

**THE ROYAL CANADIAN LEGION, SASKATCHEWAN COMMAND
PROVINCIAL BY-LAWS 2016**

ARTICLE I

GENERAL

- (1) The title of the organization is The Royal Canadian Legion Saskatchewan Command, and is hereinafter referred to as the Command.**
- (2) The Command is subject to the jurisdiction of the Dominion Command of The Royal Canadian Legion, Incorporated by special statute as set out in the General By-laws of The Royal Canadian Legion.**
- (3) The Command is comprised of the Members of all Branches of The Royal Canadian Legion in Saskatchewan.**

ARTICLE II

ORGANIZATION

The primary unit of the Legion shall be the Branch, to one of which every member must belong. Any Branch may decide to restrict its membership to persons who have seen service in any particular area or capacity, or who have some common interest either in service or civil life. 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, so long as they are consistent with the general rules and principles of the By-laws of The Royal Canadian Legion.

- (1) No officer or member shall make public any statement, oral or written, as to the policy of The Royal Canadian Legion, unless and until such policy has been declared.**
 - (a) By a meeting of the Branch affected, or the Executive Committee of such Branch, as to matters of local character and within the jurisdiction of the Branch.**
 - (b) By a Provincial Convention or a Provincial Executive Council, as to matters of a Provincial character, and within the jurisdiction of such Provincial Command.**
 - (c) By a Dominion Convention or the Dominion Executive as to all matters and questions.**
- (2) Branches and Executive Councils, other than Dominion Executive Council, shall be limited in the exercise of their autonomy each to its own territory and any and all**

activities contemplated which are not so limited, shall be first approved by the superior Command having jurisdiction.

- (3) Any appeal for financial assistance by any Branch shall be restricted to that area within which the Branch is situated. Branches are permitted to appeal for financial assistance from Branches within their Zone and/or District provided that authorization is granted by the Zone and/or District so involved.
- (4) Such disciplinary action as is provided by the General By-laws may be taken by the next superior body against any member or Branch not complying with this restriction, provided, however, that a Branch may take such disciplinary action against its members.
- (5) The channel of communication shall be from the Branch through its Command.
- (6) The financial year of all Branches in the Command shall be the calendar year, unless prior authorization is given by the Command to deviate from this ruling.
- (7) The Province shall be divided into (16) Zones or less.
- (8) Each Zone will meet in Rally biennially in the even numbered years. If the majority of the Branches decide to meet otherwise or in Rally in the odd numbered years, other than the even years biennial Rally, no financial assistance will be forthcoming from Command. A registration fee may be assessed by the Zone Commander from the attending delegates, including non accredited delegates attending Zone Rally.
- (9) The biennial Zone Rally will meet after consultation with the District Commander and his Zone Commanders at their annual meeting.

NOTE: The scheduling of Zone Rallies should be so that the most economical use of travelling time and expenses are taken into consideration.

- (10) Zone Commanders shall be elected from members residing within the Zone and from members in good standing of Branches within that Zone for a two year term at the biennial Zone Rally held in the even numbered years. In the event that the Zone fails to elect a Zone Commander then vacancies may be filled by the Provincial Executive Council. Zone Commanders will attend Provincial Convention as accredited delegates with expenses paid as determined by the Provincial Executive Council. All Zone Commanders will be installed at the conclusion of the Zone Rallies at which they were elected for a two year term.
- (11) Notwithstanding anything herein contained, the Provincial Executive Council may appoint a new Zone Commander to replace one who has died, resigned, or moved away from his Zone. The Provincial Executive Council may remove a Zone Commander from office for just cause. Just cause could be described as long-term illness, failure, or inability to perform the duties of a Zone Commander. Such removal will require prior consultation with Sub Executive Committee.

Any complaint lodged against a Zone Commander shall be proceeded with in accordance with the General By-Laws.

(12) Branches may send as many Life, Ordinary, Associate and Affiliate voting members who are in good standing of a Branch within that Zone who wish to attend Zone Rallies, only two of whom may be accredited delegates. Zone Commanders and Deputy Zone Commanders will be accredited delegates at their respective Zone Rally.

(13) The Zones will be grouped into four Districts as follows:

- No. 1.....South Eastern
- No. 2.....South Western
- No. 3.....North Western
- No. 4.....North Eastern

(14) District Rallies are to be held biennially in the odd numbered years. Such Rallies shall be held in the first six (6) months of the odd numbered years. District Commanders are to be elected from members residing within the District and from members in good standing of Branches within the District at District Rallies. All District Commanders will be installed at the conclusion of the District Rallies at which they were elected for a two year term.

(15) Each District and Zone shall elect a Deputy Commander. The Deputy shall be elected at the Rallies where the respective District and Zone Commanders are elected and their term of office shall coincide with that of the District or Zone Commander. The Deputy District or Deputy Zone Commander shall be elected from members residing within the District or Zone as designated in Sections 10 and 14 of these By-laws. In the event that an elected Deputy District or Deputy Zone Commander, for any reason, cannot fulfill the term of office, the District Commander in the case of a District or the Zone Commander, in the case of a Zone, may appoint a Deputy Commander to complete the term of office to the next Rally date where an election shall be held. Such member appointed shall reside in the District or Zone as designated in Section 10 or 14 of these By-laws and such appointment shall be approved by the Provincial Command Sub-Executive Committee. The Deputy, elected or appointed, may attend a Provincial Convention as an accredited delegate with expenses paid as determined by the Provincial Executive Council.

(16) Notwithstanding anything herein contained, the Provincial Executive Council may appoint a new District Commander to replace one who has died, resigned, or moved away from his District. The Provincial Executive Council may remove a District Commander from office for just cause. Just cause could be described as long-term illness, failure, or inability to perform the duties of a District Commander. Such removal will require prior consultation with Sub Executive Committee.

Any complaint lodged against a District Commander shall be proceeded with in accordance with the General By-Laws.

- (17) A registration fee may be assessed by the District Commander for the attendance of the delegates, including non-accredited delegates, attending District Rallies.
- (18) Branches may send as many Life, Ordinary, Associate and Affiliate voting members who are in good standing of a Branch within that District who wish to attend District Rallies, only two of whom may be accredited delegates. The District Commander and Deputy District Commander will be an accredited delegate at their respective District Rally.
- (19) Each Zone Commander and Deputy Zone Commander within the District shall be an accredited delegate to the District Rally, and shall be entitled to only one (1) vote.
- (20) Each Zone shall comprise the Branches allocated to it by the Provincial Executive Council, and each District shall comprise the Zones similarly allocated to it by the Provincial Executive Council. In the event that circumstances indicate a re-allocation of Branches between Zones and/or Districts, Branches shall be first consulted.
- (21) The following shall be the suggested order of business at all Rallies:
1. Host Branch will open the Rally in accordance with the Ritual, Awards & Protocol Manual.
 2. Addresses of Welcome.
 3. Turn Rally over to the Commander.
 4. Acceptance of Agenda.
 5. Minutes and acceptance of last Rally.
 6. Roll Call of Branches, Veterans and Members.
 7. Addresses: Command Representative, District Commander.
 8. Zone and Deputy Commander's reports.(at zone rallies)
 9. Nominations.
- COFFEE BREAK**
10. Resolutions.
 11. Election of Commander/Deputy Commander.
 12. Other presentations.
 13. Date and Place of next Rally.
 14. Installation of elected Commander/Deputy Commander.
 15. Further General Business of the welfare of the Zone, District, or the Legion as a whole.
 16. The Commander turns the meeting back to the Host Branch for the closing ceremony as per the Ritual, Awards and Protocol Manual.
- (22) In the event of vacancies on the Provincial Executive Council, including District Commanders, as well as Deputy District Commanders, Zone Commanders and Deputy Zone Commanders, being filled as designated elsewhere in these By-laws, the installation of these appointees shall be carried out at the earliest convenient time. Such installation ceremony shall be performed by an officer of equal or higher rank and in accordance with the Legion ritual and insignia manual.

NOTE: For the purposes of Article II(10); (14) and (15), members shall be eligible for election as designated, provided, however, that an Alberta resident who is a member of Lloydminster Branch No. 39 shall also be eligible for election to positions within that Zone or District.

ARTICLE III

POWERS & DUTIES OF THE EXECUTIVE COUNCIL

Subject to Section 5 of the Act and these by-laws and except with respect to the revocation of charters, the Provincial President and the Provincial Executive Council shall exercise within their jurisdiction like powers to those granted to the Dominion President and the Dominion Executive Council under Article IV, subject to any obligation contained therein, including measures set out in Sections 419 and 420 of the General by-laws.

All complaints and appeals that Saskatchewan Provincial Command must rule on and find to be of a frivolous nature, costs to bring the complaints or appeals committee to wherever within the province, will be recovered from the party that lodged the complaint or appeal.

COMPOSITION OF THE EXECUTIVE COUNCIL

- (1) Subject to the control of the Convention, the affairs of the Command shall be administered by an Executive Council consisting of: President; Immediate Past President; 1st Vice President; Two Vice Presidents of equal status; Chairperson; Provincial Executive Director (non-voting); all District Commanders.**
- (2) The Tuberculous Veterans' Section and Imperial Veterans' Section in keeping with Article I, Section 137 of the General By-laws shall have the right to be represented by a member on the Provincial Executive Council at their expense.**
- (3) For the purpose of convenience and economy, the Command shall have the power to appoint from its members, a Sub-Executive Committee, consisting of such members as the Council may decide. Such Sub-Executive shall have the power to hold meetings, transact business and carry out all necessary administrative business between meetings of the full Executive Council.**
- (4) The Provincial Executive Council may set up standing committees necessary for the operation of Command. When engaged on duly authorized business of The Royal Canadian Legion, committee members shall be entitled to transportation and such per diem allowance as the Executive Council may determine.**
- (5) Consultations of the Executive Council may be held by telephone and subsequently confirmed by letter or fax. A ballot of the Executive Council may be taken by mail or email.**
- (6) Officers, members and employees of the Executive Council may be entitled to expenses when attending Convention, meetings of the Executive Council or when otherwise**

engaged on the business of The Royal Canadian Legion, when duly authorized as follows: Transportation and such per diem allowance as the Executive Council may determine.

- (7) The Dominion Command representative shall be the Provincial President. In the event that the Provincial President, for any reason, cannot represent Saskatchewan Command as Dominion Command representative, then a representative shall be designated by the Provincial President and/or the Provincial Sub-Executive Committee.
- (8) Meetings of the Executive Council or of the officers of the Command shall be called by the President at such times as he/she deems necessary, provided however, that the Executive Director shall call such a meeting within seven (7) days upon receipt of a request for such a meeting to be called, such request to be in writing and shall have the consent of at least six (6) members of the Executive Council. There are to be a minimum of two Council Meetings per calendar year.
- (9) A majority of the Council shall constitute a quorum at any meeting of the Executive Council.
- (10) Vacancies in the Executive Council shall be filled in a manner that corresponds with the appropriate sections of the General By-laws in accordance with the policies adopted by the Dominion Executive Council and in a manner as the policies apply to the Provincial Command offices.
- (11) Members of the Executive Council shall be elected from members residing within, or if employed, working and residing within the Province of Saskatchewan provided, however, that an Alberta resident who is a member of Lloydminster Branch No. 39 shall be eligible to be elected to the Executive Council.

ARTICLE IV

PROVINCIAL CONVENTION

- (1) The Provincial Convention shall be held biennially, sites for convention should be alternated if possible between north/south/east/west, on a date and place to be fixed by the Provincial Executive Council.
- (2) All delegates accredited and non-accredited shall pay such registration fee as may be determined by the Provincial Executive Council.
- (3) The number of delegates which each Branch shall be entitled to send to a Provincial Convention as representing its members shall be two for the first 50 Ordinary, Life, Associate and Affiliate-voting or fraction thereof, and one for each additional 100 members (Ordinary, Life, Associate and Affiliate-voting) or fraction thereof based upon the total number of Ordinary, Life, Associate and Affiliate- voting members paid

up as at the 31st day of December of the previous year. Such delegates will be members in good standing of that Branch. No member who is a paid employee of the Provincial Command may be an accredited delegate or vote at a Provincial Convention.

- (a) All Delegates must be in possession of a current membership card.
- (4) The Provincial Executive Council members and each Zone Commander, and each Deputy District and Zone Commander shall be accredited delegates of a Convention until the close, and will be entitled to vote thereat.
- (5) All former Provincial Saskatchewan Command Presidents who are in attendance at a Provincial Convention shall be accredited delegates and have a portion of their expenses paid as determined by the Provincial Executive Council.
- (6) All resolutions for submission to the Convention shall be filed with the Provincial Executive Director of the Command at least 142 days prior to the opening of the Convention.
- (7) All resolutions shall be reviewed by the Resolutions Committee for consideration, amendment or consolidation and report to the Convention. In the event that any Committee reporting to the Convention does not concur with any resolution submitted for consideration such non-concurred resolution may be brought back for consideration by the Convention through the following District caucus procedure:

Any accredited delegate or group of accredited delegates at their Convention District caucus may request that a non-concurred resolution be brought back to the Convention for further consideration. A majority vote of the District caucus delegates assembled will be required for the non-concurred resolution to be presented to the Convention. A request to introduce the resolution shall be submitted in writing to the Convention Chairperson not later than 9:00 am. on the second business day of the Convention. Request forms may be had from the Provincial Executive Director or Convention Chairperson and must be signed by the District Commander or the District caucus Chairperson. These conditions being complied with the delegate or delegates requesting re-consideration of the non-concurred resolution must be prepared to present the resolution and speak to it at the time allotted to give non-concurred resolutions consideration.

Should any Committee not report on any resolution properly submitted or any new resolution considered of such importance as not to be carried to the next Convention, any delegate shall have the right to introduce it to the Convention, provided that the majority of the Convention delegates approve, and after all concurred and non-concurred resolutions have been dealt with, and all other matters of regular business have been disposed of, provided that any resolution which calls for the expenditure of money by the Command shall be referred to the Ways and Means Committee.

Unless otherwise stated, resolutions passed by Convention will not become effective until January 1st, following Convention.

- (8) Prior to the opening of any Convention such Committees as are necessary to expedite the work of the Convention shall be constituted by the Council, and such Committees, shall meet if necessary, before the opening of the Convention, and any extra expenses occasioned thereby shall be paid as determined by the Provincial Executive Council.**
- (9) Special Committees other than those referred to in section seven (7) hereof, may be appointed as required, and, unless otherwise determined by the Convention shall be named by the President. They shall perform the duties assigned to them and report as requested.**
- (10) All reports of Committees shall be presented in writing by the members offering same.**
- (11) Election of Officers: At a time decided on by the Procedures Committee, the Chairperson will call for nominations. Nominees for office shall be members in good standing, present at the Convention, or with a letter of acceptance filed. There shall be no nomination speeches, but candidates will be allowed to address the Convention delegates for up to two (2) minutes each.**
- (12) Election shall be by ballot when balloting is for the election of a single officer. The successful candidate must have a clear majority of votes cast. In the event that there are more than two nominees for an office and no majority is achieved on the first ballot, the two nominees achieving the most votes shall remain on the ballot and another vote shall be held. If there is a tie for the second position on the first ballot, then all three nominees shall remain on the second ballot. In the event of the two final candidates receiving an equal number of votes, the Chairperson shall cast a deciding vote if he/she has not already voted, but he/she may in his/her sole and uncontrolled discretion, call for another vote to determine the elected candidate.**

In the election for Vice Presidents, delegates may vote for up to, but not more than, two candidates. The two candidates receiving the highest number of votes shall be elected.

Any member in good standing nominated for the Provincial Command position of President, and is unsuccessful in the voting for that office, shall drop to the next level and become a nominee for First Vice President. If again unsuccessful, the candidate shall become a nominee for one of the Two Vice Presidents positions. If a nominee declines to stand for the office of President or First Vice President the nominee will be asked by the Elections Chairperson if he/she will stand for the next lower office. If he/she declines, the nominee's name will be removed from the candidates' list. Unsuccessful candidates for a Vice Presidents' position will not drop down for consideration as a nominee for the position of Chairperson. In order to be considered for this position, a member in good standing must be nominated for this position as the nominations call is put to the Convention.

- (13) The Provincial Chairperson shall enforce order and strict observance of the By-laws. He/she shall decide all points of order subject to an appeal to the Convention.**
- (14) The Provincial Chairperson 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/she is about to vote on. The Provincial Chairperson may have the deciding vote, in the case of a tie, provided he/she has not previously voted on the question.

- (15) Anyone wishing to speak, shall rise and address the Provincial Chairperson through the appointed whip. He/she shall wait until he/she is recognized and shall have his/her name and Branch stated by the whip before speaking further.
- (16) No private discussions shall be held when the Convention is in session, nor shall debate be conducted in an unseemly manner. In matters not provided for in these By-laws, the General By-laws of The Royal Canadian Legion and the Legion's "Rules of Procedure for Legion Meetings" shall apply. In all cases where these rules do not make adequate provision, then and then only, "Robert's Rules of Order" shall apply.
- (17) The success of any Provincial Convention depends upon the open-minded consideration by the delegates of the views expressed at the Convention, and instructions by Branches to delegates should not be in a hard and fast form precluding such consideration.
- (18) Only accredited delegates may cast votes at the Provincial Convention.

ARTICLE V

ANNUAL MEETING IN THE (OFF) PROVINCIAL CONVENTION YEAR

COMPLIANCE WITH CANADIAN LAW

1. The Royal Canadian Legion will be governed by *An Act to Incorporate The Royal Canadian Legion* and these By-Laws.
2. To comply with the *Canada Not-for-Profit Corporations Act*, in an off-Convention year at Command level, there shall be an annual meeting held which will have as a minimum the following agenda:
 - a. Presentation of the audited financial statements
 - b. Approval of the auditors

NOTICE OF ANNUAL MEETING

3. In the case of Saskatchewan Command, notice shall be provided on the Sask. Legion Website and in an all Branch mail out, E-Mail where supplied not more than 90 days and not less than 21 days before the annual meeting.

Notice shall specify:

The Provincial Executive Council of The Royal Canadian Legion hereby gives notice of an Annual General Meeting of the organization which will take place at (time), (date), (location).

Agenda for the meeting:

- a. Presentation of the audited financial statements*
- b. Approval of the auditors for (years)*

This meeting is being held to fulfill the requirements of the Canada Not-For-Profit Corporations Act. Members wishing to make comment or raise questions on these two items may do so by written submission to Provincial Command, 3079-5th Avenue Regina, Sask. S4T 0L6 to be received no later than (date 30 days prior to the meeting).

Documentation pertaining to the annual meeting shall be made available on the Saskatchewan Command website www.sasklegion.ca, at least 21 days prior to the annual meeting or upon written request by a member enclosing a self-addressed stamped envelope received at Provincial Command at least 14 days prior to the annual meeting.

Annex A

Notice of Annual Meeting of Saskatchewan Command The Royal Canadian Legion

The Provincial Executive Council of The Royal Canadian Legion hereby gives notice of an Annual General Meeting of the organization which will take place at (time), (date), (location)

Agenda for the meeting:

- 1. Presentation of the audited financial statements**
- 2. Approval of the auditors for (Year)-(Year).**

This meeting is being held to fulfill the requirements of the Canada Not-For-Profit Corporations Act. Members wishing to make comment or raise questions on these two items may do so by written submission to Provincial Command, 3079-5th Avenue Regina, Sask. S4T 0L6 to be received no later than (date).

Documentation pertaining to this annual meeting shall be made available on the Legion website at www.sasklegion.ca at least 21 days prior to the annual meeting or upon written request by a member, enclosing a self-addressed stamped envelope (9" x 12" envelope with sufficient postage) received at Provincial Command at least 14 days prior to the annual meeting.

A majority of the Provincial Executive Council shall constitute a quorum.

ARTICLE VI

BANKING – SEAL/CREST - CHARTERS

- (1) All monies payable to the Command shall be paid to the Executive Director or other designated person, and shall be deposited forthwith in a Chartered Bank, Trust Company, Credit Union, Caisse Populaire and/or Treasury Branch. The account shall be kept in the name of the Command.
- (2) All payments by the Command shall be made by cheque, signed by such officials as may be designated by the Executive Council.
- (3) There shall be a seal for the Command, and for every Branch, which shall be according to such design as may be approved by the Dominion Command.
- (4) The official Crest shall be used on all stationery issued, and used by the Command.
- (5) At the first Executive Council Meeting following a Convention, a chartered accountant shall be appointed to act as Auditor. The Auditor shall report to the Executive Council annually, or at such lesser period as Council desires.
- (6) Members of the Legion who are qualified may be appointed auditors, provided that no officer or member of the Executive Council shall be eligible. A copy of the Auditor's report shall be filed with the President and Chairperson of the Ways and Means Committee prior to a Convention, and shall be presented by the Chairperson of the Ways and Means Committee to the Convention.

ARTICLE VII

BRANCH RETURNS

- (1) Branches shall be required to make the following returns to the Executive Director of the Command:
 - (a) A photocopy of the application for Membership of each accepted member(not faxed).
 - (b) Yearly returns of Officers and members of Executive Committees elected or appointed at the annual meeting of the Branch immediately thereafter.
 - (c) A copy of the Audited Annual Financial Statements of the Branch, namely balance sheet and statement of Revenue and Expenditures, as well as an independent audit for lounge operations if applicable, to be filed with Provincial Command on or before February 28th.

- (d) **Poppy Trust Fund Statement, including the amount available for those in need of assistance to be submitted on or before October 31st.**
- (e) **10% levy of the net proceeds of their annual poppy campaign to a maximum of \$3000.00.**
- (f) **Other statements and returns as required by Provincial and/or Dominion Command.**

ARTICLE VIII

AMENDMENTS OF BY-LAWS

These By-laws may be amended, repealed or reenacted at any Provincial Convention by a majority of the whole Convention, providing that one month's notice has been given to the Provincial Executive Director of such proposed amendments, unless such notice is waived by a 2/3 vote of the Convention. Minor amendments may also be made by the Provincial Command Executive Council.