



**BY-LAWS FOR SUB-BRANCHES  
OF  
THE RETURNED & SERVICES LEAGUE OF  
AUSTRALIA (S.A. BRANCH) INC.**

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## **BY-LAW NO 1**

### **SERVICE MEMBERSHIP (Rule 12 refers)**

#### **1. Eligibility for Service Membership**

- 1.1 Admission to Service membership of the League is open to any member or ex-member of the Australian Defence Force who in general terms has completed 6 months service.
- 1.2 The following shall also be eligible to apply to be admitted as Service Members;
- a. a person who was a member of the Armed Forces of:
    - (i) any country presently or formerly a member of the Commonwealth of Nations;
    - (ii) any country or place presently or formerly a Crown Colony of the United Kingdom; or
    - (iii) the United States of America.
  - b. a person to whom paragraph 1.2 does not apply, but who has, in a theatre of conflict, either served with or supported or was otherwise engaged with the Australian Defence Force or the Armed Forces of those countries or places referred to in paragraph 1.2 and who is an Australian citizen or a citizen of any of those countries or places.
  - c. a person who is an Australian citizen and who:
    - (i) was a member of the Armed Forces of another country or place which during that time of conflict was an ally of the Commonwealth; or
    - (ii) in a theatre of conflict either served with or supported or was otherwise engaged with the Armed Forces of such a country or place.
  - d. an Officer of Cadets or Instructor of Cadets, after completing 10 years of aggregate service in such an appointment.

#### **2. Service Members – Other Eligible Service**

- 2.1 The following shall, in addition, be eligible to apply to be admitted as Service Members:
- a. A person who for less than 6 months was a member of the Australian Defence Force but who was honourably discharged therefrom either for medical reasons or for reasons outside their control;
  - b. any person who for a period of not less than 6 months, or a person who for less than 6 months was such a member but who was honourably discharged therefrom either for medical reasons or for reasons outside their control and has been a member of the Armed Forces of:

- (i) any country presently or formerly a member of the Commonwealth of Nations;
  - (ii) any country or place presently or formerly a Crown Colony of the United Kingdom; or
  - (iii) the United States of America.
- c. a person who was a member of a SEATO Surgical and Medical Team in Vietnam during the conflict in that country;
  - d. any person who is not otherwise eligible to be admitted as a Service Member but who is an Australian citizen and who for a period of not less than 6 months served in the Armed Forces of any other country or place not included in those countries or places previously referred to in this By-Law provided however that at no time during such service, the country or place the Armed Forces of which he served, was in conflict in war or war-like operations against the Commonwealth;
  - e. a person who is not otherwise eligible to be admitted as a Service member but who for a period of not less than 6 months has been a member of a Philanthropic Organisation and during that period been formally accredited to and administered by the Australian Defence Force.

### **3. Application for Service membership – Standard Form**

- 3.1 The Application for Service Membership Form, available from the RSL-SA website, is the standard form for use throughout the League. The standard form is the only form to be used by applicants applying for Service membership unless otherwise approved by National Executive. An abridged version of the standard form for use on promotional leaflets, and an electronic version for on-line membership applications have been approved by National Executive and may be varied from time to time.

### **4. Application For Service Membership Form – Explanation Notes**

- 4.1 The membership Application Form, available from the RSL-SA website, is to be completed as follows

- a. **General**

Form is to be completed in accordance with State Branch instructions.

- b. **Branch/Sub-Branch**

Under the provisions of Rule 14 of the State Branch Constitution and this By-Law, each person who applies to be admitted as a Service member shall also apply to be admitted as a member of the State Branch.

- c. **Personal Details**

The personal information in this section of the form provides the League with details for membership records.

Honours/Awards/Decorations in this section are those that would be included after a member's name in the normal form of address eg AO, CSM, GAM etc.

d. **Service Details**

The service details in this section are required to establish a person's eligibility to become a member of the League.

e. **Previous Membership**

This section to be completed only if previously a member of the League. Details as required.

f. **Declaration and Agreement**

Under the provision of Rule 12 of the RSL-SA State Constitution and this By-Law, each person who applies to be admitted as a Service Member shall make a declaration in accordance with Rule 12.4 of the State Constitution to be bound by the provisions of the Constitution and the By-Laws and to be bound by and promote the Standing Policy of the League, and be bound by the Rules and By-laws of State Branch.

g. **Sub-Branch Administration**

Complete details as required by State and Sub-Branch instructions.

h. **State Branch Administration**

Complete details as required by State Branch instructions.

i. **Membership Details**

For use by State and Sub-Branches to record a member's membership details as applicable.

**5. Processing of Applications for Membership**

5.1 An application to be admitted as a Service Member shall be:

- a. In the form set forth in the approved Service Membership Form;
- b. accompanied by the annual subscription payable; (currently serving members of the ADF are not required to pay a subscription in their first year of membership of the League); and
- c. supported by such documentation as is necessary to demonstrate the eligibility of the applicant.

5.2 Each person who applies to be admitted as a Service Member shall, in his application form, also apply to be admitted as a member of State Branch or a Sub-Branch as the applicant wishes.

- 5.3 An application to be admitted as a Service Member, may be forwarded to, or lodged by the applicant with the preferred State Branch or the Sub-Branch referred to in paragraph 5.2. If the applicant applies to be admitted as a member of a particular Sub-Branch, then that Sub-Branch shall be responsible for processing the application.
- 5.4 If an applicant referred to in paragraph 5.2 elects to become a member of a particular Sub-Branch, then provided the applicant:
- a. has demonstrated he/she is eligible to be admitted as a Service Member pursuant to this By-Law;
  - b. has completed his/her application form and has paid the annual subscription payable; and
  - c. is considered by the Committee of the Sub-Branch a fit and proper person to be admitted as a member;
- he/she shall be admitted as a Service Member and a member of that Sub-Branch.
- 5.5 A Sub-Branch Committee may only reject an application if it is satisfied the applicant is not eligible, or is not, in the interests of the League, a fit and proper person to be admitted as a Service Member.
- 5.6 The decision of the Sub-Branch Committee to reject an application shall be recorded in the minutes of the meeting at which the decision was made. The applicant shall be notified in writing of the decision and the grounds upon which the application was rejected and his right to appeal to the State Branch, within 14 days of the Committee meeting.
- 5.7 Within 28 days after the date the notification in writing referred to in paragraph 5.6, the applicant may appeal in writing to the State Branch. Such an appeal shall be lodged with the Sub-Branch concerned, which shall thereupon forward it, together with the grounds for rejection and all other relevant papers and documents to the State Chief Executive Officer.
- 5.8 State Branch, referred to in paragraph 5.7 may direct the Sub-Branch concerned to admit the applicant as a Service Member if the State Branch is of the opinion he/she should be admitted or the State Branch shall reject the appeal if it is satisfied the applicant is not eligible, or is not, in the interests of the League, a fit and proper person to be admitted as a Service member. The decision of State Branch shall be final.
- 5.9 If the State Branch directs a Sub-Branch to admit an applicant as a Service Member he/she shall thereupon be deemed to have been admitted as a Service Member and a member of that Sub-Branch.
- 5.10 If an applicant referred to in paragraph 5.2 seeks to become a member of a particular State Branch only, then that State Branch is responsible for processing the application, and subject to the provisions contained in paragraph 5.4, the applicant shall be admitted as a Service Member and a member of that Branch. Such Branch shall thereupon include his/her name on the Unattached List of Members kept by that

Branch. State Branch may only reject an application upon the grounds set forth in paragraph 5.8.

- 5.11 If a State Branch has rejected an application pursuant to paragraph 5.10, it shall, within 14 days after the rejection notify the applicant in writing of the fact and the grounds for rejection, namely that he was not eligible, he/she is a member of an organisation whose objectives are incompatible with the Objects of the League, or is not, in the interests of the League, a fit and proper person to be admitted as a Service Member and a member of State Branch. In so doing it shall advise the applicant in writing of his/her right of appeal to the State Branch Tribunal in respect of a decision made pursuant to paragraph 5.10.
- 5.12 Within 28 days after the date of notification in writing referred to in paragraph 5.11, the applicant may appeal in writing to the State Branch Tribunal in respect of a decision made pursuant to paragraph 5.10. Such an appeal shall be lodged with State Branch, which shall thereupon forward it, together with the grounds for rejection and all other papers and documents, to the National Secretary.
- 5.13 The powers of a State Branch referred to in this By-Law shall be exercisable by (and not otherwise) that State Branch Tribunal referred to in National Constitution Rule 20.

## **6. Unattached List of Members**

- 6.1 Each State Branch shall establish and keep a register to be known as its “Unattached List of Members”. This is also sometimes referred to as the Branch “Headquarters List”.
- 6.2 Upon a State Branch establishing such a List, there shall be transferred to it all those Service and Life Members who were previously included in the State’s Miscellaneous List of Members at their own request.
- 6.3 Upon a person becoming a Service Member he/she may request the State Branch having jurisdiction over him/her to include him/her in the Unattached List of Members if he/she does not wish to also be a member of a Sub-Branch.
- 6.4 A member of a Sub-Branch may request it to transfer him/her to the Unattached List of Members.
- 6.5 A Service or Life Member whose name is included in the Unattached List of Members by a Branch may at any time request that Branch to transfer him/her to a particular Sub-Branch or the Unattached List of another State. The State Branch, on receipt of agreement to the transfer from the Sub-Branch or State Branch concerned, is responsible for the subsequent transfer action. In the event that an objection is lodged, the State Branch shall conduct an enquiry into the circumstances of the objection. Should the circumstances leading to the objection be confirmed, then the Service or Life Member shall be retained on the Unattached List.
- 6.6 Upon a person becoming eligible to be admitted as a Service Member and for whom a Sub-Branch is not available, then he/she may request the State Branch to include him/her on the Unattached List of Members until a Sub-Branch becomes available for him/her to transfer to.

## **7. Miscellaneous List of Members**

- 7.1 Each State Branch shall keep a register known as its “Miscellaneous List of Members”.
- 7.2 There shall be recorded in this List the names of all those Service Members who have been transferred thereto compulsorily consequent upon a resolution of the State Branch or consequent upon a determination made by the State Branch Tribunal.
- 7.3 A Service Member who has been transferred to the Miscellaneous List of Members for a period of time as a result of action taken under paragraph 7.2 may at the conclusion of that period request his State Branch to transfer him/her to the Unattached List of Members or to a particular Sub-Branch. If he/she does not make such a request he/she shall be transferred to the Unattached List of Members. However, if the Service Member requests a transfer to a Sub-Branch or the Unattached List of another State, then the prior approval of that Sub-Branch or State shall be obtained by the State Branch. An application for transfer shall not be rejected on the same grounds which resulted in the Member’s transfer to the Miscellaneous List.
- 7.4 The organisation to which a member wishes to transfer, a State Branch in the case of the Miscellaneous List, or a Sub-Branch may accept or reject a proposed transfer. If a State Branch or a Sub-Branch decides to reject the proposed transfer of a member it shall advise the member and the member’s Sub-Branch or State Branch, as appropriate, in writing within 14 days, together with the reasons for its decision and his right of appeal.
- 7.5 Within 28 days after the date of notification in writing referred to in paragraph 7.4, the member may lodge an appeal in writing. Such an appeal shall be lodged, together with the sum of \$400.00, through his present Sub-Branch or State Branch as appropriate.
- 7.6 In the case of a decision made by a Sub-Branch to reject an application, the State Branch having jurisdiction over that Sub-Branch shall be responsible for resolving the appeal.
- 7.7 In the case of a decision made by a State Branch to reject an application the member shall have the right of appeal to the State Branch Tribunal.
- 7.8 A Service Member whose name is included in the Miscellaneous List of Members shall so long as his name is so included:
- a. not be eligible to hold any office in the League; and
  - b. not be eligible to be a member of any Sub-Branch or to attend, meet or be involved in any official activity or function or sponsored by a Sub-Branch, other than Commemorative Services.

## **8. Processing Applications for Transfer**

- 8.1 A member may apply for a transfer from his Sub-Branch, or in the case of members on the Unattached List, his State Branch:



- a. By applying through his 'old' Sub-Branch before the application is passed to the receiving or gaining Sub-Branch, using the prescribed Request for Transfer of Membership Form; or
- b. Where more convenient, a member may apply for a transfer through his 'gaining' Sub-Branch or State Branch. In this instance the Transfer of Membership Form is to be forwarded to the 'Losing' Sub-Branch or State Branch for processing prior to the transfer being approved:

The 'Losing' Sub-Branch or State Branch must give financial clearance for any debts etc. that the transferring member may have incurred and particularly, to check that he is not under suspension or had his membership cancelled. Transfers from the Unattached List and Miscellaneous List are also dealt with in this By-law.

- 8.2 The Request for Transfer of Membership Form, available from the RSL-SA website, shall be the standard form for use by Sub-Branches for the application of transfer.
- 8.3 The form may be used for transfer between State Branches or between Sub-Branches in accordance with State Branch instructions.

## **9. Cessation of Membership**

- 9.1 Any Service member or Life Member desiring to resign from the League shall give notice in writing to that effect. Upon such notice being lodged with the State Branch or Sub-Branch of which he is a member, he/she shall thereupon cease to be a member.
- 9.2 Upon a Service member or Life Member ceasing to be a member, he/she shall cease to be entitled to or have any interest in any property or assets of the League but shall still be liable to pay to the League all amounts owing to it at the date of his/her ceasing to be a member.

## **BY-LAW NO 2**

### **LIFE MEMBERS (Rule 16 refers)**

1. Other than in exceptional circumstances, a State Branch shall not propose a Service Member over whom it has jurisdiction, for election by the National Executive to the class of Life Member unless that Service Member shall have been a Service Member for at least 15 continuous years and shall have rendered not less than 10 years' outstanding service to the League.
2. In any financial year, proposals by a State Branch pursuant to this By-Law shall not exceed 1 for every 750 or part thereof of the Service Members within the jurisdiction of that State Branch.
3. If a Service Member proposed for Life Membership pursuant to Rule 16.1 is also a member of a Sub-Branch, that Sub-Branch shall pay to the State Branch having jurisdiction over it, such fees as that State Branch determines from time to time.

If a Life Subscriber is awarded Life Membership, no fee shall be payable by any Sub-Branch pursuant to this By-Law. Instead, the amount standing to the credit of the member in the Life Subscribers Fund, if any, shall be credited to the Life Membership Fund. If there are no funds in credit, no further fees shall be payable.

4. For the purposes of this By-Law, service as a member of a Women's Auxiliary may be taken into account.
5. If a Life Member is also a member of a Sub-Branch and transfers his/her membership of that Sub-Branch to another Sub-Branch which is subject to the jurisdiction of a State Branch not identical to that having jurisdiction over the first mentioned Sub-Branch the State Branch having jurisdiction over the first mentioned Sub-Branch, shall pay to the State Branch having jurisdiction over the Sub-Branch to which he/she has transferred that portion of the Life Membership fee that remains for that Life Member in its Life Membership Fund. The State Branch to which the payment is made shall pay to the Sub-Branch to which the Life Member has transferred an amount equal to the applicable annual rebate of the subscription of that State Branch. Such latter payment shall be made out of the funds received by the State Branch pursuant to this paragraph and not otherwise.
6. If a Life Member is also a member of a Sub-Branch and transfers his/her membership to another Sub-Branch, the latter Sub-Branch shall extend to that Life Member the same rights, privileges and honours applicable to a member elected to Life Membership upon the nomination of the latter Sub-Branch.

## **BY-LAW NO 3**

### **AFFILIATES (Rule 13 refers)**

1. The National Executive in September 2005, amended the criteria for the admittance of Affiliates to Sub-Branches who may now only be admitted to a Sub-Branch or the State Branch on such terms and conditions as are set out in this By-Law.
2. No person may be admitted as an Affiliate if that person is eligible to be admitted as a Service Member.
3. Affiliates are required to comply with the Constitution, By-Laws and Standing Policy of the League, in the same manner as Service Members.
4. Affiliates shall further the Objects of the League to the benefit of the Sub-Branch within its Local Community.
5. A separate badge to that of the League, shall be issued to an Affiliate and shall be in such form as the National Executive determines. Each Affiliate shall, on payment of the first annual subscription, be issued with a badge. Supplies of badges shall be obtained by each Sub-Branch Secretary from the Membership Office of the State Branch.
6. Eligible persons who may be admitted as Affiliates are those who comply with the following conditions:
  - (a) Be 18 years of age or older;
  - (b) Be a person who is a relative of a League member or of a person who at the time of his/her death was eligible to be a League member;
    - (i) for the purpose of this By-Law, a relative of a League member shall be a parent, grandparent, spouse, brother, sister, child, grandchild, step child, son-in-law, daughter-in-law, brother-in-law or sister-in-law of the League member (as the case may be).
  - (c) Be a person who has been awarded the Certificate of Merit and Gold Badge or a National or State Certificate of Appreciation, for providing valuable service to the League;
  - (d) A person who is, or has been, a member, for at least 6 months, of one of the following:
    - A State or Federal Police Force;
    - An Ambulance Service or Brigade;
    - A Fire Brigade or Fire Authority;
    - A State Emergency Service;
    - A Registered Nurse.
  - (e) Any such person deemed by the Sub-Branch Committee to have demonstrated empathy with the Objects of the League and a desire to assist the League in its work, may be admitted as an Affiliate; and

has signed an Application for Affiliation, as prescribed by the State Branch, which expressly requires the Affiliate to agree to be bound by the National Constitution, Rules and By-Laws and any Rules and By-Laws of the State Branch.

7. The application is to be lodged with the Sub-Branch Secretary and the nominator must be a Service or Life Member and the seconder should be either a Service, Life Member or Affiliate of the Sub-Branch.
8. The name and address of the person applying to be an Affiliate must be displayed in a conspicuous place in the Sub-Branch premises for a period of at least fourteen (14) days before consideration of the application at a meeting of the Committee of the Sub-Branch.
9. A person may only be an Affiliate of one Sub-Branch.
10. Affiliates of a Sub-Branch shall have the same rights and responsibilities as League Members of the Sub-Branch in the usage and quiet enjoyment of the Sub-Branch amenities and facilities and may participate in Sub-Branch activities as follows:
  - 10.1 (a) May vote and be elected to the positions of Secretary, Treasurer or Committeeman but may not vote or be elected to the positions of President or Vice-President. However, an Affiliate, who has been an Affiliate of the Sub-Branch for not less than twelve (12) months, may be appointed by the committee 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.
  - (b) Any variation to the foregoing provision must be authorised by the State Branch Executive responsible for policy implementation.
- 10.2 Affiliates may speak and vote at a meeting of the Sub-Branch on any Sub-Branch domestic matter that does not involve the disposal of the Sub-Branch facility nor issues such as relocation or redevelopment (these issues being covered by the Constitution as the rights of Service Members).
- 10.3 Affiliates shall not speak or vote on any matter relating to the alteration or amendment to the National Constitution, the Branch Constitution or cast votes in the elections for Branch positions.
- 10.4 Affiliates shall not be entitled to speak or vote at a meeting called to consider the Agenda for the Annual State Branch Conference, nor attend as a Delegate.
11. Whilst Model Rules for Sub-Branches Rule 21 and Clause 10.4 above restricts attendance at a State Branch Conference, the State Board has ruled that if a Service Member is not available to represent the Sub-Branch, then an Affiliate may be appointed by the Sub-Branch Committee to attend as its Alternate Delegate but must only vote or speak to motions as directed in writing by the Sub-Branch.
12. An Affiliate of a Sub-Branch shall pay such annual subscription to the Sub-Branch as is determined from time to time by the Sub-Branch Committee. This subscription must

include the amount of the affiliate capitation fee determined at the State Annual Conference and which is payable to the League.

13. The State Branch shall pay annually to the League a fee in respect of each Affiliate, equal to the amount of the capitation fee set by the National Congress for that year.
14. Annual subscriptions shall be payable in advance on the 1<sup>st</sup> January in each calendar year. An affiliate who does not pay his/her annual subscription by the 30<sup>th</sup> April ceases to be an Affiliate of the Sub-Branch.
15. A receipt must be issued to each Affiliate of the Sub-Branch by the Sub-Branch Treasurer/Membership Officer, as evidence of payment of the annual subscription.
16. Should in the opinion of the Committee an Affiliate 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 21, the Committee may resolve to recommend to a General Meeting of the Sub-Branch that the Affiliate be reprimanded, or suspended for a period as determined by the General Meeting, or his/her affiliation to the Sub-Branch be terminated.
17. The Affiliate shall be afforded the opportunity to address the Committee, in accordance with the procedures outlined in Rule 21.3, prior to the General Meeting.
18. Where an Affiliate has had his/her affiliation terminated, the Sub-Branch shall advise the State Branch of such member's name and the reasons for the termination.
19. Transfer of Affiliates
  - 19.1 Any financial Sub-Branch Affiliate may apply to transfer to another Sub-Branch by making application in writing on the prescribed form, through the Secretary of the Sub-Branch or through the Chief Executive Officer.
  - 19.2 The application to transfer should be made using the prescribed form available from the RSL-SA website. The request is to be endorsed with the words "An Affiliate" immediately after the name of the person seeking to be transferred.
  - 19.3 No application to transfer will be approved unless the Affiliate is acceptable to the 'gaining' Sub-Branch.
  - 19.4 If a financial Affiliate transfers to another Sub-Branch, no transfer, joining or additional Affiliation fee is payable to the 'gaining' Sub-Branch for the year in which the transfer took place.
  - 19.5 If the applicant is unfinancial at the time he/she wishes to transfer, a new Application for Affiliation is to be made to the 'gaining' Sub-Branch and the applicant processed as a new Affiliate in all respects except that the current badge number is to be endorsed on the application.

20. Sub-Branch Life Affiliate
- 20.1 Other than in exceptional circumstances a Sub-Branch shall not propose an Affiliate over whom it has jurisdiction, for election by the State Board to the class of Life Affiliate unless that Affiliate shall have been an Affiliate for at least fifteen (15) continuous years and shall have rendered not less than ten (10) year's outstanding service to the Sub-Branch and consequently to the League in general.
- 20.2 In any financial year, proposals for Life Affiliate by the Sub-Branch shall not exceed one (1) for every seventy five (75), or part thereof, Affiliates within the Sub-Branch.
- 20.3 The Sub-Branch shall pay to the State Branch such fees for each Affiliate as the State Branch determines from time to time.
- 20.4 For the purpose of this By-Law, service as a member of the Women's Auxiliary may be taken into account.
- 20.5 If a Sub-Branch Life Affiliate transfers to another Sub-Branch, the Service members of the awarding Sub-Branch at a General Meeting of the Sub-Branch may continue payment to State Branch or cancel the Life Affiliate Award at their discretion without reference to State Branch.
- 20.6 If a Sub-Branch surrenders its Charter and the Life Affiliate decides to transfer to another Sub-Branch, payment of capitation fees shall be calculated using the Life Subscription Scale as approved by State Board on 17 March 2010. Such amount to be paid to the State Branch in accordance with the procedures set down in Rule 31 – Winding up of Sub-Branches.
- 20.7 The Life Affiliation Application Form/Official Citation shall be adapted from that currently used for the 'Service Member Life Membership Awards.
- 20.8 The Awarded Life Affiliate Badge shall be designed to include on its base, the words "LIFE AFFILIATE" and a suitably worded Life Affiliate Certificate shall be designed for presentation to the recipient.

## BY-LAW NO 4

### STANDING ORDERS FOR THE CONDUCT OF MEETINGS

1. The proceedings of any Annual General Meeting, General Meeting, Special General Meeting or Committee Meeting 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 Sub-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 motion 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 motion before the meeting, but such matters may not be debated.
7. Any member who has spoken to a motion may again be heard to explain himself/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 motion cannot speak to any amendment thereon until such amendment has become the main motion.
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 himself/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, it shall then 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 motion 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 motion 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 any time. If an amendment be carried it shall become the main motion. 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 motion has been finally dealt with.
19. An amendment proposed but not seconded shall not be entertained nor entered on the minutes.



20. A motion 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 motion under consideration;
  - (c) a motion for the adjournment of the meeting;
  - (d) a motion “The motion be now put”
  - (e) a motion “That the next business be proceeded with”.

No person who has spoken on the main motion 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 motion 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 motion 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 motions before any meeting in a distinct and audible voice. A motion 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 motion 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.

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 motion 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 motion 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.**

## **BY-LAW NO 5**

### **WOMEN'S AUXILIARIES (Rule 49 refers)**

1. A Sub-Branch may form a Women's Auxiliary for the purposes of supporting the Sub-Branch, or the Branch in the carrying out of the Objects of the League and the social and welfare aspects of the Sub-Branch or Branch.
2. The Rules and Guidelines for Women's Auxiliary, as approved by the State Branch, may be used as a guide for its administration.
3. Women's Auxiliaries which were members of the Central Council of Women's Auxiliaries at the time of its winding up in September 2013 may continue to nominate members for Life Membership and long service awards, eg. 15 and 30 Year in accordance with the Rules and Guidelines. Nominations are to be forwarded to the Chief Executive Officer for approval by the State Board.
4. Women's Auxiliary Awarded Life Membership is separate to Awarded Life Affiliate.

## **BY-LAW NO 6**

### **SUBSCRIPTIONS (Rule 27 refers)**

1. The minimum annual subscription payable by Service Members shall be such amount as is determined from time to time by the National Congress, but a State Branch may impose upon such members within its jurisdiction such additional amounts by way of annual subscription as it sees fit.
2. Such subscription shall be paid by each Service Member to the Sub-Branch/State Branch of which he/she is also a member.
3. If a Service Member is also an associate member of a Sub-Branch he/she shall pay to such Sub-Branch a fee equal to the annual subscription less the amount of capitation fee payable by that Sub-Branch to its State Branch.
4. If a Service Member shall pay to the Sub-Branch/State Branch of which he/she is also a member, such amount as is determined as a life subscription from time to time by the State Branch having jurisdiction over that Service Member, he/she shall not be liable to make any payments to the League or its Branches or Sub-Branched of any further annual subscriptions, but if paragraph 3 is applicable to him/her, shall still be liable to pay the fee calculated in accordance with that paragraph.
5. A Service Member to whom Rule 27.1 applies shall pay to the League at National Headquarters, the minimum annual subscription referred to in paragraph 1 of this By-Law plus any additional amount determined from time to time by the National Executive.
6. This By-Law shall not apply to a Life Member save and except that if such a member is also an associate of a Sub-Branch, paragraph 3 shall apply to him/her as if he/she were a Service Member.
7. If a Service Member being a Life Subscriber is also a member of a Sub-Branch and transfers his/her membership of that Sub-Branch to the jurisdiction of a State Branch not identical to that having jurisdiction over the first mentioned Sub-Branch, the State Branch having jurisdiction over the first mentioned Sub-Branch, shall pay to the State Branch having jurisdiction over the Sub-Branch to which he/she has transferred that portion of the Life Subscribers Fund. The State Branch to which the payment is made shall pay to the Sub-Branch to which the member has transferred an amount equal to the annual rebate of the subscription of that State Branch. Such latter payment shall be made out of the funds received by the State Branch pursuant to this paragraph and not otherwise.
8. If any dispute or doubt arises over the financial status of a member of a Sub-Branch, the entry relating to that member in the register of members kept by the State Branch, shall be final and conclusive.

## **BY-LAW NO 7**

### **STATE BRANCH TRIBUNAL AND NATIONAL TRIBUNAL (Rules 23 and 24 refers)**

Prior to any disciplinary action being taken, the following Dispute Resolution process is to be followed:-

#### **1. Dispute Resolution**

1.1 A Sub-Branch Dispute is a dispute between:

- (a) a member and another member of the same Sub-Branch; or
- (b) a member or members of a Sub-Branch Committee and another member of the Sub-Branch; or
- (c) a member or members of the Sub-Branch and the Sub-Branch Committee; or
- (d) a member or members of the Sub-Branch and the Sub-Branch.

1.2 A Disciplinary Hearing is a hearing by:

- (a) a Sub-Branch Committee of disciplinary charges under Sub-Branch Rule 13 or State Branch Constitution Rule 21.4;
- (b) the State Tribunal of a disciplinary matter referred to it by a Sub-Branch Committee under Sub-Branch Rule 13;
- (c) the State Tribunal of a disciplinary matter referred to it by the State Board under State Branch Constitution Rule 22.1 (b); and
- (d) the State Tribunal of an appeal under Sub-Branch Rule 13, State Branch Constitution Rule 21.7 or State Branch Constitution Rule 22.1.

1.3 Within 14 days of a Sub-Branch Dispute coming to the attention of the Sub-Branch Committee, the parties involved are to be instructed, by letter from the Sub-Branch Committee, to meet within seven (7) days, discuss the matter and, if possible, resolve the Sub-Branch Dispute.

1.4 If the parties are unable to resolve a Sub-Branch Dispute at the meeting, or if either party fails to attend that meeting, the Sub-Branch Committee will initiate mediation.

1.5 If a Sub-Branch or its Committee is a party to a Sub-Branch Dispute or a Disciplinary Hearing, it must appoint a Sub-Branch Representative who is a member of the Sub-Branch and has authority on behalf of the Sub-Branch to participate in the mediation and reach a binding settlement on behalf of the Sub-Branch.

1.6 If a Sub-Branch Committee has reason to believe that a member may be guilty of conduct unbecoming a member it shall, before considering whether or not the member has been guilty of such conduct under Sub-Branch Rule 13, first give written notice to the Chief Executive Officer. The notice will:

- (a) give details of the alleged conduct; and
  - (b) include the name and contact details of the member; and
  - (c) include the name and contact details of the Sub-Branch Representative.
- 1.7 The Chief Executive Officer will initiate mediation before a Disciplinary Hearing takes place.
- 1.8 The Disciplinary Hearing will be stayed until the mediation has been concluded.
- 1.9 Mediation may not be initiated or, if already initiated, may be terminated if the Chief Executive Officer or the State Board is of the opinion that:
- (a) mediation does not have a reasonable likelihood of success;
  - (b) the alleged conduct is serious and the reputation of the RSL will be damaged unless a Disciplinary Hearing proceeds expeditiously; or
  - (c) the mediation has not been concluded within a reasonable time.
- 1.10 The person initiating mediation will, within seven (7) days:
- (a) appoint a mediator; and
  - (b) inform the parties of the name and contact details of the mediator.
- 1.11 The parties must contact the mediator with seven (7) days to organise the mediation. The mediation may take place in person, via telephone or by other electronic means.
- 1.12 The mediator will be:
- (a) a person chosen by agreement between the parties in consultation with the person initiating the mediation; or
  - (b) In the absence of such agreement, a person appointed by the Chief Executive Officer.
- 1.13 A mediator can be replaced by the person initiating the mediation if the mediator is unavailable, unwilling, fails to act or resigns. The replacement is to be selected in accordance with paragraph 1.12.
- 1.14 A mediator cannot be:
- (a) a party to the dispute; or
  - (b) If the dispute is between a member and one or more members of the Sub-Branch Committee, a person who is a member of the Sub-Branch Committee.
- 1.15 A mediator may be a member of the Sub-Branch.

- 1.16 The parties must comply with the mediator's reasonable directions in relation to the conduct of the mediation. If required by the mediator or the Chief Executive Officer, the parties will enter into a mediation agreement.
- 1.17 The parties must, in good faith, attempt to settle the dispute by mediation.
- 1.18 Proceedings before the mediator are confidential and must not be disclosed by the mediator or the parties to any other person except as required by law.
- 1.19 The mediator is required to:
- (a) give the parties to the mediation process every opportunity to be heard;
  - (b) give due consideration to any written statement submitted by either party; and
  - (c) ensure natural justice is accorded to the parties to the dispute throughout the mediation process.
- 1.20 The mediator may not determine the outcome of the dispute.
- 1.21 The mediator must inform the person initiating the mediation:
- (a) if a party fails to:
    - (i) Contact the mediator as required by paragraph 1.11;
    - (ii) Comply with a direction given by the mediator in accordance with paragraph 1.16; or
    - (iii) Make a good faith attempt to settle the dispute as required by paragraph 1.17.
  - (b) if the dispute is resolved; and
  - (c) if the dispute cannot be resolved.
- 1.22 If the mediation does not result in the resolution of the dispute, the mediator will notify the Chief Executive Officer who may:
- (a) request the parties to submit to further mediation by a mediator appointed by the Chief Executive Officer; or
  - (b) refer the matter to the State Board; and/or
  - (c) refer the matter to the State Tribunal.
- 1.23 Following a successful resolution of the dispute through mediation, each party shall sign an agreement to be bound by the result of mediation.
- 1.24 At the conclusion of the mediation, each party is to be provided with a written notice, in a form approved by the Chief Executive Officer, informing them that:



- (a) they are to conduct themselves in ‘a manner becoming a member of the League’; and
- (b) failure to comply with any agreement reached during the mediation may be conduct unbecoming a member contrary to Sub-Branch Rule 13 and State Branch Constitution Rule 22.1 and may result in disciplinary proceedings; and
- (c) if the dispute has not been resolved by the mediation the dispute may:
  - (i) be referred to the State Board and/or State Tribunal; and
  - (ii) be disposed of in accordance with the provisions of State Branch Constitution Rule 23.

1.25 Failure by a party to:

- (a) meet with each other to resolve the dispute as required by paragraph 1.3;
- (b) contact the mediator as required by paragraph 1.11;
- (c) comply with a direction given by the mediator in accordance with paragraph 1.16;
- (d) execute a mediation agreement in accordance with paragraph 1.16;
- (e) make a good faith attempt to settle the dispute as required by paragraph 1.17;
- (f) keep the mediation confidential as required by paragraph 1.18; or
- (g) comply with any agreement resolving the dispute,

will be conduct unbecoming a member contrary to Sub-Branch Rule 13 and State Branch Constitution Rule 23.1.

1.26 No member may initiate or continue with any legal proceedings in relation to a Sub-Branch dispute or a Disciplinary Hearing against:

- (a) the State Branch;
- (b) a Sub-Branch; or
- (c) a member of the League,

until mediation has been concluded.

1.27 Paragraph 1.26 does not apply to an application for urgent interlocutory relief other than relief based on an allegation of a lack of natural justice or other irregularity in any hearing or procedure by the State Branch, the Sub-Branch or any of their officers.

1.28 If a member alleges any lack of natural justice, procedural irregularity or unfairness in relation to a Disciplinary Hearing, the member shall not institute or continue with any

legal proceedings in relation to the same unless the member has first brought the allegation to the attention of:

- (a) in the case of a hearing by a Sub-Branch Committee, the Sub-Branch Committee and the Chief Executive Officer; or
- (b) in all other cases: the State Tribunal.

## **2. Guidelines for the conduct of a State Branch Tribunal Hearing**

- 2.1 A notice referred to in Rule 23.2 shall inform the member that he/she has a personal right of audience only at the said meeting and that he/she may not be represented thereat by any person. Such notice shall also inform the member of the provisions of paragraphs 2.2 and 2.3.
- 2.2 If a member exercises the right conferred upon him/her by paragraph 2.1 he/she shall be granted an audience by the State Branch Tribunal concerned and given every opportunity to put such relevant facts and material before the State Branch Tribunal as he/she desires.
- 2.3 If a member does not desire to exercise the right conferred upon him/her by paragraph 2.1, he/she may nevertheless forward to the State Branch Tribunal such written relevant material as he/she desires and the State Branch Tribunal shall take that material into account when considering the proposed resolution.
- 2.4 The resolution of a State Branch Tribunal imposing a penalty upon the member shall not be of any force or effect unless it was passed by a majority of the members of the State Branch Tribunal present at the meeting and the vote shall be recorded in the minutes of the meeting.
- 2.5 At the commencement of the meeting referred to in Rule 23.2, and before proceeding to consider whether or not they will form an opinion pursuant to Rule 23.1, the members of State Branch Tribunal present at that meeting shall consider whether or not the provisions of Rule 23.2 and paragraphs 2.1 to 2.3 inclusive have been complied with, and if it appears that there has been non-compliance with any of those provisions, the meeting shall not proceed further at that time unless the members are satisfied that no prejudice would be caused to the member before them by so proceeding. Such consideration and the decision thereon shall be included in the minutes of the meeting.
- 2.6 A State Branch Tribunal which has formed an opinion pursuant to Rule 23.2 shall, before imposing any penalty, afford the member the opportunity of submitting to it any mitigating circumstances which shall be taken into account.

## **3. Procedures for the conduct of a National Tribunal Hearing**

- 3.1 The National Tribunal shall elect its Chairman. The quorum for a meeting of the National Tribunal shall be three members, one of whom should be the Chairman. If the Chairman is not available for a particular meeting, the members shall elect a Chairman for that meeting.
- 3.2 If there is a casual vacancy amongst the members of the National Tribunal, the National Executive may appoint another qualified person to fill the vacancy. Any person so

appointed shall hold office only until the person in whose stead he/she was appointed would have vacated office and shall then be eligible for re-appointment.

- 3.3 Each member shall have one vote at a meeting thereof but in the event of there being an equality of votes the Chairman of that meeting shall have an additional vote which may be cast by him/her as he/she sees fit.
- 3.4 If an appeal pursuant to this By-Law is from the decision of a State Branch Tribunal, the appeal shall be addressed to the National Secretary and lodged with the State concerned together with the sum of \$400.00, within 28 days after the date upon which the resolution of the said Branch Tribunal was notified in writing to the person lodging the appeal, otherwise it shall not be treated as valid.
- 3.5 An appeal lodged pursuant to this By-Law shall be accompanied by a statement in writing by the person lodging the appeal setting out the aspect or aspects of the decision which gave rise to the appeal and the facts upon which it relies. An appeal shall not be treated as valid unless it complies with this By-Law.
- 3.6 Upon receipt of an appeal, the State Branch shall forthwith forward to the National Secretary:
  - (a) the appeal statement including the aspect as part of the State Branch Tribunal Resolution which gave rise to the appeal, the grounds of the appeal and the facts upon which it relies;
  - (b) the sum of \$400.00 referred to in paragraph 3.4;
  - (c) all its papers and documents concerning the member; and
  - (d) a copy of its minutes relating to the matter giving rise to the appeal.
- 3.7 Subject to paragraph 3.11, upon an appeal, together with the sum of \$400. 00 being lodged with a State Branch in accordance with paragraph 3.4, the decisions of the State Branch Tribunal which are appealed shall be stayed unless otherwise ordered.
- 3.8 If an appeal pursuant to this By-law is from the decision of a person appointed under Rule 24, the appeal shall be lodged with the National Secretary together with a sum of \$400.00 within 28 days after the date upon which the decision was notified in writing to the member, otherwise it shall not be treated as valid.
- 3.9 Subject to paragraph 3.11, upon an appeal referred to in paragraph 3.8 together with the sum of \$400.00 being lodged with the National Secretary, the decision of the person appointed under Rule 24 shall be stayed until the appeal is concluded, abandoned or discontinued.
- 3.10 The National Secretary shall forthwith advise the person appointed under Rule 24 of the receipt of an appeal from his/her decision. Such person shall thereupon forward to the National Secretary:
  - (a) all his/her papers and documents concerning the member; and

- (b) his/her minutes relating to the matter together with the reasons for his/her decision giving rise to the appeal.
- 3.11 Upon an appeal to the National Tribunal being properly instituted in accordance with the Rules and this By-Law against a decision involving disqualification from office, suspension or expulsion of a member, that member shall temporarily relinquish any position held as an office bearer of a Sub-Branch, Regional Coordinator or State Board of the State Branch, until such appeal is concluded, dismissed or discontinued.
- 3.12 The National Tribunal shall:
  - (a) hear and determine an appeal pursuant to the National Tribunal as soon as possible after the receipt by the National Secretary of the documents specified in paragraph 3.5; and
  - (b) give to the member concerned not less than 28 days notice in writing of the date, time and place of its meeting at which his/her appeal will be heard.
- 3.13 The parties to an appeal before the National Tribunal shall each pay their own costs of and incident to the appeal, save and except that the National Tribunal may make such order as it sees fit as to whether or not the personal out-of-pocket expenses incurred by the member in attending on the hearing of his/her appeal should be paid to him/her and by whom. For the purposes of this paragraph the out-of-pocket expenses incurred by the member shall not include the costs of his/her being represented before the National Tribunal.
- 3.14 The National Tribunal may also make such order as it sees fit as to the manner in which the sum of \$400.00 shall be treated.
- 3.15 As soon as practical after reaching its decision on an appeal, the National Tribunal shall advise the National President of that decision and subsequently, the National President shall cause the relevant State Branch and the appellant to be notified.
- 3.16 The National Executive, respective State Branch and Sub-Branch must enforce a decision of the National Tribunal and a member must comply with such decision.
- 3.17 The National Executive, the respective State Branch or Sub-Branch must give due consideration to any recommendations of the National Tribunal.

## **BY-LAW NO 8**

### **NOTICE OF MEETINGS**

1. A notice of any Annual, General or Special Meeting called for the purpose of these Rules shall be sufficient, unless otherwise specified, if such notice is given in any one or more of the following ways:
  - (a) Notice exhibited at the Sub-Branch; or
  - (b) Advertisement once in a daily or weekly newspaper circulating in the district;  
or
  - (c) By posting or delivering the notice to the last known address of each member.
2. Where a notice is sent by post, service of the notice shall be deemed to be effective if the procedures provided in Rules 18, 19 and 20 of the Model Rules for Sub-Branches are complied with.

## **BY-LAW NO 9**

### **CONDUCT OF SUB-BRANCH ELECTIONS**

#### **1. Nominations**

- 1.1 With the exception of the Immediate Past President, who shall act only for the period immediately following his/her vacating the Office of President and until the next Annual General Meeting of the Sub-Branch, the Committee shall be elected annually as hereinafter provided.
- 1.2 Nominations for the election of Officers and members of the Committee shall be called at a General Meeting of the Sub-Branch and a notice advising that nominations have been called shall be provided in one, or more, of the following manner:
  - (a) notice exhibited at the Sub-Branch;
  - (b) advertisement once in a daily or weekly newspaper circulated in the district;
  - (c) by posting or delivery of the notice to the last known address of each member.
- 1.3 The notice of the calling of nominations shall include the date and time such nominations close.
- 1.4 Nominations shall be submitted in writing on the form prescribed at Annex A.
- 1.5 No person who is an employee of a Sub-Branch shall be qualified to nominate or be appointed or elected to hold office on the Sub-Branch Committee.
  - (a) An employee of a Sub-Branch is defined as a person, paid a weekly or fortnightly wage or salary by the Sub-Branch, who is classified as a Permanent, Part Time Casual or Casual employee and for whom normal taxation, workplace compensation, leave and superannuation requirements have been met.
  - (b) Members of Sub-Branches, who have been elected or appointed to the office of President, Secretary, Treasurer or Committee member and who receive an Honorarium for services rendered or compensation for 'out of pocket' expenses, are not considered to be employees of the Sub-Branch for the purpose of this By-Law."

#### **2. Election Procedures**

- 2.1 The election of officers and members of the Sub-Branch Committees shall take place at the Annual General Meeting of the Sub-Branch.
- 2.2 Prior to the declaration of offices falling vacant, the meeting shall appoint a Returning Officer and two Scrutineers, all of whom shall be Service or Life Members of the Sub-Branch and who have not been nominated for office or as Committee Members.

2.3 On the declaration of offices being vacant, the Returning Officer shall proceed as follows:

- (a) if no more nominations for any of the said offices are received than there are vacancies to be filled, the candidate shall be declared elected;
- (b) should the number of nominations for any office or for Committee Members be less than the number of vacancies, the Returning Officer shall call for oral nominations and proceed thereon as if the nominations had been made in writing in accordance with Paragraph 1.4 of this By-Law;
- (c) if there are more candidates nominated than there are vacancies to be filled, an election by secret ballot shall be had. An example of the Ballot Paper is at Annex B.
- (d) the conduct of such ballot shall be in the hands of the Returning Officer and in the event of an equality of votes, the Returning Officer shall decide the matter by lot.

### **3. Casual Vacancies**

3.1 If any officer or member of the Committee shall:

- (a) without leave of absence granted by the Committee, absent himself/herself from three (3) consecutive meetings;
- (b) resign from the Committee;
- (c) for any reason cease to be a member of the League;
- (d) become an insolvent under administration;
- (e) become a person whose estate is liable to be dealt with under any law relating to mental health;
- (f) is directly or indirectly interested in any contract or proposed contract with the Sub-Branch and fails to declare the nature of his/her interests; or
- (g) is suspended from membership of the League under Rules 22 or 23,

He/she shall be deemed to have vacated his/her office whereon the Committee shall declare such office vacant.

3.2 Any Casual Vacancy arising under the circumstances outlined in Paragraph 3.1, 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/her predecessors term of office.

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

To The Returning Officer for the ..... Sub-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\* .....

of the ..... Sub-Branch.

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. The Candidate's consent to the nomination may be on a separate paper and in any form but if given on the nomination paper in the above form its sufficiency is not to be questioned.

\* Fill in the Office for which the nomination is made, such as 'President', 'Vice President', Secretary, etc.

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



**BALLOT PAPER  
FOR SUB-BRANCH ELECTIONS**

**NAME OF CANDIDATES**

.....	<input type="checkbox"/>
.....	<input type="checkbox"/>
.....	<input type="checkbox"/>

## **BY-LAW NO 10**

### **DUTIES AND RESPONSIBILITIES OF OFFICERS**

#### **1. President**

- 1.1 The President shall preside as Chairman at all Committee Meetings of the Sub-Branch and meetings should be held as often as is necessary for the proper conduct of the business within the Sub-Branch.
- 1.2 In the event of his/her absence or if there is no Sub-Branch President or if he/she 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/she 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.
- 1.3 The Immediate Past President and Vice President(s) shall assist the President in undertaking his/her duties.

#### **2. Secretary**

- 2.1 The Secretary shall:
  - (a) advise the Chief Executive Officer of the names, addresses and occupations of the office bearers of the Sub-Branch, in such form as may be required by the State Branch and of any changes thereof;
  - (b) forward to the Chief Executive Officer within twenty-eight (28) days after the holding of the Annual General Meeting, the audited Balance Sheet of the Sub-Branch as at the last day of the financial year preceding such Annual General Meeting;
  - (c) each month forward to the State Branch so as to reach the Chief Executive Officer by the tenth (10) day of that month, a Capitation Payment schedule, as directed by the State Board detailing capitation payments received during the preceding month together with the amount of capitation due
  - (d) convene and attend at all meetings of the Sub-Branch and of the Committee;
  - (e) keep or cause to be kept minutes of the resolutions and proceedings of such meetings in a record kept for that purpose;
  - (f) conduct the correspondence and generally attend to the administrative work in connection with the Sub-Branch; and
  - (g) perform such other duties as the Committee may from time to time direct.

### **3. Treasurer**

#### 3.1 The Treasurer shall:

- (a) receive all subscriptions and keep correct accounts and records showing such receipt;
- (b) maintain the books of account and the particulars usually shown in such accounts;
- (c) pay all accounts;
- (d) generally look after the financial affairs of the Sub-Branch under the direction of the Committee;
- (e) be responsible for supervising the catering and all expenses incurred in relation therein;
- (f) produce the bank statement at each General Meeting of the Sub-Branch;
- (g) forthwith pay all moneys received by him/her on behalf of the Sub-Branch into a banking account established in the name of the Sub-Branch; and
- (h) perform such other duties as the Committee may from time to time direct.

### **4. Public Officer**

4.1 The Sub-Branch shall appoint a Public Officer pursuant to the provisions of the Act and shall notify the Office of Consumer and Business Affairs in such form as may be required by that Act, of the name and address of the person so appointed. Any change to the appointment shall be notified within the time period prescribed by the Act.

### **5. Disqualification of Committee Members**

#### 5.1 If any officer or member of the Committee shall:

- (a) without leave of absence granted by the Committee absent himself/herself from three (3) consecutive meetings thereof; or
- (b) resign his/her Committee appointment; or
- (c) for any reason cease to be a member of the League; or
- (d) be included in that class of person specified by the Act as not to be members of a Committee; or
- (e) die whilst in office,

He/she shall be deemed to have vacated his/her office whereon the Committee shall declare such office vacant and act in accordance with Sub-Branch Rule 22.7.

## **BY-LAW NO. 11**

### **SOCIAL MEMBERSHIP**

1. Rule 15 of the Constitution and Rule 10 of the Model Rules for Sub-Branches makes provision for individual Sub-Branches to apply to State Branch to admit Social Members, giving details of the activities sought. However, applicants 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'.
2. On the receipt of written approval from the State Board to admit this category of membership, the following conditions will apply:
  - (a) no person may be admitted as a Social Member of the Sub-Branch if that person is eligible to be a Service Member of the RSL;
  - (b) applicants for Social Membership should be in writing and lodged with the Secretary;
  - (c) subject to the Sub-Branch Constitution and any directions given by the Committee, Social Members are free to enjoy the amenities of the Sub-Branch whilst participating in their approved activity;
  - (d) Social Members may attend but not participate in Sub-Branch Meetings or to vote on any motion put to a meeting;
  - (e) Social Members shall pay an annual subscription to the Sub-Branch, the amount of which shall be determined annually by the Committee. Subscriptions are payable by 1<sup>st</sup> of January of each year;
  - (f) Social Members' details are not to be included on the State Branch data base.

## **BY-LAW NO 12**

### **RSL BADGE (Rules 28 and 29 refer)**

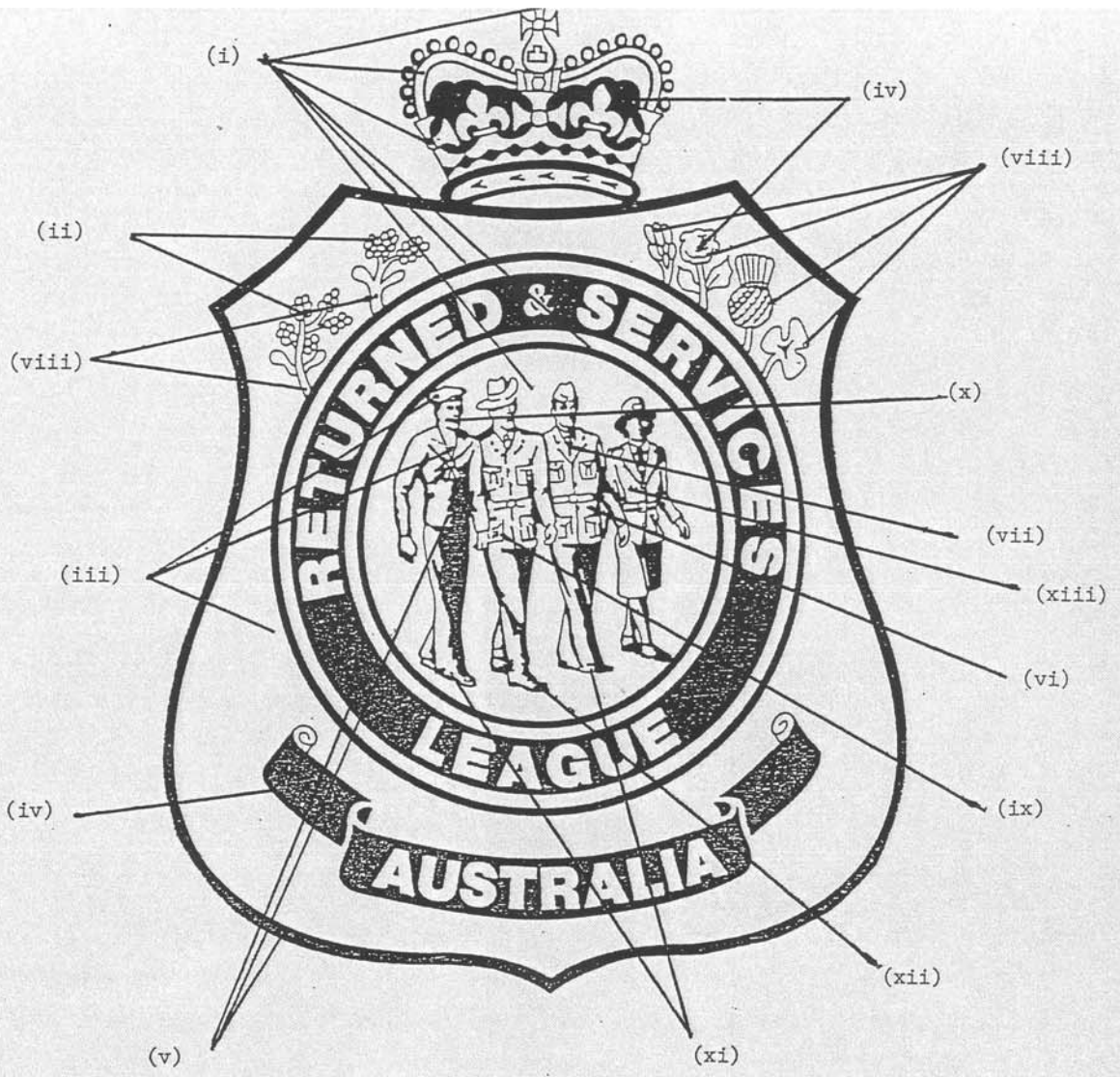
#### **1. Badge**

- 1.1 Each Service Member or Affiliate shall, on payment of his/her first subscription, be issued, without charge an appropriate badge.
- 1.2 Badges issued to Life Members, to Life Members awarded a Meritorious Service Medal and to Honorary Members shall be the badge of the League with such additions thereto (if any) as the National Congress may determine.
- 1.3 If any member shall knowingly permit the badge issued to him/her to be used by any other person for any purpose whatsoever, he/she shall be deemed to be guilty of conduct unbecoming a member and be liable to be dealt with under Rule 22 or 23.
- 1.4 All badges issued by the League shall be numbered consecutively. The National Executive and each State Branch shall record all badges issued by them and to whom the same have been issued.
- 1.5 If any member shall lose his/her badge he/she shall make a statutory declaration as to his/her loss and lodge same either with the State Branch or Sub-Branch of which he/she is also a member.

Upon payment of such fee as is determined by the State Board, he/she shall be issued with a replacement badge.

#### **2. Badge Colours**

- 2.1 The approved badge of The Returned & Services League of Australia Limited where used shall conform to the standard colours as detailed in this By-Law. Depending upon the particular use of the badge the correct colours, or those as close as can be obtained depending upon the production process used, shall be contained in the respective parts of the badge being reproduced (eg. two colour letterheads of a large painted badge).
- 2.2 The basis for the specified colours is the Standards Association of Australia - Australian Standard 2700-1985, Colour Standards for General Purposes publication.
- 2.3 The colour name and AS2700 number, where included, shall be used in the respective parts of the badge as indicated in the diagram over the page.



Two Colour Badge

Three Colour Badge



(v) Remainder of Badge



(iv) Remainder of Badge

Full Colour Badge	Two Colour Badge	Three Colour Badge
(i) Gold		
(ii) Wattle (AS2700 - Y12 Wattle)		
(iii) White		
(iv) Red (AS2700 - R13 Signal Red)	(iv) Red (RI 3)	(iv) Red (R 13)
(v) Blue (AS2700 - B 13 Navy Blue)	(v) Blue (B 13)	(v) Blue (B 13)
(vi) Blue (AS2700 - B 12 Royal Blue)		
(vii) Blue (AS2700 - B44 Light Grey)		
(viii) Green (AS2700 - G23 Shamrock)		
(ix) Khaki		
(x) Flesh (AS2700 - R42 Salmon Pink)		
(xi) Black		(xi) Black
(xii) Brown (AS2700 - X65 Dark Brown)		
(xiii) Khaki (AS2700 - PMS 133U)		

## **BY-LAW NO 13**

### **BANNERS OF THE LEAGUE AND ITS ORGANISATIONS (Rule 28 refers)**

1. This By-Law is to declare a certain Banner to be the Banner of the League and to make provision for other Banners of organisations of the League.
2. The Banner of the League shall be rectangular in shape and the background thereof shall be the same blue as is depicted in the Australian National Flag being the flag a reproduction of which is set out in Part 2 of Schedule 2 of the Flags Act 1953.
3. Each of the stars depicted on the Australian National Flag shall be depicted and positioned on the Banner of the League in the same position as they are on such Flag save and except that each shall be coloured yellow. (AS2700-1985 Colour Y12 Wattle).
4. The RSL Badge is to be positioned centrally in the top quarter of the banner immediately above the centre of the Commonwealth star. The top and bottom of the badge is to be 1/20th width of the fly from the top and bottom of the first quarter of the banner. The colours of the badge are shown in By-Law 12.
5. Each Women's Auxiliary established pursuant to By-Law No. 5 shall have a Banner which shall be exactly the same as the Banner of the League save and except that in lieu of the Badge of the League being depicted thereon, there shall be depicted the Badge of the Women's Auxiliary in the upper quarter next the staff.



## BY-LAW NO 14

### RSL COMMEMORATION CEREMONIES - RECOMMENDED PROCEDURE (Rule 4 (f) refers)

1. Wherever possible, RSL commemoration ceremonies should follow a standard order of service as detailed in this By-Law.
2. At the appropriate time of the commemoration the sequence of events for RSL ceremonies shall be as follows:
  - (a) The Ode shall be spoken by the designated person.

'They shall grow not old, (short pause)  
As we that are left grow old, (longer pause)  
Age shall not weary them, (short pause)  
Nor the years condemn, (longer pause)  
At the going down of the sun, (short pause)  
And in the morning, (longer pause)  
We will remember them. (short pause)

The gathering repeats 'We will remember them.'
  - (a) The designated person shall say 'Lest We Forget' and the gathering will repeat 'Lest We Forget'.
  - (c) The Last Post shall be played;
  - (d) A period of at least one minutes silence shall then be observed;
  - (e) Rouse or Reveille shall then be played.

(Rouse is the bugle call more commonly used in conjunction with the 'Last Post' and to the layman is often incorrectly called 'Reveille'. Although associated with the 'Last Post', 'Reveille' is rarely used because of its length).
  - (f) The ceremony is ended. The words 'thank you' shall NOT be spoken to end the ceremony.
3. While it is expected that the form of service detailed in this By-Law shall be used at the routine RSL commemoration ceremonies, variations may occur from time to time. However, where the RSL is the organising and/or coordinating authority of a commemoration ceremony every attempt should be made to have the ceremony follow the sequence detailed above.

## **BY-LAW NO 15**

### **USE OF THE AUSTRALIAN NATIONAL FLAG AT MEMBERS FUNERALS (Rule 4 (f) refers)**

1. When used to cover a casket at funerals, the top left quarter (the upper hoist) of the Australian National Flag should be draped over the left shoulder of the deceased. The flag should be removed before the casket is lowered into the grave or, at a crematorium, after the service. At all times care should be taken to prevent any portion of the flag touching the ground.
2. To remove the flag, two representatives (funeral directors or as nominated) are to move to a position at the head and foot of the casket and:
  - (a) grasp each end of the flag and remove it while stepping clear to one side of the casket and spreading the flag to arms length;
  - (b) they each fold the flag once along its width, with the upper hoist facing downwards;
  - (c) the representative at the foot of the casket then moves towards the other and hands him/her his/her corners of the flag making a fold along its length He/she then lifts the trailing edge to fold it once again;
  - (d) the representative at the head of the casket folds the flag along its width to make it a suitable size to be carried draped over the arm.

## **BY-LAW NO 16**

### **MERITORIOUS MEDAL**

1. The RSL Meritorious Service Medal is the highest award that may be made by the League to a member as an honour over and above Life Membership.
2. Such an award shall only be made to a member who:
  - (a) is a Life Member;
  - (b) has had 30 years continuous membership; and
  - (c) who, in the opinion of the National Executive, has given 25 years outstanding service.
3. The procedure to be followed by State Branches and Sub-Branchees in making nominations for awards of a Meritorious Service Medal shall be determined from time to time by the National Executive.
4. The maximum number of such awards that may be made in any financial year shall be determined from time to time by the National Congress.
5. In addition to the number determined from time to time pursuant to paragraph 4, the National President may recommend to the National Executive in any financial year that not more than one particular Life Member be awarded the said Medal.
6. The award comprises:
  - (a) a medal which is worn on the right breast whenever Service medals, decorations and awards are worn in the usual place on the left breast, or when the recipient is on official RSL duties or at official RSL functions;
  - (b) a lapel badge in the form of a Life Member's badge surrounded by a laurel wreath which is worn by recipients in place of their previously awarded Life Member's lapel badge; and
  - (c) a certificate.

## **BY-LAW NO 17**

### **CERTIFICATES OF MERIT AND GOLD BADGES**

1. The highest award that may be made by the League to a person who is not a member of any class of membership, is a Certificate of Merit and Gold Badge.
2. Such an award shall not be made to a person who is eligible to apply to become a member of any class of membership of the League save and except that this clause shall not apply to a person who is a member of a Women's Auxiliary.
3. Such an award shall only be made to a person if, in the opinion of a National Congress or the National Executive, such person has rendered outstanding service to the League, ex-service personnel or their dependants.
4. The procedure to be followed by State Branches and Sub-Branches in making nominations for awards of Certificates of Merit and Gold Badges shall be determined from time to time by the National Executive.
5. The maximum number of such awards that may be made in any financial year shall be determined from time to time by the National Congress.

**BY-LAW NO 18**

**CERTIFICATES OF APPRECIATION  
AND  
OUTSTANDING SERVICE**

**1. Certificate of Appreciation**

- 1.1 The National Executive may award a Certificate of Appreciation to any person or corporation considered to be worthy of special recognition for services rendered to the League. The Certificate may be awarded to a member or a non-member.

**2. Certificate of Outstanding Service**

- 2.1 The National Executive may award a Certificate of Outstanding Service to any corporation, company, association, society or other body that has given outstanding service to the League for a period of not less than 25 years.

## **BY-LAW NO 19**

### **LONG SERVICE AWARD**

1. A Service or Life Member who has given not less than 50 years continuous service as a member of the League, may be granted a Long Service Award by the National Executive.
2. A State Branch may propose to the National Executive that it grant a Long Service Award to a Service or Life Member over whom it has jurisdiction and who has given not less than 50 years continuous service as a member of the League.
3. The number of Long Service Awards that may be granted by the National Executive in any one calendar year shall not be limited.
4. For the purposes of this By-Law, service as a member of a Women's Auxiliary may be taken into account.

## **BY-LAW NO 20**

### **CODE OF ETHICS (Rule 4 refers)**

1. That RSL Entitlements Officers, Welfare Officers, Case Officers, Advocates and any members of the League will:
  - (a) give full, accurate, truthful and relevant information to veterans and their families in relation to claims, appeals and applications for other benefits, including an assessment of the likelihood of success;
  - (b) encourage veterans, their families and others to give full, accurate, truthful and relevant information when applying for benefits;
  - (c) allow the veteran, spouse, or family member to make the decision to apply for benefits or to lodge an appeal;
  - (d) ensure that all contact with members of the veteran community, staff or government agencies, providers of services and general community is conducted in a professional manner;
  - (e) ensure that all available relevant details and documents are submitted with claims and applications for benefits;
  - (f) only undertake work to the level at which they have been trained and have demonstrated competence;
  - (g) maintain and expand their knowledge base by further training and by seeking advice from the Department of Veterans' Affairs, staff of government agencies or other service providers;
  - (h) abide by the provisions of the Freedom of Information Act when seeking documents from government agencies;
  - (i) keep personal information secure and not disclose such information to others without express consent;
  - (j) promote the interests of the veteran community by communicating openly and honestly with the Department of Veterans' Affairs staff of government agencies or other service providers and by complying promptly with proper requests for information; and
  - (k) provide their services without any fees, charges or gratuity.
2. All members elected to executive positions within a Sub-Branch are to act in an ethical manner and in accordance with the Rules and By-Laws and/or government regulations.

## **BY-LAW NO 21**

### **PRIVACY ACT**

1. The RSL is subject to the Privacy Act.
2. The following procedure is to be complied with in respect of all new applications for Service Membership.
3. All Applications for Service Membership are to incorporate a Consent and Privacy Statement.
4. At Annex A is the Privacy Statement of the Returned & Services League of Australia.



## **THE RETURNED & SERVICES LEAGUE OF AUSTRALIA**

### **PRIVACY STATEMENT**

We recognise the importance of your privacy and are committed to protecting personal information about you which we hold. This privacy policy describes how we manage your personal information and safeguard your privacy.

#### **1. Collecting personal information about you**

We only collect personal information that is necessary for us to perform our functions and which is provided by you in your application for Service Membership and/or in any request you make for other services.

The kinds of personal information we collect and hold about you will depend upon the type of services requested. However, it may include:

- Information you give us when you apply for membership or request a service from us;
- Information you give us when you apply to become a volunteer or staff member (for example, information about you received from the referees which you nominate); and
- Communications between us and you.

We also collect some information from you when you use our National or State Branch Office websites. The only personal information which we collect about you when you use our website is what you tell us about yourself, for example, by completing an online form or by sending us an email. We will record your email address if you send us an email.

#### **2. Using and disclosing your personal information.**

Information provided by you will only be used in respect of assisting us to obtain the particular service for which you have requested.

We respect your privacy. We will only use or disclose your personal information for the purpose for which you provided it to us, unless we have your consent or it is required or authorised by law.

We may disclose your personal information to:

- Organisations to whom we outsource functions, such as information technology functions;
- Otherwise as you have consented; and
- Otherwise as required or authorised by law.

### **3. Access to your personal information**

In most cases, you can gain access to personal information that we hold about you. All requests for access to your personal information will be handled by our privacy access officer who can be contacted through your relevant RSL State Secretary or Chief Executive Officer.

We will deal with all requests for access to personal information as quickly as possible. Requests for a large amount of information, or information which is not currently in use, may require further time before a response can be given. In some cases, consistently with the National Privacy Principles, we may refuse to give you access to personal information we hold about you. This includes circumstances where giving you access:

- would have an unreasonable impact on other people's privacy;
- would prejudice negotiations we are having with you;
- would prejudice an investigation of unlawful activity; or
- would prejudice activities carried out by, or for, a law enforcement agency.

If we refuse to give you access we will provide you with reasons for our refusal.

Generally, if you request us to do so we will amend any personal information about you held by us which is inaccurate, incomplete or out of date. If we disagree with you about the accuracy completeness or currency of a record of your personal information held by us, we will take reasonable steps to associate with that record a statement to the effect that you claim this to be the case, if you request us to do so.

### **4. What to do if you would like more information about the way we manage personal information or wish to complain about a breach of your privacy.**

You can get more information about the way we manage personal information about you which we hold by contacting your RSL State Secretary or Chief Executive Officer.

If you are concerned that we may have breached your privacy and wish to make a complaint, please contact your RSL State Secretary or Chief Executive Officer.

### **5. Changes to our privacy policy**

From time to time it may be necessary for us to review and revise our privacy policy. We reserve the right to change our privacy policy at any time.

We may notify you about changes to this privacy policy by posting an updated version on our website.

**BY-LAW NO 22**  
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## **BY-LAW NO. 23**

### **RSL COMMUNITY LINK**

#### **1. Aim**

- 1.1 The aim of RSL Community Link is to promote the eternal remembrance of deceased Australian and Allied Veterans.

#### **2. Policy and Objects**

- 2.1 The policy and objects of RSL Community Link are to:

- (a) establish and implement programmes to encourage and to recognise youth and adult involvement in RSL traditions and community based RSL projects in the traditions of the League; and
- (b) support the aims, policies and objects of the Constitution of the League together with any minor domestic aims, policies and objects as are considered necessary to add from time to time.

#### **3. Sponsorship**

- 3.1 RSL Sub-Branches are eligible to sponsor RSL Community Link programmes with the approval of the State Board.

## **BY-LAW NO 24**

### **APPLICATION OF INCOME AND PROPERTY (Rule 6 refers)**

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