

Returned & Services League of Australia (Queensland Branch)



STATE BY-LAWS 2011

Legislation & Awards Committee

Table of Contents

BY-LAW 1	SERVICE MEMBERSHIP	1
	Eligibility for Service Membership	1
	Service Members - Other Eligible Service	1
	Rejection of Application for Membership	2
	Applications for Transfer	2
BY-LAW 2	STANDING ORDERS - CONDUCT OF MEETINGS	3
	Order of Business	3
	Addressing Chair	3
	Respect to Chair	3
	Discussion Confined to Motions, Amendments	3
	Motions	3
	Motions Not Seconded	4
	Restriction Upon Speeches	4
	Seconding Without Remarks	4
	Debate	4
	Time of Amendment	4
	Amendments	5
	Other Amendments	5
	Amendments Lost	5
	Motion Discharged From Agenda	5
	Frequency of Speech	5
	Explanation	5
	Motion for Question to be Put	5
	Restriction on Moving that Question be Put	6
	Notice of Motion	6
	Delegate's Absence	6
	Precedence of Business Adjourned Meeting	6
	Rescinding Resolutions	6
	Cannot Represent Two Sub-Branches	6
	Conducting Vote	6
	No Debate During Voting	6
	Voting Procedure	6
	Introduction of Authorised Subjects Only	7
	Meeting to Resolve as Committee	7
	Adjournment of Meeting or Debate	7
	Disorderly Conduct	7
	Apology or Explanation for Offence	7
	Suspension	7

Points of Order	7
Disagreement with Chairman's Ruling	8
Suspension of Standing Orders	8
Re-Committing Resolution	8
Objection to Validity of Vote	8
Voting Majorities	8
BY-LAW 3 ELECTION OF STATE BRANCH OFFICERS.....	9
BY-LAW 4 PRINCIPLES & GUIDELINES FOR RE-IMBURSEMENT OF EXPENSES.....	16
General	16
Principles	16
RSL (Queensland Branch) Executive	16
Guidelines	16
National Congress	16
Annual General Meeting	17
District Annual General Meeting	17
Other Visits to Districts/Sub Branch	17
Other situations	17
RSL (Queensland Branch) Non Executive Members	18
Guidelines	18
RSL (Queensland Branch) Employees	18
Guidelines	18
BY-LAW 5 APPOINTMENT OF APPOINTED DIRECTORS.....	19
Definitions and Interpretations.....	19
Definitions.....	19
Constitution clause 9.2	19
Nominations Committee.....	19
Appointment of Appointed Directors to the Board	19
Amendment	19
BY-LAW 6 RSL AUXILIARIES	20
RSL Auxiliaries	20
Formation	20
Boundaries	20
Sub-Branch or District Branch May Suspend or Disband an Auxiliary.....	21
Winding Up of Auxiliaries	21
Eligibility - Women's Auxiliary	21
Eligibility - Citizen's Auxiliary	22
Junior Member Participation	22
Sub-Branch or District Branch Veto of Membership	22
Discipline of Members	22

Appeal Regarding Removal or Suspension 23

Resignation..... 23

Membership Fees 23

Allocation of Fees 23

Auxiliary Badges 23

Supply of Badges 23

AUXILIARY MEETINGS 23

 Annual General Meeting 23

 MEETING PROCEDURE 24

 Auxiliary Officers 24

 Election of Officers..... 24

 Notification of Election 24

 Meetings 24

 Special Meeting - Committee 24

 Special General Meeting - Auxiliaries 25

 Convening 25

 Vacancies - Officers and Committee..... 25

 Office Bearers Shall Be Financial 25

 Removal from Office 25

 Veto of Officers by Sub-Branch/District Branch 26

 Management and Sub-Branch/District Branch Representation 26

 Right to Address Meetings 26

 Receipt of Monies..... 26

 Disbursements 26

 Auditors and accounts 26

 Auditors 26

 FINANCE GENERAL 26

 Inspection of Books and Minutes..... 26

 Indemnity..... 27

 Trustees..... 27

Duties of the Secretary 27

 Duties of the Treasurer 28

 Correspondence..... 28

 Sub-Branch/District Branch Procedure to Apply 28

 By-Laws Binding..... 28

 Amendment of By-Laws..... 28

 Life Membership 29

 Long Service Awards 29

 Auxiliary Life Member Badges..... 29

 Supply of Badges..... 29

 Auxiliary Burial Ritual..... 29

Object.....	30
Constituents.....	30
Election of the Council	30
Meetings	30
Reports.....	30
Quorum	30
Fees	31
Accounting.....	31
Audit	31
Reporting	31
BY-LAW 7 DISPUTE RESOLUTION AND DISCIPLINE	32
INTRODUCTION AND INTERPRETATION	33
Complaints to Sub-Branch Committees	34
Disciplinary Powers of Sub-Branche s	35
Appeals from Decisions of Sub-Branch Committees	36
Registrar of the State Branch Tribunal.....	38
Membership of the State Branch Tribunal	38
Complaints to the State Branch Tribunal	39
Presentation of Complaints to the Tribunal	40
Standing Complainant	41
Hearings before the State Branch Tribunal.....	42
Disciplinary Powers of the State Branch Tribunal	43
Appeals from Decisions of the State Branch Tribunal.....	44
FRAMING COMPLAINTS.....	46
BY-LAW 8 AWARDS FOR RSL MEMBERS	52
Life Membership and Gold Badges	52
Meritorious Service Medal.....	52
Long Service Award	53
RSL (Queensland Branch) Certificate of Appreciation	53
Death of Life Members	53
BY-LAW 9 AWARDS FOR NON - RSL MEMBERS	54
RSL (Queensland Branch) Certificate of Appreciation	54
Honorary Life Membership	54
BY-LAW 10 THE RSL SIR RAYMOND HUI SH CBE MEMORIAL GRANT	56
BY-LAW 11 LIFE SUBSCRIPTION.....	57
General	57
BY-LAW 12 RSL SUB BRANCH CHAPTERS.....	58
The RSL Chapter System	58

Administrative Requirements.....	58
Financial Requirements	58
Chapter Identity.....	59
Chapter Management	59
Raising New Sub Branches from Chapters.....	60
BY-LAW 13 PUBLIC COMMENT BY MEMBERS.....	61
No Criticism Via Media Permitted.....	61
Comment on RSL Policy	61
Comment on Discriminatory or Contentious Issues Forbidden	61
BY-LAW 14 WEARING OF HONOURS AND AWARDS	63
The Order of Wearing Australian Honours And Awards	63
Foreign Awards	63
Other Awards	63
Returned From Active Service Badge.....	63
Wearing Of Awards on The Right Breast	64
Wearing Of Awards Where There Is No Entitlement.....	64

Amendment Status				
Level	Comment	Date	Drafted By	Approved By
	Rewrite to comply with the State Constitution	15 Dec 2011	L&A Committee	Board
AL1	By-Law 6 - Clause 6.63 Reword first paragraph	20 April 2012	L&A Committee	Board
AL2	Insert new By-Law 13	25 October 2012	L&A Committee	Board
AL3	By-Law 7 - Clause 7.3.1 Amend last paragraph to show correct clause reference. Clause 7.4.17 delete (d) and renumber	25 October 2012	L&A Committee	Board
AL4	Rewrite of By-Law 7	28 February 2013	Board Matters	Board
AL5	Insert new By-Law 14	18 April 2013	L&A Committee	Board
AL6	Insert new By-Law 13	24 June 2013	Tribunal	Board
AL7	Insert new By-Law 6	24 Oct 2013	L&A Committee	Board
AL7	Insert new By-Law 8	12 Dec 2013	L&A Committee	Board
AL8	Insert new By-Law 7	27 Feb 2014	Tribunal	Board
AL9	Insert new By-Law 10	27 Feb 2014	L&A Committee	Board
AL10	Insert new By-Law 5	23 June 2014	L&A Committee	Board
AL11	Insert new By-Law 6	27 August 2014	L&A Committee	Board
AL12	Insert new By-Law 14	27 August 2014	L&A Committee	Board
AL13	By-Law 8 - Clause 8.9 Reword sentence	12 Dec 2014	L&A Committee	Board
AL14	Insert new By-Law 10	12 Dec 2014	L&A Committee	Board
AL15	By-Law 3 - Amend clause 3.3	17 August 2017	C & A Committee	Board
AL16	By-Law 3 - Amend clause 3.3, 3.5 and Annexure A	24 January 2018	C & A Committee	Board

Amendment Date: 24 January 2018

BY-LAW 1 SERVICE MEMBERSHIP

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 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 1.02 a. 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 1.02.a. 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 Instructors of Cadets, after completing 10 years of aggregate service in such an appointment.

Service Members - Other Eligible Service

- 1.3 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 there from 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 there from 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 an 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 in

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.

Rejection of Application for Membership

- 1.4 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 the right of appeal to RSL (Queensland Branch), within 14 days of the Committee meeting.
- 1.5 Within 28 days after the date of the notification in writing of their rejection, the applicant may appeal in writing to RSL (Queensland Branch). Such an appeal shall be lodged with the Sub-Branch concerned, which shall forward it, together with the grounds for rejection and all other relevant papers and documents to the RSL (Queensland Branch) CEO.
- 1.6 RSL (Queensland Branch) may direct the Sub-Branch concerned to admit the applicant as a Service Member if RSL (Queensland Branch) is of the opinion the applicant should be admitted or RSL (Queensland 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 RSL (Queensland Branch) shall be final.
- 1.7 If RSL (Queensland Branch) directs a Sub-Branch to admit an applicant as a Service Member, the applicant shall thereupon be deemed to have been admitted as a Service Member and a member of that Sub-Branch.
- 1.8 If an applicant seeks to become a member of RSL (Queensland Branch) only, then RSL (Queensland Branch) is responsible for processing the application, the applicant shall be admitted as a Service Member and a member of the Branch. RSL (Queensland Branch) shall thereupon include the applicants name on the Unattached List of Members. RSL (Queensland Branch) may only reject an application upon the grounds set forth in paragraph 1.06.
- 1.9 If RSL (Queensland Branch) has rejected an application, it shall within 14 days after the rejection notify the applicant in writing of the fact and the grounds for rejection, namely that the applicant is not eligible, or is not, in the interests of the League; a fit and proper person to be admitted as a Service Member and a member of RSL (Queensland Branch). In so doing it shall advise the applicant in writing of the right of appeal to the RSL National Executive.

Applications for Transfer

- 1.10 The procedure to be adopted for a Request for Transfer is detailed in the Manual of Membership Administration.

BY-LAW 2 STANDING ORDERS - CONDUCT OF MEETINGS

- 2.1 All proceedings at meetings of the State AGM; Board meeting, District Branch and General and Committee meetings of Sub-Branches and at all other- meetings held under and in pursuance of the foregoing Rules of RSL (Queensland Branch) shall be governed by the following Standing Orders for the conduct of such meetings:

Order of Business

- 2.2 The business at such meetings, shall be conducted in the following order, as far as is applicable:
- a. One minutes silence should be observed, in “Memory of Fallen and Departed Comrades”, followed by the recitation of the “ODE” by the Chairman;
 - b. Roll call and receipt of confirmed apologies;
 - c. Acceptance and formal reception of new members;
 - d. Reading, with a view to their confirmation, all minutes not previously confirmed;
 - e. Business arising out of minutes;
 - f. Reading and dealing with correspondence;
 - g. Financial reports
 - h. Discussion of business of which notice has been given;
 - i. Business left over from previous meeting;
 - j. Reports of Secretary, Committees and Delegates;
 - k. Notices of motion for next meeting;
 - l. Other items on Agenda; and
 - m. General business.

Addressing Chair

- 2.3 A member desiring to speak shall rise in his 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 opinion, rose first to speak.

Respect to Chair

- 2.4 Any member speaking shall at once resume his seat if the Chairman rises to speak or if a point of order is raised, and shall not resume his speech until the Chairman shall resume his seat or the point of order has been decided.

Discussion Confined to Motions, Amendments

- 2.5 Subject to the Chairman's right to permit discussion upon any matter he deems of importance to the meeting, no discussion shall take place except on a motion or amendment moved and seconded, and put in writing if so requested.

Motions

- 2.6 All motions and amendments shall if so required by the meeting concerned be submitted in writing, signed by the mover and seconder, and (a) shall be of an affirmative character (b) once

having been submitted shall be the property of the meeting, and shall be withdrawn only by leave of the meeting or by amendment. No motion vitally affecting the policy interests of the League shall be submitted to a meeting without adequate notice.

Motions Not Seconded

- 2.7 A motion not seconded shall not be debated, and no entry thereof shall be made in the Minutes of the Meeting.

Restriction Upon Speeches

- 2.8 The mover of an original motion shall be allowed four minutes to introduce flee motion and two minutes for the right of reply and the speakers for or against such proposal shall be limited to three minutes, except that at any tune the Conference may resolve, on the motion of a delegate, that the speaker's time be extended by a specified number of minutes and any such proposal for an extension of time shall be put to the Conference concerned without debate.
- 2.9 No member shall propose more than one amendment upon a motion, and no member shall speak more than once upon a motion or once upon each amendment thereto, except with the permission of the Chairman or except he be the mover of the motion, who shall be entitled to the right of reply; provided that, for the purpose of this Rule, an amendment that has become the substantive motion shall be deemed to be a separate motion. Notwithstanding, however, the right to reply given to the mover in the foregoing, the Chairman may, should he consider that there is no practical difference of opinion among the members, stop the discussion and submit the proposition to the meeting.

Seconding Without Remarks

- 2.10 A member who uses the words "I second the motion" or "amendment", as the case may be, shall not be deemed to have spoken to the question before the Chair and may exercise his right to speak at a later stage, always providing he is not the third consecutive speaker on the one side. For the general purpose of debate, however, he shall be deemed the second speaker in the affirmative.

Debate

- 2.11 When a motion has been duly proposed and seconded, the Chairman shall proceed to take the votes, unless some member arises to oppose it or to propose an amendment. No more than two members shall speak in succession either for or against any question before the meeting, and if, at the conclusion of the second speaker's remarks, no member rises to speak on the other side; the motion or amendment shall be at once put to the meeting.

Time of Amendment

- 2.12 a. A motion may be amended at any time during the debate thereon by:
- (1) Striking out certain words;
 - (2) Adding certain words; or
 - (3) Striking out certain words and inserting others in their place.
- b. Any member who wishes to propose a further amendment to the motion shall have power to give notice of amendment and state its nature before the amendment before the Chair has been put to the vote.

Amendments

- 2.13 Only one amendment shall be debated at the one time. If the amendment be carried, it shall become the substantive motion, the original motion lapsing, and there shall be no necessity to put the original motion to the meeting.

Other Amendments

- 2.14 Whether an amendment is carried or not, other amendments may be submitted, and at a time, to be decided in like manner until the subject is finally disposed of.

Amendments Lost

- 2.15 In the case of all amendments being lost, the Chairman shall put the original motion to the vote.

Motion Discharged From Agenda

- 2.16 A motion may be superseded at any time:
- a. By another that it be discharged from the notice paper;
 - b. By a motion for the adjournment of the question under consideration;
 - c. By the adjournment of the meeting; or
 - d. By a motion "That the next business be proceeded with", being resolved in the affirmative.

Frequency of Speech

- 2.17 A member shall not speak more than once upon any motion before the meeting, except:
- a. In reply upon an original motion;
 - b. In committee of the whole;
 - c. In explanation; or
 - d. Upon a point of order raised during a debate.

Explanation

- 2.18 Any member who has spoken to a motion may again be heard to explain himself in regard to some part of his speech which the Chairman agrees may have been misquoted or misunderstood but such member shall not introduce any new matter or interrupt any, delegate who may be speaking, and no debatable matter shall be brought forward or debate arise upon such explanation.

Motion for Question to be Put

- 2.19 A motion "that the question be now put" may be moved at any stage of a debate, and shall be put immediately to the meeting without discussion. If lost, the debate shall continue as if such motion had not been moved. If carried, the mover shall have the right to reply, then the amendment, if there be an amendment, or motion, if no amendment has been moved thereon, or all amendments have been disposed of shall be put to the meeting without further discussion. No delegate who has spoken to the motion or amendment immediately before the Chair shall be permitted to move "That the question be now put".

Restriction on Moving that Question be Put

- 2.20 At any Conference, no motion that the question be now put shall be proposed or seconded by a Delegate from the same District or Sub-Branch as that represented by the Proposer or seconder of the original motion.

Notice of Motion

- 2.21 A member may, at any meeting, give a notice of motion for a future meeting by reading such notice to the meeting and handing a copy thereof to the Chairman. Such notice of motion shall take precedence in the order in which it stands in the minute book in relation to other similar notices, unless otherwise ordered by the meeting, and will lapse if the member, or some member on his behalf, be not present when the order for notice is read.

Delegate's Absence

- 2.22 If the Chairman of the Conference declares that an item on the Conference agenda paper may lapse because of the absence of the Delegate proposing the item, the Chairman may accord to another Delegate the right to propose such item to the Conference.

Precedence of Business Adjourned Meeting

- 2.23 When a motion for the adjournment of the meeting has been carried, the business then undisposed of shall have precedence in its order at the next meeting.

Rescinding Resolutions

- 2.24 Any member wishing to rescind a resolution which has been previously passed by the meeting, must give notice of motion that, at the next meeting, he will move that such a resolution be rescinded. Such notice of motion shall require a majority of two thirds of the votes of members present at the meeting to rescind the resolution in question.

Cannot Represent Two Sub-Branches

- 2.25 No Delegate shall, at the one time, or in connection with the one motion and/or any amendments thereto, represent or vote on behalf of more than one Sub-Branch or District.

Conducting Vote

- 2.26 The chairman shall put all questions in a distinct and audible voice to the meeting by asking the "Ayes" to vote first and, afterwards, the "Noes", and shall, thereupon, give his opinion as to which are in the majority, and shall declare a show of hands or a ballot if same is asked for.

No Debate During Voting

- 2.27 No members shall speak to any question after it has been put by the Chairman, nor during a vote, except to a point of order.

Voting Procedure

- 2.28 No member shall be allowed to vote on any show of hands or ballot who was not present when the question was first put. Every member present must vote, but in the event of a member's refusal to vote, he shall be assumed to have voted in the negative. No member shall be allowed to enter or leave the room while a vote is being taken.

Introduction of Authorised Subjects Only

- 2.29 No member shall be allowed to obtain a discussion upon any subject through the medium or correspondence, but he may introduce the matter, in his place at the meeting, by moving the suspension of Standing Orders.

Meeting to Resolve as Committee

- 2.30 The meeting may, at any time, resolve- itself into a Committee of the whole, and such resolution may include the exclusion of the press. So far as possible, however, business to be dealt with in Committee shall be held over until all other business has been transacted.

Adjournment of Meeting or Debate

- 2.31 A motion for the adjournment of the meeting may be proposed at any time during a meeting, or for the adjournment of a debate at any time during such debate, and shall be, at once, put to the meeting by the Chairman.

Disorderly Conduct

- 2.32 if any member at any such meeting -
- 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 Chair;
- the Chairman may report to the meeting that such member has committed an offence.

Apology or Explanation for Offence

- 2.33 When any member has committed an offence, he shall be called upon to stand up in his place and make any explanation or apology he may think fit and, afterwards, a motion may be moved - "That the member be suspended for the sitting of the meeting". No amendment, adjournments or debate shall be allowed on such motion, which shall be immediately put by the Chairman.

Suspension

- 2.34 If any member be suspended, his suspension on the first occasion shall be for the remainder of that sitting; on the second occasion for the sitting of two consecutive meetings; and on the third occasion may, in the case of a member of the State AGM, Board, District Branch or Sub-Branch Committees, have his seat thereon declared vacant.

Points of Order

- 2.35 In all cases where a point of order is raised, the member raising the same shall state his point of order clearly and distinctly and with the omission of any irrelevant details. If a member be speaking, such member shall take his seat until the point of order is decided. The Chairman shall decide the matter promptly, and his decision shall be final. Unless his ruling is disagreed with. Points of order shall deal with the conduct or procedure of the debate. The member rising to put the point of order shall be required to prove one or more of the following:
- a. that the speaker is using unparliamentarily language;

- b. that he is speaking beside the question;
- c. that he is transgressing some Rule of the Branch or Sub-Branch; or
- d. that he is infringing the Standing Orders or, in the absence of a Standing Order bearing on the point, is acting contrary to the general custom of debate (Points of correction, such as a protest that a speaker is not stating the truth, are not points of order).

Disagreement with Chairman's Ruling

- 2.36 When a motion is moved and seconded "That the Chairman's ruling be disagreed with," the Chairman shall forthwith leave the Chair and the debate on the original question then before the Chair shall be suspended. Another Chairman shall then be appointed by the meeting and the question. "That the Chairman's ruling be disagreed with" shall be discussed and decided, after which the former Chairman shall resume the Chair and the debate on the original question shall be proceeded with as if the same had not been suspended.

Suspension of Standing Orders

- 2.37 It shall be competent, by a two-thirds majority^o vote of the members present and voting, to suspend the Standing Orders, provided the effects of such suspension shall not be the rescission of paragraph 2. 36, 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.

Re-Committing Resolution

- 2.38 No resolution passed by a meeting shall be again debated or re-committed at the same meeting unless two-thirds of the members present and entitled to vote so agree.

Objection to Validity of Vote

- 2.39 Subject to these Rules, the Chairman shall be sole and absolute judge as to the validity of any vote cast on any question, and unless objection to the validity of any vote is raised immediately after the Chairman has declared the result of the vote thereon, its validity cannot be again raised at any subsequent stage of the meeting.

Voting Majorities

- 2.40 A rule which calls for either 3/4 or 2/3 majority, simply means that 3/4's or 2/3rds respectively of the members present at a meeting shall be in favour.
- 2.41 The following rules call for either 3/4 or 2/3 majority:
- | | | |
|--------------|-----|--|
| 3/4 Majority | (1) | - Expulsion of Sub-Branch |
| | (2) | - Special Resolutions (General Meetings) |
| 2/3 Majority | (1) | - Suspension Standing Orders at the AGM |
| | (2) | - Removal of Sub-Branch Officers |
| | (3) | - Alteration of Resolution |
| | (4) | - Dismissal of CEO |
| | (5) | - Amendment of Constitution |
| | (6) | - Rescinding Resolutions |
| | (7) | - Suspension of Standing Orders |
| | (8) | - Re-committing of Resolution |

BY-LAW 3 ELECTION OF STATE BRANCH OFFICERS

- 3.1 Subject to the State Constitution clause 9.4 and 9.5, the Chair, Deputy Chair, Vice-Chair of RSL (Queensland Branch) shall be elected at the Annual General Meeting from nominations submitted by Sub-Branches.
- 3.2 Nominations for the positions of Chair, Deputy Chair, Vice-Chair, shall be called from all Sub-Branches. Such nominations must include a completed copy of Annex A to this By-Law and no more than two pages of additional supporting documentation .
- 3.3 A copy of the minutes of the general Sub-Branch meeting at which nomination was approved by voting members of the Sub-Branch is to be attached to Annex A and forwarded to the State Branch through the relevant District.
- 3.4 Nominations shall close two months prior to the meeting of the State AGM. Nominees are to indicate in writing their acceptance of the nomination.
- 3.5 The Company Secretary shall advise all District Branches and Sub-Branches within seven days after such closing date of the nominations received and provide a copy of the nominee's history provided under paragraph 3.2.
For the purposes of an election a Returning Officer and scrutineers appointed as required.
- 3.6 If the number of nominees exceeds the number of the vacancy a secret ballot of all District Branch and Sub Branch Delegates, attending the State AGM, will be held.
- 3.7 A Ballot paper listing the nominees in an order drawn by lot will be provided to each delegate during registration at the State AGM.
- 3.8 The nominations for RSL (Queensland Branch) elections are to be considered at a Sub-Branch general meeting.
- 3.9 The delegate will complete and lodge the ballot papers in the ballot box at the State AGM.

In the case of a tied vote, the name drawn from a suitable receptacle by the Returning Officer in the presence of the scrutineers will be declared elected.

Passport Photo

**NOMINATION FOR
STATE EXECUTIVE**

RSL QUEENSLAND BRANCH

APPLICANTS PARTICULARS

SURNAME

CHRISTIAN NAMES

SUB BRANCH

DISTRICT

Nominate for the position of

1

2

3

4

**LEAGUE DETAILS PERIOD
OF MEMBERSHIP**

Date From

Date To

Sub Branch

LEAGUE SERVICE

To include Committee Appointments and service as a Delegate or Board member.

SUB BRANCH

Date From	Date To	Appointment
-----------	---------	-------------

DISTRICT BRANCH

Date From	Date To	<u>Appointment</u>
-----------	---------	--------------------

NATIONAL AND STATE BRANCH

Date From Date To Appointment

RSL SERVICE AND COMMUNITY RELATED ACTIVITIES
Fundraising

Repatriation

Community

**EDUCATIONAL QUALIFICATIONS and/or
COMMERCIAL QUALIFICATIONS / EXPERIENCE THAT MAY ASSIST THE LEAGUE**

BRIEF MILITARY HISTORY

Service	Dates Served From	To
---------	-------------------	----

The nomination was accepted at a general meeting of the Sub Branch at _____ location
on _____ Date.

Attach a copy of the minutes of the general meeting of the Sub-Branch at which this nomination was approved by voting members of the Sub-Branch in accordance with By-Law 3.3. No more than two additional pages of supporting documentation may be provided by the nominee.

Sub Branch President

Sub Branch Secretary

Date

Date

Nominees Agreement

I _____ accept the nominations listed on page one of this
submission

Signature

Date

BY-LAW 4 PRINCIPLES & GUIDELINES FOR RE-IMBURSEMENT OF EXPENSES

General

- 4.1 Re-imburement of expenses to members of RSL (Queensland Branch) are made to defray the substantiated expense that members may incur in the authorised conduct of their duties.

Principles

- 4.2 The principles to be applied in the payment of member's expenses are contained in the Policy and Procedures Manual.

RSL (Queensland Branch) Executive

Guidelines

- 4.3 The guidelines relating to Executive expenses are:
- a. All submissions for reimbursement of expenses or travel allowance are to be submitted to the CEO or other authorised person for verification, authorization and payment.
 - b. The rate of Travel Allowance will be determined and amended from time to time by the Board.
 - c. All RSL (Queensland Branch) Credit Card accounts, complete with copies of the relevant dockets, are to be submitted to the CEO for verification.
 - d. All airline travel is to be booked and purchased as directed by the CEO. Other issues relating to air travel are:
 - (i) All air travel is to be logged on the one account.
 - (ii) Where possible all travel is to be by advance purchase or discount economy class tickets.
 - (iii) Upgrading to Business Class for extended flights will be considered on a case by case basis. Such decision will be made by the Board on the advice of the CEO.
- 4.4 Air travel by the spouse of the Chair will be paid by RSL (Queensland Branch) when accompanying the Chair on authorised RSL business.
- 4.5 All car rentals by members of the Board will be undertaken as approved by the CEO unless otherwise directed by the Board.
- 4.6 Subject to Board approval, individual members of the Board may be issued with an agreed RSL (Queensland Branch) Credit Card. This is to be organised by the CEO.
- 4.7 Legitimate expenses incurred whilst on RSL business are to be paid where possible by the individual using their RSL (Queensland Branch) Credit Card.

National Congress

- 4.8 The principles to be applied in the payment of Executive expenses for National Congress are:
- a. At National Congress the following are representatives of and hence the responsibility of RSL (Queensland Branch):
 - i. Chair;

- ii. Deputy Chair and
 - iii. CEO.
- b. RSL (Queensland Branch) shall pay accommodation and travel expenses for the RSL (Queensland Branch) representatives at the daily rate of accommodation expenses as provided for in the Rules & By-Laws of the League.

Annual General Meeting

- 4.9 The principles to be applied in the payment of Executive expenses for the AGM is as provided for in this By Law:
- a. At the Annual General Meeting the following are the responsibility of RSL (Queensland Branch):
 - (i) State Executive,
 - (ii) CEO, and
 - (iii) Any other person approved by the Board.
 - b. RSL (Queensland Branch) will book and pay for accommodation and reasonable travel expenses for RSL (Queensland Branch) representatives at the daily rate of accommodation expenses.
 - c. Additionally, RSL (Queensland Branch) shall pay accommodation and travel expenses required for the attendance of each District President or a representative appointed in the absence of the District President by the District Board.

District Annual General Meeting

- 4.10 The principles to be applied in the payment of expenses for District Annual General Meetings are:
- a. The Chair will attempt to attend all District Annual General Meetings if he is unable to attend, a member of the State Executive or a Committee Chairman may attend in his place. RSL (Queensland Branch) will not pay travel, accommodation or meal expenses for other attendees unless previously agreed to by the Board.
 - b. At District Annual General Meetings the following are regarded as the responsibility of RSL (Queensland Branch):
 - (i) The Chair or in his absence his representative;
 - (ii) CEO or in his absence his representative; and
 - (iii) Where appropriate, the associated RSL (Queensland Branch) Advocate.

Other Visits to Districts/Sub Branch

- 4.11 On occasions Districts and/or Sub Branches may issue invitations to the Chair to attend functions or meetings. Where a member of the Executive represents the Chairman, RSL (Queensland Branch) will meet all legitimate expenses.
- 4.12 Expenses will not be reimbursed in respect of personal invitations to attend or speak at meetings or social functions unless the executive member is officially representing the Chair or unless otherwise approved by the Board.

Other situations

- 4.13 Any other situation not covered above will be considered on a case-by-case basis by the Board.

RSL (Queensland Branch) Non Executive Members

Guidelines

- 4.14 The guidelines relating to expenses for members of the Board, Committees and members appointed for specific tasks by RSL Queensland Branch that involve travel and/or accommodation and meals are:
- a. All submissions for reimbursement of expenses or travel allowance are to be submitted to the CEO for authorisation.
 - b. The rate of Travel Allowance will be determined and amended from time to time by the Board .
 - c. Board Members are not to be issued with credit cards without the express approval of the Board.
 - d. All airline travel and accommodation is to be booked and purchased as approved by the CEO.

RSL (Queensland Branch) Employees

Guidelines

- 4.15 The guidelines relating to Employee expenses are as covered in the Board approved Policy and Procedures Manual.

BY-LAW 5 APPOINTMENT OF APPOINTED DIRECTORS

Definitions and Interpretations

Definitions

5.1 In these By-Laws:

- (a) **Constitution** means the constitution of the Returned & Services League of Australia (Queensland Branch) as amended from time to time.
- (b) All other expressions have the same meaning as ascribed to them in the Constitution.

Constitution clause 9.2

5.2 Clause 9.2 allows the Board to appoint up to 3 Appointed Directors to the Board whose background, skills and/or experience may be thought prudent or necessary to enhance the ability of the Board to better discharge its role and legal duties.

Nothing in this By-law compels the Board to appoint an Appointed Director under clause 9.2 of the Constitution.

Nominations Committee

5.3 The Legislative and Awards Committee shall act as a Nominations Committee to provide the Board advice on robust processes to identify suitable candidates to appoint Appointed Directors to optimise the composition of the Board of RSL (Queensland Branch).

Suitable candidates for the role of Appointed Director will be those persons whose background, skills and/or experience may be thought prudent or necessary to enhance the ability of the Board to better discharge its role and its legal duties and responsibilities.

Appointment of Appointed Directors to the Board

5.5 The Board should request an independent industry expert to undertake an analysis of the Board's skills and experience and where such skills and experience could be supplemented by the appointment of one or more Appointed Directors. Subsequent to the analysis of any shortfall in skills and/or experience identified, nominations would be sought from Life and Service Members of RSL (Queensland Branch) that are suitably equipped to assist the Board to be better equipped to discharge its roles and responsibilities. The Board will appoint a suitable Service or Life Member of the RSL (Queensland Branch).

Amendment

5.6 This By-law can only be altered by the State Branch AGM and the first alteration cannot be made until the State Branch AGM in 2013.

BY-LAW 6 RSL AUXILIARIES

RSL Auxiliaries

- 6.1 This By-Law shall apply to all Auxiliaries formed under the jurisdiction of the State Branch. Each Auxiliary shall comply with such lawful directions as are given from time to time by the District Branch or Sub Branch having jurisdiction over it. This By-Law shall apply to both the Women's Auxiliary and the Citizen's Auxiliary equally.
- 6.2 An Auxiliary Branch may adopt By-Laws, providing they shall be first submitted to the District Council for consideration before adoption.

Formation

- 6.3 RSL Auxiliaries may be formed as follows:
- a. A Sub-Branch or a group of interested citizens (who meet the eligibility criteria) of a location which does not have a Sub Branch may apply to the District Branch for the formation of an Auxiliary.
 - b. The By-Laws of each Auxiliary shall not have effect until approved by the District Council and no alteration shall be made unless they have been approved by the District Council.
 - c. The By-Laws of each Auxiliary shall be consistent with the Rules and By-Laws of RSL (Queensland Branch).
 - d. Each Auxiliary shall carry out and further the Objects of the League and be bound by its Standing Policy. In addition, it shall promote that Standing Policy within its jurisdiction.
 - e. The Purposes and Rules under which an Auxiliary is to be conducted are as provided for in this By-Law and State Branch Rules and By-Laws.
- 6.4 An Auxiliary shall consist of a minimum of 5 members willing to give practical service to the Sub-Branch or to the District Branch where a Sub Branch does not exist, all of whom shall be eligible to hold office in the Auxiliary.
- 6.5 A Sub-Branch may form an Auxiliary for the purpose of supporting the Sub-Branch in the carrying out of the Objects of the League and the social and welfare aspects of the Sub-Branch.
- 6.6 Upon the formation of any Auxiliary Branch, the Sub-Branch (or the District where appropriate) forming it shall, notwithstanding anything contained in the Auxiliary Branch By-Laws, continue to control, assist and guide it in its activities.
- 6.7 Should a difference or dispute arise between a Sub-Branch and its Auxiliary on any aspect relating to the operations or activities of the Auxiliary or the Sub-Branch control of its Auxiliary, the committee of either may refer matters in dispute to the District Council for determination and each shall be bound by the decision of the District Council.

Boundaries

- 6.8 The formation of Auxiliary Branches lie with each of the Sub-Branches of the Queensland Branch; but no Auxiliary Branch shall be deemed as being properly formed if the boundaries of the area wherein it is proposed to operate differ from those of the Sub-Branch (or District Branch) forming it.

Sub-Branch or District Branch May Suspend or Disband an Auxiliary

- 6.9 A Sub-Branch Committee may recommend to a general meeting of the Sub-Branch the suspension or disbandment of an Auxiliary where, in its opinion, a continuance of its activities would not be in the best interest of the Sub-Branch, the District Branch or State Branch. Where an Auxiliary is formed under the auspices of the District Branch, the District Council has the same power.
- 6.10 The Auxiliary will be advised of any such recommendation and offered the opportunity for its representatives to attend such meeting and speak in its defence.
- 6.11 Where the General Meeting resolves to suspend the Auxiliary for a period longer than three months or to wind up the Auxiliary, the decision must be notified to the District Secretary and the Auxiliary will have a right of appeal to the District Council, whose determination shall be final.

Winding Up of Auxiliaries

- 6.12 Any Auxiliary may be wound up if at a meeting specially called for the purpose, a majority of member's present vote in favour of such winding up. An Auxiliary can be compulsorily wound up in accordance with By-Law 6.11. The date of commencement of winding up is the date of the resolution.
- 6.13 Where a Sub Branch is either compulsorily or voluntarily wound up in accordance with State Rules the resolution may include any Auxiliary supporting the Sub Branch and this will take precedence over paragraph 6.12. The winding up of the Auxiliary is to be completed prior to the winding up of the Sub Branch. Where an auxiliary chooses not to be wound up, the auxiliary will petition the District Council to continue to operate under the control of the District.
- 6.14 The winding up process must be completed within three calendar months from the commencement date.
- 6.15 Once all of the actions are taken all Auxiliary members may transfer to another Auxiliary.
- 6.16 All monies and property of whatever nature and of which it shall stand possessed shall, after satisfying all its creditors and meeting all other obligations, be taken over and held by the Sub Branch or District Branch as appropriate or if the Sub Branch shall have been wound up, the District Branch shall take over, and hold, the money and property in trust for a period of two years. In the event of an auxiliary not being wound up under 6.13, but is under the control of the District Branch the auxiliary is permitted to be the custodians of the non-financial assets (e.g. honour boards, memorabilia) of the wound up Sub Branch, so that they are kept within the community.
- 6.17 Further, the Trustees of any Auxiliary in whom lands or property shall be vested, shall sign all documents and do all such acts and things as may be necessary to transfer the same to the Sub Branch or District Branch or to dispose of, or otherwise deal with the same and the proceeds thereof, as the Sub Branch or District Branch shall direct.

Eligibility - Women's Auxiliary

- 6.18 The following persons shall be eligible for membership in any Women's Auxiliary Branch:
- a. Any adult female relative of a serving, discharged or deceased member of a Commonwealth or Allied military force. Relative to include those persons in, or who were in, a de-facto relationship;
 - b. Any woman eligible for membership of the League shall be eligible for full membership in any Auxiliary Branch;

- c. The members of any Women's Auxiliary Branch may, by resolution, admit to membership any adult woman not coming within the above categories.

Eligibility - Citizen's Auxiliary

- 6.19 Any person within the local community may be eligible to be a member of the Citizen's Auxiliary. The minimum age for Citizen's Auxiliary membership shall be eighteen (18) years
- 6.20 The Citizen's Auxiliary may admit Junior Members under the following conditions:
 - a. the minimum age shall be twelve (12) years
 - b. the Junior Member must be related to a parent or child guardian who is a current member of the Citizen's Auxiliary
 - c. the current member must sign the Membership Application Form providing consent for the Junior Membership.
 - d. Junior membership is to cease at eighteen years of age.

Junior Member Participation

- 6.21 A Junior Member can only participate in a Sub Branch or Citizen's Auxiliary activity under the following Queensland Government Child Protection Legislation:
 - a. a parent who is a member of the Citizen's Auxiliary may act as the supervisor on the condition that they are the parent or child guardian of a Junior Member present at the activity and will be present for the duration of the activity, or,
 - b. Junior members may participate if they are supervised by an adult member of the Citizen's Auxiliary who has been issued with a current Suitability Card (Blue Card) and will be present for the duration of the activity.
 - c. Junior Members are not to pay fees, vote or be elected to Citizen's Auxiliary Committees

Sub-Branch or District Branch Veto of Membership

- 6.22 A person is eligible to be a member of an Auxiliary if they are an Australian Citizen and have signed an Auxiliary Membership Application Form in the form from time to time approved by the Committee of the Sub-Branch or District Executive which requires the Auxiliary Member to be bound by the Rules and By,-Laws of the Sub-Branch, State Branch and the National Rules and By-Laws.
- 6.23 A person who is a member of the League or eligible to be a member of the League may be eligible to be a member of an Auxiliary.
- 6.24 No candidate shall be admitted to any Auxiliary, or having been admitted, be allowed to remain as a member, whose admission, or continuance of membership, would be, in the opinion of the Sub-Branch/District Branch, prejudicial to the best interests of the Sub-Branch/District Branch or the Auxiliary.

Discipline of Members

- 6.25 Auxiliary members shall be subject to the same disciplinary rules of suspension or expulsion from an Auxiliary as are members of a Sub-Branch. Disciplinary action may be commenced by the Sub-Branch/District Branch or the Auxiliary in accordance with By-Law 7.

Appeal Regarding Removal or Suspension

- 6.26 With the written consent of the Sub-Branch responsible for the formation and guidance of the Auxiliary Branch concerned, any, or all, of the parties may appeal to the District Council against their removal or suspension and any decision given shall be final. Where the Auxiliary is responsible directly to the District Branch no appeal is possible.

Resignation

- 6.27 Any member may resign from membership by giving notice in writing to the Secretary.

Membership Fees

- 6.28 The Annual Membership fee for Auxiliaries shall be set by the Sub Branch/District Branch and is to be reviewed annually and is to be no more than fifty percent of the Annual League Subscription.
- 6.29 Membership fees shall be payable in advance on 1st day of January in each year, and any member whose subscription remains unpaid after the expiration of two clear months from the aforesaid date shall be deemed unfinancial and their name shall be removed from the register of members.

Allocation of Fees

- 6.30 No portion of the annual membership fee shall be claimable by, or payable to, any Sub-Branch, District Branch or State Branch, but any Auxiliary Branch may, by resolution of which notice has been given, vote moneys, from such membership fees, to any of the bodies aforesaid.

Auxiliary Badges

- 6.31 The badges of Auxiliaries shall be in such form as the National Executive shall determine. Each member of the Auxiliary shall, on payment of the first subscription, be issued, a badge of the Auxiliary for which they have been approved for membership.

Supply of Badges

- 6.32 Badges shall be obtained by each Auxiliary Secretary from the membership office of State Branch.

AUXILIARY MEETINGS

Annual General Meeting

- 6.33 The Committee shall be elected each year at the Annual General Meeting of the Auxiliary. Nominations for all offices of the Auxiliary, shall be taken at the Annual General Meeting (except for the office of President who must be nominated in writing prior to the Annual General Meeting), unless the Auxiliary shall have decided that all nominations are to be submitted in writing prior thereto.
- 6.34 The Management Committee of an Auxiliary is to be elected in total each year.
- 6.35 The Auxiliary Committee shall determine the date upon which nominations will close, and reasonable notice of such dates shall be given to members at such time and in such manner as the Auxiliary Committee shall determine. Failing such determination or notice, nominations shall close at the Annual General Meeting.
- 6.36 Nominations shall be signed by the Auxiliary members who propose and second any nomination and shall be endorsed by the nominee. In the event of no nominations in writing for the office of President being received, nominations for the office of President shall be called for from the floor of the Meeting.

- 6.37 The Annual General Meeting shall be the controlling body of the Auxiliary.
- 6.38 Each Annual General Meeting must be held within 6 months after the end of the previous financial year.
- 6.39 The following business must be transacted at every Annual General Meeting:
- a. the presentation and adoption of the President's Annual Report;
 - b. the receiving of the statement of income and expenditure,
 - c. the receiving of the auditor's report on the financial affairs of the Auxiliary for the last financial year;
 - d. the presenting of the audited statement to the meeting for adoption;
 - e. the election of the Auxiliary committee; and
 - f. the appointment of an auditor, except where the Auxiliary is responsible to the District Branch, in which case the audit shall form part of the District Branch's annual audit.

MEETING PROCEDURE

Auxiliary Officers

- 6.40 The Annual General Meeting of an Auxiliary shall elect from its financial members a President, a Vice-President, Secretary and Treasurer. These officers and not less than two other financial members of the Auxiliary elected at the Annual General Meeting shall comprise the committee empowered to attend to the business of the Auxiliary between the General Meetings of members.
- 6.41 If it is not practicable for an Auxiliary to elect both a Secretary and a Treasurer both positions may be filled by one member.

Election of Officers

- 6.42 The Sub-Branch President, or District President as appropriate, or nominated representative, shall take the chair during the annual election of office bearers of an Auxiliary

Notification of Election

- 6.43 The Secretary of the Auxiliary shall, within 14 days of an election, furnish to the Sub-Branch/District Branch Secretary a list of the duly elected officers.

Meetings

- 6.44 An Auxiliary shall meet regularly at such times as determined by each Annual General Meeting but at no lesser period than 3 monthly, including: the Annual General Meeting. The quorum for meetings shall be twice the Executive plus one.

Special Meeting - Committee

- 6.45 A requisition; from a minimum of four (4) members of an Auxiliary Committee, for the purpose of calling any Special Meeting of an Auxiliary Committee must specify the objects of the meeting required and be delivered to the Auxiliary Secretary a reasonable time before the date of the required meeting. The requisition may consist of several documents in similar form. Each signed by one or more members requiring the calling of such meeting, and the same must be convened only for the purposes specified in the requisition.

- 6.46 Should the Auxiliary Committee fail, within 21 days, to convene a Special Meeting after receipt of the requisition, the signatories, may convene the Special Meeting on giving to the members entitled to be present reasonable notice.
- 6.47 The members present at the meeting, unless specified otherwise in their respective By-Laws shall determine the method of voting at the meeting.

Special General Meeting - Auxiliaries

- 6.48 Such meetings shall be convened on receipt of a requisition signed by at least twenty percent of the members of the Auxiliary. Such requisition shall specify the object/s of the meeting and be deposited with the Secretary, who shall convene a Special General Meeting within two (2) months from receipt of such requisition.
- 6.49 In the event of the President of an Auxiliary not convening a Special General Meeting of members within two (2) months, all of the members who signed the requisition may petition in writing to the Sub Branch President requesting a Special General Meeting of the Auxiliary, the Sub Branch President may convene a Special General Meeting which shall have the same powers as if it were convened by the Auxiliary President, notwithstanding the absence of any Auxiliary officer.
- 6.50 Any of the officers of an Auxiliary may be removed from office on a resolution passed by at least two-thirds of the members present at a Special General Meeting of the Auxiliary called for that purpose, provided that the notice convening the meeting, and stating the purpose, shall have been sent to all financial members of the Auxiliary at their last known place of address.

Convening

- 6.51 All meetings shall be convened by the Secretary of the Auxiliary at the direction of the President of the Auxiliary.

Vacancies - Officers and Committee

- 6.52 Where the President is absent or the office otherwise becomes vacant, the Vice-President shall assume that office.
- 6.53 Except as above, any temporary vacancy may be filled by the committee.
- 6.54 Upon a vacancy occurring on the Auxiliary committee subsequent to the Annual General Meeting, a Special Meeting may, be convened to elect a member of the Auxiliary to fill the vacancy.
- 6.55 On a change of officers being made between Annual Meetings, the Auxiliary Secretary shall notify the Sub-Branch or District Branch as appropriate, details of the new appointee(s), and shall do so within 14 days of the appointment being made.

Office Bearers Shall Be Financial

- 6.56 No person shall hold office in an Auxiliary if they are, or become non-financial.

Removal from Office

- 6.57 The Committee, or any member, may be removed from office, by resolution passed to that effect, at a Special General meeting called for that purpose, but no such resolution may be passed unless notice in writing, to that effect, has been served on, or posted to, the member or members, whom it is proposed to remove from office, seven clear days prior to the date fixed for the holding of such meeting.

Veto of Officers by Sub-Branch/District Branch

- 6.58 No officer shall be appointed or, having been appointed, be allowed to remain as an officer whose appointment or continuance of office, would be, in the opinion of the Sub-Branch, /District Branch prejudicial to the best interests of the Auxiliary or Sub-Branch/District Branch.

Management and Sub-Branch/District Branch Representation

- 6.59 The affairs and management of every respective Auxiliary Branch shall be vested in the members, subject to these Rules and By-Laws, but the parent Sub-Branch/District Branch shall have the right to nominate the President, Treasurer and/or Secretary of such Sub-Branch/District Branch as ex-officio members of the Auxiliary Branch and its management committee, with the right to speak but not to vote nor be elected to any office.

Right to Address Meetings

- 6.60 The Sub-Branch/District Branch President, Secretary, Treasurer or other authorised representative of the Sub-Branch or District Branch shall be entitled to address any meeting of their respective Auxiliary.

Receipt of Monies

- 6.61 The monies and property of the Auxiliary shall be under the control of the Sub-Branch/District Branch and shall be used, invested, disposed of, as the Auxiliary and the Sub-Branch/District Branch determine.

Disbursements

- 6.62 The funds raised by an Auxiliary, including fundraising and the Auxiliary fees are to be retained in an account styled RSL XXX Sub Branch/District Branch, Citizens/Women's Auxiliary.
- 6.62.1 Any two to sign, one of whom must be a member of the Sub Branch/ District Branch Executive
- 6.62.2 These funds remain the property of the Sub Branch / District Branch and are to be retained within the Sub Branch / District Branch accounts.
- 6.62.3 The Auxiliary may expend funds up to \$1000 without the approval of the Sub Branch / District Branch

Auditors and accounts

- 6.63 The accounts of the Auxiliary shall be audited by the same Auditor and at the same time as the accounts of the Sub Branch/District Branch.

Auditors

- 6.64 The Auditor or Auditors shall be appointed at every AGM of the Sub Branch/District Branch, who shall certify as to the correctness, or otherwise, of the accounts kept by the Auxiliary Treasurer and Secretary, and shall sign, if correct, the Annual Financial Statement presented to the Sub Branch / District Branch AGM and Auxiliary AGM.

FINANCE GENERAL

Inspection of Books and Minutes

- 6.65 The CEO, District or Sub Branch Secretary, or any person authorised by their respective Executive, shall have power to inspect and/or take possession of the books, papers and

correspondence or other documents in the possession of, or belonging to, any Auxiliary Branch and report to their respective Executive, which shall have the power to do all matters and things it may deem necessary to rectify anything brought before it by such report.

Indemnity

- 6.66 The Executive, Treasurer, Secretary, every Trustee and all officers and members of all Auxiliaries shall be indemnified out of the funds of the Sub Branch/District Branch against all losses and expenses incurred in the discharge of their duties, except such as shall happen through their own wilful acts or default, and each one shall be responsible only for so much money or property as they shall actually receive for or in the discharge of the business of the Auxiliaries and each one shall be answerable only for their own acts, neglects or defaults, and not for those of any other person nor for the insufficiency of any security for money invested or of title to any estate or property acquired nor for any loss or damage which may happen in the discharge of their duties, unless the same shall happen through their own wilful neglect or default, and, in particular, where any such person, by resolution is recorded in the minutes, shall accept or incur pecuniary or other liabilities on behalf of any Auxiliaries, they shall be indemnified by the respective Sub Branch/District Branch against loss, in respect of such liabilities.

Trustees

- 6.67 The trustees of an unincorporated Sub-Branch/District Branch shall also be the Trustees of the Auxiliary.

Duties of the Secretary

- 6.68 The Auxiliary Secretary is to carry out the following duties on behalf of the Auxiliary:
- a. attend all meetings of the Auxiliary and of the committee;
 - b. enter, or cause to be entered, accurate minutes of the proceedings of such meetings in the minute book of the Auxiliary;
 - c. keep proper accounts in a manner to be prescribed by the Sub-Branch/District Branch, including a Cash Book Ledger to record the receipt and disbursement of all monies of the Auxiliary;
 - d. receive all monies payable for the Auxiliary Branch and ensure that these are paid into the Sub-Branch/District Branch sub account in the manner laid down by the Sub Branch/District Branch;
 - e. issue a receipt for all monies received;
 - f. certify to the correctness of an account before such account is recommended to be paid;
 - g. produce all books to each general meeting of the Auxiliary;
 - h. attend the Sub-Branch/District Branch when required and explain any matter concerning the Auxiliary that the Sub Branch/District Branch Executive may require;
 - i. furnish the Sub-Branch/District Branch with all necessary information concerning the affairs of the Auxiliary following each general meeting;
 - j. prepare and sign all documents required under the rules of the Auxiliary;
 - k. enter into a record book the names and addresses of all members and the date and the amount of the subscription paid by the member;

- l. provide the Sub Branch or District Branch Secretary with the list of members, subscription paid etc for the purpose of maintenance of State Branch electronic membership records
- m. under the direction of the President or Committee, handle all correspondence for the Auxiliary;
- n. perform such other duties as the Auxiliary or Committee may from time to time require.

Duties of the Treasurer

6.69 Ensure that the following financial requirements are met:

- a. supervise the receipt of all monies;
- b. examine regularly and at least once a month, pay-in slips, accounts and other books of the Auxiliary and ensure that such documents, accounts and books are properly kept and that financial transactions of the Auxiliary are conducted in a regular manner.
- c. prepare a report for the general meeting of the Auxiliary showing the financial position of the Auxiliary as disclosed by the documents, accounts and books.
- d. examine all accounts submitted for payment certify to their correctness for presentation to the members.
- e. cause to be prepared and shall submit to the annual meeting of the Auxiliary an annual Statement of receipts and expenditure together with a balance sheet showing assets and liabilities of the Auxiliary. Such Statement and balance sheet to be forwarded to the Sub-Branch at least fourteen days prior to its being presented to the Auxiliary annual meeting.
- f. for those Auxiliaries affiliated with District Branches, to forward all books of account, financial instruments etc to District Secretary within 14 days of the close of the Financial Year for Audit by the District Branch Auditor

Correspondence

6.70 No correspondence is to be sent direct to the Chair, the CEO or the District Branch, (unless the Auxiliary is under the direct control of the District Branch), or to any non-League organisation, except through the Sub-Branch.

Sub-Branch/District Branch Procedure to Apply

6.71 Where no rule exists concerning the control, conduct, or guidance of an Auxiliary in its activities, the rules of State Branch for control, conduct or guidance of Sub-Branches/District Branches shall be held to be applicable to Auxiliaries. In the absence of any existing Sub Branch or State Branch rule, a ruling in writing by the District Branch shall be binding.

By-Laws Binding

6.72 These By-Laws and any resolutions conforming thereto, duly passed at a properly convened meeting of any Auxiliary Branch, shall be binding upon all members affected, whether they shall be present and have voted or not.

Amendment of By-Laws

6.73 These By-Laws may be altered or amended by resolution passed at any Board meeting of the Returned & Services League (Queensland Branch).

Life Membership

- 6.74 A special award, known as "The Gold Badge of Life Membership", may be granted to members of the Auxiliary, subject to the following conditions:
- a. approval of the grant shall be the prerogative of the Board only;
 - b. when the recommendation is submitted by an Auxiliary, the same shall, in the first instance, be forwarded to the Sub-Branch/District Branch for approval and then to the District Council, supported by a written Citation of the member's qualifications. If, after due consideration, the recommendation shall be approved by District Branch, it shall be presented to the next Board meeting for final approval;
 - c. the Auxiliary concerned shall pay State Branch the prescribed fee of \$5.50 plus the cost of the Gold Badge;
 - d. no person shall be eligible for the award who has not been a financial member of the Auxiliary, continuously, for a period of at least ten years immediately prior to date of the citation, and has rendered seven years honorary services of outstanding nature to the League;
 - e. financial membership and outstanding service to an Auxiliary can count toward this award where the female member has transferred to or from a Women's Auxiliary or Citizen's Auxiliary and maintained continuity;
 - f. the award shall only be made to members, who in the opinion of the Board; have performed services to the Auxiliary and/or League so outstanding as to merit special recognition;
 - g. the membership of such Life Member shall be subject to the Rules of the State and Sub-Branch/District Branch concerned. The nomination is to be submitted using the Membership Management System and the form contained in the Manual of Membership Administration.

Long Service Awards

- 6.75 A special award, known as "The Long Service Award", may be granted to members of the Auxiliary, for 30 and 50 years' service, and is to be submitted using the Membership Management System.

Auxiliary Life Member Badges

- 6.76 The badges of Auxiliaries shall be in such form as the Board shall determine.

Supply of Badges

- 6.77 Badges shall be obtained by each Auxiliary Secretary from the membership office of State Branch.

Auxiliary Burial Ritual

- 6.78 "We assemble to honour a former Member of our Auxiliary (name of person) who served the Auxiliary and RSL with distinction and faithfully observed the pledge undertaken at the time they joined as a member. (Auxiliary membership details here). We will remember (name) with affection. In acknowledging their long and devoted service. I place here this flower/poppy (to be selected by Auxiliary) the emblem of service to the Auxiliary, in their Memory. I invite Members of the Auxiliary and RSL to join me in doing so. Would you please stand in silence as a tribute to (name). LEST WE FORGET".

- 6.79 The Service should be conducted by the President of a Sub-Branch/District Branch or their nominated representative.

Object

- 6.80 There shall be an RSL (Queensland Branch) Council of Auxiliaries, the object of which will be to co-ordinate and inform the activities of Auxiliaries (Women's and Citizen's Auxiliaries) in carrying out the Objects of RSL (Queensland Branch).

Constituents

- 6.81 The Council shall consist of no less than six Councillors, each of whom will be elected from Women's and Citizen's Auxiliaries of District and Sub Branch auxiliaries formed under the RSL (Queensland Branch) Constitution and District and Sub Branch Rules. The Council shall comprise;
- a. 1 (one) President,
 - b. 1 (one) Vice President,
 - c. 1 (one) Hon. Secretary,
 - d. 1 (one) Treasurer, and
 - e. 2 (two) Councillors.

Election of the Council

- 6.82 Members of the Council of Auxiliaries, each of whom shall be financial members of an RSL (Queensland Branch) Auxiliary (Women's or Citizens Auxiliary) will be elected at an Annual General Meeting of Auxiliaries, and shall hold office on a three year rotation. The election period will commence in 2015. At the AGM in 2015, the positions of two Councillors to be declared for election in each of 2016 and 2017 will be nominated. At the AGM in 2018, the remaining two Councillors will stand down. Any Councillor standing down in turn at the completion of a rotational term may stand for re-election.

Meetings

- 6.83 The Council will meet at least four times (including the Annual General Meeting of Auxiliaries) during the RSL (Queensland Branch) financial year and a copy of the Minutes of the Meeting will be provided to the Board of RSL (Queensland Branch).

Reports

- 6.84 The Council shall submit to the Annual General Meeting of the Auxiliaries a report on its activities during the previous year.

Quorum

- 6.85 At any meeting of the Council, four members shall form a quorum.

Fees

- 6.86 The Annual General Meeting of Auxiliaries shall by resolution fix fees, for each Auxiliary for the purpose of defraying the administration expenses of the Council of Auxiliaries. It shall be the choice of any Auxiliary to vote any additional sum deemed fit for such purpose but the Council shall not have the power to levy an Auxiliary for this or any other purpose.

Accounting

- 6.87 All monies received on behalf of the Council shall be paid into a RSL (Queensland Branch) Council of Auxiliary account and shall be operated under the supervision of RSL (Queensland Branch).

Audit

- 6.88 RSL (Queensland Branch) may in its discretion at any time cause an audit to be made of the books and affairs of the Council.

Reporting

- 6.89 Each Auxiliary shall notify the Council of Auxiliaries such particulars of the Auxiliary as the Council shall request.
- 6.90 The Board of RSL (Queensland Branch) shall have the power to suspend or dissolve the Council of Auxiliaries if it considers:
- a. It's continuance would not be in the interests of RSL (Queensland Branch), or
 - b. it has no useful purpose.
- 6.91 Upon the dissolution of the Council, RSL (Queensland Branch) may;
- a. proceed with the formation of a new Council of Auxiliaries, or
 - b. transfer or hold the books and assets of the dissolved body for a new Council.
- 6.92 These By-Laws may be altered or amended by the Board of RSL (Queensland Branch) at any time and the Council may recommend to RSL (Queensland Branch) alteration or amendment of the By-Laws as the Council considers necessary.
- 6.93 If any matter arises which in the opinion of the Council of Auxiliaries, is not covered by these By-Laws, the matter shall be referred to RSL (Queensland Branch).

BY-LAW 7 DISPUTE RESOLUTION AND DISCIPLINE

OVERVIEW AND OVERARCHING PRINCIPLES

Returned & Services League of Australia (Queensland Branch) (“RSL (Queensland Branch)”) operates under a number of rules and by-laws which assist in providing fairness, equity and consistency in the conduct of its operations. Where there is a need to resolve disputes or impose discipline RSL (Queensland Branch) espouses three guiding principles.

The first principle in resolving disputes is “procedural fairness” which is sometimes referred to as ‘natural justice’. Procedural fairness has three basic parts:

- (a) firstly, the affected person shall be given the opportunity to know and understand the case against him or her, and to state their case in response;
- (b) secondly, the decision maker shall be impartial, unbiased and have no personal stake or interest in the matter being decided; and
- (c) thirdly, the decision maker shall act only on relevant information or evidence.

The second principle in resolving disputes is that dispute resolution or the imposition of discipline should be handled at the lowest appropriate level i.e. as close to the Sub-Branch level as possible. Notwithstanding, a hierarchy within the RSL system is required to cater for those occasions where resolution at the lowest level is not appropriate or the matter is beyond the jurisdiction of that level. An avenue for appeal against lower level decisions is also required.

The third principle in resolving disputes is that all dispute resolution and disciplinary mechanisms should include as little formality as is consistent with the specific setting. This however, does not negate the requirement for all parties involved to conduct themselves with dignity and respect. Informality is further enhanced in that evidence provided in dispute resolution and disciplinary proceedings is not given on oath or affirmation and the rules of evidence do not strictly apply. However, this does not mean that the rules of evidence cannot be used to determine the weight of evidence provided in any dispute resolution and disciplinary proceedings, particularly before the RSL (Queensland Branch) Tribunal (**Tribunal**).

It is anticipated that the majority of disputes will be informally resolved at the Sub-Branch level through the management and leadership skills of the Sub-Branch Committee members. Where this is not achieved consideration should be given to the use of mediators in order to achieve an outcome that is acceptable to all parties involved. Sub-Branch Committees are also expected to deal with the majority of formal disciplinary matters arising at the Sub-Branch level. However, where a complaint involves a Committee member the matter shall be referred to the Tribunal to ensure impartiality.

The next level in the dispute/discipline hierarchy is the Tribunal, including the Registrar to the Tribunal (**Registrar**). This level will usually hear:

- (a) complaints outside the jurisdiction of Sub-Branch Committees;
- (b) complaints involving Sub-Branch Committee Members; and
- (c) appeals from Sub-Branch disciplinary decisions.

The Tribunal may also deal with other grievances referred to it by the Registrar or the Board of RSL (Queensland Branch) (**Board**) including complaints against RSL (Queensland Branch) members.

RSL (Queensland Branch) members may have a limited right of appeal to the National Tribunal under the National Constitution of the Returned & Services League of Australia Limited (**League**).

The RSL (Queensland Branch) is a legally constituted body corporate and is subject to legislation, subordinate legislation and other regulation. If any investigation, review or other action is being undertaken under such legislation, subordinate legislation and/or other regulation, then any action under this By-Law 7 may be suspended until such investigation, review or other action is complete.

INTRODUCTION AND INTERPRETATION

In any proceeding before a Sub-Branch Committee, interpretation of these By-Laws shall be determined by the Sub-Branch Committee.

In any proceeding before the Board, interpretation of these By-Laws shall be determined by the Board.

In any proceeding before the Tribunal, interpretation of these By-Laws shall be determined by the Tribunal.

In these By-Laws, words implying the masculine gender include the feminine gender and words implying the feminine gender include the masculine gender.

In these By-Laws, where the word “may” is used, it implies that the action is discretionary. Where the word “shall” is used, it implies that the action is obligatory or mandatory.

The definition of military classifications, service decorations and the like are those applying to the Defence Act 1903.

Guidance on the framing of complaints is provided at Annex A.

7.1. MEDIATION

- 7.1.1. Mediation is a voluntary process for settling disputes without having to proceed to a formal hearing. The parties involved come together in the presence of a mediator to discuss their differences and arrive at a decision that is agreed by all parties. Mediation is RSL (Queensland Branch)’s preferred method of dispute resolution however this preference does not prevent RSL (Queensland Branch) proceeding to the Tribunal if the circumstances warrant such action.
- 7.1.2. The advantages of mediation over more formal means of dispute resolution include obviating the need for potentially protracted administrative proceedings and allowing for a more timely resolution of the issues. Early resolution may prevent the issue from ‘festering’ and becoming distorted.
- 7.1.3. The Board and each Sub-Branch are responsible for developing their own specific mediation procedures in line with the guidance provided in this By-Law. Sub-Branches may use the services of the Queensland Government, Department of Justice and Attorney General, Dispute Resolution Branch or any of the commercially available trained mediators operating in the community or any other person acceptable to the parties involved in the dispute.
- 7.1.4. Where a fee is payable to the mediator for convening the mediation, then in the absence of any agreement otherwise, the parties shall each pay half of any mediator’s fees and outgoings.

- 7.1.5. The mediator may conduct the mediation in any way the mediator considers appropriate including:
- (a) gathering information about the nature and facts of the complaint in any way the mediator considers appropriate;
 - (b) deciding whether the parties may be represented during the mediation and if so, by whom;
 - (c) during the mediation, seeing the parties, with or without representatives, together and/or separately; and
 - (d) seeking advice about the dispute from independent third parties.
- 7.1.6. The mediation will be conducted on a 'without prejudice' basis and nothing said by any of the parties participating in the mediation, including the mediator, may be disclosed or used at any subsequent hearing.
- 7.1.7. In the event that the complaint is not resolved at mediation, recourse to formal action may eventuate.

7.2. DISCIPLINARY POWERS OF THE BOARD

- 7.2.1. Pursuant to Rule 11 of RSL (Queensland Branch) Constitution, the Board may exercise those powers of RSL (Queensland Branch) as are not required to be exercised by the Members in general meeting or otherwise.
- 7.2.2. In respect of disciplinary provisions the Board may exercise the powers of RSL (Queensland Branch) to determine the following matters:
- (a) establishing the RSL (Queensland Branch) Tribunal;
 - (b) appointing a mediator in relation to any mediation matter associated with RSL (Queensland Branch);
 - (c) disciplining a Member, Sub-Branch or District Branch in relation to any matter associated with RSL (Queensland Branch);
 - (d) investigating any matter associated with RSL (Queensland Branch), including appointing an investigating officer at the request of the RSL (Queensland Branch) Tribunal; and
 - (e) suspending any Board Director or any Member appointed to a committee if that person's conduct is deemed to be detrimental to the interests of the League.

7.3. SUB BRANCHES

Complaints to Sub-Branch Committees

- 7.3.1. If a Sub-Branch Committee has reason to believe that a Member of that Sub-Branch has:
- (a) refused to comply with the provisions of the constitution, by-laws or rules of RSL (Queensland Branch) or a District Branch or Sub-Branch within its jurisdiction;
 - (b) engaged in conduct unbecoming a Member of the Sub-Branch;

- (c) engaged in conduct detrimental to the interests of the Sub-Branch of which they are a Member; or
- (d) engaged in conduct detrimental to the League,

it shall convene a meeting with the Member at which the Member shall be given the opportunity to present his position and show cause why he should not be disciplined if the conduct is proven.

If the subject of the complaint is a Member of the Sub-Branch Committee then the matter shall be referred directly to the Registrar in accordance with By-Law 7.4.

7.3.2. If a Sub-Branch Committee decides to convene a meeting in accordance with paragraph 7.3.1, it shall provide to the Member notice in writing (**Notice**) containing:

- (a) details of the conduct in which the Member is alleged to have engaged including the date, time and location;
- (b) a direction that the Member attend a meeting of the Committee to show cause why the Member should not be disciplined in respect of such conduct;
- (c) the time, date and place at which the meeting will be convened and outline the manner in which the meeting will be conducted;
- (d) a statement that the Member is entitled to request of the Committee any further information the Member considers relevant to the particulars identified in the Notice; and
- (e) a statement that the Member will be invited at the meeting to present to the Committee either orally or in writing (including by way of statements signed by the member and any other relevant individuals) such information as the Member considers relevant to the issues to be considered at the Committee meeting.

7.3.3. The Notice shall be provided to the Member at least fourteen (14) days prior to the date on which it is intended to convene the meeting.

7.3.4. If the Member requests further information from the Sub-Branch Committee prior to the meeting, the Committee shall, as soon as practicable after receiving the request, provide the information to the Member. If unable to provide the information, the Sub-Branch committee shall state the reasons.

7.3.5. Proceedings before Sub-Branch Committees pursuant to By-Law 7.3.1 shall be conducted informally.

Disciplinary Powers of Sub-Branches

7.3.6. The Sub-Branch Committee, after considering all of the material presented and submissions made to it at the meeting, shall decide whether the Member engaged in the conduct identified in the Notice, and if it is satisfied that the Member did engage in such conduct, shall take any one or more of the following courses of action:

- (a) warn the Member that any further instances of such conduct may result in further disciplinary action being taken against him;
- (b) reprimand the Member; and/or

- (c) suspend the Member from membership of the Sub-Branch for a period not exceeding six (6) months.
- 7.3.7. If the Member to whom the Notice is given concedes that he engaged in such conduct, he may include in any submission made to the Sub-Branch Committee a proposed course of action and the reasons why the Committee should adopt that course of action.
- 7.3.8. Within fourteen (14) days of the conclusion of the meeting, the Sub-Branch Committee shall forward to the Member a notice in writing certified by the meeting Chairman or the Sub-Branch President containing;
- (a) its decision;
 - (b) the reasons for its decision
 - (c) the penalty imposed on the Member and the reasons for imposing such penalty); and,
 - (d) details of the Member's right of appeal to the Tribunal. (See also By-Law 7.3.9 regarding the date of imposition of the penalty if an appeal is lodged.)

Appeals from Decisions of Sub-Branch Committees

- 7.3.9. A Member, who has been subject to disciplinary action under By-Law 7.3.6 and is aggrieved by the decision of a Sub-Branch Committee, may appeal to the Tribunal against that decision by lodging a Notice of Appeal to the Tribunal. If an appeal is lodged the decision of the Sub-Branch Committee is stayed until the appeal is concluded, abandoned or discontinued.
- 7.3.10. All Notices of Appeal shall be in the form contained in Schedule A and shall be lodged with the Registrar within twenty one (21) days of receipt of the decision of the Sub-Branch Committee pursuant to By-Law 7.3.8. Detailed written submissions and copies of relevant documents are to be attached to the Schedule. Relevant documents include but are not limited to statements, letters, file notes, memoranda and any other documents relied upon by the Appellant at the Sub-Branch Committee meeting.
- 7.3.11. All Notices of Appeal submitted to the Registrar under this By-Law shall be accompanied by a remittance of the sum determined by the Board from time to time, and as advised by the Registrar.
- 7.3.12. The right to appeal under By-Law 7.3.9 is limited to an appeal on one or more of the following grounds:
- (a) the Sub-Branch Committee breached the rules of procedural fairness;
 - (b) the decision of the Sub-Branch Committee is not reasonable having regard to the evidence before the Committee; or
 - (c) the penalty imposed by the Sub-Branch Committee is excessive having regard to the circumstances.
- 7.3.13. Notices of Appeal shall identify those grounds which give rise to the appeal, the reasons the Member considers those aspects to be flawed and the decision or penalty the Member considers appropriate.

- 7.3.14. At the hearing of an appeal under By-Law 7.3.9 the Sub-Branch shall be represented by a member of the Sub-Branch Committee. The Member concerned may represent himself or, with prior leave of the Tribunal, may be represented by any non-legally qualified person.
- 7.3.15. The Registrar shall write to the parties within fourteen (14) days of receipt of a Notice of Appeal:
- (a) providing a copy of the Notice of Appeal and attached documentation to the respondent Sub-Branch Committee President and Secretary; and
 - (b) notifying the parties of the time, date and place at which the Tribunal will consider the appeal.
- 7.3.16. Prior to the date upon which the appeal has been set down for hearing, the Registrar shall contact the parties to ensure that all directions issued by the Registrar have been complied with. In the event that the Registrar's directions have not been complied with the Registrar may, upon the direction of the Chairman of the Tribunal, adjourn the hearing of the appeal until compliance with the directions.
- 7.3.17. At the hearing of the appeal the appellant and the respondent are entitled to speak to and expand upon their written submissions but are not entitled to present any new evidence without the leave of the Tribunal. The Tribunal shall not grant leave to either party to present new evidence unless that party did not know, despite having made reasonable inquiries, of the existence of the evidence prior to the meeting of the Sub-Branch Committee convened pursuant to By-Law 7.3.1 and the evidence is relevant to and may have a bearing upon the issues in the appeal.
- 7.3.18. After considering all submissions, the Tribunal shall decide whether to uphold or dismiss the appeal and, where appropriate, the penalty to be imposed on the Member (which shall not be more severe than that the penalty imposed by the Sub-Branch). The decision of the Tribunal shall be determined by a majority of Tribunal members and shall be final.
- 7.3.19. As soon as reasonably practicable after the conclusion of a Tribunal appeal hearing, the Tribunal shall record its decision, including the reasons for reaching its decision and, through the Registrar, make a copy of such decision available to both the appellant and the respondent.

7.4. STATE BRANCH TRIBUNAL

- 7.4.1. Pursuant to Rules 20 and 21 of the National Constitution of the League, RSL (Queensland Branch) will establish a Tribunal consisting of no fewer than five (5) Service or Life Members to hear and determine the following matters:
- (a) appeals from decisions of Sub-Branch Committees both disciplinary and administrative;
 - (b) disciplinary matters referred to it by the Registrar;
 - (c) appeals or hearings in relation to applications for membership, transfer of membership or as otherwise set out in the RSL (Queensland Branch) constitution and by-laws; and
 - (d) any other matters referred to it from time to time by the Registrar concerning complaints or other grievances received by the Registrar from the RSL (Queensland Branch).

7.4.2. The Tribunal does not have the power to deal with any matter which falls within the jurisdiction of a Sub-Branch Committee unless:

- (a) it is an appeal from a decision of a Sub-Branch; and/or
- (b) as allowed under By-Law 7.4.9.

Registrar of the State Branch Tribunal

7.4.3. RSL (Queensland Branch) shall appoint a person to act as the Registrar of the Tribunal.

7.4.4. The Registrar shall:

- (a) act as a liaison between the parties in all matters before the Tribunal, ensuring that all parties have complied with their obligations under By-Laws 7.3 and 7.4;
- (b) determine which complaints may progress to the Tribunal;
- (c) give the parties and potential parties reasonable help to ensure their understanding of the Tribunal's practices and procedures, and
- (d) exercise the Registrar's authority under clauses 7.4.13 - 7.4.16 and 7.4.18.

Membership of the State Branch Tribunal

7.4.5. RSL (Queensland Branch) may prescribe the term of office for each of the members of the Tribunal and, subject to By-Law 7.4.1, the number of Service or Life Members who will from time to time be appointed as Tribunal members. From time to time, the Board may appoint a member of the Tribunal to act as Chairman and a person to act as Deputy Chairman.

7.4.6. A member of the Tribunal will be deemed to have vacated office if that person:

- (a) ceases to be a Service or Life Member of RSL (Queensland Branch);
- (b) becomes a paid employee of the League or any of its District Branches or Sub-Branches;
- (c) becomes of unsound mind or becomes a person liable to be dealt with under any law relating to mental health;
- (d) is declared bankrupt or enters into a scheme of arrangement with his creditors;
or
- (e) resigns his office by notice in writing to the Chief Executive Officer of RSL (Queensland Branch).

7.4.7. At each hearing of the Tribunal, the Panel shall be constituted of at least three (3) Tribunal members and be chaired by the Chairman or Deputy Chairman or another member selected by the Panel.

7.4.8. Members of the Tribunal who have a conflict because they:

- (a) have a previous or present personal, professional or social connection with any of the parties to a dispute or hearing;

- (b) are influenced by the views of a third party;
- (c) have a financial, pecuniary or other interest which could affect their ability to act impartially;
- (d) are related to or in a personal relationship with one of the parties; or
- (e) are for any other reason biased in favour of or against, one or more of the parties or might be perceived to be so biased;

shall declare that conflict and stand down from any involvement with any matters before the Tribunal concerning those parties.

Complaints to the State Branch Tribunal

7.4.9. If a Member of the League has reason to believe that a Member of RSL (Queensland Branch) has:

- (a) refused or neglected to comply with the constitution, by-laws or rules of RSL (Queensland Branch) or a District or Sub-Branch within its jurisdiction as the case may be, or the constitution and by-laws of the League;
- (b) engaged in conduct unbecoming a member of the League which, for the sake of clarity, includes RSL (Queensland Branch);
- (c) engaged in conduct subversive to the Objects of the League which, for the sake of clarity, includes RSL (Queensland Branch);
- (d) engaged in conduct prejudicial to the interests of the League which, for the sake of clarity, includes RSL (Queensland Branch);
- (e) engaged in conduct detrimental to the interests of the League which, for the sake of clarity, includes RSL (Queensland Branch);
- (f) worn a service decoration that he is not entitled to wear;
- (g) falsely represented himself as a soldier, sailor, airman or officer;
- (h) misrepresented his service history; or
- (i) been convicted of an indictable offence,

that person (hereafter referred to as “Complainant”) may lodge a complaint with the Registrar.

7.4.10. Where complaints are received from non-members of the League, the Registrar is to direct the complaint to the President and Secretary of the appropriate Sub-Branch, or to the Secretary of the State Board of RSL (Queensland Branch) for appropriate action.

7.4.11. All complaints under By-Law 7.4.9 shall be in writing and include the following information:

- (a) the identity of the person against whom the complaint is made;
- (b) the actions giving rise to the complaint; and

- (c) the date, time and place of the actions in (b) above.
- 7.4.12. Upon receipt of the complaint, the Registrar shall ensure that the complaint has sufficient details by which he can properly draft the complaint.
- 7.4.13. If the Registrar assesses that the complaint is one that could be dealt with through mediation, he shall refer the complaint back to the Complainant with appropriate advice for action as defined in By-Law 7.1.
- 7.4.14. If the Registrar assesses that the complaint could be dealt with by the Complainant or Respondent's Sub-Branch, he shall refer the complaint to that Sub-Branch for action under By-Law 7.3.
- 7.4.15. If the Registrar assesses that the complaint is unsuitable for mediation or action by a Sub-Branch Committee, he shall refer the complaint to the Tribunal for appropriate action.
- 7.4.16. In all cases wherein the Registrar takes action under By-Laws 7.4.13 - 7.4.15, the Registrar shall notify the Complainant of such action within fourteen (14) days of having received the complaint.

Presentation of Complaints to the Tribunal

- 7.4.17. The following may present the complaint at a hearing of the Tribunal:
 - (a) the Complainant; or
 - (b) the Standing Complainant but only if appointed by the Registrar under By-Law 7.4.18.
- 7.4.18. The Registrar may appoint the Standing Complainant if he considers it appropriate to do so after consideration of the following factors and any other matter the Registrar considers relevant:
 - (a) whether the complaint appears on its face to be frivolous, vexatious or scandalous;
 - (b) whether the Complainant is willing and able to represent themselves at any hearing before the Tribunal;
 - (c) whether it is in the interests of RSL (Queensland Branch) that the complaint be progressed, which can include considerations regarding the reputation of the RSL (Queensland Branch) and the League;
 - (d) whether the identity of the Complainant is critical to the progression of the complaint;
 - (e) whether the Complainant is prepared to give evidence in any hearing before the Tribunal;
 - (f) whether the Complainant has fears, real or perceived, that he may be prejudiced, vilified or shunned if he represents himself or his identify as the complainant is revealed or known;
 - (g) whether the Complainant is prepared to cooperate and submit to the jurisdiction of the Tribunal;

- (h) whether the Complainant's identity is likely to remain confidential if the complaint proceeds, and
- (i) whether the Complainant will sign a deed of confidentiality in relation to the proceedings in the Tribunal.

7.4.19. The Standing Complainant will be appointed in writing by the Registrar in each instance. When appointed, the Standing Complainant is to sign and submit the complaint in the form as contained in Schedule B.

Standing Complainant

7.4.20. The Standing Complainant shall be an employee of RSL (Queensland Branch). The expertise, qualifications and attributes of the Standing Complainant shall be determined by RSL (Queensland Branch) in consultation with the Registrar but shall, as a minimum, be a person who:

- (a) is able to make independent and informed decisions on issues involved in the complaint; and
- (b) employs impartiality, open-mindedness and fairness in determining what is in the interests of the League.

7.4.21. Despite By-Law 7.4.20, the matters undertaken by the Standing Complainant shall be directed by the Registrar under By-Law 7.4.18, not RSL (Queensland Branch).

7.4.22. If the Standing Complainant is appointed by the Registrar, he shall:

- (a) immediately advise the Registrar if he has a conflict of interest in relation to the complaint, to allow the Registrar to determine whether to continue with the appointment of the Standing Complainant;
- (b) gather such information as is held by the Registrar about the complaint;
- (c) attempt to contact the Complainant as soon as practicable after the Registrar's decision under By- Law 7.4.18 to:
 - (i) inform the Complainant about the role of the Standing Complainant including but not limited to advising the Complainant:
 - (A) that the Standing Complainant role is to protect and promote the interests of the League which is done by virtue of pursuing the complaint on the Complainant's behalf;
 - (B) that the Standing Complainant will consult with the Complainant as to how the complaint will be presented to the Tribunal however the final decision on these matters are within the authority of the Standing Complainant; and
 - (C) that the Standing Complainant may discontinue, settle or otherwise finalise any complaint on such basis is reasonable in the circumstances (provided that any obligations on the Complainant are agreed with the Complainant beforehand);

- (ii) ascertain any further information required of the Complainant in relation to the complaint; and
- (iii) where relevant, request that the Complainant execute:
 - (A) a document in which the Complainant submits to the jurisdiction of the Tribunal;
 - (B) a deed or agreement of confidentiality; and/or
 - (C) any other document that may be necessary to progress the complaint; and
- (d) present the complaint to the Tribunal, subject to the powers of the Standing Complainant under By-Law 7.4.22(c)(i)(A) - (C) above.

Hearings before the State Branch Tribunal

7.4.23. If the Tribunal decides to conduct a hearing the Registrar shall require each party to deliver to him, by a date he shall specify, a list of documents upon which each party intends to rely. The Registrar will forward copies of those documents to all other parties. The date specified by the Registrar shall be not less than fourteen (14) days prior to the date at which the hearing will be conducted.

7.4.24. If the Tribunal decides to conduct a hearing, the Registrar shall write to all parties;

- (a) providing a copy of the complaint to the respondent which may be redacted to remove the name of the original Complainant if the Standing Complainant is appointed;
- (b) notifying the parties that:
 - (i) they may call witnesses to give evidence before the Tribunal;
 - (ii) they shall submit to the Tribunal documents they intend to rely upon at the hearing;
 - (iii) they may cross examine each other's witnesses;
 - (iv) Tribunal members may cross examine all parties at the hearing;
 - (v) for the purpose of this By-Law, the term 'document' includes but is not limited to letters, file notes, memoranda, emails, diary entries, accounting and financial records, books of account and all other books, papers and commercial documents of whatever nature; and
 - (vi) they may request of the Registrar further time to comply with the Registrar's directions and the Registrar may grant such extra time at his discretion; and
- (c) informing the parties of the time, date and place at which the Tribunal will hear the complaint.

7.4.25. Where a party fails to comply with directions issued by the Registrar in connection with the conduct of any proceedings in which they are involved, the Tribunal may, upon

written notice to the party, elect to proceed with the hearing and the party may in that case be precluded by the Tribunal from submitting evidence and documents not previously made available to the Tribunal and other parties involved in the proceedings.

- 7.4.26. Proceedings before the Tribunal shall be conducted with as little formality as is consistent with the specific setting. This however, does not negate the requirement for all parties involved to conduct themselves with dignity and respect.
- 7.4.27. At the commencement of a Tribunal hearing, the Chairman shall explain the manner in which the proceedings will be conducted.
- 7.4.28. All members who appear before the Tribunal shall abide by directions issued by the Chairman and/or Registrar in connection with the conduct of the proceedings in which they are involved and will treat Tribunal members and all other parties appearing before the Tribunal with dignity and respect.
- 7.4.29. All proceedings before the Tribunal shall be recorded electronically and a copy of such recording shall be made available to the parties upon request to the Registrar and upon the payment of such fee as the Registrar considers reasonable. Such fee shall not exceed the cost to the RSL (Queensland Branch) of providing the copy to the member.
- 7.4.30. As soon as reasonably practicable after the conclusion of a Tribunal hearing, the Tribunal shall record its decision, including the reasons for reaching its decision and, through the Registrar, make a copy of such decision available to the parties.
- 7.4.31. In the event that the Tribunal finds a party guilty of the conduct or some of the conduct set out in the complaint, the Registrar shall, in addition to providing that party with a copy of the Tribunal's decision, inform that party of:
 - (a) the date, time and place at which the Tribunal will impose the discipline it considers appropriate; and
 - (b) his right to appear before the Tribunal on that occasion to inform the Tribunal of and/or to submit to the Tribunal in writing any facts, matters or circumstances the party considers the Tribunal should take into account in deciding what penalty to impose.

Disciplinary Powers of the State Branch Tribunal

- 7.4.32. If, in the opinion of the Tribunal, a Member:
 - (a) has refused or neglected to comply with the provisions of the constitution, by-laws or rules of RSL (Queensland Branch) or a District or Sub-Branch within its jurisdiction as the case may be, or the constitution and by-laws of the League;
 - (b) is guilty of conduct unbecoming a member of the League;
 - (c) is guilty of conduct subversive to the Objects of the League;
 - (d) is guilty of conduct prejudicial to the interests of the League;
 - (e) is guilty of conduct detrimental to the interests of the League;
 - (f) is guilty of wearing a service decoration that he is not entitled to wear;

- (g) is guilty of falsely representing himself as a soldier, sailor, airman or officer;
- (h) is guilty of misrepresenting his Service History; or
- (i) has been convicted of an indictable offence;

the Tribunal may impose a penalty on the member as set out in By-Law 7.4.33.

7.4.33. Having considered all of the circumstances of the conduct complained of, including any mitigating circumstances, and subject to By-Law 7.4.34, the Tribunal may impose upon a Member one or more of the following penalties:

- (a) a reprimand;
- (b) suspension from membership for a period not exceeding six (6) months;
- (c) transfer to the RSL (Queensland Branch) Miscellaneous List of Members indefinitely or for such period as it determines;
- (d) disqualification from holding office for an indefinite period or for such period as it determines in RSL (Queensland Branch) or a District Branch or Sub-Branch under its jurisdiction as the case may be, and transfer to the RSL (Queensland Branch) Miscellaneous List of Members; or
- (e) expulsion from membership.

7.4.34. The Tribunal may impose any of the penalties provided in By-Law 7.4.33 except that if the member is guilty of conduct as described in By-Law 7.4.32(g) or (i) it shall impose the penalty of expulsion from membership of the League as set out in By-Law 7.4.33(e).

Appeals from Decisions of the State Branch Tribunal

7.4.35. Members aggrieved by a decision of the Tribunal in respect of a complaint or proceedings of the Tribunal or the penalty imposed by the Tribunal may appeal to the National Tribunal.

7.4.36. An appeal to the National Tribunal under this By-Law shall be in writing and shall be lodged with the Registrar of the National Tribunal within twenty eight (28) days of receipt of notice of the penalty imposed by the Tribunal.

7.4.37. If a notice of appeal is not lodged with the National Tribunal Registrar within the time stipulated by By-Law 7.4.376, the Member loses the right to appeal.

7.4.38. All Notices of Appeal submitted to the National Tribunal Registrar under this By-Law shall be accompanied by a remittance in the sum determined by the Board from time to time and advised by the Registrar.

7.4.39. An appeal to the National Tribunal under this By-Law shall identify:

- (a) those parts of the decision of the Tribunal which give rise to the appeal;
- (b) the reasons the appellant considers those aspects of the decision are flawed;
and
- (c) the decision the appellant considers the Tribunal should have made.

7.4.40. The right to appeal under this By-Law is limited to an appeal on one or more of the following grounds:

- (a) the Tribunal proceedings lacked procedural fairness;
- (b) the decision of the Tribunal was not reasonable having regard to the evidence presented at the Tribunal hearing; or
- (c) the penalty imposed by the Tribunal was excessive having regard to the circumstances of the complaint.

7.4.41. Upon lodgement of a Notice of Appeal to the National Tribunal in accordance with By-Law 7.4.36, the decision of the Tribunal shall be stayed until the appeal is concluded abandoned or discontinued.

Annex A to By-Law 7

FRAMING COMPLAINTS

It should be noted that RSL (Queensland Branch) disciplinary system has been set up to consider matters relating to the administration and discipline in RSL (Queensland Branch). The Board, Sub-Branch Committees and the Tribunal shall not proceed with any matter subject to investigation or action under the law or in which action under a statute has been initiated, until it has been dealt with in the courts or statutory authorities or police and/or statutory authorities have refused to proceed.

It is essential that the complaints to be heard are properly framed. It is important that Sub-Branch Committees and the Tribunal insist on their proper framing. If complaints are not properly specified and proved, an appeal against the finding may succeed. One of the preliminaries to any hearing should be to check on the framing of the complaints and their referral back to those responsible if they are not properly framed.

The steps for framing a complaint are:

- Identify the alleged offence. The specific offence must be stated. Generally this will be identified in By-Laws 7.3.1 or 7.4.9. Examples of offences include ‘conduct unbecoming.....’, ‘conduct detrimental.....’ ‘ failed to comply with.....’ etc.
- Provide the particulars of the alleged offence. This means identifying the time, date and location of the alleged offence and the actions purporting to constitute the offence. These particulars must be supported by the evidence if the complaint is to be proved.

Examples of Complaints.

- Rude behaviour which may constitute conduct unbecoming a member of a Sub-Branch.

“Under By-Law 7.3.1(b), engaged in conduct unbecoming a member of a Sub- Branch in that in the foyer of the Brisbane Services Club, at 1120 hours on 29th July 2013, the member made an insulting gesture in the direction of the wife of the Sub- Branch President”.

- A Sub-Branch secretary who failed to provide the requisite notice to members of a forthcoming general meeting.

“Under By-Law 7.4.9(a), failed to comply with RSL (Queensland Branch) Constitution, Clause (insert clause) in that being the Secretary of the Smithville RSL Sub-Branch, the member failed to provide prior notice of a Sub-Branch meeting held at the Smithville RSL Sub-Branch on or about 1800 hours on the 11th August 2013.

Note that in these examples, State Constitution and By-Laws are cited. However there will be instances where references to Sub-Branch Constitutions, Rules and/or By-Laws will be more appropriate.

For the complaint to be proved, the evidence should support every particular including:

- that the alleged actions occurred;
- that they support an offence under the section quoted, and
- that they occurred at the time, date and location specified in the complaint.

It is highly desirable that the evidence be complete and corroborated, however it is recognised that this may not always be entirely possible. The Sub-Branch Committee or Tribunal must exercise its judgement about whether the evidence presented is sufficient to prove the complaint.

RSL (QUEENSLAND BRANCH)

NOTICE OF APPEAL FROM A SUB-BRANCH COMMITTEE DECISION
BY-LAW 7.3.9

PART A

APPELLANT DETAILS

NAME:.....

RSL MEMBERSHIP NO.....

SUB-BRANCH.....

DATE OF COMMITTEE DECISION

PARTICULARS OF APPEAL

If insufficient space, attach separate statement.

APPELLANT'S
SIGNATURE.....DATE.....

PART B

FOR REGISTRAR'S USE ONLY

DATE RECEIVED/...../.....

APPEAL FEE: LODGED/NOT LODGED

APPEAL ACCEPTED/DECLINED

IF DECLINED STATE REASON: _____

ADVICE TO RESPONDENT SENT /...../.....

APPELLANT OK TO PROCEED /...../.....

RESPONDENT OK TO PROCEED /...../.....

TRIBUNAL FINDING

UPHELD. PENALTY AWARDED.....

DISMISSED

APPELLANT ADVISED /...../.....

RESPONDENT ADVISED/...../.....

SIGNATURE OF TRIBUNAL CHAIRMAN

...../...../.....

RSL (QUEENSLAND BRANCH)
COMPLAINT TO TRIBUNAL
BY-LAW 7.4.9
PART A

COMPLAINANT DETAILS

NAME:.....
RSL MEMBERSHIP NO.....
SUB-BRANCH.....

RESPONDENT DETAILS

NAME.....
RSL MEMBERSHIP NO.....
SUB-BRANCH.....

PARTICULARS OF COMPLAINT

If insufficient space, attach separate statement.

COMPLAINANT'S SIGNATURE.....DATE...../...../.....

PART B

FOR REGISTRAR'S USE ONLY

DATE RECEIVED/...../.....

COURSE OF ACTION ADVISED TO COMPLAINANT AS PER BY-LAWS 7.4.13,
7.4.14 OR 7.4.15

DATE ADVISED...../...../.....

ACTION TAKEN UNDER BY-LAW (QUOTE BY-LAW REFERENCE)

LETTER TO RESPONDENT DATE...../...../.....

LETTER TO COMPLAINANT DATE...../...../.....

TRIBUNAL FINDING

PROVED PENALTY AWARDED _____

NOT PROVED

ADVICE TO RESPONDENT SENT /...../.....

ADVICE TO COMPLAINANT SENT /...../.....

SIGNATURE OF TRIBUNAL CHAIRMAN

...../...../.....

BY-LAW 8 AWARDS FOR RSL MEMBERS

Life Membership and Gold Badges

- 8.1 The award of Life Membership and Gold Badge of the RSL is earned through years of unselfish and dedicated work performed by an individual. The award is limited each year to one member per 750 members of the League.
- 8.2 Other than in exceptional circumstances, RSL (Queensland 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.
- 8.3 A guide to the nomination process and the nomination form is shown in the Manual of Membership Administration.
- 8.4 When it is considered that a member is worthy of nomination for the award the following procedure is to apply:
 - a. The member is nominated at any meeting of the Sub Branch, District Branch or State Branch. Those present, either may decide to proposal by open ballot or secret ballot, depending on the members wishes.
 - b. If the proposal is carried, a citation in accordance with the MMA, is to be prepared, signed by both the President and Secretary of the responsible Branch.
 - c. A Sub Branch nomination is to be forwarded to the District Branch for consideration at either a District Council Meeting or the Annual District Congress and, if passed is then forwarded to State Branch. A nomination passed by a District Branch is to be forwarded direct to State Branch.
 - d. After due consideration by the State Branch Legislation and Awards Committee, recommendations will be considered at either the Board Meeting or the State AGM.
 - e. Successful nominations are to be forwarded to the National Headquarters for consideration.
- 8.5 That RSL (Queensland Branch) shall accept the cost of Life Member Awards, including the cost of the gold badge, certificate, life membership and capitation fees, if applicable.

Meritorious Service Medal

- 8.6 The RSL Meritorious Service Medal is the highest award that can be made available to a member over and above Life Membership.
- 8.7 A Life Member who has been a member continuously for a period of not less than 30 years and who during that period has given not less than 25 years outstanding service to the League, may, on the recommendation of the National Executive, be awarded a Meritorious Service Medal by the National Congress.
- 8.8 The award of such medal may be made posthumously provided a Sub-Branch has nominated a Life Member for receipt of the award and such nomination has been received by RSL (Queensland Branch) and provided further that RSL (Queensland Branch) recommends the award to the National Executive and it in turn recommends to the National Congress that the award be made.
- 8.9 The cost of the Meritorious Service Medal is to be borne by RSL (Queensland Branch)

Long Service Award

- 8.10 A Service or Life Member, who has given not less than 50 years cumulative service as a member of the League, may be granted a Long Service Award by the National Executive.
- 8.11 The National Executive may delegate to RSL (Queensland Branch) the power to grant a Long Service Award to a Service or Life Member who has given not less than 50 years cumulative service as a member of the League and whom RSL (Queensland Branch) has jurisdiction.
- 8.12 The number of Long Service Awards that may be granted by the National Executive in any one calendar year shall not be limited.
- 8.13 For the purposes of this By-Law, service as a member of a Women's Auxiliary may be taken into account.
- 8.14 A Long Service Award may be granted posthumously to a Sub-Branch's late member's family provided that according to the Sub-Branch records, the late member had fulfilled cumulative membership of the League, but had died without making application for the Certificate.

RSL (Queensland Branch) Certificate of Appreciation

- 8.15 The RSL (Queensland Branch) may award an RSL (Queensland Branch) Certificate of Appreciation to members of the League who have rendered outstanding service or assistance to the League.
- 8.16 When it is considered that a member is worthy of nomination for the award, the following procedures apply:
- a. The member is proposed and seconded at any meeting of the Sub-Branch, District Branch or RSL (Queensland Branch) Executive. The proposal may be decided by those present, either by open vote or secret ballot.
 - b. If the proposal is carried, a letter of recommendation has then to be prepared, signed by both the President and Secretary, and forwarded to RSL (Queensland Branch) for consideration by the Board.

Death of Life Members

- 8.19 On the Death of Life Members, Sub Branch Secretaries are requested to notify their District Office, when any Life Member in their particular Sub Branch has passed away, as both State and District Branches should have a representative present at the funeral.

District office will notify State Office of the passing of any Life Member so that arrangements may be made, if at all possible, to have someone representing State Branch at the funeral of the deceased Life Member.

BY-LAW 9 AWARDS FOR NON - RSL MEMBERS

RSL (Queensland Branch) Certificate of Appreciation

- 9.1 RSL (Queensland Branch) may award an RSL (Queensland Branch) Certificate of Appreciation to non-members of the League who have rendered outstanding service or assistance to the League.
- 9.2 When it is considered that a non-member is worthy of nomination for the award, the following procedures apply:
- a. The non-member is proposed and seconded at any meeting of the Sub-Branch, District Branch or the Board. The proposal may be decided by those present, either by open vote or secret ballot.
 - b. If the proposal is carried, a letter of recommendation has then to be prepared, signed by both the President and Secretary, and forwarded to the State Branch for consideration by the Board.

Honorary Life Membership

- 9.3 The National Executive may award Honorary Life Membership to:
- a. any member of the Royal Family;
 - b. Any representative of the Sovereign in the Commonwealth;
 - c. Any person who ordinarily resides in the Commonwealth and who has been awarded the Victoria Cross, the George Cross, the Cross of Valour or the Star of Courage;
 - d. Any person who is a citizen of any country forming part of the Commonwealth of Nations and who in the opinion of the National Executive has rendered long, continued and outstanding service to the said Commonwealth of nations; and
 - e. any person who in the opinion of the National Executive has rendered outstanding service to the service or ex-service community of the country in which he ordinarily resides
- 9.4 If an Honorary Life Member is a Service Member or Life Member at the time he is awarded Honorary Life Membership, his rights, privileges and obligations as a Service Member or Life Member (as the case may be) shall, subject to paragraph 9.05, not be disturbed by the award to him of Honorary Life Membership.
- 9.5 An Honorary Life Member may attend as an observer at any National Congress but shall not be entitled to vote or receive notices nor shall be liable to pay any annual subscriptions or other sums to the League.

Certificate of Merit and Gold Badge of Merit

- 9.0.6 The National Congress of the RSL may award Certificates of Merit with Gold Badge to men and women non-members of the League who have rendered outstanding service to ex Servicemen and ex Servicewomen and their dependents.

This award is also available to members of the Women's Auxiliary, who have held the award of Life Membership and Gold Badge of the Auxiliary for a period of three or more years, prior to the nomination for the above award.

The maximum number awarded, to cover all sections as outlined above, is eight per year for each State.

Ex-Service members of Auxiliaries are eligible for this award; Paragraph 1 notwithstanding.

Citations of recommendation from Sub Branches or Districts are submitted to Annual District Conferences and, if successful, to State Congress for final approval at National Headquarters. This is the highest award the League has in its power to bestow on non-members.

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

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

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

BY-LAW 11 LIFE SUBSCRIPTION

General

- 11.1 Sub Branches may, on behalf of their members, or members may on their own behalf purchase Life Subscription in accordance with State Constitution clause 4.2.
- 11.2 RSL (Queensland Branch) will award Life Subscriber Status to those attaining the age of 80 years, as an act of grace, providing they have been League Members for the preceding 10 years or more.
- 11.3 RSL (Queensland Branch) will award Life Subscriber Status, as an act of grace, to Members of the League suffering from Dementia or Alzheimer's disease.
- 11.4 Details of requirements, Life Subscription fees and eligibility are shown in the Manual of Membership Administration.

BY-LAW 12 RSL SUB BRANCH CHAPTERS

The RSL Chapter System

- 12.1 The RSL Chapter System is designed to allow small Sub Branches the opportunity to retain an RSL presence in their town, to retain their name in part and to continue to promote the objects of the League if they are unable to continue to operate and function as a Sub Branch.
- 12.2 The Sub Branch would cease to function and operate as a Sub Branch and become a component of a larger Sub Branch in the area. An Incorporated Sub Branch would need to wind up prior to becoming a Chapter. To ensure that the name is retained the word "Chapter" would apply to that group of RSL members. An example would be:
- Fortitude Valley Chapter of Brisbane RSL Sub Branch.
- 12.3 A new RSL Chapter may be raised in an area where there is no RSL presence but shows potential for the raising of a Sub Branch in the future. Any ten (10) or more members or persons eligible for membership of the League, resident in any town or locality where no Sub Branch exists, may apply to a Sub Branch geographically located near the area in which such town or locality is situated, for permission to form a new RSL Chapter, however, the Chapter is to seek approval to raise a chapter from the closest geographically located Sub Branch or a Sub Branch approved by the District Branch.
- 12.4 A Sub Branch wishing to raise a new chapter is to seek approval from RSL (Queensland Branch). All applications are to be ratified by the District Branch of which the Sub Branch is a member prior to seeking approval.

Administrative Requirements

- 12.5 The Chapter is not required to administer itself in accordance with RSL (Queensland Branch) Rules and all administration will become the responsibility of the foster Sub Branch. The Chapter is to appoint a member to represent their interests who would automatically become a member of the foster Sub Branch Committee representing the interests of the chapter at all foster Sub Branch meetings. This member would not have voting rights unless he elected to become a voting associate member of the foster Sub Branch.
- 12.6 There will be no requirement for the Chapter to appoint any committee members other than their representative. They may appoint a President and Secretary, if available, to represent them in the local community. The representative would conduct meetings in the local area to keep members up to date with RSL matters.
- 12.7 Representation at both District and RSL (Queensland Branch) level would be vested in the foster Sub Branch and the Chapter would have no voting rights at this level.

Financial Requirements

- 12.8 Upon the creation of a Chapter all property is to be transferred to the foster Sub Branch and held in trust for the Chapter until the Chapter ceases to function in accordance with paragraph 12.10 or is re-established as a Sub Branch in accordance with paragraph 12.15. Where disposal of property is to occur Sub Branches are required to resolve by special resolution that the surplus assets shall be disposed of. All monies and property of whatever nature shall, after satisfying all its creditors and meeting all other obligations, be taken over and held by the District Branch. If the District Branch shall have been wound up, RSL (Queensland Branch) shall

take over the money and property, however, the assets are to be transferred to the foster Sub Branch.

- 12.9 Where the continued holding of property is undesired or can only be retained at considerable cost, the property is to be disposed of, in accordance with RSL (Queensland Branch) Rules, before the Chapter is formed.
- 12.10 All cash assets are to be transferred to the foster Sub Branch and are to be maintained in a separate sub account operated by the foster Sub Branch on behalf of the Chapter.
- 12.11 Cash received from the sale of property is to be used to finalize Chapter debt and any remaining moneys are to be transferred to the Sub Account. All transactions are to be agreed to by the foster Sub Branch Committee.
- 12.12 Where a new Chapter is raised in accordance with this By-Law, the fostering Sub Branch is responsible for the financial management of the Chapter. The foster Sub Branch is to maintain a separate sub account on behalf of the new Chapter.

Chapter Identity

- 12.13 The Chapter would be required to return its charter or may apply to retain the charter for historical reasons. Whichever the case a new charter would be issued detailing the new name of the Chapter.

Chapter Management

- 12.14 Where a Chapter decides to cease to function or operate, the procedure to be employed is detailed in the procedures for the winding up of Sub Branches and Chapters.
- 12.15 The Chapter may re-establish itself as a viable Sub Branch in its own right. However, the Chapter will have to justify its viability by exhibiting an ability to financially and administratively manage itself for a period of twelve months under the administration of the foster Sub Branch before it can apply for re-instatement RSL (Queensland Branch) as a Sub Branch in its own right.
- 12.16 The District can only approve the re-raising of the Chapter to Sub Branch status after a viability report has been provided by the supporting Sub Branch and, in accordance with current rules this could be vetoed by RSL (Queensland Branch) Branch.
- 12.17 The authority to change a Sub Branch to Chapter status is vested in the District Branch. However, when considering the change, the District must not only consider the ability for the entity to continue to exist as a Chapter rather than closing but must also decide which Sub Branch will be tasked with fostering that Chapter based on its Administrative and Financial situation and administrative ability.
- 12.18 Where a suitable Sub Branch is not available within the vicinity, a Chapter can be fostered by a District Branch.
- 12.19 The District Branch, where paragraph 12.18 applies, is to accept the responsibility of financial and administrative management of the Chapter. The Chapter representative would attend District Council meetings as an observer without voting rights to ensure that up to date information is provided to the Chapter members.
- 12.20 The Chapter would not have voting rights or provide representation at RSL (Queensland Branch) AGM.

Raising New Sub Branches from Chapters

- 12.21 The District Branch may raise a Chapter for the first twelve months under a foster Sub Branch. After that period the Chapter may be granted Sub Branch status based on the viability assessment of the foster Sub Branch, however, Sub Branches may still be formed in accordance with the Constitution if it is believed that the new Sub Branch would be viable from establishment.

BY-LAW 13 PUBLIC COMMENT BY MEMBERS

No Criticism Via Media Permitted

- 13.1 No member of RSL (Queensland Branch) is to cause or assist in, the printing or dissemination in any public media, (including electronic, newspaper, periodical, circular or other publication, except any League sponsored journal or publication) of any article or other format (such as cartoon or diagram etc.) or statement criticising, or expressing any view, or antagonistic or derogatory comment, regarding;
- a. the League;
 - b. RSL (Queensland Branch);
 - c. RSL (Queensland Branch) Board, its committees or its members;
 - d. any RSL (Queensland Branch) District, Sub-Branch or Auxiliary Board, or its members;
 - e. the RSL (Queensland Branch) State Tribunal or its members; or
 - f. any employee of RSL (Queensland Branch) or subordinate organisations.
- 13.2 The Board of RSL (Queensland Branch) or any Board of a subordinate District, Sub-Branch or Auxiliary is not to authorise any person or organisation, whether in the name of the entity or not, to cause or assist in, the printing or dissemination in any public media, (including electronic, newspaper, periodical, circular or other publication, except any League sponsored journal or publication) of any article or other format (such as cartoon or diagram etc.) or statement criticising, or expressing any view, or antagonistic or derogatory comment, regarding;
- a. the League;
 - b. RSL (Queensland Branch);
 - c. RSL (Queensland Branch) Board, its committees or its members;
 - d. any RSL (Queensland Branch) District, Sub-branch or Auxiliary Board, or its members;
 - e. the RSL (Queensland Branch) State Tribunal or its members; or
 - f. any employee of RSL (Queensland Branch) or subordinate organisations.
- except as allowed in paragraph 13.3.

Comment on RSL Policy

- 13.3 No RSL (Queensland Branch) member except the State President or CEO, or in their absence the Deputy President, is to communicate with, or make comment in, any public media (including electronic, newspaper, periodical, circular or other publication) on RSL (Queensland Branch) or League policy without the express authority of the RSL (Queensland Branch) State Board.

Comment on Discriminatory or Contentious Issues Forbidden

- 13.4 Members of RSL (Queensland Branch), whilst representing the League, are not to make any criticism of any religious, racial or other discriminatory issue such as gender, age, etc. or any issue that is likely to arouse sectarian or political controversy.

- 13.5 No RSL (Queensland Branch) publication (including electronic, newspaper, periodical, circular or any other publication or any other media) is to contain any criticism of any religious, racial or other discriminatory issue such as gender, age, etc. or any issue that is likely to arouse sectarian or political controversy.

BY-LAW 14 WEARING OF HONOURS AND AWARDS

The Order of Wearing Australian Honours And Awards

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

Foreign Awards

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

Other Awards

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

Returned From Active Service Badge

- 14.6 The Returned from Active Service Badge (RASB) is issued to Australian Defence Force personnel who have rendered warlike service. The badge enables individuals to display their involvement in warlike service when wearing civilian attire. It is worn when the wearing of service awards is not appropriate or possible. Conversely, it should not be worn when wearing service awards.

- 14.7 The RASB is only worn by the person to whom it has been issued. Family members and others, who may wear a deceased person's awards on appropriate occasions, do not wear the RASB.

Wearing Of Awards On The Right Breast

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

Wearing Of Awards Where There Is No Entitlement

- 14.10 The fraudulent wearing of Honours and Awards is covered by Federal legislation and RSL Constitutions. In addition to those regulations Members are not to wear any badge, insignia or the like to which they are not entitled: for example, the Infantry Combat Badge (ICB), Aircrew brevets, Submariners badge, or RASB.