



**BY-LAWS**

**OF**

**THE RETURNED & SERVICES LEAGUE OF**  
**AUSTRALIA (S.A. BRANCH) INC.**

**STATE BY-LAWS**

**NOTE FOR USERS**

WITH THE EXCEPTION OF BY-LAWS No. 4, 8, 9, 11 AND 24

THE STATE BY-LAWS AND THOSE FOR SUB-BRANCHES

ARE IDENTICAL

❖ BY-LAW NO. 4 APPLIES TO THE CONDUCT OF MEETINGS  
OF THE ANNUAL SUB-BRANCH CONFERENCE, STATE BOARD AND REGIONAL  
COORDINATOR MEETINGS

❖ BY-LAW NO. 8 APPLIES TO THE MODEL RULES FOR SUB-BRANCHES

❖ BY-LAW NO. 9 APPLIES TO THE CONDUCT OF ELECTIONS  
FOR MEMBERS OF THE STATE BOARD AND  
REGIONAL COORDINATORS

❖ BY-LAW NO. 24 APPLIES TO THE APPLICATION OF INCOME  
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## BY-LAW NO. 4

### STANDING ORDERS FOR THE CONDUCT OF MEETINGS

1. The proceedings of any State Branch Annual Sub-Branch Conference, Extraordinary Sub-Branch Conference, State Board Meeting, Regional meetings or Committee Meetings shall, unless otherwise resolved at such meeting, shall be considered.
  - (a) Reading minutes of previous meeting
  - (b) Confirmation and discussion of matters arising out of such minutes
  - (c) Reading and discussion of correspondence
  - (d) Finance
  - (e) Discussion of business of which notice has been given
  - (f) Business left over from previous meetings
  - (g) Reports of Committees
  - (h) Notices of motion
  - (i) General business
2. The attendances of State Branch Officers, shall be recorded in the Minutes of the meeting and, where practicable, the attendance of members shall also be recorded.
3. Subject to the limitations hereinafter contained in Standing Orders 8, 23, 24 and unless otherwise resolved on motion put without debate, every member present may be entitled to speak once on :
  - (a) Any question before a meeting
  - (b) Any amendment thereon
  - (c) In reply, if he/she is entitled to reply, but not otherwise
4. Any member, when he/she seconds a motion or amendment without speaking to it, shall be entitled to speak on the subject of such motion or amendment at any subsequent period of the debate.
5. Any member desiring to speak shall rise in his/her place and address the Chairman. If two or more members rise at the same time, the Chairman shall call upon the member who, in his/her opinion, first rose to speak.
6. By the indulgence of any meeting a member may explain matters of a personal nature, although there be no question before the meeting, but such matters may not be debated.
7. Any member who has spoken to a question may again be heard to explain him/herself in regard to some material part of his/her speech which has been misquoted or misunderstood. He/she shall not introduce any new matter or interrupt any member in possession of the Chair and no debate shall be heard upon such explanation.
8. Any member who has spoken to a question cannot speak to any amendment thereon until such amendment has become the main question.

9. In dealing with correspondence and reports, every letter and report, after having been read, may be taken as formally received, unless a motion to the contrary be put without debate and carried and every letter or report may be dealt with immediately after the contents have been made known to a meeting.
10. Any member may at any meeting give notice of motion for a future meeting by stating its terms to the meeting and delivering to the Chairman a copy of such notice clearly written and signed by him/herself and showing the day proposed for bringing on such notice.
11. If a notice of motion is given which contains matters not relevant to each other, the Chairman may instruct the Secretary to divide such notice into two or more notices.
12. Unless otherwise resolved, all notices of motion shall take precedence in the order in which they stand in the minute book and shall lapse if the member or some other member on his/her behalf be not present when the order of business for such notice is read.
13. When a motion has been moved and seconded, a question thereupon shall be proposed to the meeting by the Chairman.
14. A motion not seconded shall not be further debated and no entry thereof shall be made in the minutes.
15. All motions shall, if the Chairman so decide, be submitted by the proposer thereof in writing and :
  - (a) shall be duly proposed and seconded
  - (b) shall be of an affirmative character
  - (c) shall be the property of the meeting
  - (d) shall be withdrawn only by leave of the meeting
  - (e) may be adjourned from time to time
  - (f) may be altered or amended until a decision is arrived at
16. A question having been proposed may be amended
  - (a) by leaving out certain words
  - (b) by inserting or adding certain words
  - (c) by leaving out certain words in order to insert or add other words
17. Every amendment to every motion before a meeting must:
  - (a) if the Chairman so decides, be in writing and signed by the proposer
  - (b) be relevant to the question to which it is proposed to be made
  - (c) be withdrawn only by leave of the meeting
18. Only one amendment shall be entertained at a time. If an amendment be carried it shall become the main question. It shall be competent, whether an amendment be carried or not, to receive other amendments to be disposed of in a like manner until a question has been finally dealt with.

19. An amendment proposed but not seconded shall not be entertained nor entered on the minutes.
20. A question may be superseded at any time by:
  - (a) another motion that it be discharged from the notice paper
  - (b) a motion for an adjournment of the question under consideration
  - (c) a motion for the adjournment of the meeting
  - (d) a motion "The question be now put"
  - (e) a motion "That the next business be proceeded with"

No person who has spoken on the main question will be permitted to so move.

21. A motion for the adjournment of any meeting may be proposed at any stage of the meeting, or for the adjournment of any question before any meeting. It shall only be competent to propose an amendment to any motion for adjournment for the purpose of altering the time proposed therein. Every motion for an adjournment, or any amendment thereon, shall be proposed and seconded without argument or opinion offered and shall be forthwith put to the meeting by the Chairman.
22. When a motion for the adjournment of any meeting has been carried, the business then undisposed of shall have precedence at the next meeting.
23. When a motion has been duly proposed and seconded the Chairman shall at once proceed to take the votes thereon, unless some member rises to oppose it, or to propose an amendment. No more than two speakers shall speak in succession either for or against any question before a meeting and if at the conclusion of the second speaker's remarks and upon a call from the Chairman, no other member rises to speak on the opposite side, the motion or amendment shall at once be put to the vote.
24. The mover of an original motion shall be allowed five minutes to introduce it and two minutes to reply. No other speaker shall be allowed to speak more than five minutes at any one time.
25. Any member speaking shall at once resume his/her seat:
  - (a) if the Chairman rises to speak
  - (b) if a point of order is raised

and shall not resume his/her speech until the point of order is decided.

26. The Chairman shall put all questions before any meeting in a distinct and audible voice. A question being put shall be resolved in the affirmative, or negative, "Aye" or "No". The Chairman shall state whether, in his/her opinion, the "Ayes" or the "Noes" have it; any member may then demand that a "show of hands" or a division be now taken.
27. No member shall speak to any question after it has been put by the Chairman, nor during a division, except to a "point of order".

28. Every member present during a “division” must vote, or his/her vote will be counted with the side on which he/she is sitting. At a Sub-Branch Conference should there be a “division” the names of the Sub-Branches and their vote will be recorded in the minutes.
29. No member of the Committee shall be allowed to obtain discussion upon any subject at any meeting through the medium of correspondence, but may introduce the matter from his/her place in the meeting.
30. If any member:
  - (a) persistently and wilfully obstructs the business of any meeting
  - (b) is guilty of disorderly conduct
  - (c) uses objectionable words and refuses to withdraw such words
  - (d) persistently and wilfully refuses to conform to these standing orders or any one or more of them
  - (e) persistently and wilfully disregards the authority of the Chairman

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

31. When any member has committed an offence he/she shall be called upon to stand up in his/her place and make any explanation or apology he/she may think fit and afterwards a motion may be moved ‘That the member be suspended for the sitting of the meeting’. No amendments, adjournments or debate shall be allowed on such motion, which shall be immediately put by the Chairman.
32. If any member be suspended, his/her suspension on the first occasion shall be for the remainder of that sitting; on the second occasion, for the sittings of two consecutive meetings and on the third occasion may, in the case of a member of the Committee, have his/her seat thereon declared vacant.
33. If any objection is taken to the ruling or decision of the Chairman, such objection must be taken at once and motion made to the effect “That the Chairman’s ruling or decision be disagreed with”. If seconded, such motion shall supersede the question then before the meeting and the Chairman shall forthwith leave the Chair. The Deputy Chairman shall then take the Chair, or if he/she is not present, another member of the Committee, nominated by the Committee members, shall assume the Chair. Debate in conformity with the standing orders may then ensue until the motion is either resolved in the affirmative or negative. The Chairman shall then resume the Chair and the superseded question shall if not disposed of by the motion to disagree with the Chairman’s ruling or decision, be forthwith proceeded with.
34. The Chairman at all meetings shall not have a deliberative vote but shall have a casting vote only. When exercising such casting vote, it is customary that the status quo be maintained.
35. No resolution shall be again debated or rescinded unless a motion has been carried subsequent to the passing of the resolution which it is proposed to debate or rescind, ordering that a Special General Meeting be called for that purpose and unless an absolute majority of those present and voting at the Special General Meeting so resolve.

36. It shall be competent by a vote of the members present at a meeting to suspend the standing orders, provided the effects of such suspension shall not be the rescinding of any resolution previously adopted and provided, further, that the suspension of the Standing Orders shall be limited in its operation to the particular purpose for which the suspension has been sought.
37. No motion passed at any meeting shall be rescinded at the same meeting without due notice of motion to rescind being given.
38. Notice of motion to rescind a resolution is only required in cases where the resolution was passed within the previous twelve months.
39. All voting at any meeting shall be by personal attendance and not by proxy.





## **STATE BY-LAW 8**

# **MODEL RULES FOR SUB-BRANCHES OF THE RETURNED & SERVICES LEAGUE OF AUSTRALIA (S.A. BRANCH) INC.**

**As adopted by the Annual Sub-Branch Conference  
2 July 2011**



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# **RULES FOR SUB-BRANCHES**

## **OF**

### **THE RETURNED & SERVICES LEAGUE OF AUSTRALIA (S.A. BRANCH) INC.**

#### **1. Name and Motto**

- 1.1 The name of the Sub-Branch is 'The Returned & Services League (..... ) Sub-Branch', hereinafter referred to as the 'Sub-Branch' and its motto shall be 'The Price of Liberty is Eternal Vigilance'.
- 1.2 The Sub-Branch is a Sub-Branch of The Returned & Services League of Australia (S.A. Branch) Incorporated.
- 1.3 The aims of the Sub-Branch are to uphold loyalty to the Nation and its Sovereign and to uphold the Westminster system of Government and the Constitution of the Nation.
- 1.4 So far as is permitted by law and unless it is incapable of application, the short title of the Sub-Branch shall be 'RSL .....Sub-Branch'.

#### **2. Registered Office**

- 2.1 The Registered Address of the Sub-Branch shall be ..... or such other place as may be determined from time to time by the Sub-Branch.

#### **3. Interpretation**

These Rules shall be construed with reference to the 'Associations Incorporation Act 1985', as amended from time to time.

- 3.2 Terms used herein shall be taken as having the same meanings as they have when used in that Act unless the contrary intention appears and in these Rules :
  - (a) Affiliate means a person who has been admitted as an Affiliate of a Sub-Branch pursuant to Rule 9.
  - (b) By-Laws means the By-Laws of the State Branch of the League or of the Sub-Branch.
  - (c) Eligible Institution means a fund, authority or institution :
    - listed in Section 30 of the Tax Act as a fund, authority or institution to which tax-deductible gifts may be made; or
    - (ii) in a class of funds, authorities or institutions listed in Section 30 of the Tax Act as a class of funds, authorities or institutions to which tax-deductible gifts may be made.

- (d) Chief Executive Officer means the person formerly referred to as the Executive Director or State Secretary of the State Branch of South Australia, appointed pursuant to Rule 38 of the State Branch Constitution.
- (e) Honorary Life Member means a person who has been admitted to that class of membership pursuant to Rule 9.
- (f) Honorary Member means a person who has been admitted to that class of membership pursuant to Rule 9.
- (g) League means the Returned & Services League of Australia Limited.
- (h) Life Member means a Service Member who has been elected to that class of membership pursuant to Rule 9.
- (i) Life Subscriber means a Service Member who has made a subscription for life in accordance with the Rules prevailing at the time such subscription was made.
- (j) Member means a person who has been admitted to any one of the classes of members described in Rule 8.
- (k) Member of the Australian Defence Force means a person who is or was a member of the Royal Australian Navy, Australian Army or Royal Australian Air Force and includes a person who is or was a member of the Permanent Forces, Citizen Forces, Reserve Forces, Emergency Forces or Emergency Reserve Forces or a member of a military force raised in time of war or for a specified period.
- (l) National Congress means a general meeting of the League.
- (m) National Executive means the Board of Directors of the League constituted by Rule 36 of the National Constitution and comprising those persons set forth in that Rule.
- (n) Officer includes the elected officers and the committees or other body howsoever that body may be described, charged with the duty of administering the affairs of the Sub-Branch.
- (o) Service Member means a person who has been admitted to that class of membership pursuant to Rule 9.
- (p) Person means a natural person.
- (q) Social Member means a person who has been admitted as a social member of a Sub-Branch pursuant to Rule 10.
- (r) State Board means the body constituted by Rule 39 of the State Branch Constitution.
- (s) State Branch means The Returned & Services League of Australia (S.A. Branch) Incorporated.

- (t) Regional Co-ordinator means the body constituted by Rule 8 of the State Branch Constitution, to represent the Sub-Branches in determining policy of the State Branch.
- (u) State Standing Policy means the policy of the RSL determined by the State Branch Annual Sub-Branch Conference from time to time pursuant to Rule 26.
- (v) State Branch Tribunal means the Tribunal established by the State Board pursuant to Rule 22 of the State Branch Constitution.
- (w) Sub-Branch means a Sub-Branch of the League established either by the National Executive or the State Branch within its jurisdiction.
- (x) Tax Act means the Income Tax Assessment Act 1936 and the Income Tax Assessment Act 1997, as applicable.
- (y) The Act means the ‘Associations Incorporation Act 1985’, as amended from time to time.
- (z) The Commonwealth means the Commonwealth of Australia.
- (aa) The Law means The Corporations Law.
- (bb) The Nation means the Commonwealth of Australia.
- (cc) Women’s Auxiliaries means an Auxiliary authorised within a Sub-Branch consisting of the spouse/partner, widow or close female relative of a member, or of a person eligible for membership of the Sub-Branch.
- (dd) Words importing the masculine gender include the feminine gender and words importing the feminine gender include the masculine gender, and
- (ee) Words in the singular include the plural and words in the plural include the singular.

#### **4. Objects**

4.1 The League is established for the principal purpose of promoting the interests and welfare of former and serving members of the Australian Defence Force and their dependants and for this purpose the Sub-Branch has the following objects :

- (a) To assist and care for the sick, elderly and needy by providing, or assisting to provide, pensions, benefits, accommodation, medical treatment, rehabilitation and other forms of welfare.
- (b) To establish and accept trusts having for their object the welfare and benefit of any member of the League or the Sub-Branch, or of any member, or ex-member, of the Australian Defence Force, or their dependants.
- (c) In furtherance of any of the objects of the League, to make grants to and give assistance to such persons, trusts, groups, associations, societies, institutions or other organisations and authorities and to establish such scholarships as the Sub-Branch may, from time to time determine.

- (d) To perpetuate the close and kindly ties of friendship created by mutual service in the Australian Defence Force or in the forces of nations traditionally allied with Australia and the recollections associated with that experience, to maintain a proper standard of dignity and honour among all past and present members of the Australian Defence Force, and to set an example of public spirit and noble hearted endeavour.
- (e) To ensure the preservation of the memory and the records of those who suffered and died for the Nation; to ensure the erection of memorials to their valour and that they have suitable burial places; to establish and preserve in their honour, ANZAC Day, Remembrance Day and other commemorative occasions.
- (f) To promote the defence of the Nation and guard the good name and preserve the interests and standing of members of the Australian Defence Force.
- (g) To encourage members of the League and citizens to serve the Nation with a spirit of self sacrifice and loyalty.
- (h) To maintain a national association, non-sectarian and in relation to party politics, non-partisan.
- (i) To enunciate, from time to time, policy on national questions and to encourage members of the Sub-Branch to abide by, support and actively carry out, such policy so far as is permitted by law.
- (j) To establish, maintain, furnish and equip premises, information bureaux, libraries, literary, social, educational and benevolent institutions for the benefit and advancement of members of the League, or the Sub-Branch and to print, circulate and publish such papers, books, magazines and circulars, carry on such other literary and journalistic undertakings, and publish material that may be conducive to the objects of the League.
- (k) To subscribe or donate, to become a member of and co-operate with any other body of persons corporate or unincorporate whose objects are similar to those of the League and which prohibits the distribution of its or their income and property, amongst its or their members, to an extent at least as great as is imposed on the League under or by virtue of Rule 6.
- (l) To establish Women's Auxiliaries and other auxiliaries of the League within the Sub-Branch.
- (m) To accept subscriptions and donations whether of real or personal estate and devises and bequests for all or any of the purposes aforesaid and so far as permitted by law to dispose of or to lease and accept surrenders of leases of and manage all real estate (including leaseholds) so received and not required or capable of being occupied for the purposes of the State Branch or the Sub-Branch. The Sub-Branch shall take or hold any property which may be subject to any Trust and shall only deal with the same in such manner as allowed by law, having regard to such Trust.



- (n) To invest and deal with any of the moneys or other assets of the Sub-Branch not immediately required upon such securities and in such manner as the Sub-Branch may determine.
- (o) To invest and deal in real estate and to hold property for the purposes of furthering all or any of the objects of the League.
- (p) To borrow or raise money in such manner as the Sub-Branch may think fit, for any of its objects and in particular by mortgage, or other securities, upon all or any of the property of the Sub-Branch, present or future.
- (q) To do all such other lawful things as are conducive or incidental to the attainment of any of the above objects, and
- (r) To make, amend and repeal Sub-Branch By-Laws pursuant to the Rules.

## **5. Powers of the Sub-Branch**

5.1 Solely for furthering the objects of the League and subject to Sub-Rule 9.7 of the State Branch Constitution, the Sub-Branch has the legal capacity and powers set out in the Act as follows:

- (a) Acquire, hold, deal with and dispose of, any real or personal property.
- (b) Administer any property on trust.
- (c) Open and operate bank accounts.
- (d) Invest its moneys –
  - (i) in any security in which trust moneys may, by Act of Parliament, be invested; or
  - (ii) in any other manner authorised by these Rules;
- (e) Borrow money upon such terms and conditions as the Sub-Branch thinks fit.
- (f) Give such security for the discharge of liabilities incurred by the Sub-Branch as it thinks fit.
- (g) Appoint Agents to transact any business on its behalf, and
- (h) Enter into any other contract it considers necessary or desirable.

5.2 The Sub-Branch shall not be authorised, entitled, or empowered to engage the credit of, or incur any liability, on behalf of the State Branch.

## **6. Application of Income and Property**

6.1 The income and property of the Sub-Branch shall be applied exclusively for the promotion of the objects of the League. No amount may be distributed directly or indirectly to any member except as bona fide remuneration for services rendered or expenses incurred on behalf of the League.

## **7. Rights and Liabilities of Members**

7.1 Except as is provided for in the Act, a member is not liable for the debts and liabilities of the Sub-Branch.

## **8. Membership of the Sub-Branch**

8.1 The membership shall consist of the following classes, namely:

- (a) Service Members.
- (b) Life Members.
- (c) Honorary Members, and
- (d) Honorary Life Members.

8.2 The provisions of these Rules shall not disturb the continuity of membership of a person who was admitted to membership of the Sub-Branch (irrespective of the class of membership to which he had been admitted) prior to these Rules coming into force and effect.

## **9. Categories of League Membership**

9.1 Categories of League Membership are defined in the State Branch Constitution Rule Nos 12 – 18 inclusive.

## **10. Social Members of the Sub-Branch**

10.1 Rule 15 of the State Branch Constitution makes provision for Sub-Branches to apply to State Branch to admit social members. However, applications for social membership should be strongly encouraged to apply to become affiliates of the Sub-Branch in order to uphold the objects of the League. (By-Law 11 refers).

## **11. General Provisions as to Membership**

11.1 The Sub-Branch shall have jurisdiction as provided for in the State Branch Constitution, over any person who is a member of the Sub-Branch.

11.2 All classes of membership shall be deemed to have agreed to be bound by the provisions of these Rules and the By-Laws. In the event of an inconsistency deemed pursuant to Rule 38 of the State Branch Constitution, between these Rules and By-Laws and those of the State Branch, the State Branch Rules and By-Laws shall prevail to the extent of that inconsistency.

11.3 All Service and Life members shall be of equal status in the Sub-Branch.

11.4 A Service Member or Life Member who is a member of the Sub-Branch shall not be eligible to be a member of another Sub-Branch but may apply to be admitted as an Associate. Such an application shall be lodged with the Secretary of the other Sub-Branch and upon being admitted, he shall be known as an Associate of that other Sub-Branch.

- 11.5 The Application for Associate membership shall be displayed in a conspicuous place in the Sub-Branches premises for not less than fourteen (14) days prior to consideration at a Committee Meeting of the Sub-Branch.
- 11.6 The annual subscription payable by an Associate to the other Sub-Branch shall be the annual subscription payable by a Service Member less that proportion of each annual subscription referred to in Rule 15.
- 11.7 Subject to Sub-Rule 11.8, a Service or a Life Member who is also an Associate within the meaning of Sub-Rule 11.4, shall be entitled to hold office, vote and speak at a meeting of not more than one Sub-Branch.
- 11.8 A Service or Life Member to whom Sub-Rule 11.7 applies shall :
- (a) Elect in writing the Sub-Branch in which he wishes to be eligible to hold office, vote and speak, and
  - (b) Deliver such election to the Sub-Branches of which he is both a member and an Associate,
- and until he has complied with this Rule, he shall only be entitled to hold office, vote and speak at the Sub-Branch of which he is a member and such election shall not be able to be revoked during the membership year in which it is made.
- 11.9 Should in the opinion of the Committee an Associate Member of the Sub-Branch have been found guilty of conduct unbecoming a member or has been found guilty of any of the provisions contained in Rule 18 of the State Branch Constitution, the Committee may resolve to recommend to a General Meeting of the Sub-Branch that the Member be reprimanded or suspended at the pleasure of the General Meeting or his membership of the Sub-Branch be terminated.
- 11.10 The Sub-Branch in General Meeting may resolve to reprimand or suspend at the pleasure of the General Meeting or terminate the Sub-Branch membership of the Associate referred to in Sub-Rule 11.9. Such resolution shall not be of any force or effect unless the procedures set out in Rule 17 are complied with.
- 11.11 Where an Associate Member has been suspended or has had his Sub-Branch membership terminated, the Sub-Branch shall advise the State Branch of such member's name and the reasons for the suspension or termination.
- 11.12 The National Executive, if it is satisfied that special circumstances exist, and acting on the advice of the Sub-Branch through the State Branch, may admit as a Service Member a person who has not served for the period of six (6) months specified by Rule 9, provided such person is otherwise qualified to be admitted as a Service Member.
- 11.13 No person who is under the age of 18 years shall be eligible to apply for membership.

## **12. Cessation of Membership**

- 12.1 Any member desiring to resign and who is not in arrears with his annual subscription shall give notice in writing to that effect. Upon such notice being lodged with the

Sub-Branch Secretary he shall cease to be a member and the State Branch shall be advised accordingly.

### **13. Disciplinary Powers of the Sub-Branch and Appeals Arising Therefrom**

- 13.1 Before disciplinary action is taken the State Branch and the Sub-Bran­ches are to develop compulsory mediation/conciliation procedures to resolve disputes before they escalate to the point where formal action needs to be taken. Guidelines for the mediation process will be contained in the By-Law 7.
- 13.2 Notwithstanding the above, if the committee of the Sub-Branch has reason to believe that a member may be guilty of conduct unbecoming a member the committee can refer to State Branch Constitution Rule 21 for guidelines and disciplinary powers of the State Branch and appeals arising therefrom. In the event of a conflict between the charged member and one or more members of the committee, such as would compromise the impartiality of any committee findings, the committee or the member may resolve that the matter be referred to State Branch for resolution pursuant to Rule 23.

### **14. Re-Admission of Persons Previously Expelled from Membership**

- 14.1 No person who has been expelled from Service Membership pursuant to these Rules shall be re-admitted as a Service Member except by the National Executive.
- 14.2 No person whose Associate or Affiliate Membership of the Sub-Branch has been previously terminated, shall be readmitted as an Associate or an Affiliate, as the case may be, except by a majority of three quarters of the Service Members present and voting at a General Meeting, approving such readmission.

### **15. Subscriptions**

- 15.1 A Service Member shall pay to the Sub-Branch such annual subscription as is determined from time to time by the State Branch Annual Sub-Branch Conference.
- 15.2 An Affiliate Member shall pay to the Sub-Branch such amount as is determined by a General Meeting of the Sub-Branch, providing, however, that the amount shall be the minimum prescribed at the State Branch Annual Sub-Branch Conference.
- 15.3 The Sub-Branch shall pay to the State Branch, such proportion of each annual subscription received by it (referred to as ‘capitation fees’) as is determined at the State Branch Annual Sub-Branch Conference and the amount shall not be less than that determined at the National Congress.
- 15.4 Annual subscriptions shall be payable in advance on January 1 in each calendar year.
- 15.5 A person applying for membership and paying a full year’s subscription after the 30<sup>th</sup> September shall be granted membership for the period up to the 31<sup>st</sup> December of that year and the subscription will take effect from the 1<sup>st</sup> January of the following year.
- 15.6 (a) If a Member fails to pay his annual subscription by the due date, he shall cease to enjoy the privileges of membership.

- (b) A Member who has not paid his annual subscription by the due date may reinstate his membership by paying the prescribed amount in full prior to 31 December in the year that the membership became due. If the Member makes such a payment then he shall retain his continuity of membership and any office to which he has been elected or appointed. During the period that a Member is unfinancial, he may not hold any office, exercise any voting rights or participate in any debate.
- (c) Member who has not paid his annual subscription prior to 31 December of the year in which it became due may, at the discretion of the Sub-Branch Committee, be required to complete a new Application for Membership in accordance with the Rules and By-Laws for Sub-Branches before his membership is reinstated.

15.7 A member whose subscription has not been paid pursuant to Sub-Rule 15.4 shall not be :

- (a) Elected or appointed to any office in the Sub-Branch.
- (b) Elected to represent the Sub-Branch as a Regional Co-ordinator.
- (c) Elected to any office of the State Board, or
- (d) Elected or appointed a Delegate to the State Branch Annual Sub-Branch Conference.

15.8 If the Australian Defence Force or an Allied Force is engaged in a conflict, then any Service Member who is a member of that Force and is engaged in that conflict, shall for the period of his involvement in that conflict, be relieved from any liability to pay annual subscriptions to the Sub-Branch.

## **16. League Name, Badges, Banners, Insignia and Awards**

16.1 The name of the League, the letters 'RSL', badges, banners, awards and any other insignia of the League remain the property of the League. Conditions and prescribed use are outlined in By-Laws 12 and 13.

## **17. Capitulations and Contraventions**

17.1 On the first day of each month of the year, the Sub-Branch shall pay to the State Branch Office the capitation fees due and owing by it.

17.2 If the Sub-Branch is in default with payment of its capitation fees for a period of three (3) months, its right to vote at the State Branch Annual Sub-Branch Conference shall be suspended so long as such default continues, provided however that the State President at that Conference may upon such terms as he shall think fit, permit the Sub-Branch to vote.

17.3 The Sub-Branch shall provide an audited balance sheet of its financial accounts to the State Branch within thirty (30) days of its Annual General Meeting. Default of this condition will preclude the right to vote at the State Branch Annual Sub-Branch Conference.

17.4 The Sub-Branch shall, if required in writing by the State Board, produce for inspection all its books of accounts, minute books, statutory registers kept under any law (if

applicable) and records and supply such returns and other information as the State Board may from time to time require.

## **18. General Meetings**

- 18.1 A General Meeting of the Sub-Branch shall be held on any regular date and at a regular time as decided by the financial Service Members of the Sub-Branch at an Annual General Meeting (AGM) or at a Special General Meeting (SGM) convened for that purpose. The General Meetings shall be held not less than quarterly, the frequency of the meetings is to be decided at each AGM and the decision notified to State Branch with the annual statistics notification.18.2 A notice detailing the dates and times of General Meetings for the ensuing year, shall be exhibited on the Sub-Branch Notice Board immediately following the Annual General Meeting.
- 18.3 At a General Meeting of the Sub-Branch, twenty percentum of the Service members or ..... Service members present, whichever shall be the lessor, shall form a quorum. If within fifteen (15) minutes of the time fixed for the opening of the meeting, a quorum is not present, the meeting will stand adjourned to such date as shall be fixed by the person who would have been Chairman had the meeting proceeded. Should a quorum not be present at such adjourned meeting, those present shall constitute a quorum and may proceed to transact the business for which the meeting was called.
- 18.4 The proceedings of any General Meeting shall be conducted in accordance with the By-Laws.
- 18.5 At every General Meeting of the Sub-Branch the Bank Statement shall be produced for inspection together with a Statement of Income and Expenditure for the period since the presentation of such statement was previously provided to the General Meeting.
- 18.6 A General Meeting may appoint such Sub-Committees as it may deem necessary and Delegate to such Sub-Committees such of its powers as it thinks fit. Such Sub-Committees shall consist of at least one (1) member of the Sub-Branch Committee and such other members of the Sub-Branch as are considered necessary. The President (or his nominee) shall be an 'ex-officio' member of any Sub-Committee appointed pursuant to this Sub-Rule.

## **19. Special General Meetings**

- 19.1 The Sub-Branch President may convene a Special General Meeting as and when deemed necessary or on receiving a requisition to do so in writing, signed by not less than ten Service members of the Sub-Branch.
- 19.2 Any such requisition shall set out the business to be submitted to such Special General Meeting.
- 19.3 All business shall be special that is transacted at a Special General Meeting and shall be conducted in accordance with the By-Laws but exclude that business normally transacted at a General Meeting.
- 19.4 Subject to the provisions of the Act relating to special resolutions and agreements for shorter notice, at least twenty-one (21) days notice (exclusive of the day on which the notice is served or deemed to be served, but inclusive of the day for which notice is given) specifying the place, day and the hour of the meeting and in the case of special

business, the general nature of that business, shall be given to such persons as are entitled to receive notice.

- 19.5 The quorum of a Special General Meeting shall be twenty-five percentum of the financial Service Members of the Sub-Branch or ..... financial Service members whichever shall be the lesser.
- 19.6 If within fifteen (15) minutes of the time fixed for the opening of any Special General Meeting a quorum is not present, the meeting shall be adjourned to such date and time as shall be fixed by the person who would have been Chairman had the meeting proceeded. Should a quorum not be present at such adjourned meeting, those present shall constitute a quorum and may proceed to transact the business for which the meeting was called.

## **20. Annual General Meetings**

- 20.1 There shall be an Annual General Meeting which shall be held during the month of ..... each year.
- 20.2 Notice of the date and time of the Annual General Meeting shall be given to all members of the Sub-Branch in accordance with Rule 28.
- 20.3 No business shall be transacted at any such Annual General Meeting of the Sub-Branch unless a quorum of twenty-five percentum of the financial Service Members of the Sub-Branch or ..... financial Service Members, whichever is the lesser, is present at the time when the meeting proceeds to business.
- 20.4 If within thirty (30) minutes from the time appointed for the meeting a quorum is not present, it shall stand adjourned until the same day in the next week at the same time and place or to such other day and at such other time and place as the Sub-Branch may determine and if at the adjourned meeting a quorum is not present within thirty (30) minutes of the time appointed for the meeting, the members present and entitled to vote shall constitute a quorum.
- 20.5 The Sub-Branch President shall preside as Chairman at every Annual General Meeting or in the event of his absence or if there is no Sub-Branch President or if he is not present within fifteen (15) minutes of the time appointed for the holding of the meeting or is unwilling to act, a Vice President shall preside as Chairman of the meeting. In the event of there being no Vice President or if he is not present within fifteen (15) minutes of the time appointed for the holding of the meeting or is unwilling to act, the members present and entitled to vote shall elect one of the members to be Chairman of the meeting.
- 20.6 The Chairman may, with the consent of any meeting at which a quorum is present and shall if so directed by the meeting, adjourn the meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting shall be given as in the case of an original meeting, but it shall not be necessary to give any notice of the business to be transacted at the adjourned meeting.
- 20.7 The conduct of any Annual General Meeting of the Sub-Branch, shall be conducted in accordance with the By-Laws.

## **21. State Branch Annual Sub-Branch Conference**

21.1 The Sub-Branch shall be entitled to appoint one Delegate to the State Branch Annual Sub-Branch Conference and an Alternate Delegate to act in the absence or non-availability of the appointed Delegate. Persons so appointed shall be Service members except as provided by Sub-Rule 9.

**22. Sub-Branch Appointments**

22.1 There shall be a Committee appointed by the Members present and voting at the Annual General Meeting, comprising:

President

Immediate Past President – who shall act only for the period immediately following his vacation of Office of President and until the next Annual General Meeting of the Sub-Branch

..... Vice President(s) - as determined by the Sub-Branch

Secretary

Treasurer

..... Committee Members - as determined by the Sub-Branch

22.2 The duties of the Officers are as prescribed in the By-Law, however, the Offices of Secretary and Treasurer may be combined at any time subject to the approval of a General Meeting of the Sub-Branch.

22.3 Any Service or Life Member shall be eligible for election as President or Vice President, providing that member has been a Service or Life Member of the Sub-Branch for not less than twelve (12) months immediately prior to the calling of nominations and has previously served at least twelve (12) months on the Committee of a Sub-Branch.

22.4 Any Service, Life Member or **Affiliate** of the Sub-Branch shall be eligible for election as Secretary, Treasurer or as a Member of the Management Committee provided that the member has been a Service, Life Member or **Affiliate** of the Sub-Branch for not less than twelve (12) months immediately prior to the calling of nominations. However, an Affiliate may be appointed to act as Committee Chair until a Service Member nominates for the position of President or Vice President. Such an appointment shall be reviewed annually and State Branch informed of any changes.

22.5 Nominations for the elections of Officers and members of the Committee shall be called at the ..... General Meeting of the Sub-Branch and a notice advising that nominations have been called, shall be given to members in accordance with By-Law No. 9.

22.6 The notice of the calling of nominations shall include the date and time such nominations close. Such nominations shall be submitted in writing and in the form prescribed in the By-Law.

22.7 Any Casual Vacancies in the Committee may be filled by the Committee and any person appointed to fill such casual vacancy shall hold office only for the unexpired portion of his predecessor's term of office.

22.8 Subject to the provisions of the Act one or more Auditors shall be appointed at the Annual General Meeting of the Sub-Branch, providing, however, that no member of the Management Committee shall be so appointed.

**23. Accounts**

23.1 The financial year of the Sub-Branch shall be for the twelve (12) months ending on .....



- 23.2 The Sub-Branch shall cause proper books of accounts to be kept with respect to:
- (a) All sums of money received and expended; and the manner in respect of which the receipt and expenditure takes place.
  - (b) All sales and purchases of real and personal property by the Sub-Branch, and
  - (c) The assets and liabilities of the Sub-Branch.
- 23.3 Such accounts shall be kept at the registered office of the Sub-Branch, or subject to the Act, at such other place as the Sub-Branch thinks fit and shall always be available for the inspection by the members of the Committee.
- 23.4 Excluding liabilities incurred in trading, the Committee shall not, except in the case of an emergency, incur any liability involving more than \$ ....., without the prior approval of the Sub-Branch in a General Meeting.
- 23.5 The Sub-Branch Committee shall cause to be prepared and to be laid before the Annual General Meeting of the Sub-Branch such Income and Expenditure accounts, Balance Sheets and reports as are required in accordance with the provisions of the Act.
- 23.6 The Auditor(s) shall at least once in every financial year, examine the Balance Sheet and all accounts relating thereto and shall make a report to the Sub-Branch as to the correctness thereof.

#### **24. Common Seal**

- 24.1 The Sub-Branch shall have a Common Seal (with power to break, alter and change the same from time to time) and on such Common Seal shall be inscribed the name of the Sub-Branch.
- 24.2 The Seal Holders of the Sub-Branch shall be the person for the time being discharging the duties of President and the person for the time being discharging the duties of the Secretary, or such other member or members of the Committee as may be appointed by the Committee and such persons alone shall be the persons authorised to use the Common Seal.
- 24.3 The Common Seal shall not be affixed to a document except by the authority of the Sub-Branch Committee.
- 24.4 Every use of the Seal shall be recorded in the Minute Book of the Sub-Branch and shall be affixed only in the presence of the Seal Holders who shall thereupon append their signatures in addition.

#### **25. Amendment of these Rules**

- 25.1 These Rules may only be amended by a special resolution passed at a State Branch Annual or Extraordinary Sub-Branch Conference and passed by at least 75% of the votes cast by those members entitled to vote on the said resolution.
- 25.2 The notice served in accordance with Rule 28 shall set out the intention to propose the resolution as a special resolution and specify the terms of the resolution.

#### **26. Standing Policy**

- 26.1 Standing Policy is the policy of the League on any particular matter or topic and which the State Branch Annual Sub-Branch Conference has determined to be Standing Policy in accordance with this Rule.

- 26.2 The Sub-Branch shall be bound by and promote the Standing Policy and that of the National Constitution.
- 26.3 The Sub-Branch shall be non-sectarian and on all questions of Party politics, shall maintain a neutral attitude.
- 26.4 Standing Policy may only be made, amended or repealed by resolution of the State Branch Annual Sub-Branch Conference, save that it shall be deemed to be repealed by the operation of Sub-Rule 46 of the State Branch Constitution.
- 26.5 Any Standing Policy will be deemed to be repealed 5 years after the policy becomes Standing Policy. Such Standing Policy can be remade by the passing of a resolution by the State Branch Annual Sub-Branch Conference to that affect.

## **27. By-Laws**

- 27.1 A General Meeting of the Sub-Branch shall have the power from time to time to make, amend or rescind, such By-Laws as are in its opinion necessary and desirable for the proper control, administration and management of the Sub-Branch's affairs, providing such amendments, recission or making of such By-Laws does not contravene the State Branch Constitution and Rules or those of the National Constitution.
- 27.2 A By-Law shall :
- (a) Be subject to these Rules.
  - (b) Be not inconsistent with any provision contained therein.
  - (c) Be entered in a record, which shall be kept for the inspection of members and such By-Laws may be printed and circulated at the discretion of the Committee, and
  - (d) When in force shall be binding on all members, irrespective of the class of membership to which they have been admitted, and shall have the same effect as these Rules.

## **28. Notices**

- 28.1 A Notice may be given by the Sub-Branch to any member irrespective of the class of membership to which he has been admitted, either personally, or by sending it by post to him at his registered address. Where a notice is sent by post, service of the notice shall be deemed to be effective by properly addressing, pre-paying and posting the notice in sufficient time for it to be delivered in the ordinary course of post.

## **29. Women's Auxiliaries**

- 29.1 The State Board may permit the formation of a Woman's Auxiliary of the Sub-Branch.
- 29.2 The Rules governing the administration of the Auxiliary are contained in the Rules and Guidelines approved by the State Board and in the By-Laws.

## **30. General**

- 30.1 Any member of the Sub-Branch shall be entitled to view a copy of these Rules at the Sub-Branch or purchase a copy from the State Branch Office.
- 30.2 The adoption of these Rules shall not invalidate any appointment made or act done under the Rules then existing, but all such appointments made and acts done shall be construed as having been made and done in pursuance of these Rules to the extent that they are not inconsistent herewith.

- 30.3 No member of the Sub-Branch, whether acting or purporting to act on behalf of the Sub-Branch, shall, unless authorised by resolution of the Sub-Branch, or in cases of emergency by the Sub-Branch President, supply any information to the news media nor take part in any deputation to any Minister of the State or Commonwealth Government or any official thereof, on any matter relating to the Sub-Branch or its affairs.
- 30.4 By resolution of a General Meeting of Service Members, recommendations may be made to the State Branch in accordance with the By-Laws for the following awards :
- (a) Meritorious Service Medal.
  - (b) Life Membership.
  - (c) League Service Award – State.
  - (d) Certificate of Merit and Gold Badge.
  - (e) Certificates of Appreciation – State and National.
  - (f) Certificate of Outstanding Service.
  - (g) Long Service Award (50 Years Cumulative Service).
  - (h) The ANZAC of the Year Award, and
  - (i) The ANZAC Peace Prize.
- 30.5 Any visitor to the Sub-Branch shall be introduced by a financial member of the Sub-Branch and if required under the Legislation, registered in a Visitors Book kept for that purpose.
- 30.6 If any situation occurs which is not, in the opinion of the Committee, provided for by these Rules, or the Constitution of the State Branch, it shall be determined by a General Meeting of the members or of the Committee, as such circumstances warrant.

### **31. Winding Up of the Sub-Branch**

- 31.1 If the Sub-Branch ceases to operate or is dissolved or is wound up, its assets shall, after the satisfaction of all its debts and liabilities and subject to the Act, vest in the Returned & Services League of Australia (S.A. Branch) Inc., to be used by the League as far as possible for its purposes in the place where that Sub-Branch formerly carried out its activities.

## BY-LAW NO. 9

### ELECTION OF STATE BRANCH OFFICERS AND REGIONAL COORDINATORS (Rule 41 refers)

1. A minimum of six weeks prior to the 30<sup>th</sup> April each year the State Board shall appoint a State Branch Returning Officer who shall be responsible for the conduct of the annual general election of Officers of the State Branch.
2. The State Branch Returning Officer shall, at least five weeks prior to 30<sup>th</sup> April in each year, call for nominations for the State Branch appointments of:
  - (a) the office of President (if vacant);
  - (b) all vacant offices of the State Board; and
  - (c) all vacant offices of the Regional Coordinators for the Regions listed at Annex A and as determined by the State Board.
3. The nominations referred to in Paragraph 2 shall be called for by:
  - (a) a notice exhibited in the office of the State Branch;
  - (b) notice to the Secretary of each Sub-Branch of the State Branch;
  - (c) advertisement in at least one daily newspaper published and circulated in South Australia; or
  - (d) such other means as may from time to time be prescribed by the State Board.
4. No person:
  - (a) who is not at the time of calling for nominations a financial Service or Life Member of the League; or
  - (b) who is an employee of the State Branch; or
  - (c) who is for any period exceeding two months immediately prior to the time of calling for nominations indebted to the State Branch;
  - (d) who does not meet the selection criteria for the State Board (Annex B);

shall be qualified to nominate or be appointed or elected to hold any office on the State Board or the office of Regional Coordinator for a term of 3 years. The roles and duties of the State Board Members and Regional Coordinators are detailed in Annex B.

- 4.1 If there is a vacancy for the position of Regional Coordinator which cannot be filled as specified above (section 4 (a, b, c, d) then, and only in such case, the vacancy may be filled by a financial Affiliate of the League provided that the appointment is first approved by the State Board following consultation with the Sub-Branches within the relevant region.

5. Any vacated position on the State Board, is to be treated and dealt with as a casual vacancy as at the date the current incumbent vacates their position.
6. No person, being a Service or Life Member, shall be qualified to be nominated for the office of President unless he/she has served for a period of at least two years as:
  - (a) a member of the State Board; or
  - (b) the President of a Sub-Branch or Secretary of a Sub-Branch within the jurisdiction of the State Branch; or
  - (c) the Chairman of a State Branch Committee; or
  - (d) a Regional Coordinator (previously State Councillor); or
  - (e) a combination of any of the above.

The State Branch Office shall maintain a list of persons qualified under this Paragraph, and such list shall be made available to the State Branch Returning Officer.

7. A nomination for the State Board or Regional Coordinator shall be in writing in the form set out in Annex C and shall:
  - (a) state the full name of the candidate, his/her place of residence and occupation; and
  - (b) be signed by not less than two financial Service members of the Sub-Branch entitled to vote at the election for which the candidate has nominated; and
  - (c) documentation supporting the nomination should be forwarded with this form.
8. The day of nomination shall be 30<sup>th</sup> April in each year, but in the event of that day falling on a Saturday, Sunday or a proclaimed Public Holiday then the next business day shall be the day of nomination.
9. The hour of nomination shall be no later than the close of business of the State Branch Office (4.30 p.m.) on the day of nomination.
10. The place of nomination shall be the office of the Returned & Services League of Australia (S.A. Branch) Incorporated.
11. No nomination shall be valid unless:
  - (a) the person nominated consents, as per the nomination form, to act if elected; and
  - (b) the nomination paper is received by the State Branch Returning Officer not later than the time specified in Paragraph 9.

12. A candidate may withdraw his/her consent to nomination at any time before the hour of nomination by lodging with the State Branch Returning Officer a notice of withdrawal.
13. The State Branch Returning Officer has the authority to accept the nomination if he/she is satisfied that the provisions of this By-Law has been substantially complied with.
14. In an election for a position on the State Board, or if necessary, Regional Coordinators:
  - (a) if only one candidate is nominated for the vacant position, the State Branch Returning Officer shall declare that candidate duly elected;
  - (b) should no nomination be received which conforms to the requirements of this By-Law the State Branch Returning Officer will inform the State Board.
    - (i) the State Board may then reaffirm the current incumbent to fill such office for the remainder of the term; or
    - (ii) if there is no eligible and willing Service member nominating for the position of Regional Coordinator, a financial Affiliate may be appointed provided such Affiliate is nominated by a Sub-Branch, complies with all other provisions detailed in Sub-Clause 7 (a), (b) and (c) of By-Law 9, and is approved by the other Sub-Branches within the Region and the State Board.
  - (c) if the number of candidates nominated is greater than the number required an election must be held;
  - (d) the State Board has the authority to appoint members to the State Board to cover critical skills requirements. Elected State Board members are to outnumber appointed State Board members by at least 2;
  - (e) a minimum of 2 elected State Board members must be nominated from country regions in accordance with Annex A (all regions except region A);
  - (f) the position of Deputy State President will be an elected State Board member determined by the State Board.
15. As there is no set limit on the number of Regional Coordinators required for each Region, the State Board will assess the need for an election for the position of Regional Coordinator. Should an election be deemed necessary the election procedure for the Regional Coordinator positions shall be the same as that for the State Board except the election will be conducted within the relevant region in accordance with Annex A.
16. The State Branch Returning Officer shall make all necessary arrangements for the election, in particular he/she shall:
  - (a) arrange for the preparation and distribution of voting envelopes, Ballot Papers and instructions ensuring that:

- (i) the names of all candidates appear on the Ballot Paper in an order which shall have previously been determined by the drawing of lots;
  - (ii) all such Ballot Papers be provided to those eligible to vote, as detailed in Sub-Clause 17 of By-Law 9, no later than 17<sup>th</sup> May;
17. Only Service Members of Sub-Branches, listed at Annex A, who are, according to State Branch records, financial at 1<sup>st</sup> May will be eligible to vote for the positions of State Board Members and Regional Coordinators.
18. All those eligible to vote will receive the following election material:-
  - (a) Ballot Paper
  - (b) Instructions
  - (c) Biographical details of all nominees
  - (d) Reply paid return envelope
19. All voting envelopes must reach the State Branch Returning Officer by the close of business of the State Branch Office (4.30 p.m.) on the 21<sup>st</sup> June. In the event of the 21<sup>st</sup> June falling on a Saturday, Sunday or proclaimed Public Holiday, the voting envelopes must reach the State Branch Returning Officer by the close of business on the next day of business. Any voting envelopes received after the said hour shall be excluded from the scrutiny.
20. The result of the election shall be ascertained by the State Branch Returning Officer by scrutiny.
21. Each candidate may, by notice to the State Branch Returning Officer in writing, appoint a scrutineer to represent him at the scrutiny and such notice shall be signed by the candidate and shall give the name and address of the scrutineer. The candidate may so appoint different scrutineers to represent him at the scrutiny from time to time, but only one such scrutineer may attend the scrutiny at a time.
22. At the scrutiny the State Branch Returning Officer shall produce unopened envelopes containing Ballot Papers received up to the close of business on the 21<sup>st</sup> June or the next business day (as the case may be) and shall:
  - (a) open envelopes and assign Ballot Papers to each relevant Sub-Branch;
  - (b) scrutinise Ballot Papers from each Sub-Branch and note on form at Annex E the number of votes for each nominee and the successful Sub-Branch nominee(s).
  - (c) scrutinise those nominating for State President separately;
23. The State Branch Returning Officer shall:

- (a) hold the scrutiny as soon after the close of the poll as practicable at the office of the State Branch or such other convenient place to be appointed by the State Branch Returning Officer. Notice of the place of scrutiny shall be given to all candidates;
  - (b) allow only such Scrutineers as have been duly appointed and any persons appointed by the State Branch Returning Officer to assist him to be present during the scrutiny;
  - (c) declare duly elected the candidate who has nominated for the position of State President and received a clear majority;
  - (d) declare duly elected for each other position any candidate who has a clear majority and has not already been declared elected for an identical position (for example, in the event of an election for more than one Board Member);
  - (e) in the event, however, of an equality of votes by two or more candidates, determine the result by lot.
24. The State Branch Returning Officer shall certify in writing the result of the election, immediately upon completion of the scrutiny.
25. The State Branch Returning Officer is to ensure a copy of the results of the poll is addressed to the State Board and delivered in such a manner as to ensure that it is available for inclusion in the agenda of the next State Branch Annual Sub-Branch Conference.
26. The certification referred to in Paragraph 24 is to be displayed in a prominent place in the office of the State Branch.
27. All offices shall be deemed to have been vacated on the day of the Business Session of the next State Branch Annual Sub-Branch Conference and all members duly elected shall take office on and from the conclusion of the Business Session on that day.



**REGIONS**

**REGION A (Metropolitan)**

**A1 Adelaide**

Adelaide  
Insurance  
Maltese  
Norwood  
Royal Australian Regiment  
SA Peacekeepers  
SA Police  
Unattached List  
Unley

**A2 Western Metro**

Henley & Grange  
Hilton  
Largs Bay  
Lockleys  
Seaton Park  
Semaphore & Port Adelaide  
West Croydon & Kilkenny

**A3 Eastern Metro**

Gilles Plains & Hampstead  
Glynde  
Kensington Park  
Magill  
Payneham  
St. Morris  
Walkerville

**A4 Northern Metro**

Elizabeth  
Enfield  
Kilburn  
Lutheran Homes  
Northfield  
Prospect  
Salisbury  
Tea Tree Gully

**A5 Southern Metro**

Blackwood  
Brighton  
Colonel Light Gardens  
Marion  
Mitcham  
Morphett Vale  
Plympton Glenelg  
Port Noarlunga/Christies Beach

**REGION B (Country)**

**B1 Barossa**

Eudunda  
Freeling  
Gawler  
Kapunda  
Mallala  
Mount Pleasant  
Nuriootpa  
Robertstown  
Tanunda  
Two Wells

**B2 Onkaparinga/Barker**

Aldgate  
Echunga  
Gumeracha  
Lobethal  
Macclesfield  
Mount Barker  
Nairne  
Stirling  
Strathalbyn

**REGION C (Country)**

**C1 Alexandra**

Goolwa  
Kangaroo Island  
McLaren Vale  
Port Elliot  
Victor Harbor  
Willunga  
Yankalilla

**C2 Murray**

Mannum  
Meningie  
Murray Bridge  
Mypolonga  
Tailem Bend

**REGION D (Country)**

**D1 Daly**

Bute  
Balaklava  
Crystal Brook  
Kadina  
Moonta  
Port Broughton  
Port Pirie  
Port Wakefield  
Snowtown  
Wallaroo

**D2 Yorke Peninsula**  
Ardrossan  
Edithburgh  
Maitland  
Port Victoria  
Port Vincent  
Stansbury  
Yorketown

**REGION E (Country)**

**E1 West Eyre Peninsula**  
Ceduna  
Minnipa  
Streaky Bay  
Wudinna

**E2 South Eyre Peninsula**  
Cowell  
Cummins-Yeelanna  
Kimba  
Port Lincoln  
Tumby Bay

**E3 Central Districts**  
Coober Pedy  
Port Augusta  
Roxby Downs  
Whyalla  
Woomera

**REGION F (Country)**

**F1 Chaffey**  
Barmera  
Berri  
Blanchetown  
Lameroo  
Loxton  
Morgan  
Pinnaroo  
Renmark  
Swan Reach  
Waikerie

**F2 South East**  
Coonawarra-Penola  
Millicent  
Mount Gambier  
Port MacDonnell  
Robe

**F3 Victoria**  
Bordertown  
Keith  
Kingston  
Lucindale  
Naracoorte

**REGION G (Country)**

**G1 Stanley**

Auburn, Clare & Districts  
Brinkworth, Koolunga & Yacka  
Burra  
Riverton

**G2 Northern Areas**

Jamestown  
Laura  
Peterborough

**REGION H (Country)**

**H1 Far Northern**

Darwin  
Darwin North  
Gove Peninsula  
Katherine  
Palmerston

**H2 Central**

Alice Springs  
Tennant Creek

**H3 Barrier**

Broken Hill

**STATE BOARD SELECTION CRITERIA**

To nominate for a position on the State Board of the Returned & Services League of Australia (SA Branch) Inc, the candidate must meet the following selection criteria:

1. Be a current financial Service Member of the RSL-SA
2. Have continuous financial membership for not less than 5 years immediately prior to the calling for nominations
3. Have held an Executive State or Sub-Branch office (including Committee positions) for a period of not less than 12 months, (or 2 years for the position of State President). *(The qualifications for nomination to President are listed separately in Clause 6 of State By-Law No. 9)*
4. Not have any criminal convictions (police checks will be conducted)
5. Not have been found guilty of any offence listed in Rule 23 of the State Branch Constitution by a Sub-Branch or RSL Tribunal
6. Have a sound knowledge of the Constitution and workings of the RSL
7. Have no declarations of bankruptcy
8. Have previous relevant business or board experience or held a senior Government / executive position
9. Be willing to accept the roles and responsibilities of a Director of the RSL in accordance with the Constitution
10. Provide a short biography and an outline of their views for the future direction of the RSL for inclusion with the ballot material

**DUTIES AND RESPONSIBILITIES OF A BOARD MEMBER**

It is not enough that a community organisation does good work. It also needs to be able to show others that this is really the case, and to be open to outside scrutiny. Being "transparent" means that others, such as consumers, members, the board, or funding bodies, can see what an organisation is doing and how it operates. Being "accountable" means that those responsible for the operation of the organisation, including staff and board members, are open to question and willing to take responsibility and change their behaviour where warranted.

Incorporated associations are ultimately accountable to their membership. These are the people who "own" an organisation - who must be confident of its viability and comfortable with its ethical framework.

The Board Members are delegated by the membership to look after the organisation between Annual General Meetings (AGMs), commonly referred to as Sub-Branch Conferences, and as such are the stewards for monitoring accountability and transparency during the year. It is at the AGM that accountability is most visible, but it is important to develop it as part of organisational culture throughout the year.

There is more to accountability than just showing someone the financial reports. It is also about being able to report confidently on the processes that are used within your organisation as it gets its work done. Transparency is about having processes that are clear and understandable. Consumers should find it easy to know what processes are in place to gain access to your service, and how to provide feedback. Staff should understand how employment, entitlement and workload decisions are made, and how to provide input to them. Funding bodies should be able to understand how responsibility is assigned in an organisation, and how funds are spent to achieve the outcomes of a funding agreement.

The Board Members should be mindful of their responsibilities. These include:

- Showing leadership by:
  - Providing organisational vision above all else
  - Understanding their role within the organisation
  - Being a trustee/owner not a volunteer/helper
  - Being results focussed: consumer result, cost result, vision outcomes
- Having the discipline to:
  - Focus on their governance role
  - Be responsible for working as a group
  - Determine what information is needed for accountability
  - Give clear and consistent instruction to the staff
  - Speak with one voice
- Fulfilling obligations to membership under the *Associations Incorporation Act 1991*, including to:
  - Maintain the register of members
  - Manage the funds
  - Appoint the auditor and commission the annual audits
  - Appoint a Public Officer
  - Convene the Annual General Meeting
  - Ensure elections are conducted as required
  - Provide reports to the Annual General Meeting
  - Lodge documentation with the Registrar General

## THE ROLE OF RSL-SA REGIONAL COORDINATOR

Regional Coordinators are elected for a period of three years and are eligible for re-election. Their responsibilities include:

1. Visiting the Sub-Branches in their Region, on invitation, or on a periodic basis, in order to obtain an appreciation of the Sub-Branch's operations. This includes

attending committee meetings and the AGM. Any difficulties being experienced with aspects of the League's policy should be identified.

2. Act as mediator and advisor to the Sub-Branch President should there be any conflicts within the Sub-Branch, seeking advice from the Chief Executive Officer (CEO) should the need arise.
3. Provide Sub-Branches with guidance and assistance on interpretation of the 'Rules for Sub-Branches'. The CEO should be consulted if the intent of the rules is not clear or there is a need for specific direction on their application.
4. Attend scheduled Regional meetings and provide feedback to State Branch on Sub-Branch issues.
5. Brief the CEO on matters affecting Sub-Branches in the Region.
6. Represent the RSL (when required) at Commemorative and other activities organised by Local Government, Community Agencies and Ex-Service Organisations, etc.
7. Liaise with the CEO regarding the RSL National Articles of Association, State Constitution and State Legislation, affecting Sub-Branches.
8. Participate in State Branch Committees when nominated. These include, but are not limited to :
  - Ethics,
  - Membership,
  - Awards, and
  - Aged Advisory Committees.
9. Encourage Sub-Branches to support State Branch fund raising, membership and recruitment activities.
10. Contribute to and uphold the traditions and reputation of the RSL in the local community.
11. Promote attendance at the Annual Sub-Branch Conference within the Coordinators Region.

**RETURNED & SERVICES LEAGUE OF AUSTRALIA  
(S.A. BRANCH) INC.**

**NOMINATION PAPER**

To: The Returning Officer for the State Branch:

We, the undersigned, being financial members of the Returned & Services League of Australia (S.A. Branch) Inc., and entitled to vote at the Annual Elections, do hereby nominate:

Full Name (Please Print) .....

a financial member of ..... Sub-Branch

Occupation .....

Address .....

as a candidate to serve as\* .....

Dated the ..... day of ..... 20.....

\*\*Signature of Nominator .....

(Please print your name) .....

Address .....

Occupation ..... Sub-Branch.....

\*\*Signature of Nominator .....

(Please print your name) .....

Address .....

Occupation ..... Sub-Branch.....

I, the above named, consent to the above nomination and intend to act if elected.

Signature of candidate .....

Witness .....

(Please print your name) .....

Address .....

**N.B. Any candidate nominating for a State Board position must attach all documentation in accordance with the selection criteria.**

**\* Fill in the Office for which the nomination is made, such as “State President” and/or “State Board” or in the case of Regional Coordinator fill in “Regional Coordinator for Region .....”.**

**\*\* Signatures of at least two Nominators entitled to vote at the election for which the Candidate is nominated.**



**SAMPLE BALLOT PAPER**

To be completed by placing a cross alongside the Members choice for the vacant State Board / Regional Coordinator positions and returned to the State Branch Returning Officer in the reply paid envelope provided.

**SUB-BRANCH**

.....

- John Smith (C)
- Peter Jones (C) (SP)
- Fred Bloggs
- Sally Jones (C)
- Joe Public (C) (SP)

(C) Country Candidate  
(SP) State President Candidate

RETURNED & SERVICES LEAGUE OF AUSTRALIA  
(S.A. BRANCH) INC.

SAMPLE STATE BRANCH RETURN

<b>Sub-Branch</b>	<b>John Smith (C)</b>	<b>Peter Jones (C) (SP)</b>	<b>Fred Bloggs</b>	<b>Sally Jones (C)</b>	<b>Joe Public (C) (SP)</b>	<b>Sub-Branch Vote</b>
Adelaide	20	6	13	10	12	John Smith, Fred Bloggs
Aldgate	5	2	0	1	3	John Smith, Joe Public
Alice Springs	17	6	25	4	21	Fred Bloggs, Joe Public
Ardrossan	2	1	6	3	2	Fred Bloggs, Sally Jones
Auburn, Clare & Districts						
Balaklava						
Barmera						
Berri						
Blackwood						
Blanchetown						
Bordertown						
Brighton						
Brinkworth, Koolunga & Yacka						

<b>Sub-Branch</b>	<b>John Smith (C)</b>	<b>Peter Jones (C) (SP)</b>	<b>Fred Bloggs</b>	<b>Sally Jones (C)</b>	<b>Joe Public (C) (SP)</b>	<b>Sub-Branch Vote</b>
Broken Hill						
Burra						
Bute						
Ceduna						
Colonel Light Gardens						
Coober Pedy						
Coonawarra-Penola						
Cowell						
Crystal Brook						
Cummins-Yeelanna						
Darwin						
Darwin North						
Echunga						
Edithburgh						
Elizabeth						
Enfield						
Eudunda						
Freeling						

<b>Sub-Branch</b>	<b>John Smith (C)</b>	<b>Peter Jones (C) (SP)</b>	<b>Fred Bloggs</b>	<b>Sally Jones (C)</b>	<b>Joe Public (C) (SP)</b>	<b>Sub-Branch Vote</b>
Gawler						
Gilles Plains & Hampstead						
Glynde						
Goolwa						
Gove Peninsula						
Gumeracha						
Henley & Grange						
Hilton						
Insurance						
Jamestown						
Kadina						
Kangaroo Island						
Kapunda						
Katherine						
Keith						
Kensington Park						
Kilburn						
Kimba						

<b>Sub-Branch</b>	<b>John Smith (C)</b>	<b>Peter Jones (C) (SP)</b>	<b>Fred Bloggs</b>	<b>Sally Jones (C)</b>	<b>Joe Public (C) (SP)</b>	<b>Sub-Branch Vote</b>
Kingston SE						
Lameroo						
Largs Bay						
Laura						
Lobethal						
Lockleys						
Loxton						
Lucindale						
Lutheran Homes						
Macclesfield						
Magill						
Maitland						
Mallala						
Maltese						
Mannum						
Marion						
McLaren Vale						
Meningie						

<b>Sub-Branch</b>	<b>John Smith (C)</b>	<b>Peter Jones (C) (SP)</b>	<b>Fred Bloggs</b>	<b>Sally Jones (C)</b>	<b>Joe Public (C) (SP)</b>	<b>Sub-Branch Vote</b>
Millicent						
Minnipa						
Mitcham						
Moonta						
Morgan						
Morphett Vale						
Mount Barker						
Mount Gambier						
Mount Pleasant						
Murray Bridge						
Mypolonga						
Nairne						
Naracoorte						
Northfield						
Norwood						
Nuriootpa						
Palmerston						
Payneham						

<b>Sub-Branch</b>	<b>John Smith (C)</b>	<b>Peter Jones (C) (SP)</b>	<b>Fred Bloggs</b>	<b>Sally Jones (C)</b>	<b>Joe Public (C) (SP)</b>	<b>Sub-Branch Vote</b>
Peterborough						
Pinnaroo						
Plympton/Glenelg						
Port Augusta						
Port Broughton						
Port Elliott						
Port Lincoln						
Port MacDonnell						
Port Noarlunga/Christies Beach						
Port Pirie						
Port Victoria						
Port Vincent						
Port Wakefield						
Prospect						
Renmark						
Riverton						
Robe						
Robertstown						

<b>Sub-Branch</b>	<b>John Smith (C)</b>	<b>Peter Jones (C) (SP)</b>	<b>Fred Bloggs</b>	<b>Sally Jones (C)</b>	<b>Joe Public (C) (SP)</b>	<b>Sub-Branch Vote</b>
Roxby Downs						
Royal Australian Regiment						
SA Peacekeepers						
SA Police						
Salisbury						
Seaton Park						
Semaphore & Port Adelaide						
Snowtown						
St Morris						
Stansbury						
State – Miscellaneous						
State Unattached						
Stirling						
Strathalbyn						
Streaky Bay						
Swan Reach						
Tailem Bend						
Tanunda						



<b>Sub-Branch</b>	<b>John Smith (C)</b>	<b>Peter Jones (C) (SP)</b>	<b>Fred Bloggs</b>	<b>Sally Jones (C)</b>	<b>Joe Public (C) (SP)</b>	<b>Sub-Branch Vote</b>
Tea Tree Gully						
Tennant Creek						
Tumby Bay						
Two Wells						
Unley						
Victor Harbor						
Waikerie						
Walkerville						
Wallaroo						
West Croydon & Kilkeny						
Whyalla						
Willunga						
Woomera						
Wudina						
Yankalilla						
Yorketown						

**BY-LAW NO 24**

**APPLICATION OF INCOME AND PROPERTY**

**(Rule 6 refers)**

1. The total amount expended by State Branch on donations, sponsorships and grants in any one year is not to exceed ten per centum (10%) of the net assets of the State Branch, or the amount raised in that year, whichever is the lesser, without the prior approval of the State Board.