

# British Columbia/Yukon Command THE ROYAL CANADIAN LEGION

## Port Moody Branch No. 119 BRANCH BY-LAWS

Branch "Master" By-laws)

### 1. AIMS AND OBJECTS

- 1.1 The purposes and objects of the Branch shall be those as set forth in the "Act and in the introduction to "The General By-Laws of The Royal Canadian Legion."

### 2. INTERPRETATION

- 2.1 In the By-Laws unless the context otherwise require, the word "Act" means "An Act to incorporate, The Royal Canadian Legion" and amendments.
- 2.2 In these By-Laws, unless the context otherwise require, the term "General By-Laws" means "The General By-Laws of The Royal Canadian Legion" and amendments.
- 2.3 "Legion" or "Dominion Command" means "The Royal Canadian Legion" or "The Dominion Command of The Royal Canadian Legion," respectively.
- 2.4 "Branch" means Port Moody, (British Columbia/Yukon No.119) of The Royal Canadian Legion."
- 2.5 In these By-Laws, all reference to "General Meetings" or "approval of the General Membership" is to be considered "duly constituted General Meetings."
- 2.6 In these By-laws, "Table Officer" refers to the following officers: President, First Vice-President, Second Vice-President, Secretary, Treasurer and Immediate Past President. (see footnote 2.6)
- 2.7 In these By-Laws, words indicating the masculine, import the feminine.

### 3. MEMBERSHIP

- 3.1 All applicants for membership in the Branch shall be subject to the restrictions and fall within the classes set forth in Article II of The General By-Laws.
- 3.2 Applications for original membership or reinstatement shall be dealt with as set forth in Article II of The General By-Laws.
- 3.3 Expulsion or suspension of members for cause shall be carried out by the Branch, according to the provisions of Article III of the General By-Laws.

### 4. DUES

- 4.1 The annual dues payable by the members shall be determined from time to time by a vote of the eligible members present at a General Meeting, in accordance with Article VI of The General By-Laws.
- 4.2 Notice of Motion to be posted one (1) month prior to the meeting at which it is to be considered.

## 5. NOMINATIONS

- 5.1 At least two (2) months before the election meeting, the Branch Executive Committee will appoint a Nominating Committee, of three (3) members, **or** a Chairman, who will then appoint two (2) other members, which 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. (see footnote 5.1)
- 5.2 One 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 the election meeting.
- 5.3 If a nominee is unable to be present at the election meeting, he must have signified in writing, his willingness to stand for office for which he has been, or is being nominated.
- 5.4 No member shall be eligible to be elected President unless he/she has served as a Table Officer for two (2) complete consecutive terms within the five (5) years immediately prior to elections. (see footnote 5.4)

## 6. ELECTIONS

- 6.1 All Branch elections shall be conducted under the plurality vote procedure.
- 6.2 The following Table Officers and Executive Members shall be elected each year (except in the case of the three Executive Members outlined in 6.2.2) at the General Meeting in the month of December, in the following consecutive order: (see footnote 6.2)
- 6.2.1 President  
First Vice President  
Second Vice President  
Secretary  
Treasurer (who by virtue of his office shall be Chair of the Finance Committee)  
(see footnote 6.2.1 and 6.2.2)
- 6.2.2 Six (6) Executive Members to be elected as follows:  
Three (3) members for a two (2) year term  
Three (3) members for a (1) year term (see footnote 2.6.1.and 2.6.2)
- 6.3 The above elected Table Officers and Executive Members along with the Immediate Past President, all of who 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.

## 7. VACANCIES

- 7.1 All vacancies are to be filled with voting members of the Branch who are in good standing and not employed by the Legion.

- 7.2 If a vacancy occurs in the office of the Immediate Past President, the position shall be filled in accordance with Article I (114.C) and Article VI (614.C) of the General By-Laws.
- 7.3 Any vacancy on the Executive Committee except in the offices of President, Vice-Presidents and Treasurer 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.
- 7.4 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-Presidency position shall be filled by nomination and election at the next General Meeting following the occurrence of the vacancy.
- 7.5 If a vacancy occurs in the office of Treasurer, the position 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.
- 7.6 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 shall cease to hold office and his place will be filled as laid down in Section 7.1, 7.2, 7.3, 7.4 or 7.5.
- 7.7 A member removed from the Executive Committee under the terms of Section 7.6 or a member, who resigns from the Executive Committee, shall not be eligible to be elected to Branch office for the remainder of that elective term.

## **8. EXECUTIVE COMMITTEE DUTIES**

- 8.1 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.
- 8.2 Pursuant to Section 8.1 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:
- 8.2.1 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
- 8.2.2 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.

- 8.3 Whenever the cost of any repair or replacement exceeds \$500.00, bids shall be solicited from at least two (2) suppliers of the service and/or product.
- 8.4 The Executive Committee shall have the power to appoint a salaried Secretary/Manager and 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. 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.
- 8.5 Such appointments must at all times conform to, and not be in conflict with, the Branch Officers named/identified in Article 6 of these By-Laws and any change in the job description of any salaried employee must also conform to Article 6 on these By-Laws and be authorized by the General Membership.
- 8.6 The Executive Committee shall ensure they have Dishonesty Insurance Coverage for paid staff and volunteers or agents responsible for Branch funds. It shall also ensure that the Chairman of all fund-raising campaigns submit at all times, immediately upon completion of a project a complete report which shall include a detailed breakdown of all receipts and expenditures.

## **9. OFFICERS DUTIES**

### **9.1 PRESIDENT AND VICE PRESIDENTS**

- 9.1.1 The President within fourteen (14) days after assuming office, shall appoint a Sergeant-At-Arms and Service Officer subject to Executive Committee approval.
- 9.1.2 The President (unless there is an appointed Chairman) 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." (Provisions of this section shall not, however, prevent a Vice-President from chairing a meeting on an occasional basis with the support and guidance of the President.
- 9.1.3 Public statements in connection with Legion affairs shall be restricted in accordance with the provisions of Article I of the General By-Laws.
- 9.1.4 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-Presidents in accordance with their seniority of office.
- 9.1.5 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.

### **9.2 SECRETARY**

- 9.2.1 The Secretary shall keep a record of all proceedings of all meetings. He shall conduct all necessary correspondence and perform such duties as appertain to his position and shall act at all times at the will and direction of the Executive Committee.

9.2.2 Subject to Article I of the General By-Laws, 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 Secretary in the presence of the President.

### **9.3 TREASURER**

9.3.1 The Treasurer shall ensure that a true account is kept of all monies received and paid out by the Branch and of all financial transactions. He shall cause to be deposited all funds of the Branch in a recognized financial institution approved by the Executive Committee. Bookkeeping procedures shall be in accordance with Article I of the General By-Laws.

9.3.2 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 the President together with the First Vice President, provided however, that in the absence or disability of either of these regular signatories, the Secretary shall sign in place of either. In the absence or disability of both regular signatories, the Treasurer, shall sign together with the Secretary. The duly authorized signatories will sign in connection with all Branch accounts including the Poppy Trust Account.

9.3.3 Electronic banking and telephone banking is 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.

## **10. COMMITTEES**

### **10.1 STANDING COMMITTEES**

10.1.1 The following Standing Committees shall be appointed each year:

- (1) Finance
- (2) Membership
- (3) Ways & Means
- (4) Entertainment & Special Events
- (5) Poppy
- (6) Youth
- (7) Honours & Awards
- (8) House and Grounds (see footnote 10.1.1)

10.1.2 The following Standing Committees may be appointed each year:

- (1) Sick & Visiting
- (2) Sports
- (3) Public Relations
- (4) By-laws (see footnote 10.1.2)

10.1.3 The Chairman of each of these Standing Committees (except Finance) shall be appointed by the President, subject to General Meeting approval.

10.1.4 The Chairman of each of these committees shall appoint their committee members, subject to the approval of the President.

## **10.2 FINANCE COMMITTEE**

10.2.1 The Finance Committee shall compile or cause to be compiled by the Treasurer or other persons responsible for Branch funds, a monthly written operating and financial statement for circulation to the Executive Committee for discussion and the General membership for approval.

10.2.2 The Finance Committee shall compile, or cause to be compiled by the Treasurer in co-operation with individual Standing Committee Chairmen and/or person responsible for Branch funds, 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.

## **10.3 SPECIAL COMMITTEES**

10.3.1 The President may set up Special Committees as may be deemed necessary for the proper conduct of the Branch subject to General Meeting approval. All such Committees shall automatically be discharged immediately upon the completion of their functions.

10.3.2 The Chairman of each of these committees shall appoint their committee members, who shall be non-executive members where possible, subject to the approval of the President.

## **11. EXECUTIVE COMMITTEE MEETINGS**

11.1 The Executive Committee shall meet at least once every month.

11.2 A quorum shall be a majority of the Executive Committee.

11.3 A special Executive meeting shall convene at the call of the President on forty-eight (48) hours notice.

11.4 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 fourteen (14) days of the request.

11.5 The minutes of all Executive Committee meetings shall be presented for information at the next General Meeting of the Branch. Except for any material pertaining to Section 8.4 of these By-Laws, any member shall have the right to question any item covered by these minutes for clarification.

## **12. BRANCH MEETINGS**

12.1 The usual meeting place of meetings shall be in the Tri-City area, (being Port Moody, Coquitlam, or Port Coquitlam) at a pre-determined location, with the preferred location to be in Port Moody. (see footnote 12.1)

- 12.2 The annual meeting of the Branch shall be held within the first (3) months of each calendar year, at which written annual reports and an audited statement covering the previous calendar year's operation shall be presented for adoption. Auditing procedures shall be in accordance with Article VI of the General By-Laws. An audited statement must be presented to a Branch General Meeting not later than March 31<sup>st</sup> of the current year.
- 12.3 Regular General Meetings of the Branch shall be held each month with the exception of July and August on a date set by the General Membership.
- 12.4 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 three (3) 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 notice shall be given of any such meeting by way of notice through electronic means (eg phone, fax, email) as well as posting in the Branch and running an ad in local paper and/or cable TV. However, when dealing with the disposition of property Section 121 of the General By-Laws requires distribution of written notice and Branch By-Laws cannot supersede the general By-Laws. (See Footnote 12.4)
- 12.5 At any meeting of the Branch, either special or general, a quorum shall be fifteen (15) 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.

### **13. BRANCH PROPERTY**

- 13.1 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.
- 13.2 If any member wilfully or negligently damages any property of the Branch or by his actions is responsible for same, the Executive Committee shall assess the damage and he 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.
- 13.3 If any guest of the Branch wilfully or negligently damages any property of the Branch or by his actions is responsible for same, the Executive Committee shall assess the damage and the guest or his sponsor 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.

### **4. ZONE REPRESENTATION**

- 14.1 Branch delegates to Zone, who must be members in good standing, shall be elected or appointed either at a General Meeting or by the Executive Committee.

### **15. AUXILIARIES**

- 15.1 The Branch may cause to be set up, a Ladies Auxiliary in accordance with Article VIII of the General By-Laws.

- 15.2 The Branch may cause to be set up, a Youth Auxiliary, in accordance with Article VIII of the General By-Laws.

**16. RULES OF PROCEDURE**

- 16.1 In all matters of procedure not provided for in these By-Laws, the provisions of the Legion's "Rules for 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.

**17. BY-LAWS**

- 17.1 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 signed by the member presenting it. The question shall be decided by a majority vote.
- 17.2 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.

These By-laws as fully revised, are approved by the Command Constitution and Laws Committee on behalf of the Command Executive Council on 30 July 2014.



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Laura Rallis, Assistant Executive Director & Operations Manager