

THE
CANADIAN LEGION
— OF THE —
BRITISH EMPIRE
SERVICE LEAGUE

Constitution



AMENDED, AUGUST · SEPTEMBER, 1931

DOMINION HEADQUARTERS

P. O. Box 384

Ottawa, Ont.

Provincial Commands:

British Columbia—	119 Pender Street W., Vancouver, B.C.
Alberta—	608 Leeson-Lineham Block, Calgary, Alta.
Saskatchewan—	Veteran Block, Regina, Sask.
Manitoba—	91 Albert Street, Winnipeg, Man.
Ontario—	615 Yonge Street, Toronto, Ont.
Quebec—	P.O. Box 524, Montreal, Que.
New Brunswick—	P.O. Box 284, Saint John, N.B.
Nova Scotia—	P.O. Box 112, Halifax, N.S.
Prince Edward Island—	57 Grafton St., Charlottetown, P.E.I.

THE
CANADIAN LEGION
— OF THE —
BRITISH EMPIRE
SERVICE LEAGUE

Constitution



AMENDED, AUGUST - SEPTEMBER, 1931

The
Canadian Legion
of the
British Empire Service League

CONSTITUTION

(Amended in accordance with the decisions of the fourth
Dominion Convention, Niagara Falls, Ontario, August-
September, 1931.)

ARTICLE I.

Title

The title of the organization shall be "**The Canadian Legion of the British Empire Service League.**" It is hereinafter referred to as "The Legion."

ARTICLE II.

Principles and Policy

The Legion shall be democratic and non-sectarian, and shall not be affiliated to, or connected, directly or indirectly, with any political party or organization.

It shall stand for loyalty to the reigning Sovereign, Canada and the Empire, for maintenance of the foundation principles of the British Constitution, for the development of a national and united spirit and for ordered government in Canada, and, while striving for peace, goodwill and friendship among all nations, will advocate the maintenance by Canada of adequate and efficient forces on land, sea and in the air, for the defence of our country and for the discharge of those obligations which rest upon us by virtue of our partnership in the British Empire.

It shall stand for strong and united comradeship among all those who have served in His Majesty's forces throughout the Empire, so that neither their rights, their duties nor their

interests shall be forgotten, and so that their welfare, and that of the dependents of the disabled and the Fallen may be safeguarded.

ARTICLE III.

Aims and Objects

The aims and objects of the Legion shall be:

1. To bring about the unity of all who have served in His Majesty's Navy, Army, Air Force or any Auxiliary Force.

2. To further among them the spirit of comradeship and mutual help, and the close and kindly ties of active service.

3. To preserve the records and memories of their services, and to see that their services generally shall not be forgotten by the nation, and that due attention shall be paid to their welfare and that of their dependents.

4. To perpetuate the memory and deeds of the Fallen and of all those who die in the future; to promote and care for memorials to their valor and sacrifice; to provide suitable burial; and to keep an annual memorial day.

5. To see to the maintenance and comfort of those who require special treatment, of the disabled, sick, aged and needy; and to promote the welfare of the women, children and others their dependents.

6. To educate public opinion regarding national duties to the dead, the disabled, and others who have served, and their dependents.

7. To foster loyalty among the public and education in the principles of patriotism, duty and unstinted public service.

8. To support suitable undertakings for the training, employment and settlement of ex-service men and women, and the education of their children.

9. To defend their statutory, acquired and legitimate rights, and those of their dependents; and in so doing to offer the Legion's co-operation to those officially charged with the responsibility of administering such rights by Federal or other Governments in Canada.

10. To pass on to their families and descendants the traditions for which they stand.

11. To assist comrades now serving, especially in connection with their return to civil life, and to safeguard the interests of their dependents whilst they are in service.

12. To assist ex-service men to secure not less than the recognized standard rates of wages, in accordance with their ability.

13. To secure adequate pensions, allowances, grants and war gratuities for ex-service men, their dependents, and the widows, children and dependents of those who are dead, and to labor for honorable provision being made for those who in declining years are unable to support themselves.

14. To raise and co-ordinate funds for assisting those mentioned in the preceding paragraph, and to see that these and other funds raised for such purposes are applied to those purposes and none other.

15. To acquire and hold such property in the nature of club rooms, offices and equipment and material, as may be necessary for the administration of the Legion and its authorized Branches, in pursuit of its aims and objects as herein described.

16. To co-operate with Empire and Allied Associations of similar aims and objects.

17. There shall be nothing in this Constitution to prevent the Legion from adopting a definite policy on any question directly or indirectly affecting ex-service men, and taking any constitutional action considered necessary in pursuance of it, provided that such action has been considered and endorsed by a majority of the Branches of the organization; and also providing that such a policy or action is strictly in accordance with the principles laid down in this Constitution.

ARTICLE IV.

Membership

1. Membership is open to the following classes:

(a) Ordinary Members.

(1) Any person of good character who has seen active service during any of the wars of the Empire in any of His Majesty's armed forces or auxiliary services, including the Mercantile Marine and the Fishery Patrol services and have received honorable release therefrom.

(2) Officers and other ranks who have served in any of His Majesty's regular forces or in any of the Permanent Forces of the Dominion, including the Royal Canadian Mounted Police, and have been honorably discharged.

(3) Officers and other ranks who have served satisfactorily not less than three years in any of His Majesty's Auxiliary Forces or the Royal Canadian Mounted Police.

(4) Any British or Naturalized British subject who served not less than three months in an Allied Force during the Great War, and saw active service therewith.

(b) Life Members.

Any of the above ordinary members may be admitted to Life Membership, with the approval of the Branch of which he is a member, upon payment of fifteen years' Per Capita Tax to the Provincial and Dominion Commands.

(c) Associate Members.

Any person of good character who has served satisfactorily in any of His Majesty's armed, regular or auxiliary forces, or in any of the armed, regular or auxiliary forces of His Majesty's Allies and who has been honorably discharged therefrom, but is not eligible, as herein provided, as an ordinary member.

(d) Honorary Members.

(1) Any person recommended by a local branch with the approval of its Provincial Executive Council, or by the Dominion and Provincial Command branches, who accepts and supports the policy, aims and objects of the Legion, and who has assisted in the advancement of these aims and objects in the past by giving time and work; and local and Provincial Command branches shall pay per capita tax equivalent to the amount payable from time to time on ordinary and associate members, for all honorary members.

(2) There also shall be National and Provincial Honorary Membership, to be conferred by the National and Provincial Executive Councils at their will and pleasure.

(3) Any Honorary Member as above defined shall be eligible to Honorary Life Membership with the approval of the Branch of which he is a member, and upon payment of fifteen years' Per Capita Tax to the Provincial and Dominion Commands; provided that such Honorary Life Membership shall be approved by the Provincial Executive Council in the case of a Branch under the jurisdiction of a Provincial Executive Council or by the Dominion Executive Council if such Branch is under the jurisdiction of the Dominion Executive Council.

(e) Women Members.

The formation of Women's Auxiliaries is permissible, under the control of Branches of the Legion, and charters may be granted to such Auxiliaries. Local Women's Auxiliary by-laws govern their activities, but these by-laws shall not be deemed effective unless conforming to the policy and aims and objects of the Legion, and subject to the approval of the Branch and Provincial Councils concerned.

(f) Junior Members.

The formation of Junior Auxiliaries is permissible, under the control of Branches of the Legion. Local Junior Auxiliary by-laws shall govern their activities, but such by-laws shall not be deemed effective unless conforming to the policy, aims and objects of the Legion, and shall be subject to the approval of the Branch and Provincial Executive Council concerned.

(g) No person shall be entitled to more than one membership.

2. All who on November 25, 1925, were regular members of Associations which are, or may be in the future merged in, or otherwise amalgamated with the Legion, are by the operation of such union constituted members of the Legion in the respective classes of Ordinary, Associate, Honorary or Life Members, as above defined, provided they accept the principles and aims of this Constitution. Where subjects of Allied nations who fought in the Great War were, on the date specified above, members in good standing, they also may be admitted to membership in the Legion.

3. No avowed Anarchist, Communist, or other person who advocates the destruction of organized government in Canada by force, shall be permitted to become or remain a member.

4. No member who is not an Ordinary or Life Member, as defined in Article IV., Sec. 1 (a) or (b), above, shall be entitled to vote or hold office in, or be a member of any Council or Committee of the Legion.

5. Application for membership shall be made in writing upon the proper form supplied for that purpose, and shall be signed by the proposer of the applicant, who must give in detail the particulars therein set forth. The application, accompanied by the enrolment fee, shall be sent to the Secretary of the Branch of which the applicant desires to become a member.

The Secretary will make a preliminary investigation and report the application, with all information in his possession, to the Branch Executive Committee at its next meeting. The Executive Committee may either complete the investigation itself and report to the next meeting of the Branch, or hand the case over to an investigating committee of the Branch, where such a committee has been formed. The applicant shall declare whether he has been, or has tried to become, a member of any other Branch of the Legion. Notice of application for membership shall be given to the members of the Branch with which application for membership has been filed.

6. Every applicant must be proposed by an ordinary member in good standing or by a Life Member, and his or her application must be recommended by the body charged with the duty of investigation; otherwise such application shall be rejected.

7. All tuberculous and chest disabled applicants accepted for membership in the Legion shall be assigned to the Tuberculous Veterans' Section and, subject to the consent of such applicants individually, their memberships shall be included in the nearest Tuberculous Veterans' Section branch. Application forms of such applicants shall be clearly endorsed "Tuberculous Veterans' Section."

8. The Secretary of each Branch shall each month forward to the Provincial Executive Council a list of all applications for membership, showing the dispositions made of them, and, in the case of rejections, the grounds on which applicants were rejected.

9. Any person whose application has been rejected shall not be eligible for membership in any other Branch without the consent of the Provincial Executive Council, given after full consideration.

10. Ordinary Members may from time to time be constituted Life Members on payment of such lump sum in commutation of ordinary dues, upon such terms and conditions as may from time to time be decided by the Legion. Life Members of Associations merged or united become Life Members of the Legion.

11. Honorary Members may be constituted on such terms and conditions as may from time to time be decided by the Legion, but shall have no vote, office, voice or legal interest in its affairs unless they are also Ordinary or Life Members.

ARTICLE V.

Organization

1. The supreme authority of the Legion is vested in the Dominion Convention, and is exercised by that body as long as it is in session. When it is not in session its powers are delegated to and exercised by the Dominion Executive Council.

The Dominion Convention, and when it is not in session the Dominion Executive Council, shall have supreme jurisdiction in all matters within the objects and aims of the Legion, and its policy and its decisions as to the course of action to be taken in respect thereof, shall be authoritative and binding upon all subordinate Councils and Branches.

3. The Dominion Convention shall meet annually, at a time and place settled by vote of the next previous meeting, unless referred to the Dominion Executive Council; provided, however, that such Convention may be called by the Dominion Executive Council at a date prior to that fixed, if, in their opinion, there is sufficient demand therefor by the membership; and further provided that such Convention must be called by that Executive Council at any time on a request therefor by two-thirds in number of the local Branches.

4. There shall be a Provincial Convention for each Province, which shall meet annually at a time and place settled by a vote of the next previous meeting; provided, however, that such Convention may be called by the Provincial Executive Council at a date before that fixed by the previous Convention, if, in their opinion, there is a sufficient demand therefor by the membership; and further provided that such Convention must be called by the said Council at any time on the request therefor by two-thirds of the local Branches in the Province.

5. In the recess of the Provincial Convention its powers shall be exercised by the Provincial Executive Council, which shall consist of the Provincial Officers elected by the Provincial Convention and such other members as the Provincial Convention shall determine, subject to this Constitution.

6. Subject to the powers of the Dominion Executive Council and the provisions of this Constitution, the respective Provincial Executive Councils shall have jurisdiction upon all matters arising within their territorial limits, but where the policy in respect to such matters affects the Legion as a whole, or the members thereof beyond such limits, the Provincial Executive Council shall, before deciding upon the policy to be adopted, submit a recommendation in respect thereof to the Dominion Executive Council for approval.

7. Should a Provincial Convention desire, for convenience of administration, to organize part of its area as a separate District, it shall have power to do so and to delegate to the District Executive Council such of its own duties and powers as may be permissible under the terms of the Constitution.

8. All Branches shall be under the discipline of their respective Provincial Executive Councils, and, where a District has been formed, to their District Executive Council.

9. It shall be permissible for any 50 persons within any city, who fulfil the qualifications laid down for membership in Article IV., 1 (a), or for any 10 persons in any outlying district, who so desire, to petition the Provincial Executive Council for permission to form a separate Branch. The Provincial Executive Council, after satisfying themselves that the petitioners are able to maintain a satisfactory Branch, may authorize its formation.

10. The National and Provincial Executive Councils may constitute special branches under their respective names and jurisdictions for receiving members at large.

11. (a) All Branches of the Legion in the United States of America shall be under the direct control of the Dominion Executive Council.

(b) Branches in the United States may by arrangement between such Branches nominate a representative on the Dominion Executive Council; provided, however, that all expenses in connection with such representation shall be borne by the Branches in the United States.

ARTICLE VI.

Composition and Duties of Dominion and Provincial Executive Councils

1. The Dominion Executive Council shall consist of a Grand President, President, a First Vice-President, a Second Vice-President, a Chairman, a Vice-Chairman, an Honorary Treasurer, the retiring President, and one other member from each Province of Canada, and in the case of the Province of Ontario, one additional member, all of whom shall be elected at the Dominion Convention by a vote of the whole Convention, and, in addition, one representative each of those departments of Headquarters which are charged with watching over the interests of special classes of ex-service men and women, as contemplated in Article XIV, Section 2. All members of the Dominion Executive Council must be paid-up members of a branch of the Legion. Any ten members of the Dominion Executive Council shall form a quorum. As a memorial of the work and time devoted to organizing and establishing the Canadian Legion of the B.E.S.L., Lieut.-General Sir Percy Lake, K.C.B., K.C.M.G., shall hold office as a Life Member of the Dominion Executive Council.

2. The Dominion Executive Council shall have power to perform and carry to completion work entrusted to it by the last Convention or these rules, to fill all vacancies during recess, to supply any omissions of the Convention, and generally, to carry on the business of the Legion in any manner not inconsistent with these rules or the expressed will of the Convention; provided that any rules made in pursuance of this power shall be faithfully reported to the next Conven-

tion, and shall cease to be operative after that Convention unless confirmed by it.

3. The consultations of the Dominion Executive Council may be held by telegraph or telephone and subsequently confirmed by letter.

4. No salary shall be paid to any member of the Dominion Executive Council, and no member shall, outside of his authorized expenses, receive any money for his services. No salaried officer of any local Council or Branch shall sit on the Dominion Executive Council as a member thereof, while drawing a salary from the said Council or Branch.

5. Salaried executive officers of the Dominion Executive Council, such as the Secretary or Secretary-Treasurer, shall be appointed by, and be under the disciplinary control of the Council. The Council may suspend or dismiss any such salaried officer, and shall be responsible that any officer handling any funds of the Council is properly bonded. In the absence of a written agreement, a salaried officer shall be deemed to be hired from month to month, and shall be required to give one month's notice if he wishes to resign. No written agreement shall provide for a hiring for longer than one year.

6. Subject to an appeal to the next Dominion Convention, the Dominion Executive Council may, for cause clearly stated in the order for suspension, suspend the powers of any Provincial Executive Council or Branch, and may suspend any officer of such Council or Branch from the exercise of his office, and may suspend any member of this Association. The power of suspension, in this section conferred, may be exercised summarily.

7. The work of organizing new Councils or Branches rests in the first place with the Dominion Executive Council, which may from time to time delegate any portion of this work to any subordinate Council, and also resume the same, as to the Dominion Executive Council may seem best in the interests of the Legion.

8. A Provincial Executive Council shall consist of a President, a Vice-President, an Honorary Treasurer, the Dominion Executive Council member for the province, a Provincial Chaplain, and at the discretion of the Provincial Convention, a Chairman and a Vice-Chairman, and such other members as

the Provincial Convention may determine, who shall all be elected at the annual Provincial Convention by vote of the whole Convention; and in addition, one representative each of those departments of Headquarters which are charged with watching over the interests of special classes of ex-service men and women, as contemplated in Article XIV., section 2. All members of the Provincial Executive Council must be paid-up members of the Legion.

9. A Provincial Executive Council shall have power to perform and carry to completion work entrusted to it by the last Provincial Convention, or by these Rules, to fill all vacancies arising during the recess and to supply any omissions of the Provincial Convention.

10. No salary or remuneration shall be paid to any member of a Provincial Executive Council; and no such member shall, outside of his authorized expenses, receive any money for his services.

11. Salaried officers of a Provincial Executive Council, such as the Secretary or Secretary-Treasurer, shall be appointed by, and be under the disciplinary control of the Council. A Provincial Executive Council may suspend or dismiss any such salaried officer, and shall be responsible that any officer handling any funds of the Council is properly bonded. In the absence of a written agreement, any salaried officer of the Council shall be deemed to be hired from month to month, and shall be required to give one month's notice if he wishes to resign. No written agreement shall provide for a hiring for longer than one year.

12. Subject to an appeal to the Dominion Executive Council, a Provincial Executive Council, may, for cause clearly stated in the order for suspension, suspend the charter of any Branch, suspend any officer of any Branch subject to the Provincial jurisdiction from the exercise of his office, and may suspend any member of a Branch subject to the Provincial jurisdiction. The power of suspension, in this section conferred, may be exercised summarily.

13. A Provincial Executive Council has authority, and is directed to supervise the conduct of all Branches within its jurisdiction, and to direct any corrective measures deemed necessary for that purpose.

ARTICLE VII.

Dominion and Provincial Conventions

1. In the following sections the words "Members" and "Membership" shall be inclusive only of those returned to Dominion or Provincial Executive Councils by Branches as members for whom per capita tax is paid to the end of the quarter immediately preceding the Convention.

2. Every Branch shall be entitled to send to the Dominion Convention, as representing its members, one delegate for every hundred members or fraction thereof. Each delegate at the Convention shall have one vote, but where two or more Branches voluntarily combine to send a single delegate to a Convention, he shall carry credentials from each of the Branches accrediting him, and shall be entitled to cast the vote of each in addition to that of his own Branch, provided that no delegate shall use more than two proxies.

3. Where no Poll is demanded, the vote of the Convention shall be yea and nay, or by a standing vote. No Poll shall be granted except on demand of delegates representing twenty-five per cent of the voting power of the Convention on a Poll.

4. Fraternal delegates who are members of the Legion shall have all the rights of the Convention except voting powers.

5. Irrespective of whether they have been re-elected as delegates, the Dominion Executive Council shall be fully qualified members of the Convention until it closes. Where no Poll is demanded they shall vote in the same manner as above set forth. Where a Poll is demanded they shall not vote unless delegates.

6. All resolutions for submission to a Convention shall be in the hands of the Secretary one month at least in advance of the date fixed for its assembly.

7. Prior to the opening session of any Dominion Convention a Resolutions Committee shall be constituted, comprised of one delegate from each Provincial Executive Council, and such Committee shall meet before the opening of the Convention, at the expense of the Dominion Executive Council. The delegates to the Resolutions Committee, so elected from Provincial Executive Councils, shall, by virtue of such ap-

pointment, be accredited delegates to the Dominion Convention.

8. To this Committee shall be handed all resolutions for consideration and report to the Convention, and for combination, amendment or consolidation. Should any resolution be adversely reported upon by the Committee, any delegate shall have the right to re-introduce it to the Convention, provided that a majority of the delegates present are favorable, and only after all resolutions presented by said Committee and all other matters of regular business have been disposed of.

9. At the opening session of any Convention the following Committees shall be elected, whose powers and duties shall terminate with the adjournment of the Convention for the year:

1. Procedure.
2. Credentials.
3. Ways and Means.
4. Appeals.
5. Constitution and Laws.

10. **Committee on Procedure.** This Committee shall decide on the programme of the Convention and the priority of the resolutions.

11. **Committee on Ways and Means.** This Committee shall consider the financial standing of the Convention and recommend the per capita tax for the following year, and also any extraordinary expenditure not provided for in the Constitution.

12. **Committee on Constitution and Laws.** To this Committee shall be handed all amendments to the Constitution and Laws of the Legion, for consideration and report to the Convention.

13. The success of any Dominion Convention depends on an open-minded consideration by the delegates of the views expressed on the floor of the Convention by the delegates from all parts of Canada. Instructions by Branches to delegates should not be in the form of hard and fast instructions precluding such consideration.

Provincial Conventions

14. The number of delegates which each branch shall be entitled to send to a Provincial Convention, as representing its members, shall be one for the first fifty members or

fraction thereof, and one for each additional one hundred members or fraction thereof.

15. Where delegates from any Branch disagree on any question being polled, each delegate shall only have one vote.

16. The foregoing Sections 2 to 13 shall apply, **mutatis mutandis**, to Provincial Conventions as well as to Dominion Conventions.

ARTICLE VIII.

Badges

1. The official badge of the Legion shall always be the property of the Legion. It shall be worn only by members of the Legion after they have been formally admitted into it, and it shall be returned by any member who resigns or ceases to be a member, and the cost thereof returned to such member.

2. Each badge issued shall bear a number, and a record shall be kept by the Secretary of each Branch of all persons to whom the badge has been issued. The Provincial and District Executive Councils may, with approval of the Dominion Executive Council, adopt a system of different colored backgrounds for the badges to be worn in each calendar year.

3. Past Presidents and Honorary Officers may be supplied with distinctive jewels with the official badge of the Legion included in the design.

4. Other classes of membership including associate, honorary, women's auxiliaries and junior auxiliaries (apart from ordinary members who shall wear only the official badge, as designated in sections one and two, but subject to Section three) may be supplied with distinctive badges with the official badge included in the design.

ARTICLE IX.

Constitution of Local Branches

1. The primary unit of the Legion shall be the Branch, to one of which every member must belong. Each local Branch shall exercise complete autonomy in regard to its own property and affairs, and shall have power to make its own by-laws and regulations governing its activities, including the calling and holding of all necessary meetings, so long as they

are consistent with the general rules and principles of this Constitution.

2. The General Meeting of a Branch shall be the organization for carrying out its activities in connection with the welfare of ex-service men and women, and with the social and comradeship life of the Branch, and for prosecuting the aims and objects of the Legion.

The Annual General Meeting of a Branch shall be held at a time and place fixed by a previous General Meeting, preferably soon after the close of the financial year.

3. Every branch shall appoint an Executive Committee, which shall ordinarily consist of a President, First and Second Vice-Presidents, a Treasurer, when the office of Secretary and Treasurer are not combined, and such members as the Annual General Meeting shall decide, but not less than three in number, who shall be elected at the Annual General Meeting.

4. At the first Executive Meeting after the Annual Meeting, the Executive Committee may, unless otherwise determined by by-law of the Branch, appoint and elect one other member to the Committee for each three members of the Committee elected by the Annual Meeting. A majority of the Executive Committee shall form a quorum. In the case of small Branches the number of officers may, with the assent of the Provincial Executive Council, be reduced as may seem desirable.

5. The President shall preside at all meetings and enforce order and strict observance of this Constitution and these Rules, countersign all cheques issued by the Treasurer, and all promissory notes, bills of exchange and other instruments involving the liability of the Branch. He shall exercise a general supervision and control over the officers and business of the Branch and shall call meetings of the Executive Committee, or the Branch, when he considers it advisable. He shall transact such other business as may by custom appertain to his office; and he shall have the casting vote whenever there shall be an equal division on any question.

6. In the absence or disability of the President, all the rights and powers vested in the President shall, for the time being, be vested in the First Vice-President; and in the absence or disability of both the President and First Vice-

President all the rights and powers vested in the President shall, for the time being, be vested in the Second Vice-President.

7. The Committee shall appoint a Secretary or Secretary-Treasurer and such other officers, servants and agents as may be required for the proper working of the Branch. It shall have all the power of the Branch except the power to rescind or alter any Rules, Regulations or By-laws adopted by the Branch, the power to expel members save as otherwise provided by these Rules, and the power to raise money by way of loan, or mortgage on debentures, or to sell any realty or assets belonging to the Legion.

8. The Secretary shall keep a record of the proceedings of all meetings, whether of the Branch or of the Executive Committee, in special books kept for that purpose. He shall be required, at every business meeting, to have with him the proper minute and record books, and all necessary books and correspondence which he may have in his possession, relative to the business likely to be transacted at any meeting. He shall be the custodian of the Seal of the Branch. He shall hold these and act at all times and in all respects entirely at the will and direction of the Executive Committee, and shall conform to all such rules and regulations as the Executive Committee may determine.

9. The Treasurer shall keep a just and true account of all moneys received and paid out by the Branch, and of all financial transactions of any and every kind whatsoever, including always a full and complete statement of the credits and liabilities of the Branch. He shall deposit all funds of the Branch in some chartered bank of Canada to be determined upon by the Executive Committee, and the account shall be kept in the name of the Branch. All moneys payable by a Branch shall be paid out by cheque only, signed by the Treasurer and countersigned by the President, or Vice-President of that Branch, and no cheque shall in any case be signed by any officer in blank. The Treasurer shall keep his books at the office of the Branch, and they shall be open to the inspection of the Executive Committee at all times. When, and as often as the Executive Committee require, he shall set forth a detailed balance sheet, containing a summary of the property and liabilities of the Branch, and of all its

financial dealings, arranged in a proper and business-like style, from time to time as required by the Committee.

10. The Committee shall meet at least monthly, on a day to be fixed by the Committee, or at the call of the Chairman, for the passing of accounts, the transaction of current business, the examination and discussion of any suggestions made to them for the general welfare of the Legion or Branch, and such other business as may be introduced. Unless otherwise determined by by-laws of the Branch, any vacancy on the Committee occurring during the year shall be filled by the Committee at a meeting of the Committee called for the purpose, of which three days' notice shall be given.

11. Salaried officers of a Branch, such as the Secretary, or, where the offices of Secretary and Treasurer are combined, the Secretary-Treasurer, shall be appointed by and be under the disciplinary control of the Executive Committee of the Branch.

12. The Executive Committee may suspend or dismiss any such salaried officer and shall be responsible that any officer handling funds of the Legion is properly bonded. In the absence of a written agreement, a salaried officer shall be deemed to be hired from month to month, and shall be required to give one month's notice if he wishes to resign. No such written agreement shall provide for a hiring for longer than one year.

13. The Committee shall have power to levy an assessment on each and every member of the Branch to meet any extraordinary expenditure in any year, provided that such expenditure has been approved by two-thirds of those present at any General Meeting called for the purpose of considering the same, and is in pursuance of the aims and objects of the Legion as herein set forth.

14. Should any member of the Committee be absent from three consecutive meetings of either the Committee or the Branch without an excuse satisfactory to the other members of the Committee, he shall, if a resolution to that effect is passed by the Committee after notice to him cease to hold office, and his place shall be filled in the manner relating to vacancies provided by Section 10.

Meetings

15. At the hour appointed the President shall take the chair and call the meeting to order and preside during the meeting. In case the President is absent or disqualified, the First Vice-President shall act in his stead, and in the absence of both the President and the First Vice-President, the Second Vice-President shall take the chair and preside. In the absence or disability of the President and both Vice-Presidents, the Secretary or Secretary-Treasurer shall call the meeting to order, and a temporary chairman shall be elected.

16. At any meeting of the Branch, whether special or general, the quorum shall be determined by by-law of the Branch, and questions shall be decided by a majority of those present, the Presiding Officer having the casting vote in addition, in case of a tie.

17. The Presiding Officer of any meeting shall rule out of order all matters pertaining to political questions, which do not refer to the well-being of the Legion, and also all matters of religious discussion.

18. The Presiding Officer at any meeting shall enforce order and strict observance of this Constitution and these Rules. He shall have the right to decide all questions of order, subject to an appeal to the meeting sustained by a two-thirds vote of those present.

19. The Presiding Officer shall, when debate has ceased on any question, put the same to a vote, giving the words of the motion or resolution clearly, so that no member may misunderstand the question on which he is about to vote.

20. A member wishing to introduce a motion, or to speak, shall arise and address the Presiding Officer, and shall wait until he is recognized before speaking.

21. Members should not hold private discussions during a meeting, or talk on any subject in an unseemly manner. In matters not provided for in these Rules, all meetings shall be conducted on parliamentary lines, and the rules of procedure contained in "Roberts' Manual of Parliamentary Procedure or Rules of Order" shall govern.

22. The following is a suggested Order of Business:

(1) Call to order by Chairman (usual way).

- (2) At word of Chairman all shall stand with bowed heads in silence for one minute in memory of, and out of respect for our Fallen Comrades.
- (3) One verse of "O Canada."
- (4) Roll Call of Officers.
- (5) Minutes of last meeting and Minutes of Executive Committee Meeting.
- (6) Applications for membership.
- (7) Admission of new members.
- (8) Unfinished business.
- (9) Financial statement.
- (10) Correspondence.
- (11) Question by Chairman: "Is any member out of employment?"
- (12) Social.
- (13) Reports of Committees.
- (14) Notice of Motion.
- (15) General business, welfare of the Legion or Branch.
- (16) Election of Officers and Committees.
- (17) National Anthem, "God Save the King."

At the admission of a new member, part of the proceedings shall be the formal reading of the Principles, Aims and Objects of the Legion.

23. Where there has been a notice sent to the members specifying the business of a meeting, or where notice of motion has been given at a previous meeting, the business of which notice has been given shall have the right of way.

24. Where business arises of which no notice as aforesaid has been given, the Presiding Officer may, if he considers it in the interests of the Legion or Branch, adjourn to the next meeting the debate on such business.

Committees

25. There may be the following Committees: Finance, Employment, Investigation, Entertainment, Reception, Visiting, House, Publicity, Relief, Local and By-laws; but each Local Branch may determine for itself the number and nature of the standing Committees necessary and their powers,

rights, and duties, subject always to any other express provision in this Constitution.

26. All Committees shall be named by the Presiding Officer, unless otherwise determined by the meeting, and shall perform the duties assigned to them within the time specified, and report the result back to the Branch.

27. No member shall be excused from Committee work unless two thirds of those present at the meeting agree thereto, but no member shall be obliged to serve on more than two Committees at one time.

28. The first-named member on a Committee shall act as Convener to call the Committee together, when they shall elect their own Chairman. A majority of any Committee shall constitute a quorum for the transaction of business.

29. All reports of Committees shall be presented in writing and signed by the members offering same.

Fees

30. An enrolment fee of \$1 shall be charged by every Branch of the Association.

31. The amounts of, and periods of payment of ordinary and other membership dues shall be fixed by special by-laws of the local Branch.

32. In the absence of any special by-law of the Branch, the dues shall become payable half-yearly at the first meeting of the Branch in the months of March and September in every year.

Suspension for Non-Payment of Dues

33. Notice shall be sent each quarter to all members in arrears, showing the amount of dues owing. Any member to whom such notice has been sent and who remains more than one quarter in arrears shall, at the end of the second quarter be, **ipso facto**, suspended, and notice thereof shall be sent to him by registered letter to his last known address; provided, however, that if such member pays up his arrears within one month after the date of suspension, he may be reinstated; otherwise his membership shall cease at the expiration of the said one month and any office held by him shall be vacant.

34. An ex-member who has lost his membership under the foregoing provision may be reinstated at any time by a two-thirds vote of any meeting of the Branch and on payment of the unpaid dues, but his reinstatement by such vote will not restore him to any office which he may have forfeited.

35. In case the member in default is a member of the Dominion or Provincial Executive Council, a duplicate of the notice of suspension shall be mailed by the Secretary of the Branch to the Secretary of the said Executive Council.

36. Any Ordinary Member producing satisfactory evidence to his Branch of being unable, through ill-health, or unemployment, to maintain his contributions, may have them suspended or remitted. In every such case, the Branch shall be responsible for payment of Per Capita Tax.

37. Any member leaving the Legion shall have no claim upon it.

Suspension of Members For Cause

38. Any member may be expelled from the Legion for breach of his obligations, or of the Constitution, or for disloyal utterances, or acts, or for profane or disorderly conduct in a meeting of any body of the Legion, or for maliciously making a false charge against a member, or for conduct unworthy of a member, or which in any way brings the Legion into discredit.

39. Any charge as above mentioned, under the foregoing, against a member must be made in writing and signed by the accuser and lodged with the Secretary of the Branch or Command where the accusation is made.

40. Upon receipt of the charge, the presiding officer of the Branch or Command shall appoint a Trial Committee of three members (with one or more waiting members) to try the case, provided that the accused shall have the privilege of two peremptory challenges to the members of the Trial Committee.

41. The Trial Committee shall take all necessary steps to ensure a fair trial of the case, including notification of the evidence submitted, which shall be in writing and signed by the respective witnesses.

42. The Trial Committee shall report its verdict and sentence to the Branch or Command for confirmation or rejection; a two-thirds vote of the members present being necessary to confirm the expulsion or suspension of a member.

43. An appeal will lie, after confirmation of a verdict and sentence, to the Executive of the next higher body; said appeal to be made by registered letter addressed to the proper office, within ten days of said confirmation. Said Appeal Body shall fix the time and place for the hearing of said appeal, arrange for reasonable notice to the accused and accuser and to the Secretary of the Branch or Command concerned, and make all other necessary provision for said hearing, and may hear the appeal on the evidence submitted to the Trial Committee, or shall have power to hear further evidence in respect thereof as they think fit, and may confirm, vary or reverse the verdict or sentence appealed from.

44. The conviction of any member by a competent court of criminal jurisdiction in Canada, or in the country where the member's local Branch is situate, for any offense as above mentioned, may be accepted by the local Branch as conclusive evidence of the commission of such offence, without the formality of a Trial Committee.

Transfers and Cards

45. Any member in good standing may apply to the Secretary of his Branch for transfer of his membership to any other Branch he may indicate, and the Secretary is empowered to furnish him with a form of card, which shall be signed by the Secretary and by the member himself in the Secretary's presence. The card shall indicate the amount of the unused membership dues of the member and shall also state any office which he may have held in that Branch. The Branch indicated on the transfer shall, after the transferring member's application for membership has been accepted by a majority of those present at a general or special meeting, receive such member after he has signed in the presence of the President or other officials, and shall credit him with the amount of his unused membership dues, which amount shall be remitted by the Branch from which such member is transferred.

46. Any member in good standing may request the Secretary of his Branch to furnish him with a Travelling Card, and

the Secretary shall furnish him with such card, which shall be good until the date mentioned thereon, and shall entitle such member to Branch privileges in any Branch of the Legion.

Returns Required

47. Each Branch shall furnish every three months to the Dominion Secretary and to its own Provincial Secretary, a complete list of all members in good standing, together with a per capita tax return, on a form provided for that purpose by the Dominion and by the Provincial Executive Councils respectively; and shall also make such returns as are required by these Rules and Regulations, and shall at all times supply such further information relating to the affairs of a Branch as may from time to time be required by the Dominion, or by a Provincial Executive Council. The National Executive Council shall undertake the establishment of a uniform system for branch records and for all returns from branches.

ARTICLE X.

Banking and Seal

1. All moneys received by the Dominion or by any Provincial Executive Council shall be forthwith deposited in such chartered bank or banks as the Executive of such Dominion or Provincial Executive Council may decide.

2. All cheques issued by the Dominion or by a Provincial Executive Council shall be signed by such officers or members as the said Executive Council may determine.

3. The banking practice of Branches shall be as herein-after determined and the bookkeeping and accounting system shall be standardized.

4. There shall be a Seal for every Local Branch and for every Council, which shall be according to such design as may be determined by the Dominion Executive Council, but which in each case shall bear on it the words, "..... Branch" (or "Council," as the case may be), and the blanks shall be filled in with the proper designation of the Branch or Council.

ARTICLE XI.

Auditors: Their Appointment and Remuneration

1. Within one month before the Annual Meeting of a Branch, and in the case of the Dominion or of a Provincial Executive Council, within one month before the Annual Convention, the accounts of any such body shall be examined by a Board of Auditors, who shall be elected annually for a Branch at its General Meeting and for the Dominion or for a Provincial Executive Council, at their respective Annual Conventions, when in each case their remuneration shall be determined.

2. Members of the Legion may be appointed to such Boards, provided that no officer shall be eligible. Their reports shall be signed and placed in the hands of the Secretary of the Branch, or of the Dominion or Provincial Secretary, at least seven days before the Annual Meeting or Convention, and shall be presented by the Secretary to the meeting or convention without further formality.

3. Subject to the express provisions herein contained, Clauses 94 "A" and 94 "B" of the Companies Act Amendment Act, 1917, shall be adopted and read as part of this Constitution and these Rules, insofar as the same can be reasonably held to apply.

ARTICLE XII.

Powers and Rights with Respect to the Holding of Property

1. The real property that may be held or acquired by any Branch or Council shall be held by a Board of Trustees duly appointed by it for that purpose, whose appointment, rights, powers, duties shall in each case be fixed and determined as hereinafter set forth, and who may take, hold, possess and acquire by purchase, lease, exchange, donation, devise, bequest, endowment or otherwise, real or immovable property required for the actual use and occupation of the Legion, or necessary or requisite for the carrying out of its aims and objects, and subject to section 69a of the Companies Act, with power to sell, mortgage, pledge, hypothecate or alienate such property in any manner whatsoever.

2. Subject to this Constitution and these Rules, and at the request of the existing owners, the Board of Trustees of the

Dominion Executive Council, or of any such Council or Branch as it may determine, may acquire and take over all existing assets, interests, rights, credits and property movable and immovable, held and enjoyed by the Legion or belonging to any organization that is or may become merged into or united therewith, subject to all the obligations and liabilities existing at the time.

ARTICLE XIII.

1. The Branch at its first general meeting may appoint a Board of Trustees of not less than three nor more than five, each of whom shall be over the age of twenty-one years, for the purpose of holding, on behalf of the Branch, all or any real property in which the Branch is or may become interested.

2. Upon incorporation of the Legion, any such property held by the Branch, or by the Legion for any Branch, shall be forthwith conveyed to the proper Trustees, duly appointed under this article by any such Branch or Council of the Legion.

3. The remuneration, if any, of the Trustees shall be fixed by the general meeting of the Branch, and all charges, expenses and outlays whatsoever incurred by them in the execution or maintenance of the trust, shall be paid to the Trustees by the Branch upon demand of the Trustees, who shall, at the expense of the Branch, have the right to engage all necessary and proper solicitors and agents for all trust purposes at all times.

4. In case any Trustee shall die or resign from the trust or become unfit or incapable of acting, the Branch shall forthwith appoint his successor who, upon appointment, shall have all the duties and powers of the Trustee whose place he takes upon the Board.

5. All lands held by the Trustees shall be so held upon such terms and conditions as the Branch shall determine. The lands may be insured, leased, mortgaged and sold only as the Branch may direct, and the Trustees shall in all respects conform to any and all rules and regulations passed by the Branch governing the holdings of said lands, but otherwise, and in default of any such rules, the Trustees shall hold and manage the same in all respects in the best interests of the Branch and the Legion.

ARTICLE XIV.

Special Departments

1. The Dominion Council may establish a special Clubs Department for the purpose of assisting and advising ex-service men's clubs as to their organization, membership and other interests.

2. Organizations for the protection of particular sections of ex-service men, or for the execution of special work, shall be constituted by the Dominion or Provincial Executive Councils into or under special departments. The special interests of the members of such organizations and groups as the Naval Veterans, the Amputations Association, the Tuberculous Veterans' Association, the Canadian Pensioners' Association, the Imperial Veterans, the Vocational Section and the Disabled Veterans' Association, shall be safeguarded by the departments that represent them sending representatives as members to the Dominion and Provincial Executive Councils. The Adjustment and Vocational services at Headquarters shall be directed by their special representatives in those departments.

3. Old Comrades' Associations and similar organizations for maintaining a particular tradition and fellowship may be affiliated with the Legion on such terms and conditions as the Dominion Executive Council may judge best. The individual members of such organizations may become Ordinary Members of a Branch.

ARTICLE XV.

Amendments

This Constitution and these Rules may be amended, repealed or re-enacted at any Annual Meeting of the Dominion Convention by a majority vote of the whole Convention, provided that one month's notice has been given to the Council of such amendment, unless such notice be unanimously waived by the Convention.

