an Eligible Candidate is elected. The Eligible Candidate receiving the greatest number of votes in a ballot must be declared by the Chairman of the meeting to be elected to the relevant Director position.
- 3.12 Nomination and other forms will be as determined by the Board from time to time.

BY-LAW 4 PRINCIPLES & GUIDELINES FOR REIMBURSEMENT OF EXPENSES

General

- 4.1 Reimbursement of expenses to officers and Members are made to defray the substantiated expenses that officers and Members may incur in the authorised conduct of their duties.

RSL Queensland Board

- 4.2 The principles to be applied in relation to resources for, and expenditure of, the Directors will be set out in a policy approved by in General Meetings from time to time.

National Conference

- 4.3 RSL Queensland will nominate representatives of RSL Queensland to attend National Conference.
- 4.4 RSL Queensland will pay accommodation and travel expenses for the RSL Queensland representatives attending National Conference.

AGM

- 4.5 The principles to be applied in the payment of expenses for RSL Queensland representatives attending the AGM are:
- a. At the AGM the following are the responsibility of RSL Queensland:
 - i. Board;
 - ii. CEO; and
 - iii. any other person approved by the Board.
 - b. RSL Queensland will book and pay for accommodation and reasonable travel expenses for:
 - i. Directors, in accordance with the policy governing resources for, and expenditure of, the Directors approved by the Board from time to time;
 - ii. the CEO, in accordance with the policy governing employee expenses approved by the Board from time to time; and
 - iii. for any other person approved by the Board, in accordance with this By-Law or as determined by the Board on a case-by-case basis.
 - c. Additionally, RSL Queensland will pay accommodation and travel expenses required for the attendance of one Delegate per District Branch and Sub Branch at the AGM.

RSL Queensland Members

- 4.6 The guidelines relating to expenses for committees and Members appointed for specific tasks by RSL Queensland 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 the Board.
- c. All airline travel and accommodation must be booked and purchased as approved by the CEO.

RSL Queensland employees

- 4.7 The guidelines relating to employee expenses will be set out in a policy approved by the Board from time to time.

Other situations

- 4.8 Any situation not covered by this By-Law will be considered on a case-by-case basis by the Board.

FINAL DRAFT

BY-LAW 5 APPOINTMENT OF APPOINTED DIRECTORS

- 5.1 Clause 13.14 of the Constitution allows the Board to appoint up to two Appointed Directors to the Board whose background, skills and/or experience may be thought prudent or necessary to enhance the ability of the Board to better discharge its role and legal duties.

Nothing in this By-Law compels the Board to appoint an Appointed Director under clause 13.14 of the Constitution.

- 5.2 The Board may establish a committee to provide the Board advice on processes to identify suitable candidates to appoint as Appointed Directors to optimise the composition of the Board.
- 5.3 The Board will publish position descriptions for the position of an Appointed Director on the RSL Queensland Public Access Web Site from time to time.
- 5.4 Suitable candidates for the role of Appointed Director will be those persons who can evidence that they have the requisite skills and qualifications referred to in any applicable position description and whose background, skills and/or experience may be thought prudent or necessary to enhance the ability of the Board to better discharge its role and its legal duties and responsibilities (in the absolute discretion of the Board).
- 5.5 If the Board is unable to identify suitable candidates for the position of an Appointed Director from the Service Members of RSL Queensland, then the Board may seek a Member from another membership class of RSL Queensland or a non-Member to fill the position, including by publishing details of the position on the RSL Queensland Public Access Web Site.
- 5.6 Nominations received for the position of Appointed Director will be assessed against any applicable position description and other criteria of the Board by an external recruiter appointed to perform this function by the Board.
- 5.7 Following initial assessments, the external recruiter will work in conjunction with a committee appointed by the Board to identify a shortlist of candidates to be recommended to an interview panel established by the Board, which is to be comprised of members of the relevant committee and members of the Board.
- 5.8 The shortlisted candidates will be interviewed by the interview panel in order for the interview panel to recommend a preferred candidate to the Board.
- 5.9 The Board has the ultimate responsibility for appointing an Appointed Director on such terms and conditions as the Board in its absolute discretion decides.

BY-LAW 6 RSL AUXILIARIES AND JUNIOR MEMBERS

Auxiliaries

- 6.1 This By-Law shall apply to all Auxiliaries formed under the jurisdiction of RSL Queensland.

Each Auxiliary shall comply with such lawful directions as are given from time to time by the District Branch or Sub Branch having jurisdiction over it, and RSL Queensland. This By-Law shall apply any Auxiliary established by a Sub Branch or a District Branch.

- 6.2 Terms of reference or rules relating to an Auxiliary will be determined by the relevant District Branch or Sub Branch.

Junior Membership Participation

- 6.3 A junior member can only participate in a District Branch or Sub Branch activity under the following conditions:
- a. a parent who is a member of RSL Queensland 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;
 - b. junior members may participate if they are supervised by an adult member of RSL Queensland 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 committees or officeholder positions; and
 - d. junior member participation must also be in accordance with any policy or rules set by RSL Queensland from time to time.

BY-LAW 7 DISCIPLINE & DISPUTES

7.1.

GENERAL PRINCIPLES

Natural justice

- 7.1.1 RSL Queensland must observe the rules of natural justice (procedural fairness) in determining a dispute or a disciplinary matter. Procedural fairness has three basic parts:
- 7.1.1.1 the person the subject of a dispute or a disciplinary matter shall be given the opportunity to know and understand the case against them, and to state their case in response;
 - 7.1.1.2 the decision maker shall be impartial, unbiased and have no personal stake or interest in the matter being decided; and
 - 7.1.1.3 the decision maker shall act only on relevant information and/or evidence.

Interested person

- 7.1.2 A person having a material personal interest or relationship with a party to a dispute or to a person subject to a disciplinary matter which may lead to real or apprehended bias must not be on the body hearing and determining the dispute or disciplinary matter.

Resolution

- 7.1.3 Discipline and dispute matters should be handled at the lowest appropriate level.

Informality

- 7.1.4 Proceedings shall be conducted with as little formality as is consistent with the specific setting. This, however, does not negate the requirement for all parties involved to conduct themselves with dignity and respect. At the commencement of any hearing, the Chairperson shall explain the manner in which the proceedings will be conducted.

Decision making

- 7.1.5 Decisions will be made based solely on the relevant evidence presented.

Minors

- 7.1.6 The discipline and dispute procedures in this By-Law do not apply to Minors.

7.2.

DISCIPLINARY POWERS OF THE BOARD

- 7.2.1 The Board may directly discipline a Member in accordance with clause 6.4 of the Constitution.
- 7.2.2 A member disciplined by the Board has a right of appeal only to the Tribunal. The guidelines for the appeal process are the same as for a Sub Branch discipline hearing appeal process as per clauses 7.5.16 to 7.5.26 below in this By-Law 7.

7.3.

RSL QUEENSLAND STATE TRIBUNAL

Appointment of members

- 7.3.1 The Board will establish a tribunal (**Tribunal**) of no fewer than five members to deal with discipline and disputes in accordance with the following:
- 7.3.1.1 members of the Tribunal shall be appointed by the Board;

- 7.3.1.2 the Board must appoint one of them as the Chairperson, and another of them as Deputy Chairperson;
- 7.3.1.3 all appointed members must be Service Members of RSL Queensland; and
- 7.3.1.4 their appointment is for a maximum of one year ending 31 May and they may be reappointed by the Board with effect from 1 June that year.

Ceasing membership

- 7.3.2 A person ceases to be a member of the Tribunal if the person:
 - 7.3.2.1 resigns;
 - 7.3.2.2 is no longer a member of the League;
 - 7.3.2.3 is no longer a Service Member of RSL Queensland;
 - 7.3.2.4 becomes bankrupt or makes an arrangement or compromise with his or her creditors generally;
 - 7.3.2.5 has a complaint lodged against them in accordance with the RSL Rules, and such complaint is substantiated in accordance with the RSL Rules;
 - 7.3.2.6 becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under any law relating to mental health; or
 - 7.3.2.7 becomes a member of the Board or a paid employee of the League.

Quorum

- 7.3.3 A quorum for a Tribunal hearing is three members although the Chairperson may roster a higher odd number of members for a hearing.

Registrar

- 7.3.4 The Board shall appoint a person to act as the Registrar of the Tribunal who shall:
 - 7.3.4.1 act as a liaison between the parties in all matters before the Tribunal, ensuring that all parties have complied with their obligations under this By-Law 7;
 - 7.3.4.2 conduct a preliminary assessment of referrals submitted to the Tribunal;
 - 7.3.4.3 give the parties and potential parties reasonable assistance in understanding the Tribunal's practices and procedures;
 - 7.3.4.4 coordinate administrative support for the conduct of Tribunal business; and
 - 7.3.4.5 exercise the Registrar's authority as otherwise allowed under the provisions of this By-Law.
- 7.3.5 The Registrar shall assess all referrals to the Tribunal and take action as follows:
 - 7.3.5.1 refer the dispute back to the member or their Sub Branch for mediation; or
 - 7.3.5.2 refer the issue to the appropriate Sub Branch for its resolution; or
 - 7.3.5.3 refer the issue to the Tribunal for preliminary consideration.
- 7.3.6 In all cases the Registrar shall notify the parties of the action taken within 14 clear days of receiving the referral.

7.4.

DISCIPLINE - GENERAL

- 7.4.1 Disciplinary matters will be dealt with by an RSL Queensland Sub Branch committee, the Tribunal, or the Board as provided for in this By-Law 7. A Member may be disciplined if he or she:

- 7.4.1.1 refuses or wilfully neglects to comply with the Constitution, By-Laws and/or any other RSL Rules;
 - 7.4.1.2 is guilty of conduct unbecoming a member;
 - 7.4.1.3 is guilty of conduct subversive to the objects and values of the League; or
 - 7.4.1.4 is convicted of any indictable offence or imprisoned for a simple offence.
- 7.4.2 The Board, Sub Branch committees and the Tribunal shall not proceed with any matter subject to investigation or action under criminal law or in which action under a statute has been initiated, until it has been dealt with in the courts or statutory authorities or police and/or statutory authorities have refused to proceed. For the avoidance of doubt, a matter may be the subject of investigation or disciplinary action where it is merely incidental or ancillary to the matter subject to investigation or action under criminal law or in which action under a statute has been initiated.

Referral to police

- 7.4.3 If RSL Queensland, a Member or the committee of a District Branch or Sub Branch reasonably believes, based on evidence in its possession, that a member has committed a criminal or regulatory offence, it may report the matter to the police or other appropriate public official. Indictable offences must be reported.

7.5.

SUB BRANCH COMMITTEE DISCIPLINARY HEARINGS

- 7.5.1 A Sub Branch committee must determine a disciplinary matter and impose discipline in relation to a member of the Sub Branch except in the following situations (when the disciplinary matter must be referred directly to the Tribunal), being when:
- 7.5.1.1 it believes that the disciplinary penalty that could be appropriate for it to impose is not one allowed for in By-Law 7.5.7;
 - 7.5.1.2 RSL Rules specify that it may not hear a matter of that type;
 - 7.5.1.3 RSL Queensland requests that the matter be referred to it or to the Tribunal; or
 - 7.5.1.4 the Sub Branch member is a member of the Sub Branch committee or a District Branch committee.
- 7.5.2 A formal complaint against a Sub Branch member shall be in writing to the member's Sub Branch president or secretary and include:
- 7.5.2.1 the identity of the person against whom the complaint is made;
 - 7.5.2.2 the actions giving rise to the complaint; and
 - 7.5.2.3 the date, time and place of the actions complained about.
- 7.5.3 A complaint submitted by a non-League member should be referred to the Member's Sub Branch committee for consideration. If informal resolution is not appropriate a formal disciplinary hearing may be conducted in which case the non-League member could act as a witness.
- 7.5.4 The Sub Branch committee shall provide to the member notice in writing containing:
- 7.5.4.1 details of the conduct in which the member is alleged to have engaged including the date, time and location;
 - 7.5.4.2 a direction that the member attend a meeting of the committee to show cause why the member should not be disciplined in respect of such conduct;
 - 7.5.4.3 the time, date and place at which the meeting will be convened and an outline of the manner in which the meeting will be conducted;

- 7.5.4.4 a statement that the member is entitled to request of the committee any further information the member considers relevant to the particulars identified in the notice; and
- 7.5.4.5 a statement that the member will be allowed to present their case to the Committee either orally or in writing, with witnesses or their signed statements, including such information as the member considers relevant to the issues to be considered.
- 7.5.5 The notice shall be received by the member at least 14 clear days before the date on which the hearing is scheduled. The Sub Branch shall make best endeavours to confirm (and retain proof thereof) that the member has received the notice within the time frame.
- 7.5.6 If the member requests further information from the Sub Branch committee prior to the meeting, the committee shall provide the information to the member as soon as practicable. If unable to provide the information, the Sub Branch committee shall advise the member in writing of the reasons.

Disciplinary powers of Sub Branches

- 7.5.7 The Sub Branch committee, after considering all of the material presented and submissions made to it at the meeting, shall decide whether the member engaged in the conduct identified in the notice, and if it so decides in the affirmative the Sub Branch committee may only impose any one or more of the following forms of discipline:
 - 7.5.7.1 a reprimand;
 - 7.5.7.2 suspension from membership of the Sub Branch for up to three months; and
 - 7.5.7.3 a recommendation to the Board, through its relevant District Branch board, for the withdrawal of RSL awards.
- 7.5.8 The details and consequences of each such penalty is listed in Annex A to this By-Law.
- 7.5.9 If the complaint is proven the member shall be given the opportunity to make a statement in mitigation prior to the imposition of one or more of such penalties.
- 7.5.10 In imposing a penalty, the Sub Branch committee must have regard to:
 - 7.5.10.1 the nature of the conduct;
 - 7.5.10.2 the member's previous breaches (if any);
 - 7.5.10.3 the seriousness of the conduct;
 - 7.5.10.4 the member's previous conduct; and
 - 7.5.10.5 any mitigating circumstances.
- 7.5.11 The substance of the hearing and the decision from the Sub Branch committee deliberations shall be recorded in the minutes of the meeting.
- 7.5.12 Where the Sub Branch seeks to make a recommendation under By-Law 7.5.7.3, the Sub Branch must, prior to making a decision, submit all details of the complaint and hearing along with the recommendation for the withdrawal of RSL awards to its relevant District Branch.
- 7.5.13 A District Branch must, within 14 days of receiving a recommendation from a Sub Branch for the withdrawal of RSL awards, consider the submission from the Sub Branch and determine whether the member, in the District Branch's opinion, no longer fulfils the ideals and values of the RSL nor is a fit and proper person to hold the award and communicate its decision back to the Sub Branch.
- 7.5.14 If the District Branch does not believe that the recommendation for the withdrawal of RSL awards is appropriate in the circumstances, the Sub Branch's decision communication under By-Law 7.5.15 must not contain a recommendation for the withdrawal of RSL awards.
- 7.5.15 Within 14 clear days of the conclusion of the meeting, the Sub Branch committee shall ensure that the member physically receives a notice in writing, certified by the meeting chairperson or the Sub Branch president, formally giving notice of:

- 7.5.15.1 its decision;
- 7.5.15.2 the reasons for its decision;
- 7.5.15.3 the penalty imposed on the member; and
- 7.5.15.4 the member's right to appeal to the Tribunal in accordance with By-Laws 7.5.16– 7.5.26.

Sub Branch discipline hearing appeal process

- 7.5.16 A member who has been awarded a penalty by a Sub Branch Committee (and equally a member disciplined by the Board) may appeal against the decision by lodging a Notice of Appeal to the Tribunal within the time limit specified within By-Law 7.5.17. If a Notice of Appeal is lodged the penalty imposed by the Sub Branch committee is stayed from the date of lodgement of the Notice of Appeal until the appeal is concluded, abandoned or discontinued.
- 7.5.17 All Notices of Appeal must be lodged with the Registrar within 21 days clear of receipt by the member of the written formal notification of the Sub Branch committee disciplinary hearing decision(s). Written submissions and copies of relevant documents are to be attached and should include documents relied upon by the appellant at the Sub Branch committee hearing.
- 7.5.18 All Notices of Appeal submitted to the Registrar under this By-Law shall be accompanied by any necessary appeal fee remittance as advised by the Registrar.
- 7.5.19 An appeal is not a fresh rehearing and the Tribunal may only consider the evidence put to the Sub Branch committee which originally heard the matter. Moreover, the right to appeal is limited to an appeal on one or more of the following grounds:
 - 7.5.19.1 the Sub Branch committee breached the rules of procedural fairness;
 - 7.5.19.2 the decision of the Sub Branch committee was not reasonable having regard to the evidence before the committee; and/or
 - 7.5.19.3 the penalty imposed by the Sub Branch committee was excessive having regard to the circumstances.
- 7.5.20 An appeal to the Tribunal under this By-Law shall identify:
 - 7.5.20.1 the specific grounds which give rise to the appeal; and
 - 7.5.20.2 the reasons why the appellant considers the Sub Branch committee's proceedings, decision and/or penalty imposed give rise to the specified grounds.
- 7.5.21 The Registrar shall write to the parties within 14 clear days of receipt of a Notice of Appeal:
 - 7.5.21.1 providing a copy of the Notice of Appeal and attached documentation to the respondent Sub Branch and requesting from it copies of all documents relied upon by the respondent committee at the initial hearing, and
 - 7.5.21.2 notifying the parties of the time, date and place at which the Tribunal will consider the appeal.
- 7.5.22 Before the date upon which the appeal has been set down for hearing, the Registrar shall contact the parties to ensure that all directions issued by the Registrar have been complied with. In the event that the Registrar's directions have not been complied with the Registrar may, with the concurrence of the Chairperson, reschedule the hearing.
- 7.5.23 At the hearing of an appeal the Sub Branch committee shall be represented by one member of the Sub Branch committee who was a panel member at the relevant disciplinary hearing. The appellant may represent themselves or, with prior leave of the Tribunal, may be represented by a non-legally qualified Service Member.
- 7.5.24 At the appeal hearing both parties are entitled to speak to and expand upon their written submissions but are not entitled to present any new evidence.
- 7.5.25 After considering all submissions, the Tribunal shall decide whether to uphold or dismiss the appeal and, where appropriate, the penalty or penalties to be imposed. The decision of the Tribunal shall be final.

7.5.26 Proceedings before the Tribunal will be recorded electronically and a transcript of the recording will be made available to either party, on request to the Registrar. A fee is payable, but such fee will not exceed the cost to RSL Queensland of providing a copy.

7.6.

TRIBUNAL DISCIPLINARY HEARINGS

7.6.1 Disciplinary matters referred directly to the Tribunal shall be in writing and include the following information:

7.6.1.1 the identity of the person against whom the complaint is made;

7.6.1.2 the actions giving rise to the complaint; and

7.6.1.3 the date, time and place of the actions complained about.

7.6.2 Upon receipt of the submission the Registrar shall ensure that the complaint is drafted in the required format as at Schedule B to Annex A to this By-Law 7.

7.6.3 Where a complaint is received from a non-League member, the Registrar is to direct the complaint to the applicable Sub Branch for consideration or, if outside Sub Branch jurisdiction, refer it to the State President for the determination of the appropriate action.

Presentation of complaints to the Tribunal

7.6.4 The following persons may be heard at a disciplinary hearing of the Tribunal:

7.6.4.1 the complainant; or

7.6.4.2 a non-legally qualified member of RSL Queensland nominated in writing by a District Branch or Sub Branch committee or the Board to act as the complainant as the result of an investigation that recommends disciplinary action, or to act on behalf of and in lieu of the complainant; and

7.6.4.3 the respondent; or

7.6.4.4 with prior leave of the Tribunal, a non-legally qualified Member requested by the respondent.

Tribunal hearings

7.6.5 If the Tribunal decides to conduct a hearing the Registrar shall write to all parties:

7.6.5.1 informing the parties of the time, date and place at which the Tribunal will consider the complaint; and

7.6.5.2 notifying the parties that:

(a) they may call witnesses to give evidence before the Tribunal;

(b) they shall submit to the Tribunal beforehand all relevant documents they intend to rely on at the hearing;

(c) they may cross examine the other party and its witnesses;

(d) Tribunal members may cross examine both parties and their witnesses at the hearing; and

(e) they may request further time to comply with the Registrar's directions and the Registrar, with the concurrence of the Chairperson, may grant such extra time.

7.6.6 All documents shall be submitted at least 14 clear days before the date of the hearing. Any documentary evidence not received by that date may be presented at the hearing only with the leave of the Tribunal.

7.6.7 The Registrar shall contact both parties before the hearing to ensure that all his or her directions issued have been complied with. In the event that the Registrar's directions have not

been complied with the Registrar may, with the concurrence of the Chairperson, reschedule the hearing or the Tribunal may, upon written notice to the party, elect to proceed with the hearing on the nominated date and time.

- 7.6.8 All parties and their witnesses who appear before the Tribunal shall abide by directions issued by the Chairperson and/or Registrar in connection with the conduct of the proceedings.
- 7.6.9 In the event that the Tribunal finds that all or some of the conduct alleged against the respondent is proven, the Registrar shall notify that party of the Tribunal's decision and inform that party of:
- 7.6.9.1 the date, time and place at which the Tribunal will conduct a penalty hearing to determine the penalty(s) it considers appropriate; and
 - 7.6.9.2 that party's right to appear at the hearing to make a statement in mitigation and/or to submit to the Tribunal in writing any information the party considers the Tribunal should take into account before deciding the penalty(s) to be imposed.
- 7.6.10 All proceedings before the Tribunal shall be recorded electronically and a transcript of this recording shall be made available to the parties upon request to the Registrar. A fee is payable, but the fee shall not exceed the cost to RSL Queensland of providing the copy to the member.

Disciplinary powers of the Tribunal

- 7.6.11 If a member is found guilty of the conduct alleged, at the subsequent penalty hearing the Tribunal may impose upon a member one or more of the following penalties:
- 7.6.11.1 a reprimand;
 - 7.6.11.2 suspension from membership for up to twelve months;
 - 7.6.11.3 disqualification from holding office in any part of the League for an appropriate time;
 - 7.6.11.4 transfer to the Miscellaneous Members' List for an appropriate period;
 - 7.6.11.5 a recommendation for the withdrawal of RSL awards; and
 - 7.6.11.6 expulsion from membership.
- 7.6.12 The detail and consequences of each such penalty are listed in Annex A to this By-Law.
- 7.6.13 In imposing a penalty, the Tribunal must have regard to:
- 7.6.13.1 the nature of the conduct;
 - 7.6.13.2 the seriousness of the conduct;
 - 7.6.13.3 the member's previous breaches (if any);
 - 7.6.13.4 the member's previous conduct; and
 - 7.6.13.5 any mitigating circumstances.

Tribunal disciplinary hearing appeal process

- 7.6.14 A member subject to a penalty imposed by the Tribunal may appeal to the National Tribunal.
- 7.6.15 An appeal to the National Tribunal shall be in writing and lodged with the registrar of the National Tribunal within 28 clear days of receipt of the notice of the penalty imposed by the Tribunal. If a notice of appeal is not lodged with the National Tribunal registrar within the stipulated time the appellant loses the right to appeal.
- 7.6.16 Notices of appeal submitted to the National Tribunal registrar under this By-Law shall be accompanied by a remittance in a sum determined by the National Tribunal but advised by the Registrar.
- 7.6.17 The appeal is not a fresh rehearing and the National Tribunal may only consider the evidence put to the Tribunal and may not rehear a matter.
- 7.6.18 The right to appeal is limited to an appeal on one or more of the following grounds:

- 7.6.18.1 the Tribunal proceedings lacked procedural fairness;
 - 7.6.18.2 the decision of the Tribunal was not reasonable having regard to the evidence presented at the Tribunal hearing; or
 - 7.6.18.3 the penalty imposed by the Tribunal was excessive having regard to the circumstances of the complaint.
- 7.6.19 An appeal to the National Tribunal under this By-Law shall identify:
- 7.6.19.1 the specific grounds which give rise to the appeal; and
 - 7.6.19.2 the reasons why the appellant considers the Tribunal's proceedings, decision and/or penalty imposed give rise to the specified grounds.
- 7.6.20 Upon lodgement of a notice of appeal to the National Tribunal in accordance with this By-Law, the decision of the Tribunal shall be stayed until the appeal is concluded, abandoned or discontinued.

7.7.

DISPUTE RESOLUTION

- 7.7.1 For the purposes of this By-Law a dispute is any dispute except a disciplinary matter between any class of members subject to this By-Law (individual, Sub Branch, District, or RSL Queensland) and another member of RSL Queensland in respect of an organisational decision. Interpersonal disputes are not included unless one of the parties to the dispute was at that time exercising their perceived responsibility as an office holder within the organisation.
- 7.7.2 Types of disputes that may arise include disputes between:
- 7.7.2.1 a member and his or her Sub Branch, District Branch or RSL Queensland;
 - 7.7.2.2 Sub Branches; and
 - 7.7.2.3 a Sub Branch and District Branch or RSL Queensland.
- 7.7.3 Such disputes include a dispute about membership, transfer of membership and whether this By-Law 7, the Constitution and any other RSL Rules apply and their interpretation. A situation of a dispute about refusal of an application for membership is specifically covered in By-Law 1.
- 7.7.4 Parties to a dispute must attempt resolution in the first instance through mediation and conciliation. Each Sub Branch is responsible for developing its own specific mediation procedures in line with the guidance provided in this By-Law.
- 7.7.5 Mediation may be conducted by using the services of the Queensland Government, Department of Justice and Attorney General, Dispute Resolution Branch, any of the commercially available trained mediators operating in the community, or any other person acceptable to all parties involved in the dispute.
- 7.7.6 The Tribunal hears and determines disputes but only if the parties have attempted to resolve their dispute by mediation or conciliation and that process was unsuccessful. The refusal of any of the parties involved to participate in a mediation process will be deemed an unsuccessful attempt.
- 7.7.7 The format for a dispute resolution hearing will vary from case to case and will be notified to the parties involved by the Registrar. All parties shall submit to the Registrar the documents they intend to rely on at the hearing at least 14 days in advance of the hearing.
- 7.7.8 The Registrar shall contact all parties prior to the hearing to ensure that all directions issued by him or her have been complied with. In the event that the Registrar's directions have not been complied with the Registrar may, with the concurrence of the Chairperson, reschedule the hearing or the Tribunal may, upon written notice to the parties, elect to proceed with the hearing on the nominated date and time.
- 7.7.9 All members who appear before the Tribunal shall abide by directions issued by the Chairperson and/or Registrar in connection with the conduct of the proceedings.

- 7.7.10 All proceedings before the Tribunal shall be recorded electronically and a transcript of this recording shall be made available to the parties upon request to the Registrar. A fee is payable, but the fee shall not exceed the cost to RSL Queensland of providing the copy to the member.
- 7.7.11 Where a fee is payable for mediation or conciliation of a dispute, then in the absence of any agreement otherwise, the parties will share equally in any fees or outgoings payable for the mediation or conciliation. Each party will otherwise bear its own costs and expenses relating to the dispute.

Tribunal dispute resolution hearing appeal

- 7.7.12 There is a right of appeal from a dispute determination of the Tribunal to the National Tribunal. The appeal is not a fresh rehearing and may only consider the evidence put to the Tribunal.
- 7.7.13 The appeal process for a Tribunal dispute resolution hearing is identical to that for a Tribunal disciplinary hearing as detailed in the preceding clauses 7.6.14 – 7.6.20 of this By-Law.

7.8.

INVESTIGATIONS

- 7.8.1 Where the Tribunal determines that the circumstances of a complaint or potential complaint under consideration warrant the appointment of an investigating officer, the Tribunal will request the Board to make such an appointment. Each request is to include:
- 7.8.1.1 suggested terms of reference for the investigation; and
- 7.8.1.2 a suggested submission date for the investigating officer's report.

7.9.

INTERPRETATION

In this By-Law:

Chairperson means the person appointed to chair the Tribunal in accordance with clause 7.3.1.2;

clear days means days reckoned from one day to another with exclusion of both the first and the last day, e.g. from Sunday to Sunday there are six clear days;

conduct unbecoming a member includes, by way of example:

- (a) drunk, violent or quarrelsome behaviour;
- (b) disrespectful, unruly, or offensive behaviour;
- (c) denigrating or offending a person because of the person's Protected Attribute;
- (d) misleading the League;
- (e) making untrue statements about another member which may cause others to think less of the other member;
- (f) acting to the prejudice or detriment of the League;
- (g) falsely representing himself or herself to be a soldier, sailor, airman or airwoman or officer;
- (h) misrepresenting their service history;
- (i) knowingly permitting the badge issued to him or her to be used by any other person;
- (j) wearing any service medal, award or decoration for which he or she is not authorised;

- (k) conduct which does not reflect current community standards; or
- (l) bullying or harassment;

Deputy Chairperson means the person appointed as deputy chair of the Tribunal in accordance with clause 7.3.1.2;

disciplinary matter means a matter which may result in the sanctioning of a member;

dispute means any dispute except a disciplinary matter and includes a dispute about membership, transfer of membership and whether this By-Law and the RSL Rules apply and their interpretation;

document means a piece of written, printed, or electronic matter that provides information or evidence or that serves as an official record and for the purpose of this By-Law, including but not limited to letters, file notes, memoranda, emails, diary entries, images, recordings and video, accounting and financial records, books of account and all other books, papers and commercial documents of whatever nature;

National Tribunal means a tribunal established by the League;

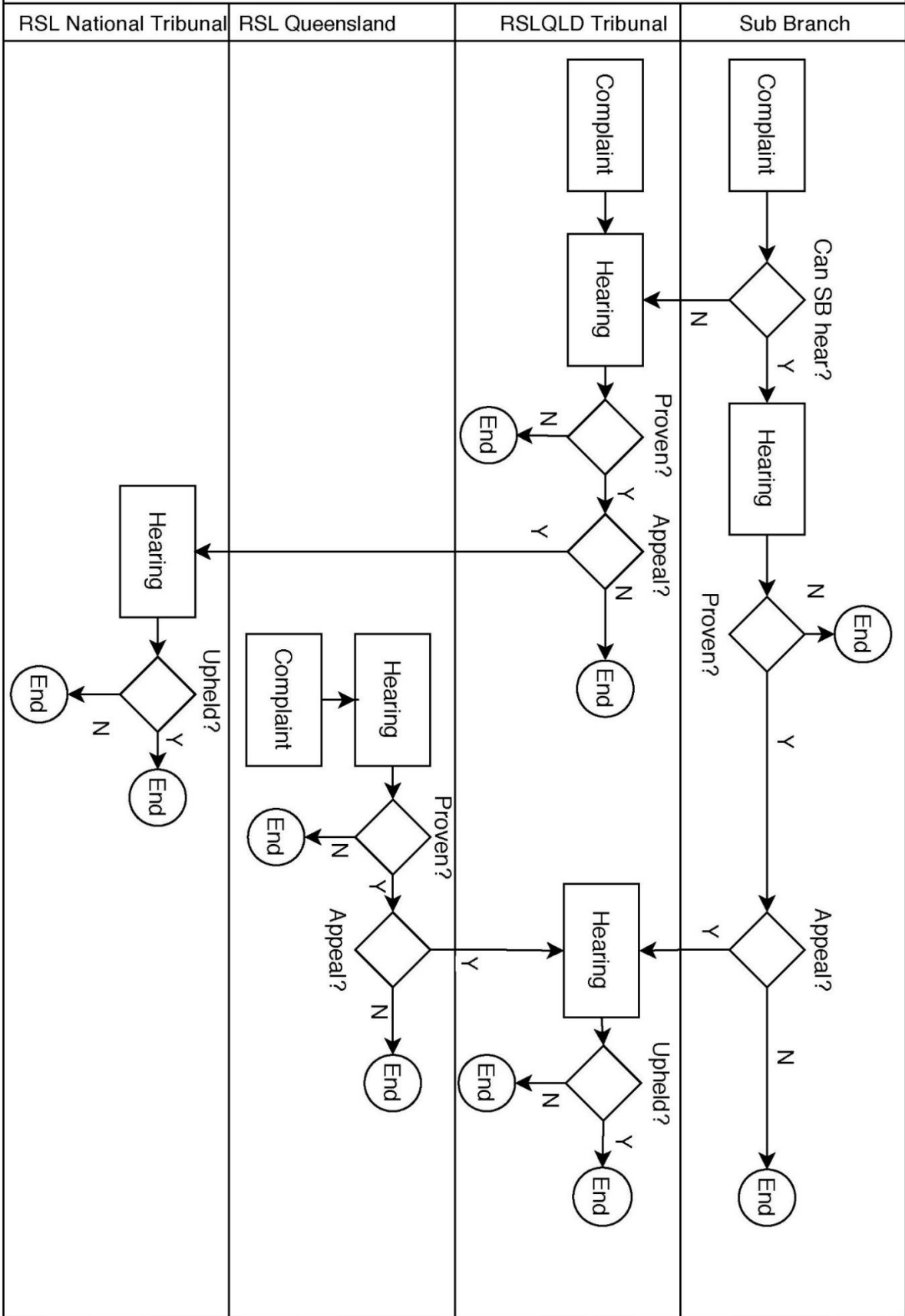
Notice of Appeal means the notice set out in Schedule A to Annex B to this By-Law 7;

Registrar means the person appointed as registrar of the Tribunal in accordance with clause 7.3.4; and

RSL Rules mean the constitution and by-laws of the League, RSL Queensland, and relevant Districts and Sub Branches, the RSL Queensland Code of Conduct and Code of Conduct for Directors.

FINAL DRAFT

COMPLAINTS AND DISCIPLINE PROCESS BY-LAW 7



Annex A to By-Law 7

PENALTY DETAILS AND CONSEQUENCES

1. **Reprimand.** A reprimand is an official sanction of the member's behaviour at the lowest end of the scale of penalties. The member is warned to be mindful of their behaviour in future. A reprimand will be recorded on the member's membership file and will be taken into account in awarding any subsequent penalties.
2. **Suspension from membership.** The member is banned from accessing Sub Branch facilities for the duration of the suspension except to access Pensioner Advocacy and Welfare Services or attend formal commemorative ceremonies (but not after-ceremony social activities). The member shall cease to be a member and shall stand down from any and all offices or appointments within the League for the duration of the suspension.
3. **Disqualification from holding office.** The member is immediately disbarred from any and all offices within the League. The member is ineligible for election or appointment to any office in the League for the period of disqualification.
4. **Transfer to the Miscellaneous Members' List.** Members who are placed on the Miscellaneous Members' List are:
 - a. not eligible to hold any office in the League;
 - b. not eligible to be a member of any Sub Branch;
 - c. not eligible to attend, meet or be involved in any official activity or function conducted or sponsored by a Sub Branch; and
 - d. at the conclusion of the period, to be transferred to the RSL Queensland List in accordance with clause 4.15.4 of the Constitution.

For the avoidance of doubt, Members who are placed on the Miscellaneous Members' List may attend only formal commemorative ceremonies (but not after-ceremony social activities) and may access Pensioner, Advocacy and Welfare Services.

5. **Recommendation for the withdrawal of awards.** A recommendation for the withdrawal of RSL awards awarded under these By-Laws and the RSL National by-laws made in recognition of RSL service will be forwarded to RSL Queensland via the District Branch for their consideration.
6. **Expulsion from membership.** The member is expelled from membership of the League. Any application to re-join the League in any State Branch will require the approval of RSL Queensland.

Annex B to By-Law 7

FRAMING COMPLAINTS

Complaints will not be heard unless they are adequately framed. If complaints are not properly specified the Registrar may refer them back to the complainant for resubmission.

The steps for framing a complaint are:

Submit all complaints on Schedule B using this framing guide. Most complaints will fall under conduct unbecoming a member.

Example 1. Conduct unbecoming a member – disrespectful behaviour.

Items to include	Framing the complaint
1. The By-Law number	Under By-Law 7.4.1.1
2. The name of the respondent	Mr John Blank,
3. Details of the By-Law	has engaged in conduct unbecoming a member,
4. Interpretation from By-Law 7.9 if necessary	namely disrespectful behaviour,
5. Time, date, place	in that he, at approximately 5.00 pm on 21 Nov 20XX in the foyer of the Brisbane Services Club,
6. Particulars of the alleged offence	made an insulting gesture in the direction of the wife of the Sub Branch president

From the right-hand column, the complaint then is:

Under By-Law 7.4.1.2, Mr John Blank, has engaged in conduct unbecoming a member, namely disrespectful behaviour, in that he, at approximately 5.00 pm on 21 Nov 20XX in the foyer of the Brisbane Services Club, made an insulting gesture in the direction of the wife of the Sub Branch president.

Example 2. A more complex example where a member makes disparaging remarks in the media, thus refusing or wilfully neglecting to comply with RSL Rules:

Items to include	Framing the complaint
1. The By-Law number	Under By-Law 7.4.1.2
2. The name of the respondent	Mr John Blank,
3. Details of the By-Law	refused or wilfully neglected to comply with the RSL Queensland Constitution and By-Laws and/or any other RSL Rules;
4. Details of the rule	Namely RSL Queensland By-Law 13.1: No member of RSL Queensland is to cause or assist in, the printing or dissemination in any public media, of any article or other format or statement criticising, or expressing any view, or antagonistic or derogatory comment, regarding any RSL Queensland District Branch, Sub Branch, or its members
5. Time, date, place if appropriate	in that he, on or before 21 November 20XX
6. Particulars of the alleged offence	wrote a letter to the editor that was published in the Grantville Gazette of that date that was highly critical of the Grantville RSL Sub Branch Board, saying, among other things 'their approval of expenditure on the building repairs was negligent, unnecessary and not in the best interests of the Sub Branch members'.

From the right-hand column, the complaint then is:

Under By-Law 7.4.1.1 Mr John Blank, refused or wilfully neglected to comply with the RSL Queensland Constitution and By-Laws and/or any other RSL Rules; namely RSL Queensland By-Law 13.1,

No member of RSL Queensland is to cause or assist in, the printing or dissemination in any public media, of any article or other format or statement criticising, or expressing any view, or antagonistic or derogatory comment, regarding any RSL Queensland District, Sub Branch, or its members

in that he, on or before 21 November 20XX wrote a letter to the editor that was published in the Grantville Gazette of that date that was highly critical of the Grantville RSL Sub Branch Board, saying, among other things 'their approval of expenditure on the building repairs was negligent, unnecessary and not in the best interests of the Sub Branch members'.

Statements

Statements by the complainant, respondent and witnesses must stick to the facts of the complaint and not be opinions, speculations, hearsay and/or irrelevant. They should be signed and dated but do not need to be statutory declarations as evidence of witnesses will be tested at the hearing.

FINAL DRAFT

SCHEDULE 'A'

**RSL QUEENSLAND
NOTICE OF APPEAL FROM AN RSL SUB BRANCH
COMMITTEE OR RSL QUEENSLAND BOARD DECISION
BY-LAWS 7.5.16- 7.5.26**

DETAILS

NAME	
RSL MEMBERSHIP NO	
SUB BRANCH	
APPEAL FROM	
DATE OF DECISION	

PARTICULARS OF APPEAL

If insufficient space, attach a separate statement. Enquire with District for form in Word Format.

Complainant's Signature			Date:
------------------------------------	--	--	--------------

SCHEDULE 'B'

**RSL QUEENSLAND
COMPLAINT TO TRIBUNAL BY-LAW 7.6.1**

COMPLAINANT DETAILS

NAME	
RSL MEMBERSHIP NO	
SUB BRANCH	

RESPONDENT DETAILS

NAME	
RSL MEMBERSHIP NO	
SUB BRANCH	

PARTICULARS OF COMPLAINT

--

If insufficient space, attach a separate statement. Enquire with District for form in Word Format.

Complainant's Signature		
------------------------------------	--	--

BY-LAW 8 AWARDS FOR RSL MEMBERS

Life Membership Award and Gold Badges

- 8.1 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.
- 8.2 Other than in exceptional circumstances, RSL Queensland shall not propose a Member over whom it has jurisdiction, for election by the RSL National board to the class of Life Member unless that Member shall have been a Member for at least 15 continuous years and shall have rendered not less than 10 years' outstanding service to the League.
- 8.3 A guide to the nomination process and the nomination form will be approved and circulated by the Board from time to time.
- 8.4 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 RSL Queensland. Those present, either may decide the proposal by open ballot or secret ballot, depending on the members' wishes.
 - b. If the proposal is carried, a citation in the form approved by the Board from time to time, is to be prepared, signed by both the president and secretary of the responsible Sub Branch, District Branch or RSL Queensland (as applicable).
 - 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 RSL Queensland. A nomination passed by a District Branch is to be forwarded direct to RSL Queensland.
 - d. After due consideration by RSL Queensland, recommendations will be considered at either a Board meeting or the AGM.
 - e. Successful nominations are to be forwarded to RSL National for consideration.
- 8.5 RSL Queensland shall accept the cost of Life Member Awards, including the cost of the Gold Badge and certificate.

Meritorious Service Medal

- 8.6 The RSL Meritorious Service Medal is the highest award that can be made available to a member of the League over and above Life Membership. The award is limited to the number, if any, for a financial year that the RSL National board determines from time to time.
- 8.7 A Service Member who has been a member of the League 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 RSL National board, be awarded a Meritorious Service Medal by the National Conference.
- 8.8 The award of such medal may be made posthumously provided a Sub Branch has nominated a Service Member for receipt of the award and such nomination has been received by RSL Queensland and provided further that RSL Queensland recommends the award to the RSL National board and it in turn recommends to the National Conference that the award be made.

8.9 The cost of the Meritorious Service Medal is to be borne by RSL Queensland.

Long Service Award

8.10 A Service 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 RSL National board.

8.11 The RSL National board may delegate to RSL Queensland the power to grant a Long Service Award to a Service Member who has given not less than 50 years cumulative service as a member of the League and whom RSL Queensland has jurisdiction.

8.12 The number of Long Service Awards that may be granted by the RSL National board or RSL Queensland in any one calendar year shall not be limited.

8.13 For the purposes of this By-Law, service as a member of an Auxiliary may be taken into account.

8.14 A Long Service Award may be granted posthumously 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 award.

RSL Queensland Certificate of Appreciation

8.15 RSL Queensland may award an RSL Queensland Certificate of Appreciation to members of the League who have rendered outstanding service or assistance to the League.

8.16 When it is considered that a member of the League 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 Board. 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 will then be prepared, signed by both the president and secretary of the relevant District Branch or Sub Branch (as applicable), and forwarded to RSL Queensland for consideration by the Board. If the proposal is considered by the Board in the first instance, a letter of recommendation is not necessary.

New awards

8.17 The Board has full discretion to establish further awards from time to time and amend the terms of the existing awards contained in this By-Law 8, subject to any criteria set by RSL National.

8.18 The Board may give notice of new and amended awards by publishing such information on the RSL Queensland Public Access Web Site from time to time.

Death of Service Members with Life Award

8.19 Sub Branch secretaries are requested to notify their District Branch office, when any Service Member with a Life Award in their Sub Branch has passed away, as both RSL Queensland and the applicable District Branches should have a representative present at the funeral.

The District Branch office will notify RSL Queensland of the passing of any Service Member with a Life Award so that arrangements may be made, if at all possible, to have someone representing RSL Queensland at the funeral of the deceased.

BY-LAW 9 AWARDS FOR NON-RSL MEMBERS

RSL Queensland Certificate of Appreciation

- 9.1 RSL Queensland may award an RSL Queensland Certificate of Appreciation to non-members of the League who have rendered outstanding service or assistance to the League.
- 9.2 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 a Sub Branch, District Branch or the Board. 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 will then be prepared, signed by both the president and secretary of the relevant District Branch or Sub Branch (as applicable), and forwarded to RSL Queensland for consideration by the Board. If the proposal is considered by the Board in the first instance, a letter of recommendation is not necessary.

Honorary Life Membership

- 9.3 The RSL National board may award Honorary Life Membership to:
- a. any member of the Royal Family;
 - b. any representative of the Sovereign in the Commonwealth;
 - c. 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;
 - d. any person who is a citizen of any country forming part of the Commonwealth of Nations and who in the opinion of the R S L National board has rendered long, continued and outstanding service to the said Commonwealth of Nations; or
 - e. any person who in the opinion of the RSL National board has rendered outstanding service to the service or ex-service community of the country in which they ordinarily reside.
- 9.4 If an Honorary Life Member is a Service Member at the time they are awarded Honorary Life Membership, their rights, privileges and obligations as a Service Member shall, subject to clause 9.5, not be disturbed by the award of Honorary Life Membership.
- 9.5 An Honorary Life Member may attend as an observer at any National Conference but shall not be entitled to vote or receive notices nor shall they be liable to pay any annual subscriptions or other sums to the League.

Certificate of Merit and Gold Badge of Merit

- 9.6 The National Conference may award Certificates of Merit with Gold Badge to non-members of the League who have rendered outstanding service to ex-service personnel and their dependents.

This award is also available to members of the Auxiliaries, who have held the awards 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.

Citations of recommendation from Sub Branches or District Branch are submitted to Annual District Conferences and, if successful, to RSL Queensland for final approval at RSL National.

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

New awards

- 9.7 The Board has full discretion to establish further awards from time to time and amend the terms of the existing awards for non-members contained in this By-Law 9, subject to any criteria set by RSL National.
- 9.8 The Board may give notice of new and amended awards by publishing such information on the RSL Queensland Public Access Web Site from time to time.

FINAL DRAFT

BY-LAW 10 THE RSL SIR RAYMOND HUISH CBE MEMORIAL GRANT

10.1 Until varied by the AGM the conditions shall be as follows:

- a. The grant is to be an amount not exceeding \$20,000.00.
- b. The amount of the grant is to be periodically reviewed by the Board to ensure its sufficiency and sustainability is maintained.
- c. The grant is to fund a suitable project for the furtherance of the rehabilitation and welfare of ex-service personnel who are suffering from the behavioural, mental and physical effects of military service on overseas deployments ("the project").
- d. The application is to be in the form approved by the Board from time to time and is to include details of the proposed budget and timeline for the continuance of the current project or the undertaking of the proposed project, or projects to be funded by the grant.
- e. The application is to be received by RSL Queensland no later than 1 March of the year in which the grant is proposed to be made.
- f. In order to qualify for the grant, the proposed project cannot be otherwise funded from other RSL sources.
- g. The chairperson of the applicable RSL Queensland committee formed to consider awards and grants from time to time ("the Chairperson") is to forward to the Board, no later than 1 May, a list of no more than three candidates for the award of the grant, in order of priority, for the Board's consideration. The Chairperson's decision is to be made having taken such advice from such persons as they deem fit.
- h. The Board, in the exercise of its discretion shall select a candidate for the award of the grant for the ratification of RSL Queensland at a General Meeting.
- i. The decisions of the Board and the Chairperson on any matter touching on the making of the award of the grant shall be final and not open to further correspondence or review.
- j. The execution of a receipt for the grant, by the proper officer of the organisation administering or sponsoring the project ("the organisation"), is to be a sufficient discharge for all purposes for the payment of the grant by RSL Queensland.
- k. During the course of the project, RSL Queensland will require a written report from the organisation, as to the activities and expenditures undertaken by it up to the date of such request.
- l. At the completion of the project, RSL Queensland will require a written report from the organisation, as to activities and expenditures undertaken, as well as the achievements that resulted from the project.

New grants

10.2 The Board has full discretion to establish additional grants and amend existing grants contained in this By-Law 10 from time to time following appropriate consultation with Members.

BY-LAW 11 RESERVED FOR FUTURE USE

FINAL DRAFT

BY-LAW 12 RSL SUB BRANCH CHAPTERS AND CHAPTERS OF INTEREST

The Chapter system

- 12.1 The 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.
- 12.2 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 Members. An example would be:
- Fortitude Valley Chapter of Brisbane RSL Sub Branch.
- 12.3 A new 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. Any 10 or more Members or persons eligible for membership of the League, resident in any town or locality where no Sub Branch exists, may apply to a Sub Branch geographically located near the area in which such town or locality is situated, for permission to form a new Chapter, 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.
- 12.4 A Sub Branch wishing to raise a new chapter is to seek approval from RSL Queensland. All applications are to be ratified by the District Branch of which the Sub Branch is a member prior to seeking approval.

Administrative requirements

- 12.5 The Chapter is not required to administer itself in accordance with Constitution and By-Laws and all administration will become the responsibility of the foster Sub Branch. The Chapter is to appoint a member of the Chapter 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 they elected to become a voting member of the foster Sub Branch.
- 12.6 There will be no requirement for the Chapter to appoint any committee members other than their representative. The Chapter 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 of the Chapter up to date with RSL matters.
- 12.7 Representation at both District Branch and RSL Queensland level would be vested in the foster Sub Branch and the Chapter would have no voting rights at this level.

Financial requirements

- 12.8 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 clause 12.14 or is re-established as a Sub Branch in accordance with clause 12.15. Where disposal of property is to occur, the applicable Sub Branch is required to resolve by special

resolution that the surplus assets shall be disposed of. All monies and property of whatever nature shall, after satisfying all its creditors and meeting all other obligations, be taken over and held by the District Branch. If the District Branch shall have been wound up, RSL Queensland shall take over the money and property, however, the assets are to be transferred to the foster Sub Branch.

- 12.9 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 the Constitution and By-Laws, 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 finalise 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 the procedures for the winding up of Sub Branches and Chapters.
- 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 manage itself financially and administratively for a period of twelve months under the administration of the foster Sub Branch before it can apply for re-instatement by RSL Queensland 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.
- 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 clause 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

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 the Constitution if it is believed that the new Sub Branch would be viable from establishment.

Chapters of Interest

- 12.22 Chapters of Interest are designed to facilitate a group of like-minded Veterans, families, community members and supporters coming together to enjoy common interests.
- 12.23 A Service Member that is a member of a Sub Branch may apply to RSL Queensland to establish a Chapter of Interest.
- 12.24 All applications to establish a Chapter of Interest must be ratified by the Sub Branch that the applicant Service Member is a member of prior to seeking approval of RSL Queensland.
- 12.25 The application process and establishment criteria will be as determined by the Board from time to time and published on the RSL Queensland Public Access Web Site.
- 12.26 If the establishment of a Chapter of Interest is approved by the Board, the Board may also determine to provide start-up or other funding to the Chapter of Interest if RSL Queensland is permitted to do so in accordance with its Objects.
- 12.27 Chapters of Interest are not a membership class of RSL Queensland, a District Branch or Sub Branch and members of Chapters of Interest do not have any rights (separate to their membership rights) in respect of RSL Queensland, a District Branch, Sub Branch or the League.
- 12.28 Members and non-members may participate in a Chapter of Interest.
- 12.29 A Chapter of Interest is not required to administer itself in accordance with the Constitution or By-Laws and all administration will become the responsibility of RSL Queensland.
- 12.30 A Chapter of Interest must appoint a member of the Chapter of Interest to represent their interests in all dealings with RSL Queensland. The appointed representative is responsible for keeping RSL Queensland up to date as to the activities of the Chapter of Interest and RSL matters relevant to the Chapter of Interest.
- 12.31 A Chapter of Interest may change its appointed representative by written notice to RSL Queensland.
- 12.32 A Chapter of Interest does not need to appoint any committee members, other than its representative.
- 12.33 A Chapter of Interest does not have voting rights and cannot provide a representative at General Meetings.

BY-LAW 13 PUBLIC COMMENT BY MEMBERS

No criticism via Media permitted

- 13.1 Members must not post, publish or disseminate, or assist in the posting, publication or dissemination of, any Media which contains comments, articles or other content (such as images, cartoons or diagrams etc.) criticising, or expressing any negative view, or antagonistic, derogatory, defamatory, insulting or threatening comment, regarding:
- a. the League;
 - b. RSL Queensland;
 - c. the Board, its committees or its members;
 - d. any District Branch, Sub Branch, Auxiliary, Chapter, Chapter of Interest or its members;
 - e. the Tribunal or its members; or
 - f. any employee or volunteer of RSL Queensland or subordinate organisations.
- 13.2 The Board, District Branch boards, Sub Branch boards and Auxiliary management committees must not authorise any person, whether in the name of the entity or not, to post, publish or disseminate, or assist in the posting, publication or dissemination of, any Media which contains comments, articles or other content (such as images, cartoons or diagrams etc.) criticising, or expressing any negative view, or antagonistic, derogatory, defamatory, insulting or threatening comment, regarding:
- a. the League;
 - b. RSL Queensland;
 - c. the Board, its committees or its members;
 - d. any District Branch, Sub Branch, Auxiliary, Chapter, Chapter of Interest or its members;
 - e. the Tribunal or its members; or
 - f. any employee or volunteer of RSL Queensland or subordinate organisations,
- except as allowed in clause 13.3 of this By-Law.

Comment on RSL policy

- 13.3 No Member, other than the State President or CEO, or in their absence the Deputy President, is to communicate with, or make comment in, any Public Media regarding RSL Queensland or the League without the prior, express authority of the Board.
- 13.4 Members must not post, publish or disseminate (or cause to be posted, published or disseminated) any communication, comments, commentary or opinions in any Media, in connection with supporting or criticising any person or persons standing for election to any position on the Board, or any District Branch or Sub Branch board or management committee.
- 13.5 Members must not use any Media to criticise or adversely impact any person or persons who may be currently serving on the Board or any District Branch or Sub Branch board or

management committee. Members must not any Media to cause reputational damage to the League, RSL Queensland or the RSL name or brand. Any disputes or disciplinary matters that arise should be referred under By-Law 7, unless required to be dealt with otherwise under law, as opposed to being discussed or commented on via Media.

Social Media

- 13.6 This By-Law covers the use of all Social Media in all situations. This includes using Social Media in an official capacity representing the League or RSL Queensland and personal use of Social Media.
- 13.7 Members are encouraged to post, share, like and positively interact with RSL Queensland content that has been created on official RSL Queensland online channels. However, unless otherwise authorised by the Board, no Member is to post content or reply to comments on behalf of, or in a way that holds themselves out as representing, the League or RSL Queensland.
- 13.8 Members must not post, comment on, or re-post on any Social Media in a way that could damage the reputation of the League, RSL Queensland or members of the Board, or any District Branch or Sub Branch board or management committee.
- 13.9 Members must not use Social Media to discriminate against, harass or bully:
- members of the League, RSL Queensland, District Branches, Sub Branches, Chapters or Chapters of Interest;
 - Board Members or Board committee members;
 - Tribunal members; or
 - any employee or volunteer of RSL Queensland or subordinate organisations.

Comment on Protected Attributes or contentious issues forbidden

- 13.10 Members of the League, whilst representing the League or RSL Queensland, must not post, publish or disseminate any Media which criticises or negatively comments on any Protected Attribute or issue that is likely to arouse sectarian or political controversy.
- 13.11 No RSL Queensland, District Branch, Sub Branch, Chapter or Chapter of Interest publication (including electronic, newspaper, periodical, circular or any other publication or any other Media) is to contain any criticism or negative comment on any Protected Attribute or issue that is likely to arouse sectarian or political controversy.

Interpretation

In this By-Law:

Media means all forms of media including Public Media and Social Media.

Public Media means any public media including but not limited to:

- digital and online; and
- traditional media such as newspapers, periodicals, circulars or other similar publication, except any League sponsored journal or publication,

but for the avoidance of doubt does not include Social Media.

Social Media means any of the tools and forms of publishing that are based on an interaction or

conversation online between an author and active readers/users, including but not limited to, social-networking sites (such as LinkedIn, Twitter, Facebook, Instagram and Yammer), social sharing sites (YouTube), micro-blogging tools, wikis, personal websites, webpages, newsletters, forums, discussion boards, blogs and podcasts. Social Media also includes tools that may be developed in the future.

FINAL DRAFT

BY-LAW 14 WEARING OF HONOURS AND AWARDS

The Order of Wearing Australian Honours and Awards

- 14.1 The Order of Wearing Australian Honours and Awards, Schedule and Annexes, as promulgated from time to time by the Governor-General of Australia deals with the positioning and wearing of Honours and Awards;
- a) within the Australian System of Honours and Awards;
 - b) conferred by The Sovereign in exercise of the Royal Prerogative;
 - c) within the Order of St John; and
 - d) foreign awards, the acceptance and wearing of which have been authorised by the Governor-General. Of note is that Imperial awards made to Australian citizens before 5 October 1992 are within the Australian system but awards after this date are foreign awards and should be worn accordingly.
- 14.2 All members of the League (Members) are to comply with The Order of Wearing Australian Honours and Awards.

Foreign awards

- 14.3 Guidelines concerning the acceptance and wearing of foreign awards by Australian citizens are promulgated by the Governor-General via a Commonwealth Gazette. The extant gazettal is Commonwealth of Australia Gazette No S159, of Friday, 12 October 2012. Members who are Australian citizens are to comply with the guidelines contained within the extant and any subsequent replacement gazettal.
- 14.4 Foreign awards to Members who are not Australian citizens should be worn in accordance with appropriate national protocols.

Other awards

- 14.5 Australian state government agencies as well as other organisations and associations present and/or sponsor awards which are not included in The Order of Wearing Australian Honours and Awards. If a recipient Member elects to wear such an award they are to be worn only on the right breast or as a lapel badge. They are not to be worn on the left breast. In particular, this applies to association awards commonly referred to as 'tin medals'.

Returned from Active Service Badge

- 14.6 The Returned from Active Service Badge (**RASB**) is issued to Australian Defence Force personnel who have rendered warlike service. The badge enables individuals to display their involvement in warlike service when wearing civilian attire. It is worn when the wearing of service awards is not appropriate or possible. Conversely, it should not be worn when wearing service awards.
- 14.7 The RASB is only worn by the person to whom it has been issued. Family members and others, who may wear a deceased person's awards on appropriate occasions, do not wear the RASB.

Wearing of awards on the right breast

- 14.8 Where a Member wears the awards of a deceased family member(s) the awards are worn on the right breast. This would normally only apply during ANZAC Day and Remembrance Day commemorative events.
- 14.9 Where a Member wears a number of awards of different categories on the right breast the different categories are not to be mixed. For example, awards of deceased family members are to be separate from association awards.

Wearing of awards where there is no entitlement

- 14.10 The fraudulent wearing of Honours and Awards is covered by Federal legislation and RSL Constitutions. In addition to those regulations Members are not to wear any badge, insignia or the like to which they are not entitled: for example, the Infantry Combat Badge (ICB), Aircrew brevets, Submariners badge, or RASB.
- 14.11 Where a Member is found to have worn a service medal, award or decoration for which they are not authorised, the Member will be subject to the disciplinary regime contained in By-Law 7.

FINAL DRAFT

BY-LAW 15 CODE OF CONDUCT

PREAMBLE

Who this Code of Conduct applies to

15.1 Who this Code of Conduct applies to

Please read this Code of Conduct as it applies to all members of the League in Queensland as a By-Law made under the Constitution. This Code of Conduct should be read together with the Constitution and By-Laws, in particular By-Law 7.

District boards are empowered to review and intervene in any breach of this Code of Conduct. a District board may also refer a breach of this Code of Conduct to a Sub Branch for its consideration, or otherwise refer the matter to the Tribunal if required to do so under the By-Laws.

Purpose

15.2 Purpose

Everything we do in connection with RSL Queensland should be measured against the highest standards of ethical conduct. Living these behaviours consistently helps enhance who we are and what we do.

The purpose of this Code of Conduct is to outline behaviours that are expected of us as members of the League.

- a) This Code of Conduct guides, shapes and informs our everyday activities as members of the League, in how we treat each other, care for Veterans and their families, and how we conduct ourselves when dealing with other people.
- b) This Code of Conduct is designed to help members make sound and responsible decisions in their dealings with members, employees, volunteers and other stakeholders, in the best interests of the League.
- c) This Code of Conduct does not outline every situation, or every law that may apply, but offers a set of guidelines that should inform the behaviours that are expected of us as members of the League.
- d) This Code of Conduct outlines the behaviour expected of us in and around Sub Branches and District Branches as places where we meet with each other, and with employees, volunteers, clients and customers.
- e) This Code of Conduct considers the use of common sense as a guiding principle.

RSL Values

15.3 RSL values

This Code of Conduct reflects the culture and values of RSL Queensland and is underpinned by the RSL values that apply to all RSL Queensland members, employees and volunteers in Queensland. In adhering to this Code of Conduct, we adopt and put these RSL values into practice.

Our commitment to the RSL values helps us build and provide services for Veterans and their

families and supports the objects of the League.

#WeHaveYourBack

- We make sure no one's left behind and nothing is missed
- We help you with any challenge, big or small
- We look out for one another
- We create a safe space those around us
- We celebrate diversity and create an inclusive environment for all

#WeDoltWithHeart

- We show we care, not just say we do
- We act with empathy
- We show pride and passion for our brand and heritage
- We take time to listen
- We display openness, honesty and transparency

#WeMakeltEasy

- We simplify the complex
- We adapt around the veteran, not the other way round
- We are curious and ask if there is a better way
- We collaborate with one another to makes solutions easier
- We create an environment where innovation and smarter ways of working are acknowledged

#WeDoWhatWeSay

- We solve problems and go the extra mile
- We lead the change that veterans need
- We have one vision, and are one organisation
- We build trust through action, and focus on outcomes
- We lead by example and set standards for professional behaviour

#WeKnowHowToHelp

- We strive to know the most about the people we serve, and those we serve with
- We tailor our approach for the individual
- We find the answers if we don't already have them
- We bring our expertise into everything we do
- We seek opinions and insight from experts

CODE OF CONDUCT

Our Conduct

15.4 Our Conduct

a) **Governance, board duties and responsibilities**

Members of Sub Branches and District Branches must ensure their Sub Branches and District Branches adhere to the objects of the League and the rules of the League in the discharge of their responsibilities.

Where members hold a position as a director of a District Branch or Sub Branch, they must also adhere to their director duties.

Where the District Branch or Sub Branch is a registered charity, directors must also ensure the District Branch or Sub Branch adheres to the Governance Standards under the *Australian Charities and Not-for-profits Commission Act 2012* (Cth) which includes the following Directors duties and responsibilities:

- Act with reasonable care and diligence
- Act honestly and fairly in the best interests of the charity and for its charitable purposes
- Not misuse their position or information they gain as a director
- Disclose actual or potential conflicts of interest
- Ensure the financial affairs of the charity are managed responsibly
- Not allow the charity to operate while insolvent

Where a District Branch or Sub Branch is required to obtain the approval of RSL Queensland for any dealings or transactions, members who hold positions as directors must ensure that the District Branch or Sub Branch obtains the prior consent of RSL Queensland.

Clause 13.7.1 of the Constitution provides that a change to the Constitution or by-laws of a District Branch or Sub Branch may not be made without the express written consent of RSL Queensland.

b) Veterans and the defence family

It is important that we place Veterans and the defence family front and centre in our decision making.

Members should ensure that any decision taken does not adversely impact on the quality of life of Veterans and the defence family and makes a positive impact.

c) Ethical behaviour

We have uncompromising ethical standards and must comply with all relevant legal and legislative requirements. A number of laws and regulations including financial, organisational, disclosure, fair trading, gaming and other requirements may apply in Sub Branch and District Branch matters. We must comply with the law and take our responsibilities to comply with legislation and regulations very seriously as each of us is expected to comply with applicable legal requirements.

d) Conflict of interest

Conflicts of interest may be real or perceived and should be avoided or otherwise managed. A conflict of interest may typically arise if members are in a position of responsibility on the board of a District Branch or Sub Branch, and experience actual or perceived competing loyalties, whether it is a personal benefit or a benefit for their family or friends.

e) Gifts, benefits and entertainment

Accepting gifts, benefits or entertainment from suppliers and business partners may create the appearance of a conflict of interest, especially if the value is significant. If the gift benefit or entertainment arises in the course of District Branch or Sub Branch activities, members should ensure that it is declared to the District Branch or Sub Branch president and is recorded in a

gift registry.

Gifts, benefits and entertainment should not be accepted if this may compromise, or appear to compromise, the duties members may have as members of the board to the District Branch or Sub Branch.

This document acknowledges that Sub Branches and District Branches may have relationships with clubs that support the observance of commemoration events where food and beverages are provided.

f) Workplace relationships

Members who hold a position of responsibility in a District Branch or Sub Branch should disclose to their president if they hold any personal relationships in their District Branch or Sub Branch (familiar, romantic or sexual relationship). Members must ensure that the relationship does not present a conflict of interest or create a perception of favouritism or bias and should be managed to ensure that there is no direct reporting line or opportunity for financial gain.

g) Risk management

However great or small, we all have a responsibility to identify and manage risk appropriately. There is an element of risk in many aspects of our activities. If not mitigated, some risks may impact our ability to continue to operate to our purpose, or endanger the lives of members, employees, volunteers, customers or the Veteran family.

h) Workplace health and safety

Activities conducted in or around Sub Branches and District Branches, which includes social media, may constitute activities conducted in a workplace under the *Workplace Health & Safety Act 2011* (Qld). Members should be aware of and comply with workplace health and safety policies and procedures of the District Branch or Sub Branch to prevent or mitigate the risk of workplace accidents, illness or injuries. Members should report any potential hazard or safety risk to their District Branch or Sub Branch, as may be applicable.

i) Drugs and alcohol abuse

Our position is that alcohol abuse is incompatible with the health and safety of our people and we do not accept it. Consumption of alcohol is not banned at our locations. However, members should use good judgement and never drink in a way that leads to:

- impaired performance or driving, or inappropriate behaviour
- endangering the safety of yourself or others
- violating the law

We do not dictate how you live your life. However, we do encourage members to proactively look after their health and wellbeing. Doing so will have a positive impact.

Drug and alcohol abuse may constitute a criminal offence and any drugs or illegal substances found in District Branch or Sub Branch premises should be reported to the Queensland Police Service or other relevant authority, along with any other illegal conduct or activity, such as assault or theft.

j) Bullying and harassment

All of us should feel safe in the workplace, valued for our skills and diversity, and recognised for our efforts. Those of us in leadership positions must lead our members and employees with fairness, engage in fair debate, and allow alternative points of view to be expressed.

We are committed to ensuring a violence-free work environment, and we do not tolerate any level of violence or the threat of violence in the workplace. Accordingly, our commitment and compliance with relevant legislation and policy is unwavering.

Members should be aware that inappropriate, aggressive or disrespectful behaviour, including those listed below as examples, will not be tolerated towards other members, volunteers, employees, clients or customers.

Examples of conduct and behaviours that may constitute conduct unbecoming under By-Law 7 is set out below. These examples are not exhaustive, and you should be guided by By-Law 7 as paramount.

- Profane or disrespectful language (By-Law 7.9. (b))
- Derogatory statements (By-Law 7.9. (c))
- False statements (By-Laws 7.9. (d), 7.9. (e), 7.9. (f))
- Inappropriate touching or sexual advances, sexual comments or innuendo (By-Law 7.9. (b), 7.9. (c), 7.9. (k), 7.9. (l))
- Inappropriate or other unlawful harassment or bullying in the workplace (By-Law 7.9. (b), 7.9. (k), 7.9. (l))
- Public comments undermining the trust in, and inappropriately criticising, another member or State Branch that creates reputational damage to the individual or to the League (By-Law 7.9. (e), 7.9. (f))
- Physical aggression including throwing an object (By-Law 7.9. (a))
- Refusal to work collaboratively with others (By-Law 7.9. (f))
- Demeaning or intimidating behaviour (By-Law 7.9. (b))
- Racial or ethnic jokes (By-Law 7.9. (b), 7.9. (c))
- Inappropriate documentation and record keeping (By-Law 7.4.1.1 as a failure to adhere to rules)
- Repeated failure to respond to calls or correspondence (By-Law 7.9. (f))
- Outbursts of rage or violent behaviour (By-Law 7.9. (a))
- Intimidating or threatening behaviour (By-Law 7.9. (a), 7.9. (b))
- Inappropriate arguments with members, employees, volunteers, clients and customers (By-Law 7.9. (a))
- Dishonest behaviour, including fraud and theft (By-Law 7.9. (f), 7.9. (k))
- Unethical or dishonest behaviour (By-Law 7.9. (f), 7.9. (k))
- Possession, use, sales, or distribution of illicit drug (By-Law 7.4.3 and 7.9. (k))
- Possessions of firearms, explosives, prohibited substances or illegal matter (By-Law 7.4.3 and 7.9. (k))

k) Other Conduct

Other activities could also be regarded as detrimental to the well-being and good standing of the League. Additional specific behaviours that we expect members to follow, include but are not limited to:

- Respect the ownership of all funds, assets, supplies, books and records, inventory and property of Sub Branches and District Branches

- Do not cause damage to the property of Sub Branches and District Branches
- Do not remove any property of District Branches or Sub Branches without written authorisation
- Do not fight in the workplace
- Do not swear in the workplace
- Avoid shouting and socially unacceptable behaviour in the workplace
- Do not smoke in the workplace, smoking is only permitted in designated outdoor smoking areas
- Do not be rude to members, volunteers, employees, clients or customers
- Do not falsify records

l) Property and assets

We use the League's property and assets responsibly. Tools and equipment may be provided to ensure we do our jobs effectively, but members need to be responsible and respectful with all property and assets.

Funds, office supplies, motor vehicles, computers, mobile phones or other property and assets are not to be requisitioned for personal use.

If you are unsure if the use of any property or asset is appropriate or not, please speak to your District Branch or Sub Branch president.

m) RSL identifiable apparel

It is important to understand that our behaviours may adversely impact on the reputation of the League, particularly when we are wearing RSL branded apparel or where we are otherwise identifiable as a member of the League in our communications in a public forum such as LinkedIn, Facebook, Instagram or other social media.

A member may be in breach of this Code of Conduct if their behaviour breaches this Code of Conduct whilst they are identifiable as an RSL member.

n) Confidentiality and privacy

Depending on your role with the League, you may have access to information that must be treated as confidential and cannot be shared with other persons. Limited exceptions to this are where such information is publicly available, is required by a By-Law to be disclosed, or you have the explicit authority or are legally obliged to do so.

Confidential information includes privacy protected information such as personal information. Sub Branches and District Branches have a responsibility to take reasonable steps to secure personal information and ensure that any use or disclosure of personal information meets the requirements of the Privacy Legislation and the expectations of the individual to whom it belongs.

o) Data security

We follow best practices for managing information securely. Anyone who requires access to District Branch or Sub Branch information systems is required to sign a declaration accepting the terms and conditions for use. Anyone with access to the system should be aware that:

- Users are provided with unique accounts (IDs) and passwords that must not be shared

- with others
- Any information stored, received, communicated or sent on information systems is owned by the organisation
- Material stored, received, communicated or sent on the organisation's system, including email, internet and intranet, may be monitored

Easy rules for internet and emails:

- If in doubt, seek guidance!
- Do not download inappropriate material
- Do not send, forward or save inappropriate information
- Be aware our system is monitored
- The system and information are owned by the District Branch or Sub Branch

p) Emails and social media

We should behave in email and social media as we do in person. Just like our words and actions, messages and graphics in electronic form can be offensive to some people. Ensure that whilst identifiable as a member of the League you:

- Do not send racial, sexual, defamatory, threatening or obscene messages to any anyone
- Do not download, retrieve, send or store inappropriate, sexually explicit or racist material on your work computer or other work electronic device, or your own device using RSL networks
- Do not instigate or distribute 'junk or chain' mail that can congest the network and inhibit the free flow of business information.

This includes your personal social media accounts such as Facebook, LinkedIn, Instagram, if you are using these to discuss RSL matters.

q) Using the media to make public comments

The League has a long and proud history, built on the legacy of Veterans, and our reputation is vital to ensuring we can continue to support Veterans and the defence families. If we have Veterans and the defence family foremost in all our dealings, we will make better decisions in how we handle complaints and disputes. Complaints and disputes should be handled as outlined in the Constitution and By-Law 7.

When comments are made by members to the media, they may be seen as representative of the entire organisation and may damage the reputation of the League.

Any public comment or solicitation from the media for comment must be approved by the State President of RSL Queensland under By-Law 13.

Normally, District Presidents who have media training will be given permission by the State Presidents to speak in their District Branches, as will Sub Branch presidents with approval from their District Presidents.

Should you be invited to speak at any conferences, seminars or similar where you are representing RSL Queensland, seek approval before accepting.

r) Government stakeholders

It is the role of RSL Queensland as a state branch to represent the interests of members, Veterans and the defence family in Queensland.

Members should ensure that any stakeholder engagement with government or regulatory authorities are channelled through their District President for representation at RSL Queensland level.

PROCESS AND PROCEDURES

What to do if you have any concerns?

15.5 What to do if you have any concerns?

Like all codes and rules, some people will knowingly or unknowingly act in ways that go against the intent of this Code of Conduct.

In some instances, you may feel comfortable challenging members, however if the matter is serious and you do not feel comfortable about challenging their behaviour or decisions, you should promptly report your concerns to your District Branch or Sub Branch president.

Any person, acting in good faith, may report a breach of this Code of Conduct to their District Branch or Sub Branch president if the matter is serious and has the potential to injure people or the reputation of the League. If the matter relates to a District Branch or Sub Branch president, the matter may be dealt with in accordance with By-Law 7.

Breach of this Code of Conduct

15.6 Breach of this Code of Conduct

a) This Code of Conduct constitutes an RSL Rule

This Code of Conduct constitutes an RSL Rule within the meaning of By-Law 7, and a breach of this Code of Conduct is a breach of an RSL Rule.

By-Law 7.4.1 provides that a member may be disciplined where the member:

- 7.4.1.1 - Refuses or wilfully neglects to comply with the Constitution, By-Laws and/or any other RSL Rules
- 7.4.1.2 - Is guilty of conduct unbecoming a member
- 7.4.1.3 - Is guilty of conduct subversive to the objects and values of the League
- 7.4.1.4 - Is convicted of any indictable offence or imprisoned for a simple offence.

b) Sub Branches are the first port of call

A key principle for all disciplinary matters and the resolution of disputes is that these matters should be dealt with at a grass roots level in the first instance by the Sub Branch.

By-Law 7.5.7 enables all Sub Branches to determine a breach of this Code of Conduct, unless the breach constitutes a disciplinary matter that must be referred to the Tribunal under the By-Laws.

By-Law 7 contains a flow chart entitled "Complaints Process By-Law 7" which confirms the role of Sub Branches of dealing with all Disciplinary and Dispute matters, including a breach of this Code of Conduct.

c) Referral to Queensland Police Service or other relevant authority

A matter may not be dealt with as a disciplinary matter under this By-Law or By-Law 7 if:

- the matter is subject to investigation or action under criminal law or
- the matter is one where action under a statute has been initiated

until such time as it has been dealt with in the courts or statutory authorities, or the police and/or statutory authorities have refused to proceed with the matter. For the avoidance of doubt, a matter may be the subject of investigation or disciplinary action where it is merely incidental or ancillary to the matter subject to investigation or action under criminal law or in which action under a statute has been initiated.

FINAL DRAFT