



BC/YUKON COMMAND OF THE ROYAL CANADIAN LEGION

Billy Bishop/Kerrisdale Branch No. 176

BRANCH BY-LAWS

While the numbering of these Articles is similar to that of the General By-Laws, the content is sometimes different and does not supersede that of the GBL's.

These Branch By-Laws should be read in conjunction with the current versions of the GBL's and the BC/Yukon Command By-Laws.

The Footnotes shall be retained with the Branch By-Laws for the purpose of future clarification. However, where there is a difference between the Footnotes and these By-Laws, the By-Laws take precedence.

GENERAL

ARTICLE I

Also see Article I of The GBL's

INTERPRETATION

Unless the context otherwise requires:

101. The "Act" means The Act to Incorporate The Royal Canadian Legion (1981) (Statutes of Canada 1948, Chapter 84, as amended). Legion Branches are chartered under the authority of this Act.
102. "Chapter 53" means The Royal Canadian Legion Act. Branches in British Columbia are governed by this Provincial enabling legislation, which was approved by the Provincial government in 1956, with amendments in 1962, 1964 and 1980. Available on the BC/Yukon Command website.
103. "Legion" or "Dominion Command" means "The Royal Canadian Legion" or "Dominion Command of The Royal Canadian Legion," respectively.
104. "The GBL's" mean The General By-Laws of The Royal Canadian Legion. These By-Laws are the uppermost authority for the organization and shall have jurisdiction over all matters arising within them. The most current version is available on the Dominion Command website.
105. "Branch" means "British Columbia/Yukon Billy Bishop/Kerrisdale Branch No. 176 of The Royal Canadian Legion." Reference to decisions made by the Branch means all voting members in good standing, not just the Executive Committee.

106. In these By-Laws, all reference to “General Meetings” or “approval of the general membership” is to be considered a “duly constituted General Meeting.”
107. “Notice of Motion” – When the Branch is recommending amendments to their By-Laws, or when a Branch is recommending a change to the membership dues a Notice of Motion shall be presented to a General Meeting, and then voted on at a subsequent General Meeting.
108. In these By-Laws, words indicating the masculine, import the feminine and singular words include the plural.

MEMBERSHIP

ARTICLE II

Also see Article II of The GBL’s

201. Every new member shall be initiated or welcomed into the Legion in accordance with the Ritual, Awards and Protocol Manual.

COMPLAINTS AND APPEALS

ARTICLE III

See Article III of The GBL’s for details.

DOMINION COMMAND

ARTICLE IV

See Article IV of The GBL’s for details.

BC/YUKON COMMAND

ARTICLE V

See Article V of The GBL’s and BC/Yukon Command By-Laws for details.

Also see Article VI of The GBL's.

BY-LAWS

- 601. Subject to the provisions of The GBL's and the BC/Yukon Command By-Laws, Branches shall adopt By-Laws to govern their affairs.
- 602. Branch By-Laws, including amendments, shall not become effective until approved by BC/Yukon Command.

BRANCH FINANCIAL REVIEW COMMITTEE

- 603. The Branch shall ensure a Financial Review Committee examines the accounts of the Branch each year and performs a financial review as per BC/Yukon Command's Internal Control Checklist.
- 604. The report of the Financial Review Committee shall be submitted to the Branch Executive prior to March 31. The Internal Control Checklist, along with the financial statement must be presented to the general membership for adoption, along with the internally reviewed financial statement covering the previous calendar year's operation.

NOMINATIONS FOR OFFICE/NOMINATING COMMITTEE

- 605. At least two (2) months before the Election Meeting, the Branch Executive Committee will appoint a Nominating Committee of three (3) members, or appoint a Chair, who will then appoint two (2) other members, and together they will form the Nominating Committee. The members of this committee should have signified they do not intend to stand for office. However, after being stood down any member of the Nominating Committee can be nominated from the floor.
- 606. One (1) month prior to the Election Meeting, the committee shall present a list of suitable candidates for office. These candidates must be voting members in good standing and not employed by the Legion. This shall not prevent nomination of similar candidates from the floor at that meeting or at the Election Meeting.
- 607. If a nominee is unable to be present at the Election Meeting, he/she must have signified in writing his/her willingness to stand for the office for which he has been or is being nominated.
- 608. To be elected President the nominee must be a member in good standing of the Branch and have served one (1) previous term on the Branch Executive Committee.

609. To be elected to a Vice President position, the nominee must be a member in good standing of the Branch and have held membership in the Branch for one (1) year.
610. To be elected as an Executive member, the nominee must be a member in good standing of the Branch.

ELECTIONS

611. All Branch elections shall be by secret ballot and conducted under the plurality vote procedure. Proxy voting is not permitted at Branch elections.
612. The following Officers and Executive members shall be elected/appointed annually at the General Meeting in the month of November, in the following consecutive order.
- a. Elected:
President
First Vice President
Second Vice President
Seven (7) Executive Members
 - b. Appointed:
Treasurer
Secretary
613. The above elected members of the Executive along with the Immediate Past President, all of whom must be voting members of the Branch in good standing and who are not employed by the Legion, shall form the Executive Committee of the Branch.
614. Elected Officers and Executive Committee members shall take office and assume their duties and functions on January 1 if elections are held in November/December or July 1 if elections are held in May/June.
615. Installation of Executive Committee members shall take place in accordance with The Ritual, Awards and Protocol Manual at the earliest convenient time following their election.

VACANCIES

616. All vacancies are to be filled by voting members of the Branch who are in good standing and not employed by the Legion.
617. If a vacancy occurs in the office of the Immediate Past President, the position can be filled for the remainder of the term by the appointment of any former Past President of the Branch, by the Branch Executive Committee subject to General Meeting ratification. See Article I and Article VI of The GBL's for more information.
618. Any vacancy on the Executive Committee, except in the offices of President and Vice President, shall be filled by nomination and election at the next General Meeting following the occurrence of the vacancy. The successful nominee will hold office until the end of the elective term. Provided however, that if the vacancy occurs during the last six (6) months

of any elective term, the Executive Committee may fill the vacancy by appointment and the general membership will be so advised of the appointment at the next General Meeting.

619. If a vacancy occurs in the office of President or a Vice President, the Vice Presidents will move up in accordance with their seniority of office. The lowest ranking Vice President's position shall be filled by nomination and election at the next General Meeting following the occurrence of the vacancy.
620. If a vacancy occurs in the appointed position of the Treasurer/Finance Chair, the Executive Committee shall appoint a replacement at the meeting following the occurrence of the vacancy.
621. Should any member of the Executive Committee be absent from three (3) consecutive meetings of either the Executive Committee or the Branch, or a combination of both, without a reason satisfactory to the Committee, he/she shall cease to hold office and his/her place will be filled as laid down in these By-Laws.
622. A member removed from the Executive Committee under the terms of Section 621, or a member who resigns from the Executive Committee, shall not be eligible to be elected or appointed to Branch office for the remainder of that elective term. A member who has been elected to an Executive position whose term has not yet begun, and steps down prior to the beginning of the term of office, is not considered resigned.

EXECUTIVE PROFESSIONAL AND ETHICAL BEHAVIOUR POLICY (CODE OF ETHICS)

623. WorkSafeBC requires employers to establish procedures stating how they will deal with bullying and harassment incidents and complaints in the workplace. On behalf of Branches and Command, PEC has instituted the Code of Ethics Policy which governs all Branches, members, and employees.

EXECUTIVE COMMITTEE DUTIES

624. The Executive Committee of the Branch shall have the power to administer the affairs of the Branch and shall be subject to direction given at General Meetings.
625. Pursuant to Section 624 of this Article, the Executive Committee or any individual member thereof, and any Standing or Special Committee or Sub-committee of the Branch shall not make any expenditures, changes in policy, nor borrow any money, or pledge any assets of the Branch without the prior approval of a meeting of the general membership, save only for:
 - a. The normal operating expenses of the Branch such as payment for taxes, utilities, staff salaries and wages, and for those items previously approved by the Branch General Meeting as part of the yearly budget; or
 - b. Emergency repairs to, or replacement of, equipment required for continuance of the operation of the administration, amenities, or programs of the Branch and in respect of which such repair or replacement could not be held over to the next

General Meeting. In all such cases the general membership will be advised of such expenditures at the next General Meeting.

626. Whenever the cost of any repair or replacement exceeds \$2000.00, bids should be solicited from at least two (2) suppliers of the service and/or product.
627. The Executive Committee shall have the power to appoint a salaried Secretary/Manager or such other employees as are necessary to the operation of the Branch, provided the positions have been authorized at a General Meeting of the Branch. A management committee does NOT have this authority. They may be dismissed for cause by the Executive Committee. However, the Executive Committee may delegate to the Secretary/Manager authority to dismiss for cause any person(s) employed in the licensed premises operation.
628. Such appointments must at all times conform to, and not be in conflict with, the Branch Officers named/identified in Article VI of these By-Laws and any change in the job description of any salaried employee must also conform to Article VI of these By-Laws and be authorized by the general membership.
629. It is the Executive Committee's responsibility to ensure the Branch insurance policy is paid for the year and up to date.
630. The Executive Committee shall ensure that the Chairs of all fund-raising campaigns always submit, immediately upon completion of a project, a complete report which shall include a detailed breakdown of all receipts and expenditures.

OFFICERS' DUTIES

631. PRESIDENT AND VICE PRESIDENT(S)

- a. The President shall, within fourteen (14) days of assuming office, appoint a Service Officer, Sergeant at Arms and a Padre; subject to General Meeting approval.
- b. The President (unless there is a Chair) shall preside at all meetings of the Branch and the Executive Committee and shall conduct these meetings in accordance with the procedure laid down in the current edition of "Rules of Procedure for Legion Meetings."
- c. In the absence or disability of the President, all rights and powers vested in him shall, for the time being, be vested in the Vice President(s) in accordance with their seniority of office.
- d. The President shall exercise general supervision and control over the affairs of the Branch and with the Secretary, shall sign all papers and documents requiring signatories on behalf of the Branch.
- e. The person who is President of any Branch of the Legion at the end of the

elective term shall become the Immediate Past President upon the election of a successor.

- f. A President who resigns before the term of office is completed is not the Immediate Past President.

632. APPOINTED SECRETARY

- a. The Secretary shall keep a record of all proceedings of all meetings. He/she shall conduct all necessary correspondence and perform such duties as appertain to his/her position and shall always act at the will and direction of the Executive Committee. He/she shall be required at every meeting to have access to manuals, By-Laws, and previous minutes relative to the business being discussed. He/she receives and replies promptly to all correspondence and ensures all questionnaires, surveys and forms from Dominion and Provincial Commands are completed by passing that correspondence to the pertinent Executive Committee member or Committee.
- b. Copies of all Branch minutes shall be retained in the Branch office. All minutes shall be saved digitally and/or in printed hard copy. All recorded minutes are the property of the Branch and shall be secured at the Branch.
- c. Subject to Article I of The GBL's, the Seal of the Branch shall be in the custody of the Secretary. The Seal shall not be affixed to any instrument except as authorized by the Executive Committee, and when so authorized shall be affixed to any instrument by the President in the presence of the Secretary.

633. APPOINTED TREASURER/FINANCE CHAIR

- a. The Treasurer or Finance Chair shall ensure that a true account is kept of all monies received and paid out by the Branch and of all financial transactions. He/she shall cause to be deposited all funds of the Branch in a recognized financial institution approved by the Executive Committee. He/she shall be instrumental in the preparation of a budget and act in an advisory capacity to the Executive Committee on all financial matters. Bookkeeping procedures shall be in accordance with Article I of The GBL's.
- b. Branches may have the following accounts: General, Poppy Trust, Gaming and whichever separate accounts are required for the proper financial operation (e.g. lottery sales, property tax, savings).
- c. All monies in excess of \$100.00 including petty cash payable by the Branch (with the exception of gaming and lottery payouts and in accordance with any lottery contracts) shall be paid by cheque signed by two (2) duly authorized signatories who will sign in connection with all Branch accounts including the Poppy Trust account; as follows:
- d. The President together with the Treasurer, provided however, that in the absence or disability of either of these regular signatories, the First Vice President or Second Vice President shall sign in place of either, and in the

absence or disability of both regular signatories, the First Vice President, shall sign together with the Second Vice President.

- e. Electronic banking and telephone banking are permitted. To be consistent with the approval process of invoices paid by cheques the following should be noted. The duly authorized signatories must affix their signatures and date on the invoices paid electronically (internet or telephone). Only after the invoices have been authorized, can payments be made. Copies of the invoices paid electronically **MUST** have the confirmation of payment number recorded on the invoices to verify payment.

634. Any Branch expenditures over \$10,000 must first be approved by BC/Yukon Command.

COMMITTEES

635. STANDING COMMITTEES

- a. The following mandatory Standing Committees shall be appointed each year: Finance, Ways & Means, Membership, Poppy Fund (Pension & Welfare), Lounge, House & Grounds, Entertainment, Service Officer (Senior Programmes/New Chelsea), and Publicity (Web Page, Social Media, Advertising).
- b. The Chair of each of these Standing Committees shall be appointed by the President, subject to General Meeting approval.
- c. The Chair of each of these Committees shall appoint their committee members, who when viable or possible shall be non-executive members and subject to approval by the President.

636. FINANCE COMMITTEE

- a. The Finance Committee shall compile or cause to be compiled by other persons responsible for Branch funds, a monthly written operating and financial statement for distribution to the general membership.
- b. The Finance Committee shall compile or cause to be compiled by other persons responsible for Branch funds, in cooperation with individual Standing Committee Chairs, a yearly budget for adoption at the Annual Meeting. In the event it is not available for the Annual Meeting, it shall be presented for adoption no later than the March General Meeting.
- c. The Long Term Investment Fund shall be administered per the "Investment Management Strategy Branch #176 document dated March 10th 2018." As approved by the Executive and General Membership. This document is to remain on file in Branch #176 and reviewed on an annual basis. This document is on file at BC/Yukon Command and any amendments as approved by the Executive and General Membership are to be communicated with BC/Yukon Command.

637. SPECIAL COMMITTEES

- a. The President may set up Special Committees as may be deemed necessary for the proper conduct of the Branch subject to Executive Committee approval. All such committees shall automatically be discharged immediately upon the completion of their functions.
- b. The Chair of each of these Special Committees shall be appointed by the President subject to Executive Committee approval. The Chair shall appoint their committee members, who shall be non-executive members and subject to approval by the President.

MEETINGS

638. Where business meetings (Executive and General), Elections or Installation ceremonies are held in the licensed area, the bar must be closed no later than thirty (30) minutes before opening the assembly and no alcohol will be consumed or be in evidence.

EXECUTIVE COMMITTEE MEETINGS

639. The Executive Committee shall meet at least once every month.
640. A quorum shall be a majority of the Executive Committee.
641. A Special Executive Meeting shall convene at the call of the President on forty-eight (48) hours' notice. Any three (3) members of the Executive may, by writing, require the President to call a meeting of the Executive, providing the reason for a Special Meeting is conveyed to all Executive Committee members at the time the meeting is called. Such meeting to be held within seven (7) days of the request.
642. The minutes of all Executive Committee Meetings shall be presented for information at the next General Meeting of the Branch.
643. Except for any material pertaining to Section 627 of these By-Laws, any member shall have the right to question any item covered by these minutes for clarification.

BRANCH MEETINGS

644. The usual place of Branch meetings shall be 1407 Laburnum Street, Vancouver BC V6K 3W4.
645. The Annual Meeting of the Branch shall be held within the first three (3) months of each calendar year, at which written annual reports, a financial statement covering the previous calendar year's operation, and budget shall be presented for adoption. Financial review procedures shall be in accordance with the Branch By-Laws and Article VI of The GBL's. A financial statement examined by a Branch Financial Review Committee must be presented to a Branch General Meeting not later than March 31 of the current year.

646. Regular General Meetings of the Branch shall be held in January, March, May, September, October and November, on a date set by the general membership.
647. Special General Meetings of the Branch may be called at any time by the President but shall be called by him if requested by a majority of the members of the Executive Committee or by any seventeen (17) voting members of the Branch who are in good standing. Any notice calling such meeting shall briefly set out the general purpose for which the meeting is called and seven (7) days' written notice shall be given of any such meeting by way of notice through electronic means (i.e. fax, email) as well as posting in the Branch.
648. When dealing with the disposition of property Article I of The GBL's require distribution of written notice delivered not less than fourteen (14) days before the date set for the meeting.
649. At any meeting of the Branch, either Special or General, a quorum shall be sixteen (16) voting members of the Branch who are in good standing. All questions shall be decided by a vote, the classification of which shall be as stipulated in the "Rules of Procedure for Legion Meetings" publication.

BRANCH PROPERTY

650. The real and personal property held or acquired by the Branch shall be held in the name of the Branch. This is in accordance with Chapter 53 of the Statutes of British Columbia, 1956, as amended and covering the holding of property by Legion Branches.
651. If any member wilfully or negligently damages any property of the Branch or by his/her actions is responsible for same, the Executive Committee shall assess the damage and he/she shall be required to pay for the damage or replacement. If not satisfied with the assessment, an appeal may be made in person to the Executive Committee at their next meeting.

ZONE REPRESENTATION

ARTICLE VII

701. Branch delegates to Zone, who must be voting members in good standing, shall be either elected at a General Meeting, or appointed by the Executive Committee. Such appointments to be ratified at a General Meeting.
702. All paid up members of any Branch within the Zone shall be eligible to attend any Zone Council Meeting and shall be recognized to speak but shall hold no power of vote.
703. The Branch Secretaries shall notify their Zone Secretary of the dates and times of their regular Executive and General Meetings, including changes to such dates.
704. The Branch is expected to make an annual contribution to their Zone. This per capita assessment for each year may be determined at the last Zone Meeting of each year and shall be mandatory. Each Branch's annual assessment is to be paid to Zone as per their

Zone regulations. The assessment will be based on the Branch's total membership on the December 31 of the previous year as per the Dominion Command membership report issued in January of the current year.

AUXILIARIES

ARTICLE VIII

See Article VIII of The GBL's for further details.

LADIES AUXILIARY

- 801. The Branch may cause to be set up, a Ladies Auxiliary in accordance with Article VIII of The GBL's.
- 802. A Ladies Auxiliary to a Branch shall be under the jurisdiction of the Branch.
- 803. The Branch shall require its Auxiliary to provide a copy of its approved annual budget by March 31 each year.
- 804. The Branch shall require its Auxiliary to provide a copy of the annual financial statement on or before April 30 each year.
- 805. Ladies Auxiliary members employed by a Branch or Command may, at the discretion of the Branch or Command, hold office in the Auxiliary.

YOUTH AUXILIARY

- 806. The Branch may cause to be set up, a Youth Auxiliary, in accordance with Article VIII of The GBL's.

DOMINION CONVENTION

ARTICLE IX

See Article IX of The GBL's

BC/YUKON CONVENTION

ARTICLE X

See Article X of The GBL's

POPPY TRUST FUND

ARTICLE XI

See Article XI of The GBL's and the Poppy Manual for further details.

1101. The Branch is required to submit a Poppy Fund assessment to BC/Yukon Command (unless part of a group Poppy Fund) in two (2) installments, using the Annual Branch Poppy Fund Income Assessment Remittance form, due January 31 and October 31 each year.
1102. The Branch is required to submit an Annual Branch Poppy Fund Statement to BC/Yukon Command by January 31 of the following year.
1103. The Branch is required to submit a request for approval for special use expenditures to BC/Yukon Command on a completed SUE form. Approval is required prior to funds being disbursed.
1104. When a Branch Poppy Fund is limited and/or depleted and there are not enough funds in the Branch Poppy Trust account to assist a needy Veteran and/or their family, Branches are able to apply for a grant from the Command Central Poppy Fund.

REPORTING REQUIREMENTS AND DUES

ARTICLE XII

See Article XII of The GBL's for further details.

1201. Each Branch shall:
 - a. Remit at least monthly to Dominion Command a per capita tax payment of all tax collected during the preceding month; and
 - b. Supply forthwith such information relating to the affairs of the Branch as may from time to time be required by BC/Yukon Command or by Dominion Command.
1202. A Notice of Motion addressing change in annual dues, to be presented and posted one (1) month prior to the meeting at which it is to be considered. (See Footnote 1202)

MISCELLANEOUS

ARTICLE XIII

See Article XIII of The GBL's for further details.

MATTERS OF PROCEDURE

1301. In all matters of procedure not provided for in these By-Laws, the provisions of the Legion's "Rules of Procedure for Legion Meetings" shall apply. In all cases where these

rules do not make adequate provision, then and only then, the “Robert’s Rules of Order” publication as amended shall apply.

1302. These By-Laws shall not be repealed, altered or amended except upon a motion, due notice of which shall be given at the General Meeting of the Branch held previously to the meeting at which it is to be considered, setting forth the alteration or amendment. The question shall be decided by a majority vote.
1303. These By-Laws and such amendments as may be made from time to time shall come into force and be acted upon only when approved by BC/Yukon Command.

-----End-----

These By-laws as revised are approved by the Command Constitution and Laws Committee, on behalf of the Command Executive Council on 30 October 2023.



Karen Kuzek, Vice President
Constitution & Laws Committee